TITLE 1   GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 18   EXECUTIVE RECORDS RETENTION AND DISPOSITION SCHEDULES (ERRDS)
PART 632   ERRDS, WORKERS COMPENSATION ADMINISTRATION

1.18.632.1   ISSUING AGENCY: State Commission of Public Records - State Records Center and Archives
[1.18.632.1 NMAC - Rp, 1.18.632.1 NMAC, 4/19/2010]

1.18.632.2   SCOPE: workers compensation administration
[1.18.632.2 NMAC - Rp, 1.18.632.2 NMAC, 4/19/2010]

1.18.632.3   STATUTORY AUTHORITY: Section 14-3-6 NMSA 1978. The administrator shall establish a
records management program for the application of efficient and economical management methods for the creation,
utilization, maintenance, retention, preservation and disposal of public records.
[1.18.632.3 NMAC - Rp, 1.18.632.3 NMAC, 4/19/2010]

1.18.632.4   DURATION: permanent
[1.18.632.4 NMAC - Rp, 1.18.632.4 NMAC, 4/19/2010]

1.18.632.5   EFFECTIVE DATE: April 19, 2010, unless a later date is cited at the end of a section.
[1.18.632.5 NMAC - Rp, 1.18.632.5 NMAC, 4/19/2010]

1.18.632.6   OBJECTIVE: To establish a records disposal schedules for the orderly management and
retirement of records necessary for carrying out the Public Records Act per Section 14-3-6 NMSA 1978.
[1.18.632.6 NMAC - Rp, 1.18.632.6 NMAC, 4/19/2010]

1.18.632.7   DEFINITIONS:
          A.   "Administrator" means the state records administrator (Section 14-3-2 NMSA 1978).
          B.   "Agency" means any state agency, department, bureau, board, commission, institution or other
organization of the state government, the territorial government and the Spanish and Mexican governments in New
Mexico (Section 14-3-2 NMSA 1978).
          C.   "Archives" means the state archives of the commission of public records.
          D.   "Benefit" means any payment to an injured worker or in behalf of an injured or deceased worker
for compensation, medical treatment, legal expenses, funeral or travel costs resulting from a work-related injury,
illness or death.
          E.   "Carrier table" means the carrier table in the *informix database* that provides a list of all insurers
that write workers' compensation coverage for New Mexico employers. The table identifies the insurer by name,
federal ID and address with phone number.
          F.   "Claim" means a legal demand from the worker to the employer for workers' compensation
benefits.
          G.   "Disposition" means final action that puts into effect the results of an appraisal decision for a
series of records (i.e., transfer to archives or destruction).
          H.   "EDI trading partner" means the vendor, insurer or administrator that receives and transfers
claim data to the workers' compensation administration through an electronic medium utilizing the internet of FTP
processes.
          I.   "Extra-hazardous employer" means an employer whose injury frequencies substantially exceed
those that may reasonable be expected in that employer's business or industry.
          J.   "Loss costs" means historical loss costs indicated the amount of money an insurer can expect to
pay to resolve the financial liability of a claim. Each claim has two parts of potential liability: an Indemnity portion
which is the payment of a claim to the worker for loss of wages of earning potential, and a Medical portion which is
payment of medical services to bring the physical capacity of the worker at the point of returning to employment.
          K.   "Non-record" means extra copies of documents kept solely for convenience of reference, stocks
of publications, records not usually included within the scope of the official records of an agency or government
entity, and library material intended only for reference or exhibition. The following specific types of materials are
non-records: materials neither made nor received in pursuance of statutory requirements nor in connection with the
functional responsibility of the officer or agency; extra copies of correspondence; preliminary drafts or other

material summarized in final or other form and which have no value once action has been taken; blank forms, transmittal letters or forms that do not add information; sample letters; and reading file or informational files.

   L. **"Public record"** means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein (Section 14-4-2)

   M. **"Records custodian"** means the statutory head of the agency using or maintaining the records or the custodian's designee.

   N. **"Records management"** means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.

   O. "**Records retention and disposition schedule"** means rules adopted by the commission pursuant to Section14-3-6 NMSA 1978 describing records of an agency, establishing a timetable for their life cycle and providing authorization for their disposition.

   P. **"Retention"** means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.
[1.18.632.7 NMAC - Rp, 1.18.632.7 NMAC, 4/19/2010]

1.18.632.8 **ABBREVIATIONS AND ACRONYMS:**
   A. **"DOB"** stands for date of birth
   B. **"EDI"** stands for electronic data interchange
   C. **"NMAC"** stands for New Mexico administrative code.
   D. **"NMSA"** stands for New Mexico statutes annotated.
   E. **"SSN"** stands for social security number.
   F. **"WCA"** stands for workers compensation administration
[1.18.632.8 NMAC - Rp, 1.18.632.8 NMAC, 4/19/2010]

1.18.632.9 **INSTRUCTIONS:**
   A. Record retention and disposition schedules identify the types of records maintained by state agencies and specify a period of time which records must be retained. A retention period may be stated in terms of months or years and is sometimes expressed as contingent upon the occurrence of an event.   There are two types of record retention and disposition schedules created by the state records center and archives. General schedules that list records common to all agencies and executive schedules which are specific to an agency. Each record series will be represented in the format listed below.
    (1) **Program** - describes the function of the records
    (2) **Maintenance system** - describes how an agency files (organizes) records
    (3) **Description** - describes the purpose and content of a record
    (4) **Retention -** The length of time records must be kept before they are eligible for destruction or archival preservation.
   B. For records of a general administrative nature, refer to the GRRDS, General Administrative Records Retention and Disposition Schedule, 1.15.2 NMAC.
   C. For records of a financial nature, refer to the GRRDS, General Financial Records Retention and Disposition Schedule, 1.15.4 NMAC.
   D. For records of a personnel nature, refer to the GRRDS, General Personnel Records Retention and Disposition Schedule, 1.15.6 NMAC, and for officers personnel records , refer to the GRRDS, General Personnel Records Retention and Disposition Schedule, 1.15.7 NMAC.
   E. For records of a medical nature, refer to the GRRDS, General Medical Records Retention and Disposition Schedule, 1.15.8 NMAC.
   F. Retention periods shall be extended until six months after all current or pending litigation; current claims, audit exceptions or court orders involving a record have been resolved or concluded.
   G. The descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are filed in a file that are not listed in the description, and similarly, not every file will contain an example of each document listed in the description.
   H. Confidentiality is denoted for each file but all materials in a file may be confidential. Refer to note. Where portions of file may be confidential, refer to legal counsel for agency.

I. Access to confidential documents or confidential files shall be only by authorization of agency or attorney general or by court order, unless otherwise provided by statute. Release of confidential documents to law enforcement and other government agencies, shall only be upon specific statutory authorization or court order.

J. Records, papers or documents may be reformatted thorough microphotography. Such reformatted records shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies (Sections 14-1-5 and 14-1-6 NMSA 1978).

K. Public records placed on magnetic tapes, disks or other data processing media shall be retained for the length of time specified in records retention and disposition schedules and are subject to the same confidentiality and access restrictions as paper records. See also 1.13.70 NMAC, Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems.

L. Email messages that contain information sent or received by an agency in connection with the transaction of official state business or in pursuance of law are public records and are subject to retention requirements established in both general and executive records retention and disposition schedules.
[1.18.632.9 NMAC - Rp, 1.18.632.9 NMAC, 4/19/2010]

1.18.632.10 - 100 **[RESERVED]**

1.18.632.101 **WORKER'S COMPENSATION COMPLAINT FILE:**
    A. **Program:** clerk of the court
    B. **Maintenance system:** numerical by case number and calendar year
    C. **Description:** records concerning workers compensation claim disputes filed with the WCA against employers for benefits (i.e., medical, work time loss). File may include claim for workers compensation application , notice to employer of claim for compensation, authority to release medical reports and information, treating physician's verification of job related disability and time lost, mediation, pleadings, depositions, orders, recommendations, resolutions, correspondence, WCA judgment, etc.
    D. **Retention:**
        (1) **Miscellaneous and non-filed documents:** 30 days after final disposition
        (2) **Filed legal documents:** 15 years after close of calendar year in which final judgment is rendered
    E. **Confidentiality:** Portions of this record may be confidential pursuant, but not limited to Section 5 USC, Section 552a (i.e., social security number) and Section 59A-46-27NMSA 1978, confidentiality of medical information and limitation of liability and Section 52-5-21 NMSA 1978, administration records confidentiality; authorized use.
[1.18.632.101 NMAC - Rp, 1.18.632.101 NMAC, 4/19/2010]

1.18.632.102 **RECORDINGS OF FORMAL CLAIM HEARINGS:**
    A. **Program:** clerk of the court
    B. **Maintenance system:** numerical by case number
    C. **Description:** audio record of workers compensation claim proceedings.
    D. **Retention:** one year after the close of calendar year in which the case is filed
[1.18.632.102 NMAC - Rp, 1.18.632.102 NMAC, 4/19/2010]

1.18.632.103 **CASE LOG (WCACL01):**
    A. **Program:** clerk of the court
    B. **Maintenance system:** numerically by case number
    C. **Description:** log created for random selection of WCA judges for workers compensation claim hearings and miscellaneous cases. Log shows verification of random judge selection and filing of miscellaneous cases, shows cause numbers, worker's last name, judge, date, etc.
    D. **Retention:** one calendar year from last entry on log sheet
[1.18.632.103 NMAC - Rp, 1.18.632.106 NMAC, 4/19/2010]

1.18.632.104 - 250 **[RESERVED]**

1.18.632.251 **ACCIDENT REPORT FILE:**
    A. **Program:** economic research
    B. **Maintenance system:** chronological by date, then numerical by case number

C. **Description:** records concerning reports required to be filed with the WCA by employers reporting work related accidents, occupational illnesses or injuries. File may include accident report, notice of benefit payment, supplemental report of accident or disease, correspondence, etc.

D. **Retention:** 60 years from accident date

E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-1-49 NMSA 1978, medical and related benefits; selection of health care provider; artificial members and Section 52-5-21 NMSA 1978, administration records confidentiality; authorized use.

[1.18.632.251 NMAC - Rp, 1.18.632.251 NMAC, 4/19/2010]

1.18.632.252 **ACCIDENT SUSPENSE FILES:**

A. **Program:** economic research

B. **Maintenance system:** chronological by date, then numerical by sequential number

C. **Description:** records concerning individuals' work-related illnesses or injuries (i.e., illness due to chemicals, or physical injury) and accident information (i.e., occupation, injury characteristics, etc.). File may include individuals information (i.e., name, DOB, SSN, etc.), first report of accident (E1), notice of benefit report (E6), etc.

D. **Retention:** 60 years from accident date

E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 552a (i.e., social security number) and Section 52-1-49 NMSA 1978, medical and related benefits; selection of health care provider; artificial members and Section 52-5-21 NMSA 1978, administration records confidentiality; authorized use.

[1.18.632.252 NMAC - Rp, 1.18.632.252 NMAC, 4/19/2010]

1.18.632.253 - 300 **[RESERVED]**

1.18.632.301 **EDI TRADING PARTNER PROFILE (E7):**

A. **Program:** statistics and research

B. **Maintenance system:** chronological by date submitted

C. **Description:** records concerning EDI trading partner profiles required to be on record with the WCA before electronic filings or reports can be accepted. Portions of this record may be input to the INFORMIX database, 1.18.632.801 NMAC. Form may include business name, federal employment identification number, business address, business phone number, etc.

D. **Retention:** retained until entered into carrier table

E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use and Section 52-5-21 NMSA 1978, administration records confidentiality; authorized use.

[1.18.632.301 NMAC - N, 4/19/2010]

1.18.632.302 **ANNUAL WORKER'S COMPENSATION EXPENDITURE REPORT (E5):**

A. **Program:** statistics and research

B. **Maintenance system:** chronological by date, numerical by insurer carrier identification number

C. **Description:** report generated by insurers for actuarial projections of loss cost (i.e., amount of money paid in workers compensation benefits). Report may show expenditure amount, medical-only amount, indemnity amount, etc. Annual report generated by the WCA to evaluate insurance industry data pertaining to workers compensation and occupational disease disablement claims and payments as well as other information necessary to evaluate the effectiveness of the WCA system

D. **Retention:** five years from report due date

E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-1-49 NMSA 1978, medical and related benefits; selection of health care provider; artificial members and Section 52-5-21 NMSA 1978, administration records confidentiality; authorized use.

[1.18.632.302 NMAC- Rp, 1.18.632.305 NMAC, 4/19/2010]

1.18.632.303 - 400 **[RESERVED]**

1.18.632.401 **COMPLIANCE CASE FILE:**

A. **Program:** employer compliance

B.   **Maintenance system:** chronological by calendar year, then alphabetical by employer name

C.   **Description:** records concerning possible employer violation of workers compensation act. File may include action form (e.g., compliance officer notes), first compliance letter (WCEB CL-I), second compliance letter (WCEB CL-II), certified returned receipt letter (WCEB), certified returned receipt, correspondence, etc.

D.   **Retention:** three years after close of calendar year in which file closed

E.   **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, administration records confidentiality; authorized use.

[1.18.632.401 NMAC - Rp, 1.18.632.401 NMAC, 4/19/2010]

1.18.632.402   **INDIVIDUAL SELF-INSURED COMPANY FILE:**

A.   **Program:** self insurance

B.   **Maintenance system:** alphabetical by self-insurer name

C.   **Description:** records maintained by the WCA determining the qualifications and certification of employers as individual self-insurers. File may include application for individual self-insurance, certificate of self-insurance, copy of security (i.e., surety bond, letter of creditor), financial statement copy, past audits, guaranty and resolution, excess insurance information, claims or loss runs, correspondence, etc.

D.   **Retention:** three years after all pending claims have been paid or settled

[1.18.632.402 NMAC - Rp, 1.18.632.402 NMAC, 4/19/2010]

1.18.632.403   **GROUP SELF-INSURED COMPANY FILE:**

A.   **Program:** self insurance

B.   **Maintenance system:** alphabetical by self-insurer name

C.   **Description:** records maintained by the WCA on certificates of approval issued to group-self insured companies in compliance with the requirements of the Group-Self Insured Act. File may include application for group self-insurance, surety bond copy, letter of credit copy, financial statement copy, past audits, excess insurance information, certificate of self-insurance, claims or loss runs, premium tax information, member list, actuarial report, rate request, dividend request, correspondence, etc.

D.   **Retention:** three years after all pending claims have been paid or settled.

[1.18.632.403 NMAC - Rp, 1.18.632.403 NMAC, 4/19/2010]

1.18.632.404   **POOL SELF INSURED FILE:**

A.   **Program:** self insurance

B.   **Maintenance system:** alphabetical by self insurer name

C.   **Description:** records maintained by the WCA determining the qualifications and certification of pool self-insurance companies (e.g., public schools, counties or cities). File may include application for pool self-insurance, financial statement copy, past audits, excess insurance information, certificate of self-insurance, claims or loss runs, premium tax information, member list, actuarial report, rate request, dividend request, correspondence, etc.

D.   **Retention:** three years after all pending claims have been paid or settled.

[1.18.632.404 NMAC - N, 4/19/2010

1.18.632.405   **GUARANTEE FUND FILE:**

A.   **Program:** self insurance

B.   **Maintenance system:** alphabetical by employer name

C.   **Description:** records maintained on contributions made to the self-insurers' guarantee fund by certified self-insurers' in fulfillment of the provisions of the Self-Insurers' Guarantee Fund Act. Portions of this record may be input to the *guarantee fund database*, 1.18.632.407 NMAC. Record may include balance sheets, income statements, transaction registers, bank statements, etc.

D.   **Retention:** 10 years after close of tax year in which tax report was filed

E.   **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

[1.18.632.405 NMAC - N, 4/19/2010]

1.18.632.406   **ANNUAL NOTEBOOK:**

A.   **Program:** self insurance

B.   **Maintenance system:** chronological by quarter reported in

C.   **Description:** input document for the *guarantee fund database.* The annual notebook provides financial information on the status of the fund and operating expenses expended from the fund. Portions of this record may be input to the *guarantee fund database*, 1.18.632.407 NMAC. Notebook may include balance sheets, income statements, reconciliation, bank statements, tax documents (i.e., 1099 form) etc.

D.   **Retention:** 10 years after close of tax year in which tax report was filed

E.   **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use and Section 52-5-21 NMSA 1978, administration records confidentiality; authorized use.

[1.18.632.406 NMAC - N, 4/19/2010]

1.18.632.407   GUARANTEE FUND DATABASE:

A.   **Program:** self insurance

B.   **Maintenance system:** numerical by primary key

C.   **Description:** database maintains financial accounting information on contributions made to the guarantee fund. Data may include information used to generate balance sheets, income statement, transaction registers, account balances due, past contributions, interest earned etc.

D.   **Retention:** 10 years after close of tax year in which tax report was filed

E.   **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

F.   **Input:** Information used as input for *guarantee fund database* may include 1.18.632.405 guarantee fund file, 1.18.632.406 annual notebook, etc.

G.   **Output:** Because the *guarantee fund database* is a data-based system, regularly scheduled and ad hoc reports may be generated upon request or demand. When produced, these reports are forwarded to the requesting entity or interfiled in the annual notebook and guarantee fund file.

[1.18.632.407 NMAC - N, 4/19/2010]

1.18.632.408 - 500   [RESERVED]

1.18.632.501   EXEMPTION (WC CB A-I):

A.   **Program:** employer compliance

B.   **Maintenance system:** alphabetical by business name

C.   **Description:** records maintained on employers requesting and exemption from certain provisions of the Workers Compensation Act. Portions of this record may be input to the *informix database*, 1.18.632.801 NMAC. Form may include name of business, business description, reason for rejection of self-insurance, unemployment insurance number, federal employer identification number, business owner signature, business owner title, notary public seal and information, etc.

D.   **Retention:** until amended, superseded or revoked

E.   **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

[1.18.632.501 NMAC - Rp, 1.18.632.502 NMAC, 4/19/2010]

1.18.632.502   ELECTION TO ACCEPT (WC CB A-II):

A.   **Program:** employer compliance

B.   **Maintenance system:** alphabetical by business name

C.   **Description:** records maintained on employers opting for self-coverage workers compensation insurance. Portions of this record may be input to the *informix database*, 1.18.632.801 NMAC. Form may include name of business, business description, acceptance of coverage of self-insurance, unemployment insurance number, federal employer identification number, business owner signature, business owner title, notary public seal and information, etc.

D.   **Retention:** until amended, superseded or revoked

E.   **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

[1.18.632.502 NMAC - Rp, 1.18.632.503 NMAC, 4/19/2010]

1.18.632.503   REVOCATION (WC CB A-III):

A.   **Program:** employer compliance

  B. **Maintenance system:** alphabetical by business name

  C. **Description:** records maintained on employers revoking self-coverage workers compensation insurance. Portions of this record may be input to the *informix database*, 1.18.632.801 NMAC. Form may include business owner's signature, name of business, business description, election to except or refuse self-coverage of workers compensation insurance, unemployment insurance number, federal employer identification number, business owner signature, business owner title, notary public seal and information, etc.

  D. **Retention:** until amended, superseded or revoked

  E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

[1.18.632.503 NMAC - Rp, 1.18.632.504 NMAC, 4/19/2010]

1.18.632.504 **LIMITED LIABILITY AFFIRMATIVE ELECTION FORM (WC CB A-IV):**

  A. **Program:** employer compliance

  B. **Maintenance system:** alphabetical by business name

  C. **Description:** records maintained on employers belonging to limited liability companies who refuse self coverage workers compensation insurance. Portions of this record may be input to the *informix database*, 1.18.632.801 NMAC. Form may include business owners name, business description, employer unemployment insurance number, federal employer identification number, business owner signature, business owner title, notary public seal and information, etc.

  D. **Retention:** until amended, superseded or revoked

  E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

[1.18.632.504 NMAC - Rp, 1.18.632.505 NMAC, 4/19/2010]

1.18.632.505 - 600 **[RESERVED]**

1.18.632.601 **SAFETY INSPECTION AFFIDAVIT FORM:**

  A. **Program:** safety

  B. **Maintenance system:** alphabetical by business name

  C. **Description:** forms maintained on business conducting their own work site safety inspections.. Portions of this record may be input to the *informix database*, 1.18.632.801 NMAC Form may include business name, federal employment identification number, business address, notary name, notary seal, individual conducting section, etc.

  D. **Retention:** retained until entered into safety table

  E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

[1.18.632.601 NMAC - N, 4/19/2010]

1.18.632.602 - 700 **[RESERVED]**

1.18.632.701 **ENFORCEMENT FILE:**

  A. **Program:** enforcement

  B. **Maintenance system:** chronological by year, then numerical by case number

  C. **Description:** record used to maintain documentation on investigations into possible violations of the workers compensation act and rules. Record may contain person of complainant information (i.e., medical records, department of labor wages, criminal background checks, motor vehicle background, etc.), legal inquiry, notice of pending investigation, workers compensation benefit reports, close file report, correspondence, etc.

  D. **Retention:** six years after close of case

  E. **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

[1.18.632.701 NMAC - Rp. 1.18.632.601 NMAC, 4/19/2010]

1.18.632.702 - 750 **[RESERVED]**

1.18.632.751 **CASE MANAGEMENT FILE:**

  A. **Program:** medical cost containment

   B.   **Maintenance system:** alphabetical by employee's surname

   C.   **Description:** record maintained on individuals needing assistance to reach maximum medical improvement assistance. File may include case individuals information (i.e., name, address, SSN, DOB, injury date, medical, psychological reports) authorization sheet, case summary, initial evaluation, monthly reports, correspondence, closure report, etc.

   D.   **Retention:** three years after close of case

   E.   **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 552a (i.e., social security number) and Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

[1.18.632.751 NMAC - Rp, 1.18.632.751 NMAC, 4/19/2010]

1.18.632.752 - 800   **[RESERVED]**

1.18.632.801   **INFORMIX DATABASE:**

   A.   **Program:** management information systems

   B.   **Maintenance system:** numerical by primary key

   C.   **Description:** database used to maintain employee claim information and employer insurance information relating to workers compensation insurance. Data may include claims, legal proceedings, , accident report information (i.e., type of injury, etc.) workers compensation insurance compliance, insurance coverage date, business name, business information (i.e., name, address, FIN#) business state of operation, business contact information, subsidiary information, patients information (i.e., name, DOB, SSN, occupation, date of accident, admission type), physicians name, medical procedures, diagnoses, employer insurance coverage (i.e., revocation, exemption, election to accept, limited liability election), safety consultant, occupational safety statistics, business contact, business history inspections, business consultations, etc.

   D.   **Retention:**

     (1) **Electronic data interchange data:** 60 years from date of accident

     (2) **Master employer data:** permanent

     (3) **Impatient data:** permanent

     (4) **Carrier data:** permanent

     (5) **Safety data:** permanent

     (6) **Utilization review data:** permanent

   E.   **Confidentiality:** Portions of record may be confidential pursuant, but not limited to Section 552a (i.e., social security number) and Section 52-5-21 NMSA 1978, Administration records confidentiality, authorized use.

   F.   **Input:** All records used as input for the *informix database* are submitted from outside entities or keyed in via staff.

   G.   **Output:** Because the *informix database* is a data-based system, regularly scheduled and ad hoc reports may be generated upon request or demand. When produced, these reports are forwarded to the requesting entity.

[1.18.632.801 NMAC - N, 4/19/2010]

HISTORY OF 1.18.632 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center under:

SRC Rule 90-06, Records Retention and Disposition Schedule for New Mexico Department of Labor, filed 4/24/90 and

SRC Rule 91-05, Records Retention and Disposition Schedule for Workers' Compensation Administration, filed 12/13/91.

History of Repealed Material:

1 NMAC 3.2.93.632, Records Retention and Disposition Schedule for Workers Compensation Administration, filed 4/18/97 - Repealed effective 12/15/2000

1.18.632 NMAC, ERRDS, Workers Compensation Administration, filed 11/15/2000 - Repealed effective 4/19/2010