

AUDIT COMMITTEE
MEETING AGENDA

June 12, 2014

11:30 A.M.

125 Worth Street,
Rm. 532
5th Floor Board Room

CALL TO ORDER

Ms. Emily A. Youssouf

- Adoption of Minutes April 11, 2013 Ms. Emily A. Youssouf
- Adoption of Minutes Special Audit Committee Meeting May 22, 2014 Ms. Emily A. Youssouf

ACTION ITEMS

- Resolution Mr. Wayne McNulty

Adopting, pursuant to Arts and Cultural Affairs Law § 57.25[2], Records Retention and Disposition Schedule MI-1 (1988; rev. 2006) issued by the Commissioner of the New York State Education Department and found at 8 NYCRR § 185.14 and 8 NYCRR Appendix K.

- Resolution Mr. Wayne McNulty

Approving the designation of William Gurin, Deputy Corporate Compliance Officer, as the New York City Health and Hospitals Corporation's ("HHC") Records Management Officer ("RMO"), as that term is defined under New York State Education Department regulations found at 8 NYCRR § 185.1[a], to coordinate the development of and oversee HHC's records management program in accordance with the requirements set forth under Article 57-A of the Arts and Cultural Affairs Law and the implementing regulations thereof.

INFORMATION ITEMS

- Update Payroll Report – Social Security Numbers Per Grants Audit Mr. Jay Weinman
- KPMG 2015 Audit Plan Ms. Maria Tiso
- Audits Update Mr. Chris A. Telano
- Compliance Update Mr. Wayne McNulty

EXECUTIVE SESSION

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

MINUTES

AUDIT COMMITTEE

MEETING DATE: April 10, 2014

TIME: 11:00 AM

COMMITTEE MEMBERS

Emily A. Youssef, Chair

BOARD MEMBERS

Steven Newmark, Agent Designee (Representing Dep Mayor Lilliam Barrios-Paoli in a voting capacity)

STAFF ATTENDEES

Antonio Martin, Executive Vice President/COO
Salvatore J. Russo, Senior Vice President & General Counsel, Legal Affairs
Denise Soares, Senior Vice President, Generations + Northern Manhattan
Deborah Cates, Chief of Staff, Chairman's Office
Patricia Lockhart, Secretary to the Corporation, Chairman's Office
Marlene Zurack, Corporate Chief Financial Officer
Jay Weinman, Corporate Comptroller
Arnold Saperstein, Chief Executive Officer, MetroPlus
John Cuda, Chief Financial Officer, MetroPlus
Paul Albertson, Senior Assistant Vice President
Christopher A. Telano, Chief Internal Auditor/AVP, Office of Internal Audits
Wayne McNulty, Corporate Compliance Officer
Gassenia Guilford, Assistant Vice President, Finance, Central Office
Mehendra Patel, Director, Grants Management Central Office
Jayashri Nagaraja, Senior Management Consultant, Finance, Central Office
Devon Wilson, Senior Director, Office of Internal Audits
Steve Van Schultz, Director, Office of Internal Audits
Zhanna Kelley, Assistant Director, Office of Internal Audits
Carlotta Duran, Assistant Director, Office of Internal Audits
Delores Rahman, Audit Manager, Office of Internal Audits
Sonja Aborisade, Supervising Confidential Examiner, Office of Internal Audits
George Asadoorian, Supervising Confidential Examiner, Office of Internal Audits
Jonathan Delgado, Supervising Confidential Examiner, Office of Internal Audits
Cynthia Mcintosh, Supervising Confidential Examiner, Office of Internal Audits
Armel Sejour, Supervising Confidential Examiner, Office of Internal Audits
Rosemarie Thomas, Confidential Examiner, Office of Internal Audits
Barbarah Gelin, Confidential Examiner, Office of Internal Audits
Gillian Smith, Confidential Examiner, Office of Internal Audits
Guzal Contrera, Confidential Examiner, Office of Internal Audits
Julian John, Chief Financial Officer, Central Brooklyn Family Health Network
Anthony Saul, Senior Associate Director, KCHC/DSSM/ENY
Mohamed Arif, Associate Director, Finance, Kings County Hospital Center
Kiho Park, Associate Executive Director, Queens Healthcare Network
Kibaki Depass, Assistant Controller, Coney Island Hospital
Lauren Haynes, Asst. Systems Analyst, President's Office

OTHER ATTENDEES:

Maria Tiso, Partner, KPMG

APRIL 10, 2014
AUDIT COMMITTEE OF THE BOARD OF DIRECTORS
NYC HEALTH & HOSPITALS CORPORATION

An Audit Committee meeting was held on Thursday, April 10, 2014. The meeting was called to order at 11:00 A.M. by Ms. Emily Youssouf, Committee Chair. Ms. Youssouf stated that before she calls the meeting to order Mr. Steven Newmark, Deputy Mayor Lilliam Barrios-Paoli's Agent Designee, is here representing her in a voting capacity [in accordance with Article VI, §12 of the HHC By-Laws]. She then asked for a motion to adopt the minutes of the Audit Committee meeting held on February 13, 2014. A motion was made and seconded with all in favor to adopt the minutes. An additional motion was made and seconded to hold an Executive Session of the Audit Committee to discuss matters of potential litigation.

Ms. Youssouf said that the first thing on the agenda is an action item and she turned the presentation over to Ms. Marlene Zurack, Senior Vice President for Finance/CFO.

Ms. Zurack read the resolution stated in the agenda: "Authorizing the President of the New York City Health and Hospitals Corporation to negotiate and execute an agreement with KPMG LLP to provide the Corporation with auditing services and other directly related services including debt-issuance-related services, debt-compliance letter, tax services and certification/attestation for cost reports for a term of four years, for an amount not to exceed \$3,487,000 plus a 10% contingency reserve of \$340,000". She then turned it over to Mr. Jay Weinman, Corporate Comptroller, to walk through the basics of the process that was used by the selection committee.

Mr. Weinman began stated that a Request for Proposal (RFP) was issued in the beginning of January. The RFP was sent out to twenty-one firms on the City's list of eligible CPA firms – we received responses from three. Based on the selection criteria we selected KPMG – they were the lowest bidder and they have been our auditors for over twenty years.

Ms. Youssouf asked for introductions since there is a new partner as part of the rotation, and asked to describe her role and her prior experience with HHC. The partner introduced herself as Maria Tiso, the new lead engagement partner on the audit of HHC. She said she was the leading engagement partner five years ago on the previous contract and had other roles during her course at KPMG. She is very familiar with the Corporation and its issues and the management team. She will be working with members of management making sure that they incorporate the new transactions that are occurring this year and incorporate a level of predictability as we go through the audit process.

Ms. Youssouf asked Mr. Newmark if he had any questions for KPMG. He responded no. Ms. Youssouf then stated that if there are no other questions, she will request a motion for approval. Motion was approved and seconded. The resolution will go to the full Board for its consideration.

Ms. Youssouf then proceeded to the first information item about an A-133 Single Audit Grants Management by Ms. Zurack.

Ms. Zurack said informed the Committee that every year, HHC is a part of New York City's A-133 Audit, which is an audit that is conducted of all grants. For HHC, that audit is led by Mahendra Patel, Director, Grants Management. This year the HHC audit had no findings, which we thought was incredible, and I wanted the Committee to understand that we really stood out among other City entities.

Ms. Youssouf said thank you – I'm really pleased to hear that, and frankly, I'm not surprised given the great leadership we have throughout the Corporation in relation to these grants.

Ms. Youssouf moved on the next item – audits update from Mr. Chris Telano.

Mr. Telano stated pages three through five of the briefing document are a summary of the four current audits being conducted by the New York City Comptroller's Office at HHC. The first one is related to Emergency Room Wait Time, and that audit is still ongoing. One noteworthy item is that in a memorandum sent from them in January, they stated that they found insufficient evidence that many of the efforts made to reduce ED wait times were formally evaluated. We took exception to that preliminary conclusion; as a result we will be sending a letter from the Corporation's Executive Vice President/COO, Antonio Martin.

Mr. Martin stated that it is already sent. To which Ms. Youssouf asked if he had heard from them. Mr. Martin responded that the signed letter went out two days ago.

Mr. Telano then asked them to turn to page four; number two is related to the Navigant Consulting's billing practices. We have not heard from them since September 2013, so we really do not know the status of that audit. The next audit they are conducting is of the Lincoln/PAGNY Affiliation agreement, and that audit is also ongoing. They are still collecting information and interviewing individuals. The audit began in July of 2013. The last audit which started in October 2013 on page five is Patient Revenue and Accounts Receivable. They are also collecting information through various individuals throughout the Corporation.

Ms. Youssouf asked if these audits started under the previous Comptroller. To which Mr. Telano responded yes. Then Ms. Youssouf asked if there have been any interaction with the new administration. Mr. Telano answered not from his point of view.

Mr. Telano continued with page six, which is a discussion of the audits that the Office of Internal Audits has completed since the last meeting. The audit at MetroPlus of the procurement process – he asked the representatives to approach the table.

Ms. Youssouf asked them to introduce themselves for the record. They introduced themselves as follows: Arnold Saperstein, Executive Director; John Cuda, CFO.

Mr. Telano began with the findings. The purchasing department at MetroPlus consists of two individuals, and as a result there were some separation-of-duty concerns, but the individuals within Finance and the Purchasing Department have taken necessary steps to resolve that. We also found a terminated employee had system access to OTPS, and an active employee had access to the GHX system although it was not part of their current job function. Lastly, we found some documentation issues regarding for payment purchase orders. There were some justification letters missing and their informal bid package was also missing some documentation to support the quotation.

In response to the findings, Mr. Cuda stated that regarding access to systems, we have a process in place where we do something called a LAN form that goes from the department to HR. One of the things that sometimes fall through the cracks as we discovered due to this internal audit was that we were very tight on closing down our MetroPlus systems. Sometimes it did not get into the record that someone had access to any HHC system. So what we have done is we put that back into the process to terminate the HHC access so now that has become part of the questioning in the exit conference. Before it was sporadic and it should have been tighter, so we have addressed that issue.

Ms. Youssouf asked if it's a LAN form; it's not electronic? Mr. Telano said that we use a paper LAN form. We want to get to an electronic request system that either goes through GroupWise or another electronic function, but right now it's a paper form.

Ms. Youssouf then asked how difficult is it to make it electronic – I'm also concerned, when you have a LAN form, the length of time it takes someone to actually get it and read it. Is it possible your HR people could also potentially send an email? Dr. Saperstein stated that the LAN form triggers the email, but they have been using the LAN form document, hard-copy documentation because it lists all of the specific system access. When somebody comes on board, the systems they are signed for requires the executive team member's supervision to sign off on what access was given to employees. They use it more for recordkeeping, all the communication is done electronically through GroupWise and there is an email of that job completed as requested. The issue was that we were shutting down access into our system and all of ours, but we did not follow through on some of the HHC systems. That has now been implemented -- anytime an employee leaves, we have a record of all the systems actually being turned off. All of the communication is done electronically. Our CIO wanted to have hard-copy record of somebody actually signing off on a request. We have a paper LAN form, but all of the work is done electronically.

Mr. Cuda went on – for the bid process, we found that MetroPlus is adhering to getting the three quotations, telephone quotations. We were not adhering to keeping the non-winning bid documents, the documents were being disposed. We brought examples of how we actually have the outreach and the context of each of the three bidding vendors, and we only kept the actual bid from the winner. We have changed our policies since the audit; we now scan it electronically into a file. That has been addressed through this audit. The for-payment-only (FPOs), we went and looked at what the issues were, and internal audit found that we had some FPOs without proper justifications. This basically falls into two categories that we were able to define. One was executive sponsorships. When we buy a table at Jacobi's fair or we have Harlem week or the NYCHA Chinese-American Association, these are usually processed by the president's office. Being the president, we did not put in place that there was a justification signed by anyone over Dr. Saperstein because internally there is not anyone over Dr. Saperstein. We worked out with Mr. Telano that I or Dr. Dunn will be the signature to his orders and sign the justifications so a record goes in that two people looked at this and that goes into the folder. The others found were Sandy related FPOs.

Ms. Youssouf asked if this was electronic. Mr. Cuda said that the justifications usually come by email and a response is put into the system – it is not exactly a piece of paper.

Mr. Cuda continued by stating that the other issue they found was after Super Storm Sandy. We were displaced from 160 Water Street, so some of the other ones that we did were parking situations, replacement of cars that we did in an emergency situation and we did not have every I dotted or T crossed. That fell through a little bit during the recovery period.

Ms. Youssouf thanked them and said that it sounds like you made the corrections and everything in under control.

Mr. Telano proceeded with his update by stating that the next audit on page seven is an audit of Surgical Instruments at Metropolitan Hospital Center. He asked for the representatives to approach the table and identify themselves. They introduced themselves as follows: Kathi Mullaney, Peri-Op Service Line Administrator and the Prevention Control Director; Meryl Weinberg, Executive Director. Mr. Telano said that the review involved viewing instruments such as forceps, clamps, scissors, etc. We went to ten different utility rooms in which the soiled and the clean instruments are maintained and we found that five of those ten rooms were unlocked. We also found that in two of these rooms the Central Service Department did not have access although they are responsible for restocking

the clean instruments and retrieving the soiled ones. The second issue we found is related to the inventory controls. For the individual instruments, manual inventory records are maintained. For the trays, the Abacus system, the inventory system is utilized. We found some instances in which our counts did not agree to the manual cards and we also found that items, trays included on the Abacus inventory system were not found at the location that was indicated. The last review comment we have is that we found terminated employees still have access to the Abacus inventory system.

Ms. Mullaney stated that the list has been reviewed and people who have access to Abacus are new employees.

Ms. Youssef asked what they are doing to ensure that other terminated employees won't have the gap in time again. To which Ms. Mullaney answered that Central Sterile manager will be responsible for checking that every month with the OR manager. Also, the corporation is upgrading Abacus to Abacus II. This is very timely for us; we are now going through everything related to Abacus as far as the trays. Our rollout is May 20th. They will be there the whole week to in-service Central Sterile and the operating room and everyone who has access to the trays. Ms. Mullaney asked if this answered her question. Ms. Youssef responded no, let's say you terminate three people next week – how are you assured that they won't have access anymore? Ms. Mullaney said that it's an internal check; Central Sterile manager will make sure the list is current. He will generate a monthly report to me, so I will know that it was checked by the Service Line Administrator. Also, having the upgraded Abacus system for us will be much more comprehensive.

Ms. Youssef stated that the system is only as good as the information you put in. She then asked if it goes to HR.

Ms. Mullaney answered no, they do not have access to the Abacus, but we know who we terminated and we know who is in the department and who should have access. As far as the access to the rooms, hospital police and I went around and checked every single room and looked into card access. Card access lets you know who went in and when they left. We are teaching everyone that there is no tailgating and they will be somebody teaching them how to use the card access. This is another report that will be generated each month and we are working very closely with hospital police. For the inventory room, there are clamps and there are scissors, so we are using the combine card. We have standard work for that, and staff is going to be in-serviced. It is a small room with our instruments and they are not big-ticket items.

Ms. Youssef stated that that's the point, they are not big-ticket items, the point is that they are surgical instruments; some of them could in fact be dangerous. You do not want inventory to go missing. Ms. Youssef then asked Mr. Telano if he was satisfied with their implementation. He indicated that he was and commented that Ms. Mullaney and her staff were very proactive during the course of the audit in addressing most if not all of these findings.

Mr. Telano continued by stating that the last audit to be discussed is on page eight. It is related to service grants at Kings County. He asked the representatives to approach the table.

Ms. Youssef asked them to introduce themselves. They introduced themselves as follows: Mohsen Mansour, Director; Julian John, Chief Financial Officer; Anthony Saul, Senior Associate Director.

Mr. Telano said that other than a few minor recordkeeping discrepancies noted, the only finding of significance was that on some of the payroll registers that were being utilized to account for the expenditures related to the grants, the Social Security numbers of employees were indicated and also to the attached report. Sometimes

there was a spreadsheet attached to those that also indicated the Social Security number, and those documents are all sent over to the Corporate Grants Management area for review and approval.

Mr. Saul stated that as required, we normally provide payroll documentation for each employee who is listed on the grant. We utilize the internal system, which is actually payroll access. Grants Management has a view print for the access, and it is a specific screen that prints a copy of the actual paycheck. Unfortunately, when we print that screen, it prints both the TKID and the Social Security number. The requirement that we are going to implement immediately is that we are going to manually redact the Social Security information. We have also contacted Corporate Office and we have shown them the actual screens that we utilize and how we access the information. They are going to be working with IT and Payroll where they will be able to print that screen without the Social Security number because the TKID number is sufficient.

Ms. Youssouf asked Corporate Office, if that was sufficient. Mr. Weinman responded that we are working with facilities. The report that is being referenced is on screen; it is a direct link to the payroll system and we want to take out the extra link, the Social Security number, not only for print but also for view. We are working with IT to either substitute the report or somehow blank out the Social Security number.

Ms. Youssouf asked if that is true at all facilities. Mr. Weinman answered yes.

Mr. Fred Covino, Central Office, stated that just to be very clear, even though it was submitted to Central Office, it did not go to the grantor. It was retracted by our staff and was not forwarded beyond that.

Ms. Zurack said that in terms of the more policy answer to the question is as a Corporation we have challenged ourselves in the past to eliminating any Social Security number that we do not need to know. We have missed a couple in that review, so I keep pushing, Mr. Telano can tell you, that we have to be vigilant. We are on it in Payroll, not the hospital. Mr. Weinman is right, it should not even be available to people. We have legacy systems, it is not always so easy to find. We find a few over time, and every time we think we have found them all, something else crops up. Mr. Covino is right, it did not get out in the world, but it was a risk, and we are very concerned about it.

Ms. Youssouf asked when it does not get out in the world, but it is available internally to a large number of people is that something you have to notify the employees on. Is that considered any kind of violation? Mr. McNulty from Corporate Compliance responded that under the General Business Law 399AA that will qualify as a disclosure of private information or under 899DD – it is a risk. Ms. Youssouf then asked who has the ability to change this.

Mr. Weinman responded and said that we are working with IT. IT will have to do some programmatic changes to the system in order to wipe out the Social Security numbers. Ms. Zurack added that it is Corporate Finance's responsibility to tell IT we need this done.

Ms. Youssouf requested that Mr. Telano come back to the next meeting and let them know the status, whether they have been able make those changes.

Mr. Martin added that Ms. Zurack is right because we do not know corporate-wide what our exposure is. This is one department, Finance, but I think of a couple of other departments where there may be similar exposure. I would really welcome Mr. Telano's audit throughout the Corporation so we can catch everything that may be out there.

Ms. Youssouf asked Mr. Telano if that is something he can do? Mr. Telano responded yes. She then stated that the other issue is Social Security numbers reported on the HIV treatment adherence report.

Mr. Saul said that as Mr. Telano denoted, we have already made those changes to that spreadsheet. Basically, it is a copy of the information that came from the reports, we have a summary report and this is the actual detail that backs it up.

Mr. Telano presented the summary report. Ms. Youssouf asked if this is an issue that they have to be contacted. Mr. Russo answered no.

Mr. Telano continued with the briefing and stated that on page nine is the listing of the audits in progress and on page ten is the follow-ups. Then said if there are no other questions then I conclude my presentation.

Ms. Youssouf thanked him and then turned over to Mr. Wayne McNulty from Compliance.

Mr. McNulty saluted The Audit Committee and introduced himself as Wayne McNulty, Chief Corporate Compliance Officer ("CCO"). Mr. McNulty proceeded by moving to page three of the Corporate Compliance report and discussing the new Executive Compliance Workgroup ("ECW") members. Mr. McNulty explained that the ECW is a workgroup that consists of senior members of the Corporation, including members from Central Office and the facilities. He further explained that the function of the ECW was to provide advice and guidance to the CCO. He advised the Committee that ECW's presence is a required element under the New York State Mandatory Provider Compliance Program and the OIG Guidance to compliance programs. Mr. McNulty informed the Committee that in 2014 the standard members of the ECW included the following individuals: the Senior Assistant Vice President of Revenue Management, Maxine Katz; the Senior Vice President and Chief Information Officer, Bert Robles; the Senior Vice President and General Counsel, Sal Russo; Senior Vice President and Chief Medical Officer, Dr. Ross Wilson; and the Senior Vice President and Chief Corporate Financial Officer, Marlene Zurack. Mr. McNulty continued by advising the Committee of that the ECW also consists of several rotating members who serve on the ECW for a year. These members, Mr. McNulty provided, are as follows: Chris Constantino, Senior Vice President of Queens Healthcare Network and Executive Director of Elmhurst Hospital Center, serving as the rotating senior vice president; Elizabeth Guzman, Chief Financial Officer, Metropolitan Hospital Center, serving as the rotating chief financial officer; and Angelo Mascia, Executive Director of Sea View Hospital and Rehabilitation Center, serving as the rotating skilled nursing facility Executive Director. Mr. McNulty stated that all the rotating members will serve on the ECW for calendar year 2014.

Mr. McNulty continued by discussing the Compliance Training Update. He advised the Committee that the compliance-training modules were being updated. He stated that, although the physicians' compliance training module was expected to be updated by end of April, it appeared that it would most likely be completed around the second week of May. He explained that one of the requirements under State Law and Federal guidance is that the compliance-training modules are reviewed and examined annually to determine whether or not they need to be updated to be consistent with the current and applicable regulations and statutes. He informed the Committee that the Healthcare Professionals' Training module would be updated in June.

Mr. McNulty proceeded with the next item on page five of the report – the Compliance Reporting Index. Mr. McNulty stated that during the first quarter of calendar year 2014, the Office of Corporate Compliance ("OCC") received 92 compliance-based reports, one of which was considered Priority A report. Mr. McNulty informed the Committee that a Priority A report is a matter that requires immediate review and/or action due to an allegation of an immediate threat to a person, property or environment. He advised the Committee that 31 of the reports were considered Priority B reports. He added that the remaining 60 reports were considered Priority C reports. He stated

that 43 of the reports were received through OCC's confidential Helpline. He told the Audit Committee that reports were also received through the following means: face-to-face; email; US Mail; voicemail; and website submission. He went on to discuss the different classes of allegations, which included reports pertaining to employee relations, reports pertaining to policy and process integrity, and reports pertaining to the misuse or misappropriation of assets or information.

Mr. McNulty continued by discussing the Privacy Reporting Index. Mr. McNulty stated that for the first quarter of calendar year 2014, the OCC received a total of 23 incidents reports through its HIPAA Complaint Tracking System. He explained that, out of these 23 complaints, three were found after investigation to be actual violations of HHC's HIPAA policies and procedures, two were determined to be unsubstantiated, six were determined not to be a violation, and 12 were still under investigation. He added that the three confirmed violations did not amount to a breach of confidential information that would necessitate a report to the United States Department of Health and Human Services ("HHS").

Ms. Youssouf asked Mr. McNulty to explain the difference between a confirmed violation and a breach.

Mr. McNulty responded by providing the Committee with an example. In summary, he explained that in a case where an employee improperly accesses health information, such access would constitute a HIPAA violation. However, he further summarily explained, such access would not be considered a breach if it occurred within the covered entity. He further explained that, so long as there is a low probability that the information was not comprised, then a breach has not occurred. On the other hand he explained, if the OCC found out that an employee was something criminal involving Social Security numbers, such an incident would be considered a breach and notification of the Attorney General's office, HHS, and the affected individuals would be required.

Mr. McNulty continued with OCC's Staffing Update. He informed the Committee that there were two vacancies in the OCC. He stated that one of the vacancies was in Central Office and one was in HHC Health and Home Care. He informed the Committee that the recruitment process had commenced and was ongoing.

Mr. McNulty moved on to item number six on the agenda – Monitoring of Excluded Providers. He advised the Committee that there were no reports of excluded providers since the last time the Committee convened in February of 2014.

Ms. Youssouf added that, by the way, is great. We have been doing very well with that. Congratulations to all. To which Mr. McNulty added that it has been a group effort between the OCC and all the staff offices throughout the facilities and Central Office, the Labor Department, and Employment and Human Resources.

Mr. McNulty proceeded with section seven on the report – the OIG Fiscal Year 2014 Work Plan. Mr. McNulty informed the Committee that the Office of the Inspector General ("OIG") for HHS released their Fiscal Year 2014 work plan in January. In summary, he informed the Committee that the ECW would be reviewing the subject OIG work plan at its next meeting to determine what items may be at risk to the Corporation. He directed the Committee to turn its attention to Attachment one of the Report, which highlighted some of the items from OIG's work plan. Following Attachment one, he continued by discussing several of the OIG work plan items.

Mr. McNulty started with the *Analysis of Salaries Included in Hospital Cost Reports*. Mr. McNulty stated that OIG had already initiated an audit in HHC's Queens Healthcare Network with respect to this particular item. In summary, he stated that the OIG placed this item on their work plan and promptly started an audit of the same. Mr. McNulty then discussed *Oversight of Hospital Privileging*, advising the Committee that this potential risk item would be discussed by the ECW.

Mr. McNulty continued by discussing the *Centers for Disease Control and Prevention's World Trade Center Program*. He explained that HHS and the Federal Government, who are responsible for oversight of the World Trade Center grants, have initiated an audit process of the same. He explained that HHC had already received a survey concerning the World Trade Center Grant. He explained that the federal government has specific elements that they want the Compliance Program to meet with regard to this grant. He closed the discussion of this topic by informing the Committee that the OCC would closely examine compliance with these requirements.

Ms. Zurack requested, in summation, that Mr. McNulty communicate with her team about OIG efforts regarding this topic because, as she stated, there were some special things HHC negotiated with the Feds regarding this matter. Mr. McNulty replied that he would comply with Ms. Zurak's request.

Ms. Youssouf asked if HHC had anything in writing regarding the negotiation. To which Mr. Covino answered that it is just a series of discussions.

Ms Youssouf suggested that you always put it in an email and send it saying "Per our discussion, this is our understanding". Mr. Covino said that Mr. Miles has it in the file that he personally does not have it.

Mr. McNulty added that he would work with Mr. Terry Miles on this item. Ms. Zurack stated that they have worked with Joe Willey (who is HHC's outside counsel) on this item too.

Mr. McNulty continued by discussing the Compliance Oversight of the Gotham Federally Qualified Health Center, Incorporated ("Gotham" or the "Health Center"). He informed the Committee that HHC applied to the Health Resources Service Agency ("HRSA") for the designation of six of its diagnostic/treatment centers and all of their respective satellite clinics, which amounts to 20 satellite clinics and 13 school-based health centers, as a federally-qualified community health center look-alike pursuant to HRSA's regulations concerning the public entity/co-applicant government model. Mr. McNulty explained, in sum and substance, that compliance oversight is an important piece of this. He advised the Committee that he met with the Chairperson of the Gotham Board of Directors to review HHC's compliance program and its applicability to the diagnostic/treatment centers. In summary, he explained that, nearly three years ago, the OCC separated the diagnostic/treatment center Compliance Committees from the Network compliance committees. He advised that for the past two and half years the OCC had already instituted a very unique compliance program with regard to the diagnostic/treatment centers, which included education and training, risk assessments, and the diagnostic/treatment center's compliance program and committees. Mr. McNulty stated that he discussed the following about HHC's compliance program with the Gotham Chairperson: compliance training education of the Health Center personnel; the different standards of conduct and code of ethics that apply to the Health Center's personnel; and the Health Center's compliance and risk assessment results. He added that, as per the Chairperson's request, he would be reporting to the Gotham board on a bi-monthly basis. He added that he would be developing a compliance-training program for the Gotham Board of Directors. He explained that such training would be unique because of the different regulations that govern the diagnostic/treatment centers and the regulation or the requirements under the HRSA agreement.

Mr. McNulty then continued with the next item, External Audits. Mr. McNulty discussed two specific external audits. The first audit originated from the Office of Civil Rights ("OCR") and involved Metropolitan Hospital Center. He advised the Committee that the OCR was looking into the meaningful access to services and programs for individuals with limited English proficiency ("LEP"); the equal access to services and programs for individuals with HIV; and the privacy and security of protected health information with regard to these individuals and their information. Mr. McNulty stated that that a response to this audit on behalf of Metropolitan and the Corporation was expected to be sent out the day after the instant Committee meeting, or by the following Monday the latest. He

stated, in summary, that the audit was unique because, in the normal course, the OCR - - although they have jurisdictions over these three areas - - usually conducts audits of these three areas separately. Mr. McNulty closed his discussion regarding the subject audit by, in sum and substance, thanking the Metropolitan staff members who were very helpful in compiling information with regard to this audit. He also thanked the Facility Privacy Office at Metropolitan; Terry Hamilton, who oversees the HIV program at Central Office; and Carolyn Jacobs and her office that oversees the LEP program.

Mr. McNulty moved forward by discussing the second audit, which he advised the Committee was an HHS OIG audit. After reminding the Committee that he discussed this audit earlier in the report, he explained that OIG was looking at excessive compensation at Elmhurst Hospital Center. He informed the Committee that the OCC responded to the audit by providing summary of the five highest compensated employees at Elmhurst and Central Office for the years 2008, 2009, 2010 and 2011, as well as their respective salaries and job descriptions. He stated that the OCC issued a response on Monday, March 31, 2014. He commented that this audit was an example of HHS placing an item on their work plan and within a month instituting an audit process on said item.

Mr. McNulty concluded his report after asking the Committee if they had any questions.

Ms. Youssouf thanked Mr. McNulty and proceeded into Executive Session.

Ms. Youssouf announced that the Executive Session was over and asked for a motion to adjourn.

There being no further business, the meeting was adjourned at 12:31 P.M.

Submitted by,
Emily Youssouf
Audit Committee Chair

MINUTES

SPECIAL AUDIT COMMITTEE

MEETING DATE: May 22, 2014

TIME: 3:00 PM

COMMITTEE MEMBERS

Jo Ivey Boufford, M.D., Chair (Acting)

BOARD MEMBERS

Mark Page

Robert F. Nolan

Vincent Calamia, M.D.

STAFF ATTENDEES

Antonio Martin, Executive Vice President/COO

Salvatore J. Russo, Senior Vice President & General Counsel, Legal Affairs

Randall Mark, Chief of Staff, President's Office

Deborah Cates, Chief of Staff, Chairman's Office

Patricia Lockhart, Secretary to the Corporation, Chairman's Office

Marlene Zurack, Corporate Chief Financial Officer

Jay Weinman, Corporate Comptroller

Cynthia Jenkins, Senior Assistant Vice President, MPA

Christopher A. Telano, Chief Internal Auditor/AVP, Office of Internal Audits

Wayne McNulty, Corporate Compliance Officer

Christopher Constatino, Senior Vice President, Queens Health Network

Kiho Park, Associate Executive Director, Queens Health Network

OTHER ATTENDEES:

Marc Berg, Principal, KPMG

Joseph F. Kuehan, Jr, Partner, KPMG

MAY 22, 2014
AUDIT COMMITTEE OF THE BOARD OF DIRECTORS
NYC HEALTH & HOSPITALS CORPORATION

A meeting of the Audit Committee was held on Thursday, May 22, 2014. The meeting was called to order at 3:00 PM by Dr. Jo Ivey Boufford, Committee Chair (Acting). Dr. Boufford welcomed all and said that she declared the special meeting of the Audit Committee open and have recruited a couple of members to the committee. Ms. Youssouf is not able to be with here today. She introduced herself and said that she will chair, and Dr. Calamia and Mark Page have joined us, Robert Nolan may come before we finish. She thanked them for joining in the meeting for the purpose to keep a quorum in voting.

Ms. Boufford continued by stating that we have one resolution before us, which Mr. Russo will present, and then we will have a presentation of our resolution.

Mr. Russo began by reading the resolution for record purposes. "Approving the engagement of the consulting arm of KPMG to assist the Corporation in the preparation of its applications in connection with the DSRIP, this stands for Delivery System Reform Incentive Payment program." Mr. Russo gave an explanation of why this is necessary, under the Public Authority's Accountability Act of 2005, it requires, specifically in the case of the certified independent public accounting firm that performs the audit services for a public authority, that prior to engaging such accounting firm's either consultant arm while they are the auditors requires the written approval by the Audit Committee. It is in that vein that it is being presented along with a presentation to the Audit Committee. He asked the representatives from KPMG to approach the table. They introduced themselves as follows: Joe Keuhn, Partner with KPMG's healthcare advisor and Mr. Marc Berg, Partner located in Western DC.

Mr. Kuehn began his presentation and stated that they have been asked to speak this afternoon regarding the resolution just presented. We have quick slides that introduce the topic of DSRIP. DSRIP is a program that was negotiated as far as the Medicaid waiver with CMS. It is worth approximately \$6.4 billion statewide, and it is designed to help fund the development of new care delivery ad business models in the State of New York to accommodate and help healthcare organizations achieve triple aim. In essence, taking our healthcare system from what it is today, by all accounts a system that despite its best efforts in the past to integrate still had non-employee clinically integrated, which is still driven by volume as the main source of our revenue streams. We tend to treat illnesses through episodic care and very much focused on providers and often times retrospective. The ideas here is to help build the healthcare system of the future, one that is more coordinated and collaborative, and that is the key word in DSRIP guidelines to collaborate with other partners in our region to develop integrated care to focus more than on quality and the value that is being presented and to migrate to a system where we are focused on population health, the true needs of the individuals in our communities, and to be funded and paid for based on how well we are performing. In order to receive those funds, the Corporation will need to submit applications. There are two main applications that are being developed. The phase one application is due on June 26th and that is to actually apply for the monies to do the study and analysis in an effort to prepare and submit your application with the plan that is ultimately due in December. We have been requested to assist at this point, initially with phase one, and with the Corporation's applications and at the moment there is consideration that there will be seven applications.

Dr. Boufford stated that that is obviously a very important process and very complicated. She asked if Ms. Zurack will be leading this project. You mentioned you need a focal point; will there be a focal point in the Organization?

Mr. Martin said that he and Dr. Ross Wilson are the co-leads.

Mr. Page asked if we are going to address why KPMG is convening at some point.

Dr. Boufford said that that's what the meeting is about, because it is asking permission to have the same firm working on both sides. Mr. Martin said that as part of the process, we interviewed another entity and they gave us a presentation.

Mr. Page asked who the other entity is. To which Mr. Martin replied Health Management Associates (HMA) and I think that the Steering Committee was a little bit underwhelmed with their presentation.

Mr. Page asked if we did some kind of RFP. Ms. Zurack responded that this is not for a government GSA contract, so we are using methodology that was limited in requirement and it is under \$3 million. Typically we are not even required to get Board approval.

Mr. Russo said that the purpose of this is to make sure the Audit Committee is comfortable that the independence of the firm for purposes of auditing is preserved. The selection is not really the subject of this meeting or any other meeting of the Board because it comports with the under \$3 million and the Board does not usually assert any jurisdiction, but it can.

Mr. Russo stated that for the purpose of saying that the Audit Committee has said that they are convinced that, in fact, while there are legitimate concerns, they are of the belief that this can go forward without damaging the auditing function.

Dr. Boufford said that it is not necessarily to set up precedent that this is a preferred model. She then asked if the members were comfortable with that and asked if they were all in favor. It was seconded and approved.

There being no further business, the meeting was adjourned at 3:23 P.M.

Submitted by,

Dr. Jo Ivey Boufford
Chairperson (Acting)
Audit Committee

RESOLUTION

Adopting, pursuant to Arts and Cultural Affairs Law § 57.25[2], Records Retention and Disposition Schedule MI-1 (1988; rev. 2006) issued by the Commissioner of the New York State Education Department and found at 8 NYCRR § 185.14 and 8 NYCRR Appendix K.

WHEREAS, pursuant to § 57.25[2] of Article 57-A of the Arts and Cultural Affairs Law (Local Government Records Law) no officer of a public benefit corporation may destroy or otherwise dispose of a record, as that term is defined under Arts and Cultural Affairs Law § 57.17[4], without the consent of the Commissioner of the New York State Education Department (the “Commissioner”);

WHEREAS, the New York City Health and Hospitals Corporation (“HHC”), as a public benefit corporation created under the laws of the State of New York, is a covered entity under the Local Government Records Law;

WHEREAS, pursuant to Arts and Cultural Affairs Law § 57.25[2], the Commissioner has formally consented to the disposition of records held by local government public benefit corporations provided that such disposition is in accordance with Records Retention and Disposition Schedule MI-1 (1988; rev. 2006) found at 8 NYCRR § 185.14 and 8 NYCRR Appendix K;

WHEREAS, pursuant to Arts and Cultural Affairs Law § 57.25[2] and 8 NYCRR §§ 185.4[b] and 185.5[a][2], the governing body of HHC must adopt by formal resolution Records Retention and Disposition Schedule MI-1 (1988; rev. 2006) found at 8 NYCRR § 185.14 and 8 NYCRR Appendix K in order to allow HHC to use Schedule MI-1 to legally dispose of HHC records;

WHEREAS, the Office of Corporate Compliance (“OCC”) and the Office of Legal Affairs reviewed Schedule MI-1 and have determined that the following categories of records contained therein apply to HHC: *General; Archives/Records Management; Attorney or Counsel; Building and Property Regulation; Disaster Preparedness; Electric Gas Utility; Electronic Data Processing; Energy; Environmental Health; Executive, Manager, and/or Administrator; Fiscal; Human Rights/Economic Opportunity; Insurance; Miscellaneous; Personnel/Civil Service; Public Access to Records; Public Employment and Training; Public Health; Public Property and Equipment; Public Safety; Recreation; and Taxation and Assessment.*

NOW, THEREFORE, be it

RESOLVED, that the Audit Committee of the HHC Board of Directors hereby formally adopts, for use by all workforce members in legally disposing of HHC records, the applicable provisions of Records Retention and Disposition Schedule MI-1 (1988; rev. 2006), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, as found at 8 NYCRR § 185.14 and 8 NYCRR Appendix K, and which is attached to the instant resolution.

IT IS FURTHER RESOLVED, that in accordance with Article 57-A of the Arts and Cultural Affairs Law and its implementing regulations, only those records will be disposed of that: (i) are described in Records Retention and Disposition Schedule MI-1 after they have met the minimum retention periods described therein; and (ii) do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods.

EXECUTIVE SUMMARY

Article 57-A of the Arts and Cultural Affairs Law (Local Government Law) prohibits officers of public benefit corporations, such as the New York City Health and Hospitals Corporation (“HHC”), from destroying or otherwise disposing of records without the consent of the Commissioner of the New York State Education Department (the “Commissioner”).

Pursuant to Arts and Cultural Affairs Law § 57.25[2], the Commissioner has formally consented to the disposition of records held by public benefit corporations provided that such disposition is in accordance with Records Retention and Disposition Schedule MI-1 (1988; rev.2006) found at 8 NYCRR § 185.14 and 8 NYCRR Appendix K (hereinafter referred to as “Schedule MI-1”). As such, as set forth under Arts and Cultural Affairs Law § 57.25[2] and its implementing regulations found at 8 NYCRR § 185.4[b] and 185.5[a][2], HHC may legally dispose of those records generated and kept in the normal course of business that have satisfied the retention periods set by Schedule MI-1 provided that HHC’s governing body adopts Schedule MI-1 by formal resolution.

The Office of Corporate Compliance (“OCC”) and the Office of Legal Affairs reviewed Schedule MI-1 and have determined that the following categories of records contained therein apply to HHC: *General; Archives/Records Management; Attorney or Counsel; Building and Property Regulation; Disaster Preparedness; Electric Gas Utility; Electronic Data Processing; Energy; Environmental Health; Executive, Manager, and/or Administrator; Fiscal; Human Rights/Economic Opportunity; Insurance; Miscellaneous; Personnel/Civil Service; Public Access to Records; Public Employment and Training; Public Health; Public Property and Equipment; Public Safety; Recreation; and Taxation and Assessment.*

The OCC now respectfully seeks the formal adoption of the applicable provisions of Schedule MI-1 by the Audit Committee of the HHC Board of Directors, and the subsequent adoption of the same by the HHC Board of Directors on June 26, 2014, to serve as HHC’s official records retention and disposition schedule.

NEW YORK CITY HEALTH AND HOSPITALS CORPORATION RECORDS RETENTION AND DISPOSAL SCHEDULE¹

Revised June 2, 2014

¹ This Schedule and the items contained therein are adopted and duplicated from 8 NYCRR § 185.14 (Appendix “K”) except for those items found in Appendix “K” that do not apply to HHC. These excluded items are as follows: Community College, Community Development/Urban Renewal, Cooperative Extension Association, Economic/Industrial Development, Educational Opportunity Center, Election, Environmental Management, Heritage Area (Urban Cultural Park), Library/Library System, Local Development Corporation, Museum, Off-Track Betting Corporation, Port Facility, Regional Market Authority, Soil and Water Conservation District, Transportation and Engineering, and Youth Services.

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INTRODUCTION

I. HOW TO USE THE SCHEDULE²

A. New or Revised Items

If a diamond symbol (◆) precedes an item on this Schedule, the item is new or has been substantively changed from the previous Schedule. Thus, the retention periods for those items may have increased or decreased. Additionally, those items have added or amended explanatory notes. It is crucial that all internal control forms used for record retention purposes are accordingly adjusted, since only the items contained in this Schedule are legally applicable.

B. Unique Item Numbering System

Each Schedule item is numbered consecutively within each section/subsection of the Schedule and assigned a unique identifying number that appears in brackets [] in the Schedule. The unique identifying number remains unchanged from the previous Schedule regardless of whether items are revised or relocated to different sections of the Schedule. If an item is new, it will be assigned a new unique identifying number notwithstanding the location of the item on the Schedule.

C. Interpreting Schedule Items

A large portion of the Schedule items are broad and are categorized by the purpose and function of a given record rather than by a specific document or form. Accordingly, HHC personnel must match the records kept by their offices with the generalized descriptions on the Schedule to determine appropriate retention periods and when disposal is appropriate. If there is a question regarding how long a particular record must be retained, personnel should look at the content and function of the record and determine whether the Schedule has an item that is substantially the same. If so, it should be assumed that the record in question is covered by the substantially similar item in the Schedule.

D. Records that have an unclear period of retention

The Corporate RMO shall contact the State Archives when unsure about the retention period of a particular item. If records of varying retention periods are kept in a single file and cannot be practically separated to apply the various applicable periods of retention, then all the records in the file should be kept in accordance with the retention item with the longest period of retention.

² Adopted and duplicated

E. The “Official” copy of a record

Unless otherwise provided by applicable law, HHC policy or directive, or elsewhere in this Policy/Schedule, the record retention periods provided hereunder apply to one "official" copy designated by HHC.

F. The record form or medium

The records retention periods provided hereunder relate to the information contained in the record that is the subject of retention, regardless of the record’s physical form, medium, or characteristic, whether a paper record or electronic record (i.e., computer disk, flash drive, tape, or other device that stores electronic information). “Duplicate copies of records, including copies maintained on different media (paper, electronic, etc.), may be disposed of in accordance with item number 19[19] of the General section of this Schedule.”

RECORDS DESCRIPTIONS AND RETENTION PERIODS

Schedule MI-1

General

GENERAL

NOTE: Records common to most offices are listed under this section of the Schedule. In using the Schedule, one should first attempt to locate a specific item under a functional heading. If the record you are locating cannot be found under a functional heading, then proceed to this General section to search for a less specific item covering the record.

- ◆1.[1] Official minutes and hearing proceedings of governing body or board, commission or committee thereof including all records accepted as part of minutes:

RETENTION: PERMANENT

- ◆◆2.[2] Recording of voice conversations, including audio tape, videotape, stenotype or stenographer's notebook and also including verbatim minutes used to produce official minutes and hearing proceedings, report, or other record

- a. Recording of public or other meeting of governing body or board, committee or commission thereof:

RETENTION: 4 months after transcription and/or approval of minutes or proceedings

NOTE: Videotapes of public hearings and meetings which have been broadcast on local government public access television are covered by item no. 581, below.

NOTE: Appraise these records for historical significance prior to disposition. Audio and videotapes of public hearings and meetings at which significant matters are discussed may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice on the long-term maintenance of these records.

- b. Other recordings:

RETENTION: 0 after no longer needed

- ◆3.[3] Meeting files for meeting of governing body or board or agency, commission or committee thereof, including agendas, background materials and other records used at meetings:

RETENTION: 1 year

NOTE: Appraise these records for continuing administrative or historical value

prior to disposition. Agendas may have continuing administrative value and may be useful for accessing information in unindexed minutes and for indexing those minutes. Other records prepared for or used at meetings may have administrative or historical value for documenting issues discussed at the meetings and referenced in the minutes. See item no. 1, above, for records which are accepted as part of the minutes.

◆4.[4] Legal opinion or legal directive rendered by government agency:
RETENTION: PERMANENT

5.[5] Local law (including certification that law was properly enacted), rule, regulation, ordinance, resolution, proclamation or court order:
RETENTION: PERMANENT

◆6.[6] Legal agreement, including contract, lease, and release involving local government:
RETENTION: 6 years after expiration or termination or 6 years after final payment under contract, whichever is later

NOTE: This item does not apply to contracts (collective bargaining agreements) between a local government and a public employee labor organization. These contracts are covered by item no. 321 in the Personnel/Civil Service section, and must be retained permanently.

7.[7] Signature card, or equivalent record, showing signature of individual legally authorized to sign specific transaction:
RETENTION: 6 years after authorization expires or is withdrawn

◆8.[8] Proof of publication or posting, legal notices, or certification thereof

NOTE: This item does not apply to notice of forthcoming election (see item no. 143 in the Election section).

a. Relating to bond or note issue or tax limit increase:
RETENTION: 6 years after issue or increase disapproved or retired

b. Not relating to bond or note issue or tax limit increase:
RETENTION: 6 years

◆9.[9] Manual of procedures, or policies and standards

a. Involving major procedures, policies and standards affecting local

government operations, critical functions or issues of public visibility or concern:

RETENTION: PERMANENT

- b. Involving routine day-to-day procedures, policies and standards pertaining to internal administration of a local government:

RETENTION: 6 years after superseded

◆ 10.[10] **Correspondence**, and supporting documentation maintained in a subject file (generated or received by a local government), **except** correspondence that is part of a case file or other record series listed elsewhere on this Schedule

- a. Documenting significant policy or decision making or significant events, or dealing with legal precedents or significant legal issues:

RETENTION: PERMANENT

NOTE: Significant correspondence is often maintained by the chief executive or administrative officer, and sometimes in subject file format. See item no. 198 in the Executive, Manager, and/or Administrator section.

- b. Containing routine legal, fiscal or administrative information:

RETENTION: 6 years

- c. Of **no** fiscal, legal or administrative value (including letters of transmittal, invitations and cover letters):

RETENTION: 0 after no longer needed

◆ 11.[11] **Official copy of publication**, including newsletter, press release, published report, bulletin, homepage or other website file, educational or informational program material prepared by or for local government

NOTE: Specific publications are listed in other places in this Schedule. Before using this item to determine the minimum legal retention for a publication, determine if that publication is covered by a more specific item.

- a. Publications which contain significant information or substantial evidence of plans and directions for government activities, **or** publications where critical information is **not** contained in other publications:

RETENTION: PERMANENT

- b. Publications where critical information is **also** contained in other publications or reports, publications which document routine activities,

publications which contain **only routine** information, or publications (such as webpages) that facilitate access to government information on the Internet:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of samples of publications covered by part "b" of the above item. Contact the State Archives for additional advice in this area.

- ◆ 12.[12] **Special project or program files**, including official copy of publications, videotapes, or informational literature prepared for public distribution, background materials and supporting documentation:

RETENTION: 6 years after project or program ends

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. If special projects or programs deal with significant subjects, then certain documentation from these files, such as summary reports and resulting publications, should be retained permanently.

- ◆ 13.[13] **Grant program file**

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.

- a. Application, proposal, narrative, evaluation, and annual report for grants that have been awarded:

RETENTION: 6 years after renewal or close of grant

NOTE: Local governments may find that some of the records covered by part "a" have ongoing administrative value. These records may be useful beyond the minimum retention period for preparing future grant applications.

- b. Background material, fiscal records, and supporting documentation for grants that have been awarded and all records relating to grant applications that have been rejected:

RETENTION: 6 years after renewal or close of grant or denial of application

◆ 14.[33] **Complaint, petition or request for service** received by local government

NOTE: Appraise these records for historical significance prior to disposition. Petitions by citizens involving very significant issues should be retained permanently.

NOTE: For additional fiscal items, see Fiscal section of this Schedule.

- a. Summary record (such as log or register) of complaints, petitions or requests:
RETENTION: 6 years after disposition of all complaints, petitions or requests listed
- b. Complaints, petitions or requests relating to other than routine services or activities:
RETENTION: 6 years after final disposition of complaint, petition or request
- c. Complaints, petitions or requests relating to routine government services or activities:
RETENTION: 1 year after final disposition of complaint, petition or request

◆ 15.[15] **Opinion survey records**

- a. Survey results, including official copy of survey form:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Survey results and sample forms involving very significant issues should be retained permanently.

- b. Completed survey forms:
RETENTION: 0 after survey results prepared

◆ 16.[16] **Repair, installation, maintenance or similar record**, including but not limited to request for service, work order, record of work done, and summary or log of service performed:

RETENTION: 6 years

NOTE: For maintenance, testing, service, operational and repair records for public equipment or vehicle, see item no. 424 in the Public Property and

Equipment section.

◆ 17.[17] **Internal investigation or non-fiscal audit records**

NOTE: Fiscal audit records are covered by item no. 214 in the Fiscal section, Audit subsection. Investigations of personnel are covered by item no. 311 in the Personnel/Civil Service section, Personnel subsection.

a. Report and recommendation resulting from investigation:

RETENTION: PERMANENT

b. Background materials and supporting documentation:

RETENTION: 6 years

◆ 18.[18] **Internal information record**, including but not limited to calendars of appointments, office and travel schedule, memoranda and routing slips, routine internal reports, reviews and plans, used solely to disseminate information or for similar administrative purposes:

RETENTION: 0 after no longer needed

19.[19] **Duplicate copy of record**, created for administrative convenience, **except** where retention is specified elsewhere in this Schedule:

RETENTION: 0 after no longer needed

◆ 20.[20] **Log or schedule** used for internal administrative purposes only:

RETENTION: 0 after no longer needed

◆ 21.[21] **Mailing list** used for billing or other administrative purposes:

RETENTION: 0 after superseded or obsolete

◆ 22.[22] **Daily, weekly, monthly, quarterly or other periodic internal or external report, summary, review, evaluation, log, list, statement or statistics:**

RETENTION: 6 years

NOTE: For annual, special, or final report, summary, review or evaluation, see item no. 23. For routine internal reports and reviews, see item no. 18.

◆ 23.[23] **Annual, special or final report, summary, review or evaluation**

NOTE: Specific annual reports are listed in many places in this Schedule. Before using this item to determine the minimum legal retention for an annual report, determine that a report is not covered by a more specific item.

- a. Reports which contain substantial evidence of government policy, procedures, plans and directions:

RETENTION: PERMANENT

- b. Reports where critical information is contained in other reports, reports which document internal management and housekeeping activities, or reports which contain **only routine** legal, fiscal and administrative information:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.

- ◆ 24.[24] **Program plan (annual, special or long-range):**

RETENTION: PERMANENT

NOTE: Program plans of a routine nature covering internal activities are covered by item no. 18. Program plans where significant information is duplicated in other records (which are retained permanently) are covered by item no. 19.

- 25.[25] **List, index or summary** used for internal administrative convenience or for informational purposes:

RETENTION: 0 after obsolete

- 26.[26] **Working document**, such as draft, worksheet or posting record **except** worksheets containing fiscal information:

RETENTION: 0 after no longer needed

- ◆ 27.[27] **Communication log** recording each communication between caller and receiving unit:

RETENTION: 1 year

NOTE: Item nos. 27 & 28 do **not** apply to records found in the public safety area. See the Public Safety section of this Schedule.

- 28.[28] **Telephone call log, statement or equivalent record:**

RETENTION: 1 year

- ◆ 29.[29] **Identification card** (duplicate copy or record of issuance) issued to client, patron or resident:

RETENTION: 0 after invalid

NOTE: This does **not** apply to identification cards issued by a law-enforcement agency as proof of age or residency **or** identification cards issued by local government to its employees. For these, see item no. 465 in the Public Safety section and item no. 316 in the Personnel/Civil Service section.

30.[30] **Postal records**, including returned registered or certified mail card or receipt and insurance receipt:

RETENTION: 1 year

◆ 31.[31] **Accident report** and related records:

RETENTION: 3 years, or 0 after individual attains age 21, whichever is later

◆ 32.[32] **Report of incident of theft, arson, vandalism, property damage or similar occurrence:**

RETENTION: 6 years

NOTE: This item does **not** apply to records found in the public safety area. See the Public Safety section of this Schedule.

◆ 33.[581] **Local government public access television records**

a. Videotape (or other information storage device) recording local government public access television program, where program is produced by a local government

Where program constitutes an important public meeting, significant event, important subject or documents local government policy making:

RETENTION: PERMANENT

NOTE: In order to ensure the continued preservation and availability of videotapes, local governments should consider using broadcast-quality tapes where possible. Those tapes should be periodically inspected and copied to newer tapes and formats. Consult the State Archives for additional advice.

Where program constitutes a routine meeting, event or subject:

RETENTION: 1 year

Where program is aired but **not** produced by a local government:

RETENTION: 0 after no longer needed

- b. Viewer guide or other periodic listing of programs:
RETENTION: 1 year

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. The State Archives recommends that local governments retain a sampling of these records on a monthly, seasonal or other periodic basis.

- c. Program files on local government cable television programs:
RETENTION: 6 years

◆ 34.[582] **Records covering photocopying and other reproduction** of records, books, or other materials, including usage logs and individual copying requests

- a. For materials subject to U.S. Copyright Law:
RETENTION: 3 years
- b. For materials **not** subject to U.S. Copyright Law:
RETENTION: 0 after no longer needed

◆ 35.[583] **Copyright records**, for materials copyrighted by local government, including but not limited to copy of application, notice of copyright and correspondence:
RETENTION: 6 years after copyright expires or application denied

◆ 36.[584] **Training course information records**, including but not limited to memoranda, flyers, catalogues and other records related to specific training courses including information on course content, program registration, instructor, credits, hours and roster of agency registrants:
RETENTION: 0 after superseded or obsolete

NOTE: This item does not cover training in the Public Safety area; see item nos. 435 and 441 in the Public Safety section. This item does not cover training in dealing with toxic substances; see item no. 325 in the Personnel/Civil Service section.

◆ 37.[585] **Training course registration processing records**, including but not limited to employees' application and enrollment records for courses including employee data forms, course applications, and supervisors' and training officers' authorizations or denials:
RETENTION: 3 years after date of application to take course

ARCHIVES/RECORDS MANAGEMENT

◆ 1.[34] **Records disposition documentation**

- a. Consent of the Commissioner of Education to the use of records retention and disposition schedules and the legal disposition of records:

RETENTION: 0 after superseded

- b. Documentation of final disposition of records, describing records disposed of and manner and date of disposition:

RETENTION: 6 years after final disposition of records

NOTE: Local governments may wish to retain records covered by part "b" longer than the minimum retention period, to provide evidence that records have been legally disposed of, in response to requests for public access to records. In addition, documentation of the final disposition of archival records is covered by item no. 36, below.

◆ 2.[35] **Inventory of records:**

RETENTION: 0 after superseded

3.[36] **Records transfer list**

- a. For archival records:

RETENTION: PERMANENT

- b. For inactive records:

RETENTION: 0 after disposition of records on list

◆ 4.[37] **Retrieval request** for records in storage:

RETENTION: 0 after return of records, or 3 years after retrieval when records **not** returned

5.[38] **Archival administration records**

- a. Appraisal and accessioning documentation, including assessment of conservation needs:

RETENTION: PERMANENT

- b. Processing and management working papers, drafts, notes, and related

records:

RETENTION: 0 after no longer needed

- ◆6.[39] Guide, listing, index, or other finding aid to archival records:

RETENTION: 0 after superseded

NOTE: Local governments should retain any superseded guides, lists, indices or other finding aids containing record numbering and identification information, or any other significant information not carried forward to newer versions.

- ◆7.[40] Records on use of archival materials

- a. Log or register of researchers, and patron's registration for use of archival records:

RETENTION: 6 years

- b. Researcher interviews, reference statistics, requests for records, or similar reference service records:

RETENTION: 0 after no longer needed

ATTORNEY OR COUNSEL

- ◆1.[41] Legal case file, including but not limited to notice of claim, attorney and investigator activity logs, complaints, court order, motions, notes, briefs, releases and closing sheet:

RETENTION: 6 years after case closed, or 0 after any minor involved attains age 21, whichever is later

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of significant cases which have importance or which set major legal precedents. For instance, local governments may wish to permanently retain files for cases concerning major local controversies, issues, individuals and organizations which are likely to be the subject of ongoing research or which result in decisions or rulings of major significance to the local government or community or to the entire state. Contact the State Archives for advice in this area. In addition, local governments may wish to retain the complaint and release for routine cases longer for convenience of reference.

- 2.[42] Legal brief file ("brief bank") containing duplicate copies of legal briefs from case files, retained separately for future reference:

RETENTION: 0 after no longer needed

- ◆3.[43] Legal case log giving chronological listing of cases:

RETENTION: 0 after no longer needed

- 4.[44] Legal case index, including notations on activities related to case:

RETENTION: PERMANENT

- 5.[45] Subject file assembled and kept for reference purposes:

RETENTION: 0 after no longer needed

- ◆◆6.[880] Subpoena, along with documentation of response, issued to local government agency or officer, when not part of legal case file or any other series of records listed on this Schedule:

RETENTION: 6 months after date of response

NOTE: Subpoenas relating to legal case files or other series of records listed on this Schedule should be retained as part of or as long as that respective series.

BUILDING AND PROPERTY REGULATION

BUILDING/PROPERTY HISTORY SYSTEMS

NOTE: Some local governments in the state use automated systems to keep track of various functions of their offices regarding building and property regulation. These systems, which we are referring to generically as "Building/Property History Systems," contain information in such areas as planning, zoning, building permits and inspections, fire safety, code enforcement, violations and complaints. In general, these systems do not replace existing hard copy-based systems, but do create some of the forms and other paper records in these files. In addition, these systems contain data files and other electronic records not found in manual systems. The items below are meant to cover not only electronic records contained in these automated systems, but also maps, reports and other system output maintained in both traditional hard copy and electronic format as well.

More importantly, these systems often contain summary information on various local government activity regarding a specific building and/or parcel of real property. The building/property history data file, listed below, may contain retrospective information on building permit issuance, building inspection, certificate of occupancy issuance, site plan review or other planning actions, zoning variances, special use permits and fire inspections for a single parcel of property over a period of time.

- ◆1.[586] **Building/property history data file contained in building/property history system**, and related records, created for informational and reference purposes, containing information on such areas as building permit issuance, building inspection, certificate of occupancy issuance, site plan review or other planning actions, zoning variances, special use permits and fire inspections:
RETENTION: 0 after no longer needed

NOTE: Local governments should **consider** permanent retention of the basic data elements of these building/property history systems for all parcels of property in the local government. This information may be useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed records maintained in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

- ◆2.[587] **Street address/parcel number authority data file**, used to supply

building/property history system with accurate, up-to-date information on real property tax parcel numbers, property owners' names and addresses, parcel sizes, E-911 or other street addresses, and other essential data necessary for system to operate:

RETENTION: Retain until superseding or updated file received.

NOTE: This data is often received from an assessor's or tax office. See items covering real property data systems in the Taxation and Assessment section.

◆3.[588] **Lists, reports, studies, queries, searches for information, special project records and analyses** created from data contained in one or more data files in building/property history system

a. Final reports and studies resulting from analysis of system data, including background materials and supporting documentation containing significant information on real property and structures located thereon, used for such purposes as long-range planning, change of zoning boundaries and regulations, or planning infrastructure improvements or new facility construction:

RETENTION: 6 years after project completed, or after date of final entry in record

NOTE: Appraise these records for historical significance prior to disposition. Records for important projects have historical value and should be retained permanently. Contact the State Archives for additional advice.

b. Reports and studies resulting from analysis of system data, including background materials and supporting documentation, queries, searches for information, lists, logs or other internal information records, containing routine information on real property and structures located thereon, or used to produce final reports and studies:

RETENTION: 0 after no longer needed

NOTE: Queries conducted in automated systems are not considered "records" unless the query and/or its results are saved in electronic or manual format. See also related items in the Electronic Data Processing section.

**BUILDING AND CONSTRUCTION
(REGULATION AND INSPECTION)**

NOTE: Applications for permits necessary for connection to public water supply system or municipal sewer, for individual water supply or sewage disposal system, for groundwater drainage, and for soil or stream disturbance or realty subdivision construction, are found in the Environmental Health section of this Schedule.

◆1.[589] **Master summary record**, including index, log or journal, covering building code complaints, inspections, investigations, and violations:
RETENTION: PERMANENT

◆2.[590] **Housing maintenance or building inspection records**, including but not limited to complaints, inspection reports, notice of violation, cumulative building inspection record, appeal or review and final disposition of case

a. For school, public building, multifamily dwelling, commercial or industrial structure, or hazardous structure:

RETENTION: 6 years after building no longer exists, but not less than 21 years

b. For single family home:

RETENTION: 6 years after last entry in record

NOTE: Building inspection records relating to building permit issuance are covered by item no. 593, below.

◆3.[591] **Fire safety inspection records**

a. Master summary record of inspections performed:

RETENTION: PERMANENT

b. Report on inspection at school, public building, multifamily dwelling, or commercial or industrial facility and notice of violation:

RETENTION: 21 years

NOTE: If fire safety inspection records are combined or interfiled with building inspection records, use item no. 590a, immediately above.

c. Report on inspection of single family dwelling and notice of violation:

RETENTION: 6 years

- ◆4.[592] **Building inspection data file** contained in building/property history system, and related records, created for informational and reference purposes, containing information on building inspections **not** related to building permit issuance, certificate of occupancy issuance, fire inspections, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Local governments should **consider** permanent retention of the basic data elements of this building inspection data for all parcels of property in the local government, **unless** that data is preserved by the building/property history system overall summary data file (see item no. 586, above.) This information may be useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

- ◆5.[593] **Building permit and certificate of occupancy issuance records**

NOTE: Building permit files often contain plans, sketches, photographs, and other records that provide valuable information on individual structures. These records may have continuing value for historical or other research, and the State Archives suggests they be retained permanently.

- a. Master summary record of applications for building, plumbing, electrical, demolition or related permits, or for certificates of occupancy granted:

RETENTION: **PERMANENT**

- b. Log or other chronological list recording permits or certificates of occupancy issued:

RETENTION: 1 year after last entry in record, or 1 year after posting

- c. Building, plumbing, electrical, demolition or related permit file, including application and supporting materials; plans, maps and drawings; specifications; inspection reports; copies of all required permits and approvals; affidavit of compliance or completion of work; records of appeal when permit is denied; certificate of occupancy and correspondence

When permit is granted:

RETENTION: 6 years after building no longer exists

When permit is denied:

RETENTION: 6 years after final decision

When application is discontinued, has lapsed or is incomplete:

RETENTION: 90 days after date of most recent entry in record

For **non-structural modifications** to shopping mall, office complex or similar structure (modifications **not** involving changes to fire suppression or alarm systems), when permit is granted:

RETENTION: 10 years

NOTE: Certain records covered by this item may be included under item no. 594, below, such as in instances where they are maintained in electronic format and not created as hard-copy output and included in the building permit file. In these cases, the electronic records covered by item no. 594 must be retained as long as specified by this item.

d. Certificate of occupancy and application when not related to building permit application:

RETENTION: 6 years after building no longer exists

e. Detailed construction specifications submitted as part of building permit application:

RETENTION: 6 years after denial of permit or completion of work

◆ 6.[594] **Building permit issuance data file** contained in building/property history system, and related records, created for informational and reference purposes, containing information on applications for and issuance of building permits, including related inspections, certificate of occupancy issuance, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Local governments should **consider** permanent retention of the basic data elements of this building permit issuance data for all parcels of property in the local government, **unless** that data is preserved by the master summary record (see item no. 586, above.) This information may be useful for long-range planning purposes, and for community, urban planning and architectural history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on

them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice in this area.

- ◆7.[595] **Building condemnation and demolition files**, including application, copy of permit, correspondence, and notice of condemnation:
RETENTION: PERMANENT

- ◆8.[596] **Contractors' liability insurance records**

- a. Certificate of insurance or copy of insurance policy:
RETENTION: 6 years after denial or expiration of relevant permit
- b. Master summary record of contractors doing business in municipality and their insurance coverage:
RETENTION: 1 year after superseded or obsolete

- ◆9.[597] **Building complaints/violations records**, including data file contained in building/property history system, and related records, containing information on complaint tracking and violation processing, and other relevant information:
RETENTION: 6 years

NOTE: For citizen complaints and requests for services, not covered by items in this section, see item no. 33 in the General section. For sanitary code violations, see item no. 173 in the Environmental Health section.

NOTE: Local governments should **consider** longer retention of the basic data elements of this complaints/violations data for all parcels of property in the local government, **unless** that data is preserved by the building/property history system overall summary data file (see item no. 586, above.) This information may be useful for long-range planning purposes in conjunction with building permit issuance and building inspection data. Contact the State Archives for additional advice.

PLANNING

- 1.[340] **Comprehensive plan development file**, including but not limited to official copy of comprehensive plan and all background surveys, studies, reports, and draft versions of plan:
RETENTION: PERMANENT

- ◆2.[598] **Planning action data file** contained in building/property history system, and related records, created for informational and reference purposes, containing information on mandatory or discretionary planning review, planning projects, and other relevant detailed information:
RETENTION: 0 after no longer needed

NOTE: Local governments should **consider** permanent retention of the basic data elements of this planning action data for all parcels of property in the local government, **unless** that data is preserved by the building/property history system overall summary data file (see item no. 586, above.) This information may be useful for long-range planning purposes, and for community and land use history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

- 3.[341] **Planning project or program file** for project or program developed by or for planning agency
 - a. Final report and essential supporting information used to develop report, including but not limited to maps, plans, technical memoranda and environmental impact studies:
RETENTION: **PERMANENT**
 - b. Background material, including but not limited to notes, memos, worksheets and correspondence:
RETENTION: 6 years

- 4.[342] **Master summary record** (log or register) maintained by planning agency to record receipt of planning or zoning reviews and projects, and to record subsequent action taken:
RETENTION: **PERMANENT**

- 5.[343] **Geographic reference file** maintained by planning agency for internal reference purposes, usually arranged by name of government agency or other service organization:
RETENTION: 0 after obsolete

- ◆6.[344] **Mandatory planning review case file** for required review of site plan, zoning

variance, special permit, change of zoning, subdivision creation or enlargement, local government planning action, or other required review, including but not limited to maps, plans, sketches, photographs, engineering reports, environmental impact statements and studies, copies of zoning records, project narrative, correspondence, and record of final determination

- a. Subdivision, historic structure, major commercial or industrial development, or capital construction, where application is approved or denied (**except** records covered by part "d"):
RETENTION: PERMANENT
- b. Subdivision, historic structure, major commercial or industrial development, or capital construction, where application is withdrawn or abandoned (**except** records covered by part "d"):
RETENTION: 10 years after last entry
- c. Any other mandatory review:
RETENTION: 6 years after last entry
- d. Detailed construction specifications, receipts and transmittal documents, lists of abutting properties, superseded versions of plans and drawings, routine correspondence and internal notes and memoranda from all files:
RETENTION: 6 years after last entry
- e. Informal consultation records, created as a result of informal meeting with prospective applicant, prior to actual submission of application:
RETENTION: 1 year after last entry

NOTE: "Subdivision," as used in this item, means the division of one parcel of land into two or more lots, blocks, plots or sites.

7.[345] **Discretionary planning review case file**, including review of planning review cases, federal or other aid projects, review of mining permit application, environmental impact or similar studies, or other reviews, including but not limited to application, correspondence, copies of local planning or zoning records, maps, plans, sketches, and other supporting materials

- a. When review is carried out, and comments are forwarded by planning agency:
RETENTION: 3 years after last entry
- b. When **no** comments are forwarded by planning agency:

RETENTION: 1 year after receipt of request to review

ZONING

- ◆ 1.[599] **Master summary record** (log or register) maintained by zoning agency to record receipt of zoning variance and special use permit applications, change of zoning applications for individual parcels, and other zoning activity, and to record subsequent action taken:

RETENTION: PERMANENT

- 2.[576] **Zoning maps**, and all updates:

RETENTION: PERMANENT

- ◆ 3.[600] **Zoning action data file** contained in building/property history system, and related records, created for informational and reference purposes, containing information on zoning variances, special use permits, and other relevant detailed information:

RETENTION: 0 after no longer needed

NOTE: Local governments should **consider** permanent retention of the basic data elements of this zoning action data for all parcels of property in the local government, **unless** that data is preserved by the building/property history system overall summary data file (see item no. 586, above.) This information may be useful for long-range planning purposes, and for community and land use history research. More importantly, this data provides for ease of access to summary building permit data on individual parcels of real property and the structures located on them. In addition, this data file may be used to access more detailed building permit records in electronic data output or maps, plans, permits and other paper records in inactive storage. Contact the State Archives for additional advice.

- ◆ 4.[577] **Change of zoning records**, including application, petition, protest, hearing minutes, preliminary and final reports and correspondence, relating to changes proposed in zoning boundaries or regulations:

RETENTION: PERMANENT

NOTE: Change of zoning records relating to changes in zoning classification for individual parcels of property, not affecting other parcels or larger areas, are covered by item no. 578, below, as if these were zoning variance applications.

- ◆ 5.[578] **Zoning variance or special permit file**, including application and supporting materials, hearing results, decision and appeal records

a. For commercial, industrial, historic structure or multi-unit residential variance or permit (**except** records covered by part "c"):
RETENTION: PERMANENT

b. For single-unit residential variance or permit:
RETENTION: 25 years after date of last entry

NOTE: Certain single-unit residential variance and permit files may be significant because they set legal precedents and should be retained permanently. Those involving the definition of what constitutes a "family" may be particularly important.

c. Detailed construction specifications, receipts and transmittal documents, lists of abutting properties, superseded versions of plans and drawings, routine correspondence and internal notes and memoranda from all files:
RETENTION: 6 years after last entry

d. Informal consultation records, created as a result of informal meeting with prospective applicant, prior to actual submission of application:
RETENTION: 1 year after last entry

6.[579] **Notification of proposed zoning change**, received from adjacent town:
RETENTION: 1 year

7.[580] **Zoning ordinance violation records**, not related to zoning variance or special permit application

a. For alleged but unfounded violation:
RETENTION: 1 year

b. Violation files:
RETENTION: 6 years after date of last entry in record

c. Master summary record of violations:
RETENTION: PERMANENT

DISASTER PREPAREDNESS

- ◆ 1.[135] **Disaster preparedness or crisis relocation records**
 - a. Official copy of plans, including supporting maps, when prepared by local government under provisions of Section 23, Executive Law:
RETENTION: PERMANENT
 - b. Copies of plans held by local government, including supporting maps, when official copies prepared under Section 23, Executive Law, are maintained by county or other local government which created them, along with other disaster preparedness plans, not prepared under Section 23, Executive Law, intended for specific buildings or for use by specific local government units:
RETENTION: 3 years after superseded
 - c. Background materials and supporting documentation used in preparation of plans:
RETENTION: 3 years

- ◆ 2.[136] **Disaster response and damage files** compiling information on the response of all agencies to a major disaster, including such records as photographs, press clippings, property damage reports, records of emergency response, summary reports of personal injuries, records relating to demolition and new construction, and correspondence:
RETENTION: PERMANENT

ELECTRIC AND GAS UTILITY

1.[151] **Operational permit records**, including application, copy of permit and correspondence:
RETENTION: 6 years after denial of application or expiration, renewal or revocation of permit

◆2.[152] **Construction, modification, demolition or retirement records** for electric or gas production plant and transmission and distribution system, including but not limited to detailed construction specifications and other supplementary documentation, progress and completion reports, work orders, memoranda, worksheets, records of inspection and work evaluation and correspondence:
RETENTION: 10 years after retirement of plant or system

NOTE: Appraise these records for historical significance prior to disposition. Significant records deriving from the construction, retirement or other major changes in municipal power facilities may have long-term value deriving from and relating to the importance of these facilities in the community and should be retained permanently. Contact the State Archives for additional advice.

3.[153] **Gas and electric utility reports**

a. Station or system power generation report:
RETENTION: 25 years

b. Station or system inspection report, including operating tests:
RETENTION: 6 years

c. Inspection and repair reports on street openings, such as for correcting gas leaks:
RETENTION: 6 years

d. Analysis of gas produced and purchased, including BTU and sulfur content:
RETENTION: 6 years

e. Gas measuring records:
RETENTION: 3 years

f. Gas pressure department reports:
RETENTION: 3 years

- 4.[154] **Substation, transformer, pole, tower or generator records**, or records of other specific component part of system, including sketches and measurements; and installation, maintenance and discontinuance information:
RETENTION: 6 years after component part replaced or its use discontinued
- NOTE:** All records relating to any gas pipeline designed to operate at 125 PSIG or more must be retained as long as that pipeline remains in service, per Section 255.17 (b) of *16 NYCRR*.
- 5.[155] **Log book of electric or gas plant** or any part of electricity or gas production, transmission and distribution system:
RETENTION: 6 years after last entry
- 6.[156] **Charts, graphs and related data recording records**
- a. Summary chart, graph or equivalent record compiled from records of original entry showing long term trends and developments:
RETENTION: **PERMANENT**
 - b. Recording chart or other record of original entry, including load curve; and temperature, pressure, specific gravity or water level chart:
RETENTION: 3 years
 - c. Gas measuring records, when information is transferred to summary record:
RETENTION: 6 months
 - d. Gas measuring records, when information is not transferred to summary record:
RETENTION: 1 year
 - e. River flow data collected in connection with hydro-electric plant operation:
RETENTION: **PERMANENT**
- 7.[157] **Municipal lighting records**, including but not limited to installation, repair, inspection and replacement records for street lights and other lighting devices:
RETENTION: 6 years after device no longer in use
- 8.[158] **Subsidiary ledgers** or journals of electric or gas utility:
RETENTION: 50 years

- 9.[159] **Service interruption records**, including but not limited to storm damage, downed and severed power lines, circuit overloading or other related power failure or transmission problem, or apparatus failure reports for gas utility:
RETENTION: 6 years
- 10.[160] **Board of Fire Underwriters' certificate:**
RETENTION: 3 years
- 11.[161] **Records of electric or gas meter tests:**
RETENTION: 2 years after subsequent test conducted, but not longer than 6 years
- 12.[162] **Electric or gas meter history records:**
RETENTION: 0 after meter no longer in use

ELECTRONIC DATA PROCESSING

GENERAL ADMINISTRATION

- ◆ 1.[642] **Data processing unit subject files, correspondence, memoranda, reports, publications, and related records** used to support the administration of data processing services. This item does not include local government Information Resource Management (IRM) plans, long-range or strategic plans, EDP and IRM policies, records that document fiscal transactions, and any records covered by other items in this schedule:
RETENTION: 0 after superseded or obsolete

- ◆ 2.[643] **Information resources management and data processing services plans**, local government IRM plans, data processing services plans, strategic plans, and related records used to plan for information systems development, technology acquisitions, data processing services provision, or related areas
 - a. Master copy of plan and essential background documentation:
RETENTION: Retain for 3 planning cycles after the plan is completed, superseded, or revised.

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Some of these records may document the development and advancement of technology used by the local government. Contact the State Archives for additional advice in this area.
 - b. Copies, drafts, and routine material:
RETENTION: 0 after no longer needed

- ◆ 3.[644] **Data processing policies**, records of data processing policies including those covering access and security, systems development, data retention and disposition, and data ownership:
RETENTION: 3 years after policy is withdrawn, revised, updated, or superseded

- ◆ 4.[645] **Data processing product/vendor and state contracts reference files**, information on data processing equipment, software, and other products and their vendors:
RETENTION: 0 after no longer needed for reference

SYSTEMS AND APPLICATION DEVELOPMENT

- ◆1.[646] **Application development project files**, records created and used in the development, redesign, or modification of an automated system or application including project management records, status reports, draft system or subsystem specifications, draft user requirements and specifications, and memoranda and correspondence. This item does not cover system or application documentation (see item nos. 647 and 648):

RETENTION: 3 years after completion of project

NOTE: In some circumstances, local governments may wish to maintain these files longer for reference. All relevant information and final documentation should be contained in system and application documentation files (see item nos. 647 and 648).

- ◆2.[647] **Data systems specifications**, user and operational documentation describing how an application system operates from a functional user and data processing point of view including records documenting data entry, manipulation, output and retrieval (often called "system documentation records"), records necessary for using the system, including user guides, system or sub-system definitions, system flowcharts, program descriptions and documentation (or other metadata), job control or workflow records, system specifications, and input and output specifications. This item does not cover data documentation and other records used to explain the meaning, purpose, or origin of data (see item no. 648):

RETENTION: 3 years after discontinuance of system, but not before system data is destroyed or transferred to new operating environment

- ◆3.[648] **Data documentation**, records generally created during development or modification and necessary to access, retrieve, manipulate and interpret data in an automated system including data element dictionary, file layout, code book or table, and other records that explain the meaning, purpose, structure, logical relationships, and origin of the data elements (sometimes known as metadata):

RETENTION: 3 years after discontinuance of system or application but not before system's or application's data is destroyed or transferred to a new structure or format

NOTE: In some cases, local governments will retain data for extended periods, sometimes offline. It is essential that they retain related documentation in an accessible format. This is particularly crucial if the documentation is stored in

electronic form or the related records are appraised as archival. Application design documentation and user guides covered by item no. 647 may also serve to explain how data was interpreted and used. Contact the State Archives for additional advice in this area.

- ◆4.[649] **Automated program listing/source code**, automated program code which generates the machine-language instructions used to operate an automated information system:

RETENTION: Retain for 3 system update cycles after code is superseded or replaced.

NOTE: This item coincides with item no. 656, system backup files. It assumes that the files are maintained (backed-up) and disposed in accordance with accepted data processing practice; i.e., that 3 generations of backups be retained (see item no. 656).

- ◆5.[650] **Technical program documentation**, paper copy of program code, program flowcharts, program maintenance log, system change notices, and other records that document modifications to computer programs:

RETENTION: 1 year after replacement, modification, or related programs cease to be used

NOTE: Local governments may consider retaining documentation for critical systems for a longer period. Contact the State Archives for additional advice in this area.

- ◆6.[651] **Test database/files**, routine or benchmark data sets, related documentation, and test results constructed or used to test or develop a system:

RETENTION: 0 after no longer needed, but **not** before user accepts and management reviews and approves test results

COMPUTER OPERATIONS AND TECHNICAL SUPPORT

- ◆1.[652] **Data processing operating procedures**, records of procedures for data entry, the operation of computer equipment, production control, tape library, system backup, and other aspects of a data processing operation:

RETENTION: 3 years after procedure is withdrawn, revised, updated, or superseded

- ◆2.[653] **Data processing hardware documentation**, records documenting the use,

operation, and maintenance of a local government's data processing equipment including operating manuals, hardware/operating system requirements, hardware configurations, and equipment control systems:

RETENTION: 0 after the local government no longer uses related hardware and all data is transferred to and made useable in new hardware environment

NOTE: Routine records that do not contain substantial information on the maintenance history or equipment should be destroyed on an annual basis, using item no. 18 in the General section.

◆3.[654] **Operating system and hardware conversion plans**, records relating to the replacement of equipment or computer operating systems:

RETENTION: 1 year after successful conversion

◆4.[655] **Disaster preparedness and recovery plans**, records related to the protection and reestablishment of data processing services and equipment in case of a disaster:

RETENTION: 0 after superseded by revised plan

NOTE: The State Archives recommends that local governments store disaster preparedness and recovery plans in a secure area off-site from the computer installation to which they refer.

◆5.[656] **System backup files**, copies of master files or databases, application software, logs, directories, and other records needed to restore a system in case of a disaster or inadvertent destruction:

RETENTION: 0 after 3 system backup cycles

NOTE: Backups used to document transactions or retained for purposes other than system security are covered by the relevant sections of this schedule. For fiscal systems, monthly system backups are often retained for the entire fiscal year to provide an audit trail, and annual system backups are retained to meet all legal and fiscal requirements in lieu of copies of the individual master files or databases. These records should be disposed using items from the Fiscal section of this schedule. It is advisable that for many application systems 2 or 3 copies of backups be produced during each cycle.

◆6.[657] **System users access records**, created to control or monitor individual access to a system and its data, including but not limited to user account records and password files:

RETENTION: 0 after the individual no longer has access to the system, **but not before** audit requirements for the records modified by that individual have

been met.

NOTE: System users access records and computer usage records may also serve some security purposes.

- ◆7.[879] **Computer system security records**, records used to control or monitor the security of a system and its data, including but not limited to intrusion detection logs, firewall logs, logs of unauthorized access, and other security logs:
RETENTION: 10 years after date of last entry

- ◆8.[658] **Computer usage files**, electronic files or automated logs created to monitor computer system usage including but not limited to login files, system usage files, charge-back files, data entry logs, and records of individual computer program usage:
RETENTION: 0 after 3 system backup cycles

- ◆9.[659] **Summary computer usage reports**, summary reports and other paper records created to document computer usage for reporting or cost recovery purposes:
RETENTION: 1 fiscal year after creation

- ◆10.[660] **Computer run scheduling records**, records used to schedule computer runs including daily schedules, run reports, run requests, and other records documenting the successful completion of a run:
RETENTION: 0 after end of current fiscal year

- ◆11.[661] **Input documents**, copies of records or forms designed and used solely for data input and control when the data processing unit provides centralized data input services and original records are retained by the program unit:
RETENTION: 0 after all data has been entered into the system and, if required, verified

NOTE: Input records retained for fiscal audit or legal purposes, or, containing information needed by a local government, are covered by the relevant section of this schedule. Input records that document valid transactions are covered by item no. 663. Input records which serve a fiscal audit purpose may be covered by items in the Fiscal section of this schedule.

- ◆12.[662] **Work/intermediate files**, records used to facilitate the processing of a specific job/run or to create, update, modify, transfer, export, import, manipulate, or sort data within an automated system, including "macro" or "startup" file or other electronic record created to preserve a combination of data elements and/or method of displaying these data elements

- a. When export, import or relational data file is used to supply data to or receive data from other system, or to exchange data between files in this system:

RETENTION: 0 after no longer needed

NOTE: This data may have secondary value beyond the purpose for which it is created. Consider additional uses for this data in determining when it is no longer needed.

- b. When all transactions are captured in a master file, central file, valid transaction file, or database, and the file is not retained to provide an audit trail:

RETENTION: 0 after the transaction is completed.

NOTE: This item does not cover intermediate files retained to recreate or document valid transactions, to serve as an audit trail, or needed for system recovery backup.

- c. When electronic file is needed to recreate or document a valid transaction, such as creation of a specific report or study:

RETENTION: Retain as long as the reports, studies and other principal records for which the file is created are retained.

NOTE: A local government's ability to recreate or properly document the output may be tied to long-term retention of these records. Contact the State Archives for additional advice regarding the long-term retention of electronic records.

- ◆ 13.[663] **Valid transaction files**, records used to update and/or document a transaction in database or master file including valid transaction files, database management system (DBMS) log, update files, and similar records, and not retained to document a program unit action or for fiscal audit purposes:

RETENTION: 0 after 3 database/master file backup cycles

NOTE: Records used to document a program unit's actions (e.g., receipt of a voucher, issuance of a check), as opposed to a strictly data processing transaction, or needed for fiscal audit or legal purposes, are covered by the relevant sections of this schedule.

- ◆ 14.[664] **Print files** (not used to document a transaction), source output data extracted from the system to produce hard copy publications, printouts of tabulations, ledgers,

registers, reports, or other documents when the files are not needed for audit purposes or to document program unit transactions:

RETENTION: 0 after all print runs are completed, output verified (if required), and local government has no need to reproduce the report

NOTE: Print files needed for fiscal audits or retained to document transactions are covered by the relevant sections of this schedule.

- ◆ 15.[665] **Audit trail files**, data generated during the creation of a master file or database used to validate a master file or database during a processing cycle:
RETENTION: 0 after 3 database/master file backup cycles

- ◆ 16.[666] **Data processing unit's copies of output reports**, data processing unit's copy of output reports produced for client program units:
RETENTION: 0 after output is distributed

- ◆ 17.[667] **Summary or extracted data files**, summary or aggregate data from a master file or database, including "snapshots" of data, created solely to distribute data to individuals or program units for reference and use, but not altered or augmented to support program-specific needs:
RETENTION: 0 after data is distributed

NOTE: Appraise these records for historical significance prior to disposition. Some snapshots of data, created and maintained as either electronic files saved to disk, tape or diskette, or as hard-copy output such as printed maps, or in both formats, may warrant longer retention. Contact the State Archives for additional advice on the creation and maintenance of these records.

- ◆ 18.[668] **Finding aids (indexes) or tracking systems**, electronic indexes, lists, registers, and other finding aids used only to provide access to the hard copy and electronic records in the custody of the data processing unit:
RETENTION: 0 after the related hard copy or electronic records have been destroyed

NOTE: Finding aids and tracking systems of program units other than data processing units are covered by the relevant sections of this schedule and are frequently covered by the same item covering related program records.

- ◆ 19.[669] **Automated tape library system files**, automated records used to control the location, maintenance, and disposition of magnetic media in a tape library:
RETENTION: 0 after related records or media are destroyed or withdrawn from the tape library

- ◆ 20.[670] **Reports on the destruction of files ("scratch reports")**, records containing information on the destruction of files stored on electronic media in a tape library:
RETENTION: 0 after superseded or (if required) management review and approval

- ◆ 21.[671] **Tape library control records**, records used to control the location, maintenance, and disposition of magnetic media in a tape library including list of holdings and control logs:
RETENTION: 0 after superseded

DATA ADMINISTRATION

- ◆ 1.[672] **Data/database dictionary records**, usually in an automated system, used to manage data in a local government's information systems including information on data element definitions, data structures or file layout, code tables, and other data attribute information or records that explain the meaning, purpose, logical relationships, ownership, use, or origin of data:
RETENTION: 0 after discontinuance or modification of the related application but not before the application's data is destroyed or transferred to a new structure or format

- ◆ 2.[673] **Data/database dictionary reports**, periodic printouts from a data/database dictionary system including data element attribute reports, database schema, and related records used for reference purposes:
RETENTION: 0 after superseded or obsolete

NOTE: The official copy of essential data documentation is covered by either item no. 648 or no. 672.

USER/OFFICE AUTOMATION SUPPORT

- ◆ 1.[674] **Site/equipment support files**, records documenting support services provided to specific data processing equipment or installations including site visit reports, program and equipment service reports, service histories, and correspondence and memoranda
 - a. Site visit reports, problem and equipment service reports, and routine correspondence and memoranda:

RETENTION: 3 years after creation

b. Service histories and other summary records:

RETENTION: 0 after the related equipment is no longer in use

◆2.[675] **Help desk telephone logs and reports**, records used to document requests for technical assistance and responses to these requests as well as to collect information on the use of computer equipment for program delivery, security, or other purposes:

RETENTION: 1 year after creation

◆3.[676] **Software review files**, records related to the review and recommendations for software for local government use including vendor information, manuals, software reviews, and related material:

RETENTION: 0 after obsolete

NETWORK/DATA COMMUNICATION SERVICES

◆1.[677] **Network site/equipment support files**, records documenting support services provided to specific sites and computer to computer interfaces on a network including site visit reports, trouble reports, service histories, and correspondence and memoranda

a. Site visit reports, trouble reports, and related correspondence:

RETENTION: 3 years after creation

b. Service histories and other summary records:

RETENTION: 0 after the related equipment or site is no longer in use

c. Routine records that do not contain substantial information on the maintenance history or site:

RETENTION: 1 year

◆2.[678] **Inventories of circuits**, automated or paper records containing information on network circuits used by the local government including circuit number, vendor, cost per month, type of connection, terminal series, software, contact person, and other relevant information about the circuit:

RETENTION: 0 after the circuit is no longer used by the local government

◆3.[679] **Network or circuit installation and service files**, copies of requests by local

governments to service provider for data communication service, installation, or repair and response to the request including work orders, correspondence, memoranda, work schedules, and copies of building or circuitry diagrams:

RETENTION: 1 year after request is filled or repairs are made:

- ◆4.[680] **Network usage files**, electronic files or automated logs created to monitor network usage including but not limited to login files and system usage files:
RETENTION: 0 after 3 system backup cycles after creation
- ◆5.[681] **Network usage reports**, summary reports and other records created to document computer usage for reporting or other purposes:
RETENTION: 1 fiscal year after creation
- ◆6.[682] **Network implementation project files**, local government records used to plan and implement a network including reports, justifications, working diagrams of proposed network, wiring schematics, and diagrams:
RETENTION: 0 after superseded

INTERNET SERVICES

- ◆1.[683] **Internet services logs**, electronic files or automated logs created to monitor access and use of local government services provided via the Internet, including, but not limited to, services provided via FTP (file transfer protocol), or website, or Telnet services:
RETENTION: 0 after 3 backup cycles, but not before relevant audit and documentation requirements have been met
- ◆2.[684] **Employee Internet use logs**, electronic files or automated logs created to monitor and control use of the Internet by employees, including but not limited to proxy server logs:
RETENTION: 0 after 3 backup cycles, but not before any appropriate review and verification

ENERGY

- ◆ 1.[167] **Energy consumption monitoring records** showing use of electricity or fuel or operation of heating and/or cooling equipment, or energy audit, when **not** relating to facility owned or operated by local government:
RETENTION: 1 year

NOTE: Energy consumption monitoring records showing use of electricity or fuel, operation of heating and/or cooling equipment, or environmental conditions (temperature, humidity, air quality) in various parts of publicly owned or operated building or other facility, is covered by item no. 878 in the Public Property and Equipment section.
- ◆ 2.[685] **Weatherization client case files**, covering assistance provided to individuals and families to improve heating efficiency and reduce fuel expenditures, including but not limited to application, income documentation, description of property and work needed to improve heating efficiency, results of energy efficiency testing, description of work performed, copies of fuel bills, fuel information form, landlord agreement, notes and correspondence:
RETENTION: 6 years after date of last entry
- ◆ 3.[686] **Master listing of clients** participating in weatherization program:
RETENTION: 6 years
- ◆ 4.[687] **Annual state plan** (final copy) for weatherization assistance program:
RETENTION: 6 years
- ◆ 5.[688] **Status report** on clients referred to local subgrantee agency:
RETENTION: 1 year
- ◆ 6.[689] **Interagency referral form**, maintained by referring agency:
RETENTION: 1 year

ENVIRONMENTAL HEALTH

NOTE: Records relating to laboratories are listed in the Public Health section, Laboratory subsection. Radiological health records are now found in that section as well. Lead poisoning records are covered by item no. 406 in the Public Health section, Miscellaneous subsection.

ANIMAL INDUSTRY AND VETERINARY MEDICINE

NOTE: See also item no. 608 in the Cooperative Extension Association section, Miscellaneous subsection.

- ◆ 1.[168] **Rabies and animal bite records**
 - a. Antirabies protection certificate:
RETENTION: 5 years
 - b. Records concerning certification of area for rabies, including but not limited to correspondence, notices, and copy of resolution:
RETENTION: 20 years
 - c. Investigation records for bite or other potentially dangerous contact with animal, including potentially rabid animal:
RETENTION: 6 years

MISCELLANEOUS

- 1.[169] **Environmental disturbance permit file:**
RETENTION: **PERMANENT**
- 2.[171] **Property acquisition or regulation file** documenting acquisition of real property or easements for drainage control or other environmental health purposes:
RETENTION: **PERMANENT**
- ◆ 3.[172] **Master summary record** of applications relating to realty subdivisions, private water supply, private sewage disposal systems, or hazardous substance (or petroleum) spill, release or investigation records:
RETENTION: **PERMANENT**

- ◆4.[170] **Spill, release or investigation records** covering hazardous substance or petroleum
 - a. Records of investigation of spill or release of hazardous substance exceeding minimum reportable quantity (as defined in *6NYCRR*, Section 597.2, Table 1):
RETENTION: PERMANENT
 - b. Records of investigation of spill or release of hazardous or toxic substance **not** exceeding minimum reportable quantity (as defined in *6NYCRR*, Section 597.2, Table 1):
RETENTION: 7 years after close of investigation
 - c. Records of investigation of spill or release of petroleum (as defined in *6NYCRR*, Section 597.1 (7)) exceeding 25 gallons:
RETENTION: PERMANENT
 - d. Records of investigation of spill or release of petroleum (as defined in *6NYCRR*, Section 597.1 (7)) **not** exceeding 25 gallons:
RETENTION: 7 years after close of investigation

- ◆5.[173] **State and local sanitary and related code violation records**, including locally enacted regulations, such as "clean indoor air acts"
 - a. Violation files:
RETENTION: 3 years after violation abated
 - b. Alleged but unfounded violation files:
RETENTION: 1 year after last entry
 - c. Master summary record (log or register) of complaints, violations and inspections:
RETENTION: 3 years after last entry

- ◆6.[690] **Records of minor repairs, enlargements or cleaning** of drainage ditches, or in drainage districts, including but not limited to those defined in Sections 15-1943 and 15-1945, Environmental Conservation Law:
RETENTION: 6 years after date of completion of work

- ◆7.[691] **Hazardous waste site identification records**, including survey of suspected hazardous waste disposal sites, including that created pursuant to Section 27-1303,

Environmental Conservation Law; copy of state registry listing of sites for a specific jurisdiction; review of registry listings; and determination and notification records for newly identified sites:

RETENTION: PERMANENT

- ◆ 8.[692] **Informational copies of reports and studies**, received from environmental facilities or from county or state agencies, including copies of reports created pursuant to Section 5-1.72 of *10 NYCRR*, public health hazard notification, or relating to unsatisfactory water samples, watershed rules violations, and water quality monitoring violations, including testing records and records of action taken by supplier of water to correct violations:

RETENTION: 0 after no longer needed

ENVIRONMENTAL FACILITIES: GENERAL

- ◆ 1.[693] **Capital construction or public improvement project file for environmental facility**, covering water treatment plant; public water supply system; wastewater treatment plant and disposal system; and solid waste management facility (including landfill gas recovery facility)

- a. Feasibility studies; successful bids; plans, specifications and designs; project description; in-progress and completion photographs; construction inspection reports; final or "as built" plans, maps, designs, sketches, architectural drawings and photographs; environmental impact statement; annual project statement; fiscal and other final reports; significant change orders; retrofitting records; and significant correspondence:

RETENTION: PERMANENT

NOTE: Some draft or intermediary plans, maps, designs, sketches or architectural drawings, or detailed construction specifications may need to be retained permanently under part "a," above, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition under part "b," below. Contact the State Archives for additional advice.

- b. Supplementary documentation, including interim fiscal reports, claims, contracts, vouchers, work orders, memoranda, worksheet, non-significant change orders; routine correspondence, detailed construction specifications and **draft or intermediary** plans, maps, designs, sketches or architectural drawings:

RETENTION: 6 years after completion of project or date of most recent entry, whichever is longer

c. Unsuccessful bids, to which contract is **not** awarded:

RETENTION: 6 years

d. All records, when project is proposed but **not** undertaken:

RETENTION: 6 years after date of last entry

NOTE: Appraise these records for historical significance prior to disposition. Certain records for important environmental facility projects that are proposed but not undertaken may have historical and other research value and should be retained permanently. Contact the State Archives for additional advice.

◆2.[181] **Permit or registration files for construction, operation and maintenance** of environmental facility, covering water treatment plant; public water supply system; wastewater treatment plant and disposal system; and solid waste management facility (including landfill gas recovery facility):

a. Permit, application, approval or disapproval; related plans, maps, specifications and engineering drawings; variance from New York state regulations, approval of use of emergency source of water, approval to supply water to or take water from other system, approval of fluoridation process, progress and inspection reports, final and annual reports, summaries of data collected relating to permit issuance, and significant correspondence:

RETENTION: **PERMANENT**

b. Routine correspondence, cover and internal memoranda, draft or intermediary plans, designs and photographs, detailed data that has been summarized in other records, and other records of transitory value:

RETENTION: 6 years after date of last entry

◆3.[183] **Component part** sketches, measurements, installation, inspection and maintenance records:

RETENTION: 6 years after part replaced or its use permanently discontinued

◆4.[694] **Automated operating system records**, covering Supply Control and Data Acquisition (SCADA) or equivalent systems, covering operation, monitoring, problems or emergencies, and maintenance of environmental facility

- a. Detailed data collected from sensors or monitors, and detailed reports generated from such data:

RETENTION: 0 after no longer needed

NOTE: Because of the amount of detailed data collected by such systems, such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements, such as those contained in Section 756.2(c), *6NYCRR*. It is recommended that local government environmental facilities store this data offline long enough to meet such requirements. Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.

- b. System operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:

RETENTION: 5 years

NOTE: Appraise these records for archival value. History files may contain valuable information to document system operation over a period of time. Contact the State Archives for additional advice in this area.

- ◆5.[184] Log or equivalent record containing information such as changes in pressure and level, proportion of chemicals present, operational changes, problems and emergencies, and personal observations

- a. Containing summary information collected at periodic intervals and information on significant readings, events or observations:

RETENTION: PERMANENT

- b. Containing all or routine information collected at frequent intervals:

RETENTION: 5 years

NOTE: If no logs containing summary information are generated, local government environmental facilities may wish to retain all or some records covered by part "b" of this item, for both long-term administrative use and for potential research purposes.

NOTE: Certain inspection logs of solid waste management facilities must be retained for 7 years after date of inspection. See item no. 712, below.

- ◆6.[185] **Charts, graphs and similar records** of pumpage, flow, pressure, emissions, temperature, levels of chemicals, and related information
 - a. Summary records showing long-term trends and developments:
RETENTION: PERMANENT
 - b. Records of original entry, containing significant information:
RETENTION: 10 years
 - c. Records of original entry, containing **only** routine information with no long-term value:
RETENTION: 1 year

NOTE: Some of these records may need to be retained longer to meet both administrative needs and legal requirements, such as those contained in Section 756.2(c), *6NYCRR*. Consult your attorney or counsel and the State Department of Environmental Conservation to determine which records, if any, must be retained longer than 1 year.

- d. Intermediary records, compiled from records of original entry, but **not** showing long-term trends and developments:
RETENTION: 5 years

7.[186] **Operator qualifications records:**
RETENTION: 6 years after disapproval, renewal, or expiration of approval

- ◆8.[695] **Reports, studies or data queries**, including those generated from SCADA or equivalent environmental facility operating system (including documentation of macros, queries, and reports), when **not covered** by specific report items in this section:
RETENTION: 0 after no longer needed

NOTE: Appraise the records for archival value. Reports and studies documenting various aspects of system operation may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice.

◆9.[696] **Environmental facility alarm, problem and emergency records**

- a. Narrative records documenting serious problems or emergencies, including charts, graphs, and data necessary to support such records:

RETENTION: PERMANENT

- b. Records documenting minor or routine alarms or problems, including detailed data generated by automated systems when certain parameters are exceeded:
RETENTION: 5 years
- c. Contingency or similar plans to deal with emergency situations:
RETENTION: PERMANENT

ENVIRONMENTAL FACILITIES: PUBLIC WATER SUPPLY

- ◆ 1.[187] **Permits, approvals**, and related records, **excluding** those related to public water supply system construction or operation, covered by item no. 181, above.
 - a. Approval necessary for connection to public water supply system:
RETENTION: 6 years after connection no longer in use, or after denial of application
 - b. Waiver or variance from mandatory disinfection or other requirements:
RETENTION: 5 years after superseded or invalid
 - c. Permit files for fluoridation plans, backflow prevention devices, fire pump chlorinators, distribution of bottled or bulk water, or for interconnecting water systems, where local government agency issues permit:
RETENTION: 6 years after cessation of operation or denial of application
 - d. Informational copies of permit records for fluoridation plans, backflow prevention devices, fire pump chlorinators, distribution of bottled or bulk water, or for interconnecting water systems, where State Department of Health issues permit:
RETENTION: 0 after no longer needed
- ◆ 2.[188] **Reports and studies** relating to plant, system or facility operation
 - a. Annual and final reports (including annual report submitted to federal Environmental Protection Agency [EPA]), comprehensive water supply study and report, special studies and detailed reports, including facility inspection reports, reports on watershed rules and rules violations, sanitary

surveys, comprehensive performance evaluations, environmental facility monitoring, overall operational reports and reports of emergencies, containing summary or detailed information of long-term value:

RETENTION: PERMANENT

- b. Reports and studies covering routine information only, not covered by other item in this Schedule:

RETENTION: 0 after no longer needed

- c. Monthly operational report submitted to New York State Department of Health:

RETENTION: 5 years

NOTE: Appraise the records for archival value. Reports and studies documenting various aspects of system operation may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice.

- d. Records relating to water quality monitoring violations, watershed rules violations or unsatisfactory water samples, and major changes in aquifer or watershed, including test results and records of corrective actions taken:

RETENTION: 5 years after superseded

NOTE: Appraise these records for long-term uses prior to disposition, warranting longer, if not permanent, retention. These records may be useful in the future in documenting cases of serious drinking water contamination. Contact the State Archives for additional advice.

◆3.[697] **Water systems periodic operation reports**, created pursuant to *10 NYCRR*, Section 5-1.72 (d) and forwarded to county health department or regional office of New York State Department of Health

- a. Report of microbiological sample results (copy retained by supplier of water):

RETENTION: 5 years

- b. Report of surface water systems, showing chemical and turbidity analyses, (copy retained by supplier of water):

RETENTION: 10 years

◆4.[189] **Reports** not relating directly to system or treatment facility construction or operation

- a. Operational and testing records for fire pump chlorinator, backflow prevention device, where local agency issues permit:
RETENTION: 5 years
- b. Informational copies of operational and testing records for fire pump chlorinator, backflow prevention device, where State Department of Health issues permit:
RETENTION: 0 after no longer needed
- c. Report of bottled or bulk water distribution:
RETENTION: 3 years
- d. Small privately owned water system detailed evaluations, including sanitary surveys and comprehensive performance evaluations:
RETENTION: 10 years after superseded
- e. Interstate water carrier reports and other records:
RETENTION: 10 years

◆5.[698] **Automated hydrological monitoring system records**, covering system infrastructure, system service area or aquifer

- a. Detailed data collected from sensors or monitors (both collected by this system or obtained from another source, such as a SCADA system), and detailed reports generated from such data:
RETENTION: 0 after no longer needed

NOTE: Because of the amount of detailed data collected by such systems, such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements. In some cases it may be necessary to maintain this detailed data as long as reports or studies based on the data are retained. It is recommended that local government environmental facilities store this data offline long enough to meet such requirements. Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.

- b. System operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:
RETENTION: 5 years

NOTE: Appraise these records for archival value. History files may contain valuable information to document system operation over a period of time. In some cases it may be necessary to maintain this detailed data as long as reports or studies based on the data are retained. Contact the State Archives for additional advice in this area.

- ◆6.[699] **Reports, studies, analytical models or data queries**, generated from hydrological monitoring system (including documentation of macros, queries, and reports), when **not covered** by specific report items in this section
 - a. Reports and studies documenting major system operational capabilities and proposed modifications, long-range water use planning and aquifer or watershed protection, and/or for long-term planning, for historical and other research, or leading to major future capital expenditures:
RETENTION: PERMANENT
 - b. Report and studies of short-term or transitory value, containing incomplete or otherwise invalid data, or drafts generated in the process of creating reports and studies covered by part "a," above:
RETENTION: 0 after no longer needed

- ◆7.[700] **Water supply emergency plan**, prepared pursuant to Section 1125, Public Health Law and Section 5-1.33 of *10 NYCRR*, including revisions and review records
 - a. Copy maintained by public water supplier:
RETENTION: PERMANENT
 - b. Copy held by local health agency:
RETENTION: 5 years after superseded

**ENVIRONMENTAL FACILITIES:
WASTEWATER TREATMENT**

- ◆1.[701] **Permits, approvals**, and related records, **excluding** those related to system or treatment facility construction or operation, covered by item no. 181, above, or those relating to receiving significant industrial or high-discharge users, covered by item no. 702, below.
 - a. Approval necessary for connection to wastewater disposal system:
RETENTION: 6 years after denial or approval

- b. Permit for septic tank cleaner or industrial waste collectors to deliver waste to treatment facility:
RETENTION: 6 years

◆2.[702] **Records relating to receipt and pretreatment of significant industrial or other high-discharge waste**

- a. Permits for discharge of effluent into wastewater treatment system and related records, such as copies of SPDES permits issued to waste generator, discharge monitoring reports, detailed intake records, and laboratory test results:
RETENTION: 6 years after denial, renewal or expiration of permit

- b. Summary records of waste received for treatment, including records relating to waste received that exceeds acceptable volume or content parameters:
RETENTION: 20 years

NOTE: Certain records covered by parts "b" and "c" relating to significant industrial or other high-discharge waste generation and disposal may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

- c. Survey or similar records of significant industrial or other high-discharge waste generators in an area served by a specific wastewater treatment facility:
RETENTION: 5 years after superseded or obsolete

◆3.[703] **Reports and studies relating to plant, system or facility operation**

- a. Annual and final reports (except annual report submitted to federal Environmental Protection Agency [EPA]), comprehensive wastewater study and report, special studies and detailed reports, including facility inspection reports, sanitary surveys, environmental facility monitoring, overall operational reports and reports of emergencies, containing summary or detailed information of long-term value:
RETENTION: **PERMANENT**

- b. Annual report submitted to federal Environmental Protection Agency (EPA), also known as "503 report":
RETENTION: 5 years

NOTE: As a rule this report does not contain as useful information as do the monthly discharge and operation reports, covered by part "d," below. However, facilities which include more information in this report may wish to retain these reports longer, even permanently, for administrative or research reasons. Contact the State Archives for additional information.

- c. Filter inspection reports (such as sieve analysis) for wastewater treatment system:
RETENTION: 5 years

- d. Monthly discharge monitoring and operation reports, submitted to New York State Department of Environmental Conservation in conjunction with SPDES permit requirements:
RETENTION: 5 years after facility no longer in use

NOTE: Appraise the records for archival value. Data contained in these reports may be valuable for long-term planning and for historical and other research, warranting permanent retention of these records. Contact the State Archives for additional advice.

- e. Septic tank cleaner or industrial waste collector reports and related records:
RETENTION: 6 years

- f. Reports and studies covering routine information only, not covered by other item in this Schedule:
RETENTION: 0 after no longer needed

◆4.[704] **Records relating to sludge, biosolids, unprocessable solids or other waste byproduct** produced as a result of wastewater treatment process, including both detailed records of waste byproducts generated, including laboratory test results and individual load transfer records, and summary records of waste byproducts produced (including unprocessable solids) and disposed of by facility:
RETENTION: 5 years

NOTE: Certain records relating to sludge, biosolids, unprocessable solids or other waste byproduct produced as a result of wastewater treatment process may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

◆5.[705] **Records relating to leachate received from solid waste management facilities**

for processing, including both detailed records of leachate received, including laboratory test results and individual load delivery records and summary reports and other records of leachate received and disposed of:

RETENTION: 5 years

NOTE: Certain records relating to leachate received from solid waste management facilities for processing may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

- ◆6.[706] **Co-composting records**, including but not limited to testing records for materials used and product generated, and marketing and distribution records, including both detailed records, including laboratory test results and individual load delivery records and summary reports and other records of materials used and compost generated and its distribution:

RETENTION: 5 years

NOTE: Certain records relating to co-composting may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

ENVIRONMENTAL FACILITIES: SOLID WASTE MANAGEMENT FACILITIES

NOTE: Records relating to co-composting facilities are covered in the Environmental Facilities: Wastewater Treatment subsection, immediately above.

NOTE: Records relating to disposal of sludge, biosolids, unprocessable solids or other waste byproduct produced as a result of wastewater treatment process, are covered by item no. 704, above. Records relating to public educational recycling programs are covered by item nos. 11 and 12 in the General section.

- ◆1.[707] **Permit for use of solid waste management facility** by business or resident of local government:

RETENTION: 6 years after denial or expiration of permit

- ◆2.[708] **Reports and studies** relating to plant, system or facility operation

- a. Annual summary reports, final reports, special studies and detailed reports, including facility inspection reports, environmental facility monitoring, overall operational reports and reports of emergencies, water

quality records, containing summary or detailed information of long-term value:

RETENTION: PERMANENT

- b. Quarterly or monthly or operational reports, including reports of exceedances generated by resource recovery facilities and condensate sampling reports of landfill gas recovery facilities:

RETENTION: 10 years

NOTE: Appraise the records for archival value. Reports documenting various aspects of system operation may be valuable for long-term planning and for historical and other research. Contact the State Archives for additional advice.

- c. Detailed tonnage or similar reports (**including** summary reports or other records generated from individual load delivery records) which contain significant information, for solid waste management facility:

RETENTION: 10 years

- d. Monthly discharge monitoring and operation reports, submitted to New York State Department of Environmental Conservation in conjunction with SPDES permit requirements, for use of water as coolant, including thermal water temperature data:

RETENTION: 5 years

- e. Reports and other records of unauthorized waste collected and its final disposition, created pursuant to Section 360-1.14 (i-1), *6NYCRR*:

RETENTION: 5 years

- f. Reports and studies covering routine information only, not covered by other item in this Schedule:

RETENTION: 0 after no longer needed

◆3.[190] **Hazardous waste collection and disposal records**

- a. Summary reports and other records of substances and quantities collected and disposed of by outside transfer:

RETENTION: PERMANENT

- b. Individual load delivery and other detailed records, including manifest form:

RETENTION: 10 years

NOTE: Certain records covered by part "b" may warrant longer retention for legal and administrative reasons, because of the toxic nature of materials collected and transported for disposition at another site. Contact your attorney or counsel to determine if longer retention of these records is necessary.

- c. Contract for removal of materials collected, along with related performance bond or certificate of insurance:
RETENTION: 6 years after superseded or invalid

◆4.[191] **Individual load delivery records** for solid waste management facility (including materials recycling facility - MRF), including "scalehouse" information records

- a. Individual load delivery records for residential waste:
RETENTION: 6 years*
- b. Individual load delivery records for **other than** residential waste:
RETENTION: 10 years*
- c. Summary reports and other records created from individual load delivery records:
RETENTION: 10 years

***NOTE:** The individual load delivery records may be disposed of after 1 year, providing the summary records created from them contain sufficient information on the date of disposal, name of the generator, transporter and disposer of the waste, types and quantity of waste disposed. To ascertain if the summary records suffice to meet requirements of the State Department of Environmental Conservation, contact D.E.C.'s Division of Solid and Hazardous Materials at (518) 402-8660.

- d. Reports and studies covering routine information only, not covered by other item in this Schedule:
RETENTION: 0 after no longer needed
- e. Automated "scalehouse" data file, containing information on type, weight and source of waste collected and disposed of, as well as billing information:
RETENTION: 10 years after information is superseded or invalid

◆5.[192] **Proof of liability insurance coverage** (insurance policy, certificate of insurance)

or equivalent record), and proof of financial assurance for solid waste management facility

- a. For landfill:
RETENTION: 30 years after closure of landfill
- b. For solid waste management facility other than landfill:
RETENTION: 6 years after closure of facility

- ◆6.[193] **Recycling marketing records**, including but not limited to annual, final or summary reports and studies, and background files on markets and materials:
RETENTION: 6 years

NOTE: Routine marketing reports and other records are covered by item no. 708f, above.

- ◆7.[194] **Recycling waste collection** annual or summary records and reports, including necessary supporting data:
RETENTION: PERMANENT

- ◆8.[709] **Records relating to ash, leachate, or other waste byproduct** generated and/or disposed of by solid waste management facility

- a. Detailed records of waste byproducts generated, including laboratory test results, leaching potential test report and individual load transfer records:
RETENTION: 5 years
- b. Summary records of waste byproducts generated and/or disposed of by facility:
RETENTION: 10 years

NOTE: Certain records covered by parts "a" and "b" relating to ash, leachate other waste byproduct generated and/or disposed of by solid waste management facility may warrant longer, if not permanent, retention, for administrative or research reasons. Contact the State Archives for additional information.

- ◆9.[710] **Local solid waste management plan**, created pursuant to Section 27-0107, Environmental Conservation Law, covering all updates, and including necessary supporting documentation:
RETENTION: PERMANENT

- ◆ 10.[711] **Research, development or demonstration project or program files**, including required permits and related records created pursuant to Section 360-1.13, 6 NYCRR, official copy of publications, videotapes, or informational literature prepared as a result of the project, background materials and supporting documentation:

RETENTION: 6 years after project or program ends

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. If research, development or demonstration projects or programs deal with significant subjects of a scientific or public improvement nature, then certain documentation from these files, such as summary reports and resulting publications, should be retained permanently.

- ◆ 11.[712] **Self-inspection records of solid waste management facility**, created pursuant to Section 360-1.14 (f-3) and (i-2), including inspection log:

RETENTION: 7 years from date of inspection

- ◆ 12.[713] **Landfill closure records**, including but not limited to site investigation records, conceptual and final closure plans, environmental and facility monitoring records, close and post-closure registration report, closure construction certification report, and periodic inspection reports

- a. All records, except periodic routine inspection reports, routine notes, memoranda, correspondence and detailed data collected as part of project:

RETENTION: PERMANENT

- b. Routine notes, memoranda, correspondence and detailed data collected as part of project:

RETENTION: 30 years after date of closure

- c. Periodic routine inspection reports:

RETENTION: 7 years after date of closure

EXECUTIVE, MANAGER, AND/ OR ADMINISTRATOR

- 1.[198] **Executive, Manager, or Administrator's office files**, including but not limited to correspondence, memoranda, reports, studies, publicity items, non-record copies of contracts, and other legal documents
- a. Where file documents a significant subject, or major policy-making or program-development process:
RETENTION: PERMANENT
 - b. Where file documents routine activity:
RETENTION: 6 years

FISCAL

AUDIT

- ◆ 1.[214] Report of audit of financial affairs
 - a. Audit filed pursuant to Section 35, General Municipal Law, conducted by Office of the State Comptroller or by New York City Comptroller or by an outside auditing firm:
RETENTION: PERMANENT
 - b. Other external audits:
RETENTION: 6 years
 - c. Internal audits, conducted by local government officials:
RETENTION: 6 years
- 2.[215] Audit background documentation, including summaries, posting records, and related records created by an auditing office as part of the auditing procedure:
RETENTION: 6 years
- 3.[216] Audit hearing or review file:
RETENTION: 6 years after audit accepted

BANKING AND INVESTMENT

- 1.[217] Banking communications, including but not limited to bank statement, reconciliation, notification of voiding or return of check, cancellation of payment, or other notice for checking or savings account:
RETENTION: 6 years
- 2.[218] Canceled check (including payroll check), or other instrument of payment, such

as bank check, warrant check, order check, or order to fiscal officer to pay when used as a negotiable instrument, including voided check:

RETENTION: 6 years

NOTE: It is recommended that a list of destroyed unused checks be created and maintained for legal or audit purposes.

3.[219] Copy of check or check stub:

RETENTION: 6 years

4.[220] Depository agreement, including designation of depository, bond or surety, or other record relating to deposition of local government funds:

RETENTION: 6 years after agreement, contract, designation, bond or surety has expired or been superseded or rescinded

5.[221] Deposit book for checking account:

RETENTION: 6 years after date of most recent entry

6.[222] Deposit book for savings account:

RETENTION: 6 years after cancellation

7.[223] Deposit slip:

RETENTION: 6 years

BONDS AND NOTES

NOTE: The following record series provide disposition authority for records related to the issuance of bonds, notes or obligations. However, the actual bonds, notes or obligations are not covered by these items. Instead, bonds, notes or obligations may only be destroyed pursuant to Section 63.10 of the Local Finance Law. Questions should be addressed to the Office of the State Comptroller, Division of Legal Services, 110 State Street, Albany, NY 12236; phone, (518) 474-5586.

◆ 1.[224] Bond issue preparation file, covering bonds issued by local governments

a. Master summary record of bonds issued:

RETENTION: PERMANENT

b. Other records, including those relating to bond attorneys, preparation

the prospectus, prospectus distribution to bond buyers, bond printing, list of prospective or actual buyers, bond printing bids, bond ratings, and proof of publication of notice of estoppel:

RETENTION: 6 years after bond issue retired

2.[225] **Bond or note issue and cancellation register**, including information on the type, amount, number of obligations in issue, rate of interest, date of maturity, holders, cancellation of the bond or note, and other pertinent information:

RETENTION: 6 years after cancellation of last bond or note

◆3.[226] **Debt-contracting power statement** filed with Office of the State Comptroller before sale of bonds:

RETENTION: 6 years after bond issue retired

◆4.[227] **Master summary record of bonds, notes, or securities** purchased by the government for investment, identifying the security, the fund for which held, the place where kept, and listing the date of sale and the amount realized:

RETENTION: PERMANENT

◆5.[228] **Periodic reports and similar records** of yield received from or status of bonds, notes, securities or other obligations purchased for investment:

RETENTION: 6 years after bond issue retired

◆6.[717] **Records relating to exclusion of self-liquidating indebtedness** by a local government, including copy of application filed with Office of the State Comptroller, notice and proof of publication, and State Comptroller's written certificate:

RETENTION: 6 years after date of certificate

BUDGET

◆1.[46] **Budget preparation file** for budget request or estimate submitted by department head, including but not limited to the preliminary or tentative budget, budget appropriation and staffing requests, estimates of revenues or expenditures, narrative of services, budget message, budget hearing and review files, and related records:

RETENTION: 6 years

2.[49] **Annual budget**

a. Official copy when not included in minutes:

RETENTION: PERMANENT

- b. When budget is included in minutes:
RETENTION: 0 after officially recorded in minutes
- c. Reporting office copy:
RETENTION: 0 after no longer needed

3.[50] **Special budget** filed with state or federal agency:

RETENTION: PERMANENT

4.[51] **Budget status report** on allocation, receipts, expenditures, encumbrances, and unencumbered funds

- a. Cumulative report:
RETENTION: 6 years
- b. Monthly or quarterly report:
RETENTION: 1 year

5.[52] **Budgetary change request**, (if not included in minutes) including approval or denial for change in approved budget and including but not limited to transfer of funds from one budget item to another, overtime authorization, or request for supplemental funds:

RETENTION: 6 years

◆6.[718] **Copies of county, town or other budgets**, received and maintained for informational purposes:

RETENTION: 0 after no longer needed

CLAIMS AND WARRANTS

◆1.[229] **Claim for payment** (approved or disallowed), including claim, vendor's voucher and bill:

RETENTION: 6 years

2.[231] **State or federal-state reimbursement claim file (federal revenue sharing)**, including but not limited to summary and detail of claim, worksheets and other supporting documents:

RETENTION: 6 years

- 3.[232] Summary record of outstanding or paid warrants or claims:
RETENTION: 6 years
- 4.[233] Notice of claim record and index as required by Section 50-f of the General Municipal Law:
RETENTION: 6 years after final disposition of claim
- 5.[234] Order or warrant to pay monies
 - a. For any funds held in a savings bank:
RETENTION: 20 years
 - b. For any funds not held in a savings bank:
RETENTION: 6 years
- 6.[235] Outstanding warrants listing, including adding machines tapes:
RETENTION: 6 years
- 7.[236] Assignment of claim:
RETENTION: 6 years after satisfaction or 10 years, whichever is less

GENERAL ACCOUNTING AND MISCELLANEOUS

- ◆ 1.[199] General ledger showing summary receipts and disbursements from all funds and accounts:
RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. General ledgers containing detailed entries that include information on nature of transaction and parties involved may be valuable in documenting financial transactions involving a local government.
- ◆ 2.[200] Subsidiary ledger providing details of the general ledger accounts:
RETENTION: 6 years after last entry

NOTE: This does not apply to subsidiary ledgers of municipal electric utilities. See item no. 158 in the Electric and Gas Utility section.

NOTE: Appraise these records for historical significance prior to disposition.

Records with historical value should be retained permanently. Subsidiary ledgers containing detailed entries that include information on nature of transaction and parties involved may be valuable in documenting financial transactions involving a local government, if this detailed information is not contained in general ledgers.

- ◆3.[201] Journal recording chronological entries of all fiscal transactions:
RETENTION: 6 years after last entry

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Journals containing detailed entries that include information on payor, payee and purpose may be valuable in documenting financial transactions involving a local government.

- 4.[202] Accounting register, including but not limited to check register, transfer of funds register, encumbrance register, and register of claims presented for payment and paid claims:
RETENTION: 6 years after last entry

- 5.[203] Cash transaction record showing cash received from collection of various fees and petty cash disbursed:
RETENTION: 6 years

- 6.[204] Tolls or fares collection record, including but not limited to record of receipts and log of operations:
RETENTION: 6 years

- 7.[205] Daily cash record, including adding machine tapes, cashier's slips showing daily cash receipts and analysis of cash receipts:
RETENTION: 6 years

- ◆◆8.[206] Notice of encumbrance indicating funds encumbered and amount remaining unencumbered:
RETENTION: 6 years

- ◆◆9.[207] Past due account fiscal records and summaries:
RETENTION: 6 years after account satisfied or otherwise closed

- 10.[208] Intermediary fiscal record of receipts and disbursements, including but not limited to detail record, analysis, proof sheet or trial balance worksheet, and adding machine tapes: **RETENTION:** 6 years

- 11.[209] Abstract of receipts, disbursements, or claims:

RETENTION: 6 years

12.[210] **Billing records covering services provided by local government**

a. Customer's individual account:

RETENTION: 6 years after last entry

b. Records used to determine billing and charges including "flat rate" computation record and copies of bills and charge slips:

RETENTION: 6 years

c. Billing address records:

RETENTION: 0 after superseded or obsolete

13.[211] **Bill of sale** of property owned by local government other than real property:

RETENTION: 6 years

14.[212] **Sales tax records**, covering sales tax collected by local governments and transmitted to State Department of Taxation and Finance:

RETENTION: 6 years

15.[213] **Tax exemption records**, showing that local government is exempt from paying sales, use or other taxes:

RETENTION: 1 year after superseded or obsolete

◆ 16.[719] **Payment recoupment records**, documenting the process of recovering monies paid erroneously by local government to employee, vendor or other payee:

RETENTION: 6 years after date of most recent entry in record

17.[237] **Receipt (received) or copy of receipt (issued)** other than for payment of taxes:

RETENTION: 6 years

◆ 18.[720] **Grant, award or gift files**, covering grants, awards and gifts given by local governments to other local governments, not-for-profit corporations, businesses or individuals

a. Master summary record of grants, awards or gifts:

RETENTION: PERMANENT

b. Detailed records of grants, awards and gifts, excluding master summary record:

RETENTION: 6 years

- ◆ 19.[721] **Credit card records** documenting payments received by credit cards or electronic transactions, including credit card payment receipts, and statements showing amounts of payments received and fees deducted:
RETENTION: 6 years

PAYROLL

NOTE: The copy of payroll, or payroll report, submitted to civil service office for certification or approval, is covered by item no. 748 in the Personnel/Civil Service section, Civil Service subsection.

NOTE: The State Archives does not prescribe the amount of detail and nature of information necessary to be maintained for salary verification for retirement and social security purposes. Contact the Office of the State Comptroller or other retirement system to verify that you are maintaining the necessary payroll information.

- ◆ 1.[291] **Payroll**, including information on gross and net pay, base pay, taxes, and other deductions
 - a. Year-end payroll, including detailed information necessary for salary verification for retirement and social security purposes:
RETENTION: 55 years
 - b. Periodic payroll, including detailed information necessary for salary verification for retirement and social security purposes, when **no** year-end payroll is maintained **or** year-end payroll does not contain this required detailed information:
RETENTION: 55 years
 - c. Periodic payroll, **not** including detailed information necessary for salary verification for retirement and social security purposes:
RETENTION: 6 years
 - d. Warrant authorizing payment of salaries based on a specific payroll, if maintained separate from payroll itself:
RETENTION: 6 years
 - e. Preliminary draft of payroll:
RETENTION: 0 after warrant authorizing payment of salaries is

signed

- f. Local government's information copy of school, fire or special district payroll:
RETENTION: 0 after no longer needed

◆2.[292] Payroll or related report covering all employees or an individual employee, and not covered by specific item in this section

- a. When needed for audit or other fiscal purposes:
RETENTION: 6 years
- b. When not needed for audit or other fiscal purposes:
RETENTION: 0 after no longer needed

NOTE: Local governments may wish to retain records covered by item nos. 292 and 293 longer for social security or retirement documentation purposes.

3.[293] Payroll distribution breakdown record used to distribute or classify labor costs:
RETENTION: 6 years

4.[294] Summary record of employee's payroll changes:
RETENTION: 6 years after termination of employment

5.[295] Employee's time cards, sheets, or books:
RETENTION: 6 years

6.[296] Record of employee absences or accruals

NOTE: This item does not apply to an employee's time cards or sheets.

- a. When not posted to periodic cumulative time summary record:
RETENTION: 6 years
- b. When posted to periodic cumulative time summary record:
RETENTION: 1 year

◆7.[297] Employee request for and/or authorization given to employee to use or donate sick, vacation, personal or other leave, or to work overtime:
RETENTION: 6 years

- 8.[298] Record of assignments, attachments, and garnishments of employee's salary
- a. When employment was terminated prior to satisfaction:
RETENTION: 6 years after termination of employment
 - b. When satisfied:
RETENTION: 5 years after satisfaction
- ◆9.[299] Employee's voluntary payroll deduction request form:
RETENTION: 5 years after authorization expires
- 10.[300] Schedule or other notification from issuing bank showing savings bond purchased for employee:
RETENTION: 5 years after latest bond issue
- ◆11.[301] Employee's personal earnings record used to prove end-of-year total earnings, retirement or other deductions and taxes withheld:
RETENTION: 6 years
- NOTE:** Local governments may need to retain these records longer for social security or retirement documentation purposes.
- 12.[302] Employee's declaration of intention to accept or reject Social Security:
RETENTION: 10 years after employee dies or reaches age 75, whichever is shorter
- ◆13.[303] Quarterly or other periodic report of wages paid prepared for Social Security, and report of any adjustments or corrections:
RETENTION: 6 years after year in which wages were reported
- 14.[304] Copy of federal determination of error in wage reports (Form OAR-S30 or equivalent record):
RETENTION: 6 years after determination received
- 15.[305] Payroll report submitted to New York State Employee's Retirement System, Policemen's and Firemen's Retirement System, or any other official pension system:
RETENTION: 6 years
- ◆◆16.[306] Employer's copy of Annual Federal Tax Return (Form 940), Quarterly Federal Tax Return (Form 941E) and Continuation Sheets (Form 941a), Notice of Tax Return Due (Form TY 14), or equivalent forms:
RETENTION: 4 years after tax paid

- ◆◆17.[307] Employer's copy of U.S. Information Return for Calendar Year (Form 1099), Withholding Tax Statement (Form W-2) or Transmittal of Wages and Tax Statements (Form W-3), or equivalent forms:
RETENTION: 4 years
- ◆◆18.[308] Employee's Withholding Exemption Certificate (Form W-4), or equivalent form:
RETENTION: 4 years after a superseding certificate is filed or employment is terminated
- ◆◆19.[309] Employer's copy of New York state income tax records relating to employees:
RETENTION: 4 years after tax was paid
- ◆20.[722] Direct deposit records, covering direct deposit of employee's salary, including but not limited to application to begin or terminate direct deposit, and transaction log or similar reports:
RETENTION: 5 years after authorization expires
- ◆21.[723] Employee's declaration of intention to decline membership or participation in retirement system or benefit plan, including copy of written notification of options provided employee by local government
- a. For retirement system:
RETENTION: 6 years after termination of employment
- NOTE: Local governments may wish to retain these records for the life of the employee. State legislation in effect between 1993 and 1996 allowed for retroactive retirement system membership, for employees who were not previously offered membership, and the possibility exists that similar legislation may be passed into law in the future. If this occurs, these declarations of non-membership may be valuable for local governments to document intentions of present or former employees.
- b. For benefit plan:
RETENTION: 6 years after termination of employment

PURCHASING

- ◆1.[496] Purchase order, purchase requisition, or similar record, used to obtain materials, supplies, or services:
RETENTION: 6 years

- ◆◆2.[498] Purchasing file, including but not limited to bid (successful, unsuccessful), contract, specifications and related records for purchase of materials, supplies and services not connected with capital construction:
RETENTION: 6 years after completion of purchase or 6 years after final payment under contract, whichever is later
- NOTE:** For capital construction, see item no. 415 in the Public Property and Equipment section and item no. 544 in the Transportation and Engineering section. Local governments may wish to retain records documenting purchases for additional periods if those records may be needed for warranty claims concerning the purchased items.
- 3.[499] Vendor file, including but not limited to list of vendors doing business with the local government, vendor evaluation forms, price lists or other information received from vendors:
RETENTION: 0 after obsolete
- 4.[500] Performance guarantee or written warranty for products or similar record:
RETENTION: 6 years after expiration
- ◆5.[501] Invoice, packing slip, shipping ticket, copy of bill of lading or similar record used to verify delivery and/or receipt of materials or supplies:
RETENTION: 6 years
- ◆6.[502] Invoice register, or similar record used to list invoices:
RETENTION: 6 years after last entry
- 7.[504] List or abstract of purchase orders, claims or contracts:
RETENTION: 6 years
- 8.[505] Standing order file, used for purchase of materials and supplies which are received on a regular basis:
RETENTION: 6 years
- ◆9.[724] Chargeback records, showing specific fund to be charged for in-house expenditure:
RETENTION: 6 years
- ◆◆10.[905] Canceled bids file, including purchase requisitions, vendor solicitations, requests for proposals (RFPs), price quotations and related records concerning bids for goods or services which were canceled without a purchase being completed:
RETENTION: 1 year after subsequent procurement of the same goods or services completed under a re-initiated procurement, or 1 year after decision not to purchase such goods or services

REPORTS

- 1.[238] **Daily, weekly, monthly, quarterly, or other periodic fiscal reports**, including but not limited to daily funds report, daily cash report, statement of monthly balances, recapitulation of disbursements, and departmental reports:
RETENTION: 6 years

- 2.[239] **Annual or final fiscal reports**
 - a. When report is **not** included in minutes:
RETENTION: PERMANENT

 - b. When report **is** included in minutes:
RETENTION: 0 after officially recorded

- 3.[240] **Fiscal reports from state agencies:**
RETENTION: 6 years

- 4.[241] **Fiscal report** on management of court funds and of securities or depositories in which court funds are invested or deposited:
RETENTION: 6 years

- 5.[242] **Certificate, demand or direction to fiscal officer to pay monies:**
RETENTION: 6 years

- 6.[243] **Verification of travel expenses**, including but not limited to certificate of accuracy and receipts:
RETENTION: 6 years

HUMAN RIGHTS/ECONOMIC OPPORTUNITY

- ◆1.[244] **Individual complaint or problem case file** of human rights, economic opportunity, equal employment, community relations or similar function, including individual case summary record

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of significant cases handled at the local level. Contact the State Archives for additional advice in this area.

- a. For case handled at local level (includes cases referred to New York State Division of Human Rights but **returned** to local agency for adjudication):
RETENTION: 6 years after last entry
- b. For case referred to New York State Division of Human Rights:
RETENTION: 2 years after last entry

NOTE: Agencies may wish to retain records covered by parts “a” and “b” of this item beyond the minimum retention period for use in establishing patterns of complaints and for investigating and resolving future complaints. For records of affirmative action cases involving local government employees, see item no. 317c in the Personnel/Civil Service section, Personnel subsection.

- 2.[245] **Summary record for individual case and/or master summary record of all cases:**
RETENTION: PERMANENT

- ◆3.[731] **Periodic statistical or narrative activity or progress reports** on human rights or economic opportunity office activities:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Periodic reports containing summary information not found in annual reports may have continuing value for historical or other research and should be retained permanently.

INSURANCE

NOTE: Proof of liability insurance coverage must be retained longer for solid waste management facilities. See item no. 192 in the Environmental Health section.

- ◆ 1.[246] **Insurance (including self-insurance) case records, except** workers' compensation case record, including but not limited to notice of claim, copies of filed court documents, accident reports, medical reports, motor vehicle reports, appraisal report, copy of check, correspondence, and other supporting documentation:

RETENTION: 6 years after claim closed, but not until any minor reaches age 21, whichever is later

NOTE: The local government may wish to retain the release longer for convenience of reference. Proof of liability insurance coverage must be retained longer to cover claims relating to exposure to asbestos and other toxic substances. Consult your counsel or attorney to ensure that insurance policies and other appropriate documentation are retained as long as needed.

- ◆ 2.[247] **Workers' compensation case records (including Volunteer Firefighters Benefit Law) case records**

a. If claim allowed:

RETENTION: 18 years after injury or illness, but not less than 8 years after last payment

b. If claim disallowed after trial, or case otherwise disposed of without an award after the parties have been given due notice:

RETENTION: 7 years after injury or illness

NOTE: The employee injury record must be retained for 18 years after date of accident or injury, as required by Section 110, Workers' Compensation Law, even for disallowed claims. See item no. 741 in the Personnel/Civil Service section.

- ◆ 3.[248] **Master summary record** (log or register), of all (including workers' compensation) claims:
RETENTION: 0 after all claims and/or cases listed in master summary record have been disposed of

- ◆ 4.[249] **Insurance policy** covering fire, theft, property damage, personal injury liability,

general liability, insurance of life or property, when **no outstanding claims are involved:**

RETENTION: 6 years after expiration, or until the report on examination is filed, whichever is later

5.[250] **Workers' compensation and employer's liability insurance policy**, when no outstanding claims are involved:

RETENTION: 18 years after expiration

6.[251] **Title insurance policy**, when **no** outstanding claims are involved:

RETENTION: 20 years after expiration

◆7.[252] **Certificate of insurance** certifying as to name of insured, type of insurance, limits of liability, date of expiration and policy number, when **no** outstanding claim is involved, **except** a certificate of insurance certifying as to a security bond or undertaking:

RETENTION: 6 years after expiration

NOTE: For the exceptions mentioned above, see item no. 326 in the Personnel/Civil Service section, item no. 596 in the Building and Property Regulation section, item no. 220 in the Fiscal section, item no. 192 in the Environmental Health section and item no. 415 in the Public Property and Equipment section.

8.[253] **Insurance appraisal and/or survey:**

RETENTION: 0 after superseded or obsolete

MISCELLANEOUS

- ◆1.[276] Ombudsman/referral service records covering citizen complaint services, landlord/tenant advisory services, job placement consultation, handicapped person's assistance, and related services, including but not limited to log or master index, copies of complaints, intakes and referrals, and individual case file materials
- a. Relating to other than routine services or activities:
RETENTION: 6 years after final disposition of matter
- b. Relating to routine services or activities:
RETENTION: 1 year after final disposition of matter
- ◆2.[277] Noise level monitoring records, including but not limited to summary records, showing long-term trends and developments and original entry and intermediary records, including charts, graphs and statistics:
RETENTION: 6 years
- NOTE:** Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Local governments should consider permanent retention of summary records, showing long-term trends and developments, in cases where noise levels are a matter of public concern. Contact the State Archives for additional advice in this area.
- 3.[280] Governmental establishment and reorganization records, covering establishment, incorporation, annexation, consolidation, dissolution or charter revision, for political subdivision, including but not limited to petitions, special studies and surveys, correspondence with state agencies, records of voter action and reports:
RETENTION: PERMANENT
- 4.[281] Census records of all regular and special local, New York state and federal censuses:
RETENTION: PERMANENT
- ◆◆5.[906] Annual financial disclosure statements, filed by local political party official or candidate for local elected office, pursuant to Section 812.1 (a), General Municipal Law:
RETENTION: 7 years
- ◆6.[733] Financial or political interest disclosure records, filed by vendor or contractor

doing business with the local government:

RETENTION: 6 years

◆7.[282] Minority- and women-owned business files, covering minority- and women-owned businesses doing business with or in the jurisdiction of a local government

a. Summary record listing businesses, eligibility criteria and official government policy statement:

RETENTION: PERMANENT

b. Detailed application/questionnaire/response completed by business:

RETENTION: 5 years after date of most recent entry in record

NOTE: Appraise these records for historical significance prior to disposition. If the local government uses its own rather than statewide criteria for approving these businesses, then these records may document minority- and women-owned business operating in the community.

c. Directory of state-approved minority- and women-owned businesses, supplied by State Department of Economic Development:

RETENTION: 0 after superseded

d. Other records, including job quotes, bid lists, referrals, credit and character references and affidavits, but not including summary record, detailed application/questionnaire/response, eligibility criteria and official government policy statement, and state-supplied directory of businesses:

RETENTION: 6 years after contract expiration

◆8.[283] Record of gifts and bequests to a local government, including copy of will, copies of deeds, maps and surveys (if applicable) and records of establishment of and use of monies generated by trust fund or endowment

NOTE: This does not apply to donations of real property, which are covered by item no. 412 in the Public Property and Equipment section.

a. When trust fund or endowment is involved:

RETENTION: PERMANENT

b. For gift of work of art, historical or other artifact or historical manuscript:

RETENTION: PERMANENT

c. For gift or bequest not covered under parts "a" or "b", or by note above:

RETENTION: 6 years

- ◆9.[734] Community service records, showing time worked and type of tasks performed by person sentenced by court to community service:

RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

- ◆◆10.[735] Miscellaneous non-government records, received by local government:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Records which document the history of the community and its citizens may have continuing value for historical or other research and should be retained permanently. These records may contain valuable information which supplements records created by the local government itself. Records not retained permanently may be offered to a local historical records repository. Contact the State Archives for additional advice.

NOTE: Upon the receipt of these non-public records by a local government, these records become "local government records." Published materials received by a local government are not considered to be public records.

- ◆11.[736] Photographs or other visual media records, created by a local government, which are not part of a record series listed elsewhere in this Schedule:

RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. Some photographs and other visual media records may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

- ◆12.[737] Child abuse or maltreatment reports and related records, reporting agency copy:

RETENTION: 3 years

NOTE: This item covers copies of child abuse and maltreatment reports and related records retained by agencies reporting suspected abuse and maltreatment to the State Central Register or to child protective services units of county social services departments. Reporting agencies may be in such areas as education, youth services and recreation. Reporting copies maintained by law enforcement agencies are covered by item no. 473 in the Public Safety section.

- ◆13.[738] Lobbying activity records, including but not limited to registration records,

individual reporter designation records, and periodic reports of lobbying activity filed with New York Temporary State Commission on Lobbying:

RETENTION: 3 years

- ◆ 14.[739] Project review records, covering projects requiring approval by the Adirondack Park Agency, Lake George Commission, or other government entity or agency, where local government receives records for comment or review, or for informational purposes

- a. When permit or other approval must be granted by local government involved:

RETENTION: Retain as long as related building, land use, planning, zoning, or environmental permit or approval records covered elsewhere in this schedule.

- b. When no permit or approval by local government is needed, and records are received for comment or informational purposes only:

RETENTION: 3 years after date of most recent entry

- ◆◆ 15.[907] Child day care program records

- a. Participant records, including applications to attend day care program; children's immunization and health records, including parent's consents for emergency medical treatment; and related records:

RETENTION: 3 years after child attains age 18

- b. Program records not covered by other items on this Schedule, including those required to be maintained by 18 NYCRR Sections 414.15, 418-1.15 and 418-2.15, including program registration records; video surveillance tapes; daily attendance records; staff health statements; Statewide Central Register clearance forms and related records; documentation of facility compliance with Uniform Fire Prevention and Building Code and other state requirements; description of program activities; and related records:

RETENTION: 6 years or 6 years after superseded or obsolete, whichever is longer

- c. Applications from parent/guardian for enrollment of child in program, where child is not accepted or is not enrolled in program:

RETENTION: 3 years

PERSONNEL/CIVIL SERVICE

PERSONNEL

- ◆1.[310] Personnel records of local government employees (includes volunteers and interns)
- a. Master summary record from personnel case file, including but not limited to age, dates of employment, job titles and civil service status:
RETENTION: PERMANENT
- b. Personnel case file materials, except summary information record, and including but not limited to application for employment, resume, report of personnel change, evaluation, civil service examination results, notice of resignation or termination, and correspondence:
RETENTION: 6 years after termination of employment
- NOTE:** Reports of personnel changes may be included in personnel case files, in which case they are subject to the indicated minimum retention period. Other copies of these reports are maintained by other offices and are covered by item no. 332, below.
- ◆2.[311] Investigative records and disciplinary proceedings, including but not limited to statement of charge, transcript of hearing, notice of decision, letter of termination or resignation, letter of reinstatement, record of appeal procedure, and correspondence:
RETENTION: 3 years after final decision rendered
- NOTE:** Records covered by this item may be destroyed before this retention period has been reached, if specified either in a union contract or settlement between the employer and employee.
- NOTE:** Affirmative action and related complaints may be covered by item no. 317c, below.
- 3.[312] Employee's time records covering leave, absences, hours worked and scheduling, and including but not limited to employee's time cards or sheets, request for change of work schedule, vacation schedule, report of absence and request for leave without pay:
RETENTION: 6 years
- ◆4.[313] Annual or other financial disclosure statements, filed by local government

employees or officials, pursuant to Section 812.1 (a), General Municipal Law, or local law:

RETENTION: 7 years

- ◆◆5.[314] Employee training history records documenting employee continuing education, training and development, including employee identification, training received, dates of training, and related records:

RETENTION: 6 years after termination of employment

NOTE: Additional records providing detailed information on training history can be destroyed when no longer needed, provided that summary records are retained for the indicated retention period. For retention requirements for specific types of employee training history records, see specific items in this Schedule.

- ◆6.[315] Administrative organization chart and related records showing administrative and supervisory organization:

RETENTION: 0 after superseded or obsolete

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently. Contact the State Archives for additional advice.

- ◆7.[316] Identification card records, when card is issued to local public employee:

RETENTION: 6 months after becoming invalid

- ◆8.[317] Equal employment opportunity report and related records

- a. Annual, long-term or special (narrative or statistical) reports, goals and achievements:

RETENTION: **PERMANENT**

- b. Periodic reports, statistics and other records used in compiling annual, long-term or special (narrative or statistical) reports, goals and achievements:

RETENTION: 1 year

- c. Affirmative action and related complaint investigation records:

RETENTION: 3 years after date of final determination

NOTE: Agencies may wish to retain records covered by part "c" of this item beyond the minimum retention period for use in establishing patterns of complaints and for investigating and resolving future complaints.

- ◆9.[318] Health and life insurance records
- a. For employee with or without dependent survivor:
RETENTION: 3 years after termination of employee's or dependent survivor's coverage, whichever is later
 - b. Claim for benefits (copy, where original is submitted directly by employee):
RETENTION: 1 year
 - c. Health and life insurance coverage reports:
RETENTION: 6 years
 - d. Declination statement filed by employee:
RETENTION: 6 years after separation from service
- 10.[319] Unemployment insurance records
- a. Claim filed by employee, when claim is approved:
RETENTION: 6 years after final payment
 - b. Claim filed by employee, when claim is disqualified:
RETENTION: 3 years after filing
 - c. Claim payment reports:
RETENTION: 6 years
- ◆11.[320] Labor-management meeting records, including minutes of meeting, agenda, reports, and correspondence
- a. Minutes and reports:
RETENTION: **PERMANENT**
 - b. Meeting agenda, correspondence, and other records:
RETENTION: 6 years
- ◆12.[321] Public employee contract negotiations records, including but not limited to proposals, summary of proceedings, copies of salary schedules and contracts, P.E.R.B. fact-finding report, and correspondence
- a. All documentation in record, except routine correspondence, routine memoranda and drafts:
RETENTION: **PERMANENT**
 - b. Routine correspondence, routine memoranda and drafts:

RETENTION: 1 year

◆ 13.[322] **Job action records** documenting strikes, work stoppages, informational picketing and other job actions conducted by local government employees, including but not limited to correspondence and memoranda, press clippings, copies of notices of violation, detailed and summary records of employees' participation, and penalties levied upon participants

a. All documentation in record, **except** detailed listings of all employees present at various events and other records lacking substantive informational value:

RETENTION: PERMANENT

b. Detailed listings of all employees present at various events, and other records lacking substantive informational value:

RETENTION: 6 years

◆ 14.[323] **Public employee grievance records**, including but not limited to grievance, investigative records, hearing proceedings, decision rendered by employer, employee appeal, records of arbitration procedure, final decision, and correspondence:

RETENTION: 3 years after grievance is resolved

◆ 15.[324] **On-site safety inspection records**, including individual inspections and summary of findings:

RETENTION: 3 years after last entry

◆ 16.[325] **Toxic substance exposure records**

a. Records of exposure or possible exposure of an employee to a toxic substance or other harmful physical agent, including background data to environmental monitoring or measuring, biological monitoring records which are designated as exposure records, material safety data sheets or chemical inventory records indicating use and identity of a toxic substance or harmful physical agent, and related records:

RETENTION: 30 years

NOTE: Environmental monitoring background data may be destroyed after 1 year provided that sampling results, methodology, a description of the analytical method used, and a summary of other background data relevant to the interpretation of results are retained for at least 30 years, as provided in 29 *CFR* 1910.1020 (d-1) (ii-A).

- b. Lists, or material safety data sheets, of toxic substances present in the workplace and of employees who handle those substances:

RETENTION: 40 years after superseded or obsolete

- c. Material safety data sheet or fact sheet, providing detailed information on specific toxic or other substance at workplace, when **not** used for parts “a” or “b”, above, as the list of toxic substances (as defined in 29 CFR 1910, Subpart Z) in the workplace **or** for substances **not** defined in 29 CFR 1910, Subpart Z as being toxic:

RETENTION: 3 years after substance no longer present at workplace

NOTE: If material safety data sheets or fact sheets are used for parts “a” or “b”, above, as the list of toxic substances (as defined in 29 CFR 1910, Subpart Z) in the workplace, then those sheets should be maintained for the time periods indicated by parts “a” or “b”.

- d. Training records covering training of individual employee in handling toxic substances:

RETENTION: 3 years after separation from service

- e. Summary records of toxic substance training, including but not limited to minutes of meetings and training sessions and summary descriptions of training given employees:

RETENTION: 3 years after separation from service of all employees involved

NOTE: This retention may be difficult to calculate in instances where a number of employees have attended the same training. Local officials may wish to retain these summary training records for 60 years or another period sufficient to ensure that all concerned employees have separated from service.

- f. Policy statements and procedures issued by local government relative to dealing with toxic substances:

RETENTION: PERMANENT

17.[326] **Personal surety bond** or undertaking of public official:

RETENTION: 20 years after coverage expires

18.[327] **Listing or roster of local government officials or employees**, including names,

addresses, titles and other pertinent information:

RETENTION: PERMANENT

19.[328] Oath of office or record of official signature of public employee

a. Official copy:

RETENTION: PERMANENT

b. Oath of any election official:

RETENTION: 1 year after election

◆20.[329] Log and summary of occupational injuries and illnesses, created pursuant to 12 NYCRR 801.7 and 29 CFR 1904.6:

RETENTION: 5 years

NOTE: If these records are intended to also satisfy the legal requirements of Section 110, Workers' Compensation Law, and no separate records covered by item no. 741, below, are created, then these records must be retained for 18 years after date of injury or illness.

◆21.[741] Employee injury record, covering work-related accident or occupational disease, created pursuant to Section 110, Workers' Compensation Law:

RETENTION: 18 years after date of injury or illness

◆◆22.[330] Employee medical records concerning exposure to toxic substances or harmful physical agents

NOTE: This item does not include health insurance records, which are covered by item no. 318, above, or non-medical toxic substance exposure records, which are covered by item no. 325, above.

a. First aid records of one-time treatment and subsequent observation of minor illnesses and injuries, as defined in 29 CFR 1910.1020 (d-1) (i-B), if made onsite by a non-physician and maintained separately from the employee medical records:

RETENTION: 3 years after completion of treatment and subsequent observation

b. Medical records, other than those covered by part "a", including medical questionnaires and histories, the results of medical examinations and laboratory tests, medical opinions, diagnoses and recommendations, first aid records, descriptions of treatments and prescriptions, employee medical

complaints, and related records, for employee who worked one year or longer:

RETENTION: 30 years after termination of employment

- c. Medical records, other than those covered by part "a", including medical questionnaires and histories, the results of medical examinations and laboratory tests, medical opinions, diagnoses and recommendations, first aid records, descriptions of treatments and prescriptions, employee medical complaints, and related records, for employee who worked less than one year, provided copies were given to the employee upon termination of employment, pursuant to 29 CFR 1910.1020 (d-1) (i-C):

RETENTION: 3 years after termination of employment

NOTE: If copies are not given to the employee upon termination of employment, the retention specified in part "b," above, must be followed.

- ◆◆23.[910] Employee medical records not related to exposure to toxic substances or harmful physical agents:

RETENTION: 3 years after termination of employment

- 24.[278] Notification of vacancy in office, or filling of vacant position:

RETENTION: 0 after position filled or abolished

- ◆25.[742] Drivers' license review records for local government officials, employees or volunteers

- a. When no action is taken as result of review:

RETENTION: 0

- b. When action is taken as result of review:

RETENTION: 3 years

- ◆26.[743] Employee attestation of knowledge of code of ethics, staff policy manual or other official policies or procedures:

RETENTION: 3 years after attestation superseded or upon termination of employment

- ◆27.[744] Records documenting the specimen collection and testing process, for commercial motor vehicle driver alcohol and drug testing

- a. Official copy of all policies and procedures, including documentation of the random selection process:

RETENTION: PERMANENT

- b. Quality control records, including calibration records for testing equipment, assuring that testing equipment is operating correctly:
RETENTION: 5 years

- c. Annual statistical and other reports:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.

- d. Other records, including periodic reports and statistics and collection logbooks:
RETENTION: 2 years

◆◆28.[745] Drivers' test results and related records

NOTE: Local governments may want to maintain these records concerning employees for an additional period or include them in the employee's personnel files, especially when they affect an employee's job status.

- a. Verified positive controlled substance test results or alcohol test results indicating a breath or blood alcohol concentration equal to or greater than 0.02, documentation that individual employee's or job applicant's test was conducted and specimen handled properly, records of dispute of test results by driver, justification for conducting other than random test, records of compliance with Substance Abuse Professional's (SAP's) recommendations, correspondence and related records:

RETENTION: 5 years

- b. Negative or canceled controlled substance test result or alcohol test result indicating a breath or blood alcohol concentration less than 0.02:
RETENTION: 1 year

- c. Records relating to an individual employee's or job applicant's refusal to take alcohol or substance abuse test:
RETENTION: 5 years

◆29.[746] Documentation of other violations of alcohol or substance abuse rules, including results of alcohol or substance abuse tests administered by law enforcement personnel, copies of police reports and medical records:

RETENTION: 6 years after termination of employment

- ◆30.[747] Staff training and evaluation records for commercial motor vehicle driver alcohol and drug testing
 - a. Official copy of course syllabus or any local government produced training or advisory publication or videotape:
RETENTION: 6 years after superseded
 - b. Other training records including lists of attendees, copies of instructors' course or class notes, documentation of instructors' training and proof that employees have received required reading materials:
RETENTION: 6 years

- ◆◆31.[911] Employment Eligibility Verification Form I-9, completed by employee and employer for all employees hired after November 6, 1986, verifying that the individual is eligible to work in the United States, including verification documents attached to the form:
RETENTION: 3 years from date of hire or 1 year after employment is terminated, whichever is later

- ◆◆32.[912] Employee assistance program records
 - a. Reports and statistical compilations:
RETENTION: 6 years after date of most recent entry
 - b. Program (including course and seminar) and literature files:
RETENTION: 1 year after program no longer offered or literature superseded or otherwise obsolete
 - c. Employee consultation records:
RETENTION: 3 years after date of most recent entry in record

CIVIL SERVICE

- ◆1.[748] Copy of payroll, or payroll report, submitted to civil service office for certification or approval:
RETENTION: 0 after superseded

NOTE: Official copy of payroll must be retained for 55 years. See item no. 291 in the Fiscal section.

- ◆2.[749] Official civil service employee roster card:
RETENTION: PERMANENT
- ◆3.[331] Established position record showing a history of each position and names and other pertinent information about persons who occupied it
- a. If record contains detailed information about the position and persons who occupied it:
RETENTION: PERMANENT
- b. If record only provides lists of names of employees:
RETENTION: 1 year after final entry in record
- NOTE:** The official listing or roster of all local government officials or employees, covered by item no. 327, must be retained permanently.
- ◆4.[332] Report of personnel change, (including employee transfer record), except copy retained in employee's personnel records
- a. Copy held by office with official civil service function:
RETENTION: 0 after termination of employment, but not less than 6 years
- b. Copy retained by fiscal office, where official civil service copy is maintained by other local government having the official civil service function:
RETENTION: 6 years
- c. Employee transfer record:
RETENTION: 0 after termination of employment, but not less than 6 years
- NOTE:** Reports of personnel changes may also be found in employee personnel records. When filed in an employee personnel record, such copies are subject to lengthier retention requirements. See item no. 310, above.
- ◆5.[333] Job classification records, including job classification questionnaire, analysis of job duties and request for reclassification:
RETENTION: 1 year after subsequent classification action completed, but not less than 10 years
- NOTE:** Appraise these records for historical significance prior to disposition.
Local

governments with official civil service functions should consider permanent retention of these records. Contact the State Archives for additional advice.

- ◆6.[334] Official copy of job posting and position duties statement
 - a. When duties of position are described in detail:
RETENTION: PERMANENT
 - b. When duties of position are not described in detail:
RETENTION: 6 years

- ◆7.[335] Personnel requisition made to civil service or personnel office, requesting that vacancy be filled:
RETENTION: 0 after obsolete

- ◆8.[336] Civil service eligible list records
 - a. Official eligible list and certification of eligible list:
RETENTION: 20 years after expiration of eligible list
 - b. Certification of eligible list sent to and retained by appointing authority: **RETENTION: 3 years after expiration of eligible list**
 - c. Request for certification of eligible list:
RETENTION: 1 year after expiration of eligible list, but not less than 3 years
 - d. Individual's request for reinstatement to eligible list and reply:
RETENTION: 1 year after expiration of eligible list, but not less than 3 years
 - e. Eligible list canvass records, including but not limited to precanvass questionnaire and letter of canvass and reply:
RETENTION: 6 months after expiration of eligible list, but not less than 3 years
 - f. Military record of applicant, when applicant was not hired:
RETENTION: 3 years after expiration of eligible list

- ◆9.[337] Application for employment, including resume, when applicant not hired:
RETENTION: 3 years

NOTE: When the applicant is hired, the application is retained in or as long as the personnel file. See- item no. 310 in the Personnel subsection, above.

- ◆10.[750] Recruitment, hiring, interview and selection records, including but not limited to correspondence, reports, selection criteria, interview notes, background check records, rating and ranking forms, evaluations and other records pertaining to the hiring, promotion, demotion, transfer, layoff and termination of employees:
RETENTION: 3 years after completion of personnel action

NOTE: This item does not cover personnel records of individual employees. See item no. 310 in the Personnel subsection, above.

- ◆11.[751] Application for examination
- a. When eligible list is established:
RETENTION: 3 years after expiration of eligible list
 - b. When no eligible list is established:
RETENTION: 3 years after examination date
 - c. Supplemental documentation filed in conjunction with application, including but not limited to student loan statement, credentials and copies of transcripts:
RETENTION: 1 year

- ◆◆12.[339] Civil service examination records and appointment review records
- a. Civil service examination and announcement (official copy held by office with official civil service function):
RETENTION: **PERMANENT**
 - b. Civil service examination and announcement (other than official copy held by office with official civil service function):
RETENTION: 0 after no longer needed
 - c. Candidate identification or admission card:
RETENTION: 3 years after date of examination
 - d. Examination preparation, administration, and rating records:
RETENTION: 5 years after date of examination
 - e. Veteran credit records:

RETENTION: 50 years

- f. Qualifying medical, physical fitness or agility examination report, when person is hired, and worked one year or longer:

RETENTION: 30 years after termination of employment

- g. Qualifying medical, physical fitness or agility examination report, when person is hired, and worked less than one year, provided copies were given to the employee upon termination of employment, pursuant to 29 *CFR* 1910.1020 (d-1) (i-C):

RETENTION: 3 years after termination of employment

- h. Qualifying medical, physical fitness or agility examination report, when person is not hired:

RETENTION: 3 years after date of examination

- i. Summary listing of examination results:

RETENTION: 1 year after date of examination

- j. Notification of examination results mailed to candidate:

RETENTION: 3 years

- k. Examination review records including but not limited to employee request, correspondence, and objection:

RETENTION: 3 years after expiration of eligible list

- l. Appointment review records, documenting review of applicant qualifications for non-competitive, temporary or other positions not requiring examinations:

RETENTION: 5 years

- 13.[338] Seniority list ranking employees by length of service:

RETENTION: 3 years after superseded or obsolete

- ◆14.[752] Disclosures related to student loan status, received as part of civil service examination application, transmitted to New York State Higher Education Services Corporation, along with transmittal documents:

RETENTION: 1 year

- ◆15.[753] Local government requests to State Civil Service Commission for approval of changes in policies or jurisdictional classifications:

RETENTION: 3 years after date of last entry in record

PUBLIC ACCESS TO RECORDS

- ◆ 1.[349] **Subject matter list** of records held by local government, required under Freedom of Information Law:
RETENTION: 6 months after superseded

- ◆ 2.[350] **Listing of officers or employees** of local government required by Freedom of Information Law:
RETENTION: 6 months after superseded

- ◆ 3.[351] **Register or list** of applicants seeking access to public records:
RETENTION: 6 months

- ◆ 4.[352] **Freedom of Information records request file**
 - a. Request for access to public records, when request is granted:
RETENTION: 6 months

 - b. Request for access to public records, when request is denied, including statement of denial, appeal records, documentation of review and decision:
RETENTION: 6 months after final determination

 - c. Certificate that record does not exist or cannot be found:
RETENTION: 6 months

PUBLIC EMPLOYMENT AND TRAINING

- ◆1.[353] **Employment and training program file** for Job Training Partnership Act, Comprehensive Employment and Training Act (C.E.T.A.), Manpower Development and Training Act, youth employment training, Work Force Investment Act, and other job training programs
 - a. Project application, proposal, narrative, evaluation, and annual report:
 RETENTION: 6 years

 NOTE: Appraise these records for historical significance prior to disposition. Records with historical value should be retained permanently.
 - b. Background material and supporting documentation:
 RETENTION: 6 years

- 2.[354] **Employment and training program individual participant file**, including but not limited to application, work schedule, evaluations, and notice of transition to non-grant employment:
 RETENTION: 6 years after last entry

- 3.[355] **Denied employment and training enrollment application:**
 RETENTION: 3 years

PUBLIC HEALTH

GENERAL

◆ 1.[356] **Certification, licensing, and accreditation records** covering review and approval by state or federal agency or professional review organization, to operate facility or program, to conduct tests, or to perform specified work, including lists of permissible procedures or tests:

RETENTION: 7 years after superseded, revoked, or no longer valid

2.[357] **Survey, evaluation, and inspection records** covering review of facilities and programs by state or federal agency or professional review organization, including but not limited to medical care evaluation and similar studies:

RETENTION: PERMANENT

◆ 3.[359] **Appointment records**, including slips, return cards, sign-in sheets, and clinic schedules kept by facility or public health program:

RETENTION: 0 after obsolete

NOTE: Appointment records for certain patients may have legal value to supplement patient medical records in documenting services provided to these patients.

4.[360] **Screening and assessment records** and referrals, for persons evaluated but **not** treated by facility or program:

RETENTION: 3 years

◆ 5.[754] **Advice and referral records**, covering medical, mental health or other information provided to individuals in person or over the telephone, including but not limited to telephone logs and individual call records

a. When person involved is or becomes a patient:

RETENTION: Retain as long as patient case record.

b. When person involved is not or does not become a patient:

RETENTION: 6 months

FISCAL

NOTE: Other fiscal records are covered by items on this Schedule found in the Fiscal section.

- 1.[361] **Annual expenditure report or budget** submitted to state or federal agency or professional review organization:
RETENTION: PERMANENT

- 2.[362] **Patient's individual financial case record and account**
 - a. Individual case record, account card, or ledger card:
RETENTION: 7 years after account closed, but not less than 9 years

 - b. Individual charge records, posted to case record or card:
RETENTION: 7 years

- 3.[363] **Medicare, Medicaid or insurance carrier claim records**, including but not limited to schedule of payments, copy of claim, listing of invalid or rejected claims, vendor payment list, list of claims submitted for payment, and list of checks received:
RETENTION: 7 years

- 4.[364] **Insurance and reimbursement related reports**, including Medicare/Medicaid cost report and certified uniform financial or statistical report, and all necessary supporting documentation:
RETENTION: 9 years

- ◆ 5.[365] **Patient personal property records**, including log or register of personal property of patients and receipts and related property records of original entry:
RETENTION: 6 years after death or discharge of patient

FACILITY AND PATIENT SERVICES

- 1.[366] **Establishment, major alteration, or change of occupancy or use records**
 - a. Records of review and approval of plans, schedule of costs, feasibility studies, plans, specifications and drawings, final report, and significant correspondence:
RETENTION: PERMANENT

 - b. Memoranda, routine correspondence, and supplemental fiscal documentation:
RETENTION: 6 years after last entry

- 2.[367] **Facility committee records**
 - a. Minutes of medical staff committees, including but not limited to utilization review committee, joint conference committee or patient care conference:
RETENTION: PERMANENT
 - b. Records of medical staff committees, **excluding minutes**, including but not limited to agenda, worksheets and notes:
RETENTION: 6 years
 - c. Minutes and all other records of facility committee **other than** medical staff committees, such as dietary services committee or activities committee:
RETENTION: 6 years

- 3.[368] **Dietary services records**
 - a. Food service records, including meal counts, roster of patients' diet orders, and dietary services studies:
RETENTION: 3 years
 - b. Menus:
RETENTION: 1 year

- 4.[369] **Patient activities records**, including information on courses and activities offered to patients:
RETENTION: 2 years

- 5.[370] **Medical information index**, including but not limited to physician's index, disease index and operative index:
RETENTION: PERMANENT

- ◆6.[371] **Census record of patients:**
RETENTION: 6 years

- 7.[372] **Nursing services report**, including substation, shift and ward report:
RETENTION: 1 year

- 8.[373] **Hospital stay data collection records** covering data collection and review by Statewide Planning and Research Cooperative System (S.P.A.R.C.S.) and Data

Protection Review Board (D.P.R.B.)

- a. Request for data or review of data:
RETENTION: 2 years
- b. Results of data processing:
RETENTION: 0 after data verified
- c. Data received from S.P.A.R.C.S.:
RETENTION: 0 after no longer needed for administrative purposes

◆9.[374] **Quality assurance records**

- a. Quality assurance plan, including staff privileges review procedures:
RETENTION: **PERMANENT**
- b. Relating to quality of care provided by individual hospital staff members:
RETENTION: 10 years after termination of employment
- c. Relating to quality of care provided individual patient, when **not** duplicated in medical case record:
RETENTION: Retain as long as medical case record.
- d. Relating to more than one patient:
RETENTION: Retain as long as all relevant medical case records are retained.

10.[375] **Health facility infection control and monitoring records:**
RETENTION: 10 years

◆11.[755] **Medical waste disposal records**, relating to generation, transportation and disposal of regulated medical waste

- a. Medical waste tracking records, including exception reports:
RETENTION: 3 years after waste accepted for transport
- b. Records created by generators who destroy regulated medical waste on site:
RETENTION: 3 years after date waste destroyed
- c. Annual reports prepared by waste generator or transporter:
RETENTION: 3 years

PATIENT CASE RECORDS AND RELATED MATERIALS

- 1.[358] **Master summary record**, master index file, or principal register giving basic data on individual patients:
RETENTION: **PERMANENT**
- ◆2.[756] **Patient data file**, providing summary and/or detailed information on patient:
RETENTION: Maintain as long as patient medical or other case record.
- NOTE:** Health agencies and facilities should **consider** permanent or long-term retention of the basic data elements of these systems for both administrative convenience and for potential research purposes. This data may provide for ease of access to other electronic and paper-based files and may create a record which replaces or supplements the master summary record (see item no. 358, above). Contact the State Archives for additional advice.
- 3.[376] **Patient's leave records**, including leave book or slip, patient's request, physician's consent and record of leave taken:
RETENTION: 6 years
- 4.[377] **Utilization review records** for individual patient, **excluding** those contained in medical case record:
RETENTION: 6 years
- 5.[378] **Pre-admission screening records** for long-term care health facility
- a. When person is **not** admitted:
RETENTION: 0 after obsolete
- b. When person is admitted, and information is not duplicated in medical case record:
RETENTION: Retain as long as medical case record.
- ◆6.[379] **Medical case record of hospital patient**, (in-patient and out-patient), **excluding** film, tracing, or other record of original entry when information contained is posted to or summarized in case record:
RETENTION: 6 years after death or discharge of patient, but not until 3 years after individual attains age 18

NOTE: Appraise these records for historical significance. These records may

have continuing value for historical or other research, and the State Archives suggests hospitals consider permanent retention, or if not permanent, for at least 10 years after death or discharge of patient, based on American Medical Records Association guidelines. In addition, records of adoptive children may need to be retained longer for legal and medical reasons. Also, medical records of mothers may, in certain cases, need to be retained longer if needed relative to their children's health. The State Archives recommends that these factors be considered in disposing of medical case records, and that these records be evaluated for disposition on a case-by-case basis.

- 7.[380] **Medical case record of long-term care health facility patient:**
RETENTION: 6 years after death or discharge of patient, but not until 3 years after individual attains age 18

- 8.[381] **Medical case record of out-patient**, including but not limited to diagnostic or treatment center patient; child health, maternity, family planning, lead poisoning, medical rehabilitation, dental health, Indian reservation health, nutrition or tuberculosis clinic patient; health related social services and home health agency patient, **but excluding** early intervention program:
RETENTION: 6 years after discharge or last contact, but not until 3 years after youngest patient attains age 18

- ◆9.[382] **Original entry patient care records** which exist separately from case record, including nurses' notes, operating room record, therapy record, nursery and obstetrics record, emergency room treatment record, triage records, and temperature charts
 - a. When significant information is posted to medical case record:
RETENTION: 6 years

 - b. When significant information is **not** posted to medical case record:
RETENTION: Retain as long as medical case record.

- ◆10.[383] **Film or tracing**, including X-ray, EKG tracing, EEG tracing, sonogram, echo cardiogram and holter monitor printout, when report of film or tracing is retained as long as medical case record:
RETENTION: 6 years

NOTE: Holter monitor tapes need only be retained for one month after printouts ("disclosures") are produced from them.

NOTE: Older X-rays on nitrate-base films, which have deteriorated to the point

where they are no longer usable, should **not** be retained. Retention of older nitrate-base X-rays may pose a serious fire hazard.

NOTE: Certain mammograms (covered by this item or by item no. 360, above) must be retained for 10 years pursuant to requirements found in *21 CFR*, Section 900.12 (c-4-i). Consult your attorney or counsel to determine what action is necessary to meet this requirement.

11.[384] **Patient care conference records**, including worksheets and evaluations, **but** excluding minutes

- a. When significant information is posted to medical case record:
RETENTION: 0 after posting
- b. When significant information is **not** posted to medical case record:
RETENTION: Retain as long as medical case record.

◆ 12.[385] **Communicable disease individual case records**

- a. Communicable disease case report or equivalent record, including copy of laboratory report:
RETENTION: 6 years after discharge or last contact, or 3 years after individual attains age 18, whichever is longer
- b. Supplementary reports on communicable diseases:
RETENTION: 2 years
- c. Typhoid carrier records:
RETENTION: 2 years after death or release of carrier
- d. Syphilis treatment case record:
RETENTION: 40 years
- e. Sexually transmitted disease case record, **except** syphilis:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

◆ 13.[757] **Mental health incident report:**
RETENTION: 20 years

◆ 14.[386] **Mental health individual case record**

- a. Clinical discharge summary:
RETENTION: 25 years
- b. Psychiatric test answer sheets:
RETENTION: 6 years
- c. Case record materials, **except** clinical discharge summary and psychiatric test answer sheets:
RETENTION: 10 years after discharge or last contact with patient, or 3 years after individual attains age 18, whichever is longer

NOTE: Appraise these records for historical significance. Records covered by item nos. 386 and 387 may have continuing value for historical or other research. Contact the State Archives for additional advice in this area.

- ◆ 15.[387] **Alcohol or substance abuse individual case record** including clinical discharge summary:
RETENTION: 6 years after date of discharge or last contact, **or** 3 years after individual attains age 18, **or** for the period required by contractual arrangements, whichever is longest

- ◆ 16.[758] **Reports, studies or data queries**, including those generated from patient data system (including documentation of macros, queries, and reports)
 - a. Reports, studies or queries relating to individual patient:
RETENTION: Retain as long as or as part of medical or other patient case record.
 - b. Reports, studies or queries **not** relating to individual patient:
RETENTION: 0 after no longer needed

NOTE: Appraise records covered by part "b" for archival value. Reports and studies analyzing specific medical conditions and their treatments may be valuable for long-term planning and for medical, historical and other research. Contact the State Archives for additional advice.

LABORATORY

- ◆ 1.[388] **Master summary record**, including accession sheet or register

- a. Register of laboratory tests performed:

RETENTION: 7 years

NOTE: Appraise these records for archival value. These records may contain detailed information on the subject, nature and results of laboratory tests and may have long-term or permanent scientific or historical research value. Contact the State Archives for additional advice.

- b. Record of collection of specimens:

RETENTION: 7 years

◆2.[759] **Laboratory test data file**, providing summary and/or detailed information on laboratory tests performed

- a. For clinical laboratory tests:

RETENTION: Maintain as long as related laboratory tests results.

- b. For forensic or toxicology tests:

RETENTION: 6 years

- c. For environmental health tests:

RETENTION: Maintain as long as related laboratory tests results.

NOTE: Laboratories should **consider** permanent or long-term retention of the basic data elements of these systems for both administrative convenience and for potential research purposes. This data may provide for ease of access to other electronic and paper-based files (such as accession records and laboratory test results) and may create a record which replaces or supplements the master summary record (see item no. 388, above). Contact the State Archives for additional advice.

◆3.[389] **Request for laboratory test:**

RETENTION: Retain as long as the related test results or 7 years, whichever is shorter.

◆4.[760] **Referral information for cytogenetic cases:**

RETENTION: 6 years

◆5.[390] **Laboratory worksheet, workslip, history slip, or similar record**

- a. For environmental health, or toxicology or forensic test:

RETENTION: Retain as long as related test results.

- b. For clinical laboratory tests:
RETENTION: 1 year

◆6.[391] **Preventive maintenance, service, or repair record** for laboratory equipment or instrument:
RETENTION: Retain as long as the equipment or instrument remains in use, and also as long as test results using this equipment are retained.

NOTE: If equipment is used to produce laboratory tests which have differing minimum legal retention periods, then these preventive maintenance records must be retained as long as the longest period of time these laboratory test results need to be retained.

◆7.[392] **Quality control records** covering laboratory equipment and procedures:
RETENTION: Retain as long as test results using this equipment are retained, but not less than 2 years.

NOTE: If equipment is used to produce laboratory tests which have differing minimum legal retention periods, then these quality control records must be retained as long as the longest period of time these laboratory test results need to be retained.

8.[393] **Laboratory protocol** detailing procedures for conducting tests, disposing of specimens, samples and supplies, or other activity, including superseded or obsolete procedures:
RETENTION: **PERMANENT**

◆9.[394] **Laboratory reports, studies or data queries**, including those generated from automated data system

- a. Forensic and other related investigation reports:
RETENTION: 6 years
- b. All other reports, studies or queries:
RETENTION: 0 after no longer needed

NOTE: Appraise these records for archival value. Reports and studies analyzing specific types of tests, test results and the population being tested may be valuable for long-term planning and for medical, historical and other research. Because these records will vary greatly as to content, subject and detail, they should be appraised for archival value. Contact the

State Archives for additional advice.

◆ 10.[395] **Laboratory specimens and slides**

- a. Blood film, routine:
 RETENTION: 6 months
- b. Blood film, other than routine:
 RETENTION: 1 year
- c. Cytology slide, showing abnormality:
 RETENTION: 7 years
- d. Cytology slide, showing **no** abnormality:
 RETENTION: 3 years
- e. Bone marrow biopsy, tissue block, and histopathology slide:
 RETENTION: 20 years
- f. Bacteriology slide, on which **no** diagnosis depends:
 RETENTION: 0
- g. Bacteriology slide, on which a diagnosis depends:
 RETENTION: 1 year
- h. Cytogenetic slide:
 RETENTION: 6 years
- i. Photographic record of cytogenetic karyotype:
 RETENTION: 25 years
- j. Recipient blood specimens:
 RETENTION: 1 week

◆ 11.[396] **Blood collection, release, transfusion and related records**

- a. When plasmapheresis, cytapheresis, intraoperative and postoperative blood recovery, isovolemic hemodilution or reinfusion is involved:
 RETENTION: 7 years after procedure involved
- b. Other blood related records, including autogenic or allogenic transfusions:
 RETENTION: 7 years, or 6 months after the expiration date of the

individual product, whichever is later

12.[397] **Biologics receipt and distribution record**

- a. Detailed delivery record:
RETENTION: 2 years
- b. Summary record of receipt and distribution:
RETENTION: 5 years

13.[398] **District laboratory supply station records**

- a. Notification of establishment or discontinuance of station or of appointment or termination of its caretaker:
RETENTION: PERMANENT
- b. Certificate of approval of station maintenance:
RETENTION: 2 years
- c. Periodic inventory of station supplies:
RETENTION: 6 years

◆ 14.[399] **Laboratory examination test results (clinical)**

- a. Positive report of syphilis serology:
RETENTION: 7 years
- b. Negative report of syphilis serology:
RETENTION: 2 years
- c. Tissue pathology (including exfoliate cytology) report:
RETENTION: 20 years
- d. Cytogenetics report:
RETENTION: 25 years
- e. Clinical, **except** those listed above:
RETENTION: 7 years

◆ 15.[761] **Forensic and toxicology test results:**
RETENTION: 6 years

NOTE: These records may need to be retained as long as related case investigation records. Consult the appropriate law enforcement or investigative agency to determine if these records may be needed longer for legal purposes.

◆ 16.[400] **Laboratory examination test results (environmental health)**

- a. Chemical analysis of potable water supply:
RETENTION: 10 years
- b. Routine analysis of water at pool or beach:
RETENTION: 0 after posted to summary record, or 3 years if not posted
- c. All other environmental health test results:
RETENTION: 3 years
- d. Sampling data and other test results maintained by laboratory of public water supply facility, created pursuant to Section 5-1.49, *10 NYCRR*:
RETENTION: 12 years
- e. Local health agency copy of any environmental analysis received from laboratory:
RETENTION: 1 year

RADIOLOGICAL HEALTH

◆ 1.[177] **Approvals** and registrations relating to radiological equipment and materials

- a. Approval to possess or use radioactive materials, received from New York State Department of Health, and related records:
RETENTION: 3 years after local government, facility or program no longer possesses or uses radiological materials
- b. Registration of radiation-producing equipment with New York State Department of Health, and related records:
RETENTION: 2 years after expiration or renewal

◆ 2.[178] **Radiation-exposure records** for an individual

- a. Records of diagnostic misadministrations:
RETENTION: 3 years

- b. Records of therapeutic misadministrations:
RETENTION: 6 years
- c. Radiation-exposure data for an individual, including records of radioactive material deposited or retained in body:
RETENTION: 0 after individual attains age 90

◆3.[762] **Records of occupational doses** for an individual using radiation-producing equipment or radiological materials

- a. Annual or other summary occupational dose records:
RETENTION: 0 after individual attains age 90
- b. Detailed occupational dose records:
RETENTION: 0 after annual or other summary record containing this information is produced
- c. Records of prior occupational dose:
RETENTION: 0 after individual attains age 90
- d. Records of planned special exposures:
RETENTION: 0 after individual attains age 90

◆4.[179] **Radiation equipment testing and inspection records**

- a. Regulatory inspection and audit records, including master summary record and "index card":
RETENTION: 6 years after equipment no longer in use
- b. Equipment accuracy testing records, including surveys, calibrations, measurements, and quality control tests:
RETENTION: 3 years

◆5.[180] **Records of disposal, theft, loss, or excessive release of radiation**

- a. Records concerning theft or loss of radiation source, excessive release of radiation, or excessive exposure of individual to radiation, including documentation of notification:
RETENTION: **PERMANENT**
- b. Record of disposal by burial in soil:

RETENTION: PERMANENT

- c. Records of authorized transfer or receipt, or issue and return of radiation source or radioactive materials, or disposition by incineration or release into sanitary sewer system:

RETENTION: 6 years

◆6.[763] Radiation program safety records

- a. Records documenting provisions of program:
RETENTION: 3 years after program ceases to exist
- b. Audits and other reviews of program content and implementation:
RETENTION: 3 years
- c. Records documenting specific instructions given to workers:
RETENTION: 3 years

MISCELLANEOUS

- ◆1.[401] **Birth and death records held by health agency or facility**, including copies of birth and death certificates, and related electronic records:
RETENTION: 0 after no longer needed

NOTE: The New York State Department of Health requires these records be destroyed as soon as no longer needed. Paper copies of birth and death certificates shall be destroyed within one year of the date of their receipt. Copies of fetal death certificates **must** be destroyed by the end of each month, pursuant to Section 4160, Public Health Law.

- 2.[402] **Medical rehabilitation service card:**
RETENTION: 6 months after completion of annual report

◆3.[764] Dental clinic records

- a. Dental hygienist's clinic record:
RETENTION: 0 after youngest person on record attains age 21
- b. Dental referral card, notifying clinic of work done by private dentist:
RETENTION: 2 years

- c. Individual dental treatment summary record:
RETENTION: 6 years after dental work completed, or 3 years after individual attains age 18, whichever is longer

4.[403] **Maternal and child health reports**

- a. Clinic service report, including but not limited to school health service report, and report of poisoning case, **except** lead poisoning:
RETENTION: 1 year
- b. Individual newborn infant metabolic defects screening report:
RETENTION: 0 after individual attains age 21

5.[406] **Lead poisoning reports and screening results**

- a. Positive results of screening, when **not** duplicated in case record:
RETENTION: Retain as long as case record.
- b. Positive results of screening, when duplicated in case record:
RETENTION: 0
- c. Negative results of screening, when posted to summary record:
RETENTION: 0 after posting
- d. Negative results of screening, when **not** posted to summary record:
RETENTION: 0 after individual attains age 21
- e. Blood level determination report:
RETENTION: 10 years
- f. Summary report of screening program:
RETENTION: **PERMANENT**

◆6.[765] **Cancer study and control program records**

- a. Cancer case report for individual, received and used for statistical purposes:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer
- b. Cancer summary record for individual:
RETENTION: 2 years after individual dies or attains age 90

- 7.[766] **Negative tuberculosis X-ray films or interpretive reports** resulting from screening program:
RETENTION: 3 years
- ◆8.[407] **Individual immunization record**, including authorization and/or parental consent:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer
- 9.[408] **Vaccine distribution and usage records**
- a. Official record of distribution and usage:
RETENTION: 25 years
 - b. Statistical or similar record of vaccines administered:
RETENTION: 5 years
- ◆10.[409] **Results of screening programs, except lead poisoning**
- a. Summary reports on screening results:
RETENTION: PERMANENT
 - b. Master index or listing of participants:
RETENTION: 50 years
 - c. Positive report of individual screened, including statement of consent or participation and authorization for release of information:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer
 - d. Negative report of individual screened, including statement of consent or participation and authorization for release of information:
RETENTION: 1 year
 - e. Log or other working record of screening and testing, used to compile statistics and other data:
RETENTION: 1 year
 - f. Anonymous H.I.V. test results and related records:
RETENTION: 7 years

NOTE: Identifiable H.I.V. related records are covered by item nos. 379 and 381, and related laboratory records are covered by items in the Laboratory subsection.

- ◆ 11.[410] **Receipt and storage records** for controlled substances (or other drugs or medication), including inventory, authorized requisition, receipt and vendor record:
RETENTION: 5 years

- ◆ 12.[411] **Usage and distribution records** for controlled substances (or other drugs or medication)
 - a. Record of withdrawal from stock, distribution and administration to patients:
RETENTION: 5 years

 - b. Order or prescription form used for administering to patients:
RETENTION: 6 years

 - c. List of narcotic registrants (persons registered to possess or prescribe controlled substances):
RETENTION: 0 after obsolete

 - d. Report on habitual user of narcotics:
RETENTION: 6 years

- ◆ 13.[767] **Tissue donation and transfer records**
 - a. Master summary record (index or log) of all tissue donations and transfers:
RETENTION: **PERMANENT**

 - b. Reproductive tissue donation records, including but not limited to information on donor and donation, referral records, tissue storage and processing records, documentation of delivery or receipt and records of tissue disposal and/or use (other than those contained in patient medical records), of donated reproductive tissue in artificial insemination and/or assisted reproductive procedures which result in a live birth:
RETENTION: 25 years

 - c. Reproductive tissue donation records, including but not limited to information on donor and donation, referral records, tissue storage and processing records, documentation of delivery or receipt and records of

tissue disposal and/or use (other than those contained in patient medical records), of donated reproductive tissue in artificial insemination and/or assisted reproductive procedures which **do not** result in a live birth:
RETENTION: 7 years after release or discard of tissue

- d. Other tissue donation and transfer records, including but not limited to information on donor and donation, referral records, tissue storage and processing records, documentation of delivery or receipt and records of tissue disposal and/or use (other than those contained in patient medical records), **for tissue intended for transplantation:**
RETENTION: 7 years after release or discard of tissue
- e. Records of release of tissue or nontransplant anatomic parts for research or educational purposes:
RETENTION: 5 years after release

◆ 14.[768] **Organ procurement and transplant records**

- a. Master summary record (index or log) of all organ donations and transplants:
RETENTION: **PERMANENT**
- b. Other organ donation and transplant records, including but not limited to information on donor and donation, referral records, documentation of delivery or receipt, information on recipient and records of use (other than those contained in patient medical records), when organ is procured:
RETENTION: 7 years after date of procurement
- c. Other organ donation and transplant records, including but not limited to information on donor and donation, referral records and explanation of why organ is not procured (other than those contained in patient medical records), when organ is **not** procured:
RETENTION: 7 years after date of most recent entry in record

PUBLIC PROPERTY AND EQUIPMENT

- ◆1.[412] **Real property acquisition or sale file** for property owned by local government including but not limited to copy of deed, copy of appraisal or valuation, copy of site or plot plan, photographs, recommendation or justification for acquisition or sale, approval for acquisition or sale, closing statement, memoranda and correspondence
 - a. Copy of site or plot plan, photographs, and recommendation or justification for acquisition or sale:
RETENTION: PERMANENT
 - b. Other records in file, including but not limited to copy of deed, copy of appraisal or valuation, closing statement, approval for acquisition or sale, memoranda and correspondence:
RETENTION: 6 years after property no longer owned by local government

NOTE: This does **not** apply to a sale of real property tax liens conducted by the local government. See the Taxation and Assessment section.
- 2.[413] **Master summary record** (book, log or register) recording acquisition or sale of property by local government:
RETENTION: PERMANENT
- 3.[414] **Official copy of sale or auction list, and notice or advertisement of sale of real property by local government:**
RETENTION: PERMANENT
- ◆4.[415] **Capital construction or public improvement project file**, including but not limited to bids, specifications, contracts, performance guarantees, inspection reports, and environmental impact statements
 - a. Feasibility studies; successful bids; plans, specifications and designs; project description; in-progress and completion photographs; inspection reports; environmental impact statement; annual project statement; fiscal and other final reports; significant change orders; and significant correspondence:
RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government

NOTE: Appraise these records for historical significance prior to disposition. Records for important projects or historic structures have historical value and should be retained permanently. Contact the State Archives for additional advice.

- b. Supplementary documentation, including application for assistance, project budget, interim fiscal reports, claims, contracts, vouchers, work orders, memoranda, worksheet, non-significant change orders; routine correspondence and detailed construction specifications:
RETENTION: 6 years after last entry in project file
- c. Unsuccessful bids, to which contract is **not** awarded:
RETENTION: 6 years
- d. All records, when project is proposed but **not** undertaken:
RETENTION: 6 years after last entry

NOTE: For plans, maps, designs, sketches, designs, architectural drawings and photographs of buildings and facilities, see item no. 416, below.

◆5.[416] **Official plans, maps, designs, architectural drawings, and photographs** for buildings or other facilities owned by local government, including index, and also including design file for capital construction or renovation project

- a. Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for significant building or other facility:
RETENTION: PERMANENT
- b. Final or "as built" plans, maps, designs, sketches, architectural drawings and photographs, for **other than** significant building or other facility:
RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government
- c. Mechanical, electric and other detailed schematic drawings, not covered by parts "a" or "b," including detailed specifications not appearing on plans, maps, designs, sketches, architectural drawings:
RETENTION: 6 years after building or facility no longer exists or is no longer owned by local government
- d. Other related non-graphic design file documents, including correspondence, cost estimates, reports, planning studies and other records:
RETENTION: 6 years after completion of project

NOTE: Some of these non-graphic documents may need to be retained for 6 years after the building or other facility no longer exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

- e. Template or other similar automated framework or reference files used in conjunction with more specific automated design files:
RETENTION: Retain as long as the related specific automated design files are retained.
- f. Index or similar record used to locate, identify and access plans, maps, designs, sketches, architectural drawings, photographs and other existing records:
RETENTION: Maintain as perpetual data file or other record, deleting information only relating to records that have been disposed of.

- ◆6.[417] Draft or intermediary plans, maps, designs, sketches or architectural drawings, including explanatory textual files, tracings and other than final or "as built" automated design files:
RETENTION: 0 after no longer needed

NOTE: Some of these design documents may need to be retained for 6 years or longer, possibly as long as the building or other facility exists, if they document significant changes with long-term fiscal and other implications. Local governments should review these records for these possible uses prior to disposition.

- ◆7.[769] Maintenance, testing, service, operational and repair records for buildings and other facilities or their mechanical, electrical systems or other infrastructure
 - a. Cumulative summary records:
RETENTION: 6 years after building or other facility no longer in use
 - b. Individual detailed report or related record, such as work request, work order, personnel deployment record, preventive maintenance schedules and records of work completed, when posted to cumulative summary record:
RETENTION: 6 years
 - c. Individual report or related record, such as work request, work order,

personnel deployment record and records of work completed, when not posted to cumulative summary record:

RETENTION: 6 years after building or other facility no longer in use

d. Log, maintenance schedule or similar record of ongoing activity:

RETENTION: 6 years after last entry

e. Descriptive information on specific equipment or component parts:

RETENTION: 6 years after equipment or part no longer in use

f. Descriptive information on maintenance personnel, vendors or contractors:

RETENTION: 1 year after superseded or obsolete

g. Inventories of parts, materials and supplies needed for maintenance and repairs:

RETENTION: 6 years

h. Requests for inspection, repair or service, when no work is performed and no funds expended:

RETENTION: 1 year

NOTE: For plans, designs and schematic drawings of buildings and facilities, including their systems and component parts, see item no. 416, above.

◆8.[770] Reports and studies relating to maintenance, testing, service, operation and repairs for buildings and other facilities or their mechanical, electrical systems or other infrastructure:

RETENTION: 6 years

NOTE: Some of these reports may need to be retained longer for long-term facility management purposes, such as for 6 years after building or other facility no longer in use. Some may even have permanent historical or other research value. Contact the State Archives for additional information.

◆◆9.[418] Building or facility security records, including but not limited to visitor's register, watchman's or automated security system or false alarm reports, and records of building/room keys or passes issued:

RETENTION: 3 years, or 3 years after cancellation or return of key or pass

NOTE: This item does not cover airport security records, which are covered by item no. 537 in the Transportation and Engineering section, Airport subsection.

- ◆ 10.[419] **Public facility use file**, including but not limited to requests, correspondence, fiscal records and authorizations:
RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. In some cases, facility use files may document significant attempts by the local government to broaden its support base by reaching out to community groups.

- ◆ 11.[420] **Fire safety records**, including but not limited to fire safety inspection reports, fire drill report, fire alarm records, fire inspection reports and fire investigation reports

NOTE: Records maintained by the public safety agency which performs official fire safety functions are covered by item nos. 446, 448 and 449 in the Public Safety section, Fire Fighting and Prevention subsection.

- a. Fire safety inspection reports:
RETENTION: 3 years, or until all violations noted on report are corrected, whichever is later
- b. Records **other than** fire safety inspection reports:
RETENTION: 3 years

- ◆ 12.[421] **Property inventory** records, covering buildings, facilities, vehicles, machinery and equipment, including "fixed assets" records:
RETENTION: 0 after superseded by updated inventory, or 6 years after replacement, sale, or discontinuance of use of all property listed, whichever is sooner

- 13.[422] **Inventory of supplies:**
RETENTION: 6 years

- 14.[423] **Public property sale or discard records, except** real property, including but not limited to description of property, bids or offers, and receipt of deed of gift:
RETENTION: 6 years

- ◆ 15.[424] **Maintenance, testing, service, operational and repair records** for equipment or vehicle, but **not** covering buildings and other facilities or their mechanical, electrical systems or other infrastructure

- a. Cumulative summary record for vehicle or equipment:
RETENTION: 6 years after vehicle or equipment no longer in use
- b. Individual report when posted to cumulative summary record:
RETENTION: 6 years
- c. Individual report when **not** posted to cumulative summary record:
RETENTION: 6 years after vehicle or equipment no longer in use
- d. Maintenance or repair log or similar record:
RETENTION: 6 years after last entry
- e. Reports and studies relating to maintenance, testing, service, operation and repairs for equipment or vehicles:
RETENTION: 6 years
- f. Requests for inspection, repair or service, when no work is performed and no funds expended:
RETENTION: 1 year

16.[425] **Specifications, warranty and descriptive information** received from vendor for vehicle or equipment:
RETENTION: 6 years after vehicle or equipment no longer in use

◆ 17.[426] **Vehicle routing, scheduling and usage records**, including automated system used to schedule and assign routes of service and maintenance vehicles

NOTE: This does **not** apply to emergency use of law-enforcement, fire or other emergency vehicles, which are covered by items in the Public Safety section. For usage records covering busses and other public transportation vehicles, see the Transportation and Engineering section, Public Transportation subsection.

- a. Detailed data file containing information such as on vehicle stops, usage, locations at specific times or intervals:
RETENTION: 0 after no longer needed

NOTE: Because of the amount of detailed data collected by such systems, such data may only be maintained online for a limited period of time. Some of this data may need to be retained longer to meet both administrative needs and legal requirements. It is recommended that local officials store this data offline long enough to meet such requirements.

Also, maintenance of a history file (see below) containing the most significant data elements may satisfy these administrative and legal needs.

- b. Automated system operation history file, containing significant data and/or periodic data snapshots, generated from detailed system data:
RETENTION: 6 years
- c. Logs, schedule, reports, and queries (including macros, queries and necessary documentation used in report and query generation), which contain information of legal or fiscal value:
RETENTION: 6 years
- d. Logs, schedules, reports, and queries (including macros, queries and necessary documentation used in report and query generation), which **do not** contain information of legal or fiscal value:
RETENTION: 0 after no longer needed
- e. Geographic Information System (G.I.S.) street/road data file used for vehicle routing scheduling, derived from official G.I.S. data maintained by other unit of local government:
RETENTION: 0 after no longer needed

- ◆ 18.[427] **Consumption and dispensing records** for fuel, oil, or similar products used by publicly owned vehicles or equipment:
RETENTION: 6 years

NOTE: This item does not cover fuel (jet fuel and service vehicle fuel), de-icer or other chemical storage and dispensing records for airport, which are covered by item no. 862 in the Transportation and Engineering section, Airport subsection.

- ◆ 19.[428] **Request for services or supplies**, including stockroom supplies, forms and publications, duplication, or use of any vehicle or equipment
 - a. When a chargeback or fee is involved:
RETENTION: 6 years
 - b. When **no** chargeback or fee is involved:
RETENTION: 0 after no longer needed

- 20.[429] **Federal Communications Commission (F.C.C.) private radio licensing records**

- a. Original application and other related records not created for renewal applications:
RETENTION: 5 years after **final** termination of license or denial of application
- b. Renewal application and related records, including copy of license:
RETENTION: 5 years after renewal or termination of license or denial of application
- c. Request for frequency data research:
RETENTION: 1 year
- d. Listing of locations of radios using local government private radio frequency:
RETENTION: 0 after superseded or obsolete

◆21.[430] **Petroleum bulk storage records**

- a. Registration, including application and related records:
RETENTION: 7 years after expiration or termination of registration or denial of application
- b. Monthly and ten-year mandatory inspection reports:
RETENTION: 10 years
- c. Daily and other periodic inspection reports:
RETENTION: 1 year
- d. Test certification for underground storage tank:
RETENTION: 7 years
- e. Site assessment and related records, required when an underground storage tank is abandoned:
RETENTION: **PERMANENT**
- f. Records relating to leakage and spillage:
RETENTION: **PERMANENT**
- g. Inventory monitoring records:
RETENTION: 5 years

◆22.[771] **Aquatic weed harvesting and/or control records** (covers harvesting by

mechanical or manual means or control by use of herbicides):

RETENTION: 3 years

◆◆23.[913] Hazardous waste generation records

a. Individual load delivery and other detailed records, including manifest form:

RETENTION: 3 years after waste accepted by transporter

b. Annual and exception reports:

RETENTION: 3 years after due date of report

c. Test results and waste analyses:

RETENTION: 3 years after date waste was removed

NOTE: This item covers records of local governments which generate hazardous waste but do not operate programs to collect and dispose of hazardous waste. For governments that operate such programs, item no. 190 in the Environmental Health section, Environmental Facilities: Solid Waste Management Facilities subsection, covers records of the generation, collection and disposal of hazardous waste.

◆◆24.[773] Building rehabilitation and reconstruction project files when asbestos is installed, removed, encapsulated, applied, distributed or otherwise involved:

RETENTION: 30 years

◆25.[774] Lead or copper content testing and remediation files covering lead or copper content in drinking water of public facilities

a. Water sample test results and related records, when lead or copper level exceeds the action level as defined in Section 5-1.41, *State Sanitary Code*:

RETENTION: 50 years

b. Water sample test results and related records, when lead or copper level does not exceed the action level as defined in Section 5-1.41, *State Sanitary Code*:

RETENTION: 10 years

c. Records of remediation by replacement of lead or copper plumbing:

RETENTION: 6 years after building no longer exists

d. Records of remediation by elimination or replacement of water cooler not connected to plumbing:

RETENTION: 6 years after cooler eliminated or replaced

- ◆26.[775] Pesticide (including herbicide, rodenticide and disinfectant) application record (showing kind and quantity used, dosage rate, method of application, target organism, area and time of application):
RETENTION: 3 years

NOTE: Records of incidents of possible exposure to pesticides (including herbicides, rodenticides and disinfectants), and other records created because pesticides are considered "toxic substances," are covered by item no. 325 in the Personnel/Civil Service section.
- ◆27.[776] Inventory of pesticides (including herbicides, rodenticides and disinfectants) maintained by local government:
RETENTION: 40 years after superseded or obsolete
- ◆28.[777] Annual report of pesticides (including herbicides, rodenticides and disinfectants) used, submitted to New York State Department of Environmental Conservation:
RETENTION: 2 years
- ◆29.[778] Application for business/agency pesticide registration, including all related records:
RETENTION: 1 year after superseded or invalid
- ◆30.[779] Records relating to certification for individual certified commercial applicator, including copy of application, records of training in use of pesticides, examination results, copy of certificate and recertification records:
RETENTION: 6 years
- ◆31.[780] Permits and approvals from state or county health department to operate pool or beach:
RETENTION: 3 years after denial or expiration
- ◆32.[781] Reports of pool or beach operation and inspection:
RETENTION: 21 years
- ◆33.[782] Facility inmate work crew records, covering crews from state or county correctional facilities performing work outside the facilities for local government or not-for-profit organization, including but not limited to request for work crew and site visit report:
RETENTION: 2 years
- ◆◆34.[783] Self-evaluation records, required under Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements

a. Voluntary compliance plan for facility, including list of persons consulted, description of areas examined, transition plan, list of problems identified and description of modifications anticipated and made:

RETENTION: PERMANENT

b. Copies of work orders, progress notes and other supporting documentation:

RETENTION: 1 year after modifications completed

◆◆35.[784]

Inspection reports, reviews and audits (internal and external) created relative to the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements:

RETENTION: 6 years after building or facility involved is no longer in use

◆◆36.[785]

Individual case records, filed under the provisions of the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements, including but not limited to complaint, charge or request for reasonable accommodation, medical reports, responses, records of appeals, correspondence and internal memoranda, records documenting work done in response to complaint or request, and documentation of final resolution

a. When complaint or request is filed by officer or employee of the local government involved:

RETENTION: 3 years after resolution of case and termination of any reasonable accommodation provided

b. When complaint or request is filed by person other than officer or employee of the local government involved:

RETENTION: 3 years after date of final entry in record, but not less than 3 years after person involved attains age 18

◆◆37.[786]

Master summary record of all cases under the Americans with Disabilities Act (ADA), Rehabilitation Act of 1973 as amended, or similar state/federal laws, regulations or requirements:

RETENTION: PERMANENT

◆38.[787]

Videotape or other recording maintained for security purposes

a. Videotape or other recording containing incidents warranting retention for administrative or potential legal uses:

RETENTION: 3 years, but not until any minor has attained age 21

b. Videotape or other recording not containing incidents warranting retention for administrative or potential legal uses:

RETENTION: 0 after no longer needed

- ◆39.[788] Records relating to protection of underground facilities
- a. Notice of or request for excavation, received by local government from excavator, pursuant to *16 NYCRR*, Section 753-5.2, including notice of postponement or cancellation and notice of discovery of unknown facility:
RETENTION: 4 years
 - b. Master list or central registry of operators of underground facilities located within borders of county or municipality:
RETENTION: 0 after superseded or obsolete

- ◆40.[789] Records filed by contractor or sub-contractor with local government related to public works project, pursuant to Section 220 (3-a), Labor Law, including but not limited to copy or abstract of payroll, classification of workers employed on a project, and statement of work to be performed by each classification:
RETENTION: 3 years after contract completion

- ◆41.[790] Water supply system records, covering water supply system (such as private well) maintained by local government for its own use

NOTE: Public water supply records, where a local government provides water for public consumption, are covered by items in the Environmental Health section, Environmental Facilities: General and Environmental Facilities: Public Water Supply subsections.

- a. Permits and approvals necessary to establish or operate system, including supporting data and other related records:
RETENTION: PERMANENT
- b. Original entry and intermediary charts, graphs and other data collected relating to water usage, water levels and water quality:
RETENTION: 10 years
- c. Reports and related data collection and other summary records showing long-term trends and developments:
RETENTION: PERMANENT
- d. Reports and related records not showing long-term trends and developments:
RETENTION: 10 years
- e. Reports and test results on unsatisfactory water supply samples:
RETENTION: 20 years

- f. Log recording summary information collected at periodic intervals such as changes in pressure and level, proportion of chemicals present, operational changes and problems:

RETENTION: PERMANENT

- g. Log recording all or routine information such as changes in pressure and level, proportion of chemicals present, operational changes and problems:

RETENTION: 5 years

NOTE: If no logs containing summary information are generated, local governments may wish to retain all or some records covered by part "g" of this item longer, for both long-term administrative use and for potential research purposes.

- ◆42.[878] **Energy consumption monitoring records** showing use of electricity or fuel, operation of heating and/or cooling equipment, or environmental conditions (temperature, humidity, air quality) in various parts of publicly owned or operated building or other facility

- a. Detailed data collected from sensors or monitors, and detailed reports generated from such data:

RETENTION: 0 after no longer needed

NOTE: Some of this data and these detailed reports may need to be retained for 6 years for energy consumption trending analysis or energy consumption audit purposes. The State Archives recommends that local governments consult the Office of the State Comptroller or their own auditor to determine which data may have long-term value.

- b. Equipment maintenance, testing and service records, **except** detailed records of routine activities:

RETENTION: 6 years after equipment no longer in use

- c. Detailed records of routine maintenance, testing and service:

RETENTION: 6 years

- d. Reports relating to energy consumption and environmental conditions, including reports of problems and corrective actions taken, summary reports of environmental conditions, and reports showing long-term energy consumption trends, along with accompanying charts, graphs and data tables:

RETENTION: 6 years

NOTE: Appraise these records for historical or other long-term significance prior to disposition. Records showing long-term trends in energy use may need to be retained permanently, or at least 6 years after the building or other facility is no longer in use. Contact the State Archives for additional advice.

◆43.[791] **Records relating to mines owned or operated by local government**

- a. Plans, maps and environmental impact statements generated as part of application process to obtain permit from New York State Department of Environmental Conservation to operate mine, or to obtain permit renewal:
RETENTION: PERMANENT
- b. Other records generated as part of application process to obtain permit from New York State Department of Environmental Conservation to operate mine, or to obtain permit renewal, including but not limited to original and renewal application, actual permit, reports and correspondence:
RETENTION: 3 years after mine closed and land reclaimed
- c. Mine registration with the United States Department of Labor, Mine Safety and Health Administration (MSHA) known as "Legal Identity Report":
RETENTION: 3 years after mine closed and land reclaimed
- d. Listing of employment, accident and injury data, submitted annually by MSHA to local government:
RETENTION: 5 years
- e. Quarterly mine employment and coal production report, submitted to MSHA, as required by *30 CFR*, Section 50.30:
RETENTION: 5 years
- f. Basic information on employees working at mine, known as "population survey," submitted to MSHA, as required by *30 CFR*, Section 45.4:
RETENTION: 0 after no persons listed on report still work at mine

NOTE: The annual training plan for employees who work at a mine is covered by item no. 584 in the General section. Accident and personal injury reports are covered by item no. 741 in the Personnel/Civil Service Section, Personnel subsection. The rescue plan is covered by item no. 449 in the Public Safety section, Fire Fighting and Prevention subsection.

Training certification records for each employee working at a mine are covered by item no. 314 in the Personnel/Civil Service section, Personnel subsection.

PUBLIC SAFETY

E-911 AND RELATED RECORDS

◆ 1.[792] **Master Street Address Guide (MSAG) and related records**

- a. MSAG data base, containing such information as road/street names, address ranges, addresses, community names, telephone numbers, and information on properties, structure and individuals:
RETENTION: Maintain as perpetual data file, and 1 year after replaced by superseding MSAG data file.

NOTE: Appraise these records, which may contain valuable information on properties, structures and residents, for secondary uses as well as historical significance prior to disposition. Periodic "snapshots" of this data may be created and maintained as either electronic files saved to disk, tape or diskette, or as hard-copy output such as printed maps, or in both formats. Contact the State Archives for additional advice on the creation and maintenance of these records.

- b. Street alias file, containing alternative road or street names:
RETENTION: Maintain as perpetual data file, and 3 years after replaced by superseding street alias file.
- c. Records of updates, corrections and confirmations to MSAG database, including assignments of new or revised street addresses:
RETENTION: 3 years
- d. Non-permanent road/street related information, such as relating to temporary closure of road or street:
RETENTION: 3 years after information becomes invalid

◆ 2.[793] **Telephone utility address records**

- a. Copy of database or printout received from telephone utility:
RETENTION: 0 after no longer needed
- b. Updates, corrections, trouble reports and Automatic Location Information (ALI) discrepancy reports, submitted to and received from telephone utility:
RETENTION: 1 year

- ◆3.[794] **Non-emergency call receipt and response records**, such as those contained in E-311 system, E-911 system module, or other electronic or manual system by which non-emergency calls are handled:
RETENTION: 1 year
- ◆4.[795] **Automatic Number Information (ANI) and Automatic Location Information (ALI) records**
- a. ALI database, containing street address information on each telephone number:
RETENTION: 0 after no longer needed
- NOTE:** Local governments which do not maintain MSAG data files may wish to retain this record as a perpetual data file, and for 1 year after replaced by a superseding data file.
- b. ANI and ALI reports, such as printouts of ANI or ALI screen displays and similar records, but **not** including ALI discrepancy reports:
RETENTION: 0 after no longer needed
- NOTE:** Local governments should consult their attorney or counsel before these records are disposed of regarding any potential legal value.
- ◆5.[796] **E-911 system development and implementation records**
- a. Feasibility and implementation reports and studies:
RETENTION: 6 years after completion of project
- NOTE:** Appraise these records for historical significance prior to disposition. Because of the costs involved and significance of implementing E-911 and related systems, these records may be important in documenting the system itself as well as the implementation process. Contact the State Archives for additional advice.
- b. Background materials used in preparing feasibility and implementation reports and studies, preliminary maps, and detailed statistical and other supplementary data accompanying reports and studies:
RETENTION: 6 years after completion of project
- c. Records relating to establishment of road/street names, address ranges and addresses, including changes in names of roads/streets and address range

changes, including standards followed for naming, addressing and address conversions:

RETENTION: PERMANENT

- d. Aerial photographs and final maps created in conjunction with system implementation:

RETENTION: PERMANENT

COMPUTER-AIDED DISPATCH (CAD)

- ◆1.[797] **Computer-aided dispatch (CAD) or incident data file**, containing data on each call received and equipment dispatch or other resulting action taken:

RETENTION: 3 years

NOTE: In some automated systems no MSAG data file exists, and the CAD or incident data file assumes this function. In these cases local governments should consider maintaining this record as a perpetual data file, and 1 year after replaced by superseding data file.

NOTE: Incidents involving minors, casualties, serious injuries, homicides, fires which are incendiary in nature or under investigation, or unsolved law enforcement cases, may necessitate retention of data relating to these incidents longer for potential or ongoing legal needs. Contact the State Archives for additional advice.

- ◆2.[431] **Emergency call receipt and/or equipment dispatch record**, including but not limited to police or fire incident report or alarm report, generated each time an alarm or call is received and equipment is dispatched or other resulting action taken

- a. When record contains **no** information on emergency medical treatment of an individual:

RETENTION: 3 years

NOTE: Incidents involving minors, casualties, serious injuries, homicides, fires which are incendiary in nature or under investigation, or unsolved law enforcement cases, may necessitate retention of data relating to these incidents longer for potential or ongoing legal needs. Records custodians may wish consult their attorney, counsel or law enforcement agency before these records are disposed of regarding any potential longer legal value. Contact the State Archives for additional advice.

- b. When record contains information on emergency medical treatment of an individual:
RETENTION: 6 years, or 3 years after individual attains age 18, whichever is longer

◆3.[798] **Geographic Information System (G.I.S.) records used in emergency dispatch process**

- a. Street, road right-of-way, road centerline, hydrant, tax parcel or other data layer (official copies maintained and/or updated by dispatching unit):
RETENTION: Maintain as perpetual data files, and 1 year after superseded.
- b. Street, road right-of-way, road centerline, hydrant, tax parcel or other data layers (other than official copies, where official copy is maintained by other unit of local government which maintains the G.I.S.):
RETENTION: 0 after no longer needed
- c. G.I.S. file and process documentation records, covering G.I.S. operations where dispatch unit creates, revises or performs analyses on data layers and related files:
RETENTION: Maintain until G.I.S. system used in dispatch is superseded or no longer used.

◆4.[432] **Communications log** (radio, telephone, alarm or other) recording each communication between caller and receiving unit **or** between dispatch unit and mobile unit or field personnel, for law enforcement agency, fire department or district, emergency medical or central emergency dispatch unit:
RETENTION: 3 years after last entry

NOTE: Local governments should consult their attorney or counsel before these records are disposed of regarding any potential legal value.

◆5.[433] **Tape recording of communications** kept by dispatch unit of law-enforcement agency, fire department or district, emergency medical service or central emergency dispatch unit:
RETENTION: 0 after information posted to emergency call receipt and/or equipment dispatch record

NOTE: Records custodians may wish consult their attorney, counsel or law enforcement agency before these records are disposed of regarding any potential

legal value. The State Police suggests that these tapes be retained for at least 30 days if economically feasible. Recordings of serious incidents may warrant longer retention for legal reasons. These tapes should be retained until legal action is resolved, or the relevant specific communications should be transferred onto a separate tape. Contact the State Archives for additional advice.

- ◆ 6.[799] **Call receipt and dispatch related reports**, other than individual incident reports
 - a. Incident data files submitted to New York Department of State:
RETENTION: 2 years
 - b. Summary data reports and detailed reports containing information of potential legal or fiscal value:
RETENTION: 6 years
 - c. Internal information reports of no legal or fiscal value, such as daily activity reports:
RETENTION: 0 after no longer needed

PUBLIC SAFETY: GENERAL

NOTE: Software and software manuals and documentation are not considered "records" under the Local Government Records Law. Local governments may need, however, to retain older versions of software, as well as relevant manuals and documentation, to document the operation of public safety related systems for legal purposes, such as defending the integrity of systems in court actions. Contact your counsel or attorney for advice in this area prior to destroying outdated software and related documentation.

- ◆ 1.[471] **Accreditation records for law enforcement, firefighting or prevention or emergency medical services agency or unit:**
RETENTION: PERMANENT

- ◆ 2.[800] **Emergency vehicle, apparatus and equipment records**

NOTE: Items covering purchase, warranty, repair, fuel use, and replacement are found in the Public Property and Equipment section.

- a. Vehicle upkeep and use records, including records of incidents where vehicle responded and equipment was used:
RETENTION: 3 years

- b. Vehicle readiness checklist, or equivalent record, for any emergency vehicle, needed to ensure that necessary equipment and material is in place and in proper order:
RETENTION: 3 years
- c. Record of equipment (other than firearms) issued to public safety personnel:
RETENTION: 1 year after equipment returned or otherwise disposed of

◆3.[435] **Training records for law-enforcement officers, E-911, dispatch or fire-fighting personnel, but excluding emergency medical personnel**

- a. Individual's record of courses attended and/or completed, including basic information on course content:
RETENTION: 6 years after individual leaves service

NOTE: Local officials may wish to keep these records longer, possibly for the career of the individual, if the records are consulted throughout that period.

- b. Official copy of training manual or bulletin:
RETENTION: 50 years
- c. Course instruction records, including attendance lists and lesson plan:
RETENTION: 1 year

◆4.[801] **Alarm records**

- a. Permit files for connecting fire, water or burglar alarm to public safety agency emergency telephone system, including applications, copies of permits, inspection reports and related records:
RETENTION: 6 years after denial, expiration or renewal
- b. Alarm or fire alarm box call record containing basic information on each alarm transmitted:
RETENTION: 3 years
- c. False alarm records, including but not limited to lists of false alarms, notices sent to property owners and records of assessing and collecting fines for responses to false alarms:
RETENTION: 6 years

- d. Alarm location records, including maps and listing and descriptions of alarms:
RETENTION: 3 years after superseded or obsolete

- ◆5.[802] **Public safety personnel service data file** or equivalent record, including incident and activity attendance information showing names of personnel present at fire or other emergency, including attendance at training, drills, meetings and other official activities

NOTE: This item does not cover the personnel records of officer, employee or volunteer. See the Personnel/Civil Service section of this schedule.

- a. Summary data on an individual:
RETENTION: 3 years
- b. Detailed data on an individual, when posted to or listed on summary data file or other record:
RETENTION: 1 year
- c. Detailed data on an individual, when **not** posted to or listed on summary data file or other record:
RETENTION: 3 years

- ◆6.[803] **Public safety real property data file**, containing basic and detailed information on land and structures, including hazards, property inspections, and individuals associated with properties

- a. Basic or "history file" data:
RETENTION: Maintain as updated perpetual data file, for as long as system remains in use and property covered comes under service area.

NOTE: Local governments should **consider** permanent retention of the basic data elements of these property "history" files for all parcels of property, or the creation and permanent retention of "snapshots" of this data. This information may be useful for long-range planning purposes, and for community, urban planning, public safety issues, and other research. Contact the State Archives for additional advice.

- b. Detailed data, including plans and computer-assisted design records:
RETENTION: 0 after superseded or obsolete

- c. Records of updates and corrections to property data:
RETENTION: 3 years after update or correction made

◆◆7.[804] Documentation of macros, queries, and reports

- a. Relating to specific case investigation or subject file:
RETENTION: Retain as long as the case investigation or subject file for which the documentation is created is retained.
- b. Not relating to specific case investigation or subject file:
RETENTION: 0 after no longer needed

NOTE: Depending on the results obtained from generating these macros, queries and reports, local officials may wish to retain these records for potential legal and other uses.

◆8.[805] Hazardous materials records

- a. Hazardous materials location report or exemption filed with fire department or district, or equivalent record:
RETENTION: 3 years after hazardous materials no longer stored at site

NOTE: Local officials may wish to retain these records longer, possibly as long as 40 years, if the hazardous materials listed on this record include substances listed in Subpart Z, 29 *CFR* (federal O.S.H.A. Regulations).

- b. Textual reference information containing medical, chemical or other information used to assist dispatchers and responding personnel, and maps of agency/service coverages:
RETENTION: 3 years after superseded or obsolete

- c. Reports on hazardous materials found in the service area in its entirety, or at specific locations:
RETENTION: 3 years after hazardous materials listed in report are no longer present at listed sites

NOTE: Local officials may wish to retain these records longer, possibly as long as 40 years, if the hazardous materials listed on this record include substances listed in Subpart Z, 29 *CFR* (federal O.S.H.A. Regulations). In addition, if these reports document the presence of hazardous materials in a community at a given time, they should be appraised for historical

significance. These records may have immediate significance for fire fighting and disaster prevention and long-term research value in situations where the hazardous materials found in the area had a significant impact on the community. Contact the State Archives for additional advice.

- ◆9.[806] Standard Operating Procedures for call receipt and dispatch, including codes, abbreviations and authority file data:
RETENTION: PERMANENT

NOTE: Detailed routine procedures are covered by item no. 9 in the General section.

- ◆10.[807] Reference files on municipalities, districts and volunteer entities in service or neighboring areas:
RETENTION: 0 after superseded or obsolete

NOTE: Appraise these records for historical significance prior to disposition. These records may have long-term historical value in documenting emergency services in a given area. Contact the State Archives for additional advice.

EMERGENCY MEDICAL SERVICES

- ◆1.[808] Patient care records
 - a. Ambulance run or prehospital care record created each time a patient is transported by emergency vehicle and/or administered medical treatment:
RETENTION: 6 years, or 3 years after individual treated and/or transported reaches age 18, whichever is longer
 - b. Patient care data file, containing medical treatment and/or billing information on individual treated by emergency medical personnel:
RETENTION: 6 years, or 3 years after individual treated and/or transported reaches age 18, whichever is longer
 - c. Summary record of all patients treated and/or transported:
RETENTION: 3 years
- ◆2.[440] Ambulance run or emergency medical treatment chronological log, or equivalent record:
RETENTION: 6 years after last entry

- ◆3.[441] **Emergency medical training records**, covering local government employees who receive training
- a. Application for training or certification filed by individual:
RETENTION: 6 months
 - b. Original entry training records, when posted to summary record:
RETENTION: 1 year
 - c. Original entry training records, when **not** posted to summary record:
RETENTION: 7 years
 - d. Summary record of training:
RETENTION: 7 years
- NOTE:** Local officials may wish to keep these records longer, possibly for the career of the individual, if the records are consulted throughout that period.
- e. Course materials, **except** final or annual reports:
RETENTION: 7 years after course completed
- ◆4.[809] **Emergency medical training records**, covering local governments which are course sponsors, including but not limited to information on individuals, course files, and information on instructors, as required by Section 800.20, *10 NYCRR*
- a. Information on individuals and course files:
RETENTION: 5 years
 - b. Information on instructors:
RETENTION: 5 years after working association of each instructor ceases
- ◆5.[810] **Rescue and disaster response reports** and related records, covering specific incidents:
RETENTION: 3 years, but not until 3 years after any minor involved attains age 18
- NOTE:** Specific rescue and disaster response records should be appraised for historical value, and may warrant permanent retention, based on the serious nature of the incident involved. These records may not be duplicated in disaster response files, covered by item no. 136 in the Disaster Preparedness section. Contact the

State Archives for additional advice.

- ◆6.[811] **Emergency medical services reports**, containing information on such subjects as specific types of medical emergencies, types of supplies used, and call frequency
 - a. Reports containing billing information:
RETENTION: 7 years
 - b. Reports **not** containing billing information:
RETENTION: 1 year
 - c. Summary data received from New York State Department of Health:
RETENTION: 0 after no longer needed

FIRE FIGHTING AND PREVENTION

- ◆1.[442] **Blotter** or equivalent record providing summary information on all significant activities of a fire department or district:
RETENTION: PERMANENT
- ◆2.[443] **Log**, journal or similar chronological record of all activity at a fire station:
RETENTION: 3 years after date of most recent entry
- ◆3.[444] **Fire department or district incident listing or report**, received from New York State Department of State
 - a. When blotter or equivalent record is **not** kept by department or district:
RETENTION: PERMANENT
 - b. When incidents listed on printout are also shown on blotter or log:
RETENTION: 0 after no longer needed
- ◆4.[445] **Reports on fire-fighting activity, not including** incident reports
 - a. Reports dealing with serious incidents or problems, or major issues with long-term implications, such as covering overall status of fire-fighting apparatus, equipment and facilities, fire-fighting readiness capability and personnel performance evaluation, and fire casualty reports:
RETENTION: PERMANENT
 - b. Reports on routine activities, including but not limited to daily activity

report, daily communications report, false alarm investigation report, and other periodic report, which contain information of legal or fiscal value:

RETENTION: 6 years

- c. Reports on routine activities, which **do not** contain information of legal or fiscal value, and reports which contain information duplicated in reports covered by part "a" or part "b," above:

RETENTION: 0 after no longer needed

- d. Informational reports received from county fire coordinator:

RETENTION: 0 after no longer needed

◆ 5.[446] **Fire investigation records**

- a. First, second or third degree arson investigation records, disaster or casualty investigation records, or records of investigations of major fires or significant fires of suspicious origin:

RETENTION: PERMANENT

- b. Fourth degree arson investigation records:

RETENTION: 10 years

- c. Routine fire investigation records, not covered by parts "a" or "b," above:

RETENTION: 3 years

- d. Master summary record of all fire investigations:

RETENTION: PERMANENT

◆ 6.[447] **Fire mutual aid plan**

- a. Final plan, including maps and other attachments:

RETENTION: PERMANENT

- b. Background materials and supporting documentation used in producing final plan:

RETENTION: 3 years after final plan completed

◆ 7.[448] **Fire safety inspection records**

- a. Master summary record of inspections performed:

RETENTION: PERMANENT

- b. Report on inspection at school, public building, multifamily dwelling, or commercial or industrial facility and notice of violation:
RETENTION: 21 years
 - c. Report on inspection of single family dwelling and notice of violation:
RETENTION: 6 years

- ◆ 8.[449] **Fire evacuation plan, disaster response plan, fire drill report, fire safety survey, but not including mutual aid plan:**
RETENTION: 3 years after superseded or obsolete

- ◆ 9.[450] **Fire hydrant records**
 - a. Master record of hydrant locations:
RETENTION: 0 after superseded
 - b. Installation, repair, location, maintenance, inspection and replacement records:
RETENTION:

- ◆ 10.[453] **Copies of volunteer department or organization fund-raising records, maintained by municipality or fire district:**
RETENTION: 6 years

- ◆ 11.[454] **Volunteer Firefighter Service Awards benefit plan**
 - a. Benefit plan (including all revisions):
RETENTION: 0 after superseded and no longer needed to determine benefits
 - b. Drafts and supporting documentation used in producing and updating plan:
RETENTION: 1 year

- ◆ 12.[455] **Annual report ("census of members") received from Volunteer Firefighters Insurance Service (VFIS):**
RETENTION: 0 after superseding report received

- ◆ 13.[456] **Summary records of volunteers listing credits earned and providing breakdown of types of services and how credits earned**
 - a. Annual summary report or listing:
RETENTION: 55 years

- b. Monthly or other periodic reports or listings:

RETENTION: 3 years

◆ 14.[457] Volunteer Firefighter Service Awards records relating to individual volunteer

- a. Records showing credits earned and providing breakdown of types of services and how individual earned credits:

RETENTION: 6 years after individual leaves service

- b. Copy of initial and vested certificates of membership in awards plan: **RETENTION:** 6 years after individual leaves service

- c. Copy of application to join service awards plan and/or life insurance plan, along with declination statement and related records:

RETENTION: 6 years after individual leaves service

- d. Beneficiary designation records:

RETENTION: 0 after superseded or obsolete

- e. Records relating to individual's challenge to plan's, department's or district's assignment or of number of points earned:

RETENTION: 3 years after appeal concluded or other disagreement otherwise resolved

◆ 15.[812] Controlled burn records, covering legally approved burning of leaves and debris permitted by fire department or district:

RETENTION: 3 years

LAW ENFORCEMENT: GENERAL

◆ 1.[458] Incident data summary record, including blotter, "desk record book," or equivalent record containing summary record of department or station activities:

RETENTION: PERMANENT

◆ ◆ 2.[466] Law enforcement reports, studies or data queries, including their documentation

- a. Reports, studies or queries having legal or fiscal value, such as reports covering use of equipment and personnel resources, reports on crime in specific neighborhoods or on specific kinds of criminal activity, daily

activity reports and individual officer "diaries":

RETENTION: 6 years

NOTE: Appraise records covered by part "a" for archival value. Reports and studies analyzing law enforcement activity within a municipality for specific kind of criminal activity or a given area may be valuable for long-term planning, analysis of trends in law enforcement, and for historical and other research. Contact the State Archives for additional advice.

- b. Reports, studies or queries having no legal or fiscal value, such as daily communications or other routine internal reports:

RETENTION: 0 after no longer needed

- c. Uniform Crime Reports submitted to State Division of Criminal Justice Services:

RETENTION: 1 year

- d. Incident-based reports or queries:

RETENTION: 3 years

- e. Report or study of law enforcement activity within municipality, generated for local law enforcement agency by county, regional or state law enforcement agency (local law enforcement agency copy):

RETENTION: 0 after no longer needed

NOTE: Appraise records covered by parts "e" and "f" for archival value. Reports and studies analyzing law enforcement activity within a municipality or specific area may be valuable for long-term planning, analysis of trends in law enforcement, and for historical and other research. Contact the State Archives for additional advice.

- f. Report or study of law enforcement activity within municipality, generated for local law enforcement agency by county, regional or state law enforcement agency (copy retained by county or regional creating agency):

RETENTION: 3 years

- ◆◆3.[460] Case investigation record for adult, juvenile offender, youthful offender or juvenile delinquent, including but not limited to complaint, investigation report, arrest report, property record, and disposition of the case

- a. For homicides, suicides, arson (first, second or third degree), missing persons (until located), active warrants, and stolen or missing firearms (until

recovered or destroyed):

RETENTION: PERMANENT

- b. For all felonies except those covered by parts "a" and "c", and fatalities other than homicides:

RETENTION: 25 years after case closed

NOTE: Appraise case investigation files for these felonies for historical and other research value, as well as for analysis of long-term trends. Contact the State Archives for additional advice.

- c. For fourth degree arson and non-fatal accidents:

RETENTION: 10 years after case closed

- d. For misdemeanor:

RETENTION: 5 years after case closed

- e. When offense involved was a violation or traffic infraction:

RETENTION: 1 year after case closed

- f. When investigation reveals no offense has been committed by adult:

RETENTION: 5 years

- g. When individual involved was a juvenile and no arrest was made, or no offense was committed:

RETENTION: 1 year after individual attains age 18

- h. Domestic incident report, created pursuant to Section 140.10(5), Criminal Procedure Law, when case investigation record is created:

RETENTION: Retain for 4 years or as long as rest of case investigation report, whichever is longer.

- ◆4.[813] Master summary record of case investigation information:

RETENTION: 0 after no longer needed to access case investigation records

NOTE: Appraise this record for archival value. This record may supplement the incident data summary record in providing summary information on all case investigations conducted by the law enforcement agency. Contact the State Archives for additional advice.

- ◆5.[461] Individual identification file, except jail or penitentiary prisoner case record, including but not limited to fingerprint cards, photographs, record sheets from other

agencies, local arrest and disposition records, and miscellaneous reports

NOTE: Section 160 of the Criminal Procedure Law requires that individual identification records be returned to the individual involved or destroyed when criminal actions are terminated in favor of the accused or by conviction for a noncriminal offense.

- a. When offense involved was a crime (misdemeanor or felony):

RETENTION: 5 years after death of individual, or 0 after individual attains age 80, whichever is shorter, provided no arrest in the last 5 years

NOTE: Records created before establishment of the D.C.J.S. statewide automated identification system in 1966 are not duplicated at the state level and should be appraised for both archival value and ongoing legal and administrative purposes. Contact the State Archives for additional information.

- b. When offense involved was a violation or traffic infraction:

RETENTION: 5 years

- c. Digital "mug shot" file, containing digital photos and relevant accompanying data on an individual, when official copies of photos are retained in hard copy as part of part "a" or "b," above:

RETENTION: 0 after no longer needed

NOTE: Digital "mug shot" file, containing digital photos and relevant accompanying data on an individual, when official copies of photos are not retained in hard copy, must be retained as specified in part "a" or "b," above.

NOTE: Appraise these digital files for archival, legal and administrative value. They may have long term value in criminal investigation. Contact the State Archives and the Division of Criminal Justice Services for additional advice.

- d. Digital fingerprint file, containing digital images used to produce fingerprint cards:

RETENTION: 0 after no longer needed

- e. Photo arrays, created by combining identification photos for identification and investigative purposes:

RETENTION: Retain as long as relevant case investigation record.

- f. Criminal record summaries ("rap sheets"), received from Federal Bureau of Investigation or other law enforcement agency:

RETENTION: Retain most current copy as long as relevant case investigation, or 0 after superseded or obsolete if unrelated to case investigation.

- g. Authorized requests for criminal information contained in local government law

enforcement agency records, along with response and record of action taken:

RETENTION: 6 years

- ◆6.[814] Personal information data me
 - a. Data on criminals and suspects:
RETENTION: Retain data for 5 years after death of individual, or 0 after individual attains age 80, whichever is shorter, provided no arrest in the last 5 years.
 - b. Data on associated persons, such as victims, relatives and witnesses:
RETENTION: Retain data as long as, or information as part of, relevant case investigation record.
 - c. Documentation of updates and changes to data:
RETENTION: Retain as long as data which has been changed or updated.
 - d. Trouble and discrepancy reports regarding personal information data: **RETENTION:** 3 years

- ◆7.[815] County- or region-wide arrest information cumulative data me, covering county- or region-wide area:
RETENTION: Maintain as perpetual data file, with superseded or corrected data maintained for 3 years after data updated.

- ◆8.[816] Profiling reports and related records, including macros, workspaces or other files (including all documentation) created in profiling process
 - a. Relating to specific case investigation:
RETENTION: Retain as long as relevant case investigation record.
 - b. Not relating to specific case investigation:
RETENTION: 0 after obsolete

- ◆◆9.[914] Confidential informant records, maintained separately from confidential informant information contained in case investigation records
 - a. Master index or listing of confidential informants:
RETENTION: PERMANENT
 - b. Detailed information on confidential informant:
RETENTION: 0 after individual is deceased or attains age 90

LAW ENFORCEMENT: PERSONAL PROPERTY

- ◆ 1.[462] Personal property record
 - a. For dangerous weapon, including but not limited to receipt, identification tag, and report of destruction:
RETENTION: 6 years after disposition of property, or 0 after disposition of any related case investigation records, whichever is longer

NOTE: Local law enforcement officials may wish to retain these records longer for investigative or other long-term administrative purposes. See also item no. 492, below.
 - b. For other property, including but not limited to receipt, confiscated currency report, identification tag, and report of public auction or destruction:
RETENTION: 6 years after disposition of property
- ◆ ◆ 2.[465] Identification records for an individual person or for number-engraved property
 - a. Personal identification card for an individual, including Sheriff ID, copies of child fingerprint records and records of distribution of child identification kits:
RETENTION: 0 after no longer needed

NOTE: Local governments should consult with their legal counsel to determine if these records merit continuing retention due to legal value or for law enforcement purposes, such as in locating and identifying missing children.
 - b. Property number assignment register:
RETENTION: 0 after obsolete
 - c. Identification/validation records for missing or stolen property, license plates, licenses, registrations or ID cards (if not part of case investigation records):
RETENTION: 0 after no longer needed
- 3.[469] Pawn shop records, including lists of pawn shops, purchase and sale reports and reports on stolen property:
RETENTION: 5 years
- 4.[487] Bicycle licensing or registration record
 - a. When a fee is charged:

RETENTION: 6 years after expiration or renewal

b. When **no** fee is charged:

RETENTION: 1 year after expiration or renewal

LAW ENFORCEMENT: FIREARMS

◆ 1.[490] **Firearm licensing file**, including application for license to sell, carry, possess, repair and dispose of firearms, and supporting records such as affidavit of character reference, and verification of reason for license

a. When application is approved:

RETENTION: 6 years after license was renewed, canceled, revoked, or expired, or after individual is known to have deceased or reached age 90

b. When application is disapproved, after any litigation is completed:

RETENTION: 6 months

2.[491] **Individual firearm purchase record:**

RETENTION: 6 years

◆ 3.[492] **Certificate of nondestruction of, or notice of intent to destroy, weapon or dangerous instrument, appliance, or substance**, including results of New York State Police files search:

RETENTION: 6 years after disposition of property, or 0 after disposition of any related case investigation records, **whichever is longer**

NOTE: See also item no. 462, above.

◆ 4.[494] **Records of issuance of firearms or other weapons to law enforcement personnel:**

RETENTION: 3 years after return or other disposition of weapon

◆ 5.[495] **Repair and maintenance records for firearms or other weapons used by law enforcement personnel:**

RETENTION: 3 years after weapon no longer in use

◆ 6.[817] **Record of stolen or missing firearms:**

RETENTION: 0 after all firearms are located or destroyed

LAW ENFORCEMENT: MOTOR VEHICLES (including watercraft)

- ◆1.[481] **Traffic and parking violation records**, including parking, speeding or other appearance ticket (other than court's copy); officer's supporting deposition; parking violation hearing records; "boot and tow" records; and related records:
RETENTION: 2 years after any litigation has been completed
- ◆2.[485] **Speed-timing records**
- a. Original record produced by radar or other speed-timing device:
RETENTION: 2 years after any litigation has been completed
- b. Records of use of speed-timing, such as radar activity log and reports of speed monitoring:
RETENTION: 3 years
- NOTE:** These records may have long-term value in transportation planning, in providing information on average and excessive speeds for specific road segments.
- c. Calibration and other quality control and testing records for speed-timing devices:
RETENTION: 3 years after device no longer in use
- ◆3.[482] **Vehicle accident case record**, including vehicle accident report and related records, after any litigation has been completed:
RETENTION: 6 years, or 3 years after youngest individual involved attains age 18, whichever is longer
- NOTE:** This item does not cover the case investigation record. See item no. 460, above.
- ◆4.[483] **Vehicle history files**, including information on specific vehicles or vehicle models, including those which have been involved in accidents or used in the commission of crimes:
RETENTION: 0 after no longer needed
- ◆5.[484] **Individual's driving and accident records**

a. Order, report, or notice concerning vehicle operator's license or registration, including but not limited to order of suspension or revocation of license, notice of compliance with order of suspension or revocation, notice of noncompliance, notice of restoration of license, and report of lost or stolen plates:

RETENTION: 3 years

b. Driver's summary record of accidents, violations and other activities:

RETENTION: 0 after death of individual, or 90 years after date of birth, if death not verified

◆6.[486] **Impounded or abandoned vehicle record**, including but not limited to impound report, tow-away notice to owner, request for information to determine the last owner, notice to owner and lien holders that vehicle has been taken into custody as abandoned, affidavit stating how ownership was acquired by municipality, transfer of ownership document, and bill of sale:

RETENTION: 6 years after disposition of vehicle by local government

7.[488] **Reports or other records of repossessed vehicles, not impounded by law enforcement agency:**

RETENTION: 1 year

◆8.[489] **Vehicle towing records**

a. Lists of companies available for towing vehicles:

RETENTION: 0 after superseded or obsolete

b. Contract or agreement with towing firm:

RETENTION: 6 years after expiration or termination

◆9.[818] **Driver-vehicle examination report or equivalent record**, created when local law enforcement agency conducts motor carrier safety inspection:

RETENTION: 7 years

◆10.[819] **Motor vehicle accident and other summary data**, reports and other records:

RETENTION: 6 years

NOTE: Appraise these records for archival value. These records may be useful in providing summary information on all motor vehicle accidents, and may reveal long-term trends and accident-prone areas and vehicles. Contact the State Archives for additional advice.

LAW ENFORCEMENT: INCARCERATION

- ◆ 1.[474] **Master summary record of all prisoners**, including "daily record of the commitments and discharges of all prisoners," including date of entrance, name, offense, term of sentence and other information required by Section 500-f, Correction Law:
RETENTION: PERMANENT
- ◆ 2.[820] **Prisoner data file:**
RETENTION: Maintain data for each prisoner 15 years after death or discharge of that prisoner.
- NOTE:** If this record takes the place of the master summary record (item no. 474, above) then it must be retained permanently.
- ◆ 3.[475] **Prisoner case record**
- a. Case records, including but not limited to commitment, general information history, presentence investigation reports, record sheets from other agencies, record of personal property taken from prisoner upon commitment, record of letters written and received, copies of general correspondence concerning prisoner, reports of infractions of rules, prisoner's health records, and suicide prevention screening records, **but not including** commissary records:
RETENTION: 15 years after death or discharge of prisoner
- b. Commissary records, including listing of items requested by prisoner, and prisoner transaction record:
RETENTION: 3 years
- ◆ 4.[476] **Facility housing supervision records, including prisoners' activities log**, including such information as identities of visitors, prisoners' phone calls and mail, and records of visits to cells by officers checking on condition of prisoners:
RETENTION: 3 years
- ◆ 5.[477] **Prisoners' periodic work report** listing names of prisoners by work assignments:
RETENTION: 3 years after all prisoners listed have been discharged
- ◆ 6.[478] **Complaint or incident report involving alleged prisoner abuse, injury, or similar occurrence** showing description of the problem, identifying the individuals involved and stating the action taken, after any litigation has been

completed:

RETENTION: 6 years, or 0 after individual involved attains age 21, whichever is longer

- ◆7.[479] **Inspection, audit and other reports or studies**, conducted by New York State Commission of Correction or other state or local agency, covering such subjects as jail conditions, compliance with state standards, and prisoner fatalities:

RETENTION: 6 years

NOTE: Appraise these records for archival value. Local officials should retain permanently any reports or studies documenting serious incidents or problems. Contact the State Archives for additional advice.

- ◆8.[480] **Reports relating to local correctional facility or lock-up**

- a. Reports containing legal and fiscal information:

RETENTION: 6 years

NOTE: Appraise these records for archival value. Reports and studies analyzing facility prisoners, occupancy or conditions may be useful for long-term planning, analysis of trends in law enforcement, and for historical and other research. Contact the State Archives for additional advice.

- b. Reports of short-term internal administrative value:

RETENTION: 0 after no longer needed

- ◆9.[821] **Population counts, including daily census of prisoners:**

RETENTION: 3 years

- ◆10.[822] **Visitation records**, including schedule of visits and visitor identification information:

RETENTION: 3 years

- ◆11.[823] **Dietary services records**

- a. Food service records, including meal counts, roster of prisoners' diet orders, and dietary services studies:

RETENTION: 3 years

- b. Menus:

RETENTION: 1 year

- ◆ 12.[824] **Health and sanitation inspection and related records**, including records of action taken to correct any problems:
RETENTION: 6 years
- ◆ 13.[825] **Review and censorship records for incoming printed materials and publications**, including evaluations by staff and suitability determinations:
RETENTION: 3 years
- ◆ 14.[826] **Prisoner exercise records**, including schedule of exercise periods, results of exercise area searches and explanation of any limitations of exercise:
RETENTION: 3 years
- ◆ 15.[827] **Application of change in maximum facility capacity**, including determination from New York State Commission of Correction, facility staffing determinations, and related records:
RETENTION: 3 years after superseded by subsequent change in capacity
- ◆ 16.[828] **Substitute jail order** issued by New York State Commission of Correction, authorizing the confinement of some of all prisoners in another correctional facility, and related records:
RETENTION: 3 years

NOTE: Appraise these records for archival value. These records may provide important information on conditions at the correctional facility which warrant the moving of prisoners to another facility. Contact the State Archives for additional advice.

LAW ENFORCEMENT: MISCELLANEOUS

- ◆ 1.[459] **Warrant execution and subpoena or summons service records**
 - a. Original signature copies of arrest and other warrants executed by law enforcement agency:
RETENTION: 5 years after warrant executed or recalled
 - b. Other warrant related records, including copies without original signatures and warrant control records:
RETENTION: 5 years after date of most recent entry in record
 - c. Copies of subpoenas and summonses, and records of their service:

RETENTION: 2 years

d. Warrant information file:

RETENTION: Maintain data on each warrant as long as that warrant is valid.

◆2.[829] **Domestic violence records**, covering single or multiple incidents, not relating to specific case investigation records, including domestic incident report, created pursuant to Section 140.10(5), Criminal Procedure Law, when **no** case investigation record is created:

RETENTION: 4 years

3.[472] **Results of alcohol and drug tests administered by law enforcement personnel**, when not included in case investigation records:

RETENTION: 5 years

◆4.[463] **Escort service record**, including activities such as funeral, parade, military escort, escorting prisoner to and from court or jail, and delivery of blood to hospital:

RETENTION: 3 years

5.[464] **Vacant place check record**, including vacant houses and other places to be checked during patrols:

RETENTION: 0 after obsolete

◆6.[467] **Alcoholic beverage establishment sale and use reports**, including checks of New York State Division of Alcoholic Beverage Control (ABC) violations:

RETENTION: 5 years

◆7.[468] **Parolee and sex offender records**

a. Lists of parolees or sex offenders living within a jurisdiction:

RETENTION: 0 after superseded or obsolete

b. Detailed records on individual parolee or sex offender:

RETENTION: 0 after person's parole terminated

NOTE: This does not include records created pursuant to the Sex Offender Registration Act, which are covered by item nos. 830 and 831, immediately below.

◆8.[830] **Subdirectory of High-Risk (Level 3) Sex offenders:**

RETENTION: 0 after superseded

NOTE: The Division of Criminal Justice Services (DCJS) strongly recommends the destruction of superseded information as soon as superseding information is received.

◆9.[831] **Sex offender registration records**, including but not limited to official notification upon registration, change of address information, determination of final risk level, notification of error or change in jurisdiction, notification that offender is no longer registerable, annual address verification, 90-day personal verification (for level 3 offenders), and community notification information

a. For level 1 or 2 offender, when offender remains in local law enforcement agency's jurisdiction:

RETENTION: 0 after death of individual, or 5 years after completion of registration period, whichever is earlier

b. For level 1 or 2 offender, when offender has left local law enforcement agency's jurisdiction:

RETENTION: 0 after death of individual, or 5 years after offender leaves that jurisdiction, whichever is earlier

c. For level 3 offender, when offender remains in local law enforcement agency's jurisdiction:

RETENTION: 0 after death of individual, or individual attains age 100

d. For level 3 offender, when offender has left local law enforcement agency's jurisdiction:

RETENTION: 0 after death of individual, or 5 years after offender leaves that jurisdiction, whichever is earlier

◆10.[470] **Missing person records**

a. Missing person files, covering any records not included in case investigation records:

RETENTION: 10 years, or 0 after individual attains age 90, whichever is longer

b. Validation records, received from and submitted to State Division of Criminal Justice Services (D.C.J.S.):

RETENTION: 6 months

- ◆ 11.[832] **Videotape or other recording of booking or arrest processing**
- a. When litigation and/or criminal proceedings have commenced:
 RETENTION: 3 years, but not until any individual has attained age 21, and not until 1 year after any litigation or criminal proceedings have concluded
 - b. When litigation and/or criminal proceedings have **not** commenced:
 RETENTION: 3 years, but not until any individual has attained age 21
- ◆ 12.[833] **Copy of order of protection, filed with local law enforcement agency having jurisdiction, pursuant to Article 530, Criminal Procedure Law, and related records**
- a. Copy of order of protection:
 RETENTION: 6 months after order expires or otherwise becomes invalid
 - b. List or similar record of orders of protection in effect in local jurisdiction:
 RETENTION: Maintain data on each order as long as that order is valid.
- ◆ 13.[834] **Videotape or other recording taken from mobile unit**
- a. When recording relates to specific case investigation:
 RETENTION: Retain as long as the case investigation to which the recording relates is retained.
 - b. When recording does **not** relate to specific case investigation, such as routine traffic stop:
 RETENTION: 6 months
- NOTE:** Recordings of potentially important incidents may warrant longer retention for legal reasons, even if no case investigation has been initiated. Local law enforcement agencies should carefully review these recordings before destroying or reusing them. In addition, recordings of specific pursuits, arrests and other serious incidents should be appraised for archival or long-term administrative value. Contact the State Archives for additional advice.
- ◆ 14.[473] **Child abuse or maltreatment reports** and related records, reporting law

enforcement agency copy, when **not** included in case investigation record:

RETENTION: 3 years

NOTE: This item covers copies of child abuse and maltreatment reports and related records retained by law enforcement agencies reporting suspected abuse and maltreatment to the State Central Register or to child protective services units of county social services departments. If these records are included in case investigation records, see item no. 460.

LAW ENFORCEMENT: N.Y.S.P.I.N. AND RELATED RECORDS

- ◆ 1.[835] **Lists and posters showing "most wanted" persons, and all points bulletins (APBs):**

RETENTION: 0 after superseded or no longer needed

- ◆ 2.[836] **N.Y.S.P.I.N. validation records**, including monthly print-out received from New York State Police and related system entry validation records:

RETENTION: 13 months from date report received

- ◆ 3.[837] **N.Y.S.P.I.N. system purging records**, including "purge reports" received from New York State Police and records relating to data reentry:

RETENTION: 0 after any necessary data reentry completed

- ◆ 4.[838] **N.Y.S.P.I.N. message records**, covering any messages sent or received over N.Y.S.P.I.N. system:

RETENTION: 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining significant messages as part of case investigation records.

- ◆ 5.[839] **Daily "archive" information** retained in electronic format (on removable electronic media) from N.Y.S.P.I.N. system:

RETENTION: 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining archive data as long as may be needed for convenience of reference.

- ◆ 6.[840] **Log of all transactions**, covering all data entry into N.Y.S.P.I.N. system:

RETENTION: 0 after no longer needed

NOTE: The State Archives and the State Police strongly recommend that local law enforcement agencies consider retaining electronic logs as long as may be needed for convenience of reference.

◆7.[841] **Individual person's authorization** to use the N.Y.S.P.I.N. system

a. Records created by local law enforcement agency, including records of individual's training and acknowledgment of test results:
RETENTION: 0 after individual no longer authorized to use the system

b. Listing of authorized individuals, received from State Police:
RETENTION: 0 after no longer needed

◆8.[842] **Miscellaneous paper records created from former version of N.Y.S.P.I.N. system** in use prior to 1996:
RETENTION: 0 after no longer needed

RECREATION

PARKS, RECREATIONAL PROGRAMS AND CIVIC CENTERS

- ◆ 1.[506] **Participation, attendance, or enrollment records** for park, recreational facility, camp, civic center, or club
 - a. Summary record or report:
RETENTION: 6 years
 - b. Records of original entry, including worksheets, used admission tickets and ticket stubs:
RETENTION: 6 years, or 1 year after posting to summary record or report, whichever is shorter
 - c. Statement of disposition of unused tickets, when a fee is charged:
RETENTION: 6 years

- ◆ 2.[507] **Park, recreational facility, marina, civic center, or club permits**, granted to individual or family, including but not limited to application, affidavit, and copy of stub or license
 - a. Permit records, when a fee is charged:
RETENTION: 0 after invalid, but not less than 6 years
 - b. Permit records, when **no** fee is charged:
RETENTION: 0 after invalid, but not less than 1 year
 - c. Lease or rental agreement for marina slip:
RETENTION: 6 years after expiration, termination or denial
 - d. Records of dispensing of fuel or other goods or services at marina:
RETENTION: 6 years

- ◆ 3.[508] **Parental consent records** allowing child's participation in recreational activities, including authorization for medical treatment:
RETENTION: 6 years, or 3 years after child attains age 18, whichever is longer

- ◆ 4.[509] **Planning and development records** covering such topics as facility construction, improvement and usage:

RETENTION: 6 years

NOTE: Construction records for recreation facilities are covered by item no. 415 in the Public Property and Equipment section.

NOTE: Appraise these records for historical significance prior to disposition. Final reports and studies, especially for major facilities and significant programs, may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

- ◆5.[510] **Special event file**, including but not limited to official copy of any program or promotional literature, or photographs of events or performances, background materials and supporting documentation:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Official copies of programs or promotional literature, or photographs of significant events or performances, may have continuing value for historical or other research and should be retained permanently. Contact the State Archives for additional advice.

- ◆6.[511] **Athletic program records**

- a. Lists of athletes or participants, records of competitions, and other records **except** scouting records and scouting and training videotapes:

RETENTION: 6 years

NOTE: Appraise these records for historical significance prior to disposition. Official score and record books, team and action photographs and videotapes of and programs for significant competitions may have historical value in documenting community-based amateur athletics. Records with historical value should be retained permanently.

NOTE: Parental consents are covered by item no. 508, above.

- b. Scouting reports and videotapes used for scouting and training purposes:

RETENTION: 0 after no longer needed

- ◆7.[843] **Field trip records**, including but not limited to trip request data; bus driver, staff and chaperone assignments; list of attendees and trip reports:

RETENTION: 6 years after date of most recent entry

- ◆8.[844] **Bus or other vehicle use file**, covering school bus or other vehicle used for transporting persons involved in recreational activities, including but not limited to copies of contracts, certificates of insurance, driver information, daily logs or other reports, and copies of applicable rules and regulations:
RETENTION: 6 years

- ◆9.[845] **Applications for individual acceptance to camp**, or participation in specific recreational programs and activities
 - a. If applicant is accepted or allowed to participate, and a fee is charged:
RETENTION: 6 years after attendance or participation ends

 - b. If applicant is accepted or allowed to participate, and **no** fee is charged:
RETENTION: 3 years after attendance or participation ends

 - c. If applicant is **not** accepted:
RETENTION: 3 years

**MENTAL RETARDATION AND DEVELOPMENTAL
DISABILITIES (M.R.& D.D.) RECREATIONAL PROGRAMS**

- 1.[512] **Master summary record** of participants in M.R. & D.D. recreation program:
RETENTION: 6 years after last entry

- 2.[513] **Case record of participant in M.R. & D.D. recreational program**, including individual registration, medical evaluation, social development evaluation, intake/screening report and discharge evaluation:
RETENTION: 6 years after participation ends, or 3 years after individual attains age 18, whichever is longer

CAMPS

- ◆1.[846] **Facility information data record** containing basic data on camp facilities:
RETENTION: 6 years after facility no longer exists

- ◆2.[847] **Permits and approvals** to operate camp, covering pool, beach, food service and all related permits, including applications and related materials:
RETENTION: 3 years after approval, denial, withdrawal or expiration

- ◆3.[848] **Reports of camp operation and inspection**, including facility safety, health and food service reports:
RETENTION: 21 years

- ◆4.[849] **Routine reports**, including analysis of pool or beach water samples:
RETENTION: 1 year

- ◆5.[850] **Health records for individual camper:**
RETENTION: 6 years, but not less 3 years after than camper attains age 18

- ◆6.[851] **Log or list of illnesses, accidents, injuries** or other health and safety related incidents
 - a. When information is also contained in individual health records files:
RETENTION: 1 year

 - b. When information is **not** contained in individual health records files:
RETENTION: 6 years, but not less than 3 years after youngest person listed in record attains age 18

- ◆7.[852] **Food management records**
 - a. Program participation agreement, including attachments and amendments:
RETENTION: 6 years after termination of agreement

 - b. Other program records, including but not limited to application to participate as a sponsor, individual child participation application records, requisition and approval of requisition for donated commodities, **and** fiscal records such as adding machine tapes, purchase orders, claims and vouchers:
RETENTION: 6 years

 - c. Free and reduced meal policy statement, with attachments and certificate of acceptance:
RETENTION: 3 years after policy superseded

 - d. Meal counts and dietary services studies:
RETENTION: 3 years

 - e. Menus:
RETENTION: 1 year

- ◆8.[853] **Food inspection and investigation records**, including inspection report for preparation or serving area and food sanitation complaint investigation records
 - a. When any significant problem is encountered:
 RETENTION: 21 years
 - b. When **no** significant problem is encountered:
 RETENTION: 3 years

- ◆9.[854] **Scholarship records** including but not limited to applications, recommendations, authorization of awards, financial statements, accounting data, list of scholarships awarded campers, and correspondence:
 RETENTION: 6 years

TAXATION AND ASSESSMENT

VALUATION AND ASSESSMENT

- ◆ 1.[525] **Equalization rate records**
 - a. Certificate of final equalization rate, as determined by New York State Office of Real Property Services:
RETENTION: PERMANENT
 - b. Equalization rate determination records **other than** certificate of final rate, including but not limited to notice of tentative rate, data submitted and reports submitted to State Office of Real Property Services:
RETENTION: 3 years

- ◆ 2.[526] **Copy of tax map**, held by local government which **does not** conduct assessments, where official copy is held by county or municipality:
RETENTION: 0 after no longer needed

ASSESSMENT ROLL/TAX ROLL

- 1.[527] **Working papers or other intermediary records** used in preparation of, or in posting changes to, assessment roll or tax roll, including but not limited to assessor's notes, Record of Taxable Status and automated data file:
RETENTION: 3 years after filing of roll

- ◆ 2.[528] **Assessment and tax rolls** (including records relating to correction of errors on assessment and/or tax rolls)
 - a. Tentative assessment roll:
RETENTION: 5 years after filing
 - b. Final assessment roll:
RETENTION: 10 years after filing
 - c. Non-warrant copy of tax roll, when warrant copy is retained permanently:
RETENTION: 1 year after filing

- d. Abstract of tax roll:
RETENTION: PERMANENT

TAX COLLECTION

- ◆ 1.[529] Tax collection records
 - a. Tax collection data file, returned copy of tax bill, copy of receipt issued taxpayer, collector's daily accounts, receiving office tapes, records of overpayment, rebate or refund, record or notice of payment of post-due taxes, report on tax monies collected, request for extension of time to collect taxes, and similar records:
RETENTION: 6 years
 - b. Tax collection history data, containing summary tax collection history information, created from tax collection data file:
RETENTION: 0 after no longer needed

NOTE: Appraise these records for historical significance prior to disposition. This data may be useful for a number of years for convenience of reference, and may possibly have long-term historical value.
 - c. Documentation of regular updates or corrections made to tax collection data file:
RETENTION: 6 years
- ◆ 2.[530] Statement or list of unpaid taxes or taxes due, or other lists, reports or studies relating to tax collection:
RETENTION: 6 years
- ◆ ◆ 3.[531] Tax escrow account records
 - a. Notification of creation, transfer or termination of escrow account:
RETENTION: 1 year after termination of account
 - b. List of tax escrow accounts:
RETENTION: 1 year after superseded or obsolete

MISCELLANEOUS

◆1.[532] Informational listing or index used in relation to taxation and assessment, including but not limited to lists of property owners, real estate transfers, address changes, exempt properties, filed grievances, tax redemptions, notice of bankruptcy or foreclosure proceeding, and billing addresses:
RETENTION: 1 year after superseded or obsolete

2.[533] Records of apportionment of tax monies

- a. Annual certificate of apportionment sent to municipality or district:
RETENTION: PERMANENT
- b. Apportionment records, except annual certificates:
RETENTION: 6 years

3.[534] Tax search record, including but not limited to record of searches conducted, abstract of search results, correspondence and memoranda:
RETENTION: 6 years

4.[535] Tax levy and tax rate determination records, including computation of constitutional tax margin and statement filed with State Comptroller's Office:
RETENTION: 6 years

◆5.[859] Master summary record of real property transfers within area served by local government:
RETENTION: 0 after no longer needed, but not less than 6 years

NOTE: Appraise these records for historical significance. These records, compiled from real property transfer reports received from the county, may have continuing value for historical or other research. Contact the State Archives for additional advice.

RESOLUTION

Approving the designation of William Gurin, Deputy Corporate Compliance Officer, as the New York City Health and Hospitals Corporation's ("HHC") Records Management Officer ("RMO"), as that term is defined under New York State Education Department regulations found at 8 NYCRR § 185.1[a], to coordinate the development of and oversee HHC's records management program in accordance with the requirements set forth under Article 57-A of the Arts and Cultural Affairs Law and the implementing regulations thereof.

WHEREAS, Mr. Gurin currently holds the functional title of Deputy Corporate Compliance Officer within HHC's Office of Corporate Compliance ("OCC") and is charged with senior executive compliance oversight of HHC's HIPAA Privacy/Security and Records Management Programs, as well as the compliance activities of HHC's South Manhattan Health Network;

WHEREAS, § 57.19 of Article 57-A of the Arts and Cultural Affairs Law (Local Government Records Law), and its implementing regulations found at 8 NYCRR § 185.2[a][1], require the chief executive official of each local government, subject to the approval of the local government's governing body, to designate a RMO who will be responsible for developing and coordinating the local government's records management program;

WHEREAS, HHC, as a public benefit corporation created under the laws of the State of New York, meets the definition of a local government under Arts and Cultural Affairs Law § 57.17[1];

WHEREAS, Wayne A. McNulty, HHC Senior Assistant Vice President/Chief Corporate Compliance Officer ("CCO"), OCC, has selected Mr. Gurin to be designated as HHC's RMO;

WHEREAS, Ramanathan Raju, M.D., HHC President and Chief Executive Officer, concurred with the CCO's selection and subsequently designated Mr. Gurin as HHC's RMO;

WHEREAS, the OCC now respectfully requests that the Audit Committee of the HHC Board of Directors ("Audit Committee") approve Mr. Gurin's designation as HHC's RMO;

WHEREAS, we believe that Mr. Gurin is qualified to carry out the functions of the RMO as set forth under applicable law;

NOW, THEREFORE, be it

RESOLVED, that the Audit Committee hereby approves the designation of William Gurin, Deputy Corporate Compliance Officer, OCC, as HHC's RMO, as that term is defined under the New York State Education Department regulations found at 8 NYCRR § 185.1[a].

EXECUTIVE SUMMARY

Pursuant to Arts and Cultural Affairs Law §§ 57.17[1] and 57.19, and its implementing regulations found at 8 NYCRR § 185.2[a][1], all local government public benefit corporations (“public benefit corporations”), which includes HHC, are required to designate a records management officer (“RMO”) who will be responsible for developing and coordinating the public benefit corporation’s records management program. Section 57.19 of the Arts and Cultural Affairs Law calls for the chief executive official of each public benefit corporation to designate a records management officer, subject to the approval of the public benefit corporation’s governing body.

Wayne A. McNulty, Senior Assistant Vice President and Chief Corporate Compliance Officer (“CCO”), Office of Corporate Compliance (“OCC”), has selected William Gurin, Deputy Corporate Compliance Officer (“DCCO”), OCC, to serve as HHC’s RMO. HHC’s President and Chief Executive Officer Ramanathan Raju, M.D., concurred with Mr. McNulty’s selection and designated Mr. Gurin to serve as HHC’s RMO.

As DCCO, Mr. Gurin currently provides senior executive compliance oversight of HHC’s HIPAA Privacy/Security and Records Management Programs. In this role, Mr. Gurin serves HHC's HIPAA Privacy Officer and Security Officer, which are two distinct functional designations required under federal privacy regulations. Mr. Gurin also oversees and manages the compliance activities in HHC’s South Manhattan Health Network (“SMHN”), which includes Bellevue Hospital Center; Metropolitan Hospital Center; Coler-Carter Specialty Hospital and Nursing Facility (previously Coler-Goldwater); and Gouverneur Healthcare Services.

Prior to Mr. Gurin’s current role, he served as an Executive Compliance Officer (“ECO”), OCC, in the SMHN from February 2012 to June 2014. As an ECO, Mr. Gurin provided oversight of SMHN’s compliance activities, including conducting annual risk assessments; reviewing and responding to potential compliance issues and complaints; ensuring completion of compliance training for affected employees; and reporting SMHN compliance activities to the CCO.

Before joining HHC, Mr. Gurin's past positions included serving as an Assistant District Attorney and Chief of the Economic Crimes and Arson Bureau in the Office of the Kings County District Attorney; Assistant United States Attorney and Deputy Chief of General Crimes Bureau for the United States Attorney’s Office for the Eastern District of New York; Assistant Attorney General in the New York State Office of the Attorney General; and the Fraud Inspector General for the New York State Workers’ Compensation Board.

As a federal and state prosecutor for more than thirty-five years, Mr. Gurin has extensive experience in the investigation and prosecution of healthcare fraud that includes, among other crimes, organized crime cases involving fraudulent healthcare billing, Medicaid and Medicare fraud, and the laundering of stolen healthcare funds. As Fraud Inspector General at the New York State Workers’ Compensation Board, Mr. Gurin was responsible for identifying and

addressing regulatory and administrative violations in addition to directing investigations of providers and claimants engaged in the commission of healthcare fraud.

Mr. Gurin holds a Bachelor of Arts degree in Political Science and Psychology from The City College of The City University of New York, a Master of Arts degree in Political Science from Columbia University School of Arts and Sciences, and a Juris Doctor degree from Brooklyn Law School. He is admitted to practice law before the courts of New York State and the United States District Court for the Eastern and Southern Districts of New York.

Based on Mr. Gurin's qualifications provided hereinabove, he is qualified to carry out the functions of the RMO as set forth under applicable law. With the approval today by Audit Committee of the HHC Board of Directors ("Audit Committee") and the subsequent approval by the HHC Board of Directors on June 26, 2014, Mr. Gurin will be officially designated to serve as HHC's RMO.



cutting through complexity

New York City Health and Hospitals Corporation

Presentation of the 2014 Audit Plan to the Audit Committee

June 12, 2014



Overview of 2014 Audit Plan

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KPMG Engagement Team

Engagement Team

- Maria Tiso- Lead Engagement Partner
- Mike Breen- Engagement Partner
- Sean Egan- MetroPlus /HHC Insurance Company Partner
- Joseph Bukzin- Lead Senior Manager
- Ryan Santonacita- Manager
- Chris Dominianni- Regulatory Reports Senior Manager
- Linda Baharestani- MetroPlus Health Plan Manager
- Kristen Cooper- HHC Insurance Company Manager
- Beatriz Mendoza- Lead Senior Associate

Other Resources

- BCA Watson Rice Staff- Minority Business Enterprise
- Healthcare Management Solutions Staff- Women's Business Enterprise
- Internal audit assistance

Subject Matter Professionals

- Greg Goller- Managing Director Tax
- Devin Duncan- Manager Tax
- Rob Mishler- Senior Manager Actuary
- Peggy Hermann- Director Actuary
- Glennon Moyers- Compliance Partner
- Kirk McNeil- Senior Manager Reimbursement
- Anthony La Rocca- Director IT

Other Partners

- Jim Martell- Healthcare Resource Partner
- Greg Driscoll- Concurring Review Partner
- Renee Bourget-Place- MetroPlus /HHC Insurance Company Concurring Review Partner
- John Hawryluk- Healthcare DPP Liaison
- Mark Jamilkowski- Insurance Resource Managing Director



- Audit and render an opinion on the annual financial statements and issue a management letter for:
 - HHC
 - MetroPlus Health Plan's (calendar year-end)
 - HHC Insurance Company, Inc. (calendar year-end)
 - HHC ACO, Inc. (calendar year-end)

- Audit and issue a certification/attestation on:
 - Diagnostic and Treatment Centers
 - Skilled Nursing Facilities
 - Long-Term Home Health Care Program

A close-up photograph of a stethoscope, showing the chest piece and the tubing, set against a light blue background.

KPMG Deliverables (cont'd)

- NYS bad debt and charity care pool compliance letters.
- Annual Debt Compliance Letter
- 250 hours of Tax advisory services over the contract period
- Provide five full days of continuing professional education (CPE) per year for up to 140 attendees per year

Objective of an Audit



- The objective of an audit of financial statements is to enable the auditor to express an opinion about whether the financial statements that have been prepared by management, with the oversight of the Audit Committee, are presented fairly, in all material respects, in conformity with generally accepted accounting principles (GAAP).
- We plan and perform the audit to provide reasonable, not absolute, assurance that the financial statements taken as a whole are free from material misstatement, whether from error or fraud.
- We design tests of controls to obtain sufficient evidence to support the auditors' control risk assessments for purposes of the audit of the financial statements.

Audit Responsibilities



Responsibilities Under Auditing Standards Generally Accepted in the United States of America

Management is responsible for:

- Adopting sound accounting policies
- Fairly presenting the financial statements in conformity with generally accepted accounting principles (GAAP)
- Establishing and maintaining effective internal control over financial reporting (ICFR), including internal controls to prevent, deter, and detect fraud
- Identifying and confirming that HHC complies with laws and regulations applicable to its activities, and for informing us of any known material violations of such laws and regulations
- Making all financial records and related information available to the auditors
- Providing unrestricted access to personnel within HHC from whom the auditors determine it necessary to obtain audit evidence
- Adjusting the financial statements to correct material misstatements, if any
- Providing the auditors with a letter confirming certain representations made during the audit that includes, but is not limited to, management's:
 - Disclosure of all significant deficiencies, including material weaknesses, in the design or operation of internal controls over financial reporting that could adversely affect HHC's financial reporting
 - Acknowledgement of their responsibility for the design and implementation of programs and controls to prevent, deter, and detect fraud
 - Affirmation that the effects of any uncorrected misstatements aggregated by the auditor are immaterial, both individually and in the aggregate, to the financial statements taken as a whole

Audit Responsibilities (continued)



The Audit Committee is responsible for:

- Oversight of the financial reporting process and oversight of ICFR
- Oversight of the establishment and maintenance of programs and internal controls designed to prevent and detect fraud

Management and the Audit Committee are responsible for:

- Setting the proper tone and creating and maintaining a culture of honesty and high ethical standards

The audit of the financial statements does not relieve management or the Audit Committee of their responsibilities.

KPMG is responsible for:

- Forming and expressing an opinion about whether the financial statements that have been prepared by management, with the oversight of those charged with governance, are prepared, in all material respects, in accordance with the applicable financial reporting framework
- Planning and performing the audit with an attitude of professional skepticism
- Conducting the audit in accordance with professional standards and complying with the Code of Professional Conduct of the American Institute of Certified Public Accountants, and the ethical standards of the New York State CPA society and state board of accountancy
- Evaluating ICFR as a basis for designing audit procedures, but not for the purpose of expressing an opinion on the effectiveness of the entity's ICFR
- Communicating to management and the Audit Committee all required information, including significant matters
- Communicating to management and the Audit Committee in writing all significant deficiencies and material weaknesses in internal control identified in the audit and reporting to management all deficiencies noted during our audit that are of sufficient importance to merit management's attention



Financial Statement Audit Timetable

April – June 2014

- Hold planning meetings with management
- Determine the audit strategy
- Perform analysis of business issues and identification of audit focus areas
- Hold audit team planning meeting
- Review of December 31, 2013 internal financial statements
- Communicate with management regarding IT related procedures
- Test IT General Controls
- Present 2014 Audit Plan to Audit Committee

June – July 2014

- Identify financial statement and assertion level fraud risks
- Perform test of operating effectiveness of controls
- Perform substantive audit procedures relative to interim account balances, including review of patient accounts receivable valuation utilizing computer assisted audit tool
- Review of non-routine transactions through July
- Perform preliminary SAS 99 fraud meetings
- Complete interim testwork at various facilities and at Central Office, which will include testing controls over various processes such as patient accounts receivable, procurement, fixed assets, and treasury.

A blue stethoscope is positioned in the upper right corner of the slide, with its chest piece and tubing visible against a light blue background.

Financial Statement Audit Timetable (cont'd)

August – September 2014

- Final phase of year-end audit to begin July 21, 2014 through September 12, 2014
- Perform substantive audit procedures
- Perform analytical procedures to roll forward interim account balances to year end
- Update SAS 99 fraud meetings
- Financial statement audit closing meetings with management
- Form audit conclusions
- Discuss key issues and deficiencies identified with management (provide draft management letter)
- Attend Audit Committee meeting to review draft financial statements, management letter and perform required communications
- Finalize and issue final financial statements and audit opinion
- Expected issuance of draft management letter

October 2014

- Issue debt covenant compliance letters

November 2014

- Present final management letter to Audit Committee

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Financial Statement Audit Timetable (cont'd)

December 2014

- Complete interim testwork for Metroplus Health Plan audit

February-March 2015

- Final phase of Metroplus Health Plan audit and issuance of financial statements

May-July 2015

- Issue agreed-upon procedures reports on cost resorts of the residential healthcare facilities
- Issue auditor's reports on the corporations compliance with NYS Health Regulations Part 86, bad debt charity and pool audits
- HHC Insurance Company audit and issuance of financial statements
- Issuance of agreed-upon procedures on the cost reports of the long-term home healthcare facility and ambulatory healthcare facilities

Audit Matters



We identify audit matters that could have a material impact on the Corporation's financial statements. We then consider these matters when developing our audit approach and tailor our procedures to address these risks.

Critical Audit Areas

- Valuation of patient accounts receivable
- Valuation of third-party and pools receivables/ liabilities
- Valuation of postemployment benefit obligation other than pension (OPEB)
- Liquidity issues/Going Concern

Other Audit Areas

- Patient accounts receivable (completeness, existence and accuracy)
- Commitments and contingencies
- Fraud or legal consideration
- Related parties

Non-Routine Transactions

- Henry J. Carter opened and operational
- Meaningful Use Incentive
- Accountable Care Organization
- Potential Joint Venture with LIJ for lab

Information Technology Matters

- General information technology environment
- Review and test IT access controls
- Review and test the controls over changes to the IT system
- Verify that the Corporation's detection controls are functioning as intended
- Inform management of any performance improvement observations

Planned Use of Minority Business Enterprise (MBE) / Women's Business Enterprise (WBE) / Internal Audit

KPMG plans to utilize the MBE, WBE and internal audit in the following areas:

	MBE	WBE	Internal Audit
Third party payor liabilities		X	
Site visits	X		X
Grants receivable / Grant revenue	X		
Capital assets	X		
Cash			X
Debt / Deferred financing			X
Accounts payable / OTPS			X

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General Considerations – Fraud Approach (How Risks are Addressed)

Identification of fraud risks

Perform risk assessment procedures to identify fraud risks, both at the financial statement level and at the assertion level

Discuss among the audit team the susceptibility to fraud

Perform fraud inquiries of management, the Audit Committee, and others

Evaluate broad programs/controls that prevent, deter and detect fraud

Response to identified fraud risks

Evaluate design and implementation of antifraud controls

Test effectiveness of antifraud controls

Address revenue recognition and risk of management override of controls

Perform specific substantive audit procedures (incorporate elements of unpredictability)

Evaluate audit evidence

Communicate to management and the Audit Committee



Planned SAS 99 Fraud Interviews

The following SAS 99 fraud interviews will be scheduled for the annual audit ending June 30, 2014:

Emily Youssouf - Audit Committee Chair

Dr. Boufford - Acting Chairman of the Board

Dr. Ramanathan Raju - President and CEO

Marlene Zurack - Senior Vice President, Finance and CFO

Wayne McNulty - Corporate Compliance Officer

Ross Wilson – Senior Vice President, Quality and Corporate Chief Medical Officer

Jay Weinman - Corporate Comptroller

Salvatore Russo - General Counsel

Chris Telano - Chief Internal Auditor and Assistant Vice President

* Others may be identified during the course of the audit

Other Considerations



Liquidity

The Auditor's Responsibility under Statement on Auditing Standards No.59

- The auditor has a responsibility to evaluate whether there is substantial doubt about the entity's ability to continue as a going concern for a reasonable period of time....The auditor's evaluation is based on knowledge of relevant conditions and events that exist at or have occurred prior to the completion of fieldwork.
- The auditor's considerations should be based on knowledge of the entity, its business, and its management, and should include (a) reading of the prospective financial information and the underlying assumptions and (b) comparing prospective financial information in prior periods with actual results and comparing prospective information with the current period results achieved to date.

The following are going concern considerations:

- Net Asset Deficiency as of June 30, 2012, June 30, 2013, and December 31, 2013
- Loss from Operations for the years ending June 30, 2012 and June 30, 2013, and for the six month period ending December 31, 2013
- Positive working capital as of June 30, 2012, June 30, 2013, and December 31, 2013
- Positive operating cash flow as of June 30, 2012, June 30, 2013, and December 31, 2013
- HHC was in compliance with debt covenants as of June 30, 2012, June 30, 2013, and December 31, 2013

A blue stethoscope is positioned at the top of the slide, with its chest piece on the left and the tubing extending towards the right.

Other Considerations (continued)

Liquidity (Continued)

As a component of our audit, KPMG will obtain information about management's plans

- 2015 budgets and cash flow projections
- Written representation from management regarding plans
- Board and Finance committee meeting minutes
- Restructuring reports and findings, if applicable

Additionally, KPMG will review the

- 2014 budget to actual results (reliability of budgeting process)
- Working capital, days in accounts payable and cash flows from operations (liquidity)
- Continued support from the City of New York

A blue stethoscope is positioned at the top of the slide, with its chest piece on the left and the earpieces extending towards the right. The background is a light blue gradient.

New Accounting Pronouncements (continued)

- **GASB Statement 65, *Items Previously Reported as Assets and Liabilities***
 - Effective for June 30, 2014
- **GASB Statement 66, *Technical Corrections – 2012 – an amendment of GASB Statements No. 10 and No. 62***
 - Effective for June 30, 2014
- **GASB Statement 67 and 68, *Accounting and Financial Reporting for Pension Plans – amendments of GASB Statements No. 25 and No. 27 – 67***
 - Effective for June 30, 2014 (No. 67) and June 30, 2015 (No. 68)
- **GASB Statement 69, *Government Combinations and Disposals of Government Operations***
 - Effective for June 30, 2015
- **GASB Statement 70, *Accounting and Financial Reporting for Nonexchange Financial Guarantees***
 - Effective for June 30, 2014



Audit Committee Resources

KPMG's Healthcare & Pharmaceutical Institute

The KPMG Healthcare & Pharmaceutical Institute has been established to provide an open forum for business leaders from across the industry to share perspectives, gain insight, and develop approaches to help balance risks and controls, and improve performance. To learn more about the HPI and become a member, please visit:

www.kpmginstitutes.com/healthcare-life-sciences-institute/

KPMG's Audit Committee Institute

KPMG created the Audit Committee Institute (ACI) to serve as a resource for audit committee members and senior management. ACI's stated mission is to communicate with audit committee members and enhance their awareness, commitment, and ability to implement effective audit committee processes. The following link will take you to ACI website which contains information on upcoming seminars and publications available for download and also to become a member:

www.kpmginstitutes.com/aci/index.aspx

KPMG's Audit Committee Insights

KPMG's Audit Committee Insights is a biweekly e-mail alert that's designed to help audit committee members stay up to date on recent events. ACI editors review hundreds of respected business journals, industry publications, and association web sites to bring the information to your desktop in an easy to read email. You can click the articles that interest you. You can sign up for this e-mail at the following link or when you chose to become a member of the ACI:

<http://www.kpmginsights.com/aci/insights/2012/kpmg-audit-committee-insights-newsletter.aspx>



**AUDIT COMMITTEE OF THE
HHC BOARD OF DIRECTORS**

Corporate Compliance Report

June 12, 2014

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Agenda

I-a. The Revision of Record Management Operating Procedures

1) The Office of Corporate Compliance (“OCC”) has revised HHC Operating Procedure (“OP”) 120-19 (*GUIDELINES FOR CORPORATE RECORD RETENTION AND DISPOSAL*). OP 120-19 includes HHC’s new Records Retention and Disposal Schedule. OP 120-19 will go into effect shortly after the new Records and Retention Schedule has, as required by applicable law, been formally adopted by the Audit Committee of the HHC Board of Directors (the “Audit Committee”) and the HHC Board of Directors.

2) The purpose of OP 120-19 is to establish guidelines for the retention and disposal of corporate records. OP 120-19 applies to all Corporation facilities.

Responsibilities of the Corporate Records Management Officer

3) OP 120-19 outlines the responsibilities of the Corporate Records Management Officer (“Corporate RMO”). The Corporate RMO shall serve as the Corporation’s “records management officer” as that term is defined under New York State Department of Education regulations found at 8 NYCRR § 185.1[a]. The Corporate RMO, who also serves as the Corporation’s HIPAA Privacy and Security Officer, will report directly to the Chief Corporate Compliance Officer. The Corporate RMO shall be responsible for, in pertinent part, the following:

- working with the State Archives and Records Administration and updating the corporate record retention and disposal procedure/schedule;
- recommending to the Commissioner of the Department of Education suitable retention periods for any records not covered by records retention and disposition schedules;
- coordinating the storage and management of inactive records (those records that are no longer needed for the conduct of day-to-day business of the local government);
- coordinating the record retention and disposal procedure/schedule of Central Office;
- serving as liaison to HHC facilities requesting to dispose of patient care records and related materials;
- verifying that all disposal requests have met corporate retention requirements prior to authorizing the disposal of corresponding records;
- sharing facility requests with all relevant Central Office units as appropriate;
- ensuring the transmission of disposal requests to the Office of Legal Affairs if their approval is required prior to record destruction (i.e., patient case/care records; employee/personnel files; records related to grants; records related to litigation, audits, government investigations, and internal investigations; records related to third party contracts; records related to grants); and

- organizing or coordinating a program for the identification, administration and use of records of enduring value.

Appointment of Facility RMOs/Responsibilities of Facility RMOs:

- 4) The Executive Director of each HHC facility is responsible for designating a Facility RMO. Facility RMOs are responsible for the coordination of the facility's record retention and disposal activities.
- 5) All facility RMOs shall have supplemental dotted line reporting responsibilities to the Corporate RMO.

Re-establishment of Records Retention Council

6) OP 120-19 re-establishes the HHC Records Retention Council ("RRC"). Under OP 120-19, the RRC is responsible for assuring that the Corporation's records retention policy is implemented in an efficient and uniform manner throughout the Corporation. The RRC shall: issue rules to enforce and implement this procedure; recommend to the President of the Corporation changes to this policy, as required; review and make recommendations on requests for records storage equipment; participate in the development of, review proposals for, and/or coordinate any micrographics or electronic information systems; submit to the President of the Corporation a report detailing the state of the Corporation's records within 45 days of the end of the fiscal year. The report shall include, but not be limited to, identifying:

- the total number of records stored by the Corporation;
- the current cost and projected cost for storing the records; and
- initiatives taken by the RRC to assure compliance with this procedure.

7) The RRC will also be responsible for performing a periodic assessment of risks regarding the Corporation's record management activities. Such assessment shall occur as part of, and in coordination with, the corporate-wide assessment and identification of risks performed periodically by the OCC.

RRC Meeting Schedule and Membership

8) The RRC shall meet periodically, as needed, but in no event less than once per calendar year. The RRC met on August 6, 2013 and November 8, 2013. The RRC is scheduled to meet on July 18, 2014.

9) The RRC shall be co-chaired by the Senior Vice President/Chief Information Officer ("CIO") and the Senior Assistant Vice President/Chief Corporate Compliance Officer ("CCO") (or their respective designees), and shall include the following additional members: (i) one representative from each of the six HHC Healthcare Networks (the "Networks") to be chosen by the respective Network Senior Vice President; (ii) one representative from HHC Health and

Home Care and MetroPlus to be chosen by their respective Executive Directors; (iii) one representative from Corporate Operations, the Office of Medical and Professional Affairs, Human Resources/Workforce and Development, Division of Finance, and the Office of Legal Affairs to be chosen by the respective corporate officer charged with administrative oversight of these central office divisions; and (iv) the Corporate RMO.

Establishment of an Electronic Discovery Taskforce

10) As part of its responsibilities, the RRC shall establish an Electronic Discovery Taskforce (“e-Discovery TF”), whose members shall be decided by the co-chairs of the RRC and the General Counsel of the Corporation, and may include both RRC and non-RRC members. The e-Discovery TF shall be charged with reviewing and making recommendations regarding the revision and further development of existing record retention practices, policies and procedures, related to the retention, preservation, collection, production, and destruction of electronic records and data (in any form or medium) in the possession, custody, and control of the Corporation or its personnel, that are relevant to the claims or defenses of the Corporation or any other party in existing litigation, as well as future litigation that is threatened or otherwise reasonably anticipated to occur.

Designation of Archival Records

11) The RRC shall also be responsible for determining what Corporation records shall be designated as “archival records.” Archival records are records that the Corporation must keep permanently and include the following:

- records required to meet the fiscal, legal, or administrative needs of the Corporation; and
- records that contain historically significant information.

Report to Audit Committee

12) Within 90 days after the end of each fiscal year, the RRC shall prepare a report to describe what records have been disposed of during the most recent fiscal year. The CCO shall, on behalf of the RRC, disclose the findings of the report to the Audit Committee.

I-b. Topics Covered by OP 120-19

1) In addition to that mentioned above, OP 120-19 covers many important topics including the following:

- (i) *The Preservation of Records Pertaining to Existing and Future Litigation*

- Calls for the suspension of routine record destruction practices with regard to records that are relevant to pending or reasonably anticipated legal actions.
- (ii) *Preservation of Records subject to the False Claims Act*
- Calls for the preservation of fiscal-related records and other corporate records (that may be used as supplemental documentation to support billing claims submitted to government programs) beyond that normally required for such records.
- (iii) *Records created before 1910*
- Prohibits the disposal and/or relinquishment of all Corporation records created before 1910 without the prior written approval of the State Archives.
- (iv) *Electronic records and e-mails*
- Provides that electronic records such as emails must have the same retention period as records found in different formats that are related to the same program function or activity.
- (v) *Patient/Medical Records*
- Establishes a uniform records retention period for general patient medical records.
- (vi) *Records Damaged by Disasters*
- Provides that records damaged by disasters – whether manmade or natural – may be disposed of prior to the end of the retention period found in HHC Records Retention Schedule if such records have been destroyed or pose a health risk.
 - Calls for the prior approval from the Commissioner of the Department of Education before disposing such records.
- (vii) *Storage of Corporation Records at Facilities Maintained by Third Party Vendors*
- Calls for the Approval of Legal Affairs, and in cases of Electronic Records, Corporate Information Services, prior to the storage of HHC records at offsite facilities. Additionally, calls for the approval of the Commissioner of the Department of Education of any third-party contract for the storage of Corporate Records.
- (viii) *The destruction of records that have met HHC's record retention requirements*

- Calls for the destruction of inactive HHC records, including without limitation, confidential and sensitive records, once the required legal period of retention of a given record has been satisfied unless one or more of the following exceptions exist:
 - Further retention is required under this OP or another HHC policy;
 - Further retention is required under applicable law or regulatory guidance;
 - Further retention is required for legitimate business purposes;
 - Further retention is required under a contract, agreement or stipulation to which HHC is a party;
 - Further retention is required as part of a condition for HHC to receive grant funds;
 - Further retention is required as part of a condition of participation in the Medicaid or Medicaid program; or
 - Further retention is required because the records in question have significant historical, clinical, legal, operational, financial, research, employment/labor-related or other special value.
- Highlights that, with regard to inactive confidential and/or sensitive records that have met the record retention schedule requirements, HHC facilities and central office units shall periodically assess and document whether there is a continued need to store such records.

I-c. Adoption of Revised Records Retention and Disposition Schedule and the Approval of the Designation of William Gurin as HHC’s Records Management Officer by the Audit Committee and Board of Directors.

1) As part of the replacement of the existing OP 120-19, the HHC Records Retention and Disposition Schedule (the “Schedule”) has been amended. The Schedule and the items contained therein are adopted and duplicated from the Records Retention and Disposition Schedule MI-1 (1988; rev. 2006) issued by the Commissioner of the New York State Education Department and found at 8 NYCRR § 185.14 (Appendix “K”), except for those items that don’t apply to HHC.

2) The Office of Corporate Compliance (“OCC”) and the Office of Legal Affairs reviewed Schedule MI-1 and have determined that the following categories of records contained therein apply to HHC: *General; Archives/Records Management; Attorney or Counsel; Building and Property Regulation; Disaster Preparedness; Electric Gas Utility; Electronic Data Processing; Energy; Environmental Health; Executive, Manager, and/or Administrator; Fiscal; Human Rights/Economic Opportunity; Insurance; Miscellaneous; Personnel/Civil Service; Public Access to Records; Public Employment and Training; Public Health; Public Property and Equipment; Public Safety; Recreation; and Taxation and Assessment.*

3) The categories of excluded items are as follows: *Community College; Community Development/Urban Renewal; Cooperative Extension Association; Economic/Industrial*

Development; Educational Opportunity Center; Election; Environmental Management; Heritage Area (Urban Cultural Park); Library/Library System; Local Development Corporation; Museum; Off-track Betting; Port Facility; Regional Marketing Authority; Soil and Water Conservation District; Transportation and Engineering; and Youth Services.

Resolution for Board Approval of Record Retention Schedule

4) In accordance with the Arts and Cultural Affairs Law and New York State Education Department regulations, the HHC Board of Directors must formally adopt the Schedule in order for the same to become effective. If adopted by the Audit Committee, the schedule will be presented to the HHC Board of Directors for adoption on June 26, 2014.

Appointment of Records Management Officer

5) Pursuant to the Arts and Cultural Affairs Law, Board approval is also required for the designation of William Gurin, J.D., C.H.C., Deputy Corporate Compliance Officer/HIPAA¹ Privacy & Security Officer, to serve as HHC's Records Management Officer ("RMO"), as that term is defined under New York State Education Department regulations found at 8 NYCRR 185.1[a], to coordinate the development of and oversee HHC's records management program in accordance with applicable law. If Mr. Gurin's designation is approved by the Audit Committee, a subsequent resolution for the approval of the designation of Mr. Gurin as HHC's RMO will be presented to the HHC Board of Directors for adoption on June 26, 2014.

II-a. The Designation/Assignment of an HHC HIPAA Privacy Officer and Security Officer

1) Pursuant to 45 CFR §§ 164.308[a][2] and 164.530[a][1], William Gurin, Deputy Corporate Compliance Officer, OCC, has been designated to serve as HHC's HIPAA Privacy Officer and assigned to serve as HHC's HIPAA Security Officer, respectively.

2) As HHC's Privacy Officer, Mr. Gurin will be responsible for, among other things, the following: (i) developing and implementing HHC's HIPAA privacy policies and procedures; and (ii) receiving privacy complaints.

3) As HHC's HIPAA Security Officer, Mr. Gurin will be responsible for, among other things, the following: (i) the development and implementation of HHC's HIPAA security policies and procedures; (ii) the management and supervision of the use of security measures to protect data; and (iii) the conduct of personnel in relation to the protection of data.

¹ HIPAA stands for the Health Insurance Portability and Accountability Act of 1996

II.-b Privacy Reports

- 1) In April 2014 there was a loss of a parcel mailed via USPS that contained copies of the medical records pertaining to three Jacobi Medical Center patients. Notification letters were sent to each affected patient on May 8, 2014.
- 2) The Audit Committee will be provided with the Privacy Reporting Index (as well as the Compliance Reporting Index) for the 2nd quarter of 2014 (April 1, 2014, to June 30, 2014) when the Audit Committee convenes in September 2014.

III. OCC Staffing Update

- 1) The OCC currently has one vacancy in Central Office. The recruitment process for this vacancy commenced on May 28, 2014.

IV. Monitoring of Excluded Providers

- 1) The OCC has not received or uncovered any reports of excluded providers since the Audit Committee last convened in April of 2014.
- 2) The OCC has procured the services of a Healthcare Provider Sanction Screening Vendor – OIG Compliance Now, LLC (“OIGCN”) through an approved third-party contract with the Greater New York Hospital Association/Premier Program. OIGCN will provide monthly screening of all HHC workforce members and vendors against the following lists:
 - U.S. Department of Health and Human Services Office of the Inspector General List of Excluded Individuals/Entities (LEIE)
 - U.S. Government Services Administration System for Award Management (SAM) List (formerly EPLS)
 - NYS OMIG exclusions list, and all other states with published Medicaid exclusions lists (or equivalent)
 - NYS OPMC Professional Misconduct and Physician Discipline List
 - NYS OMIG List of Terminations
 - State Disciplinary/Disbarment Lists
- 3) The OCC is in the process of finalizing an Operating Procedure that will govern exclusion screening activities across the Corporation. The policy is currently under review by the Office of Legal Affairs’ outside counsel, Katten Muchin Rosenman, LLP. Once completed, the OP will outline:

- the Corporation's screening and monitoring process used to identify and, when appropriate, preclude the hiring or the establishment of business or volunteer relationships with individuals and entities that have been excluded.
- the process by which self-reporting, if necessary, to the proper authority will be performed.

V. Gotham Health FQHC, Inc., and Compliance Oversight

1) As provided during the April 2014 Audit Committee, HHC applied to the Health Resources Services Agency ("HRSA") for the designation of its six (6) Diagnostic and Treatment Centers ("D&TCs") and all of their respective satellite clinics — twenty (20) satellite clinics and thirteen (13) school-based health centers — as a Federally Qualified Community Health Center Look-Alike ("Health Center") pursuant to HRSA's regulations concerning the Public Entity/Co-Applicant governance model. A co-applicant agreement was executed between HHC ("public entity") and the Gotham Health Board (hereinafter referred to as "co-applicant" or "Gotham") in November 2012.

2) With regard to compliance at the Health Center, the Agreement provides that: (i) the Gotham Board of Directors ("BOD"), in conjunction with HHC, shall assure that the Health Center is in compliance with all applicable federal, State, and local laws, regulations and policies; (ii) on at least a bi-annual basis, the Gotham BOD, upon review of periodic reports provided by HHC regarding the Health Center's legal and regulatory compliance program, shall evaluate the Health Center's compliance activities and recommend, as necessary, the revision, restructuring, or updating of the compliance program by HHC; and (iii) the applicable provisions of the HHC compliance program shall be deemed the Health Center's legal and regulatory compliance program.

3) As previously discussed with the Audit Committee, on March 11, 2014, Wayne A. McNulty, CCO, OCC; Dr. Dolores McCray, Chairperson of the Gotham BOD; and Steve Fass, Chief Financial Officer of Gotham, held a Compliance Orientation meeting wherein Mr. McNulty gave an overview of HHC's Corporate Compliance Program and compliance oversight activities. This overview included a summary of compliance activities at the Health Center collaboratively governed by Gotham and HHC.

4) On May 21, 2014, Mr. McNulty met in person with Gotham Chairperson Dr. Dolores McCray; Gotham Board Members Paul Covington and Elissa Mackun (collectively Gotham Board Members"); and Gotham Chief Financial Officer Steve Fass. Gotham Chief Operating Officer Anita Lee joined the meeting by phone.

5) During the Gotham meeting, the participants discussed several topics related to compliance at the Health Center. The Audit Committee will be provided with a copy of the approved minutes of the meeting the next time the Audit Committee convenes in September 2014. The paragraphs that follow provide a summary of the topics discussed during the meeting.

(i) *The revision of certain compliance policies and procedures*

- Mr. McNulty advised the participants that HHC Operating Procedure 50-1 “Corporate Compliance Program” and the HHC Corporate Compliance Plan will be updated to specifically address the activities of the Health Center and the Health Center’s regulatory requirements under 10 NYCRR § 750. He added that the OCC should have mature draft prepared for review by July 2014.
- Mr. McNulty provided the participants with an overview of the Gotham compliance staffing.

(ii) *Gotham FQHC, Inc. Board of Directors Training*

- The OCC will provide the Gotham Board with both live and computerized compliance training regarding Gotham Board’s fiduciary duties as it pertains to compliance oversight and New York’s mandatory compliance program regulations found at 18 NYCRR part 521.
- The Gotham Board discussed seeking separate training with regard to its fiduciary duties unrelated to the Health Center’s compliance activities.

(iii) *Elements of an Effective Compliance Program*

- Mr. McNulty reviewed the 8 elements of a compliance program, as promulgated under 18 NYCRR 521.3, with the meeting participants.

(iv) *Review of the Joint Publication from the OIG and the American Health Lawyers Regarding the Compliance Duties of Health Care Directors*

- Mr. McNulty discussed the American Health Lawyers and Office of the Inspector General joint publication Health Lawyers Public Information series publication entitled “*The Health Care Directors Compliance Duties: A Continued Focus on Attention and Enforcement.*” The participants specifically reviewed the fiduciary responsibilities of board members as outlined in the publication.

(v) *Health Center Compliance and Privacy Reporting Index*

HHC Code of Ethics

- The applicability of the HHC Code of Ethics was discussed with the Gotham Board members.

VI. External Audits – U.S. Department of Health and Human Services (“HHS”) Office of Civil Rights (“OCR”): *Follow Up Report*

1) In April 2014, the OCC advised the Audit Committee that OCR was conducting a review of Metropolitan Hospital Center’s compliance with certain federal civil rights and health information technology laws, including Metropolitan’s policies, procedures, and practices related to: (i) meaningful access to services and programs for limited English proficient (“LEP”) individuals; (ii) equal access to services and programs for individuals with HIV; and (iii) the privacy and security of individuals’ protected health information (“PHI”) and their rights with regard to such information.

2) The OCC, with the assistance from and information provided by Metropolitan executive and senior leadership, as well as senior leadership in Central Office, responded to OCR’s query on April 30, 2014.