STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF HEALTH SERVICES
714/744 P STREET
RAMENTO, CA 95814

May 24, 1985

To: All County Welfare Directors
County Administrative Officers

Letter No. 85- 40

RECORD RETENTION REMINDER - LAWSUITS

Reference: All County Welfare Directors (ACWD) Letter No. 85-20

This letter provides direction regarding Medi-Cal case record retention requirements now in effect due to specific lawsuits that are pending further action. The above-referenced ACWD letter discussed other record retention requirements for the disposition of cases for the ATD Pending Project.

Generally, Welfare and Institutions (W&I) Code, Section 10851 requires public social services case records to be maintained for a period of three years from the last date of aid or services. Per CAC, Title 22, Section 50111, Medi-Cal case record retention shall be performed in accordance with Section 23 of the State Department of Social Services' Manual of Policies and Procedures (MPP).

MPP Sections 23-353 through 23-356 also set forth record retention requirements which exceed the general three year rule. These exceptions require retention of Medi-Cal records beyond the three-year rule when necessary for an open federal or state audit and pending criminal/civil litigation or court orders. Currently, there are six "class action" lawsuits involving Medi-Cal that are pending further action.

The attachment to this letter details specific record retention requirements and references the ACWD letter(s) for each of the six lawsuits. Inquiries regarding retention related to any of these lawsuits should be directed to the appropriate analyst.

Sincerely,

Original signed by

Tom J. Elkin, Acting Chief
Medi-Cal Eligibility Branch

Attachment

cc: Medi-Cal Program Consultants
Medi-Cal Liaisons

Expiration Date: May 24, 1986

Attachment

LAWSUIT	ACWDL REFERENCE	CATEGORY AFFECTED	RETENTION REQUIREMENT	ANALYST
Beltran v. Myers	81-24, 27,37	ABD-MN	1966 or beginning availability until notification	Marie Harder 916-324-4956
Lynch v. Dawson	83-16,38, 46,53,74	ABD-MN with Title II Income	November 1983 until notification	Kristi Banion 916-324-4961
Johnson v. Rank		ABD-MN	Normal	Marie Harder
Gibbins v. Rank	84-40	ABD-MN	Normal	Richard Yamadera 916-324-0652
Bagley v. Dawson	83-23, 84-37,52	ABD-MN	Normal	Marie Harder
Crawford v. Rank	83-23	ABD-MN	January 1983 until notification	Marie Harder