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Legislation Text

File #: 15-0381, **Version:** 1

A resolution to authorize destruction of COMCARE Records (DISP 2015-217 HS-Comcare 2000-2009).

Recommended Action: Approve the resolution and direct the COMCARE Director, and the Records Manager to destroy the records.

Background: This records disposal follows the same model as disposals previously approved by the Commission, and applies the Records Management Policy approved in 1998. Kansas law (K.S.A. 45-404(c)) requires that destructions of County records be authorized by the Board of County Commissioners. Approval of this routine disposal keeps Comcare in compliance with state law and will save offsite storage fees.

Records proposed for destruction total 159 boxes and are comprised of records that fall under several series on the state schedule. Included in this disposal are client records, deposits, medical billing, accounts receivable, incident reports, UR folders and timesheets for the time period 2000-2009. A detail inventory is available, and will be maintained permanently in PDF and MS Excel formats by Records Management as part of the documentation for the destruction case. Of the records in this disposal 128 boxes are currently stored with the offsite vendor, Underground Vaults and Services and will be permanently recalled so Comcare staff can review client records prior to disposal.

The balance of 31 boxes are currently already stored in the courthouse records center.

Analysis: County Records Management Policy is to destroy at the earliest opportunity records identified (1) as eligible under State law, and (2) that lack continuing value adequate to offset the costs to retain and make accessible. Custodian for the records proposed for destruction, COMCARE Director, Marilyn Cook, has determined they have no continuing administrative value for operation of COMCARE. Chief Financial Officer Chris Chronis has determined that they have no continuing fiscal value for County operations. The Records Manager has confirmed they are eligible for disposal by destruction, consistent with State retention schedules, and finds that they lack identifiable research value adequate to offset costs. WSU Curator Special Collections/University Archivist, Dr. Lorraine Madway who serves as an independent reviewer for archival value, agrees they lack substantive research value, and concurs in the recommendation to destroy. The County Counselor has confirmed these records no longer are needed to represent the County's legal interests.

Due to the fact that these records contain personal medical information of individuals, the Records Manager recommends that these records be destroyed by shredding.

The resolution also would authorize the COMCARE Director, and the Records Manager to destroy any records or duplicates, regardless of format or media, that may be found in the future that can be identified as the records series listed on the inventory and that fall within the time periods listed or previous.

Alternatives: These records could continue to be retained, either in whole or in part, which would also continue associated costs to store and make accessible.

Financial Considerations: One-time fees for the commercial vendor (Cintas Document Management) to destroy are estimated at \$298.13 (\$1.88 per box). Finance has identified funds available within 31008-202 sufficient to pay destruction fees.

Legal Considerations: The authority for this action is K.S.A. 45-401 et seq. A simple majority vote is required.

Policy Considerations: The recommended action would apply existing policy.