

State Records Committee Meeting

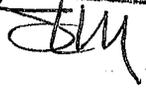
Division of Archives, Courtyard Meeting Room

February 14, 2013

Salt Lake City, Utah

SRC APPROVED

Date April 11, 2013



Members Present: Lex Hemphill, Media Representative
David Fleming, Private Sector Records Manager
Doug Misner, History Representative
Holly Richardson, Citizen Representative
Patricia Smith-Mansfield, Governor's Designee
Ernest Rowley, Elected Official Representative

Legal Counsel: Paul Tonks, Attorney General's Office
Chiarina Gleed, Attorney General's Office

Executive Secretary: Susan Mumford, Utah State Archives

Others Attending: David Bunker, City of Cedar Hills
Ken Cromar, Cedar Hills Citizens for Responsible Government
Rosemary Cundiff, Archives staff
Jerry Dearing, Cedar Hills Citizens for Responsible Government
Gary Gygi, City of Cedar Hills
Eric Johnson, City of Cedar Hills
Jason Knight, Archives staff
Donald W. Meyers, *Salt Lake Tribune*
Colleen Mulvey, City of Cedar Hills
Cimaron Neugebauer, *Salt Lake Tribune*
Lorianne Ouder Kirk, Archives staff
Jenny Rees, City of Cedar Hills
Betsy Ross, Citizen

Call to order: 9:33 a.m. by Lex Hemphill, Chair

Mr. Hemphill opened the meeting. He asked Betsy Ross to come forward to accept a tribute from the committee for her service. The committee resolved by a unanimous vote in the January meeting to issue an order that would memorialize Ms. Ross' contribution to the purposes of the committee, to the cause of open records, and to the fair treatment of all petitioners before the committee. With the help of Mr. Tonks, a mock order was prepared. A framed copy of the order was presented to Ms. Ross. All current members of the committee signed the order. Mr. Hemphill also gathered statements from former committee members and associates who worked with Ms. Ross over the years. Mr. Hemphill had excerpts from the statements framed along with a picture of Ms. Ross he found in the *Salt Lake Tribune* archives. Both framed pieces were presented to Ms. Ross. Ms. Ross accepted the tribute and thanked the committee. She expressed her appreciation for the time she spent with the committee and all the people with whom she had served. A copy of the presentation order is attached to the minutes.

Hearing – Ken Cromar vs. City of Cedar Hills

Mr. Hemphill explained the procedures of a hearing to the participants.

Mr. Cromar introduced himself. He said he represented Cedar Hills Citizens for Responsible Government. Jerry Dearing, an attorney assisting Cedar Hills Citizens for Responsible Government, introduced himself. Representatives from the City of Cedar Hills included Eric Johnson, David Bunker and Gary Gygi.

Opening statement – petitioner

Mr. Cromar said he had not asked for a fee waiver and that was not an issue in the hearing. He said he represented a group called the Cedar Hills Citizens for Responsible Government in appealing to the committee. He appealed the denial of details redacted from invoices he had received from the city. He said without knowing the subject of each of the billings it was impossible to hold the city accountable for the expenses incurred for the services of attorneys. He said he had not sued the city, there was no pending litigation, and he had only asked that an investigation be made into the finances of the city.

Opening statement – respondent

Mr. Johnson handed out two packets of documents that had been released to Mr. Cromar. He said the invoices in the packets were copies of the invoices as they had been provided to Mr. Cromar. He cited SRC Decision 2000-05 as an example of the information that the committee formerly ordered redacted from invoices released to a petitioner. He said in the *Wasatch County Courier vs. Wasatch County* case, the county was specifically authorized to redact from invoices: (1) specific dates and the number of hours of service rendered on particular dates, (2) details regarding the subject matter of legal research, (3) the names of people spoken to and the subject matter of the conversation, (4) details regarding the subject matter of any other activity, and (5) any other items that would "disclose the mental impressions, conclusions, opinions, or legal theories of an attorney or other representative of a party concerning litigation." He said the original invoices released to Mr. Cromar had not contained the information mentioned in that decision and therefore were not redacted beyond information protected by Utah Code 63G-2-305(16) and (17).

Testimony – petitioner

Mr. Cromar said it was significant what had not been provided in the invoices released as part of the Blaisdell-Church packet. He said there was no way to understand the subject of the billing records. Three different SRC decisions had ordered disclosure of invoices for legal services. He said when the public record was systematically withheld, people become ignorant of their own affairs. After his last hearing before the State Records Committee 6000 pages of emails between city officials were released to him. He represented all citizens who have had information withheld. He said much of the city's business was done in secret meetings and he thought there was a conspiracy to withhold facts from the community. Mr. Dearing, the attorney accompanying Mr. Cromar, said that as of December 7, 2012, he had consulted with Mr. Cromar on behalf of Cedar Hills citizens. They sought his assistance in obtaining information from GRAMA requests. The three SRC decisions that supported their requests were Orders #00-05, #09-05, and #09-11. On February 11, 2013, Mr. Cromar finally received the current response, copies of redacted invoices. The documents received were helpful but still fell short of the

GRAMA request. Mr. Cromar said he rejected the statement by the city that they had fulfilled his request. He said according to Utah Code 63G-2-305 (16), (17), and (18) (2008) the subject of legal invoices did not qualify as privileged communication, legal advice, attorney work product, or attorney client privilege. The invoices had code numbers on them, but decoding the information was impossible without the city's code. Mr. Cromar said he needed to know what the services were for. His only desire was to analyze legal expenses. For that analysis he needed unredacted invoices from Blaisdell Church. The necessary information could be released without giving out privileged information.

Testimony – respondent

Mr. Johnson said that the State Records Committee had no jurisdiction over the current appeal. Final administrative decisions can be appealed but an appeal had been submitted to the SRC before a final response from the city. Mr. Johnson said although the appeal was not within the jurisdiction of the SRC because the city had not been given the full time to respond, the city realized that Mr. Cromar was mainly interested in having a hearing. Mr. Cromar had posted on his website in January of 2013 that the intent of the hearing was to require the city to provide fully unredacted legal invoices. Mr. Johnson said the subject matter of the attorneys' billings were never part of the legal invoices. There was no requirement that a subject be listed on legal invoices. If it is there, it should not be redacted. Mr. Sorenson and Mr. Severn, part of the Cedar Hills Citizens group, alleged high crimes against the former mayor and city manager. Mr. Johnson said the group or "cohort" is closely allied with Mr. Cromar. Mr. Cromar was identified as the lead accuser. The group solicited funds for land use and zoning issues and to pay for an attorney to pursue criminal charges against the mayor and city manager. Mr. Hemphill, committee chair, said that to qualify as protected pursuant to Utah Code 63G-2-305 (16) and (17), an attorney client relationship must be established. It must also be established that advice had been sought in preparation for litigation. Mr. Johnson said there was no statutory requirement for what information must be on an invoice. Mr. Johnson asked the committee members to look at invoice #411. It was reviewed as an example of the invoices released.

Closing – petitioner

Mr. Cromar invited Jerry Dearing to make closing remarks. Mr. Dearing said the search and compilation of the records requested showed that legal services had cost the city millions of dollars. It was 200 days from the initial GRAMA request until the records were received by the petitioner. As part of another GRAMA request, email records of former city council members were deleted by providers. When the public record is systematically withheld, the people become ignorant of own affairs and distrustful of public servants. Cedar Hills Citizens.org is a website maintained by the citizens' organization. There is no ongoing litigation against the city. The petitioner asked the committee to redact nothing from the invoices. He said an unredacted copy would help him understand the subject of each invoice. If redactions were made, he asked that the city supply the code necessary to understand at least the subject of the invoices.

Closing –Cedar Hills

Mr. Johnson said that Mr. Cromar had other GRAMA requests that had been fulfilled in a timely manner. The current request was for unredacted invoices. The complete time period for the city to complete a response had not expired, but the city had appeared in good faith to have the

committee examine the records and decide if the redactions made were warranted. Since there was no subject matter listed on the original invoices, nothing of that nature had been redacted.

Deliberation

Mr. Fleming made a motion that the committee go *in camera* to view the records. Mr. Misner seconded the motion. A vote was taken. Ms. Richardson, Ms. Smith-Mansfield, Mr. Hemphill, Mr. Rowley, Mr. Misner, and Mr. Fleming voted for the motion. The motion passed unanimously.

Closed session 11:23 -- 11:37

Deliberation

Ms. Smith-Mansfield made a motion to return to open session. Mr. Fleming seconded the motion. A vote was taken. Ms. Richardson, Ms. Smith-Mansfield, Mr. Hemphill, Mr. Rowley, Mr. Misner, and Mr. Fleming voted for the motion. The motion passed unanimously and the committee returned to open session. Ms. Richardson made a motion that after a review of the documents, the information redacted from the invoices was properly classified as protected pursuant to Utah Code 63G-2-305 (16) and or (17). Ms. Smith-Mansfield seconded the motion. A vote was taken. Ms. Richardson, Ms. Smith-Mansfield, Mr. Hemphill, Mr. Rowley, Mr. Misner, and Mr. Fleming voted for the motion. The motion passed unanimously. Mr. Hemphill said an order would be issued within seven days and sent to the parties.

Approval of the January 10, 2013 SRC minutes.

Some corrections were made to the minutes. Mr. Fleming made a motion that the minutes be approved as corrected. Ms. Richardson seconded the motion. A vote was taken. Ms. Richardson, Ms. Smith-Mansfield, Mr. Hemphill, Mr. Rowley, Mr. Misner, and Mr. Fleming voted for the motion. The motion passed unanimously. The minutes of January 10, 2013, were approved as corrected.

Appeals received

Ms. Mumford reported that there were no updates to the current appeals for hearings to the State Records Committee.

Cases in District Court

Mr. Tonks reported on cases in District Court. See attached report.

Legislative updates

Ms. Smith-Mansfield reported that SB 94, Government Records Amendments, provides for a new configuration of committee membership by removing the Auditor's designee and adding another citizen member to the committee. The Auditor's office would still work with the committee to approve retention schedules.

Retention Schedules

Jason Knight, the records analyst for state government agencies and higher education, presented the following retention schedules for approval.

27931 Diligent Enforcement of 1998 Tobacco Settlement records. (The description of the records represented by this retention schedule was amended and presented in its amended version to the committee for approval.)

28195 Unaccepted referral intake records

28196 Intake records additional information

28194 Patient medical progress notes Developmental center

26286 Hazardous materials project reports

28188 Flexcare and Weber Max records

28141 Proof of coverage reporting penalty case files

81879 Oil spill case files

Ms. Smith-Mansfield made a motion to approve the retention schedules as presented. Mr. Fleming seconded the motion. A vote was taken. Ms. Richardson, Ms. Smith-Mansfield, Mr. Hemphill, Mr. Rowley, Mr. Misner, and Mr. Fleming voted in favor of the motion. The retention schedules were approved as presented. (See attached documents)

Ms. Smith-Mansfield said she would ask the State Auditor's Office to look at series 28188 for the fiscal appropriateness of the retention. If there were any changes, the series would be returned to the committee for final approval.

Next meeting scheduled

The date of the next State Records Committee meeting was tentatively set for Monday, March 18, 2013, at 9:30 a.m. Ms. Richardson made a motion to adjourn. Ms. Smith-Mansfield seconded the motion. The meeting was adjourned by acclamation.

Adjournment 1:12 p.m.

February 2013 Records Committee Case Updates

District Court Cases

Utah Transit Authority v. Janelle Stecklein, 3rd District, Salt Lake County, Judge Kelly, Case No. 120908696, filed December 21, 2012.

Current Disposition: Answer to complaint filed on January 7, 2013 and answer filed by Stecklein/Salt Lake Tribune on February 4, 2013.

Granite School Dist. v. Salt Lake Tribune, 3rd District, Salt Lake County, Judge Kelly, Case No. 120907897, filed November 26, 2012.

Current Disposition: The Tribune has filed a Motion to Dismiss on the basis that Granite School District filed an untimely appeal. Granite School District is opposing the motion to dismiss, but has also filed Motion to Enlarge the Time acknowledging an untimely filing and requesting the court to allow the complaint to be filed as timely. Hearing on Motion to Dismiss is scheduled for March 28, 2013.

Lawrence v. Dept. of Public Safety, 3rd District, Salt Lake County, Case No. 120907748, Judge Dever, filed November 19, 2012.

Current Disposition: Complaint filed on November 19th, served upon Committee on December 6th. Answer filed on behalf of the Committee on December 19, 2012. Both parties have filed motions for summary judgment. Oral argument has not been requested by any party.

Utah Dept. of Workforce Services v. Guberev, 3rd District, Salt Lake County, Case No. 120907203, Judge Faust, filed October 23, 2012.

Current Disposition: Petition for review filed by DWS. Answer filed on behalf of the State Records Committee on November 19, 2012.

Salt Lake City Corp. v. Mark Haik, 3rd District, Salt Lake County, Case No. 120905667, Judge Kelly, filed August 21, 2012.

Current Disposition: Complaint filed by Salt Lake City Corp., answer and counterclaim filed by Haik on September 6, 2012. A motion to dismiss the Committee as a party (not an appeal from a decision by the Committee) was filed on December 5, 2012. Motion was unopposed and a Notice to Submit for Decision was filed on January 30, 2013. Motion for Summary Judgment hearing scheduled for February 27, 2013.

Utah Dept. of Human Services v. Wilson, 3rd District, Salt Lake County, Case No. 120903186, Judge Kelly, filed May 10, 2012.

Current Disposition: Motion to amend complaint filed by Human Services granted on November 29, 2012.

Salt Lake City v. Jordan River Restoration Network, 3rd Judicial District, Salt Lake County, Case No. 100910873, Judge Stone, filed June 18, 2010.

Current Disposition: Only pleading filed during the past six months was a notice of appearance of new counsel on behalf of Jordan River.

Appellate Court Cases

Attorney General Office. v. Schroeder, 3rd District, Salt Lake County, Case No. 110917703, Judge Kelly, filed Sept. 20, 2011.

Current Disposition: Trial held on October 19, 2012. Appeal filed by Schroeder requesting matter to be heard by the Utah Supreme Court. AG counsel has been assigned to represent the AG's office, Paul Tonks assigned to represent the Committee.

**STATE RECORDS COMMITTEE
February 14, 2013**

**State Archives Building, Courtyard Meeting Room
346 S. Rio Grande (450 West)
Salt Lake City**

**AGENDA
Call to Order 9:30 a.m.**

BUSINESS

Tribute to outgoing chair and long term member of the State Records Committee, Betsy Ross

Approval of Minutes of January 10, 2013 SRC meeting, action item

Legislative updates and responses, action item

Retention scheduled approval, action item

Appeals to SRC

Cases in District Court

Other business

HEARING

Ken Cromar vs. City of Cedar Hills.

Mr. Cromar is appealing the partial denial of invoices for legal services and a fee waiver denial.

ADJOURNMENT

Next meeting tentatively scheduled for Thursday, March 21, 2013, at 9:30 a.m.

Utah State Archives

Parent Agency:

Agency: Attorney General's Office
Utah State Capitol Complex
350 North State Street, Suite 230
Salt Lake City, UT 84114-2320
801-538-1324

Records Officer Paul Murphy

27931 Diligent Enforcement of 1998 Tobacco Settlement records

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in

~~February 2013~~



Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Attorney General's Office

SERIES: 27931

TITLE: Diligent Enforcement of 1998 Tobacco Settlement records

DATES: 1994-

ARRANGEMENT: chronological by year

DESCRIPTION:

This series contains records used to document entitlement to payment mandated by a November 1998 tobacco settlement which grew out of a multi-state legal effort to recover the costs of caring for smokers who had developed tobacco-related illnesses. According to the Master Settlement Agreement (MSA) tobacco companies annually compensate states that "diligently enforce" the laws which grew out of the settlement. Most documents were received from the Miscellaneous Tax Unit, Utah State Tax Commission (USTC), which pertain to the enforcement of the 1998 tobacco settlement for the years 1994-2008. These documents are working files used by the Attorney General's Office in the 2003 Diligent Enforcement Arbitration proceedings. Included are the working files of USTC employees.

RETENTION:

Retain 30 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 29 years and then destroy.

APPRAISAL:

Fiscal Legal

This disposition is based on legal and fiscal value of enforcement of the 1999 Tobacco Settlement.

Utah State Archives

AGENCY: Attorney General's Office

SERIES: 27931

TITLE: Diligent Enforcement of 1998 Tobacco Settlement records

(continued)

PRIMARY CLASSIFICATION:

Protected Taxpayer records and litigation documents

Utah State Archives

Parent Agency: Human Services
Child & Family Services Division

Agency: Department of Human Services. Division of Child and Family Services
195 North 1950 West
Salt Lake City, UT 84116
801-538-4100

Records Officer Gretchen Howell

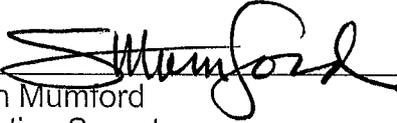
28196 Intake records additional information
28195 Unaccepted referral intake records

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

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February 2013



Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Department of Human Services. Division of Child and Family Services

SERIES: 28196

TITLE: Intake records additional information

DATES: 1996-

ARRANGEMENT: Alphabetical by client surname

DESCRIPTION:

These are records in which a referral is made to the Child and Family Services Intake office regarding a child or family who already has an open Child Protective Services (CPS) case. It is labeled as Additional Information and sent to the CPS caseworker to review as part of the investigation. The information is saved as part of the CPS case. This records information related to the CPS investigation that comes to the Intake Office following the opening of a CPS case.

This information is part of the CPS case they are investigating to obtain additional information regarding the case.

Information includes name, alleged victim and perpetrator information, and additional information regarding the family and/or case being investigated by CPS.

RETENTION:

Retain 50 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

All Formats: Retain in Office for 50 years and then destroy.

APPRAISAL:

Administrative

These records are part of the CPS case file history and are used by CPS for case-worker purposes by providing workers with historical details to help determine risk and safety for new cases.

Utah State Archives

AGENCY: Department of Human Services. Division of Child and Family Services

SERIES: 28196

TITLE: Intake records additional information

(continued)

PRIMARY CLASSIFICATION:

Private

Utah State Archives

AGENCY: Department of Human Services. Division of Child and Family Services

SERIES: 28195

TITLE: Unaccepted referral intake records

DATES: 1996-

ARRANGEMENT: Alphabetical by client surname

DESCRIPTION:

These are records are created when a referral has been made to the Child and Family Services Intake Office but the information received does not meet the criteria to accept the case for investigation. It is labeled as unaccepted, and the information is stored in the Child and Family Services electronic database. Records include work completed by the Intake Office and is maintained for informational concerns that are brought to the attention of Child and Family Services.

This information is part of the client history when Child Protective Services (CPS) investigates a case as required by Child and Family Services Practice Guidelines.

Information includes name, alleged victim and perpetrator information, and alleged reports of child abuse or neglect that do not rise to investigation standards.

RETENTION:

Retain 50 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

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All Formats: Retain in Office for 50 years and then destroy.

APPRAISAL:

Administrative

These records are part of the CPS case file history and are used by CPS for case-worker purposes by providing workers with historical details to help determine risk and safety for new cases.

Utah State Archives

AGENCY: Department of Human Services. Division of Child and Family Services

SERIES: 28195

TITLE: Unaccepted referral intake records

(continued)

PRIMARY CLASSIFICATION:

Private UCA 63G-2-302

Utah State Archives

Parent Agency: Human Services
Social Services
Handicapped, Services to the

Agency: Department of Human Services. Office of Social Services.
Developmental Center
State Developmental Center
American Fork, UT 84003

Records Officer Kristy Bate

28194 Patient medical progress notes

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

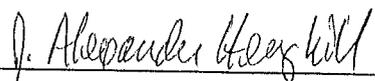
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This agency retention schedule was approved by the State Records Committee in

February 2013



Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Department of Human Services. Office of Social Services.
Developmental Center

SERIES: 28194

TITLE: Patient medical progress notes

DATES: 1930-

ARRANGEMENT: Numerical by date

DESCRIPTION:

These records are created when an individual is seen by a physician or specialist for healthcare matters.

These records are used to document each individual's symptoms, the type of clinic, procedures performed, and physician's orders (including communication to other medical staff). Medical staff review and sign off on notes at end of notation. Records include individual's name, file number, name of clinic, name of physician or specialist, presenting problem, medication changes, orders, follow-up and return to clinic (if applicable).

RETENTION:

Retain 10 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

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Paper: Retain in Office for 10 years and then destroy.

APPRAISAL:

Administrative

PRIMARY CLASSIFICATION:

Private 63G-2-302(1)(6)

SECONDARY CLASSIFICATION(S):

Controlled. 63G-2-303

Utah State Archives

Parent Agency: Administrative Services
Facilities Construction

Agency: Department of Administrative Services. Division of Facilities
Construction and Management
4110 State Office Building
Salt Lake City, UT 84114-0000
801-538-3284

Records Officer Cee Cee Niederhauser

26286 Hazardous materials project reports

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

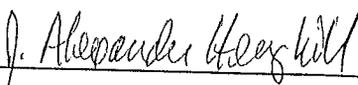
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Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Department of Administrative Services. Division of Facilities
Construction and Management

SERIES: 26286

TITLE: Hazardous materials project reports

DATES: 2000-

ARRANGEMENT: Alphabetical by project site.

ANNUAL ACCUMULATION: 10.00 cubic feet.

DESCRIPTION:

This series documents abatement and remediation of hazardous materials associated with building renovation or demolition. It contains surveys and assessments of building materials, project documents and logs for asbestos abatement. It also contains information on lead based paint abatement and universal waste and remediation.

RETENTION:

Retain 30 years

DISPOSITION:

Transfer to the State Archives with authority to weed provided building has not been destroyed or sold.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 30 years and then transfer to State Archives with authority to weed.

APPRAISAL:

Administrative Fiscal Historical Legal

This series is governed by OSHA regulations: 29 CFR 1926.1101 and 29 CFR 1910.1001 (1910.1001(j)(3)(ii) mandates permanent retention.)

PRIMARY CLASSIFICATION:

Public

Utah State Archives

Parent Agency: Health Department
Health Care Financing

Agency: Department of Health. Division of Health Care Financing

288 North 1460 West
P.O. Box 143101
Salt Lake City, UT 84114-3101
801-538-6641

Records Officer Craig Devashrayee

28188 *FLEX CARE and WEBER MACS records

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

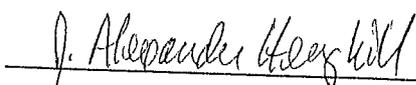
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Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Department of Health. Division of Health Care Financing

SERIES: 28188

TITLE: FLEX CARE and WEBER MACS records

DATES: 1999-2007.

ARRANGEMENT: Chronological

ANNUAL ACCUMULATION:

DESCRIPTION:

This series contains records of the Long Term Care Demonstration project carried out by Valley Mental Health [FLEX CARE] and by Weber Human Services [WEBER MAX]. Records include financial reports for the program, payment records of the clients participating in the demonstration project, audited financial statements of the entities participating in the demonstration project; work papers of various auditors who reviewed the project. Records include other information specific to participating clients' medical, psychiatric, and psychological treatments.

RETENTION:

Retain 8 years.

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center for 3 years and then destroy.

APPRAISAL:

Administrative Fiscal

Records include various administrative and financial elements specific to the functions of these two discontinued healthcare programs.

Utah State Archives

AGENCY: Department of Health. Division of Health Care Financing

SERIES: 28188

TITLE: FLEX CARE and WEBER MACS records

(continued)

PRIMARY CLASSIFICATION:

Private UCA 63G-2-302 (1)(a) (2008)

SECONDARY CLASSIFICATION(S):

Controlled. UCA 63G-2-304 (2008)

Utah State Archives

Parent Agency: Labor Commission
Industrial Accident Division

Agency: Labor Commission. Industrial Accident Division

160 East 300 South
P.O. Box 146610
Salt Lake City, UT 84114
530-6800

Records Officer Erin Latta

28141 Proof of coverage reporting penalty case files

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

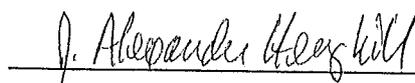
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Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Labor Commission. Industrial Accident Division

SERIES: 28141

TITLE: Proof of coverage reporting penalty case files

DATES: 2001-

ARRANGEMENT: chronological by closure date

ANNUAL ACCUMULATION: 5.00 cubic feet.

DESCRIPTION:

These files document the penalty assessment to insurance carriers for proof of coverage reporting noncompliance. These records document the late filing of reports by insurance carriers and the payment of the fine assessed. The files contain: penalty assessment, correspondence, and payment information on the penalty.

RETENTION:

Retain 30 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 6 months and then transfer to State Records Center. Retain in State Records Center for 30 years and then destroy.

APPRAISAL:

Administrative

These files need to be maintained long term in case of a recurring problem.

PRIMARY CLASSIFICATION:

Public

Utah State Archives

AGENCY: Labor Commission. Industrial Accident Division

SERIES: 28141

TITLE: Proof of coverage reporting penalty case files

(continued)

SECONDARY CLASSIFICATION(S):

Protected. UCA 63G-2-305

Utah State Archives

Parent Agency:

Agency: Attorney General's Office
Utah State Capitol Complex
350 North State Street, Suite 230
Salt Lake City, UT 84114-2320
801-538-1324

Records Officer Paul Murphy

27931 Diligent Enforcement of 1998 Tobacco Settlement records

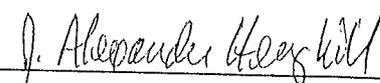
Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in

February 2013


Susan Mumford
Executive Secretary
State Records Committee


Chair
State Records Committee

Utah State Archives

AGENCY: Attorney General's Office

SERIES: 27931

TITLE: Diligent Enforcement of 1998 Tobacco Settlement records

DATES: 1994-

ARRANGEMENT: chronological by year

DESCRIPTION:

This series contains records used to document entitlement to payment mandated by a November 1998 tobacco settlement which grew out of a multi-state legal effort to recover the costs of caring for smokers who had developed tobacco-related illnesses. According to the Master Settlement Agreement (MSA) tobacco companies annually compensate states that "diligently enforce" the laws which grew out of the settlement. Most documents were received from the Miscellaneous Tax Unit, Utah State Tax Commission (USTC), which pertain to the enforcement of the 1998 tobacco settlement for the years 1994-2008. These documents are working files used by the Attorney General's Office in the 2003 Diligent Enforcement Arbitration proceedings. Included are the working files of USTC employees.

RETENTION:

Retain 30 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 29 years and then destroy.

APPRAISAL:

Fiscal Legal

This disposition is based on legal and fiscal value of enforcement of the 1999 Tobacco Settlement.

Utah State Archives

AGENCY: Attorney General's Office

SERIES: 27931

TITLE: Diligent Enforcement of 1998 Tobacco Settlement records

(continued)

PRIMARY CLASSIFICATION:

Protected Taxpayer records and litigation documents

Utah State Archives

Parent Agency: Human Services
Child & Family Services Division

Agency: Department of Human Services, Division of Child and Family Services
195 North 1950 West
Salt Lake City, UT 84116
801-538-4100

Records Officer Gretchen Howell

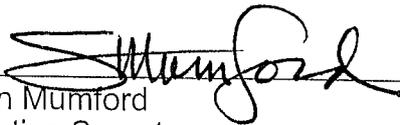
28196 Intake records additional information
28195 Unaccepted referral intake records

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in

February 2013



Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Department of Human Services. Division of Child and Family Services

SERIES: 28196

TITLE: Intake records additional information

DATES: 1996-

ARRANGEMENT: Alphabetical by client surname

DESCRIPTION:

These are records in which a referral is made to the Child and Family Services Intake office regarding a child or family who already has an open Child Protective Services (CPS) case. It is labeled as Additional Information and sent to the CPS caseworker to review as part of the investigation. The information is saved as part of the CPS case. This records information related to the CPS investigation that comes to the Intake Office following the opening of a CPS case.

This information is part of the CPS case they are investigating to obtain additional information regarding the case.

Information includes name, alleged victim and perpetrator information, and additional information regarding the family and/or case being investigated by CPS.

RETENTION:

Retain 50 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

All Formats: Retain in Office for 50 years and then destroy.

APPRAISAL:

Administrative

These records are part of the CPS case file history and are used by CPS for case-worker purposes by providing workers with historical details to help determine risk and safety for new cases.

Utah State Archives

AGENCY: Department of Human Services. Division of Child and Family Services

SERIES: 28196

TITLE: Intake records additional information

(continued)

PRIMARY CLASSIFICATION:

Private

Utah State Archives

AGENCY: Department of Human Services. Division of Child and Family Services

SERIES: 28195

TITLE: Unaccepted referral intake records

DATES: 1996-

ARRANGEMENT: Alphabetical by client surname

DESCRIPTION:

These records are created when a referral has been made to the Child and Family Services Intake Office but the information received does not meet the criteria to accept the case for investigation. It is labeled as unaccepted, and the information is stored in the Child and Family Services electronic database. Records include work completed by the Intake Office and is maintained for informational concerns that are brought to the attention of Child and Family Services.

This information is part of the client history when Child Protective Services (CPS) investigates a case as required by Child and Family Services Practice Guidelines.

Information includes name, alleged victim and perpetrator information, and alleged reports of child abuse or neglect that do not rise to investigation standards.

RETENTION:

Retain 50 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

All Formats: Retain in Office for 50 years and then destroy.

APPRAISAL:

Administrative

These records are part of the CPS case file history and are used by CPS for case-worker purposes by providing workers with historical details to help determine risk and safety for new cases.

Utah State Archives

AGENCY: Department of Human Services. Division of Child and Family Services

SERIES: 28195

TITLE: Unaccepted referral intake records

(continued)

PRIMARY CLASSIFICATION:

Private

UCA 63G-2-302

Utah State Archives

Parent Agency: Human Services
Social Services
Handicapped, Services to the

Agency: Department of Human Services. Office of Social Services.
Developmental Center
State Developmental Center
American Fork, UT 84003

Records Officer Kristy Bate

28194 Patient medical progress notes

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in

February 2013



Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Department of Human Services. Office of Social Services.
Developmental Center

SERIES: 28194

TITLE: Patient medical progress notes

DATES: 1930-

ARRANGEMENT: Numerical by date

DESCRIPTION:

These records are created when an individual is seen by a physician or specialist for healthcare matters.

These records are used to document each individual's symptoms, the type of clinic, procedures performed, and physician's orders (including communication to other medical staff). Medical staff review and sign off on notes at end of notation. Records include individual's name, file number, name of clinic, name of physician or specialist, presenting problem, medication changes, orders, follow-up and return to clinic (if applicable).

RETENTION:

Retain 10 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 10 years and then destroy.

APPRAISAL:

Administrative

PRIMARY CLASSIFICATION:

Private 63G-2-302(1)(6)

SECONDARY CLASSIFICATION(S):

Controlled. 63G-2-303

Utah State Archives

Parent Agency: Administrative Services
Facilities Construction

Agency: Department of Administrative Services, Division of Facilities
Construction and Management
4110 State Office Building
Salt Lake City, UT 84114-0000
801-538-3284

Records Officer Cee Cee Niederhauser

26286 Hazardous materials project reports

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

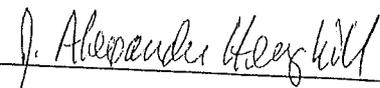
The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in

February 2013



Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Department of Administrative Services. Division of Facilities
Construction and Management

SERIES: 26286

TITLE: Hazardous materials project reports

DATES: 2000-

ARRANGEMENT: Alphabetical by project site.

ANNUAL ACCUMULATION: 10.00 cubic feet.

DESCRIPTION:

This series documents abatement and remediation of hazardous materials associated with building renovation or demolition. It contains surveys and assessments of building materials, project documents and logs for asbestos abatement. It also contains information on lead based paint abatement and universal waste and remediation.

RETENTION:

Retain 30 years

DISPOSITION:

Transfer to the State Archives with authority to weed provided building has not been destroyed or sold.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 30 years and then transfer to State Archives with authority to weed.

APPRAISAL:

Administrative Fiscal Historical Legal

This series is governed by OSHA regulations: 29 CFR 1926.1101 and 29 CFR 1910.1001 (1910.1001(j)(3)(ii) mandates permanent retention.)

PRIMARY CLASSIFICATION:

Public

Utah State Archives

Parent Agency: Health Department
Health Care Financing

Agency: Department of Health. Division of Health Care Financing

288 North 1460 West
P.O. Box 143101
Salt Lake City, UT 84114-3101
801-538-6641

Records Officer Craig Devashrayee

28188 *FLEX CARE and WEBER MACS records

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

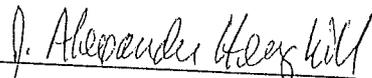
The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in

~~February 2013~~



Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Department of Health. Division of Health Care Financing

SERIES: 28188

TITLE: FLEX CARE and WEBER MACS records

DATES: 1999-2007.

ARRANGEMENT: Chronological

ANNUAL ACCUMULATION:

DESCRIPTION:

This series contains records of the Long Term Care Demonstration project carried out by Valley Mental Health [FLEX CARE] and by Weber Human Services [WEBER MAX]. Records include financial reports for the program, payment records of the clients participating in the demonstration project, audited financial statements of the entities participating in the demonstration project; work papers of various auditors who reviewed the project. Records include other information specific to participating clients' medical, psychiatric, and psychological treatments.

RETENTION:

Retain 8 years.

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center for 3 years and then destroy.

APPRAISAL:

Administrative Fiscal

Records include various administrative and financial elements specific to the functions of these two discontinued healthcare programs.

Utah State Archives

AGENCY: Department of Health. Division of Health Care Financing

SERIES: 28188

TITLE: FLEX CARE and WEBER MACS records

(continued)

PRIMARY CLASSIFICATION:

Private UCA 63G-2-302 (1)(a) (2008)

SECONDARY CLASSIFICATION(S):

Controlled. UCA 63G-2-304 (2008)

Utah State Archives

Parent Agency: Labor Commission
Industrial Accident Division

Agency: Labor Commission. Industrial Accident Division

160 East 300 South
P.O. Box 146610
Salt Lake City, UT 84114
530-6800

Records Officer Erin Latta

28141 Proof of coverage reporting penalty case files

Destroying records in accordance with this agency Retention Schedule is in compliance with the Archives and Records Service and Government Records Access and Management Act (UCA 63-2-101 et seq.).

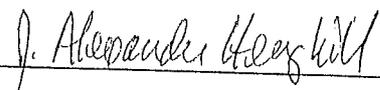
The Agency classifies its records under provisions of the Government Records Access and Management Act (UCA 63-2-101 et seq.). Classifications have not been approved by the State Records Committee.

This agency retention schedule was approved by the State Records Committee in

February 2013



Susan Mumford
Executive Secretary
State Records Committee



Chair
State Records Committee

Utah State Archives

AGENCY: Labor Commission. Industrial Accident Division

SERIES: 28141

TITLE: Proof of coverage reporting penalty case files

DATES: 2001-

ARRANGEMENT: chronological by closure date

ANNUAL ACCUMULATION: 5.00 cubic feet.

DESCRIPTION:

These files document the penalty assessment to insurance carriers for proof of coverage reporting noncompliance. These records document the late filing of reports by insurance carriers and the payment of the fine assessed. The files contain: penalty assessment, correspondence, and payment information on the penalty.

RETENTION:

Retain 30 years

DISPOSITION:

Destroy.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 6 months and then transfer to State Records Center. Retain in State Records Center for 30 years and then destroy.

APPRAISAL:

Administrative

These files need to be maintained long term in case of a recurring problem.

PRIMARY CLASSIFICATION:

Public

Utah State Archives

AGENCY: Labor Commission. Industrial Accident Division

SERIES: 28141

TITLE: Proof of coverage reporting penalty case files

(continued)

SECONDARY CLASSIFICATION(S):

Protected. UCA 63G-2-305