



Board of Medical Imaging and Radiation Therapy

Records Retention Schedule

Prepared by the State Records Branch
Archives and Records Management Division
Approved by the State Libraries, Archives, and Records Commission



Kentucky Department for Libraries and Archives

This records retention schedule governs retention and disposal of records created, used, and maintained by this agency. **Government records in Kentucky can only be disposed of with the approval of the State Libraries, Archives, and Records Commission (the Commission). If records do not appear on a Commission-approved records retention schedule, agencies should not destroy those records.** This agency-specific schedule was drafted by agency personnel and Archives and Records Management Division staff and reviewed and approved by the Commission. This schedule provides the legal authority for this agency to destroy the records listed, after the appropriate retention periods have passed.

Agency personnel should use this agency-specific schedule in combination with the *General Schedule for State Agencies (General Schedule)*, also approved by the Commission. The *General Schedule* applies to records that are created, used, and maintained by staff at all or most state agencies. Agency-specific retention schedules are used only by specific agencies and apply to records that are created only by a particular state agency, or to records that a state agency is required to retain longer than the approved time period on the *General Schedule*. The *General Schedule* and agency-specific retention schedule should cover all records for this agency.

This retention schedule applies to state agency records and information regardless of how it is created or stored. For example, information created and sent using e-mail is as much a public record as materials created or maintained in paper. Kentucky law defines public records, in part, as "documentary materials, *regardless of physical form or characteristics*, which are prepared, owned, used, in the possession of or retained by a public agency" (KRS 171.410[1]). This means that records management standards and principles apply to all forms of recorded information, from creation to final disposition, regardless of the medium. Records retention scheduling is important in developing, using, and managing computer systems and other electronic devices. Records management practices encourage cost-effective use of electronic media through accurate retention scheduling and legal destruction of records.

All state government employees are responsible for maintaining records according to the retention schedule, whether those records are stored electronically or in paper. Information must be accessible to the appropriate parties until all legal, fiscal, and administrative retention periods are met, regardless of the records storage medium.

Audits and Legal Action

Agency records may be subject to fiscal, compliance or procedural audit. If an agency should maintain records longer than the approved retention period, as may be the case with some federal audits, then all affected records should be retained until the audit has been completed and the retention period met. In no case should records that are subject to audit be destroyed until the audit has been completed and retention periods met, or the records have been officially exempt from any audit requirements.

Records may also be involved in legal or investigative actions, such as lawsuits, administrative hearings, or open records matters. These records must be retained at least until all legal or investigative matters have concluded, regardless of retention period. This includes all appeals of lawsuits.

Vital Records

Vital records are essential to the continued functioning of an agency during and after an emergency. Vital records are also essential to the protection of the rights and interests of an

agency and of the individuals for whose rights and interests it has a responsibility. Vital records are identified in the retention schedule with a (V).

Confidential Records

While all records created, used, and maintained by government agency personnel are public records, not all of those records are open to public inspection. Whether a record is open to public inspection is determined by the state's Open Records laws and other relevant state or federal statutes and regulations. Restriction of public inspection of confidential records may apply to the whole record or only to certain information contained in the record.

Kentucky's public records are considered open for public inspection unless there is some specific law or regulation that exempts them. Agency personnel who believe certain records are confidential should submit a citation from Kentucky Revised Statutes, Administrative Regulations, Code of Federal Regulations, or similar authority. **State agency heads have the responsibility to know all the appropriate confidentiality laws, statutes and regulations that apply to the records maintained by their agency and to see that those laws are enforced.** Even though a record series may or may not be marked confidential on a retention schedule, contradictory laws or regulations that are passed after the schedule has been approved must be honored.

Copies of Records

Agency personnel often make copies of records for internal use or reference purposes. Agencies should designate one copy as the official copy and make sure it is retained according to the records retention schedule. Agencies can destroy all other copies when no longer useful.

Updating the Retention Schedule

Per 725 KAR 1:010, the head of each state government agency is required to designate a member of his or her staff to serve as a records officer. The agency records officer represents that agency in its records-related work with the Archives and Records Management Division. The agency records officer is responsible for assisting the Archives and Records Management Division in drafting a records retention schedule, and in finding any schedule updates to bring before the Commission. The retention schedule should be reviewed on a regular basis to suggest appropriate changes to the Commission.

Board of Medical Imaging and Radiation Therapy

The Board of Medical Imaging and Radiation Therapy was created November 1, 2012, with the passage of House Bill 137. The Board is governed by KRS Chapter 311B and 201 KAR 46. The Board issues licenses to individuals to operate radiation emitting equipment for medicine, nuclear medicine, radiation therapy, chiropractic, podiatry or bone densitometry and include professionals of radiography, nuclear medicine, radiation therapy, radiologic assistants and limited x-ray machine operators.

RECORDS RETENTION SCHEDULE

Signature Page

Board of Medical Imaging and Radiation Therapy
Agency

June 11, 2015
Schedule Date

Unit

Change Date

June 11, 2015
Date Approved By Commission

APPROVALS

The undersigned approve of the following Records Retention Schedule or Change:

Vanessa Breeding
Agency Head

5-20-15
Date of Approval

Vanessa Breeding
Agency Records Officer

5-20-15
Date of Approval

Barbara Fry
State Archivist and Records Administrator
Director, Public Records Division

6/11/15
Date of Approval

Wayne Oubert
Chairman, State Archives and Records Commission

6/11/15
Date of Approval

The undersigned Public Records Division staff have examined the record items and recommend the disposition as shown:

Pam Compton
Records Analyst/Regional Administrator

May 20, 2015
Date of Approval

Imis [Signature]
Appraisal Archivist

6/11/2015
Date of Approval

[Signature]
State/Local Records Branch Manager

6/11/15
Date of Approval

The determination as set forth meets with my approval.

Brian Bykies
Auditor of Public Accounts

6/11/2015
Date of Approval

**Archives and Records Management Division
Kentucky Department for Libraries and Archives**

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

General Government
Medical Imaging And Radiation Therapy, Board For

**Record Group
Number
2485**

Series	Records Title and Description	Function and Use
03274	Technologist Certification Files	This file documents certification of each X-Ray technologist statewide, provides work and educational histories (transcripts) as well as supplies independent study information to allow limited certification pursuant to KRS Chapter 311B. It provides payment and renewal schedules.
	Access Restrictions	KRS 61.878(e). Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Manual file contents: application form, copy of diploma, independent study application for limited certification, certification issued, correspondence, payment schedules. Relevant data elements for the electronic file are found in contents for system D&A for RAPSIS.
	Retention and Disposition	Retain in Agency and destroy hardcopy five (5) years after retirement of file and audit.

STATE AGENCY RECORDS RETENTION SCHEDULE

General Government Medical Imaging and Radiation Therapy, Board of

Record Group
Number
2485

Series	Records Title and Description	Function and Use
06594	License File (V)	This series documents activities related to issuing and regulating licenses for operators of a source of radiation pursuant to KRS 311B. An individual must have a license issued from the Commonwealth of Kentucky before performing any procedures utilizing radiation for either medical imaging or radiation therapy, including but not limited to: advanced imaging professionals, medical imaging technologists, radiographers, radiation therapists, nuclear medicine technologists, and limited X-ray machine operators pursuant to KRS 311B.100.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Application; photographs; test scores; education transcript and/or copies of diplomas; letters of verifications from other states; resumes; letters of good standing; renewals and related documentation, including continuing education requirements and correspondence.
	Retention and Disposition	Retain in Agency twenty (20) years after termination or expiration of license; then destroy.
06595	Temporary License File (V)	This series documents temporary licenses issued to applicants who have completed an approved course of instruction in medical imaging, radiation therapy, limited radiography, limited podiatric radiography, or limited bone densitometry, and who meets the requirements of 201 KAR 46:801 but have not taken the required examination. Temporary licenses for all certifications shall expire per statutory and regulatory requirements.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Application, photographs, education transcript and/or copies of diplomas; letters of verifications from other states; resumes; letters of good standing; renewals and related documentation, including correspondence.
	Retention and Disposition	Retain in Agency five (5) years after date of termination or expiration of license; then destroy.
06596	Incomplete Applications File	This series documents incomplete applications for license to practice medical imaging and radiation therapy per the requirements of KRS 311B and sent to the Board of Medical Imaging and Radiation Therapy. Incomplete applications may consist of failure to pay fees and/or failure to submit all the required information.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Application, photographs, education transcript and/or copies of diplomas; letters of verifications from other states; resumes; letters of good standing; renewals and related documentation, including correspondence.
	Retention and Disposition	Retain in Agency three (3) years from date received; then destroy.

STATE AGENCY RECORDS RETENTION SCHEDULE

General Government Medical Imaging and Radiation Therapy, Board of

Record Group
Number
2485

Series	Records Title and Description	Function and Use
06597	Denied License Applications	This series documents denied applications for license to practice medical imaging and radiation therapy per the requirements of KRS 311B. The Board of Medical Imaging and Radiation Therapy may deny an application per the requirements stated in 201 KAR 46:070 (1).
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Application, photographs, education transcript and/or copies of diplomas; letters of verifications from other states; resumes; letters of good standing; renewals and related documentation, including correspondence.
	Retention and Disposition	Retain in Agency three (3) years from date of final resolution; then destroy.
06598	Complaints - Substantiated (Revocation of License) (V)	This series documents activity related to substantiated complaints that result in a permanent revocation of license to perform medical imaging and radiation therapy per the requirements of 201 KAR 46:090.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Original complaint; responses; investigative reports; correspondence; legal actions; disciple actions; hearing notices; hearing transcripts; exhibits and related documentation; original copy of final order concerning disciplinary action; licensure history.
	Retention and Disposition	Retain in Agency permanently.
06599	Complaints - Substantiated (Disciplinary Action) (V)	This series documents activity related to substantiated complaints brought against a licensees of medical imaging and radiation therapy that result in disciplinary action per 201 KAR 46:070 and 201 KAR 46:090. A disciplinary action may include one or more of the following: reprimand, penalty, temporary suspension of license.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Original complaint; responses; investigative reports; correspondence; legal actions; disciple actions; hearing notices; hearing transcripts; exhibits and related documentation; original copy of final order concerning disciplinary action; licensure history.
	Retention and Disposition	Retain in Agency ten (10) years after the date that all disciplinary requirements have been met, then destroy.

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

General Government
Medical Imaging and Radiation Therapy, Board of

Record Group
Number
2485

Series	Records Title and Description	Function and Use
06600	Complaints - Unsubstantiated	This series documents activity related to unsubstantiated complaints brought against licensees of medical imaging and radiation therapy per the requirements of 201 KAR 46:090. These are cases in which the Board of Medical Imaging and Radiation Therapy finds that there is not sufficient cause to impose disciplinary action on a licensee.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Original complaint; letter to complainant requesting response; related correspondence and documents; investigative report; Agreed Order; disposition of case; date of Agency action; dismissal of complaint; Findings of Fact and Conclusions of Law; minutes of inquiry/hearing panel.
	Retention and Disposition	Retain in Agency ten (10) years after case closure and dismissal of action; then destroy.

Electronic System With Included Records Series

General Government

Board Of Medical Imaging And Radiation Therapy

System Description: The Back Office system is an electronic filing system used to maintain licensee information. Back Office is linked to an online renewal system that may be accessed and updated by licensees during the renewal process. Licensees may also verify license status and update contact information via this website. Once the online renewal process has been completed by a licensee, the system generates a new license that may be printed by the individual licensee. Data is initially entered upon approval of licensee's application by office staff. Data may be updated by licensees if contact information changes or during the online renewal process.

System Contents: Back Office may contain, but is not limited to: licensee contact information, license expiration date, unique numbers identifying the licensees, and other information obtained during the application process.

Gen. Schedule Items:

System Title: **Medical Imaging Back Office**

Alternate Title: **Back Office**

Series #	Series Title:	Disposition Instructions:
06594	License File	Retain in Agency twenty (20) years after termination or expiration of license; then destroy.
06595	Temporary License File	Retain in Agency five (5) years after date of termination or expiration of license; then destroy.
06596	Incomplete Applications File	Retain in Agency three (3) years from date received; then destroy.
06597	Denied License Applications	Retain in Agency three (3) years from date of final resolution; then destroy.