REQUEST FOR RECORDS DISPOSITION AUTHORITY

(See Instructions on reverse)

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)
WASHINGTON, DC 20408

1. FROM (Agency or establishment)
Department of Health and Human Services

2. MAJOR SUBDIVISION
Office of the Secretary

3. MINOR SUBDIVISION
Office for Civil Rights

4. NAME OF PERSON WITH WHOM TO CONFERR
Scott Smith
5. TELEPHONE
(202) 619-3441

6. AGENCY CERTIFICATION
I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is not required; is attached; or has been requested.

DATE SIGNATURE OF AGENCY REPRESENTATIVE
FEB 26 1996 A Prentice Barnes, Sr.
TITLE HHS Records Manager

7. ITEM NO.

8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION

The attached records schedule is a revision to Section 706, Office for Civil Rights, Office of the Secretary, Department of Health and Human Services (HHS) Records Handbook (NCI-235-80-1). Other Office for Civil Rights-related NARA Job Numbers are NCI-2354-78-5, NI-468-93-2, and NI-468-92-3.

9. GRS OR SUPERSEDED JOB CITATION

10. ACTION TAKEN (NARA USE ONLY)
WITHDRAWN

115-109
NSN 7540-00-634-4064
PREVIOUS EDITION NOT USABLE
STANDARD FORM 115 (REV. 3-91)
Prescribed by NARA 36 CFR 1228
Chapter 700. Office for Civil Right (OCR)

<table>
<thead>
<tr>
<th>Record Description</th>
<th>Record Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>701.01 Health and Human Service OCR Review Files</strong></td>
<td>Cut off at the end of the fiscal year. Destroy three years after cut off.</td>
</tr>
<tr>
<td>Civil rights reviews of departmental rules and regulations applicable to Health and Human Services programs.</td>
<td></td>
</tr>
<tr>
<td><strong>701.02 Health and Human Services Discrimination Files</strong></td>
<td>Cut off at the end of the fiscal year in which the case is resolved. A case is considered resolved when there are no pending matters related to that case, (e.g. challenges, enforcement actions, litigation, appeals, etc.). Transfer to Federal Records Center (FRC) two years after cut off. Destroy 15 years after cut off.</td>
</tr>
<tr>
<td>Investigation case files for complaints filed with OCR and post award reviews of recipients to determine compliance with civil rights statutes administered by OCR such as, Titles VI and IX, Section 504, the Age Discrimination Act, Hill-Burton Community Service Assurance, and Block Grants.</td>
<td></td>
</tr>
<tr>
<td><strong>701.03 High Priority Case Files</strong></td>
<td>Cut off at the end of the fiscal year in which the case is resolved. Destroy three years after cut off.</td>
</tr>
<tr>
<td>Comprehensive files maintained by headquarters of complaints that have been designated as high priority and investigated utilizing a headquarters/regional team.</td>
<td></td>
</tr>
<tr>
<td><strong>701.04 Age Discrimination Complaint Mediation Referrals</strong></td>
<td>Cut off closed mediation referral cases at the end of the fiscal year. Destroy three years after cut off.</td>
</tr>
<tr>
<td>The provisions of the Age Discrimination Act require that age discrimination complaints be referred for mediation before processing. This disposition only covers age discrimination complaints settled through mediation.</td>
<td></td>
</tr>
<tr>
<td><strong>701.05 Baby Doe Files</strong></td>
<td></td>
</tr>
<tr>
<td>Files on OCR's implementation of Section 504 of the</td>
<td></td>
</tr>
</tbody>
</table>
Rehabilitation Act of 1973 as related to the withholding of medical care and nutritional sustenance from disabled infants also known as "Baby Doe".

Public comment files on proposed Baby Doe regulations

Destroy at the close of the fiscal year.

Telephone call log files for the Baby Doe Hot Line

Destroy at the close of the fiscal year.

Baby Doe Investigative Records

These case files were compiled during the investigation of individually filed complaints alleging a denial of medical treatment and nutritional sustenance to a handicapped infant. They include administrative files containing correspondence, the OCR computer tracking (CIMS sheet) and the acknowledgment letter. Also included are investigative files containing the complaint, the investigative plan, investigative report, Letters of Finding and exhibits. Also included are medical records files containing the medical records of injured parties and any other medical records obtained and used in the investigation.

Permanent. Transfer to National Archives immediately.

Baby Doe General Subject Files

These files contain information compiled during OCR's administration of the Baby Doe program. Contents include newspaper clippings, articles, memoranda, letters, and legal opinions relating to OCR's implementation of the Baby Doe regulation.

Permanent. Transfer to National Archives immediately.
701.06 Civil Rights Directives

Documents issuing (transitory) administrative and program procedures and guidelines, manuals for civil rights investigations and guidance memoranda to assist headquarters and regional staff in determining problems, analyzing data using statistical information, and similar techniques relating to investigations.

Cut off at the end of the fiscal year. Destroy when four years old or when superseded, whichever is earlier.

701.07 Assurance of Compliance Statement Forms

Statements from a health facility assuring OCR that the facility is in compliance with Federal laws in federally-funded projects.

Destroy on change of implementing regulation or repeal of enabling legislation, whichever is appropriate.

701.08 Reports of Regional Office Visits

Files containing background evaluation documents and reports developed from interviews with regional officials concerning workload, records, staff needs, and staff efficiency. These reports are used by Headquarters management personnel to analyze problems in the regions and to develop solutions to ensure better management.

Cut off after the report is completed, and destroy three years after cut off.

701.09 Statistical Surveys (Edited and unedited survey forms)

Statistical data submitted to and used by OCR in monitoring compliance of grantees of HHS pursuant to Titles VI and XVI

Cut off at the end of the fiscal year after being superseded by next survey. (One-time surveys will not become inactive until superseded by the next comparable survey of the same or similar data.) Transfer to
of the Public Health Service
Act and 45 CFR Section
124.605 (triennial Hill
Burton Community Service
Assurance compliance reports)
and data submitted through
other intermittent or one-
time compliance
surveys/reports pursuant to
Title VI of the Civil Rights
Act of 1964 or Section 504 of
the Rehabilitation Act of
1973, as amended.

701.10 Civil Rights Public
Inquiries and Comments Files

General correspondence to
public inquiries and comments
regarding civil rights laws,
regulations, and activities.
Included are incoming
memoranda, letters, forms,
etc.

701.11 Case Management Data
Files

Case control forms and
reports used for management
purposes in monitoring the
investigation of civil rights
cases.

701.12 Letters of Findings
(LOFs) Library

A comprehensive file of all
letters of findings for
complaints and compliance
reviews issued by regional
offices. The LOF Library is
used by OCR staff nationwide
to identify precedent cases
and developing trends, to
flag problems and for
administrative management.

701.13 General Hospital
Civil Rights Survey Forms

Title: 1981 Short Term,
General, and Other Special

Federal Records Center
5 years after cut off. Destroy
15 years after cut off.

Cut off at the end of the
fiscal year. Destroy when one
year old thereafter, or when
no longer needed for
administrative purposes
whichever is earlier.

Cut off at the end of the
fiscal year. Destroy two
years after cut off.

Cut off at the end of the
fiscal year after issuance of
LOF. Hold for five years or
until volume warrants and
then transfer to Federal
Records Center. Destroy 15
years after cut of.

Cut off at the end of the
fiscal year and Transfer to
Federal Records Center five
years after cut off. Destroy
15 years after cut off.
Hospital Civil Rights Survey
- This survey contains 7,000 acute care facilities including Hill-Burton facilities, which received federal assistance. The purpose was to rank hospitals by extent and severity of potential compliance problems for purposes of possible compliance reviews or extensions of technical assistance. These facilities are identified by Medicare provider number, and are in State order.

701.14 Annual Operating Plan (AOP) Information

The AOP information includes agency-wide and region specific programmatic priorities. Also included is information on the regions' implementation of their respective plans. The overall AOP document consists of each region's description of its review, investigation, and outreach activities and workload and case closure projections.

701.15 Special Problems and Requirements Survey

Reports developed from interviews with regional officials concerning workload, records, staff needs, and staff efficiency.

701.16 Multiethnic Placement Act (MEPA)

These files contain information compiled by headquarters during OCR's implementation of the Multiethnic Placement Act. Contents include newspaper

Maintain AOP documents and related implementation information for three years or when no longer needed for administrative purposes. Cut off at the end of the fiscal year and destroy five years after cut off.

Cut off at the end of the fiscal year and destroy four years after cut off.

Permanent. Cut off two years after effective date of the regulations. Transfer to National Archives three years after cut off.
articles, memoranda, letters, legal opinions, and regional compliance activity.

701.17 Pre-Grant Clearance Reviews

These files were compiled during review of applicants for Medicare certification for compliance with relevant civil rights statutes such as, Titles VI and IX, Section 504, the Age Discrimination Act, Hill-Burton Community Service Assurance, and Block Grants.

First, remove signed originals of any HHS Assurance of Compliance, Forms 441, 639A, 641, 680, and 690 and handle in accordance with the disposition procedures prescribed in OCR Schedule 701.07, Assurance of Compliance Statement Forms.

Cut off at the close of the fiscal year in which civil rights clearance (without contingency) is granted. Destroy remaining records three years after cut off.

701.18 Quality Assurance Information

Includes substantive and procedural QA standards, QA implementation plans for QA reviews, and QA reports for each regional office, as well as a national comprehensive report. These reports are used by management personnel to analyze problems in the regions and to develop solutions to ensure better management. Documentation of findings and copies of certain case files are maintained.

Cut off at the end of the fiscal year. Destroy QA implementation plans when three years old. Send QA reports to the Federal Records Center when three years old. Destroy five years after cut off.