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Sedgwick County

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Wichita, KS 67203

Legislation Text

File #: 16-325, **Version:** 1

Resolution to authorize the destruction of Health Department records 1991-2012 (DISP 2016-256 HS-Health).

Recommended Action: Approve the resolution, authorize the Chairman to sign, and direct the Health Department 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. Records proposed for destruction total 123 boxes for the period 1991-2012, and are comprised of mixed Health series including children's dental, primary care and other minors' charts, immunization consents, medical billing and receipts, HIPAA compliance correspondence, tuberculosis records - treated, and adult charts from various programs. A detail inventory is available and will be maintained permanently by Records Management in PDF and MS-Excel formats as part of the documentation for the destruction case.

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 costs to retain and make accessible. Custodian for the records proposed for destruction, Health Department Director Adrienne Byrne-Lutz, has determined they have no continuing administrative value for operation of the Health Department. 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 most of these records contain protected health information (PHI), the Records Manager recommends that these records be destroyed by shredding.

The resolution also would authorize the Health 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 to destroy the 23 boxes of records stored at the courthouse records center are \$37.95 (\$1.65 per box). Fees for Underground

Vaults and Storage to destroy the 100 boxes stored there would be \$450.00 (\$4.50 per box) making the total destruction fees \$487.95. Finance has identified funds available within cost center 38021-110 sufficient to pay destruction fees.

Legal Considerations: The authority of 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.