

647 – Developmental Disabilities Planning Council File Plan

This file plan was developed to be a guide for Developmental Disabilities Planning Council 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 Developmental Disabilities Planning Council. 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.

647-001 FAMILY MEMBER GUARDIANSHIP FILES:

Division/unit: Office of guardianship

Maintenance system: Chronological by federal fiscal year, then numerical by unique identification number

Record series content: Records concerning the legal assignment of guardianship of an incapacitated adult to a family member for care. File may include eligibility application (i.e., name, address, social security number, medical history, etc.), intake financial supporting documentation (i.e., tax return, medicaid eligibility status, etc.), court filing copies, court order of assignment copy, correspondence, etc.

Classification: 1.21.2.636 NMAC, Legal Case Files

File closure: Close of the federal fiscal year in which guardianship is assigned

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) and 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). [New - 03/31/2021]

647-002 CONTRACTED GUARDIANSHIP FILES:

Division/unit: Office of guardianship

Maintenance system: Chronological by federal fiscal year, then numerical by unique identification number

Record series content: Records concerning the legal assignment of guardianship of an incapacitated adult to an approved guardian contractor through the office of guardianship. Files may include eligibility application (i.e., name, address, social security number, medical history, etc.) intake financial supporting documentation (i.e., tax return, medicaid eligibility status, etc.), court filing copies, court order of assignment copies, contract copy periodic evaluations, care assessments, complaint and resolution copies, correspondence, etc.

Classification: 1.21.2.636 NMAC, Legal Case Files

File closure: Close of the federal fiscal year in which assignment is terminated

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) and 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). [New - 03/31/2021]

647-003 COMPLAINT AND RESOLUTION FILES:

Division/unit: Office of guardianship

Maintenance system: Chronological by year, then numerical by unique identification number

Record series content: Records documenting complaints filed against either a court appointed contracted guardian or an incapacitated adult. File may include complaint letter, visitation report, resolution report, correspondence, etc.

Classification: 1.21.2.634 NMAC, Investigations - Legal Matter Management

File closure: Date complaint resolved

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) and 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). [New - 03/31/2021]

647-004 to 647-020

647-021 OFFICE OF GUARDIANSHIP WARD MANAGEMENT SYSTEM:

Division/unit: Office of guardianship

Maintenance system: Numerical by primary key

Record series content: Database maintains information concerning the assignment of guardianship to eligible participants and their corresponding guardians. Data may include participant information (i.e., name, address, SSN, medical history, financial eligibility status, etc.), guardian information (i.e., name, address, certification status, etc.), court date, disposition status, complaint data, etc.

Classification:

(A) **Family member guardianship data:** 1.21.2.636 NMAC, Legal Case Files

(B) **Contracted guardianship data:** 1.21.2.636 NMAC, Legal Case Files

(C) **Complaint and resolution data:** 1.21.2.634 NMAC, Investigations - Legal Matter

Management

File closure:

(A) **Family member guardianship data:** Close of the federal fiscal year in which guardianship is assigned

(B) **Contracted guardianship data:** Close of the federal fiscal year in which assignment is terminated

(C) **Complaint and resolution data:** Date complaint resolved

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) and 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) [New - 03/31/2021]