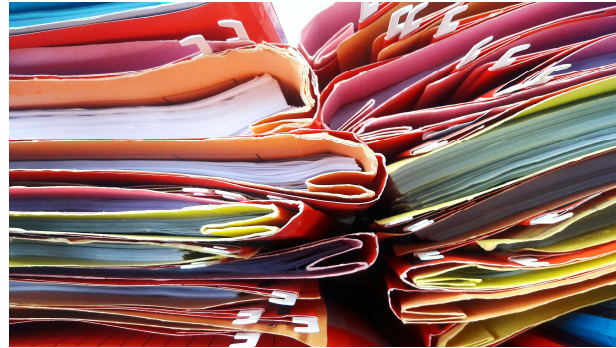


Record Retention and Internal Controls

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Agenda



Review of 45 CFR 75.361
(Records related to HHS
Funding)



Medical Record
Retention by State



Overview of HRSA
Compliance Manual
Chapter 12/15



HRSA's internal control
recommendations



Overview of HRSA
Compliance Manual
Chapter 13



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Learning Objectives

| | |
|-------------|---|
| Identify | Participant will identify retention requirements for different types of FQHC records |
| List | Participant will list 5 internal control recommendations for FQHCs |
| Explore | Participant will explore HRSA's Compliance Manual for contracts and subaward requirements |
| Study | Participant will study HRSA's Compliance Manual for conflict of interest requirements |
| Investigate | Participant will investigate their state's record retention requirements |
| Analyze | Participant will analyze their practice's internal control and record retention policies |



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45 CFR 75.361
*HHS Retention
Requirements:
3 years*

Federal funding via HHS requires 3-year retention of:

- Financial records
- Supporting documents
- Statistical records
- All other non-Federal entity records

PERTINENT to a Federal Award



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45 CFR 75.361 *HHS Retention Requirements: Details*

- Time starts ticking AFTER submission of final expenditure report
- If the reward is renewed quarterly or annually, from the date of submission of quarterly or annual financial report, as reported to HHS awarding agency
- HHS must not impose any other record retention requirement upon non-Federal entities



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45 CFR 75.361 *HHS Retention Requirements: Exceptions*

Exceptions to the 3-year rule include:

- Litigation or audits
- HHS notifies you to extend the retention period
- Real property and equipment

See full Regulation for additional exceptions



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Medical Record Retention *State Requirements*



- Retention requirements vary by state
 - Implement a retention plan/process for purging old records
 - Consider how your EMR has changed this process
 - Generally 3-10 years
 - Find your state requirement
 - Document
 - Maintain

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Medical Record Retention *MLN SE1022: HIPAA*



- HIPAA Safeguards until disposal of records
 - Administrative
 - Technical
 - Physical
- Covered Entities (Medicare)
 - 6 years
 - Date of creation or last in effect (later)
 - Preempts State laws if they require shorter
 - State laws apply if they require longer

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Medical Record Retention

*MLN SE1022:
CMS*



- CMS Requires Retention
- Original or legally reproduced
- 5 years after the closure of the cost report
 - For more information, see 42 CFR 482.24[b][1]
- Medicare managed care = 10 year retention
 - 42 CFR 422.504[d][2][iii]

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HRSA Compliance

*Chapter 12:
Requirements*



Contracts: Procurement

- For disbursement of Federal funds, determine if contract or subaward
- For substantive programmatic work, approval from HRSA required
- Use health center's procurement policies
- Perform cost or price analysis for purchases in excess of Simplified Acquisition Threshold

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HRSA Compliance *Chapter 12: Requirements*



Contracts: Procurement

- Full and open competition for procurement
- Non-competitive allowed:
 - Single Source
 - Public emergency
 - Authorized by HRSA
 - Competition is inadequate

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HRSA Compliance *Chapter 12: Requirements*



Contracts: Monitoring

- Oversee contractors for performance
 - Terms
 - Conditions
 - Specifications
- Retain records for 3 years
- Contracts with providers within scope
 - Schedule of rates
 - Method of payment

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HRSA Compliance *Chapter 12: Requirements*



Subawards: Management

- Contract vs. Subawards
- Approval from HRSA for subaward
- Record retention applies to subawards

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HRSA Compliance *Chapter 12: Requirements*



Subawards: Monitoring

- Subrecipient compliance
- Ongoing activities of subrecipient
- Audit results of subrecipient
 - Enforcement action
 - Internal communication

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HRSA Compliance *Chapter 12: Considerations*

- Methods to monitor contractors
 - Performance
 - Terms, conditions, specifications
- Methods to settle contractual issues
- Methods to monitor subrecipient compliance
 - Board meeting minutes
 - Site visits
 - Periodic reporting



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HRSA Compliance *Chapter 15: Requirements*

- Effective controls over all assets
 - Adequate safeguards
 - Used for authorized purposes
- Written policies and procedures for Federal funds
- Develop and utilize financial management and control systems
- Identify Federal funds in accounts
 - Record source and application of funds
 - Minimize time elapsing between transfers



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HRSA Compliance *Chapter 15: Requirements*

- If over \$750,000 in Federal awards, must have single or program-specific audit
 - 45 CFR Part 75 Subpart F
- Must use any non-grant funds as permitted under Section 330
 - Not specifically prohibited under 330
 - Furthers the objectives of the project



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HRSA Compliance *Chapter 15: Considerations*

- Accounting software and related systems
- Type, frequency, format of financial reporting
- Actions related to negative financial trending



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Internal Controls

HRSA Recommends



Commit to Integrity
and Competence



Be Risk-Aware



Mitigate Risks



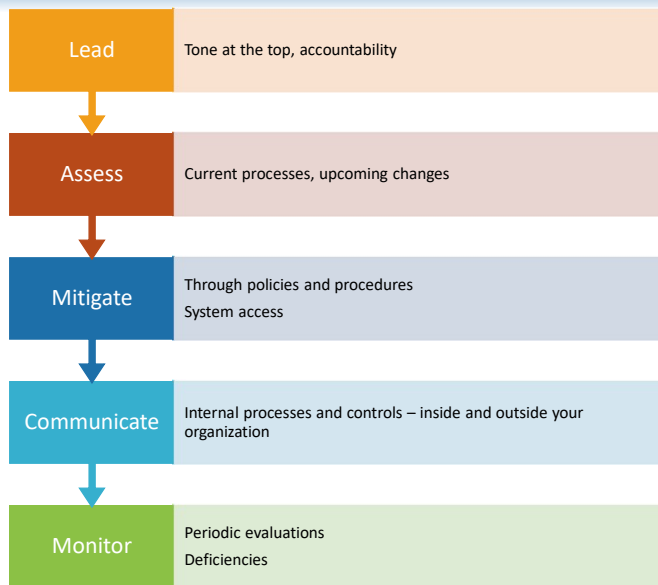
Support Your
Internal Controls



Measure Success



Internal Controls *Best Practices*



HRSA Compliance *Chapter 13: Requirements*



- Standards of Conduct
 - Written
 - Maintained
- Covering
 - Disciplinary Actions
- Conflicts of Interest
 - Real
 - Apparent
- Employees Engagement with Contracts
 - Selection
 - Award
 - Administration

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HRSA Compliance *Chapter 13: Requirements*



Gifts, favors, gratuities for

- Officers
- Employees
- Agents

May not be solicited nor accepted from contractors

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HRSA Compliance *Chapter 13: Considerations*

Health center determines:

- Disclosure of conflicts for procurement process
- How to inform employees about conduct
- If additional standards of conduct are needed
- Standards regarding nominal values



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Any question, any time!



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Or

billingquestions@codinghelp.com



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