

DEPARTMENT OF INSURANCE  
PUBLIC SERVICES GROUP  
INVESTIGATIONS DIVISION

RECORDS RETENTION AND DISPOSITION SCHEDULE

The Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

**INVESTIGATIONS DIVISION**

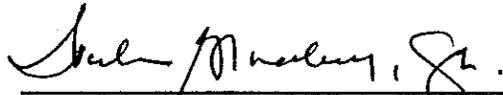
do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records including machine readable records not listed in this schedule are not authorized to be destroyed.** The

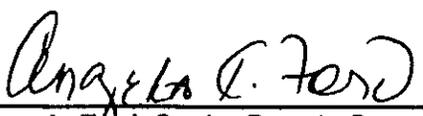
**INVESTIGATIONS DIVISION**

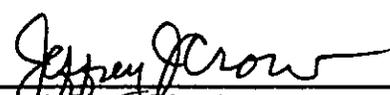
agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

**APPROVAL RECOMMENDED**

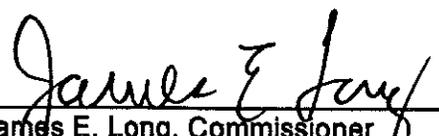
  
Wendy Holland, Chief Records Officer  
Department of Insurance

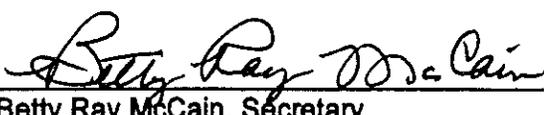
  
William Bradbury, Jr., Deputy Commissioner  
Investigations Division

  
Angela Ford, Senior Deputy Commissioner  
Public Services Group

  
Jeffrey J. Crow, Director  
Division of Archives and History

**APPROVED**

  
James E. Long, Commissioner  
Department of Insurance

  
Betty Ray McCain, Secretary  
Department of Cultural Resources

April 7, 2000

This schedule was modified to  
comply with the provisions of the  
General Schedule for State Agency Records,  
effective October 1, 2000  
Remaining items retain the  
original date shown below

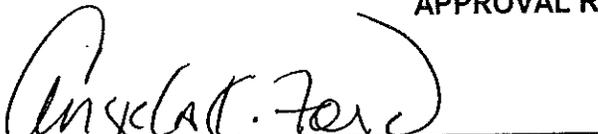
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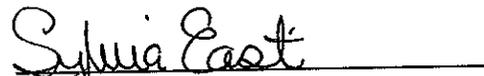
PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

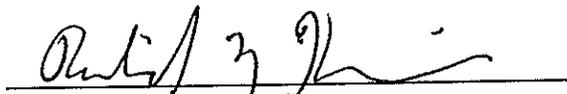
**DEPARTMENT OF INSURANCE  
PUBLIC SERVICES GROUP  
INVESTIGATIONS DIVISION**

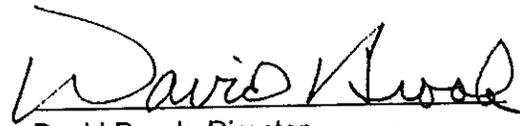
Amend the program records retention and disposition schedule approved April 7, 2000 by amending item 3403 as shown on the included schedule and by adding item 47452. No other items on this schedule have been amended, added, or removed.

**APPROVAL RECOMMENDED**

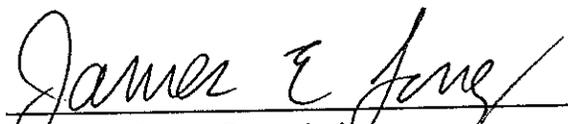
  
Angela Ford, Senior Deputy Commissioner  
Public Services Group

  
Sylvia East, Chief Records Officer  
Department of Insurance

  
Richard Z. Kinn, Deputy Commissioner  
Investigations Division

  
David Brook, Director  
Division of Historical Resources

**APPROVED**

  
James E. Long, Commissioner  
Department of Insurance

  
Lisbeth C. Evans, Secretary  
Department of Cultural Resources

July 15, 2005

CSB

## DEPARTMENT OF INSURANCE

### PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE

#### **ORGANIZATIONAL NAME CHANGE**

An organizational name change to this Program Records Retention and Disposition Schedule is hereby approved. The Program Records Retention and Disposition Schedule reflects the following organizational changes:

1. **Administrative Services to Administration**
2. **Office of the Commissioner to Administration**
3. **Ombudsman Services Group to Consumer Assistance Group**
4. **Public Services Group to Producers, Fraud and Products Group**
5. **Public Services Group, Administration to Producers, Fraud and Products Group, Senior Deputy Commissioner**
6. **Technical Services Group, Life and Health Division to Producers, Fraud and Products Group, Life and Health Division**
7. **Technical Services Group, Property and Casualty to Producers, Fraud and Products Group, Property and Casualty**
8. **Technical Services Group, Market Regulations Division to Company Services Group, Market Regulations Division**

No new items have been added, no items have been deleted, and no changes have been made to any existing series descriptions or disposition instructions in the most recent versions of the listed schedules. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

#### **Department of Insurance**

do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Natural and Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. The agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

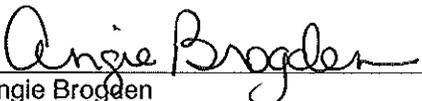
The Department of Insurance and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods which allow them to be destroyed when "*administrative/reference value ends.*" The Department of Insurance hereby agrees that it will establish and enforce internal policies setting minimum retention periods for records with this disposition instruction. Without the establishment of internal policies, the agency is not authorized by the Department of Natural and Cultural Resources to destroy these records. For those record series scheduled to be microfilmed, the Department of Insurance will be responsible for cost of microfilm production.

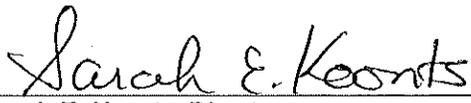
The Department of Insurance and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records require additional commitment and active management by the agency. The Department of Insurance agrees to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

E-mail messages sent or received by Executive Branch agencies shall be retained for 5 years pursuant to Executive Order No. 12 (issued May 21, 2013 by Governor Pat McCrory). Any e-mail messages requiring retention longer than 5 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed.

The Department of Insurance agrees to destroy, transfer or dispose of records in the manner and the times specified herein. This schedule is to remain in effect until superseded.

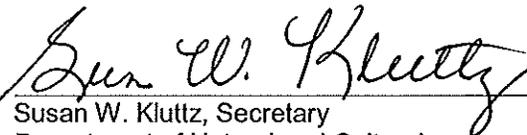
APPROVAL RECOMMENDED

  
\_\_\_\_\_  
Angie Brogden  
Chief Records Officer

  
\_\_\_\_\_  
Sarah E. Koonts, Director  
Division of Archives and Records

APPROVED

  
\_\_\_\_\_  
Wayne Goodwin, Commissioner  
Department of Insurance

  
\_\_\_\_\_  
Susan W. Kluttz, Secretary  
Department of Natural and Cultural  
Resources

**DEPARTMENT OF INSURANCE  
PRODUCERS, FRAUD AND PRODUCTS GROUP  
INVESTIGATIONS DIVISION**

**ITEM 3403. FRAUD INVESTIGATIONS FILE**

Records in paper and electronic form concerning the investigation of alleged insurance fraud. File includes correspondence; insurance claims; interview, status, and closing reports; and other related records. (Comply with applicable provisions of G.S. 15A-904 and 58-2-100 regarding the confidentiality of fraud investigation records.) [Amended 07/15/05]

DISPOSITION INSTRUCTIONS: Print and interfile electronic records with related paper records. Destroy electronic records once they have been printed and interfiled. Transfer paper records to the State Records Center 3 years after case is closed. Records will be held for agency in the State Records Center 25 additional years and then destroyed.

**ITEM 11679. PENDING DOCUMENTS FILE**

Records concerning complaints of possible insurance fraud which are pending further documentation. File includes complaints and allegations, correspondence, memorandums, insurance claims, and other related records. (Comply with applicable provisions of G.S. 15A-904 and 58-2-100 regarding the confidentiality of fraud investigation records.)

DISPOSITION INSTRUCTIONS: Transfer records concerning continuing investigations to the Fraud Investigations File (3403) when investigation is officially opened. Transfer records concerning referred investigations to the Referral File (Item 44597) when investigation is referred to an outside agency. Transfer remaining records to the Closed ID-1 File (Item 44588) when case is closed.

**ITEM 44588. CLOSED ID-1 FILE**

Records concerning allegations of insurance fraud that are not investigated. File includes complaints and allegations, correspondence, memorandums, insurance claims, and other related records. (Comply with applicable provisions of G.S. 15A-904 and 58-2-100 regarding the confidentiality of fraud investigation records.)

DISPOSITION INSTRUCTIONS: Destroy in office after 5 years.

**ITEM 44589. COMPLAINT TRACKING DATABASE (ELECTRONIC) FILE**

Machine readable records concerning the tracking of complaints received by the agency for investigation. Electronic file includes dates complaint received, review committee assignments, actions taken, and other related data. File also includes backup records.

DISPOSITION INSTRUCTIONS: Transfer backup records to an off-site location for backup storage and update weekly. Erase/destroy in office backup records monthly. Retain in office remaining records permanently.

**ITEM 44590. CRIMINAL JUSTICE STANDARDS FILE**

Records concerning the maintenance of law enforcement certification by agency staff. File includes continuing standards verification forms (F1 through F15), psychological evaluations, immunization records, oaths of office, school transcripts, reference copies of diplomas, and other related records. (Comply with applicable provisions of G.S. 131E-97 regarding the confidentiality of medical records and with 20 USCA 1232g regarding the confidentiality of student records.)

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center 3 years after employee terminates service. Records will be held for agency in the State Records Center 5 additional years and then destroyed.

**ITEM 44592. FIREARMS INSTRUCTION FILE**

Records concerning the results of biannual Firearms Qualifications. File includes class results, curriculum development materials, reference copies of relevant legislation, and other related records.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 3 year(s). Records will be held for agency in the State Records Center 5 additional years and then destroyed.

**DEPARTMENT OF INSURANCE  
PRODUCERS, FRAUD AND PRODUCTS GROUP  
INVESTIGATIONS DIVISION**

**ITEM 44593. INVESTIGATORS' REPORTS FILE**

Reference copies of reports from preliminary reviews and full investigations.

DISPOSITION INSTRUCTIONS: Destroy in office after 5 years.

**ITEM 44596. PRELIMINARY INVESTIGATION FILE**

Records concerning the preliminary investigation of allegations of insurance fraud. File includes complaints and allegations, correspondence, memorandums, insurance claims, and other related records. (Comply with applicable provisions of G.S. 15A-904 and 58-2-100 regarding the confidentiality of fraud investigation records.)

DISPOSITION INSTRUCTIONS: Transfer records concerning continuing investigations to the Fraud Investigations File (Item 3403) when investigation is officially opened. Transfer records concerning referred investigations to the Referral File (Item 44597) when investigation is referred to an outside agency. Transfer remaining records to the Closed ID-1 File (Item 44588) when case is closed.

**ITEM 44597. REFERRAL FILE**

Records concerning investigations that are referred to other agencies. File includes complaints and allegations, correspondence, memorandums, insurance claims, and other related records. (Comply with applicable provisions of G.S. 15A-904 and 58-2-100 regarding the confidentiality of fraud investigation records.)

DISPOSITION INSTRUCTIONS: Destroy in office after 5 years.

**ITEM 47452. FRAUD INVESTIGATIONS SURVEILLANCE (OTHER MEDIA) (ELECTRONIC) FILE.**

Records in magnetic tape, optical disc, and other related media concerning recordings of surveillance associated with insurance fraud investigations. (For related paper records see Fraud Investigations File, Item 3403.) (Comply with applicable provisions of G.S. 15A-904 and 58-2-100 regarding the confidentiality of fraud investigation records.)

DISPOSITION INSTRUCTIONS: Transfer records to the State Records Center 3 years after case is closed. Records will be held for agency in the State Records Center 10 additional years and then destroyed. (Creating agency assumes all responsibility for refreshing/migrating information stored in electronic, magnetic, and other non-traditional formats.)