

624 – Aging and Long-Term Services Department File Plan

This file plan was developed to be a guide for Aging and Long-Term Services Department employees. This guidance document was created to ensure consistent records classification and to provide agencies with other relevant record information. The final disposition authority resides in the Functional Records Retention and Disposition Schedule (FRRDS), 1.21.2 NMAC.

This file plan only list records series of program's specific to the Aging and Long-Term Services Department. For records series of a general administrative nature, refer to the General Administrative Records File Plan. For records of a financial nature, refer to the General Financial Records File Plan. For records of a personnel or medical nature, refer to the General Personnel/Medical Records File Plan.

624-001 OMBUDSMAN FILES:

Division/unit: Ombudsman

Maintenance system: Chronological by federal fiscal year, then alphabetical by facility or provider name

Record series content: Investigations initiated by a complaint against a licensed or unlicensed long-term care service or facility. File may include visit summary sheet, ombudsman interview, ombudsman observation report, ombudsman case report, ombudsman follow up case report, correspondence, etc.

Classification: 1.21.2.656 NMAC, Discipline and Investigations - General

File closure: Close of the federal fiscal year after case closed

Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to Section 28-17-14 NMSA 1978 Confidentiality of information, Section 27-7-29 NMSA 1978

Confidentiality of records; penalty, 5 USC Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., medical information), Health Insurance Portability and Accountability Act of 1996 Public Law 104-191 104th Congress (i.e., health information) and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]

624-002 to 624-010

624-011 SCREEN-OUT INTAKE FILES:

Division/unit: Adult protective services

Maintenance system: Chronological by date

Record series content: Intake form used to collect and assess information that determined incidents of alleged adult abuse, neglect or exploitation was not substantiated. File includes intake forms and correspondence.

Classification: 1.21.2.816 NMAC, Case Files - Family and Aging

File closure: Date of screen

Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to Section 27-7-29 NMSA 1978 Confidentiality of records; penalty, 5 USC Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., medical information), and Health Insurance

Portability and Accountability Act of 1996 Public Law 104-191 104th Congress (i.e., health information) and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]

624-012 ADULT PROTECTIVE SERVICES INVESTIGATION FILES:

Division/unit: Adult protective services

Maintenance system: Chronological by calendar year, then alphabetical by client surname

Record series content: Records documenting the investigation of alleged abuse, neglect or exploitation of an incapacitated adult. File may include substantiated intake form, investigation study, risk assessment, safety assessment summary, treatment plan, photographs, drawings, medical records, court filing copies, investigation result notice, investigation final disposition, correspondence, etc.

Classification: 1.21.2.634 NMAC, Investigations - Legal Matter Management

File closure: Close of the calendar year after date case closed

Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to Section 27-7-29 NMSA 1978 Confidentiality of records; penalty, 5 USC Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., medical information), Health Insurance Portability and Accountability Act of 1996 Public Law 104-191 104th Congress (i.e., health information) and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]

624-013 to 624-020

624-021 GUARDIANSHIP AND CONSERVATOR ASSIGNMENT FILES:

Division/unit: Legal

Maintenance system: Chronological by calendar year, then alphabetical by client surname

Record series content: Records concerning the legal assignment of guardianship or conservator of a vulnerable adult resulting from an adult protective services investigation. File may include protective services case copy (i.e., investigation study, risk assessment, safety assessment summary, treatment plan, photographs, drawings, medical records, etc.), witness affidavit, court filing copies, notice of result of investigation, court order of assignment copy, correspondence, etc.

Classification: 1.21.2.636 NMAC, Legal Case Files

File closure: Date of termination of assignment of guardian or conservator

Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to Section 27-7-29 NMSA 1978 Confidentiality of records; penalty, 5 USC Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., medical information), and Health Insurance Portability and Accountability Act of 1996 Public Law 104-191 104th Congress (i.e., health information) and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]

624-022 ADMINISTRATIVE ADJUDICATORY FILES:

Division/unit: Legal

Maintenance system: Chronological by calendar year, then alphabetical by appellant name

Record series content: Record of formal administrative hearings requested by a facility, provider, or individual that has been referred to the employee abuse registry and or assessed civil penalties for failing to: provide documents or certain identifying information; interferes with an investigation; interferes with the provision of voluntary or involuntary protective services; breaches confidentiality; or fails to report or is accused of abuse, neglect, or exploitation of an incapacitated adult. File may include investigation summary, investigation result notice, notice of violation, complaint, adult protective services notification of substantiation or non-substantiation following investigation of alleged abuse, neglect or exploitation; summary of evidence; witness information; written legal arguments; hearing officer notes and recommendation; copy of civil penalty assessment, cabinet secretary decision and order; audio recordings, etc.

Classification: 1.21.2.632 NMAC, Hearings and Appeals

File closure: Close of the calendar year after date of final decision

Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to Section 28-17-14 NMSA 1978 Confidentiality of information, Section 27-7-29 NMSA 1978

Confidentiality of records; penalty, 5 USC Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., medical information), Health Insurance Portability and Accountability Act of 1996

Public Law 104-191 104th Congress (i.e., health information) and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]

624-023 to 624-030

624-031 FAIR HEARINGS CASE FILES:

Division/unit: Fair hearings

Maintenance system:

(A) **Client:** Chronological by calendar year, then alphabetical by client surname

(B) **Provider:** Chronological by calendar year, then alphabetical by provider name

Record series content: Records of hearings that review ALTSD actions which adversely affect applicants or service providers of assistance programs. File may include notice of request for fair hearing, summary of evidence request, late summary of evidence request, acknowledgement letter, history profile, scheduling notice, hearing audio recordings, exhibits, recommendations, fair hearing decision, fair hearing decision notice, inquiry reports, fair hearings appeal notice, correspondence, etc.

Classification: 1.21.2.632 NMAC, Hearings and Appeals

File closure: Close of the calendar year after final disposition of case

Confidentiality: Portions of this record may be confidential pursuant, but not limited to 5 USC, Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., health information), 45 CFR 205.50 (i.e., safeguarding information for the financial assistance programs and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]

624-032 to 624-040

624-041 PRESCRIPTION DRUG ASSISTANCE MEDBANK CLIENT FILES:

Division/unit: Consumer and elder rights

Maintenance system: Chronological by federal fiscal year, then alphabetical by client surname

Record series content: Records concerning assistance to eligible recipients who do not have prescription drug coverage or have used up their allowable benefit coverage. File may include application (i.e., name, address, social security number, marital status, primary care physician, etc.), prescription copy, financial eligibility documentation, correspondence, etc.

Classification: 1.21.2.814 NMAC, Assistance - Medical

File closure: Close of the federal fiscal year after date of ineligibility

Confidentiality: Portions of this record may be confidential pursuant, but not limited to 5 USC, Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., health information), 45 CFR 205.50 safeguarding information for the financial assistance programs and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]

624-042 to 624-050

624-051 AREA AGENCIES ON AGING ASSESSMENT FILES:

Division/unit: Senior services

Maintenance system: Chronological by federal fiscal year, then alphabetical by program name

Record series content: Assessments conducted by ALTSD of the area agencies on aging program and program providers (i.e., meals on wheels, senior centers, etc.) administered by AAA. The assessment is used as a tool to monitor, provide technical assistance and ensure regulated compliance. File may include staff member personnel information (i.e., job descriptions, credentials, background checks, etc.), training

record information, emergency preparedness plan for both AAA and program providers, customer survey, corrective action request, final report, correspondence, etc.

Classification: 1.21.2.415 NMAC, General - Audits and Compliance

File closure: Close of the federal fiscal year from date final report issued

Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to Section 9-23-11 NMSA 1978 (i.e., access to information) and Section 14-2-1 NMSA 1978 (i.e., personnel records).

[New - 03/31/2021]

624-052 to 624-060

624-061 SENIOR COMMUNITY SERVICE EMPLOYMENT FILES:

Division/unit: Employment assistance

Maintenance system: Chronological by federal fiscal year, then alphabetical by client surname

Record series content: Records concerning employment history and skills progress of individuals eligible for temporary employment funded by both federal and state monies under the Older Americans Act. File may include application, senior employment program intake form, income worksheet, eligibility verification, application approval letter, job description, daily work schedule, acknowledgement of temporary employment, employee withholding allowance certificate, drivers license copy, social security card copy, physical exam waiver, letter of resignation, memo of termination, correspondence, etc.

Classification: 1.21.2.234 NMAC, Personnel Files - Non-Contributing

File closure: Close of the federal fiscal year after date employee is separated from program

Confidentiality: Portions of this record may be confidential pursuant, but not limited to 5 USC, Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., health information), 45 CFR 205.50 (i.e., safeguarding information for the financial assistance programs) and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]

624-062 GOLD MENTOR CLIENT FILES:

Division/unit: Employment programs

Maintenance system: Chronological by federal fiscal year, then alphabetical by client surname

Record series content: Records concerning client information and progress of individuals assigned to a gold mentor for life skills assistance towards self sufficiency. File may include referral form, case intake form, client assessment, progress reports, case notes, correspondence, etc.

Classification: 1.21.2.816 NMAC, Case Files - Family and Aging

File closure: Close of the federal fiscal year after case closed

Confidentiality: Portions of this record may be confidential pursuant, but not limited to 5 USC, Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., health information) and per 45 CFR 205.50 (i.e., safeguarding information for the financial assistance programs).

[New - 03/31/2021]

624-063 to 624-070

624-071 AGING AND LONG TERM SERVICES SYSTEM:

Division/unit: Aging and long term services

Maintenance system: Numerical by primary key

Record series content: Database maintains information concerning intake referrals; information regarding adult protective service; guardianship and conservator assignments; the coordination of client services and ombudsman case information. Data may include information relating to client intake, investigation, guardianship and conservator assignment, client eligibility, service or facility, complaint, treatment, attended care, homecare, financial, licensed and unlicensed facility information, etc.

Classification:

- (A) **Ombudsman manager data:** 1.21.2.656 NMAC, Discipline and Investigations -
General
- (B) **Screened out intake data:** 1.21.2.816 NMAC, Case Files - Family and Aging
- (C) **Adult protective service client data:** 1.21.2.634 NMAC, Investigations - Legal Matter
Management
- (D) **Guardianship and conservator assignment data:** 1.21.2.636 NMAC, Legal Case Files
- (E) **Prescription drug assistance medbank client data:** 1.21.2.814 NMAC, Assistance -
Medical

File closure:

- (A) **Ombudsman manager data:** Close of the federal year from date case closed
- (B) **Screened out intake data:** Date of screen
- (C) **Adult protective service client data:** Close of the calendar year after date case closed
- (D) **Guardianship and conservator assignment data:** Date of termination of assignment
- (E) **Prescription drug assistance medbank client data:** Close of the federal fiscal year
after date of ineligibility

Confidentiality: Portions of this record may contain confidential information pursuant, but not limited to Section 28-17-14 NMSA 1978 Confidentiality of information, Section 27-7-29 NMSA 1978 Confidentiality of records; penalty, 5 USC Section 552a (i.e., social security number), Section 14-6-1 NMSA 1978 (i.e., medical information), Health Insurance Portability and Accountability Act of 1996 Public Law 104-191 104th Congress (i.e., health information) and Section 9-23-11 NMSA 1978 (i.e., access to information).

[New - 03/31/2021]