



Board of Medical Licensure

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 the Board of Medical Licensure. **Government records in Kentucky can only be disposed of with the approval of the State 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 Board of Medical Licensure personnel and Archives and Records Management Division staff, and reviewed and approved by the Commission. This schedule provides the legal authority for Board of Medical Licensure to destroy the records listed, after the appropriate retention periods have passed.

Board of Medical Licensure 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 the Board of Medical Licensure.

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.

This retention schedule covers the content of records created by the Board of Medical Licensure, including records created or stored using computers and computer systems. The *General Schedule for Electronic and Related Records* applies to records related to computers or a computer system. Examples of these include system documentation and use records, backup files, or website format and control records.

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 Licensure

The Board of Medical Licensure is governed under KRS 311 and 201 KAR 9. The mission of the Kentucky Board of Medical Licensure is to protect the public by ensuring that licensure qualifications and standards of medical and osteopathic physicians are met and that appropriate disciplinary action is taken in a timely manner when violations of the Medical Practice Act occur. The Board is also responsible for the regulating of qualified physician assistants, athletic trainers, surgical assistants and acupuncturists practicing in the Commonwealth. It investigates complaints against its licensees and issues sanctions when appropriate.

The Board is made up of seven Doctors of Medicine; one Doctor of Osteopathy; three Citizens at Large; the Commissioner, Department of Public Health, Cabinet for Health and Family Services; the Dean, University of Kentucky College of Medicine; the Vice Dean for Clinical Affairs of the University of Louisville School of Medicine and the Dean, Pikeville College School of Osteopathic Medicine. The Board is self-supporting and receives no general fund tax appropriations. It is funded solely through fees collected from its licensees.

RECORDS RETENTION SCHEDULE

Signature Page

Board of Medical Licensure
Agency

March 13, 2008
Schedule Date

Unit

Change Date

March 13, 2008
Date Approved By Commission

APPROVALS

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

[Signature]
Agency Head

3/25/08
Date of Approval

[Signature]
Agency Records Officer

3/25/08
Date of Approval

[Signature]
State Archivist and Records Administrator
Director, Public Records Division

13 March 08
Date of Approval

[Signature]
Chairman, State Archives and Records Commission

13 March 08
Date of Approval

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

[Signature]
Records Analyst/Regional Administrator

13 MAR 08
Date of Approval

[Signature]
Appraisal Archivist

March 13, 2008
Date of Approval

[Signature]
State/Local Records Branch Manager

13 Mar 08
Date of Approval

The determination as set forth meets with my approval.

[Signature]
Auditor of Public Accounts

March 13, 2008
Date of Approval

STATE ARCHIVES AND RECORDS COMMISSION
Archives and Records Management Division
Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

General Government
Medical Licensure, Board of

Record Group
Number
1785

Series	Records Title and Description	Function and Use
01534	Licensed Doctors of Medicine Master Folder (V)	This series documents that the established requirements of the Board of Medical Licensure have been met and that practicing physicians have been properly licensed. Pursuant to KRS 311.555, the Board of Medical Licensure was created to regulate and control practice of medicine and osteopathy in the Commonwealth in order to prevent empiricism and to protect the health and safety of the public. To this end, the Board has responsibility to ensure that medical doctors are properly licensed and have met the requirements of the Board prior to the granting of a license. Note: This series incorporates series 01539, Examination Score Sheets.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Application, diploma, ECFMG certificate, proof of graduation from medical school, proof of hospital training, proof of passing medical examination, examination score sheet and related correspondence.
	Retention and Disposition	Retain for twenty-five (25) years. Transfer to State Archives Center for Permanent retention.
01535	Licensed Doctors of Osteopathy Master Folder (V)	This series was created to enable a physician to receive an Osteopathy license in the State of Kentucky. This series documents all the requirements for a license in the State of Kentucky. Note: This series incorporates series 01539, Examination Score Sheets.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Applications, diploma, proof of graduation from medical school, proof of hospital training, proof of passing medical examination, examination score sheet and related correspondence.
	Retention and Disposition	Retain for twenty-five (25) years. Transfer to State Archives Center for Permanent retention.
01536	Licensed Paramedics Master Folder	CLOSED SERIES: Paramedics moved to the Board of Emergency Medical Services in 2002. See KRS 311A.
	Access Restrictions	None
	Contents	
	Retention and Disposition	Retain for twenty-five (25) years. Transfer to State Archives Center for Permanent retention.
01538	Card Index to Master Folders	CLOSED SERIES: Series incorporated into Agency database (GoMembers Software) and backed up daily. This series documented medical licensee information.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Licensee demographic information, license number, date issued, expiration date, medical school and disciplinary action information.
	Retention and Disposition	Retain Permanently.

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Number
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Series	Records Title and Description	Function and Use
01540	Non-Licensed Applicant File	This series documents incomplete medical license applications pursuant KRS 311.571. Incomplete applications remaining for 1 year are moved to inactive status.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Application, diploma, ECFMG certificate, verification of graduation from accredited medical school, verification of hospital training, verification of passing medical examination and related correspondence.
	Retention and Disposition	Retain for one (1) year.
01542	Licensed Medical Doctor Roster (V)	CLOSED SERIES: Series data incorporated into Agency database (GoMembers Software) and directory. Information previously prepared annually, but now information is captured by electronic database.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series contains: Physician name, address, license number and phone number.
	Retention and Disposition	Retain for twenty-five (25) years. Transfer to State Archives Center for Permanent retention.
01543	Licensed Doctor of Osteopathy Roster (V)	CLOSED SERIES: Series data incorporated into Agency database (GoMembers Software) and directory. Information previously prepared annually, but now information is captured by electronic database.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series contains: Physician name, address, license number and phone number.
	Retention and Disposition	Retain for twenty-five (25) years. Transfer to State Archives Center for Permanent retention.
03186	Annual Registration File	This series documents the annual registration (renewal of licenses) process for medical doctors and doctors of osteopathy, as required in KRS 311.530 - 311.620. The registration form is sent to each licensed doctor on an annual basis and must be returned to the Board by March 1st of each year. If the individual fails to register by March 1st, he is given until April 1st to do so. If the doctor fails to register by April 1st, he may incur a fine of up to \$100. Since 1985, when the format of the series changed from one page to two pages, registrants have had to provide information related to drug use, arrests (if any), as well as other personal information required by the Board. The information is used when the Board undertakes investigations concerning a doctor's practice or ability to practice. Information, even that collected several years ago, can be useful to such investigations. NOTE: If a physician becomes inactive, he must complete a Re-registration form (Series 03960) with required supporting documentation to show qualifications to be re-activated.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Doctor's name, license number, current address, specialty of practice, and answers to questions pertaining to hospital privileges, health, arrests, drug use. Contains reregistration of physicians prior to 1990.
	Retention and Disposition	Retain for fifty (50) years.

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Series	Records Title and Description	Function and Use
03960	Re-registration of Physicians File (V)	This series is created when a physician reactivates their license to practice after it has lapsed for a period of time. When a physician is first licensed to practice in Kentucky a license number is assigned to that physician and is kept by that physician for life. An annual fee is paid to register the license number for the current year. If for any reason a physician does not pay their fee for the year their license is null, until such time the physician seeks to reregister their license number. This series was formally maintained with Series 03186-Annual Registration File. This series contains more information than the Annual Registration File, which consists of a one page form. This series contains information which re-establishes the Physician's record and tracks his work history during the time his license was not registered in Kentucky. It shows the physician's standing in other states he may have been licensed in and re-establishes the time frame for annual registration.
	Access Restrictions	None
	Contents	This series may contain: Registration form, American Medical Association Profile, documentation of good standing from other states.
	Retention and Disposition	Retain in Permanently.
03961	Limited License Application File (V)	This series documents that all the requirements for a limited license to practice medicine in the State of Kentucky are met. After the documentation of requirements is completed, an applicant is issued a limited license to be renewed each year. The licensee keeps the same license number until they fail to renew it. A limited license allows a physician to practice medicine or osteopathy in a specific institution or locale to the extent indicated in the license. This license was originally created to provide doctors for areas of Kentucky where there was a shortage of physicians. It allows a physician who did not meet the requirements to become fully licensed to practice under the direction of a fully licensed physician. NOTE: These licenses are going to be discontinued. Only those who already have a limited license will be licensed in this way. There are currently about 20 people renewing their limited license at this time. Physicians applying for licenses must now meet all the requirements to become fully licensed. *This series is referenced at least once a year until the license expires.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Application, proof of graduation from medical school, proof of hospital training, examination scores, correspondence
	Retention and Disposition	Destroy fifty (50) years after license expires.
03962	Emergency Permit File (V)	This series documents that the requirements for an emergency permit to practice in the State of Kentucky are met. An emergency permit enables an out-of-state physician to practice medicine for 30 days at a specific location. An emergency permit is not renewable, a new emergency permit is issued each time an out-of-state physician wants to practice in Kentucky.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: License application, diplomas, proof of graduation from medical school, proof of hospital training, proof of passing examination, correspondence.
	Retention and Disposition	Retain for five (5) years.

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Series	Records Title and Description	Function and Use
03964	Medical Doctor & Doctor of Osteopathy, Application Denied File	This series documents that the criteria to be a licensed Medical Doctor or Doctor of Osteopathy have not been met and the applicant has been denied a license by the Kentucky Board of Medical Licensure. Cause for denial of a license may be: Knowingly made or presented, or caused to be made or presented any false, fraudulent or forged statement in writing, certificate, diploma or other thing, in connection with an application for a license or permit. Practiced, or aided or abetted in the practice of fraud, forgery, deception, collusion or conspiracy in connection with an examination for license. Committed, procured or aided in the procurement of an unlawful abortion. Been convicted, by any court within or without the Commonwealth of Kentucky, or committing an act which is, or would be a felony under the laws for the Commonwealth of Kentucky, or any crime involving moral, turpitude which is a misdemeanor. The Board may deny an application for a license for a period not to exceed 5 years, after which time a person can reapply. The Board reports any disciplinary actions or denials of licenses to the Federation of State Medical Boards - Data Bank, Fort Worth, Texas, which also publishes a bulletin listing Physicians who have had Board action taken against them.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Application, diplomas, proof of training, proof of passing/failing examination, correspondence,
	Retention and Disposition	Retain for five (5) years.
03966	Disciplinary Action File (V)	This series documents the disciplinary actions and decisions of Board hearing panels. The process is initiated through the receipt of a grievance from an individual, organization or entity. Each grievance is assigned to an inquiry panel for investigation. If violations of the provisions of KRS 311.591 are found, the panel will issue a formal complaint, which is served on the charged physician. After a complaint has been issued, a hearing panel is assigned to decide final action. The decision of the Board could be to dismiss the complaint; revoke, suspend, restrict, deny, limit a license; or reprimand or place licensee on probation. Fines may also be imposed. The licensee may appeal Board decisions to Jefferson County Circuit Court; thereafter to the Court of Appeals and Supreme Court. The initial appeal must be filed within 30 days of receipt of the Board Order. The Board reports any disciplinary actions or denials to the Federation of State Medical Boards-Data Bank, Fort Worth, Texas, which also publishes a bulletin listing licensees against whom action has been taken. The Board may also release information resulting from the investigation to other states or to any health care or mental health facility licensed and regulated by the state. NOTE: This series incorporates series 01541, Complaint Hearing Transcripts, and 03965, Investigator's Case File.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Complaint; notice of hearing; agreed orders; order of suspension/probation/revocation; answer to complaint; findings of fact; notice of appeal; motions; order to deny license; order to temporarily suspend/restrict license; investigative report; opinions issued as a result of appeal; videotapes of proceedings; evidence entered
	Retention and Disposition	Transfer to State Records Center after case closure, and all appeals have been exhausted for an additional thirty (30) years.
04806	Investigative File - No Action Required	This series documents the decision of the Board's inquiry/hearing panel that there is not sufficient cause to impose disciplinary action on a licensee. The minutes of the Board reflect that no action was taken against the physician. In such cases, no information is reported to the Federation of State Medical Boards, or the National Practitioner Data Bank.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Investigative information; correspondence to grievant and physician; minutes of inquiry/hearing panel
	Retention and Disposition	Retain for five (5) years after investigation close.

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Series	Records Title and Description	Function and Use
04807	Probation/Supervision File	This series documents probation and supervised activities ordered by the Board, as disciplinary action against a licensee. Activity can include personal visits with probation officer, chart reviews, drug testing, continuing medical education, and restricted practice location. License suspension, if ordered, can lead to probation, with conditions. Information from the file can be useful to answer or substantiate future inquiries. It also can be useful should the licensee receive subsequent disciplinary action.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Documentation related to supervised activity, such as correspondence, reports, drug evaluations
	Retention and Disposition	Transfer to State Records Center after case closure for an additional thirty (30) years.
05726	Licensed Allied Health Professionals Master File (V)	This series documents that the established requirements set by the Board of Medical Licensure have been met to practice as an Allied Health Professional. The Kentucky Board of Medical Licensure has authority over the following allied health professions: Acupuncture (KRS 311.671 to 311.686), Athletic Trainer (KRS 311.900 to 311.928), Physician Assistant (KRS 311.840 to 311.862) and Surgical Assistant (KRS 311.864 to 311.890). Each of these professions has their own advisory board/council that provides recommendations to the Board on matters relating to applicants and their profession.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series may contain: Application, letter from national certifying agency, verification of education, verification of training hours, verification of state license(s) / certification(s), photograph of applicant, Category 2 question sheet and related correspondence.
	Retention and Disposition	Destroy twenty-five (25) years after expiration of license or certificate.
05727	Allied Health Renewal Master Folder (V)	This series documents the renewal of licensing or certification for the Allied Health Professions regulated by the Board of Medical Licensure. This group includes athletic trainers, acupuncturists, physician assistants and surgical assistants. The renewal form is sent to each licensed or certified individual as required by specific regulation.
	Access Restrictions	KRS 61.878 (1)(a) - Personal/Medical Info
	Contents	This series contains: Application, demographic information, license / certificate number and questions / answers pertaining to privileges, health, arrests and drug use.
	Retention and Disposition	Destroy twenty-five (25) years after expiration of license or certificate.

Electronic System With Included Records Series

Cabinet Name: General Government Cabinet

Department Name: Kentucky Board of Medical Licensure

System Title: Kentucky Board of Medical Licensure System **Alternate Title:** GoMembers Software System

System Description: A database to record licenses/certifications of physicians assistants and members of the Allied Health Professionals in the state of Kentucky.

System Contents: Applicant demographic information, license/certificate status, renewal information, reminder notices.

<i>Series #:</i>	<i>Series Title:</i>	<i>Disposition Instructions:</i>	<i>Total Retention:</i>
01534	Licensed Doctors of Medicine Master Folder	Transfer to State Archives	P
01535	Licensed Doctors of Osteopathy Master Folder	Transfer to State Archives	P
03186	Annual Registration File	Destroy	50 years
03960	Re-registration of Physicians File	Retain in Agency	P
03961	Limited License Application File	Destroy 50 years after license expires.	50
03962	Emergency Permit File	Destroy	5
05725	Certified Acupuncturist Master Folder	Destroy 25 years after expiration of certification	I
05726	Certified Surgical Assistant Master Folder	Destroy 25 years after expiration of certification	I
05726	Licensed Allied Health Professionals Master File	Destroy 25 years after expiration of license or certificate	I

Electronic System With Included Records Series

System Title: Kentucky Board of Medical Licensure System

Alternate Title: GoMembers Software System

System Description: A database to record licenses/certifications of physicians assistants and members of the Allied Health Professionals in the state of Kentucky.

System Contents: Applicant demographic information, license/certificate status, renewal information, reminder notices.

<i>Series #:</i>	<i>Series Title:</i>	<i>Disposition Instructions:</i>	<i>Total Retention:</i>
05727	Allied Health Renewal Master Folder	Destroy 25 years after expiration of license or certificate.	1
