



**1 RECORDS RETENTION SCHEDULE : Department of Behavioral Health**

**2 EFFECTIVE DATE: 1/14/2025**

This schedule sets forth minimum retention periods. A retention period begins once a record is created or upon some other action, event, or transaction. Refer to the Records Retention Schedule Instructions (Form RMP 3-Inst). Refer to the **Countywide Record Retention Schedule** for retention and destruction periods of records commonly found in all departments/entities. Refer to a **department or entity's Record Retention Schedule** for retention and destruction periods of records unique to the department/entity.

Warning: Notwithstanding any minimum retention period, records relevant to an administrative or legal proceeding, or request for public records, must be retained until final disposition of the proceeding or request. Also, certain records, even if non-permanent under a Records Retention Schedule, may nevertheless qualify as an archive under the County Policy Manual.

3 CUSTODIAN OF RECORD	4 TITLE & DESCRIPTION OF RECORD	5 VITAL	6 ARCHIVES	7 TOTAL RETENTION	8 LEGAL AUTHORITY & POLICY PREFERENCE & COMMENTS
1 Department of Behavioral Health	BILLING RECORDS OR CLAIMS PROCESSING: Other Health Coverage (OHC) (Adults or Juveniles)	Yes		Minimum of 7 years	22 CFR §70751; H&S §123145, Adult patients: 7 years after discharge. Minor patients: 7 years after discharge or 1 year after the patient reaches the age of 18.
2 Department of Behavioral Health	BILLING RECORDS OR CLAIMS PROCESSING: Medicare or Medi-Cal (Adults)	Yes		10 Years	42 CFR § 438.230(c)(3)(iii); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
3 Department of Behavioral Health	BILLING RECORDS OR CLAIMS PROCESSING: Medi-Cal (Juveniles)	Yes		10 Years	42 CFR § 438.230(c)(3)(iii); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
4 Department of Behavioral Health	COMPLIANCE REVIEWS: Fraud, Waste and Abuse Audits and Investigations; and Contract Monitoring Reports	Yes		10 years	42 CFR § 438.3(h); 42 CFR § 438.230(c)(3)(iii); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
5 Department of Behavioral Health	CONTACT LOGS: Speciality Mental Health Services, Substance Use Disorder Services, and Fee-For-Service Initial Contact Logs			10 Years	42 CFR § 438.3(h); 42 CFR § 438.230(c)(3)(iii); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
6 Department of Behavioral Health	CREDENTIAL AND PROVIDER CLEARANCE: Provider credential/license/registration/certification/waiver and/or individual/entity exclusion checks	Yes		10 Years	42 CFR § 438.3(h); 42 CFR § 438.230(c)(3)(iii); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later; California BPC §§820-828.
7 Department of Behavioral Health	GRIEVANCES /APPEALS / CONCERNS / COMPLAINTS: Beneficiary, Member, Contractor, etc.	Yes		10 years	42 CFR § 438.416(a); 42 CFR § 438.3(u); 42 CFR § 438.3(h); must maintain record in a manner accessible to DHCS and CMS.
8 Department of Behavioral Health	HEALTH INFORMATION PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) AND 42 CFR PART 2: Policies, procedures and forms			6 years from date of creation or date when last in effect, whichever is later	45 CFR §164.530; 6 years from the date of its creation or the date when it last was in effect, whichever is later.
9 Department of Behavioral Health	INCIDENT REPORTS: Privacy/security incidents and/or breach investigation reports	Yes		6 years from date of creation or date when last in effect, whichever is later	45 CFR §164.316(b)(2);45 CFR § 164.530; 6 years from the date of its creation or the date when it last was in effect, whichever is later.
10 Department of Behavioral Health	LANTERMAN-PETRIS-SHORT (LPS) ACT RECORDS: LPS facility designation, monitoring, advocacy, complaints, etc.	Yes		10 years	22 CFR §70751 ; H&S §123145; 42 CFR § 438.3(u); 42 CFR § 438.3(h); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
11 Department of Behavioral Health	NATIONAL COMMISSION ON HEALTH CARE ACCREDITATION (NCCHC): Documentation required to maintain NCCHC accreditation	Yes		10 Years	42 CFR 438.332(a); 42 CFR § 438.3(h); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
12 Department of Behavioral Health	MEDI-CAL / MEDI-CARE SITE CERTIFICATION RECORDS: Medi-cal binders, fire clearance, letters of intent, certification approvals, etc.	Yes		10 years	CCR Tit. 9, §1810.435; 42 CFR § 438.3(h); 42 CFR § 438.230(c)(3)(iii); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
13 Department of Behavioral Health	MENTAL HEALTH COURT RELATED FILES: Documentation of activities conducted with youth per order of the court; competency remediation, psychological evaluations, psychologist panel applications.	Yes		10 years	42 CFR § 438.3(h); 42 CFR § 438.230(c)(3)(iii); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.

Records, in any medium, that are subject to a legal hold or a California Public Records Act request must be retained until the claim, litigation or PRA request is resolved.

**Legal Authority Abbreviations**

<b>B&amp;P</b> Business and Professions Code	<b>CFR</b> Code of Federal Regulations	<b>GC</b> Government Code
<b>CC</b> County Code (San Bernardino)	<b>EC</b> Elections Code	<b>H&amp;S</b> Health and Safety Code
<b>CCP</b> Code of Civil Procedure	<b>EVC</b> Evidence Code	<b>IRC</b> Internal Revenue Code
<b>CCR</b> California Code of Regulations	<b>FC</b> Family Code	<b>IRS</b> Internal Revenue Service

<b>LC</b> Labor Code	<b>USC</b> United States Code
<b>PC</b> Penal Code	<b>VC</b> Vehicle Code
<b>R&amp;T</b> Revenue and Taxation Code	<b>WC</b> Water Code
<b>UFC</b> Uniform Fire Code	<b>W&amp;I</b> Welfare and Institutions Code

**Schedule Abbreviations**

<b>DP</b> Department Preference	Page 1 of 2
<b>CR</b> Custodian of Record	Form RMP 3
	Rev. 02/2024



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14 Department of Behavioral Health	MENTAL HEALTH SERVICES ACT (MHSA) RECORDS: Administrative, community planning, plans, reports, etc.	Yes		6 years from date of creation or date when last in effect, whichever is later	45 CFR § 164.316(b)(2); 6 years from the date of its creation or the date when it last was in effect, whichever is later.
15 Department of Behavioral Health	PARTICIPANT RECORDS: Community Clubhouse member sign-in sheets, and activity documents, etc.			6 years from date of creation or date when last in effect, whichever is later	45 CFR § 164.316(b)(2); 6 years from the date of its creation or the date when it last was in effect, whichever is later.
16 Department of Behavioral Health	PATIENT OR CLIENT DATABASE - HEALTH RECORDS: Mental Health Programs and Substance Use Disorder	Yes		Minimum of 7 years	22 CFR §70751; H&S §123145, Adult patients: 7 years after discharge. Minor patients: 7 years after discharge or 1 year after the patient reaches the age of 18.
17 Department of Behavioral Health	PATIENT OR CLIENT FILES: Mental Health Programs, Substance Use Disorder & Recovery Services, Collaborative Services, Juvenile Justice Program, etc.	Yes		10 years	22 CFR §70751; H&S §123145, Adult patients: 7 years after discharge. Minor patients: 7 years after discharge or 1 year after the patient reaches the age of 18. 42 CFR § 438.3(h); state agreement audit rights exist for 10 years.
18 Department of Behavioral Health	PERFORMANCE OUTCOME MEASURES (Adult or Juvenile)			10 years	42 CFR subpart 438.66(c); 42 CFR § 438.604(b).42 CFR § 438.3(h); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
19 Department of Behavioral Health	QUALITY IMPROVEMENT EVALUATIONS AND AUDITS			10 years	42 CFR subpart 438.66(c); 42 CFR § 438.604(b); 42 CFR § 438.3(h); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
20 Department of Behavioral Health	SPECIALIZED TRAININGS: Includes Department mandated trainings, Title 15 and LPS 5150 certification; logs, certificates, sign-in sheets, etc.			10 years	42 CFR § 438.3(h); 42 CFR § 438.230(c)(3)(iii); state agreement audit rights exist for 10 years from the final date of the contract period or from the date of completion of any audit, whichever is later.
21 Department of Behavioral Health	WORKFORCE, EDUCATION & TRAINING (WET): Advertisements, curriculum, procurement, evaluation; MHSA and EQRO audit documents			6 years from date of creation or date when last in effect, whichever is later	45 CFR § 164.316(b)(2); 6 years from the date of its creation or the date when it last was in effect, whichever is later.

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**Schedule Abbreviations**

<b>USC</b> United States Code	DP Department Preference CR Custodian of Record	Page 2 of 2 Form RMP 3 Rev. 02/2024
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<b>WC</b> Water Code		
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