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| CORRECTIONAL MANAGED HEALTH CARE POLICY MANUAL | Effective Date: 11/22/2021 | NUMBER: H-65.1 |
| | Replaces: 3/7/2017 | |
| | Formulated: 7/89 Reviewed: 10/2021 | Page 1 of 1 |

RETENTION/DESTRUCTION OF HEALTH RECORDS

PURPOSE: To ensure Texas Department of Criminal Justice (TDCJ) inmate health records are retained upon discharge from TDCJ and destroyed according to the TDCJ records retention schedule.

POLICY: All TDCJ inmate health records will be retained at Health Services Archives upon discharge according to the TDCJ records retention schedule and destroyed according to the TDCJ Executive Directive 02.29, *Records Management*.

- I. The Texas Department of Criminal Justice (TDCJ) establishes and maintains a record retention schedule in accordance with the applicable statute of limitations (Article 241.103). Such records will be properly destroyed according to the TDCJ Executive Directive 02.29, with proper documentation submitted to TDCJ Health Services staff once pertinent health care information has been retained on an acceptable archival medium.
- II. Health records of all inmates will be kept in their original form for ten years after discharge from TDCJ. The discharged inmate health records will be maintained at Health Services Archives 262 FM 3478 Ste. B, Huntsville, Texas 77320. In the event an inmate returns to a TDCJ facility for further incarceration, his/her previous health records will be made available for review and for continuity of care purposes upon request from a facility health care provider. Health care providers requesting records of previous incarcerations are encouraged to be as specific as possible. The records will be provided by Health Services Archives staff to the health care provider within 5 days of receipt of the request via SharePoint One Drive.
- III. All incarcerated inmate protected health information scanned legibly into the inmate electronic health record must be forwarded to the Health Services Archives off-site warehouse (Hwy 75 location) for proper destruction. All facilities will send boxes of protected health information (PHI) shred material only once a month as scheduled by TDCJ Health Services.
- IV. Prior to sending PHI to the Health Services Archives offsite warehouse, any PHI not required to be scanned into the patient’s EHR, but necessitates destruction, must be kept separate from PHI that has been scanned into the EHR. The PHI must be labeled “scanning not required”.

Reference: TDCJ Executive Directive 02.29, Records Management
ACA Standard 4-4415
Texas Health and Safety Code, Article 241.103, Preservation of Records