



**STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
NEVADA STATE LIBRARY, ARCHIVES and PUBLIC RECORDS
100 N. Stewart Street
Carson City, Nevada 89701
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**The Committee to Approve Schedules for the Retention
and Disposition of Official State Records**

Meeting Notice

DATE: October 10, 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 August 8, 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. **Follow up on Licensing: Professional and Occupational Licensing changes for agency specific schedules.** (Discussion Only)
9. **Discuss future agenda items** (Discussion Only)
 - Peace Officers Standards and Training
 - Public Employees Benefits Program
 - State Fire Marshal
 - Board of Medical Examiners
 - Health and Human Services: Child and Family Services
 - Department of Agriculture
10. **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)
11. **Confirm time of next meeting**
 Next meeting scheduled for November 14, 2018 (For possible action)
12. **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 August 8th, 2018*

1: Call to Order, Welcome, Roll Call

- The meeting was called to order at 1:21 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 – excused

Sara Martel, State Records Manager, for Jeff Kintop, Nevada State Library, Archives and Public Records - Present

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

Alisanne Maffei, for David Haws, Administrator, Enterprise Information Technology Services – Present

Staff:

Bobbie Church, Senior Records Analyst, NSLAPR – Present

Adan Aguilera, Administrative Assistant II, NSLAPR – Present

Jerry Lindsay, Senior Records Analyst, NSLAPR - Excused

Tiffani Prentice, Department of Transportation – Absent

Guests Present:

Jasmine Mehta – Nevada State Board of Medical Examiners (NSBME) – Present

Donya Jenkins - Nevada State Board of Medical Examiners (NSBME) – Present

Nancy Mathias – Nevada State Contractors Board (NSCB) – Present

Lynne Foster – Health and Human Services – Healthcare Finance and Policy – Present

Dennis McHugh – Administration – Enterprise IT Services – Present

Elizabeth Moore – Administration – Nevada State Library Archives and Public Records - Present

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2: Public Comment

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

There was no public comment.

3: Review and Approve the Minutes for July 11, 2018(Attachment A)

Discussion and Vote:

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

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

There were no new RDA's proposed for attachment B and no action was needed.

5: Attachment C. Proposed Modification RDA's 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.

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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.~~

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.

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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 *end of the calendar year in which the final decision was made.* adoption of regulations in the MSM. or the decision not to proceed with adoption.~~

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 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~~pplications with related records, ~~;~~ Annual and periodic reports, ~~;~~ Monitoring and compliance documentation (See 42 CFR 495.316), ~~;~~ Expenditure records, and, ~~R~~elated correspondence.

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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 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* ~~it~~ was received or created.

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 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: ~~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.

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*.

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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~~ formal audit reports (~~from an independent auditor hired by the hospital~~), and; ~~R~~ related 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.

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

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files may consist of but are not limited to: ~~F~~ formal audit reports, ~~S~~ scope of audit documentation (See NAC 439B.260 (1)), and; ~~R~~ related 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~~ *The Schedule for the Submission of all Contracts and Agreements* contracts of ~~copies of~~ contracts sent to the Division *for review* in accordance ~~with~~ *the schedule established pursuant to* with NRS 439B.420 (10), and NAC 439B.480, ~~& and~~ NAC 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~~ between hospitals (and related entities *as defined in NRS 439B.420(10)*) and health care practitioners with supportive documentation (See NAC 439B.470 (2)), and; ~~R~~ related 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

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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 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~~omplaint and hearing documentation, ~~D~~documentation on fines and penalties, and ~~R~~elated correspondence

Authorized Retention:

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

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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: ~~Original~~ original and compiled forms and reports from hospitals, and; ~~Related~~ related correspondence.

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 *in which the reimbursement was completed.* ~~to which they pertain.~~

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, fiscal and legal needs.

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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.

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~~laims 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:

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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

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.

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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 against estate, including lien notices and court documents, 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: 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

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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 waiver 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.

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.

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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 ; 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

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; R-related correspondence.

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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.~~

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.

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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 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 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.~~

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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.

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

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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~~*patient* information, ~~T~~*ransportation* details, ~~R~~*eferring physician* information, ~~T~~*ravel R* reimbursement 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.

Discussion and Vote:

The proposals in Attachment C were approved in part as amended. Item I RDA 1989049 “Hospital Contracts” was tabled. The amendments are as follows: item B RDA 2002020 “Clearance Process Files” was determined by the Committee to be “internal working papers” which are non-records and can be deleted. Item F RDA 1991254 “Hearing Files: Provider Complaints” had the word “deputy” removed from the third line in the description to read “Office of the Attorney General”. After a lengthy discussion, the Chair proposed that item I RDA 1989049 “Hospital Contracts” be tabled to allow staff and the agency to rework the description to bring back to the next meeting. The Committee felt that the language in the description of item I RDA 1989049 “Hospital Contracts” needed more clarification to define what the actual record is that’s being covered in the schedule. The motion was made by Sara Martel and the second was by Kathryn Etcheverria. The vote was unanimous.

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6: Attachment D. Proposed Deletion RDA's 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

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Agency review:

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

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.

Discussion and Vote:

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

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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 Transaction Information* ~~Cardholder Data (CHD)~~ **RDA: 2017037**

Description:

This record series consists of information ~~Cardholder Data (CHD)~~ obtained during payment card financial transactions. The record includes and is limited to: purchaser name, date of transaction, amount of the transaction, and the authorization code, and any other non-sensitive authentication data. 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

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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.

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

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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.

**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,

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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.

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 two (2) ten (10) calendar years end of years from the end of the last renewal period 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.

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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

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).

Discussion and Vote:

The proposals in Attachment E were approved as amended. Jasmine Mehta, a representative from the Nevada State Medical Examiners Board, informed the Committee that in the Payment Card Industry (PCI) Data Security Standards (DSS) manual it defines Cardholder Data "(CHD)" and that it differs from what is written in RDA 2017037. The amendments are as follows: item 1A RDA 2017037 "Payment Card Transaction Information Cardholder Data (CHD)" had "Cardholder Data (CHD)" removed from the title and the description also "any other non-sensitive authentication data" was added into the description on the fourth line. The Committee also requested that Staff rewrite the justification to reflect a reasoning around accounting needs and disputes. Staff has added to the justification "This series is intended to enable agencies to retain non-sensitive information to respond to audits, chargebacks, disputes, and to separate this from the sensitive authentication data in covered in RDA 2018019 "Payment Card - Sensitive Authentication Data"." RDA 2014205 "Licensing: Professional and Occupational Licensing – Renewals" had its authorized retention modified from 10 calendar years to 2 calendar years and the language was modified to clearly state retention begins from the end of the last renewal period. The Committee felt this was an appropriate amount of time that would cover the various renewal periods for the Boards and Commissions of the State. The motion was made by Kathryn Etcheverria and the second was by Alisanne Maffei. The vote was unanimous.

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8: Discussion on a creation of new series for the offload of employee email (Discussion Only):

Dennis McHugh from Enterprise IT Services (EITS) shared some information regarding a new software program SharePoint and it's affect records management. He informed the committee that EITS is implementing SharePoint a web-based collaborative platform that integrates with Microsoft Office. SharePoint is primarily sold as a document management and storage system. His concern is how records like emails will be retained in accordance with retention policies and or schedules during and after the transition to SharePoint. Dennis let the committee know he has spoken with Jeff Kintop the Administrator for the Nevada State Library Archives and Public Records about having someone from NSLA as a consultant for records retention issues.

9: Transportation Report (Discussion Only):

No update was given by the Department of Transportation.

10: Discuss future agenda items:

Bobbie Church informed the Committee that she has many RDAs that need to come to the State Records Committee meeting, but she is waiting on final approval from the various agencies. She informed the Committee that the agency representatives have been busy and have not been responding to her. She let the Committee know that she may not have enough agenda items to have a meeting in September. She stated that she will apprise the Committee of situation as it develops.

11: Public Comment

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

- No public comment was given.

12: Determine time of next meeting

- The next meeting will be held September 12th, 2018 at 1:15 pm in the Nevada State Library and Archives Board room.

13: Adjourn

- The meeting was adjourned at 4:11 pm with the motion made by Sara Martel. The vote was unanimous.

Attachment B
Proposed New RDAs for Agency Specific Records Retention Schedules

1. Attorney General's Office

A. Title: *Background Check and Fingerprints*

RDA: 2017045

Description:

This record series is used for criminal background checks for Attorney General's employees, state employees that are not employees of the Attorney General's office, and various outside vendors, to allow building access while performing work for the Department (NRS 239B.010). The files consist of but not limited to: background applications, Applicant Fingerprint Response with related notes and documents.

Authorized Retention:

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

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by Attorney General's Office Records Officer.

Justification for New of RDA 2017045:

A current schedule does not exist for this record series. Per the agency they do their own background checks, not the Department of Public Safety. A three-year retention is recommended to align with the retention period that is established in the Department of Public Safety's "Applicant Fingerprints: Licensing, Certification and Employment" (RDA 2003153).

B. Title: *Background Check and Fingerprints – Sworn Officer and Information Technology Personnel*

RDA: 2018026

Description:

This record series is used for criminal background checks for sworn officers (NRS 239B.020 and NAC 289.110) and Information Technology personnel. The files consist of but not limited to: background applications, Applicant Fingerprint Response with related notes and documents.

Authorized Retention:

Retain for three (3) calendar years from the end of the calendar year in which the employee leaves the agency.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

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Proposed New RDAs for Agency Specific Records Retention Schedules

Agency review:

The appraisal is supported by Attorney General's Office Records Officer.

Justification for New of RDA 2018026:

A current schedule does not exist for this record series. The agency performs its own background checks and is not part of Department of Public Safety's "Applicant Fingerprints: Licensing, Certification and Employment" (RDA 2003153). However, the three-year retention is recommended to align with the retention period that is established in that series. The triggering event is specific to these personnel for the duration of employment as opposed to the beginning of employment as in RDA 2017045 "Background Check and Fingerprints".

C. Title: *Bureau of Consumer Protection Case Files*

RDA: *2018001*

Description:

This record series is used to document deceptive trade, antitrust, Nevada Public Utilities Commission, and Federal Energy Regulatory Commission matters handled by the Bureau of Consumer Protection (See NRS Chapters 228, 598, and 598A). The record series may contain but is not limited to: documentation of court and administrative proceedings, internal legal notes and drafts, confidential records collected from third parties, and related materials.

Authorized Retention:

Retain for two (2) calendar years from the end of the calendar year in which the final action of the case or investigation occurred.

Recommended Disposition:

Destroy securely.

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by Attorney General's Office Records Officer.

Justification for New RDA 2018001:

The two-year retention policy is to reduce the risk of security breaches which would violate the confidentiality provisions of NRS 598.0964(1) or NRS 598A.110. Increased security increases the likelihood of business cooperation in our deceptive trade and antitrust investigations. Bureau of Consumer Protection (BCP) is a unique agency in its investigatory and law enforcement capacity.

From the Bureau of Consumer Protection representatives:

Pursuant to NAC 239.699(1), a state agency shall take such measures as are necessary to ensure that the records in its legal custody are protected from unlawful removal, misuse, damage, alteration, destruction or loss. Given the nature of its records, BCP believes that 2 years is an appropriate minimum retention period to protect its investigative, administrative, and litigation case files from unlawful misuse or loss, e.g. due to a security breach. BCP is unique among AG's office bureaus in that it frequently handles large volumes of pre-litigation correspondence and discovery from third party corporations and individuals which may include confidential information as well as protected trade secrets. The same records are also frequently made confidential under various state laws. In addition to common law privileges, the records gained through an investigation in BCP's

Attachment B

Proposed New RDAs for Agency Specific Records Retention Schedules

files is, and will remain, exempt from freedom of information law requests because of its protected confidential status under NRS 598.0964(1) or NRS 598A.110. As a means to encourage cooperation by third parties in its investigations, third parties are assured by BCP's ability to promise that sensitive documents will be retained only so long as needed and destroyed as soon as possible following the close of an action or investigation per the retention schedule.

BCP keeps and maintains its files and BCP does not represent individual or institutional clients. Rather, it initiates investigations or actions to enforce state deceptive and unfair trade laws and to protect the interests of Nevada consumers and businesses generally. As noted, much of the records collected in these enforcement actions are not subject to public view or review under state common law and confidentiality laws.

As a legal and practical matter, a 2-year record retention requirement will better enable BCP to save costs and resources by disposing of unneeded records, including confidential and trade secrets, paper and/or electronic files per the retention schedule. Importantly, the shortened storage time would reduce the risk of a security breach which might lead to the exposure of highly sensitive and confidential information. A longer retention period increases the risk that records, including third party records, could be mishandled or subject to electronic infiltration.

D. Title: *Request for Opinion – Legal Opinions*

RDA: 2017001

Description:

This record series documents Attorney General Opinions and letters of advice (NRS 228.150). This series may include but is not limited to: requests for opinions, informal or formal opinions, letters of advice, related correspondence and similar documents.

Authorized Retention:

Retain for four (4) calendar years from the end of the calendar year in which the opinion was dated.

Recommended Disposition:

Permanent: Transfer to Archives

NSLAPR staff recommendation:

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

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for New RDA 2017001:

A current schedule does not exist for this record series. A review by State Archives has determined that legal opinions and letters of advice have historical and archival value. A retention of four calendar years is being recommended to correspond with the retention for RDA:1999069 "Open Meeting Law Complaint Files" and RDA 2016031 "Open Meeting Law Opinions".

E. Title: *Request for Opinion – No Opinion Issued*

RDA: 2017002

Description:

This record series documents requests for Attorney General Opinions and letters of advice but no opinion or letter of advice was issued (NRS 228.150). This series may include but is not limited to: requests for opinions, related correspondence and similar documents.

Attachment B
Proposed New RDAs for Agency Specific Records Retention Schedules

Authorized Retention:

Retain for one (1) calendar year from the end of the calendar year in which the request was dated.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative, and legal needs.

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for New RDA 2017002:

A current schedule does not exist for this record series. A one-year retention is recommended to match RDA: 2010033 "Administrative: Correspondence Files Routine Business" on the general schedule.

F. Title: *Legal Case Files - Historical*

RDA: 2017003

Description:

These records document the civil cases and petitions for Judicial Review under the Attorney General's care (See NRS 228.160(1)(a)) which have historical and/or archival value. Case types can include but are not limited to: water rights, tribal, mining, grazing rights, nuclear, cases that went before the Supreme Court and any precedent setting decisions. The record may contain but is not limited to: court documents, extraditions, depositions and similar documents, legal research material, discovery and discovery responses, photos, maps, tapes, and microfilm, supportive documentation, related correspondence and notes.

Authorized Retention:

Retain for seven (7) calendar years from the end of the calendar year of the date in which the final disposition was made.

Recommended Disposition:

Permanent: Transfer to Archives

NSLAPR staff recommendation:

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

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for New RDA 2017003:

A current schedule does not exist for this record series. A review by State Archives has determined that the current record series for "Legal Case Files" (RDA 1990150) permits records of historical/archival value to be destroyed. A retention of seven calendar years is being recommended to correspond with the retention for "Legal Case Files".

Attachment B
Proposed New RDAs for Agency Specific Records Retention Schedules

G. Title: *Report of Multiple Sale or Other Disposition of Pistols and Revolvers*

RDA: 2017004

Description:

This record series is used by licensees to report all transactions in which an unlicensed person acquired two or more pistols or revolvers or any combination of pistols or revolvers totaling two or more at one time during five consecutive business days. In accordance with 18 USC 923(g)(3)(A), licensees are required by federal law to send ATF form 3310.4 to the Office of the Attorney General. The record may contain but is not limited to: the form and any record of the contents thereof.

Authorized Retention:

Retain for no more than twenty (20) days from the date the form is received.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by Attorney General's Office Records Officer.

Justification for New RDA 2017004:

A current schedule does not exist for this record series. The retention is set per 18 USC 923(g)(3)(B), "destroy each such form and any record of the contents thereof no more than 20 days from the date such form is received".

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

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

A. Title: *Third Party Hospital* Contracts: *Review*

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 *reviewed by the Division* 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~~related 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.

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.

2. Attorney General's Office

A. Title: Legal Case Files: *Misdemeanor and Petitions*

RDA: 1990150

Description:

These records document the ~~civil cases~~ *misdemeanor and petitions for Judicial Review* under the Attorney General's care (See NRS 228.160 (1)(a)). The record may contain but is not limited to: ~~copies of~~ court documents, including extraditions,; depositions and similar documents,; legal research material,; *discovery and discovery responses,; photos, maps, tapes, and microfilm, which may be pertinent to the case;* supportive documentation ~~related to the case,~~ and; related correspondence and notes.

Authorized Retention:

Retain ~~these records, for cases litigated:~~ for ~~a period of~~ seven (7) calendar years from the *end of the calendar year of the in which the final disposition was made. date of final disposition. For cases settled out of court or dismissed: for a period of seven (7) years from the date of last action. For cases where the Attorney General withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel.*

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

Recommended Disposition:

~~Review for Historical Value~~ **Destroy Securely**

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for Modification of RDA 1990150:

The description is being modified to match their current processes this series now covers only misdemeanor and petitions historical case files will now be under series number RDA 2017003 "Legal Case Files: Historical". The title change is a clarification showing that the criminal case files are not included, they are covered in the next RDA 1998001 "Legal Case Files: ~~Felonies~~ Criminal" that also includes a title clarification. All cases are kept for seven calendar years regardless of whether it was litigated or transferred. This series contains confidential information and must be destroyed securely. (NRS 453A.700). Destroy these confidential records in a secure manner that will prevent reconstruction of the information (See NAC 239.722).

B. Title: Legal Case Files: ~~Felonies~~ **Criminal**

RDA: 1998001

Description:

This record series documents ~~and administrates~~ the cases to which the state is a party (see NRS 228.160) including Habeas Corpus and prison escapes. The files may include, but are not limited to: ~~G~~general correspondence, internal memos and attorney notes; ~~Unfiled motions,~~ petitions, ~~offers of judgment, etc.;~~ ~~copies of~~ law enforcement records ~~including:~~ ~~crime reports, police reports, investigative reports, waiver of rights forms, witness statements, evidence reports, transcripts of questioning, etc.;~~ ~~copies of~~ court records, ~~including:~~ ~~motions, pleadings, decrees, petitions, transcripts of proceedings, depositions, interrogatories, responses, etc.~~ and; ~~copies of~~ photos, maps, tapes, microfilm, ~~etc.~~ which may be pertinent to the case.

Authorized Retention:

Retain ~~the records~~ for ~~the following periods:~~ ~~Cases litigated: a period of~~ seven (7) calendar years from the ~~end of the calendar year in which~~ ~~date of~~ final disposition ~~or last action was made.~~ ~~and then transfer to the State Archives.~~ ~~Cases settled out of court or dismissed: a period of seven (7) calendar years from the date of last action, and then transfer to the State Archives.~~ ~~Cases where the Attorney General withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel, and then transfer to the State Archives seven (7) calendar years from the date of final disposition. Any notes retained may be disposed of when no longer administratively useful. All other records, such as research and working papers, may be purged and disposed of ninety (90) days from the date of the final disposition or action of the case.~~

Recommended Disposition:

Permanent: Transfer to Archives

NSLAPR staff recommendation:

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

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Attachment C

Proposed Modification RDAs for Agency Specific Records Retention Schedules

Justification for Modification of RDA 1998001:

The description is being modified to match their current processes. All criminal cases are kept for seven calendar years regardless of whether it was litigated or transferred before being transferred to State Archives.

C. Title: Open Meeting Law Opinions

RDA: 2016031

Description:

This record series documents the final action taken on investigations conducted or referred for consideration of possible legal action specifically dealing with violations of the Open Meeting Law in NRS Chapter 241. The files consist of the opinion, which includes a determination of no violation, or findings of fact, and conclusions of law under NRS Chapter 241.

Authorized Retention:

Retain for ~~ten (10)~~ **four (4)** calendar years from *the end of the calendar year in which final opinion was given.* ~~the date of the opinion.~~

Recommended Disposition:

Permanent: Transfer to Archives

NSLAPR staff recommendation:

The retention period meets administrative, archival and legal needs.

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for Modification of RDA 2016031:

After additional review, it was determined that the Open Meeting Law Opinions should be retained for the same time-period as the "Open Meeting Law Complaint Files" (RDA:1999069). The State Archivist is aware of the change and has approved the shortened retention period.

Attachment D

Proposed Deletion RDAs for Agency Specific Records Retention Schedules

1. Attorney General's Office

A. Title: ~~Bankruptcy Pleadings~~

RDA: ~~1994061~~

Description:

~~This record series is used to document and monitor bankruptcy proceedings in which the Department of Taxation and the Attorney General have interest. The files may contain: memos and related correspondence, spreadsheets for individuals and/or a business from the Dept. of Taxation, and copies of the following US Bankruptcy Court records: reports, orders, Request for Hearing Notice, amendments, replies, motions, Proof of Claims, disclosure statements, reorganization plans, Notice of Entry of Judgment, stipulations and dismissals.~~

Authorized Retention:

~~Retain for a period of two (2) calendar years from the date of close of the case (notice of entry of judgment, dismissal, etc.).~~

Recommended Disposition:

~~Destroy Securely~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by Attorney General's Office Records Officer.

Justification for Deletion of RDA 1994061:

A review by the Office of the Attorney General determined that these records should be combined with RDA 1990150 "Legal Case Files" and maintained for the same retention of seven years.

B. Title: ~~Consumer Affairs Case File: Anti-Trust~~

RDA: ~~2007021~~

Description:

~~This record series is used to document the antitrust proceedings handled by the Bureau (See NRS 598A.070). The files may contain, but are not limited to, documentation of: (a) investigations, (b) court actions, (c) confidential documents received from entities and/or individuals, and (d) legal and industry research and similar documentation.~~

Authorized Retention:

~~For cases investigated, litigated and/or settled out of court: retain the records listed under (a) and (b) in the description for a period of six (6) years from the final action of the case. For cases transferred to other jurisdictions (such as a district attorney or the federal government): transfer all documents to the appointed legal counsel. Documents listed under (c) in the description may be either destroyed or returned to the entity or individual upon the final action of the case. Documents described under (d) in the description may be purged from the file when no longer needed.~~

Recommended Disposition:

~~Destroy Securely~~

Attachment D

Proposed Deletion RDAs for Agency Specific Records Retention Schedules

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for Deletion of RDA 2007021:

A review by the Office of the Attorney General determined that these records should be combined with RDA 2018001 "Bureau of Consumer Protection Case Files" and maintained for the same retention of two (2) calendar years.

C. Title: ~~Consumer Affairs Case File: Federal Energy Regulation Commission~~ **RDA:** ~~1988252~~

Description:

~~These records document cases involving the Federal Energy Regulation Commission. The record may include, but is not limited to: Copies of court documents (petitions, motions, transcripts, etc.) and related material and, Related correspondence.~~

Authorized Retention:

~~Retain these records for a period of six (6) calendar years from the date of final disposition, final action, withdrawal or dismissal. For cases where the Attorney General withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel. Any notes retained may be disposed of when no longer administratively useful.~~

Recommended Disposition:

~~Destroy~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for Deletion of RDA 1988252:

A review by the Office of the Attorney General determined that these records should be combined with RDA 2018001 "Bureau of Consumer Protection Case Files" and maintained for the same retention of two (2) calendar years.

D. Title: ~~Consumer Affairs Case File: Nevada Public Utilities Commission~~ **RDA:** ~~1988250~~

Description:

~~These records document cases involving utilities before the Nevada Public Utilities Commission. The record may include, but is not limited to: Copies of hearing documents (petitions, motions, transcripts, etc.) and related material and, Related correspondence.~~

Authorized Retention:

~~Retain these records for a period of six (6) calendar years from the date of final disposition, final action, withdrawal or dismissal. For cases where the Attorney General withdrew or other legal counsel was appointed: transfer all related records to the appointed legal counsel. Any notes retained may be disposed of when no longer administratively useful.~~

Attachment D

Proposed Deletion RDAs for Agency Specific Records Retention Schedules

Recommended Disposition:

~~Destroy~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for Deletion of RDA 1988250:

A review by the Office of the Attorney General determined that these records should be combined with RDA 2018001 "Bureau of Consumer Protection Case Files" and maintained for the same retention of two (2) calendar years.

E. Title: ~~Correspondence File – Official~~

RDA: ~~2003006~~

Description:

~~These records document the correspondence files generated by attorney general staff and includes letters, legal advice, legal opinions, and other types of correspondence generated while performing the official duties of the Office of the Attorney General.~~

Authorized Retention:

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

Recommended Disposition:

~~Permanent: Transfer to Archives~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for Deletion of RDA 2003006:

A review determined that there is not a requirement for the Office of the Attorney General to maintain these records for seven years before transferring to the Archives. The agency will follow the General Schedule RDA 2010034 "Correspondence Files Official" and maintaining the records for four years before transferring. The State Archivist has reviewed and is ok with receiving the records in line with the General Schedule.

F. Title: ~~Correspondence File – Routine~~

RDA: ~~2003076~~

Description:

~~This record series consists of routine files created and/or received by attorney general staff and are used for routine office functions and/or information retrieval. The files may consist of: routine office and inter-agency correspondence of a transitory and/or housekeeping nature (announcements of staff meetings, requests for supplies etc.), general information requests, transmittal letters, copies of court documents (the original of which is found elsewhere) and similar types of records.~~

Attachment D

Proposed Deletion RDAs for Agency Specific Records Retention Schedules

Authorized Retention:

~~Retain only as long as the record holds value to the agency. It is recommended that they be retained no longer than three (3) years and may be purged at any time.~~

Recommended Disposition:

~~Destroy~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for Deletion of RDA 2003076:

A review determined that there is not a requirement for the Office of the Attorney General to maintain these records for three years before destruction. The agency will follow the General Schedule RDA 2010033 "Correspondence Files Routine Business" and maintaining the records for one year before destruction.

G. Title: ~~Legal Case Files: Nuclear Projects~~

RDA: ~~2001008~~

Description:

~~This record series administers and documents each civil case dealing with nuclear projects to which the state or any officer of the state in his official capacity is a party or is monitoring as an interested party (see NRS 160(1)(a) & (b)). These files may contain, but are not limited to: (A) Copies of court documents such as; motions, pleadings, orders, judgments and decrees, memorandums, replies, affidavits, jointers, exhibits, appendixes, complaints, summons, depositions, transcripts and similar documentation, and (B); All related documentation such as attorney's notes, reports, correspondence, and any other information pertinent to the case.~~

Authorized Retention:

~~Retain this record series for a period of twenty-five (25) calendar years after the case is resolved or no longer monitored.~~

Recommended Disposition:

~~Permanent: Transfer to Archives~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by Attorney General's Office Records Officer.

Justification for Deletion of RDA 2001008:

A review determined that there is not a requirement for the Office of the Attorney General to maintain these records for twenty-five years before transferring to the Archives. The series will follow the new RDA 2017003 "Legal Case Files – Historical" and maintaining the records for seven years before transfer. The State Archivist has reviewed and agrees to the change lowering the retention time.

Attachment D

Proposed Deletion RDAs for Agency Specific Records Retention Schedules

H. Title: ~~Legal Research Files~~

RDA: ~~2008033~~

Description:

~~These records are used to do research for the production of legal opinions or give advice to clients. The record may contain but is not limited to: Requests for opinions/advice; Copies of laws, regulations, court cases, etc.; Drafts of opinions/advice; Related correspondence and; Similar documents.~~

Authorized Retention:

~~Retain these records for a period of ten (10) calendar years from the completion of the research.~~

Recommended Disposition:

~~Destroy~~

NSLAPR staff recommendation:

Delete this RDA

Agency review:

The appraisal is supported by Attorney General's Office, Records Officer.

Justification for Deletion of RDA 2008033:

These are considered non-records and should not be on the retention schedule. Any records that are not copies are maintained according to their respective retention schedules.

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

1. Proposed New: General Records Retention Schedule

A. Title: *Administrative: Unmanned Aerial Vehicle (UAV) Recordings – Non-Event*

RDA: 2018027

Description:

This record series may consist of recorded images, sound waves, odors, and associated data captured by Unmanned Aerial Vehicles (UAV). Public agencies which have registered an UAV with the Department of Public Safety (NRS 493.115 and 493.118) may operate the UAV for one or more of the following public purposes: fire services, emergency medical services, protection of a critical facility that is public property, search and rescue operations, preparation for, response to and recovery from emergencies and disasters, communications relay and delivery, surveying and mapping, inspection of public land and infrastructure, inspection and testing of hazardous materials, inspection and evaluation of natural resources, inspection and evaluation of wildlife, inspection and evaluation of agricultural and environmental conditions, training of employees of a public agency, research and development of unmanned aerial vehicles, maintenance and testing of unmanned aerial vehicles, air quality testing, and evaluation of meteorological conditions.

Authorized Retention:

Transfer event recordings to the appropriate record series for the event documented and retain in accordance with the approved schedule for that record series. Retain non-event recordings for a minimum period of thirty (30) days but no longer than 180 days.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Justification for New RDA 2018027:

A current schedule does not exist for this record series. This series is intended for non-law enforcement, non-event recordings, to allow agencies to disposition any non-event, and/or training recordings. In accordance with NRS 493.020 "Public agency" means an agency, office, bureau, board, commission, department or division of this State or a political subdivision of this State other than a law enforcement agency.

Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems, Privacy Act of 1974 (5 U.S.C. 552a), NRS 493.112, NAC 239.165

B. Title: *Law Enforcement: Unmanned Aerial Vehicle (UAV) Recordings – Non-Event*

RDA: 2018028

Description:

This record series may consist of recorded images, sound waves, odors, and associated data captured by Unmanned Aerial Vehicles (UAV) during law enforcement activities.

Authorized Retention:

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

Transfer event recordings to the appropriate record series for the event documented and retain in accordance with the approved schedule for that record series. Retain non-event recordings for a minimum period of thirty (30) days but no longer than 180 days see (5 U.S.C. 552a), NRS 493.112, NAC 239.165.

Recommended Disposition:

Destroy Securely

NSLAPR staff recommendation:

The retention period meets administrative and legal needs.

Justification for New RDA 2018028:

A current schedule does not exist for this record series. This series is intended for law enforcement, non-event recordings, to allow law enforcement agencies to disposition any non-event, and/or training recordings.

NRS 493.112 (4) Any photograph, image, recording or other information that is acquired by a law enforcement agency through the operation of an unmanned aerial vehicle in violation of this section, or that is acquired from any other person or governmental entity, including, without limitation, a public agency and any department or agency of the Federal Government, that obtained the photograph, image, recording or other information in a manner inconsistent with the requirements of this section, and any evidence that is derived therefrom: (a) Is not admissible in and must not be disclosed in a judicial, administrative or other adjudicatory proceeding; and (b) May not be used to establish reasonable suspicion or probable cause as the basis for investigating or prosecuting a crime or offense.

Presidential Memorandum: Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems, Privacy Act of 1974 (5 U.S.C. 552a), NRS 493.112, NAC 239.165