



Record retention

Deadline: Postmarked no later than **May 1, 2018**
Credit: 2 AAMA CEUs (gen/adm) **Code:** 132918

Directions: Determine the correct answer to each of the following, based on information derived from the article.

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- 1. Because of national initiatives such as the Medicare and Medicaid Electronic Health Record (EHR) Incentive Programs, medical record retention legal requirements are established primarily by federal law.
- 2. Record retention policies and procedures should delineate what types of health information should be kept, how long each type should be kept, and when the various types of information should be destroyed.
- 3. The Health Insurance Portability and Accountability Act (HIPAA) provides time frames for how long providers must retain medical records.
- 4. Tax returns for the practice and records of workers' compensation matters should be kept no longer than seven years.
- 5. Documents required by HIPAA, such as relevant policies and procedures and risk assessments, must be kept for a minimum of six years.
- 6. The retention requirements of the Centers for Medicare & Medicaid Services (CMS) are the same for all its programs to foster uniformity and simplicity for health care providers.
- 7. Statutes of limitations provide for a longer period for filing a lawsuit than statutes of repose.
- 8. It is legally permissible for malpractice insurance carriers to establish retention time frame requirements that are greater than those required or recommended by state law.
- 9. In a medical practice with more than one provider, each provider is legally entitled to a copy of the records of the patients he or she has treated, but the practice as a legal entity (e.g., corporation, limited liability company, or partnership) should also retain a copy of the medical record.
- 10. Third-party payers and the federal government are permitted to audit false claims for 10 years as opposed to the standard seven years.
- 11. If providers have offices in more than one state, the record retention requirements of the less stringent state should be followed.
- 12. A greater period than specified in the statutes of limitations and repose is permitted for filing a medical liability action for a foreign object left in the body.



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- 13. The best practice for retention of medical records for minors is to keep the records at least until the minor reaches the age of legal majority, plus the length of time of any applicable statutes of limitations.
- 14. Each patient has a right to a copy of their medical record, but the practice also has a right to retain its own copy.
- 15. Bank statements and canceled checks should be kept permanently.

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