

**DEPARTMENT OF JUSTICE
MEDICAID INVESTIGATIONS DIVISION**

PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE

The Program 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

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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 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. Electronic records will be destroyed so that the data and metadata are overwritten, deleted, or unlinked in such a way that the records may not be practicably reconstructed. 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 Justice 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 "*reference value ends*." The Department of Justice 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 Justice will be responsible for cost of microfilm production.

The Department of Justice and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. The Department of Justice 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 and to make electronic records accessible for the period of time prescribed in this schedule. Where the method of recording information changes (for example, to an electronic system), the retention periods governing the records listed herein still apply, provided the records document the same agency function.

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 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 Justice 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.

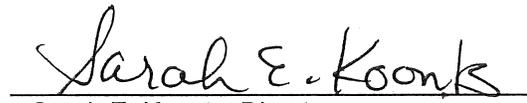
APPROVAL RECOMMENDED



Scarlett Hargis
Chief Records Officer

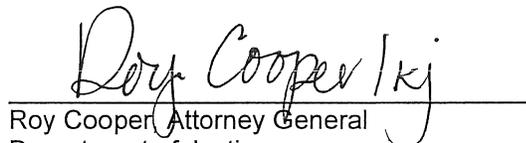


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Medicaid Investigations Division



Sarah E. Koontz, Director
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APPROVED



Roy Cooper, Attorney General
Department of Justice



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

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ITEM 14463. ACTIVE CASE FILE

Records concerning each active case assigned to this section. File includes correspondence and all legal working papers used in preparing and presenting each case.

DISPOSITION INSTRUCTIONS: Transfer to Closed Case File (Item 14464) when case or dispute is closed.

ITEM 14461. ADVISORY LETTERS FILE

Advisory letters written by the section attorneys to state and local government officials or their attorneys regarding routine legal matters. File includes copies of the requests.

DISPOSITION INSTRUCTIONS: Scan in office paper records. Destroy in office after 10 days paper copies of scanned records. Destroy in office electronic records after 10 years.

ITEM 14464. CLOSED CASE FILE

Records concerning each closed case assigned to this section. File includes investigation file, correspondence, legal working papers used in preparing and presenting each case, and other related records. (Comply with confidentiality provisions of G.S. § 132-1.4 regarding criminal investigations and criminal intelligence information; with the Health Insurance Portability and Accountability Act of 1996 (HIPAA, 42 U.S.C. § 1320d-6 and 45 C.F.R. §§ 160.101 to 164.534) regarding the confidentiality of protected health information; with the Federal Right to Financial Privacy Act (12 U.S.C. § 3420) regarding the disposition of financial records; with the Federal Rule of Criminal Procedure 6(e) regarding grand jury secrecy; and with federal and state court ordered seals (31 U.S.C. § 3730 and G.S. §1-608).)

DISPOSITION INSTRUCTIONS: Scan in office paper records after case is closed. Return to source or destroy paper records in office. Destroy in office electronic records when reference value ends.

ITEM 14465. CRIMINAL BRIEFS FILE

Briefs and other related records presented to the Supreme Court and Court of Appeals by counsel for the State in criminal action cases.

DISPOSITION INSTRUCTIONS: Scan in office paper records. Destroy in office after 10 days paper copies of scanned records. Destroy in office electronic records after 10 years.

ITEM 48432. FEDERAL GRANT FUNDS FILE

Electronic records concerning federal grant funds received by the Medicaid Investigations Division. File includes applications, financial records, deliverables, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

ITEM 14460. GENERAL CORRESPONDENCE FILE

General correspondence and memoranda written and received by the office.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

ITEM 48268. PRELIMINARY/NO ACTION FILE – STATE BUREAU OF INVESTIGATION (SBI)

Records concerning potential and non-potential special investigations. File includes correspondence, reference information, investigative materials, and other related records. (Comply with applicable provisions of G.S. § 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Scan in officer paper records. Destroy in office after 10 days paper copies of scanned records. Transfer records that become pertinent to a criminal investigation to the State Bureau of Investigation, Administrative Services Division, Case Records Management Section, Investigative Cases Database (Electronic) File (Item 38124). Retain remaining records in office permanently.

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**The following items will be
discontinued or transferred.**

ITEM 48269. 180-DAY CASE STATUS REVIEW (ELECTRONIC) FILE

Electronic data records concerning investigations conducted by district agents. File includes data fields consisting of agents' names, file numbers, activity dates, status of investigation, and other related data. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigation, Administrative Services Division, Case Records Management Section, Investigative Cases Database (Electronic) File (Item 38124).

ITEM 48270. 180-DAY CASE REVIEW PRINTOUTS FILE

Printouts generated from 180-Day Case Status Review Database (Electronic) File (Item 48269). Printouts list agents' names, file numbers, last activity dates, status of investigations, and other related data. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. Superseded by General Schedule for State Agency Records, Reference File.

ITEM 48265. AGENTS' EQUIPMENT FILE

Records in paper and electronic formats concerning equipment issued to each assigned agent. File includes agents' names, types of equipment issued, serial or asset numbers, documentation on description and condition of equipment, and other related records.

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigation, Administrative Services Division, Training and Investigative Support Section, Agent Equipment Database (Electronic) File (Item 38505).

ITEM 48266. AGENTS' WORKING PAPERS FILE

Records in paper or electronic formats concerning investigations, training, and other subjects pertinent to agent activities. File includes reference copies of administrative correspondence and memoranda, agents' working papers, investigative reports, and other related records maintained by each agent. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. Superseded by General Schedule for State Agency Records.

ITEM 36686. ATTORNEY GENERAL'S ADVISORY OPINIONS FILE

Opinions provided to state or local government officials or their attorney regarding legal issues significant to the operation or administration of state agencies or local governments.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 14462. ATTORNEY GENERAL'S FORMAL OPINIONS FILE

Opinions provided to state or local government officials or their attorneys having statewide significance.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

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ITEM 48267. CLOSED CASES FILE

Records concerning each closed special investigation conducted by unit. File includes reference copies of initial reports, investigative reports, polygraph examinations (Form 11A), laboratory reports, and other related records. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information and with confidentiality provision in the Health Insurance Portability and Accountability Act of 1996 (HIPAA).)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigation, Administrative Services Division, Case Records Management Section, Investigative Cases Database (Electronic) File (Item 38124).

ITEM 48263. DAILY REPORT PRINTOUTS FILE

Printouts in paper and electronic formats of daily reports that summarize information concerning investigations of special interest received from various State Bureau of Investigation units. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigation, Administrative Services Division, Case Records Management Section, Investigative Cases Database (Electronic) File (Item 38124).

ITEM 36687. INFORMATIONAL LETTERS FILE

Letters to private citizens and organizations requesting legal assistance.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 48262. INTELLIGENCE FILE

Memoranda and reports in paper and electronic formats concerning actual or potential criminal matters. File includes photographs, informant information, and other related records received from the State Bureau of Investigation, Intelligence and Information Section, and other intelligence sources. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 48261. INVESTIGATIVE CASES FILE

Records concerning each district office investigation conducted by district agents. File includes original and reference copies of initial reports, investigative reports, polygraph examinations (Form 11A), laboratory reports, and other related records. Case numbers, location of offense, dates of offense, type of crime, documentation on investigative activities, and other related data are entered into the Case Records Management Section, Investigative Cases Database (Electronic) File (Item 38124). (Files are grouped numerically by year in which case was opened.) (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information and with confidentiality provision in the Health Insurance Portability and Accountability Act of 1996 (HIPAA).)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigation, Administrative Services Division, Case Records Management Section, Investigative Cases Database (Electronic) File (Item 38124).

ITEM 48264. LABORATORY REPORTS FILE

Laboratory reports and mobile laboratory crime scene search reports. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigation, Administrative Services Division, Case Records Management Section, Investigative Cases Database (Electronic) File (Item 38124).

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ITEM 48271. MAPPER OPERATING SYSTEM (ELECTRONIC) FILE

Electronic data records concerning State Bureau of Investigation agent activity, agent contact information, and agency-owned equipment records. Data is input from the Administrative Services Division, Support Services Section, Vehicles File (Item 16720) and is linked to Administrative Services Division, Support Services Section, Employee Roster Systems (ERS) Database (Electronic) File (Item 39636). File includes data fields consisting of employees' names, business and residential addresses, telephone numbers, emergency contact information, pertinent health information, training records, agent qualifications, equipment records, vehicle records, and other related data. (Comply with applicable provisions of G.S. 126-24 regarding confidentiality of personnel records and G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigation, Administrative Services Division, Logistics Support Section, Mapper Operating System and Database (Electronic) File (Item 48140).

ITEM 48272. MAPPER OPERATING SYSTEM PRINTOUTS FILE

Printouts generated from MAPPER Operating System (Electronic) File (Item 48271). Printouts list State Bureau of Investigation agent activity, agent contact information, agency-owned equipment records, employees' names, business and residential addresses, telephone numbers, emergency contact information, pertinent health information, training records, agent qualifications, equipment records, vehicle records, and other related data. (Comply with applicable provisions of G.S. 126-24 regarding confidentiality of personnel records and G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigation, Administrative Services Division, Logistics Support Section, Mapper Operating System and Database (Electronic) File (Item 48140).

ITEM 48260. SPECIAL FUNDS ACCOUNT FILE

Reference copies of records concerning district office administration of special funds for purchases of narcotics, payments to informants, and other authorized purposes. File includes copies of special fund monthly reports, receipts, vouchers, and other related records. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to State Bureau of Investigations, Field Operations Division, District Operations Section, Special Funds Account File (Item 16662).