

State of Nevada Approved Records Retention and Disposition Schedule

Funeral and Cemeteries Board

Schedule ID # 440000

Version Date: 05/14/2014

This version supersedes all previous versions.

2000035 Inspection Records

Last Reviewed: 05/14/2014

Description: These records document licensing inspections and annual inspections for license renewal of funeral establishments, crematories and cemeteries (see NRS 642.067 and 642.0673). These records include, but are not limited to: (1) funeral establishments: general information on facility, copies of price lists, copy of authorizations and contracts, display room inspection and price lists, preparation room inspection and remarks or recommendations; (2) crematory inspection: general information on facility, equipment information, inspection information, records information, remarks and recommendations; and (3) cemeteries: plot maps, name of deceased, name of preneed purchaser, reserved and available spaces, marker or memorial information, and remarks and recommendations.

Retention: Retain this record series for a period of three (3) calendar years from the date of inspection.

Disposition: Destroy

2000037 License Files - Businesses

Last Reviewed: 05/14/2014

Description: These records document the licensing of funeral establishments, crematories and cemeteries (see NRS chapter 642). The files may contain, but are not limited to: applications, examinations and results, authorization for service forms, copies of licenses, renewals and supportive documentation.

Retention: Retain for a period of three (3) calendar years from the date a license is no longer active.

Disposition: Destroy Securely

The Committee to Approve Schedules for the Retention and Disposition of Official State Records

NRS 239.073 et seq.

Scott Anderson, Chairman

Retention Guidelines

A Records Retention and Disposition Schedule identifies the minimum time period the listed records must be retained in accordance with NRS 239.080, meaning records disposition must not occur before this retention time period expires. When the minimum retention period has been met, the recommended disposition of the records, such as destruction or transfer to the State Archives, may be initiated. You are advised to implement regular, routine disposition procedures and not to "selectively retain" some records longer than others. Certain events called "disposition holds" may occur that will require a stop to the regular destruction, recycling or normal tossing of records.

Disposition Holds include:

Audits.

When an audit of your agency is begun, all destruction of records in your legal custody must cease. During the audit process, records should be made available to the auditors subject to confidentiality laws. Upon the completion and resolution of the audit, the agency may begin to dispose of records in accordance with the approved records retention and disposition schedule.

Investigations.

When you are notified by a regulatory authority, a law enforcement agency, a court of record, the governor, the Legislature or other similar oversight entities that an investigation is being conducted, all records must be preserved until the investigation is over. You should consult with your legal counsel and/or the Attorney General's Office for specific advice.

Litigation.

When an agency receives notification or reasonably anticipates that a lawsuit has been filed against (or in behalf of) them, they should immediately stop the destruction or dumping of records and consult their legal counsel and/or the Attorney General's Office. The agency must comply with Federal Rule of Civil Procedure 26. All records pertaining to the litigation should be identified, separated from other files and protected. All destruction of records pertaining to the lawsuit must be stopped until the legal action has been resolved. When the litigation has been concluded (your legal counsel can advise you of this), all of the records pertaining to the lawsuit must be retained as required by an Agency Specific Records Retention and Disposition Schedule or the General Records Retention and Disposition Schedule. Your legal counsel may advise you not to destroy any records in the legal custody of the agency until after the disposition of the litigation. You should seek the advice of your legal counsel. Records Management staff are also available for consultation on these issues.

Disposition Guidelines

Most records may be disposed of by normal means, such as recycling or deleting. Some record types are identified on retention schedules as "confidential" (See NRS 239.010) or "restricted" (See NRS 239C.090). These records must be destroyed in a secure manner that will prevent reconstruction or retrieval of the information (See NAC 239.722 for details). However, many other records may contain "sensitive" information that has not been declared by law or regulation to be confidential. Some types of "sensitive" information are described in NRS 205.4617 "Unlawful Acts Regarding Personal Identifying Information." NRS chapter 239B "Disclosure of Personal Information to Governmental Agencies" (See especially NRS 239B.030) also describes such records. Since serious consequences may result if these records fell into the wrong hands you are advised to destroy these records in accordance with the guidelines identified in NAC 239.722. If you are in doubt about the sensitivity of certain documents or about an appropriate disposal method, you should contact your legal counsel, the Attorney General's Office, or a records management officer.