

9505.2190 RETENTION OF RECORDS.

Subpart 1. **Retention required; general.** A vendor shall retain all health service and financial records related to a health service for which payment under a program was received or billed for at least five years after the initial date of billing. Microfilm or electronically stored records satisfy the record keeping requirements of this subpart and part 9505.2175, subpart 3, in the fourth and fifth years after the date of billing. Vendors must maintain and store records in a manner that will allow for review by the department within the times set forth in part 9505.2185, subpart 2.

Subp. 2. **Record retention after vendor withdrawal or termination.** A vendor who withdraws or is terminated from a program must retain or make available to the department on demand the health service and financial records as required under subpart 1.

Subp. 3. **Record retention under change of ownership.** If the ownership of a long-term care facility or vendor service changes, the transferor, unless otherwise provided by law or written agreement with the transferee, is responsible for maintaining, preserving, and making available to the department on demand the health service and financial records related to services generated before the date of the transfer as required under subpart 1 and part 9505.2185, subpart 2.

Subp. 4. **Record retention in contested cases.** In the event of a contested case, the vendor must retain health service and financial records as required by subpart 1 or for the duration of the contested case proceedings, whichever period is longer.

Statutory Authority: *MS s 256B.04; 256D.03*

History: *15 SR 2563; 19 SR 1898; 33 SR 127*

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