

Request for Records Disposition Authority

Records Schedule Number **DAA-0513-2012-0004**
 Schedule Status **Approved**

Agency or Establishment **Indian Health Service**
 Record Group / Scheduling Group **Records of the Indian Health Service**
 Records Schedule applies to **Agency-wide**
 Schedule Subject **HIPAA Records**
 Internal agency concurrences will be provided **Yes**

Background Information **Records created and maintained in Indian Health Service (IHS) Headquarters Offices, Area Offices, and Service Units (i.e., hospitals, health centers, health stations, satellite clinics) in carrying out the provisions of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule and the Privacy Act requirements. The records consist of inquiries, replies, and related correspondence about to whom protected health information (PHI) has been released to by IHS. Also included are records relating to the general agency implementation of the HIPAA, including notices, memoranda, routine correspondence, training documentation, and related records.**

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
11	0	11	0

GAO Approval

Outline of Records Schedule Items for DAA-0513-2012-0004

Sequence Number	
1	HIPAA Privacy Requests Files
1 1	Correspondence and supporting documents Disposition Authority Number DAA-0513-2012-0004-0001
1 2	Access grants and denials Disposition Authority Number DAA-0513-2012-0004-0002
2	HIPAA Privacy Complaint Files
2 1	Area Office/Service Unit copy Disposition Authority Number. DAA-0513-2012-0004-0003
3	HIPAA Privacy Rule Administrative Appeals Files
3 1	Correspondence and supporting documents granting access to all of the request ed records Disposition Authority Number. DAA-0513-2012-0004-0004
3 2	Correspondence and supporting documents where access is denied in part or in whole and the requestor files and administrative appeal with IHS Disposition Authority Number DAA-0513-2012-0004-0005
4	HIPAA Notices of Privacy Practices
4 1	Headquarters copy Disposition Authority Number DAA-0513-2012-0004-0006
5	HIPAA Business Associate Agreements
5 1	Area copy Disposition Authority Number DAA-0513-2012-0004-0007
6	HIPAA Privacy Access Designation Files
6 1	Area copy Disposition Authority Number DAA-0513-2012-0004-0008
7	HIPAA Administrative Files and Reports
7 1	Administrative files Disposition Authority Number DAA-0513-2012-0004-0009
7 2	Reports Disposition Authority Number DAA-0513-2012-0004-0010
8	Privacy Breach Notification Files
8 1	Headquarters/Area copy Disposition Authority Number DAA-0513-2012-0004-0011

Records Schedule Items

Sequence Number	
1	<p>HIPAA Privacy Requests Files Consists of responses to general questions about the HIPAA Privacy Rule, including, but not limited to, inquiries about individual rights, policies and procedures, and names of agency contacts. The records include original requests, copy of the reply thereto, and all related documents</p>
1 1	<p>Correspondence and supporting documents Disposition Authority Number DAA-0513-2012-0004-0001 Consists of correspondence from individuals requesting access to information, Indian Health Service responses to individuals with instructions, forms, and requests for additional supporting documentation, and return responses from individuals</p> <p>Final Disposition Temporary Item Status Active Is this item media neutral? Yes Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p>Disposition Instruction Cutoff Instruction Cut off at end of calendar year in which HIPAA privacy request has been closed Retention Period Destroy 6 year(s) after cutoff</p> <p>Additional Information GAO Approval Not Required</p>
1 2	<p>Access grants and denials Disposition Authority Number DAA-0513-2012-0004-0002 Consists of IHS copies of correspondence to requestors granting access to all the requested records, responses regarding nonexistent records, responses regarding inadequate or incorrect information, and access denials</p> <p>Final Disposition Temporary Item Status Active Is this item media neutral? Yes</p>

	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off at end of calendar year in which HIPAA privacy request has been closed
	Retention Period	Destroy 6 year(s) after cutoff.
	Additional Information	
	GAO Approval	Not Required
2	<p>HIPAA Privacy Complaint Files Consists of internal or external complaints, concerns, or issues made to an IHS Area Office and/or Service Unit about alleged HIPAA privacy violations. Includes individual complaints, supporting documentation, and the IHS response. Each complainant file provides a complete record of a HIPAA complaint, from receipt of the complaint to the preliminary research to gather facts prior to the issuance of findings or recommendations.</p>	
2 1	Area Office/Service Unit copy	
	Disposition Authority Number	DAA-0513-2012-0004-0003
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off at end of calendar year in which complaint is closed
	Retention Period	Destroy 6 year(s) after cutoff
	Additional Information	
	GAO Approval	Not Required
3	<p>HIPAA Privacy Rule Administrative Appeals Files Consists of responses to administrative appeals under the HIPAA Privacy Rule for release of information rendered by the agency. The records include appellant's letter, copies of replies thereto, and related supporting documents, which may include copies of the initial request(s).</p>	

3 1

Correspondence and supporting documents granting access to all of the requested records

Disposition Authority Number **DAA-0513-2012-0004-0004**

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered
by this item currently exist in
electronic format(s) other than e-
mail and word processing? **No**

Disposition Instruction

Cutoff Instruction **Cut off at end of calendar year in which replies have
been sent by IHS**

Retention Period **Destroy 6 year(s) after cutoff**

Additional Information

GAO Approval **Not Required**

3 2

Correspondence and supporting documents where access is denied in part or in whole and the requestor files and administrative appeal with IHS

Disposition Authority Number **DAA-0513-2012-0004-0005**

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered
by this item currently exist in
electronic format(s) other than e-
mail and word processing? **No**

Disposition Instruction

Cutoff Instruction **Cut off at end of calendar year in which the appeal is
closed**

Retention Period **Destroy 6 year(s) after cutoff**

Additional Information

GAO Approval **Not Required**

4

HIPAA Notices of Privacy Practices

Consists of files administered and maintained by Headquarters under the provisions of 45 CFR 164 530(j) which documents covered entities' notification of

individuals of the uses and disclosures of protected health information (PHI), and of the individual's rights and IHS' responsibilities with respect to PHI Notices include a description of organizational components covered by the notice, a description of the legal authority for the notice, a description of when and how individual's information may be used, effective dates and contact information

4 1

Headquarters copy

Disposition Authority Number DAA-0513-2012-0004-0006

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

Disposition Instruction

Cutoff Instruction Cut off at end of calendar year in which notice is superseded or obsolete

Retention Period Destroy 6 year(s) after cutoff

Additional Information

GAO Approval Not Required

5

HIPAA Business Associate Agreements

Consists of business associate agreement (i e , contracts) files which are written agreements the IHS has with contractors who use or disclose protected health information (PHI) received from or on behalf of IHS The agreements contain contract language used to instruct contractual partners about their responsibilities to maintain PHI according to the HIPAA Privacy Rule and Health Information Technology for Economic and Clinical Health Act (HITECH) The agreements generally describe the business associate, terms of the agreement, a termination clause, and authorizing signatures and dates Agreements are maintained at the area contracting office

5 1

Area copy

Disposition Authority Number DAA-0513-2012-0004-0007

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in

	electronic format(s) other than e-mail and word processing?	
	Disposition Instruction	
	Cutoff Instruction	Cut off at end of calendar year in which agreement is approved or amended
	Retention Period	Destroy 6 year(s) after cutoff
	Additional Information	
	GAO Approval	Not Required
6	HIPAA Privacy Access Designation Files	
	The designation files document the name(s), title(s) and office(s) at the Area Office/Service Unit level responsible for receiving and processing requests by individuals for access to protected health information (PHI)	
6 1	Area copy	
	Disposition Authority Number	DAA-0513-2012-0004-0008
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off at end of calendar year in which appointment ends or is revoked
	Retention Period	Destroy immediately after cutoff
	Additional Information	
	GAO Approval	Not Required
7	HIPAA Administrative Files and Reports	
	Consists of records documenting the general agency implementation and compliance with the Health Insurance and Portability and Accountability Act (HIPAA) Privacy Rule and the Privacy Act requirements. The records consist of, but not limited to, correspondence, delegations of authority, drafts, memoranda, notices, reports, and related papers from IHS internal workgroups that provide administrative policy direction. Files are located in the Headquarters Privacy Office	
7 1	Administrative files	
	Disposition Authority Number	DAA-0513-2012-0004-0009

	Includes correspondence, delegations of authority, memoranda, notices, training documentation and related records
	Final Disposition Temporary
	Item Status Active
	Is this item media neutral? Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No
	Disposition Instruction
	Cutoff Instruction Cut off at end of calendar year in which project is completed or implemented
	Retention Period Destroy 6 year(s) after cutoff
	Additional Information
	GAO Approval Not Required
7 2	Reports
	Disposition Authority Number DAA-0513-2012-0004-0010
	Includes reports and one-time information produced by internal workgroups that provide policy guidance
	Final Disposition Temporary
	Item Status Active
	Is this item media neutral? Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No
	Disposition Instruction
	Cutoff Instruction Cut off at end of calendar year in which project is completed or implemented
	Retention Period Destroy 6 year(s) after cutoff
	Additional Information
	GAO Approval Not Required
8	Privacy Breach Notification Files
	Files consist of records documenting the impermissible use or disclosure of electronic protected health (e-PHI) and/or personally identifiable information

8 1

(PII) as defined by the Health Information Technology for Economic and Clinical Health (HITECH) Act Files contain records that chronicle handling of the incident, including correspondence, memoranda, logs or registers, notices, reports and follow-up activities

Headquarters/Area copy

Disposition Authority Number **DAA-0513-2012-0004-0011**

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **No**

Disposition Instruction

Cutoff Instruction **Cutoff at end of calendar year after all necessary follow-up actions have been completed**

Retention Period **Destroy 6 year(s) after cutoff**

Additional Information

GAO Approval **Not Required**

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 in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified

Signatory Information

Date	Action	By	Title	Organization
03/07/2012	Certify	Christopher Forney	Records Management Officer	Indian Health Service - Division of Administrative Services
07/13/2012	Submit for Concurrence	Andrea Loiselle	Appraiser	National Archives and Records Administration - Records Management Services
08/06/2012	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - Records Management Services
08/07/2012	Concur	Laurence Brewer	Director, National Records Management Program	National Archives and Records Administration - National Records Management Program
08/10/2012	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist