



Administrative Policies and Procedures: 31.6

Subject:	Regional Closed Case File Disposition
Authority:	TCA 37-5-105, 37-5-106, 37-5-107 10-7-301
Standards:	DCS Practice Standard: 7-102A
Application:	To All Department of Children's Services Family Service Workers, Records Clerks and Supervisory Employees

Policy Statement:

Each DCS region/local office shall maintain paper records of inactive/closed Family Service Worker files, Child Protective Services Files, Resource Parent files, probation and aftercare files and diversion case files for a specified period of time based on the records series type. The files shall be destroyed in accordance with established policies and procedures that pertain to confidential child records. This policy does not apply to any information contained in an electronic file.

Purpose:

To ensure an orderly and timely system for the disposition of closed/inactive case files in Regional Offices.

Procedures:

A. Identification of inactive/closed case files

1. In accordance with DCS policy **7.13, Records Disposition Authorization Development and Review Process**, Regional Administrators must ensure that each region has a uniform record disposition procedure and closed file tracking system of paper files as described in *Section D*.
2. One year from the date of implementation of this policy, Regional Administrators shall ensure that all inactive/closed files in the region have been labeled and/or destroyed according to this policy.
3. When a file is designated as inactive/closed the Case Manager, Records Clerk/Coordinator or designee shall document in a consistent manner in the file, the appropriate Records Disposition Authorization (RDA) number and projected disposition date according to the following record series:
 - a) **RDA2873-Closed DYD Youth Master Files** are to be cut off September 30, 1993, then maintained in State Records Center and various DCS locations until September 30, 2009 or until the youth's 29th birthday; then destroyed. These are juvenile justice youth records, including probation and diversion case files, formerly maintained by the Department of Youth Development (DYD), that closed from January 1, 1920 to September 30, 1993 which were not prepped or microfilmed.

	<p>b) RDA2982 - Closed DCS-Home County Child Case Files</p> <p>"Original" case file records, including demographics, assessment, treatment, permanency plans, case recordings/notes, disciplinary reports, placement, court order. Photographs and other miscellaneous information on social services and juvenile justice children that is no longer in the physical custody, control or supervision of the state. The files are to be cut off on June 30th following the child's 24th birthday then, maintain in agency seven (7) year(s); then destroy.</p> <p>c) RDA2877- Closed Foster Parent Files are to be cut off at the end of each calendar year then, maintain in agency 25 yrs; then destroy. These are closed files containing information, i.e., medical, social, financial, training, criminal background checks, etc., on foster homes or contract agencies that no longer provide services to agency clients.</p> <p>d) RDA2882- Closed DYD Youth-Miscellaneous Master Files are to be cut off at the youth's 22nd birthday, then destroyed. These are juvenile justice records, including probation and diversion case files, except for medical and education records, formerly maintained by DYD that closed from October 1, 1993 to June 30, 1996 and are currently stored at various DCS locations. This RDA replaces RDAs 390 and 2241.</p>
<p>B. Re-opened files</p>	<p>If a child returns to DCS custody, staff shall transfer all inactive/closed file record information to the active case file.</p>
<p>C. Identification of protected health information (PHI) files</p>	<p>PHI records and databases will be destroyed in accordance with federal and state regulations. Refer to DCS policy <u>32.3, Uses and Disclosures of Client or Participant Protected Health Information</u> for documentation requirements regarding the designated records set and accounting of disclosures.</p>
<p>D. Method of record disposal</p>	<p>DCS' approved method for destroying confidential paper record information is by <u>shredding only</u>. Electronic records will be irreversibly destroyed in accordance with state approved methods.</p>
<p>E. Disposal documentation</p>	<ol style="list-style-type: none"> 1. Records designated for destruction, regardless of media, will be destroyed and tracked by the region/local office. 2. Records destroyed prior to the effective date of this policy will be documented according to DCS Policy <u>9.4, Confidential Child-Specific Records Information</u>. 3. Eligible case files shall be destroyed on or before June 30th of each year and documented annually. 4. Disposal documentation for child/youth files should include the following: <ol style="list-style-type: none"> a) Child's name b) Child's birth date c) Child's social Security number d) Applicable RDA number

	<ul style="list-style-type: none">e) Estimated volume (cu. ft.)f) Disposal methodg) Destruction date (month/day/year)h) List name and signature of staff supervising and witnessing the record destruction <p>5. Disposal documentation for foster parent files should include the following:</p> <ul style="list-style-type: none">a) Foster home/agency's nameb) Applicable RDA numberc) Estimated volume (cu. ft.)d) Disposal methode) Destruction date (month/day/year) <p>6. If destruction services are contracted, the DCS facility will specify the method of destruction, note the time that will elapse prior to destroying the records, identify contractor safeguards against breaches in confidentiality, secure an indemnity from loss due to unauthorized disclosure, and obtain a written proof of destruction.</p> <p>7. Prepare Form GS-0989, Certificate of Records Destruction and forward to departmental records officer.</p> <p>8. Records destruction information shall be included in the regional annual records holding report.</p>
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Forms:	<u>GS-0989, Department of General Services Certificate of Destruction</u>
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Collateral documents:	<u>DCS Records Disposition Authority Policies</u>
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Glossary:	
Term	Definition
Case recordings:	The ongoing chronological narrative written by a case manager in a case file that serves to document each contact or to document any activity related to the case.
Closed case files:	Records that were maintained according to legal and/or organizational requirements that are eligible for disposition due to the termination of the physical custody, control, supervision and/or support services of a child by the Department of Children's Services.
Disposition:	An action taken, such as transferring, purging, destroying, microfilming, archiving, etc., regarding records that have reached the end of their retention period. File disposition normally occurs on the 21st birthday for a social service child and the 22 nd birthday for a juvenile justice child.
Inactive case files:	Records that may have been closed but are not yet ready for disposition.