

Schedule 144

NURSING FACILITIES

December 21, 2011

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559

**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

SCHEDULE	144
AGENCY, BOARD OR COMMISSION	NURSING FACILITIES
DIVISION, BUREAU OR OTHER UNIT	
Supersedes Edition of July 24, 1998	

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE 	
TITLE EXECUTIVE DIRECTOR NEBRASKA HEALTH CARE ASSOCIATION	DATE 12.13.11

PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE 	DATE 12/16/2011
---------------	--------------------

PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE 	DATE 12/20/11
---------------	------------------

PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE 	DATE 12/21/11
---------------	------------------

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the Local Agencies General Records Schedule #24 contains those records common to most local government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying this schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over General Records Schedule #24 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives**. The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Nebr. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
402-471-2559**

SCHEDULE 144 NURSING FACILITIES

12/21/2011

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.

Supersedes Edition of 7/24/98

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
144-001-000-000-000-000-000	ALZHEIMER'S SPECIAL CARE DISCLOSURE ACT	Record of disclosure of services provided.	7 years after superseded	Neb. Rev. Stats. §71-516.02(3)
144-002-000-000-000-000-000	BYLAWS AND ARTICLES OF INCORPORATION		Permanent	
144-003-000-000-000-000-000	CENSUS DATA AND RECORDS	May include, but not limited to: count of residents taken at the same hour each day and other fiscal census data as needed.	10 years	175 N.A.C. Chapter 12.006.16G1
144-004-000-000-000-000-000	DEPRECIATION SCHEDULE AND SUPPORTING DOCUMENTATION	Record of current equipment value for insurance and taxation purposes.	5 years after assets are no longer in use by provider	471 N.A.C. Chapter 12-001.10
144-005-000-000-000-000-000	DIETARY SERVICES	May include, but not limited to: record for amount and frequency of food ordered, food temperature records and menus.	2 years	
144-006-000-000-000-000-000	FACILITY - FIRE PROTECTION SYSTEMS AND HYDRANTS	May include, but not limited to inspections, test, maintenance, valve inspections, flow drain, pump tests and trip tests.	ORIGINAL RECORD: Life of the system ALL OTHERS: 1 year after next inspection, test or maintenance	NFPA 15, Chapter 1-8 (National Fire Protection Association)
144-007-000-000-000-000-000	FACILITY - MAINTENANCE AND INSPECTION	May include, but not limited to: ground, building, equipment maintenance or test records (except fire protection systems) and temperature charts for room, water and refrigeration.		<ul style="list-style-type: none"> •See BUILDING GROUNDS MAINTENANCE, item 024-013 •Boiler and Elevator inspection required every 12 months
144-008-000-000-000-000-000	FACILITY - MATERIAL SAFETY DATA SHEET (MSDS)	Information on each product used in a facility and records of its use (where product used and time frame of the use) as required by OSHA.	MSDS RECORD: After product no longer in use USE/TIME FRAME RECORDS: 30 years after product no longer used	29 C.F.R. §1910.1020
144-009-000-000-000-000-000	FACILITY - PROPERTY	May include, but not limited to: deeds, titles, leases, blue prints, building plans and specifications.		See BUILDING CONSTRUCTION CONTRACTS AND RECORDS, item 024-012 or BUILDING PLANS AND SPECIFICATIONS, item 024-015

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
144-010-000-000-000-000-000	FACILITY - UNDERGROUND AND EXPOSED PIPING FLOW TESTS	Tests to determine the condition of the pipes.	ORIGINAL RECORD: Life of the system ALL OTHERS: 1 year after next inspection, test or maintenance	<ul style="list-style-type: none"> •NFPA 25 Chapter 1-8 (National Fire Protection Association) •Tests done at a minimum of 5 year intervals
144-011-000-000-000-000-000	FACILITY INITIAL LICENSE APPLICATION AND LICENSE RENEWALS		INITIAL LICENSE: Permanent RENEWALS: 7 years	
144-012-000-000-000-000-000	HUMAN RESOURCES - BACKGROUND CHECKS			<ul style="list-style-type: none"> •HIRED: See EMPLOYMENT HISTORY FILE, item 024-041 •NON-HIRED: See APPLICATIONS AND OTHER SUPPLEMENTAL MATERIAL USED TO HIRE AND NOT HIRE PERSONS, item 024-004
144-013-000-000-000-000-000	HUMAN RESOURCES - EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA)	Plan records to support or validate payment of the premiums, the number of plan participants and calculation of certain benefits.	6 years after premium due date	29 CFR §4007.10
144-014-000-000-000-000-000	HUMAN RESOURCES - EMPLOYMENT TAX RECORDS			<ul style="list-style-type: none"> •See EMPLOYERS QUARTERLY TAX STATEMENT, item 024-040 •40 C.F.R. §31-6001
144-015-000-000-000-000-000	HUMAN RESOURCES - ENDOWMENTS, TRUSTS AND BEQUESTS		Permanent	
144-016-000-000-000-000-000	HUMAN RESOURCES - FAMILY MEDICAL LEAVE	Basic payroll and identifying employee data, dates of FMLA leave, employee notices of leave, correspondence regarding leave, premium payment or disputes, and documentation of employee policy.	3 years after date of record	29 C.F.R. §825.500
144-017-000-000-000-000-000	HUMAN RESOURCES - INSERVICE EDUCATION RECORDS/CEU EDUCATION RECORDS		7 years	
144-018-000-000-000-000-000	HUMAN RESOURCES - JOB DESCRIPTIONS		Superseded or obsolete	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
144-019-000-000-000-000-000	HUMAN RESOURCES - OSHA RECORDS	May include, but not limited to: OSHA 300 log, annual summary and OSHA 301 Incident Report and Sharps Report Log.		<ul style="list-style-type: none"> •See FIRST REPORT OF ALLEGED ACCIDENT OR OCCUPATIONAL DISEASE OR FIRST REPORT OF OCCUPATIONAL INJURY OR ILLNESS, item 024-048 •29 C.F.R. §1910.1020(d)(1)(ii) •29 C.F.R. §1904.33
144-020-000-000-000-000-000	HUMAN RESOURCES - PAYROLL/PERSONNEL RECORDS	<p><i>Payroll Records include:</i> Name, address, date of birth, occupation, rate of pay and weekly compensation of each employee.</p> <p><i>Personnel Records include:</i> Applications, resumes, promotion, demotion and layoff records, and employee records dealing with Americans with Disabilities Act (ADA) and Age Discrimination in Employment Act of 1967.</p>		<ul style="list-style-type: none"> •PERSONNEL RECORDS: See EMPLOYMENT HISTORY FILE, item 024-041 •PAYROLL RECORDS: See PAYROLL OR PAYMENT RECORDS, item 024-061 •NON-HIRED: See APPLICATIONS AND OTHER SUPPLEMENTAL MATERIAL USED TO HIRE AND NOT HIRE PERSONS, item 024-004 •29 C.F.R. §1602.14 •29 C.F.R. §1627.3 and 621
144-021-000-000-000-000-000	HUMAN RESOURCES - STAFFING SCHEDULES	Staff work schedules for all disciplines.	7 years	
144-022-000-000-000-000-000	INCIDENT/ACCIDENT REPORTS AND LOGS	Reports of incidents involving residents, visitors or staff giving name. May include, but not limited to description of incident, action taken and logs of reports.	7 years	
144-023-000-000-000-000-000	LOGS	Includes any log not otherwise scheduled. May include, but not limited to: eye wash station and generator tests.		See LOGBOOKS AND OTHER LOGS, item 024-056

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
144-024-000-000-000-000-000	MEDICAID COST REPORT MATERIALS	All supporting materials used to submit the annual cost report that all providers of service participating in the Medicaid program are required to file. Each report covers a 12 month period of operations based upon the provider's accounting year. May include but not limited to: audited financial statements, billing forms, general journals & ledgers, audits, revenue usage reports and voucher register.	5 years after report has been filed or until an audit started within the 5 years has been finalized (whichever is later)	471 N.A.C. Chapter 12-011.10
144-025-000-000-000-000-000	MEDICARE COST REPORT MATERIALS	All supporting materials used to submit the annual cost report that all providers of service participating in the Medicare program are required to file. Each report covers a 12 month period of operations based upon the provider's accounting year. May include by not limited to: audited financial statements, billing forms, general journals & ledgers, audits, revenue usage reports and voucher register.	MANAGED CARE PROVIDERS: 10 years after providing the service ALL OTHER PROVIDERS: 5 years after the closure of the cost report or until an audit started within the 5 years has been finalized (whichever is later)	<ul style="list-style-type: none"> •42 C.F.R. §422.504(d)(2)(iii) •42 C.F.R. §482.24(b)(1) •Reports must be retained in their original or legally reproduced form
144-026-000-000-000-000-000	MEETING MINUTES AND MATERIALS	Includes the minutes, agendas and any information presented or compiled as supplemental materials for the meetings. Groups may include, but not limited to Governing Board, Resident Council, safety and other staff committees/meetings.		<ul style="list-style-type: none"> •See MEETING MINUTES AND MATERIALS, item 024-057 •OSHA SHARPS REVIEW MEETINGS: See NURSING-EXPOSURE CONTROL PLAN MEETING (SHARPS REVIEW - OSHA), item 144-031
144-027-000-000-000-000-000	MOTOR VEHICLE	May include, but not limited to maintenance, mileage and scheduling records.	1 year after vehicle is surplused	
144-028-000-000-000-000-000	NURSING - DRUG RECORDS	May include, but not limited to: controlled drug shift counts, emergency drug box inspection reports, drug destruction and drug error records.	5 years	Neb. Rev. Stat. §71-2413
144-029-000-000-000-000-000	NURSING - EXPOSURE CONTROL PLAN MEETING (SHARPS REVIEW - OSHA)	Nursing staff annual review and minutes of the meeting which reviewed the exposure control plan that affects occupational exposure to blood borne pathogens and use of effective safer medical devices.	3 years	<ul style="list-style-type: none"> •Minutes must be kept of this meeting •29 C.F.R. §1910.1030
144-030-000-000-000-000-000	NURSING - INFECTION CONTROL TRACKING FORMS	Incidents and corrective actions related to infractions.	2 years	42 C.F.R. §483.65

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
144-031-000-000-000-000-000	NURSING - MEDICATION AIDE	Statements of competency.	2 years	172 N.A.C. §95-010.03
144-032-000-000-000-000-000	NURSING - NURSE STAFF SHEET	Daily nurse staffing data that is posted as required by law.	2 years	42 C.F.R. §483.30(e)
144-033-000-000-000-000-000	PHYSICIAN CERTIFICATION AND RECERTIFICATION	Record of physician licensure and privileges.	5 years	
144-034-000-000-000-000-000	POLICY AND PROCEDURE MANUAL	The original record is a complete set of all the dated policies and procedures (including all the superseded information).	ORIGINAL RECORD: Permanent ALL OTHER COPIES: Superseded	
144-035-000-000-000-000-000	RESIDENT - CHRONOLOGICAL ADMISSION REGISTER	Information for each resident admitted that may include but not limited to: name of resident, date of admission, date of birth, social security number, admission number, gender, name(s) of medical practitioner and dentist, date of discharge, and destination.	Permanent	•References as 'index' •175 N.A.C. Chapter 12-006.16F
144-036-000-000-000-000-000	RESIDENT - CLINICAL RECORD	Confidential clinical record of resident care and final disposition documentation of the record.	ORIGINAL RECORD: 5 years after resident is discharged OR expired OR 5 years after age of majority (19 years of age) is reached (whichever is later) DESTRUCTION REPORT: Permanent	175 N.A.C. Chapter 12.006.16D
144-037-000-000-000-000-000	RESIDENT - HIPPA	Revision to policies and procedures regarding protected health information. May include but not limited to: billing documentation, disclosures of health information and record of disclosures from electronic health payments, treatments and health care operations.	POLICY/PROCEDURES: 6 years from the date of its creation or last effective date (whichever is later) DISCLOSURES OF HEALTH INFORMATION: 6 years after disclosure ALL OTHER DISCLOSURES: 3 years after disclosure	•45 C.F.R. §164.530(j), §164.315(b)(2) and §164.528 •42 USC §17935
144-038-000-000-000-000-000	RESIDENT ACTIVITIES - OUTSIDE FOOD	Records created and used to track food brought into the facility and served at any event. May include, but not limited to: list of foods, who brought it in and residents eating it.	30 days after event	
144-039-000-000-000-000-000	RESIDENT ACTIVITIES AND PARTICIPATION	May include, but not limited to: list, schedule or calendar of activities and the participation of residents.	2 years	Excludes records that are part of a specific resident's clinical record
144-040-000-000-000-000-000	SURVEY OF FACILITY RESULTS AND OTHER SURVEYS	Survey of Facility Results include deficiency statements, life safety code survey, and survey agency requirements for licensure and accreditation, and letters from the state survey agency or CMS (Centers for Medicare/Medicaid Services). Other surveys may include, but not limited to child care, human resources, volunteer, etc.	FACILITY RESULTS: 5 years from the time of survey, end of probation period, or restriction period of any type (whichever is longer) ALL OTHERS: 2 years	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
144-041-000-000-000-000-000	TRAINING AND DRILL RECORDS	Staff, residents and volunteer training and drill records. May include, but not limited to: fire, tornado and elopement.	1 year after training or drill performed	
144-042-000-000-000-000-000	WRITTEN GRIEVANCE	A written expression of dissatisfaction which may or may not be the result of an unresolved complaint.	7 years	471 N.A.C. Chapter 12-002