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RECORD KEEPING

Providers must maintain case records for all LT-PCS recipients and personnel records on all supervisory and direct care staff. Providers should always maintain adequate documentation of the units of services provided. The provider should ensure that timesheets and service logs include matching times for the units of service provided by the employee. Records must be complete, accurately documented, readily accessible, and organized. Personnel and recipient records must be retained for a period of five years.

Any error made in a recipient's or employee's record must be corrected using the legal method which is to draw a line through the incorrect information, write "error" by it and initial the correction. Correction fluid must never be used in a recipient's or employee's record.

Recipient Records**Records at the Provider's Office**

Providers must provide reasonable protection for recipient records against loss, damage, destruction, and unauthorized use. A provider must have a separate written record for each recipient that includes:

- A copy of all Plans of Care,
- Standardized weekly LT-PCS service logs completed by the worker,
- Timesheets substantiating the units of services billed for the service dates on the claim,
- Accident/incident reports involving the recipient,
- A copy of all complaints received involving the recipient, and
- A copy of signed Agreement to Provide Services (and, if applicable, CPOC Task List/Provider Agreement).

Records at the Recipient's Home

Providers must maintain a binder at the recipient's home that includes the following:

- A copy of the recipient's Plan of Care, and

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- Copies of the recipient's service logs for the most recent two week period.

In the event that DHH or its designee notices irregularities in documentation, the records may be seized, copied and returned to the recipient's home.

Personnel Records

A provider must have a written record on each employee that includes:

- The application for employment,
- Verification of age (when applicable),
- Verification of education and work experience (when applicable),
- Documentation of the employee's current physical home address,
- Documentation of orientation and annual trainings, including the following:
 - Date of training
 - Time spent in training session
 - Subjects covered
 - Name of the trainer

NOTE: Verification of training shall be furnished to the Office of Aging and Adult Services or its designee upon request.

- Criminal background check findings,
- Periodic, at least annual, performance evaluations,
- An employee's starting and termination dates along with salary paid,
- Time sheets for all times on duty, and
- Any complaints or disciplinary action concerning the employee.

Availability of Records

Providers must make recipient and personnel records available to DHH, its designee and/or other state and federal agencies upon request. The provider shall be responsible for incurring the cost of copying records for DHH or its designee.

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Confidentiality and Protection of Records

The provider shall comply with the provisions of the Health Insurance Portability and Accountability Act (HIPAA) of 1996, as established by the Centers for Medicare and Medicaid Services. Providers and their employees must not directly or indirectly disclose or knowingly permit the disclosure of any information concerning the agency, the recipients or their families to any unauthorized person. The provider must safeguard the confidentiality of any information which may identify the recipient or his/her family. Confidential information shall only be released under the following conditions:

- By court order, or
- By the recipient's written, informed consent for release of information.

A system must be maintained that provides for the security of all records. Recipient and personnel records must be maintained at the provider's main office. If the provider establishes a satellite office, a copy of the records may be maintained at the satellite office.

NOTE: Under no circumstances should provider staff remove recipient records from the office.