

GEORGIA DEPARTMENT OF CORRECTIONS



Standard Operating Procedures

Policy Name: Retention Schedule for Facility Offender/Medical Files

Policy Number: 219.04

Effective Date: 7/28/2020

Page Number: 1 of 4

Authority:
Commissioner

Originating Division:
Facilities Division

Access Listing:
Level I: All Access

I. Introduction and Summary: Under the Rules of the Board of Corrections, a records management program shall be maintained by the Georgia Department of Corrections (GDC) to establish efficient and economic control of all records. The objective of the program is to preserve all records of continuing value by maintenance or retirement, and to destroy those which are no longer essential or useful. This policy applies to all facilities housing GDC offenders.

II. Authority:

A. O.C.G.A. §50-18-90, *et seq.*;

B. GDC Board Rules: 125-1-2-.02 and 125-2-4-.05;

C. GDC Standard Operating Procedures (SOPs) 507.02.03 Transfer and Retention of Health Records and 507.04.67 Offender Death and Mortality Reviews;

D. State Agency Specific Retention Schedule for the Department of Corrections: 0467-0005 Detainee Health Record (Medical Record); 0467-0006 Sex Offender Records; 1974-042A Institutional Inmate Case History File; 1974-0131 Escaped Inmate File; 1999-0004 Released Detainee Case History Files; and

E. ACA Standard: 2-CO-1E-01, 5-ACI-6D-07 (ref. 4-4415), 5-ACI-1E-01 (ref. 4-4095), 4-ALDF-7D-21, 4-ALDF-4D-28, and 4-ACRS-7D-08.

III. Definitions: None.

IV. Statement of Policy and Applicable Procedures:

When an offender is discharged, paroled, escapes from a facility or center, or dies during incarceration, his or her institutional and medical files shall be maintained for a specified period of time dependent upon the nature of the offender's release. Notwithstanding the foregoing, files that may be the subject of litigation may be subject to retention for periods longer than those set forth in this policy. The Office of Legal Services will notify Offender Administration (OA), the Office of Health Services, the facility, and or another office to which an offender's records have been

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sent if continued retention is needed for a legal hold, and such records shall not be destroyed without the permission of the General Counsel.

A. Offender Institutional Files:

1. When an offender is discharged at his or her maximum release date from:
 - a. State, County, and Private Prisons, ITFs, RSATs, Probation Boot Camps: The file shall be placed in inactive file status, held for three (3) years after the end of the calendar year, and then destroyed.
 - b. Probation Detention Centers and Transitional Centers: The file shall be placed in inactive file status, held for four (4) years after the end of the calendar year, and then destroyed.
2. When an offender is paroled: The file shall be placed in inactive file status, held for the period of parole supervision, plus an additional three years, and then destroyed. Facility files of parolees from life sentences shall be held ten years from the date of parole and then destroyed.
3. Death of offender during incarceration: The file shall be placed in inactive status, held for three years after the end of the calendar year, and then destroyed.
4. Escaped and removed from count: The file shall be placed on inactive status and retained indefinitely.
5. Sex Offenders Institutional File: Once the facility reaches 50% file storage capacity, a consignment number shall be requested from Offender Administration. DO NOT SEND THE FILE TO ARCHIVES UNTIL THE LABEL IS RECEIVED.

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- a. Once packaged according to the instructions provided by Offender Information Services at Offender Administration, the entire Sex Offender Institutional File shall be forwarded to:

State Records Center
7815 Third Flag Parkway
Suite 400
Austell, GA 30168
(770) 732-5631

B. Offender Medical Files:

1. Discharge, parole, reprieve, conditional transfer, etc. - Within thirty (30) days after the release of an offender (discharge, parole, reprieve, conditional transfer, etc.) the facility shall box the offender's medical and mental health charts together and shall notify Offender Administration to request a consignment number in order to send the file to the State Records Center. **DO NOT SEND THE FILE TO THE STATE RECORDS CENTER UNTIL THE CONSIGNMENT NUMBER IS RECEIVED.** When the facility receives the consignment number (s), the instructions provided by Offender Information Services shall be followed. Once packaged, the medical file shall be forwarded to the address below where it will be held for ten (10) years and then destroyed (99 years or until proof of death for sex offenders):

State Records Center
7815 Third Flag Parkway
Suite 400
Austell, GA 30168
(770) 732-5631

2. Death during incarceration, the medical file shall be forwarded directly to Health Services per SOP 507.04.67 Offender Death and Mortality Reviews.

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3. Sex Offender Medical Record files shall be kept separate from the Medical Records files of offenders convicted for other charges.
4. Requests for health record information for continuity of care shall be forwarded to the requesting physician or healthcare facility upon the written request or authorization of the offender. All requests for closed medical and/or mental health files shall be directed to Offender Information Services at Offender Administration.

V. **Attachments:** None.

VI. **Record Retention of Forms Relevant to this Policy:** None.