

*The Committee to Approve Schedules for the
Retention and Disposition of Official State Records
The “State Records Committee”
Minutes for January 14, 2015*

1: Call to Order, Welcome, Roll Call

- The meeting was called to order at 1:16pm.

Committee Members:

Scott Anderson, Committee Chairman, for Barbara K. Cegavske, Secretary of State - Present

Vacant, Governor’s Appointee

Sarah Bradley, for Adam Laxalt, Nevada Attorney General - Excused

Jeff Kintop, for Daphne DeLeon, Administrator, Nevada State Library and Archives – Present

Maud Naroll, For Julia Teska, Director of the Department of Administration – Present

Jim Earl, for Dave Gustafson, Administrator, Enterprise Information Technology Services – Present

Staff:

Jeff Kintop, Assistant Administrator for Archives and Records, NSLA – Present for Daphne DeLeon

Teri Mark, State Records Manager, NSLA – Present

Cynthia Laframboise, State Archives Manager, NSLA – Present

Sara Martel, Senior Records Analyst, NSLA – Present

Gerald Lindsay, Senior Records Analyst, NSLA – Present

Michelle Byrne, Administrative Assistant, NSLA – Present

Guests Present:

Nicholas Wilhelm, Department of Taxation

Kimbra Andrews, Department of Transportation

Jeff Landerfelt, Secretary of State’s Office

Shelley Blotter, Division of Human Resource Management

Michelle Garton, Division of Human Resource Management

2: PUBLIC COMMENT

Comment may be limited to 5 minutes at the discretion of the Chairman.

- There was no public comment.

3: REVIEW AND APPROVE THE MINUTES FOR OCTOBER 8, 2014

- The minutes for the October 8, 2014 meeting were approved with the following amendments: In Item one, the word *minutes* was missing. On page two, the RDA number *20060596* was incorrect; it should have been listed as *2006059*. The last item to be amended was that *Gaming Control Board* should be spelled out, not written as *GCB* as listed under future agenda items. The motion was made by Maud Naroll, second by Jim Earl, and it was a unanimous vote.

4: FOR POSSIBLE ACTION

Division of Health and Human Services, Aging and Disability Services

A.	2006212	Patient Medical Records (Adult)	Modify
B.	2015001	Patient Medical Records (Youth)	New

Recommended Modifications:

A: Title: Patient Medical Records (Adult) **RDA: 2006212**

NSLA staff recommendation:

The retention period meets the agency’s administrative and legal needs.

Agency review:

The appraisal by NSLA is supported by the DHHS Records Official.

Justification for modifying RDA 2006212:

The current retention has two events and two retention periods. Separating the adult and youth schedules will provide for more accurate retention of the records.

B: Title: Patient Medical Records (Youth) **RDA: 2015001**

NSLA staff recommendation:

The retention period meets the agency’s administrative and legal needs.

Agency review:

The appraisal by NSLA is supported by the DHHS Records Official.

Justification for new RDA 2015001:

To ensure accurate retention of the records, youth records were separated from adult records.

Discussion and Votes:

- This item was taken third. This item was approved with the amendment of *the date of last services* added into the Authorized Retention of RDA 2006212, replacing *the date of receipt or production of the record*. The motion was made by Maud Naroll, was second by Jeff Kintop and the vote was unanimous.

5: FOR POSSIBLE ACTION

Department of Taxation, Audit Division

A.	2014217	Tax Administrative Records	No Action
B.	2015002	Business Registration/Permit Files	New

Recommended New RDA:

B: Title: Business Registration/Permit Files

RDA: 2015002

Recommended Disposition:

Destroy Securely.

NSLA staff recommendation:

The retention period meets the agency's administrative and legal needs.

Agency review:

The appraisal by NSLA is supported by the TAX Records Official.

Justification for new RDA 2015002:

These records contain administrative, legal and fiscal value.

Legal value is due to the rights and obligations of the businesses and the Dept. of Taxation – State Tax Commission (see NRS 372.397, 374.402 and 360.4193). The eight year period of time is based upon the legal rights and obligations businesses have. They have five (5) years to comply with the deferred tax plan (see NRS 372.397, 374.402 and 360.4193) and Taxation has an additional three (3) years to assess any other tax after that initial five year period (see NRS 360.4193).

These records contain confidential information protected by NRS 360.255 as well as NRS 239B.030.

10/08/2014: The Committee requested that the retention statement be revised to make the retention subject to accounts that were closed.

12/3/2014: Per Nicholas Wilhelm, the information described in 2014217 is a database. RDA 2015002 pertains to the application information while RDA 2012023 (provided below for reference) pertains to Tax Returns.

The following RDA is provided for reference only:

RDA 2012023 Tax Returns

These records document the actual tax returns of sales and use tax, consumer tax and modified business tax reported to the Department (See NRS chapter 372 and NAC chapter 372 and for business tax NRS chapters 363A and 363B, and NAC chapters 363A and 363B). The files may include but are not limited to: Sales and Use Tax returns; Consumer Use Tax returns; Modified Business Tax returns; delinquent returns including amnesty files; related correspondence.

Authorized Retention:

Retain these records for a period of fourteen (14) calendar years from the end of the tax reporting year to which they pertain.

Recommended Disposition:

Destroy Securely

Discussion and Votes:

- This item was taken first. No action was needed on 2014217. This RDA was brought back from the October 2014 meeting, where it was tabled. These records are actually part of a data base, and therefore will not need a retention schedule. This item was presented as a new RDA and was never approved. RDA 2015002 was presented and there was no discussion. This item was approved as presented, with a motion made by Maud Naroll and a second by Jeff Kintop. The vote was unanimous.

6: FOR POSSIBLE ACTION

Human Resource Management, Employee Management Services

- | | | | |
|----|---------|--------------------------------------|-------|
| A. | 2004039 | Appeals and Audio Recordings | Amend |
| B. | 2004037 | Appeals Files (Disciplinary Actions) | Amend |

Recommended Modifications:

A: Title: Appeals and Audio Recordings

RDA: 2004039

NSLA staff recommendation:

The retention period meets the agency's administrative and legal needs.

Agency review:

The appraisal by NSLA is supported by the DHRM Records Official.

Justification for modifying RDA 2004039:

Human Resource Management has contracted with the Hearings and Appeals Division to conduct the majority of their hearings. Custody of the records will transfer to the Hearings and Appeals Division. Human Resource Management currently has an active contract to conduct a portion of the hearings with a vendor other than the Hearings and Appeals Division. As such, not all the records will transfer until the contract expires in approximately 1 ½ years. Human Resource Management has requested the retention of this record mirror the retention and disposition of the Hearings and Appeals Division.

B: Title: Appeals Files (Disciplinary Actions)

RDA: 2004037

NSLA staff recommendation:

The retention period meets the agency's administrative and legal needs.

Agency review:

The appraisal by NSLA is supported by the DHRM Records Official.

Justification for modifying RDA 2004037:

Human Resource Management has contracted with the Hearings and Appeals Division to conduct the majority of their hearings. Custody of the records will transfer to the Hearings and Appeals Division. Human Resource Management currently has an active contract to conduct a portion of the hearings with a vendor other than the Hearings and Appeals Division. As such, not all the records will transfer until the contract expires in approximately 1 ½ years. Human Resource

Management has requested the retention of this record mirror the retention and disposition of the Hearings and Appeals Division. CFR 1602.31 authorizes 2 years.

Discussion and Votes:

- This item was taken second. The committee would like the word *and* removed from the title of RDA 2004039. The item was approved as amended. The motion was made by Maud Naroll and the second was made by Jeff Kintop. The vote was unanimous.

7: FOR POSSIBLE ACTION

General Records Retention and Disposition Schedule

A. 2015003 Calendars New

Recommended New RDA:

A: Title: Calendars

RDA: 2015003

NSLA staff recommendation:

The retention period meets administrative needs.

Agency review:

The appraisal by NSLA is supported by the Archives Manager.

Justification for new RDA 2015003:

These records contain administrative value.

Discussion and Votes:

- This item was taken fourth. This item was tabled and will be brought back. Staff will research other states' retention schedules, as well as other agencies in Nevada, and the justifications of the states without this retention schedule.

8: NAC Updates:

[R118-12](#); [R107-13](#)

- Both items have been approved.

9: BDR Update:

33-318

- There is a BDR to change the name of Nevada State Library and Archives to Nevada State Library, Archives and Public Records.

10: Nevada Department of Transportation Update

- Kimbra Andrews introduced herself as the new Records Manager for NDOT. She made the recommendation to have the Committee members names added to the agenda.

11: FOR POSSIBLE ACTION

- **Discuss future agenda items:** Department of Education; Attorney General's Office: Nevada Council for the Prevention of Domestic Violence; Department of Corrections; Department of Health and Human Services: Marijuana Health Registry; Department of Transportation; Calendars.

12: Informational Items

- Board room is reserved for all of 2015

13: PUBLIC COMMENT

Comment may be limited to 5 minutes at the discretion of the Chairman.

- Chairman Scott Anderson announced he was promoted to Chief Deputy and that Jeff Landerfelt would be replacing him as Chairman.

14: FOR POSSIBLE ACTION

Confirm time of next meeting.

- Next meeting scheduled for March 11, 2015 at 1:15pm

15: Adjourn

- The meeting was adjourned at 2:33 pm, with the motion made by Maud Naroll. The vote was unanimous.