1.15.8.1 ISSUING AGENCY: State Commission of Public Records
[8/8/96; 1.15.8.1 NMAC - Rn, 1 NMAC 3.2.90.1, 10/01/2000; A, 04/13/2015]

1.15.8.2 SCOPE: All agencies
[7/16/96; 1.15.8.2 NMAC - Rn, 1 NMAC 3.2.90.2, 10/01/2000; A, 04/13/2015]

1.15.8.3 STATUTORY AUTHORITY: Public Records Act, Section 14-3-1 et seq. NMSA 1978
[8/8/96; 1.15.8.3 NMAC - Rn, 1 NMAC 3.2.90.3, 10/01/2000; A, 04/30/2012; A, 04/13/2015]

1.15.8.6 OBJECTIVE: To establish a records retention schedule for the orderly management, retention, disposition and preservation of records necessary for carrying out the Public Records Act, Section 14-3-1 et seq. NMSA 1978.
[8/8/96; 1.15.8.6 NMAC - Rn, 1 NMAC 3.2.90.6, 10/01/2000; A, 04/30/2012; A, 04/13/2015]

1.15.8.7 DEFINITIONS: For general definitions applicable to all agencies refer to 1.15.1.7 NMAC.
[8/8/96; 5/19/97; 1.15.8.7 NMAC - Rn, 1 NMAC 3.2.90.7, 10/01/2000; A, 04/30/2012; A, 04/13/2015]

1.15.8.8 ABBREVIATIONS AND ACRONYMS: For general abbreviations and acronyms applicable to all agencies refer to 1.15.1.8 NMAC.
[8/8/96; 5/19/97; 1.15.8.8 NMAC - Rn, 1 NMAC 3.2.90.8, 10/01/2000; 1.15.8.8 NMAC - N, 04/30/2012; A, 04/13/2015]

1.15.8.9 INSTRUCTIONS: For general instructions applicable to all agencies refer to 1.15.1.9 NMAC.
[1.15.8.9 NMAC - N, 04/30/2012; A, 04/13/2015]

1.15.8.10 MEDICAL RECORDS:  
A. Program: all public entities
B. Maintenance system: chronological by year, then alphabetical by client surname
C. Description: records which document the illness, treatment, care and diagnostic studies of individual
D. Retention:  
   (1) adult medical records: inactive records shall be kept 10 years
   (2) minor medical records: inactive records shall be kept 10 years, or one year after the person reaches the age of 21; whichever period of time is greater
E. Confidentiality: Portions of this record may be confidential pursuant, but not limited to Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (1996) (i.e., health information).
[2/12/79; 1.15.8.101 NMAC - Rn, 1 NMAC 3.2.90.40.M101, 10/01/2000; A, 04/30/2012]

1.15.8.102 NOTICE OF PRIVACY PRACTICES ACKNOWLEDGMENT FORM:  
A. Program: all public entities
B. Maintenance system: chronological by year, then alphabetical by client surname
C. Description: form signed by clients acknowledging receipt of the health care provider’s privacy policies regarding the individual’s medical information. Form may show the organization’s current privacy policy, date, client signature, etc.
D. Retention: six years from date in which client signed form
[1.15.8.102 NMAC - N, 04/30/2012]

History of 1.15.8 NMAC:  
Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center under:
SRC Rule 79-1, SRC Regulation Prohibiting the Destruction of Medical Records, 1/12/79.
SRC Rule no. 80-1, Retention Schedule for Medical Records, 1/18/80.