



**STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
NEVADA STATE LIBRARY, ARCHIVES and PUBLIC RECORDS
100 N. Stewart Street
Carson City, Nevada 89701
(775) 684-3411 * Fax (775) 684-3426 * TDD (775) 687-8338**

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

Meeting Notice

DATE: August 8, 2018
TIME: 1:15 p.m.
LOCATION: Nevada State Library and Archives Building
Board Room
100 North Stewart Street
Carson City, Nevada 89701

Notice: The Committee to Approve Schedules for the Retention and Disposition of Official State Records may address items out of sequence. The Committee may combine two or more agenda items for consideration, and the Committee may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. As used herein and during the meeting, the term "RDA" means "Records Disposition Authorization" which is the control number given to an official action on retention and/or disposition made by the Committee.

Agenda

- 1. Call to Order, Welcome, Roll Call**
- 2. Public Comment**
Comment may be limited to 5 minutes at the discretion of the Chairman. No action may be taken upon a matter raised during public comment until the matter has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020).
- 3. Review, correct, if necessary, and approve the minutes from the July 11, 2018 meeting.**
[Attachment A](#) (For possible action)
- 4. Proposed New RDAs for Agency Specific Records Retention Schedules.** [Attachment B](#) (For possible action)
- 5. Proposed Modification RDAs for Agency Specific Records Retention Schedules.**
[Attachment C](#) (For possible action)
- 6. Proposed Deletion RDAs for Agency Specific Records Retention Schedules.** [Attachment D](#) (For possible action)

7. **Proposed New, Modification, and Deletion of RDAs for General Records Retention Schedule. [Attachment E](#)** (For possible action)
8. **Discussion on a creation of new series for the offload of employee email** (Discussion Only)
9. **Report from the Nevada Department of Transportation** (Discussion Only)
10. **Discuss future agenda items** (Discussion Only)
 - Department of Human Resource Management
 - State Fire Marshal
 - Board of Medical Examiners
 - Health and Human Services: Child and Family Services
 - Department of Agriculture
11. **Public Comment**

Comment may be limited to 5 minutes at the discretion of the Chairman. No action may be taken upon a matter raised during public comment until the matter has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
12. **Confirm time of next meeting**

Next meeting scheduled for September 12, 2018 (For possible action)
13. **Adjourn** (For possible action)

General Information

Members of the public who are disabled or who may require special accommodations at the meeting are requested to notify State Records in writing at 100 N. Stewart Street, Carson City, NV 89701 or by calling (775) 684-3411 or by email adan.aguilera@admin.nv.gov prior to the meeting date.

A complete copy of the information submitted to the Committee for this "Agenda and Meeting Notice" is available by contacting the State Records at (775) 684-3411. This agenda, the Committee Packet and all other supplemental material made available to each Committee member will also be made available to the public on the website of the Department of Administration, Nevada State Library, Archives and Public Records prior to the meeting date and may be found at: www.nsla.nv.gov (under Records Management, State Records Committee).

The material is also available by contacting Adan Aguilera at 100 North Stewart St. Carson City, NV 89701 (775) 684-3423 adan.aguilera@admin.nv.gov

This agenda has been posted at the following locations:

Nevada State Library, Archives and Public Records
100 North Stewart Street
Carson City, NV 89701

The Nevada Legislature
401 S. Carson St.
Carson City, NV 89701

Washoe County Library
301 South Center Street
Reno, NV 89505

The Las Vegas/Clark County Library District
7060 Windmill Ln
Las Vegas, NV 89113

NSLAPR website: www.nsla.nv.gov

As required by [NRS 232.2175](#): <https://notice.nv.gov/> Under the Department of Administration, State Records Committee.

Attachment A
Meeting Minutes for Approval

*The Committee to Approve Schedules for the
Retention and Disposition of Official State Records
The “State Records Committee”
Minutes for July 11th, 2018*

1: Call to Order, Welcome, Roll Call

- The meeting was called to order at 1:24 pm. The meeting was held at the Nevada State Library and Archives Board Room, at 100 N. Stewart St, Carson City, NV.

Committee Members:

Kimberley Perondi, for Barbara K. Cegavske, Secretary of State - Present

Kathryn Etcheverria, Governors Appointee - Present

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

Jeff Kintop, Administrator, Nevada State Library, Archives and Public Records – Present

Maureen Martinez, For Patrick Cates, Director of the Department of Administration – Absent

Alisanne Maffei, for Shannon Rhaming, Administrator, Enterprise Information Technology Services – Present

Staff:

Sara Martel, State Records Manager, NSLAPR – Present

Bobbie Church, Senior Records Analyst, NSLAPR – Present

Adan Aguilera, Administrative Assistant II, NSLAPR – Present

Jerry Lindsay, Senior Records Analyst, NSLAPR - Present

Tiffani Prentice, Department of Transportation – Absent

Guests Present:

Bill Bernard – Department of Motor Vehicles - Present

Landrin Long – Department of Motor Vehicles – Present

Angela Smith-Lamb – Department of Motor Vehicles – Present

Colleen Lennox – Western Interstate Commission for Higher Education - Present

2: Public Comment

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

There was no public comment.

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Meeting Minutes for Approval

3: Review and Approve the Minutes for May 9, 2018(Attachment A)

Discussion and Vote:

The minutes were approved as presented. The motion was made by Kathryn Etcheverria and the second was by Alisanne Maffei. The vote was unanimous.

4: Attachment B. Proposed New RDA's for Agency Specific Records Retention Schedules

1. Office of the Governor: Agency for Nuclear Projects

A. Title: *Transportation Reports*

RDA: *2018006*

Description:

This record series documents the transportation of spent nuclear fuel and high-level nuclear waste across the United States to a proposed repository at Yucca Mountain and/or to an interim storage site either in Nevada or elsewhere in the country, and any socioeconomic aspects of the siting of a spent nuclear fuel and high-level nuclear waste repository at Yucca Mountain. The record may include but is not limited to: the files, reports, memos, presentations, contractor files, correspondence, maps, photos, drawings, minutes of meetings, and similar documents.

Authorized Retention:

Retain these records for fifteen (15) calendar years from the end of the calendar year in which the report is dated.

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, legal, and archival needs.

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for New RDA 2018006:

A current schedule does not exist for this record series. The agency has need of the files for 10 years for the licensing process, and an additional 5 years for administrative purposes. The agency has no need for them after that time, and by moving them to the Archives after 15 years, the records will be preserved. If needed for review they can be accessed from the State Archives.

2. Business and Industry: Industrial Development Revenue Bond Program

A. Title: *Charter School Bond Project Files*

RDA: *2018018*

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Description:

These records document the Charter School Bond Project. The files may include but are not limited to: application with associated records, bond documents, general state certificate, indemnity agreement, notice of redemption with associated documentation, public hearing documents, financial feasibility documentation, environmental policy statement, related correspondence.

Authorized Retention:

Retain for six (6) calendar years from the end of the calendar year of the redemption of the bonds or bond termination.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Department of Business and Industry: Industrial Development Revenue Bond Program, Records Officer.

Justification for New RDA 2018018:

This record series has administrative, fiscal and legal value. Legal value is due to the rights and obligations associated with the contracts and bonds. Fiscal value is associated with the bonds which fund the loan. (NRS 388A.670-695) The loan is usually for a 30-year period, after which the Statute of Limitations for an instrument in writing found in NRS 11.190 (1)(b) places another six-year period where the records may be needed. (NRS 386.630 – 649)

Discussion and Vote:

The proposals in attachment B were approved as presented. The motion was made by Alisanne Maffei and the second was by Kathryn Etcheverria. The vote was unanimous.

5: Attachment C. Proposed Modification RDA's for Agency Specific Records Retention Schedules

1. Office of the Governor: Agency for Nuclear Projects

A. Title: Agency for Nuclear Projects Legal Files

RDA: 2006155

Description:

This record series is used by the agency in keeping track of court cases, pending legal action, or any other legal matter relating to the functions and activities of the Agency for Nuclear Projects and the Commission on Nuclear Projects (See NRS 459.009 to 459.0098 and NAC 459.960 to 459.969). The record series may include: correspondence, ~~copies of~~ court documents, notes, transmittals, memos and similar types of documentation. Note: These are not Attorney General, agency legal counsel, or actual court records although to some extent, they may duplicate these records.

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Authorized Retention:

Retain ~~these records for a period of fifteen (15) twenty (20)~~ calendar years from the *end of the calendar year in which the case was closed.* ~~close of the case.~~

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, legal, and archival needs.

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for Modification of RDA 2006155:

The agency has need of the files for 10 years for the licensing process, and an additional 5 years for administrative purposes. The agency has no need for them after that time, and by moving them to the Archives after 15 years, the records will be preserved in a climate-controlled environment. This will keep all the relevant documents in one place if needed for review they can be accessed from the State Archives. The State Archives Manager agrees with this change in retention period.

B. Title: *Department of Energy* (DOE) Files

RDA: 2001010

Description:

This record series documents the communications and actions of the Agency for Nuclear Projects with the federal Department of Energy (*DOE*). The files may contain: ~~original and copies of~~ correspondence, requests for site visits to the Nevada Test Site, DOE bulletins and announcements, DOE technical reports and similar documents.

Authorized Retention:

Retain ~~these records for a period of fifteen (15) twenty (20)~~ calendar years *from the end of the calendar year in which the document is dated.*

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, legal, and archival needs.

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for Modification of RDA 2001010:

The agency has need of the files for 10 years for the licensing process, and an additional 5 years for administrative purposes. The agency has no need for them after that time, and by moving them to the Archives after 15 years, the records will be preserved in a climate-controlled environment. If

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needed for review they can be accessed from the State Archives. Note: these Nevada agency records not federal records. The State Archives Manager agrees with this change in retention period.

C. Title: *Nuclear Regulatory Commission (NRC) Files*

RDA: 2001011

Description:

This record series documents the communications and actions of the Agency for Nuclear Projects with the Federal Nuclear Regulatory Commission (NRC). The files may contain: ~~original and copies of~~ correspondence, bulletins and announcements, site visit reports (Yucca Mountain & *the Nevada Test Site (NTS)*), rulemaking issues, ~~copies of~~ minutes of meetings, technical reports & studies and similar documents.

Authorized Retention:

Retain ~~these records for a period of~~ *fifteen (15)* ~~twenty (20)~~ calendar years *from the end of the calendar year in which the document is dated.*

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, legal, and archival needs.

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for Modification of RDA 2001011:

The agency has need of the files for 10 years for the licensing process, and an additional 5 years for administrative purposes. The agency has no need for them after that time, and by moving them to the Archives after 15 years, the records will be preserved in a climate-controlled environment. If needed for review they can be accessed from the State Archives. Note: these Nevada agency records not federal records. The State Archives Manager agrees with this change in retention period.

D. Title: Technical Division Files

RDA: 2001012

Description:

This record series documents the activities of the staff of the Technical Division of the Agency. The files may consist of: *Request for Proposal (RFP's)*, contractor files, correspondence, ~~(with contractors, NRC, DOE, local governments, etc.),~~ copies of technical reports, copies of news articles, maps, photos, drawings, blueprints, ~~copies of~~ minutes of meetings and similar documents.

Authorized Retention:

Retain ~~these records for a period of~~ fifteen (15) ~~twenty (20)~~ calendar years *from the end of the calendar year in which the document is dated.*

Recommended Disposition:

Permanent: Transfer to State Archives

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NSLAPR staff recommendation:

The retention period meets administrative, legal, and archival needs.

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for Modification of RDA 2001012:

The agency has need of the files for 10 years for the licensing process, and an additional 5 years for administrative purposes. The agency has no need for them after that time, and by moving them to the Archives after 15 years, the records will be preserved in a climate-controlled environment. If needed for review they can be accessed from the State Archives. The State Archives Manager agrees with this change in retention period.

E. Title: Technical Reports

RDA: 2001009

Description:

This record series documents the technical reports produced for or by the Agency for Nuclear Projects. The files consist of reports funded and supported by the Agency.

Authorized Retention:

Retain ~~these records for a period of fifteen (15) twenty (20)~~ calendar years *from the end of the calendar year in which the report is dated.*

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, legal, and archival needs.

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for Modification of RDA 2001009:

The agency has need of the files for 10 years for the licensing process, and an additional 5 years for administrative purposes. The agency has no need for them after that time, and by moving them to the Archives after 15 years, the records will be preserved in a climate-controlled environment. If needed for review they can be accessed from the State Archives. The State Archives Manager agrees with this change in retention period.

2. Business and Industry: Industrial Development Revenue Bond Program

A. Title: ~~Industrial Development Revenue Bond (IDRB) Program: Applications Denied, Incomplete or Withdrawn~~

RDA: 2012019

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Description:

These records document applications that were denied, incomplete or withdrawn by the Industrial Development Revenue Bond Program (See NRS 349.400 to 349.670) *and Volume Cap Bond (NRS 232.520 NAC348A.150-300)*. The files may include but are not limited to: application with associated records; financial feasibility documentation; determination records; hearing documentation and; related correspondence.

Authorized Retention:

Retain ~~denied records for a period of three (3) calendar years from the~~ *end of the calendar year in which the application was denied, deemed incomplete or withdrawn.* ~~date of denial. Retain incomplete and withdrawn records for a period of one (1) calendar year from the date of the application.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Department of Business and Industry: Industrial Development Revenue Bond Program, Records Officer.

Justification for Modification of RDA 2012019:

The title has been changed to encompass the addition of the Volume Cap Bond which was previously not listed in this RDA. Removing the second retention period triggering event agency staff has indicated that their administrative process would be better served to have a three-year retention for all the applications that are in this RDA. Changing “date of denial” to “end of the calendar year in which the application was denied, deemed incomplete or withdrawn.” in the retention statement makes a more defined and accurate trigger event.

B. Title: ~~Industrial Development Revenue Bond (IDRB)~~ Project Files

RDA: 2000001

Description:

These records document the Industrial Development Revenue Bond Program (See NRS 349.400 to 349.670) *and Volume Cap Bond (NRS 232.520 NAC348A.150-300)*. The files may include but are not limited to: application with associated records,; bond documents,; general state certificate, indemnity agreement, etc,; notice of redemption with associated documentation,; public hearing documents,; financial feasibility documentation,; environmental policy statement,; related correspondence.

Authorized Retention:

Retain ~~these records for a period of six (6) calendar years~~ *from the end of the calendar year of the redemption of the bonds or closure of the case. in which bonds were redeemed or the bond was terminated.*

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Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, and legal needs.

Agency review:

The appraisal is supported by the Department of Business and Industry: Industrial Development Revenue Bond Program, Records Officer.

Justification for Modification of RDA 2000001:

The title has been changed to encompass the addition of the Volume Cap Bond which was previously not listed in this RDA. The addition of “from the end of the calendar year” in the retention statement makes a more defined and accurate trigger event.

3. Western Interstate Commission for Higher Education

A. Title: Applicant Files - *Unfunded*

RDA: 1988002

Description:

This record series is used to document the processing of applying for student loans, including all documents pertaining to certification and alternate files. ~~Those certified have their documents transferred to the recipient files.~~ The series may include but is not limited to: applications with associated documentation; investigative and determination records; related correspondence.

Authorized Retention:

Retain for a period of five (5) ~~calendar~~ *fiscal years from the end of the fiscal year* in which *the application was denied, withdrawn or incomplete.* ~~after the date of the application.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, and legal needs.

Agency review:

The appraisal is supported by the Western Interstate Commission for Higher Education, Records Officer.

Justification for Modification of RDA 1988002:

Changing “calendar” to “fiscal” in the retention statement accurately reflects the annual schedule associated with these records. The phrase “after the date of the application” is being changed to “from the end of the fiscal year of the funding determination letter was denied, withdrawn or incomplete” to provide a more defined trigger event. Funded applications are covered under RDA 1998038 “Recipient Files” which have a retention of 20 fiscal years.

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B. Title: Recipient Files

RDA: 1998038

Description:

This record series is used to document ~~and control~~ student loans in accordance to NRS Chapter 397. The files may include but are not limited to: contact ~~and personal identifying information;~~ application with associated records; loan documentation ~~including accounting records;~~ promissory notes; academic progress reports including copies of transcripts of grades; related correspondence.

Authorized Retention:

Retain ~~these records for a period of twenty (20) fiscal calendar~~ years after the *contract satisfaction*. ~~promissory note is paid in full or written off by Commission action.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Western Interstate Commission for Higher Education, Records Officer.

Justification for Modification of RDA 1998038:

Changing “calendar” to “fiscal” in the retention statement accurately reflects the annual schedule associated with these records. The phrase “promissory note is paid in full or written off by Commission action” is being changed to “contract satisfaction” to provide a more defined trigger event.

C. Title: ~~Student Loan Program Files:~~ Statistical Reports

RDA: 1998043

Description:

This record series is composed of statistical reports for the Student Loan Program. The files may contain but are not limited to: Current Loans Report; Delinquent Loans Report; related correspondence.

Authorized Retention:

Retain these records for a period of *twenty (20)* ~~three (3)~~ fiscal years from the ~~end of the fiscal year~~ *in to which it pertains the report was finalized.*

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, legal, and archival needs.

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Agency review:

The appraisal is supported by the Western Interstate Commission for Higher Education, Records Officer.

Justification for Modification of RDA 1998043:

Changing “to which they pertain” to “in which the report was finalized” in the retention statement makes a more defined and accurate trigger event. The Agency is requesting a much longer retention (20 years) of statistical reports for the Student Loan Program. They are requesting the longer retention due to the nature of statistical reports and their usefulness over time. A report with more data points is more accurate and useful than a report with only a few data points. Access to a longer continuum of reports could be valuable when compared to new statistical reports making long term trends easier to evaluate and increase accuracy. These reports do not take up much space and anticipate this will not cause undue storage burden. The Archives Manager agrees with this request.

4. Business and Industry: Athletic Commission

A. Title: Licensee (including Unarmed Combatants)/~~Promoter Files:~~ **RDA:** 2017031
Famous/Celebrated/Historically Significant

Description:

These records document and regulate issuance of licenses to Famous/Celebrated/ Historically Significant licensees ~~and promoters~~. Licensee ~~and promoter files~~ are considered Famous/Celebrated/ Historically Significant if: the licensee attained contemporary public notoriety or celebrity status; the licensee received significant media coverage; the licensee was generally viewed by the community as important or significant, or the licensee was the subject of a well-known book or feature film. The file may contain but is not limited to: application and related documentation, financial statements, fingerprint cards; articles of incorporation, surety bonds, ~~copy of~~ master medical insurance policy, licensee application, ~~copies of~~ contracts between contestants and managers, and; related correspondence.

Authorized Retention:

Retain for ten (10) calendar years from the expiration of the last license.

Recommended Disposition:

Permanent: Transfer to State Archives

Agency review:

The appraisal is supported by the Department of Business and Industry, Athletic Commission Division Records Officer.

NSLAPR staff recommendation:

The retention meets administrative and archival needs.

Justification for Modification of RDA 2017031:

Remove the term “promoter” from the title and description. Promoter records are already covered under RDA 1989118 “Promoter Licensee Files” both series have the same retention and disposition.

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This will solve the redundancy issue discussed when it was originally presented in the August 9, 2017 meeting.

Discussion and Vote:

The proposals in Attachment C were approved as presented. The motion was made by Kathryn Etcheverria and the second was by Sarah Bradley. The vote was unanimous.

6: Attachment D. Proposed Deletion RDA's for Agency Specific Records Retention Schedules

1. Office of the Governor: Agency for Nuclear Projects

A. Title: ~~Executive Director Files~~

RDA: 2001013

Description:

~~This record series documents the actions, decisions and program administration of the executive director of the Agency for Nuclear Projects. The files may contain: correspondence, announcements, memos, reports, goals and objectives, plans and similar records.~~

Authorized Retention:

~~Retain this record series for a period of twenty five (25) calendar years.~~

Recommended Disposition:

~~Permanent: Transfer to State Archives~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for Deletion of RDA 2001013:

The agency will follow the retention as required on the General Schedule (RDA 2010034 Administrative: Correspondence Files Official) which is four calendar years from the end of the calendar year in which the response was completed.

B. Title: ~~Faxes~~

RDA: 2001015

Description:

~~This record series is used to document information faxed from the Agency. The files consist of: fax cover sheet with copies of the documents attached.~~

Authorized Retention:

~~Retain for a period of one (1) calendar month.~~

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Recommended Disposition:

~~Destroy~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for Deletion of RDA 2001015:

Any records that are received via fax are retained as part of the appropriate series on another retention schedule i.e. General Schedule RDA 2010033, 2010034 and 2009023 correspondence files.

C. Title: ~~Newspaper Clipping File: Agency for Nuclear Projects~~

RDA: 2001014

Description:

~~This record series is used to collect information related to the functions and activities of the office. The files may include: maps, newspaper clippings, magazine articles, brochures, pamphlets, and similar material.~~

Authorized Retention:

~~Retain for a period of one (1) calendar year.~~

Recommended Disposition:

~~Destroy~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Agency for Nuclear Projects, Records Officer.

Justification for Deletion of RDA 2001014:

These records are no longer produced by the agency and all previous records have been destroyed per retention.

2. Business and Industry: Industrial Development Revenue Bond Program

A. Title: ~~Industrial Development Revenue Bond (IDRB) Program Tracking System~~ **RDA:** 2012021

Description:

~~This is the electronic information system used to monitor the Industrial Development Revenue Bond Program (See NRS 349.400 to 349.670). The files may include, but are not limited to: bond project information such as name, project description, project type and status; scanned official transcripts; bond documentation; volume cap information and; related correspondence.~~

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Authorized Retention:

~~Retain these records until the bond has been redeemed or otherwise closed and then purge it from the system.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Department of Business and Industry: Industrial Development Revenue Bond Program, Records Officer.

Justification for Deletion of RDA 2012021:

This is not a record series it is a database tracking system and as such is a non record. Staff recommends removing it from the retention schedule. The official records for this series are covered in RDA 2000001 Industrial Development Revenue Bond (IDRB) Project Files.

3. Western Interstate Commission for Higher Education

A. Title: ~~Professional Student Exchange Program (PSEP)~~

RDA: 1998040

Description:

~~This record series documents the Professional Student Exchange Program (PSEP). The files may contain, but are not limited to: (a) Brochures, pamphlets, informational reports on these programs; and (b) Correspondence and notes concerning yearly programs, yearly program plans, and associated records.~~

Authorized Retention:

~~Retain the records listed under (a) for as long as administratively useful and records listed under (b) for a period of five (5) calendar years from the end of the calendar year to which they pertain.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Western Interstate Commission for Higher Education, Records Officer.

Justification for Deletion of RDA 1998040:

The items such as brochures, pamphlets, program information, and informational reports on these programs are non-records.

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B. Title: Professional Student Exchange Program (PSEP) Certification Files

RDA: 1988003

Description:

~~This record series documents the applications qualifying for certification within the PSEP. The files may contain, but are not limited to: Application material; Certification records and reports; Procedural material; Related correspondence.~~

Authorized Retention:

~~Retain for a period of five (5) calendar years after the date of application.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Western Interstate Commission for Higher Education, Records Officer.

Justification for Deletion of RDA 1988003:

The records in this series are covered under RDA 1988002 “Applicant Files” if not funded and RDA 1998038 “Recipient Files” that has a 20-year retention.

C. Title: Student Loan Program Files

RDA: 1998042

Description:

~~This record series documents student loans. The files may contain, but are not limited to: Delinquent Loan List; Stipend Grant Practice Verification Files; Accounting records and reports; related correspondence.~~

Authorized Retention:

~~Retain these records for a period of three (3) fiscal years from the fiscal year to which it pertains~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Western Interstate Commission for Higher Education, Records Officer.

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Justification for Deletion of RDA 1998042:

Records in this series are covered under the General Schedule RDA 2007016 Fiscal: Accounting Files (Agency Copy) and RDA 2005132 Grants: State Grants - Granting Agency Records which have a three-year retention.

Discussion and Vote:

The proposals in Attachment D were approved as presented. The motion was made by Sarah Bradley and the second was by Kathryn Etcheverria. The vote was unanimous.

7: Attachment E. Proposed New, Modification, and Deletion RDA's for General Records Retention Schedules

1. Proposed New: General Records Retention Schedule

A. Title: *Payment Card Industry (PCI)- Cardholder Data*

RDA: 2017037

Description:

This record series consists of Cardholder Data (CHD) obtained during electronic financial transactions where an agency stores, processes or transmits cardholder data received via point of sale systems, phone, email, internet, paper, etc. This sensitive cardholder data is security-related information (primary account number (PAN), expiration date, cardholder name, and service code) used to authorize and process payment card transactions. Any government agency that processes, stores, or transmits payment card data is required by the card provider (Visa, MasterCard, American Express, etc.) and NRS 603A.215 to comply with certain security standards to prevent cardholder data theft. In accordance with PCI Security Standards Council - Data Security Standard 3.4 – The primary account number (PAN) must be rendered unreadable anywhere it is stored (including on portable digital media, backup media, and in logs).

Authorized Retention:

Retain for one (1) fiscal year from the completion of the transaction.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal needs.

Justification for New RDA 2017037:

Since there isn't a record series currently to cover these transactions, state agencies are either in violation of law for holding this information per NRS 603A.215 (Security measures for data collector that accepts payment card; use of encryption; liability for damages; applicability) and 603A.030 ("Data collector" defined.), or if they are not holding the information, they are in violation of law NRS 239.080 (State records: Schedules for retention and disposition) for destroying the information without a scheduled record series. This series contains confidential information and must be destroyed securely.

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B. Title: *Payment Card Industry (PCI)-Sensitive Authentication Data*

RDA: 2018019

Description:

This record series consists of Sensitive Authentication Data obtained during electronic financial transactions where an agency stores, processes or transmits cardholder data received via point of sale systems, phone, email, internet, paper, etc. Sensitive Authentication Data is security-related information (including but not limited to card validation codes/values, full track data (from the magnetic stripe or equivalent on a chip), PINs, and PIN blocks) used to authenticate cardholders and/or authorize payment card transactions. Any government agency that processes, stores, or transmits payment card data is required by NRS 603A.215 and 603A.030. (Security measures for data collector that accepts payment card; use of encryption; liability for damages; applicability)

Authorized Retention:

Retain until authorization of transaction.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal needs.

Justification for New RDA 2018019:

Since there isn't a record series currently to cover these transactions, state agencies are either in violation of law for holding this information per NRS 603A.215 (Security measures for data collector that accepts payment card; use of encryption; liability for damages; applicability) and 603A.030 ("Data collector" defined.), or if they are not holding the information, they are in violation of law NRS 239.080 (State records: Schedules for retention and disposition) for destroying the information without a scheduled record series.

Any agency that processes, stores, or transmits payment card data is required by the card provider (Visa, MasterCard, American Express, etc.) and NRS 603A.215 to comply with certain security standards to prevent cardholder data theft. This data is very valuable to malicious individuals as it allows them to generate counterfeit payment cards and create fraudulent transactions. In accordance with Payment Card Industry (PCI) Data Security Standard (DSS) 3.2: storage of sensitive authentication data after authorization is prohibited. This series contains confidential information and must be destroyed securely.

C. Title: *Payment Card Industry (PCI)-Audit Logs*

RDA: 2017038

Description:

This record series consists of audit logs created to document compliance with PCI Data Security Standards. Logging mechanisms and the ability to track user activities are critical in preventing, detecting, or minimizing the impact of a data compromise. The presence of logs in all environments allows thorough tracking, alerting, and analysis when something does go wrong. (See Payment Card Industry (PCI) Data Security Standard (DSS) 10.7, NRS

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603A.215) Any government agency that processes, stores, or transmits payment card data is required by NRS 603A.215 and 603A.030. (Security measures for data collector that accepts payment card; use of encryption; liability for damages; applicability)

Authorized Retention:

One (1) fiscal year from the end of the fiscal year in which the log was created with a minimum of three (3) months immediately available for analysis (for example, online, archived, or restorable from backup).

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal needs.

Justification for New RDA 2017038:

Since there is no record series currently to cover these audit logs, state agencies are in violation of law NRS 239.080 (State records: Schedules for retention and disposition) for destroying the information without a scheduled RDA. This is a requirement of NRS 603A.215 which references Payment Card Industry (PCI) Data Security Standard (DSS) 10.7. This series contains confidential information and must be destroyed securely.

2. Proposed Modification: General Records Retention Schedule

A. Title: Administrative: Public Records Requests

RDA: 2015013

Description:

Records document requests for public records and provide a record of agency responses. Records may include but are not limited to request logs and/or request forms and response letters; legal citations for redaction or denial; orders to grant or deny request; and related correspondence. Excludes copies of the records which are the subject of the public records request.

Authorized Retention:

Retain for three (3) calendar years from the end of the calendar year in which the response was completed.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, and legal needs.

Justification for Modification of RDA 2015013:

Staff has polled the records officers about whether they receive Personal Identifiable Information (PII) on public records requests. The results of 167 emails sent out to the Records Officers are 11 of the 44 respondents do receive PII on their requests, therefore staff is requesting the change of the

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retention to Destroy Securely to align with requirements of NRS 239.010. The agencies can store the requests with the Records Center if there is at least one year remaining on the retention and they will be shredded by the Records Center at the time of disposition.

B. Title: Licensing: Professional and Occupational Licensing

RDA: 2006059

Description:

These records document the process and monitoring of individuals receiving professional and occupational licenses, certification, registration and similar functions from a licensing agency. The record may consist of but is not limited to: original application with supportive documentation; examination results; informational documentation on the licensee; continuing education and training verification documents; formal actions on complaints, the order initiating discipline and other information considered by the board in dispensing discipline and; related documentation.

Retention:

Retain ~~these records~~ for a period of thirty (30) calendar years from *the end of the calendar year of* the expiration, termination, suspension or revocation of the license.

Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, and legal needs.

Justification for Discussion and/or Modification of RDA 2006059:

Per committee request this RDA is up for discussion and possible modification for the retention period of thirty (30) calendar years.

Discussion and Vote:

The proposals in Attachment E were approved as amended. The following is some of the discussion and all the amendments made to the items in attachment E. Senior Records Analyst, Bobbie Church, informed the Committee that the record series regarding Payment Card Industry (PCI) have been split into 3 record series from 2 to address some concerns brought up from the previous meetings' discussions on PCI. The representatives from the Department of Motor Vehicles (DMV) informed the Committee that agencies that do not follow the PCI Data Security Standard can have their ability to use credit cards revoked by the credit card companies. The Chair informed the Committee that Secretary of State (SOS) currently is keeping these records under RDA 2007016 "Fiscal: Accounting Files Agency Copy" in the General Records Retention Schedule for a period of 3 years. The DMV explained that retention period is a severe breach of the PCI Data Security Standard. The Chair expressed that SOS wants to be compliant but that the way the RDA is currently written they cannot. The Committee and the DMV arrived at a consensus to combine #1 part A RDA 2017037 "Payment Card Industry (PCI)- Cardholder Data" and #1 part B RDA 2018019 "Payment Card Industry (PCI)-Sensitive Authentication Data" into one record series. The Committee asked the description be expanded to include examples, with a retention of "Retain until authorization of transaction" and disposition of "Destroy Securely". The Committee Chair also requested that committee staff create a new record series with the description to include the amount, date, signature, and authorization number to allow for possible disputes with a retention of 90 days and a disposition of "Destroy Securely". #1 part C RDA 2017038 "Payment Card Industry (PCI)-Audit Logs" was approved as presented with no further discussion needed.

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Kathryn Etcheverria expressed to the Committee regarding #2 part A, RDA 2015013 “Administrative: Public Records Requests” she believes the schedule should err on the side of caution and destroy securely in case a public records request does contain personal identifiable information (PII). Sarah Bradley explained to the committee that NRS 603a.040 defines PII and states that the State needs to handle this information securely. The State Records Manager, Sara Martel, reiterated to the Committee that the staff recommendation is to destroy securely based on extensive research done by staff before the meeting. After further discussion, it was determined that RDA 2015013 “Administrative: Public Records Requests” will stay as originally written and that committee staff would create a new record series that would cover public records requests with PII.

After a thorough discussion, the Committee decided that #2 part B, RDA 2006059 “Licensing: Professional and Occupational Licensing” should be split into 2 record series. RDA 2006059 “Licensing: Professional and Occupational Licensing” will have any verbiage pertaining to disciplinary records removed from the description, and the retention period will be lowered to 10 years. The description in the proposed new record series will contain all the verbiage regarding disciplinary records and have a retention period of 30 years. The Committee asked staff to rewrite the description of RDA 2006059 “Licensing: Professional and Occupational Licensing” by removing “continuing education” and rewrite the authorized retention by removing “expiration of the license” and substituting “licensing period” or an equivalent verbiage. The changes being made to RDA 2006059 will impact RDA 2014205 “Licensing: Professional and Occupational Licensing, Renewals”. The Committee requested that staff rework the description and the authorized retention on RDA 2014205 to bring before the Committee in a future meeting. The retention period should be based on the renewal cycle. The Committee also requested that records series regarding licensing on agency specific schedules be placed on future agendas to be reviewed for proper justification. The motion was made by Kathryn Etcheverria and the second was by Sarah Bradley. The vote was unanimous.

8: Attachment F. Proposed New, Modification, and Deletion RDA’s for Nevada Department of Transportation

1. Proposed Modification: Nevada Department of Transportation

A. Title: Correspondence Files Routine Business (Administrative)

TRDA: 2014034

Description:

Correspondence (letters, memos, emails, social media, etc.) that is work related and deal with the day-to-day office administration and activities. Examples may include but are not limited to: internal correspondence; external correspondence from various individuals, companies and organizations requesting information pertaining to the agency business and other routine inquiries.

Note: Correspondence that is part of a specific subject file, e.g.; case file, client file, contract file, purchasing file, personnel file, project file, budget/fiscal file, etc. is retained with that subject file and according to authorized retention period for that subject file.

Authorized Retention:

Retain for one ~~(1) calendar year~~ **eighteen (18) calendar months** from the end of the calendar year to which it pertains or for the authorized retention period per subject file.

Recommended Disposition:

Destroy *Securely*

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Agency review:

The appraisal is supported by the Nevada Department of Transportation, Records Officer.

Justification for Modification of TRDA 2014034:

These revisions adjust the retention and disposition language to meet the agency's administrative needs.

Discussion and Vote:

This item was not approved by the Committee. The Committee felt that without having a representative present from the Department of Transportation to explain what "administrative needs" meant, there was no reason to justify the increase of retention. It was also mentioned by Sarah Bradley that an agency will need to have a very good justification to deviate from the General Records Retention schedule. The motion was made by Sarah Bradley and the second was by Jeff Kintop. The vote was unanimous.

9: Discuss future agenda items:

Department of Human Resource Management
State Fire Marshal
Health and Human Services, Health Care Finance Policy
Department of Agriculture

10: Public Comment

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

- Jeff Kintop announced to the Committee that he will be retiring in September.

11: Determine time of next meeting

- The next meeting will be held August 8th, 2018 at 1:15 pm in the Nevada State Library and Archives Board room.

12: Adjourn

- The meeting was adjourned at 3:37 pm with the motion made by the Chair Kim Perondi. The vote was unanimous.

Attachment B
Proposed New RDAs for Agency Specific Records Retention Schedules

There are no new proposed RDA's for agency specific schedules for this agenda.

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

1. Public Safety: Records, Communications & Compliance Division

A. Title: Sexual Offender Registry Records

RDA: 2012026

Description:

These records document the registry of sexual offenders (See NRS Chapter 179D). The records may consist of but are not limited to: personal identifying information including address, phone number, photo, Social Security Number, driver's license number, vehicle registration information, work and/or student information, biological information including genetic markers, physical description including fingerprints, conviction and criminal history information. ~~Victim information (the name of victims may not be disclosed per NRS 179D.850).~~

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ **eighty-five (85) calendar years from the end of the calendar year in which the offender enters the registry.** ~~six (6) calendar years from the known death of the individual or one hundred (100) calendar years from the birth date of the individual, whichever occurs first. Note: the retention period may be reduced by the granting of a petition through a court of law in accordance with NRS 179D.490.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Department of Public Safety, Records, Communications & Compliance Division, Records Officer.

Justification for Modification of RDA 2012026:

Victim information is being deleted from the description because it does not pertain to this record series. The retention period is being clarified to cover the life span of the offender from the time that they enter the registry, not from birth. Since the youngest age a person would enter the registry is 14 this would cover to age 99. The agency will not be addressing or handling deceased offender documents in a different manner than what is outlined in this series as modified. There is no legal requirement to dispose of the records once an offender is deceased, so a separate record series is not needed.

2. Health and Human Services, Health Care Financing and Policy

A. Title: Civil Rights **Survey** Review Files

RDA: 1992019

Description:

Division of Health Care Financing and Policy is designated by the Office for Civil Rights and the Centers for Medicare and Medicaid Services to conduct ~~and report the results of~~ tri-annual self-evaluations of provider compliance with various civil rights laws and regulations or undergo an on-site compliance review. These records consist of but are not limited to: Civil Rights/Advance Directive provider ~~certifications~~ **surveys** and associated documentation. ~~, on-site survey reports and evaluations, and related correspondence.~~

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

Authorized Retention:

Retain ~~the two most recent surveys~~ certification actions for a period of six (6) calendar years from the end of the calendar year ~~in which the survey was completed. to which they pertain. Retain all other records for a period of four (4) calendar years from the end of the calendar year to which they pertain.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 1992019:

The current retention has two events and two retention periods. Staff is recommending removal of the second trigger in the authorized retention for "other records". Upon agency review these are surveys and not certifications, this is now reflected in the title and the description. Removing "these records" and "a period of" also changing "to which they pertain" to "in which the review was completed" in the retention statement makes a more defined and accurate trigger event.

B. Title: Clearance Process Files

RDA: 2002020

Description:

~~This record series is used to develop, review and/or amend formal policies and regulations to the Medicaid Services Manual (MSM) by Division staff prior to adoption. The files document the planning, research of related background information and the formal Clearance Process Review meetings, (called Clearance Meetings for short) done by the Division. The files may consist of but are not limited to: Procedure memos (used to create and amend the MSM); Agendas, minutes of meetings, etc.; Copies of fiscal and budget documents; Decision document, and; Related correspondence.~~

This record series is used to develop, review, amend or adopt formal policies, regulations, manuals and other operational documents. The files document the review and approval by staff. The files may consist of but are not limited to: Medicaid Services Manual, Medicaid Operations Manual, Medicaid State Plan Amendments, procedure memos, and numbered internal memos.

Authorized Retention:

Retain ~~these records~~ for a period of six (6) calendar years from the ~~adoption of regulations in the MSM. or the decision not to proceed with adoption.~~ **end of the calendar year in which the final decision was made.**

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, and archival needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

Justification for Modification of RDA 2002020:

Changing “or the decision not to proceed with adoption.” to “final approval.” while removing “these records” and “a period of” in the retention statement makes a more defined and accurate trigger event. The agency has updated the description to better reflect the series. Changes to grammar in the description provide for consistent formatting.

C. Title: Electronic Health Record Technology Incentive Program Records

RDA: 2013003

Description:

These records document the providers participating in the Electronic Health Record Technology Incentive Program (See 42 CFR 495.300 et seq.). The records may include but are not limited to: ~~A~~applications with related records, ~~;~~ ~~A~~annual and periodic reports,~~;~~ ~~M~~monitoring and compliance documentation (See 42 CFR 495.316),~~;~~ ~~E~~xpenditure records, and,~~;~~ ~~R~~related correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ six (6) federal fiscal years from the *end of the federal fiscal year in which from the date* the final payment is disbursed to the provider.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2013003:

The addition of “from end of the federal fiscal year in which” while removing “these records”, “a period of”, and “from the date” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

D. Title: Facility Files

RDA: 1991824

Description:

This record series consists of the files maintained by Medicaid on each health care facility. The files may contain, but are not limited to: ~~R~~report of Medical/Independent Professional Review with associated documentation,~~;~~ ~~A~~audit reports with supportive documentation,~~;~~ ~~S~~standard ~~F~~facility ~~C~~census, narrative report and a list of residents reviewed,~~;~~ ~~F~~facility information such as staffing, sub-contracts and agreements, policies and procedures, training records, ~~and other operational-related documentation;~~ ~~Copies of~~ complaints ~~with related documentation,~~ Home and Community Based Waivers (~~NRS 442.2708~~ NRS 422.3962 and 42 U.S.C. § 1396n), ~~R~~related *documentation and* correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ six (6) calendar years from the end of the calendar year in which *the file #* was received or created.

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 1991824:

The addition of “the file” while removing “these records”, and “a period of” in the retention statement makes a more defined and accurate trigger event. NRS 442.2708 was replaced in revision by NRS 422.3962. Changes to grammar in the description provide for consistent formatting.

E. Title: Fair Hearings Files

RDA: 2002019

Description:

This record series documents the hearings held for applicants, recipients and/or providers concerning adverse determinations by the Division. The files may consist of but are not limited to: ~~R~~request for hearing ~~with related supporting documents~~; ~~H~~hearing preparation meeting documents and pre-hearing conference reports; ~~H~~hearing documentation ~~with supportive documentation~~; settlement agreements ~~and related documents~~, and; ~~R~~related ~~supporting documentation and~~ correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ six (6) calendar years from the ~~end of the~~ calendar year in which the final determination of the hearing was made.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2002019:

The addition of “end of the” while removing “these records”, and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

F. Title: Hearings Files: Provider Complaints

RDA: 1991254

Description:

This record series is used to document hearings requested by providers to protest rate schedules established by the Division. If the decision is appealed to the District Court, the case is given to the office of the Deputy Attorney General. The files may consist of but are not limited to: ~~R~~request for hearing with associated documentation; ~~background information~~; ~~H~~hearing records, including exhibits and recordings of the proceedings, and; ~~R~~related correspondence.

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ six (6) calendar years from the *end of the calendar year in which the date of* decision, ~~or~~ notice of entry, or renewal of judgment *was made*.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 1991254:

The addition of “end of the calendar year of the” while removing “these records”, and “a period of” “date of” and the extraneous “or” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

G. Title: Hospital Audits

RDA: 2006040

Description:

These records document audit reports submitted by hospitals with 200 beds or less in accordance with NRS439B.440 (3) and NAC 439B.250. The files may consist of but are not limited to: ~~F~~ormal audit reports (~~from an independent auditor hired by the hospital~~), and; ~~R~~elated correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ five (5) calendar years from the *end of the calendar year of in which* the report *was submitted*.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006040:

The addition of “end of the calendar year of the” and “was submitted” while removing “these records” and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

H. Title: Hospital Audits: Division Appointed Auditor

RDA: 2006041

Description:

These records document audits of hospitals with 200 beds or more conducted by independent auditors appointed by the Division in accordance with NRS 439B.440 (2) and NAC 439B.260. The files may consist of but are not limited to: ~~F~~ormal audit reports, ~~S~~cope of audit documentation (See NAC 439B.260 (1)), and ~~R~~elated correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ five (5) ~~calendar~~ *fiscal* years from the *end of the fiscal year in which the report was dated*. ~~from the date of the report. Any audit workpapers may be disposed of 30 days after the production of the formal audit report (See NAC 239.705 (2)(b)).~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006041:

This record series has two retention periods. Change to the retention is per Centers for Medicare & Medicaid Services (CMS) 4802C states destroy after a total retention of 5 budget years after completion of audit and/or settlement process for provider cost report for corresponding fiscal year. Staff recommends removing the second trigger in the authorized retention for audit workpapers as these are working papers (non-records). The addition of "end of the fiscal year in which the report was dated" while removing "these records" and "a period of" in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

I. Title: Hospital Contracts

RDA: 1989049

Description:

This record series consists of ~~copies of~~ contracts sent to the Division in accordance with NRS 439B.420 (10) and NAC 439B.480 & 439B.490. They are used to determine whether prohibited contracts and agreements have been made and whether a hearing should occur. The files may consist of but are not limited to: ~~Copies of~~ contracts between hospitals (and related entities) and health care practitioners with supportive documentation (See NAC 439B.470 (2)), and ~~R~~elated correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ three (3) calendar years from the *end of the calendar year in which the date of receipt final determination was made*.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 1989049:

The contracts are from third party and reviewed by the agency. NRS 439B.420(10) allows the Director of DHHS to acquire copies of the referenced contracts. The Division is not a party to the contracts. The addition of "end of the calendar year in which" and "final determination was made" while removing "these records" and "a period of" in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

J. Title: Hospital Contracts: Hearings

RDA: 2006042

Description:

This record series is used to document hearings held in accordance with NRS 439B.430 to determine if a hospital has violated the laws against prohibited contracts (See NRS 439B.420). The files may contain but are not limited to: ~~E~~examination (investigation) reports, ~~N~~notice of reasonable cause, ~~I~~information submitted by hospitals (See NAC 439B.490), ~~C~~complaint and hearing documentation, ~~D~~documentation on fines and penalties, and ~~R~~related correspondence

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ three (3) calendar years from the ~~date~~ *end of the calendar year in which* decision or final action *was made*.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006042:

The addition of "end of the calendar year in which" and "final determination was made" while removing "these records" and "a period of" in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

K. Title: Hospital Utilization Reports

RDA: 2006046

Description:

This record series consists of reports on the utilization of hospitals, long term health care facilities, etc. required to be sent to the Division in accordance with NRS 439B.440 (1) and NAC 439B.220 (1)(b) (See also 42 CFR 403.304(b)(3)). The files are used to track utilization performance of these organizations. The files may consist of but are not limited to: ~~O~~original and compiled forms and reports from hospitals, and ~~R~~related correspondence.

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ seven (7) calendar years from the end of the calendar year *in which the report was finalized.* ~~to which they pertain.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006046:

Changing “to which they pertain” to “in which the report was finalized” while removing “these records” and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

L. Title: Medicaid Claims

RDA: 2011033

Description:

These records document the invoices requesting reimbursement or adjustments for medical services, supplies and/or equipment under the Medicaid program (See NRS chapter 422 and 42 U.S.C. 1396, et seq.). The record may consist of but is not limited to: claims with supportive documentation, adjustment records, Centers for Medicare and Medicaid Services (CMS) forms, and related correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ six (6) federal fiscal years from the end of the *federal* fiscal year ~~to which they pertain.~~ *in which the reimbursement was completed.*

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2011033:

Changing “to which they pertain” to “in which the reimbursement was completed”, adds “federal” to define the fiscal year. Removing “these records” and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

M. Title: Medicaid ~~Computer~~ Reports: Regular Financial

RDA: 2006031

Description:

This record series contains reports ~~printed either on a regular basis or upon request and~~ **that** are used in the financial management of Medicaid programs. The files may include, but are not limited to: ~~C~~claims management, financial status, budgeting, auditing, and similar financial functions.

Authorized Retention:

Retain ~~those records which cannot be reproduced through the electronic database~~ for a period of five (5) federal fiscal years from the end of the **federal** fiscal year ~~to which they pertain~~ **in which the budget closed**. ~~Records that can be reproduced through the electronic database may be discarded when no longer administratively useful.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006031:

Changing “to which they pertain” to “in which the budget closed”, adds “federal” to define the fiscal year. Removing “those records which cannot be reproduced through the electronic database”, and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting. Retention changes per Centers for Medicare and Medicaid Services (CMS) 4802C. State Agency Budget and Financial Report Files (NC1-440-79-1, Item 50, description revised 11/2000)

N. Title: Medicaid ~~Computer~~ Reports: Regular Program

RDA: 2006032

Description:

This record series contains statistical reports ~~printed on a regular basis and~~ used to administer and monitor the Medicaid program. The files may include, but is not limited to, information on: applicants, recipients, vendors, providers,; facilities,; authorization of services (including medical procedures, housing, transportation, ~~etc.~~), eligibility, caseload (recipient),; claims,; hearings (including appeals),; investigations, and,; similar types of information.

Authorized Retention:

Retain ~~those records which cannot be reproduced through the electronic database~~ for a period of six (6) calendar years from the end of the calendar year **in which the report was finalized**. ~~to which they pertain. Records that can be reproduced through the electronic database may be discarded when no longer administratively useful.~~

Recommended Disposition:

Destroy Securely

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006032:

Changing “to which they pertain” to “in which the report was finalized”. Removing “those records which cannot be reproduced through the electronic database” and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

O. Title: Medicaid ~~Computer~~ Reports: Statistical

RDA: 2006033

Description:

This record series contains statistical reports ~~printed either on a regular basis or upon request and~~ used to administer and monitor the Medicaid program. The statistical reports may include, but is not limited to, information on: applicants, recipients, facilities, services and types of benefits, vendors, requests for services, hearings (including complaints, responses, appeals, etc.), program activities, and similar information.

Authorized Retention:

Retain ~~those records which cannot be reproduced through the electronic database~~ for a period of six (6) calendar years from the end of the calendar year *in which the report was finalized.* ~~to which they pertain. Records that can be reproduced through the electronic database may be discarded when no longer administratively useful.~~

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, and archival needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006033:

The proposed modifications changes “to which they pertain” to “in which the report was finalized” while removing “those records which cannot be reproduced through the electronic database”, and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

P. Title: Medicaid Estate Recovery Records

RDA: 2003190

Description:

These records document the process of transfer of assets and life estate recovery (See NRS 422.291 to 422.293, NRS 422.310 to 422.350, 42 U.S.C. § 404, 42 U.S.C. §1395gg and 42 U.S.C. §1396p). The records may include, but are not limited to: correspondence to representatives/survivors regarding action

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

against estate, including lien notices and court documents, ~~;~~ ~~F~~ financial information including documentation of assets, hardship documentation, recovery amount calculations and supporting documentation, and ~~;~~ related correspondence

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ three (3) fiscal years from the end of *fiscal year in which the recovery was completed.* ~~the recovery process.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2003190:

The addition of "fiscal year in which the recovery was completed" while removing "these records", "a period of" and "the recovery process" in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

Q. Title: Medicaid Nursing Facility and Waiver Files

RDA: 2002014

Description:

These records document the eligibility determination and payment for Medicaid waiver services. The files may include, but are not limited to: ~~A~~ application/intake forms/enrollment, eligibility determination documents (including notices of decision, denial, disenrollment or other status), placement requests and acknowledgements, authorizations, notification of requirements to apply for Medicare, physician statements and reviews, out of state prior authorizations, ~~etc.;~~ signed recipient rights and responsibility forms, statements of understanding, election forms, personal representative agreements, personal care provider authorizations and certifications and other recipient acknowledgements, transition plans, ~~etc.;~~ ~~A~~ assessments/screenings/determinations/case narratives and reviews, contact sheets, serious occurrence reports, ~~etc.;~~ provider screenings, auditing tools and reports, facility assessment documents, ~~etc.;~~ and ~~R~~ related correspondence

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ six (6) calendar years from *the end of the calendar year in which the wavier was finalized.* ~~receipt or creation of the records.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

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Justification for Modification of RDA 2002014:

The addition of “from end of the calendar year in which the waiver was finalized” while removing “these records”, “a period of”, and “receipt” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

R. Title: *Payment Error Rate Measurement (PERM)* ~~PERM and Other Audit~~ Files

RDA: 2008049

Description:

These records are used to document audits conducted under the Payment Error Rate Measurement (PERM) Project (See 33 U.S.C. § 3321 [PL 107-300], 42 U.S.C. § 1396b (z) and 42 CFR 431.970) ~~and other federal and in-house audits.~~ The record may contain but is not limited to: audit reports, work papers and supportive documentation, and related correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of three (3)~~ *ten (10)* federal fiscal years from the end of the audit.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2008049:

The agency has advised staff that the Centers for Medicare and Medicaid Services (CMS) manual (FY17 PERM Manual- page 18 Disposition Authority: N1-440-09-11) retention for the records is ten (10) years. Staff is recommending the current retention be changed to ten years per the federal mandate. In house audits are covered by the General Schedule RDA 2005095 Audits: Audit Records. Removing “these records” and “a period of” in the retention statement makes a more defined and accurate trigger event.

S. Title: Prescription Drug Rebate Program Files

RDA: 2012028

Description:

These records document rebates between the Division of Health Care Financing and Policy and manufacturers of drugs (See 45 CFR Part 423 and 42 U.S.C. §§ 1302, 1306, 1395 w-101 through 1395w-152 and 1395hh). The record may consist of but is not limited to: State of Nevada rebate agreements, addendums and associated documentation; ~~F~~Financial transaction documents including cash receipts, receipts, reports, ledgers, journal entries, reconciliation documentation, spreadsheets, ~~etc.~~, and; ~~R~~related correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ ten (10) fiscal years from the end of the fiscal year *in which the rebate was completed.* ~~to which they pertain.~~

Recommended Disposition:

Destroy Securely

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2012028:

Changing “to which they pertain” to “in which the rebate was completed.” while removing “these records” and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

T. Title: Program Manuals and Plans

RDA: 2012011

Description:

These records document manuals and plans produced to administer programs under the jurisdiction of the Centers for Medicare and Medicaid Services (CMS) (See 42 U.S.C. § 622, 42 U.S.C. § 602, 42 U.S.C. § 1397aa, ~~42 CFR § 447.205 etc.~~ (NRS 422.2369). The record may consist of, but is not limited to: Nevada Medicaid Services Manual, Nevada Medicaid Operations Manual, Nevada Check-Up Manual, Nevada Title 21 State Plan (Nevada Check-Up) ; State Plan including amendments, and related correspondence.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ five (5) calendar years from the *end of the calendar year in which date* the manual or plan is superseded. ~~by a newer one.~~

Recommended Disposition:

Permanent: Transfer to State Archives

NSLAPR staff recommendation:

The retention period meets administrative, archival, and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2012011:

The addition of “end of the calendar year in which” while removing “these records”, “a period of”, “date”, and “by a newer one” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

U. Title: Provider Tax

RDA: 1991772

Description:

This record series consists of the documentation of assessment and collection of a tax on in-patient skilled nursing facility services and supplies.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ three (3) federal fiscal years from the end of the *federal* fiscal year *in which the tax was paid. to which they pertain.*

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and fiscal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 1991772:

Changing "to which they pertain" to "in which the tax was paid" while removing "these records" and "a period of" in the retention statement makes a more defined and accurate trigger event.

V. Title: Rate Development Records

RDA: 2006048

Description:

These records document the development of the rate schedules for services, procedures, supplies, etc. for hospitals, long term care facilities and other health care providers developed by the Division in accordance with the State Medicaid Plan and federal law (See NRS chapters 439A & 439B and 42 CFR 403.304 (b)(3)). The most current rate schedules are available on the Division's webpage. The records include but are not limited to: ~~Q~~ quarterly and annual financial reports (See NRS 439B.440 (1) and NAC 439B.220 to 439B.240), ~~S~~ statement of substantial changes, ~~M~~ Medicare ~~C~~ cost ~~R~~ reports, ~~R~~ rate ~~S~~ schedules, and ~~H~~ hospital financial data.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ five (5) calendar years from the end of the calendar year *in which the rate schedule was finalized.* ~~to which they pertain.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006048:

Changing "to which they pertain" to "in which the report was finalized." while removing "these records" and "a period of" in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

W. Title: ~~SURS~~ (Surveillance and Utilization Review) (~~SUR~~) Case Files

RDA: 2006037

Description:

This record series is used in the investigation of providers of Medicaid services and/or supplies as required by 42 U.S.C. § 1396a (30) & (64), 42 CFR 455.1 to 455.22 and 42 CFR 456.2 & 456.3 as well as the State Medicaid Plan and NRS 422.2366. The files may consist of but are not limited to: ~~(a)~~ letters of

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

complaint, referrals, investigator reports, determination memorandum, **and** related correspondence. ~~and; (b) copies of claims, copies of computer print outs, copies of medical records, copies of provider files, copies of administrative hearing documents, etc.~~

Authorized Retention:

Retain ~~the records described under (a) in the description~~ for seven (7) calendar years from the end of the calendar year in which the case was closed. ~~Records described under (b) in the description may be purged from the file upon completion of the review.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 2006037:

The current retention has two events and two retention periods. Staff recommends removing “the records described under (a) in the description” and the second trigger “(b)” in the authorized retention as these files are non-records and should be removed to make a more defined and accurate trigger event. The title and description changes to grammar are to provide for consistent formatting.

X. Title: **Surveillance and Utilization Review (SUR)** Conflicting Procedures Edit (CPE)

RDA: 2002159

Description:

This record series consists of an online weekly generated edit process designed to assist **Surveillance and Utilization Review (SUR)** (~~Surveillance and Utilization Review~~) in detecting incompatible claims that may indicate fraud, overpayment or other types of mistakes. The report is audited by SUR as a post-payment review. The report includes all areas of Medicaid assistance. A claim will bump if a conflict exists. The records may include but are not limited to: Conflicting Procedure Edits reports and related fiscal documents.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ four (4) calendar years from the end of the calendar year **in which the report was finalized.**~~to which they pertain.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

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Proposed Modification RDAs for Agency Specific Records Retention Schedules

Justification for Modification of RDA 2002159:

The title change to the full title and the acronym is to avoid confusion for when searching the schedule. Changing “to which they pertain” to “in which the report was finalized.” while removing “these records” and “a period of” in the retention statement makes a more defined and accurate trigger event. The title and changes to grammar in the description provide for consistent formatting. Retention is based on NRS 422.590 Limitation and accrual of actions.

Y. **Title:** *Patient* Travel Authorization and Invoice

RDA: 1991778

Description:

This record series consists of travel authorization and invoice. Transportation services include non-emergency travel, both in and out-of-state. Authorization may include but is not limited to: *P*atient information, ~~;~~ *T*ransportation details, ~~;~~ *R*eferring physician information, ~~;~~ *T*ravel *R*eimbursement documentation, and ~~;~~ *R*emarks.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ three (3) federal fiscal years from end of the *federal fiscal year in which invoice was paid.* ~~year to which they pertain.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and fiscal needs.

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Modification of RDA 1991778:

The addition of “Patient” in the title allows clarity between employee travel and patient travel. Changing “year to which they pertain” to “federal fiscal year in which invoice was paid.” while removing “these records” and “a period of” in the retention statement makes a more defined and accurate trigger event. Changes to grammar in the description provide for consistent formatting.

Attachment D

Proposed Deletion RDAs for Agency Specific Records Retention Schedules

1. Health and Human Services, Health Care Financing and Policy

A. Title: ~~Medicaid Claims: Clinical Information~~

RDA: ~~2012027~~

Description:

~~These records document clinical detail provided in support of prior authorization requests. The record may consist of, but is not limited to: physician reports, clinical notes, progress notes, lab and radiology reports, and; case narratives~~

Authorized Retention:

~~Retain these records for as long as administratively useful~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Deletion of RDA 2012027:

The previous appraisal of these records indicates the Division is not the office of record, the records are from private practitioners. Information can be requested from the practitioners if needed. The records are convenience copies and are not subject to retention.

B. Title: ~~Medicaid Computer Reports: Current Lists~~

RDA: ~~2006030~~

Description:

~~This record series consists of a computer reports containing information on the most current: (A) authorized vendors, authorized facilities, authorized medical procedures, authorized drugs, authorized supplies and similar information, and (B) terminology, policies & procedures, forms, products and similar information.~~

Authorized Retention:

~~Retain until superseded, with an updated report.~~

Recommended Disposition:

~~Destroy~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy, Records Officer.

Attachment D

Proposed Deletion RDAs for Agency Specific Records Retention Schedules

Justification for Deletion of RDA 2006030:

The previous appraisal of these records indicates the Division is not the office of record, the records are from private practitioners. Information can be requested from the practitioners if needed. The records are convenience copies and are not subject to retention.

C. Title: ~~Medicaid Computer Reports: Temporary~~

RDA: 2006034

Description:

~~This record series consists of periodic computer-generated reports prepared for, or distributed to Nevada Medicaid Program. These reports, however, do not document the eligibility for or receipt of benefits or services, but are used to provide information that leads to the creation of official records, or are used to check, verify and correct data. The reports contain, but are not limited to, information on: applicants, recipients; vendors, providers; facilities; medical procedures, housing, transportation; claims, hearings (including appeals); investigations, and; similar types of information.~~

Authorized Retention:

~~Retain for a period of thirty (30) days from the accomplishment of the action for which they were generated or from the running of a subsequent report.~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by the Health and Human Services, Health Care Financing and Policy Records Officer.

Justification for Deletion of RDA 2006034:

The appraisal of these records indicates the Division is not the office of records. These records are convenience copies or ad hoc reports and are not subject to retention.

Attachment E
Proposed New, Modification, and Deletion of RDAs for General Records
Retention Schedule

1. Proposed New: General Records Retention Schedule

A. Title: *Cardholder Data (CHD)*

RDA: *2017037*

Description:

This record series consists of Cardholder Data (CHD) obtained during financial transactions. The record includes and is limited to: purchaser name, date of transaction, amount of the transaction, and the authorization code. Any other cardholder data must be deleted per RDA 2018019 Payment Card - Sensitive Authentication Data.

Authorized Retention:

Retain for 90 days from the authorization of the transaction.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, federal, fiscal, and legal needs.

Justification for New RDA 2017037:

Since there is no RDA currently to cover these transactions, state agencies are either in violation of law for holding this information per NRS 603A.215 and 603A.030. (Security measures for data collector that accepts payment card; use of encryption; liability for damages; applicability) or, if they are not holding the information, they are in violation of law NRS 239.080 (State records: Schedules for retention and disposition) for destroying the information without a scheduled RDA.

Any agency that processes, stores, or transmits payment card data is required by the card provider (Visa, MasterCard, American Express, etc.) and NRS 603A.215 to comply with certain security standards to prevent cardholder data theft. This data is very valuable to malicious individuals as it allows them to generate counterfeit payment cards and create fraudulent transactions. In accordance with Payment Card Industry (PCI) Data Security Standard (DSS) 3.2: storage of sensitive authentication data after authorization is prohibited. This series contains confidential information and must be destroyed securely.

B. Title: *Payment Card - Sensitive Authentication Data*

RDA: *2018019*

Description:

This record series consists of sensitive information obtained during financial transactions when executed with a payment card (NRS 205.602). The record includes but is not limited to security related information used to authenticate, authorize, and process payment card transactions. This sensitive cardholder data is security-related information (primary account number (PAN), expiration date, cardholder name, and service code) used to authorize and process payment card transactions. Any state agency that processes, stores, or transmits payment card data is required by the card provider (Visa, MasterCard, American Express, etc.) and NRS 603A.215 and 603A.030 to comply with certain security standards to prevent cardholder data theft (Payment Card Industry (PCI) Data Security Standards).

Authorized Retention:

Retain until authorization of transaction.

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Proposed New, Modification, and Deletion of RDAs for General Records
Retention Schedule

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, federal, fiscal, and legal needs.

Justification for New RDA 2018019:

Since there is no RDA currently to cover these transactions state agencies are either in violation of law for holding this information per NRS 603A.215 and 603A.030. (Security measures for data collector that accepts payment card; use of encryption; liability for damages; applicability) or if they are not holding the information they are in violation of law NRS 239.080 (State records: Schedules for retention and disposition) for destroying the information without a scheduled RDA.

Any agency that processes, stores, or transmits payment card data is required by the card provider (Visa, MasterCard, American Express, etc.) and NRS 603A.215 to comply with certain security standards to prevent cardholder data theft. This data is very valuable to malicious individuals as it allows them to generate counterfeit payment cards and create fraudulent transactions. In accordance with Payment Card Industry (PCI) Data Security Standard (DSS) 3.2: storage of sensitive authentication data after authorization is prohibited. This series contains confidential information and must be destroyed securely.

C. Title: *Administrative: Public Records Requests - Personal Identifying Information (PII)*

RDA: 2018024

Description:

Records document requests for public records and provide a record of agency responses that contain Personal Identifying Information (PII) per (NRS 603A.040). Records may include but are not limited to request logs and/or request forms and response letters; legal citations for redaction or denial; orders to grant or deny request; and related correspondence. Excludes copies of the records which are the subject of the public records request.

Authorized Retention:

Retain for three (3) calendar years from the end of the calendar year in which the response was completed.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, and legal needs.

Justification for New RDA 2018024:

Staff has polled the records officers about whether they receive Personal Identifiable Information (PII) on public records requests. The results of 167 emails sent out to the Records Officers are 11 of the 44 respondents do receive PII on their requests. Based on this information, the committee has asked for the creation of this series specific to records requests containing PII to align with requirements of NRS 239.010. The agencies can store the requests with the Records Center if there is at least one year remaining on the retention and they will be shredded by the Records Center at the time of disposition.

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Proposed New, Modification, and Deletion of RDAs for General Records
Retention Schedule

D. Title: *Licensing: Professional and Occupational Licensing – Disciplinary* RDA: 2018025

Description:

These records are for individuals receiving professional and occupational licenses that have been brought for disciplinary action from a licensing agency or board. The record may consist of but is not limited to: original application, formal actions on complaints, the order initiating discipline, other information considered by the agency or board in dispensing discipline, and related documentation.

Authorized Retention:

Retain for thirty (30) calendar years from the end of the calendar year in which the last license expired.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Justification for New RDA 2018025:

Per the Committee discussion in the July 11, 2018 meeting, this series will cover the licensees that have had disciplinary action. The retention is to cover the career lifetime of the licensee, and to track and monitor licensees. This will enable the agency or board to monitor for repeat offenders and respond to requests from other states.

2. Proposed Modification: General Records Retention Schedule

A. Title: Licensing: Professional and Occupational Licensing – *Application* RDA: 2006059

Description:

These records document the process and monitoring of individuals receiving professional and occupational licenses, certification, registration and similar functions from a licensing agency. The record may consist of but is not limited to: original application with supportive documentation, examination results, informational documentation on the licensee, ~~continuing education and training verification documents, formal actions on complaints, the order initiating discipline and other information considered by the board in dispensing discipline~~ and related documentation.

Authorized Retention:

Retain ~~these records~~ for ~~a period of~~ ten (10) calendar years from the *end of the calendar year of the last* expiration, termination, suspension or revocation of the license.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, and legal needs.

Attachment E

Proposed New, Modification, and Deletion of RDAs for General Records Retention Schedule

Justification for Modification RDA 2006059:

Per the committee's request in the July 11, 2018 meeting, the continuing education and disciplinary actions are being removed from this series. Continuing education is now in RDA 2014205 Licensing: Professional and Occupational Licensing – Renewals. The disciplinary actions will now be under RDA 2018025 Licensing: Professional and Occupational Licensing – Disciplinary.

B. Title: Licensing: Professional and Occupational Licensing – Renewals **RDA:** 2014205

Description:

These records document the renewal of licenses/certifications/etc. The record may include but is not limited to: renewal notices, renewal applications, fee documentation, *continuing education and training verification documents*, and supporting documentation.

Authorized Retention:

~~These fiscal records must be retained for three (3) calendar years from end of the licensing renewal cycle. Retain the three most recent renewals for ten (10) calendar years from the end of the calendar year of the end of licensure.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal, and legal needs.

Justification for Modification of RDA 2014205:

Per the committee's request in the July 11, 2018 meeting, the continuing education and training documentation will now be included in this series, previously in RDA 2006059 Licensing: Professional and Occupational Licensing – Application. The addition of the "three most recent renewals" would allow for the retention period to be based on the renewal cycle since some renewals can be biennial, triennial etc.

C. Title: Administrative: Public Records Requests **RDA:** 2015013

Description:

These records document requests for public records and provide a record of agency responses. Records may include but are not limited to request logs and/or request forms and response letters; legal citations for redaction or denial; orders to grant or deny request; and related correspondence (*for requests containing personal identifying information see RDA 2018024 Administrative: Public Records Requests - Personal Identifying Information (PII)*). Excludes copies of the records which are the subject of the public records request.

Authorized Retention:

Retain for three (3) calendar years from the end of the calendar year in which the response was completed.

Recommended Disposition:

Destroy

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Proposed New, Modification, and Deletion of RDAs for General Records
Retention Schedule

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Justification for Modification of RDA 2015013:

Per the committee's request, staff has included the change to the description to show the reference to the new series RDA 2018024 Administrative: Public Records Requests - Personal Identifying Information (PII).