



## Medical Record Retention and Media Format for Medical Records

Welcome to Medicare Learning Network Podcasts. These podcasts are developed and produced by the Medicare Learning Network within the Centers for Medicare & Medicaid Services, and they provide official information for Medicare Fee-For-Service providers.

Today's podcast covers the timeframes and other requirements for medical record retention that you need to be aware of in order to stay in compliance with HIPAA (Health Insurance Portability and Accountability Act) and CMS (Centers for Medicare and Medicaid Services).

Keeping accurate medical records on every patient and safeguarding those records are important responsibilities health care professionals can provide for one another. Well-documented medical records frame the background for a patient's current and future care. More importantly, medical health records are legal business records. They must be maintained following federal and state regulations to ensure that the information, if accessed, is accurate and complete.

### How long should medical records be retained?

While individual states generally govern how long medical records are to be retained — HIPAA rules require a Medicare Fee-For-Service provider to retain required documentation for **six years from the date of its creation or the date when it last was in effect, whichever is later.**

CMS requires that providers submitting cost reports retain all patient records **for at least five years** after the closure of the cost report. And if you're a Medicare managed care program provider, CMS requires that **you retain the patient records for 10 years.**

### How should medical records be retained?

The Medicare program does not require a specific media format—records can be in the original form or in a legally reproduced form—which may be electronic or digital. Whichever format is used, it's important to use a system that protects and ensures the security and integrity of all records. Records should be accurately written, promptly completed, properly filed and readily accessible.

Electronic Health Records (EHRs) are the next step in the continued progress of health care that can strengthen the relationship between patients and clinicians. Under the Health Information Technology for Economic and Clinical Health Act (HITECH), CMS is engaged in a multi-year project to offer incentives to eligible providers that meaningfully use EHRs. See CMS's official website for detailed information about the EHR incentive programs.

**More questions?** For additional information about medical records retention requirements, contact your Medicare contractor or visit our website <http://www.cms.gov/MLNGenInfo/> and follow the links to MLN Matters Articles and download the full article on this subject, #SE1022. Be on the lookout for information regarding other MLN podcasts that will be available in the near future.

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