



Department: COMPLIANCE	Version #: 2
<b>Title: Record Retention</b>	
Process Owner: Compliance Officer	Date Created: 2/26/2019 Last Reviewed Date: 1/10/2022
Document Type: Policy	Approver(s): Policy Review Committee
References: 42 CFR §§ 422.504(d); 422.504(e)(4); 423.505(d); 423.504(e)(4)	Date Approved: 3/26/2020

**Printed copies are for reference only. Please refer to the S/Policies and Work Instructions for the most recent version.**

**Purpose:** To ensure that ATRIO Health Plans retains Records related to its Medicare plans in accordance with applicable law and in accordance with ATRIO's CMS contracts.

**Summary:** ATRIO will comply with federal and state Record retention requirements.

**Scope:** This policy applies to all ATRIO Departments.

**Definitions:**

**CMS:** The Centers for Medicare & Medicaid Services. This is the agency within the Department of Health and Human Services (HHS) that is responsible for directing the national Medicare program.

**Medium:** The format in which a Record is created (i.e., paper, electronic, audio, video, etc.).

**Record:** All information, regardless of Medium, that is created or received by ATRIO as part of its everyday course of business, whether stored on or off-site.

**Policy**

ATRIO follows applicable CMS, federal and state Record retention requirements.

Records, regardless of Medium, must be retained for the longer of:

1. The current contract period and 10 prior contract periods; or
2. The date on which all external audits of ATRIO are completed.

Records must be retained beyond the retention periods above when there is a probability of litigation either involving the Record(s) or requiring their use.

Each ATRIO Department Director is responsible for ensuring this ATRIO Record Retention Policy is followed for the Records retained for their Department.

At a minimum, ATRIO will retain the following Records as described in 42 CFR 422.504(d)  
Maintenance of records:

*Books, records, documents, and other evidence of accounting procedures and practices that -*

**(1)** *Are sufficient to do the following:*

**(i)** *Accommodate periodic auditing of the financial records (including data related to Medicare utilization, costs, and computation of the bid) of ATRIO.*

**(ii)** *Enable CMS to inspect or otherwise evaluate the quality, appropriateness, and timeliness of services performed under the contract, and the facilities of ATRIO.*

**(iii)** *Enable CMS to audit and inspect any books and records of ATRIO that pertain to the ability of ATRIO to bear the risk of potential financial losses, or to services performed or determinations of amounts payable under the contract.*

**(iv)** *Properly reflect all direct and indirect costs claimed to have been incurred and used in the preparation of the bid proposal.*

**(v)** *Establish component rates of the bid for determining additional and supplementary benefits.*

**(vi)** *Determine the rates utilized in setting premiums for State insurance agency purposes and for other government and private purchasers; and*

**(2)** *Include at least records of the following:*

**(i)** *Ownership and operation of ATRIO's financial, medical, and other record keeping systems.*

**(ii)** *Financial statements for the current contract period and 10 prior periods.*

**(iii)** *Federal income tax or informational returns for the current contract period and 10 prior periods.*

**(iv)** *Asset acquisition, lease, sale, or other action.*

**(v)** *Agreements, contracts, and subcontracts.*

**(vi)** *Franchise, marketing, and management agreements.*

**(vii)** *Schedules of charges for the ATRIO's fee-for-service patients.*

**(viii)** *Matters pertaining to costs of operations.*

**(ix)** *Amounts of income received by source and payment.*

**(x)** *Cash flow statements.*

**(xi)** *Any financial reports filed with other Federal programs or State authorities.*

In addition, ATRIO will retain:

- Training Records for fraud, waste, and abuse (FWA), HIPAA, and compliance. Records include training time, attendance, topic, certificates of completion (if applicable), test scores of any tests were administered to employees. ATRIO requires FDRs to retain the same Records of employee trainings.
- Training presentations and attendance Records for internal group trainings;

- Documentation related to compliance violations, including the date the violation was reported, a description of the violation, date of investigation, documentation related to the issue summary of findings, and the date and description of the disciplinary actions, if any, were taken;
- Customer Service call recordings; and
- Complaint and Appeal documentation and logs.

Prior to destroying Records, the Director shall obtain approval from the Compliance Officer and General Counsel. All Records approved for destruction will be disposed by HIPAA compliant methods.