



ADMINISTRATIVE PROCEDURES

Procedure Number: 23-28

Effective Date: 07/03/2006

Revision Date: 10/02/2013

C. Deibel
County Administrator

SUBJECT: **ADA MEDICAL RECORDS DISPOSITION**

DEPARTMENT RESPONSIBLE: **Human Resources Department**

I. STATEMENT

In order for Pima County to maintain compliance with Arizona State Records Retention, this procedure sets forth the responsibility for handling medical records of employees seeking reasonable accommodation under the Americans with Disabilities Act (ADA). ADA files are subject to a retention schedule approved by the State of Arizona.

The ADA Coordinator in the Employment Rights unit of Human Resources maintains ADA files on employees seeking accommodation under the ADA that may contain medical records.

II. DEFINITION

Medical records are defined as: A written or electronic account of a patient's medical history, diagnosis, prognoses, interpretation, details of treatments, chronological progress notes, and discharge recommendations.

III. PROCEDURE

- A. An ADA file shall be closed no more than ten (10) business days upon final resolution of an employee seeking an accommodation under ADA, and the file shall be retained pursuant to the state records retention schedule.
- B. After file closure, all records within the ADA file subject to the definition of a medical record shall be maintained separately by Human Resources and retained as required by the state records retention schedule.
- C. For ADA files created as a result of a Risk Management industrial injury referral, all records within the ADA file subject to the definition of a medical record that were provided by the Finance and Risk Management Department or by HR-FMLA shall be retained by Human Resources and maintained according to the state records retention schedule.

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- D. For an employee whose employment with the County has terminated, all records within the ADA file subject to the definition of a medical record shall be maintained by Human Resources pursuant to the state records retention schedule.

IV. RESPONSIBILITY

- A. It is the responsibility of an employee's department to maintain medical records in a separate and confidential file.
- B. Human Resources-Employment Rights is responsible for the creation and maintenance of ADA files and for the proper removal, maintenance, transmission and destruction of medical records contained in or removed from ADA files.

References: Board of Supervisors Policy C 4.2
Personnel Policy 8-118
Administrative Procedures 23-29 and 23-43