



Document Title:	HAAD Standard for Medical Record, Health Information Retention and Disposal		
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1. PURPOSE

1.1 To provide direction on medical records/ health information retention and disposal (regardless of the media – paper, electronics, films) and to ensure that medical records/health information are readily accessible, properly maintained as required for patient care purposes and also to meet legal standards, ensure privacy, optimize the use of space, minimize the cost of record retention and to destroy the medical record/information according to HAAD requirements.

2. SCOPE

2.1 All licensed Healthcare facilities in the Emirate of Abu Dhabi.

3. Definitions

Health Information	Patient medical records, reports, registers, identified personal and health related information (e.g. Medical notes, diagnostic tests, test results, imaging data, drug and treatment prescriptions, care plans, among other details).
Registers	Paper-based log book or electronic databases/systems
Scanning	Process of converting paper documents into electronic formats through document imaging process

4. Duties of Healthcare Providers

4.1 Healthcare providers are responsible for the implementation of this Standard; facility management are:

4.1.1 accountable for ensuring that facility specific policies and standard operating procedures are developed and implemented, and that their implementation is evidenced; and

4.1.1 responsible to assign appropriately skilled staff to manage medical records and to ensure that those assigned staff, and others who create, access and/or modify or input into records comply with this Standard.

4.2 All healthcare facilities are required to maintain medical records/health information *for insurance purposes* for a specified minimum retention period of time in accordance with article 23 of the implementation Regulations of the Abu Dhabi Law No. 23, 2005 concerning the Health Insurance Scheme (**Appendix 1**). Minimum retention period for medical records shall apply for *insured and self-pay patients*. While minimum retention requirements are absolute, there is nothing to prevent a facility from retaining medical records for insurance purposes for periods well beyond the specified minimum period. This may be considered appropriate for continuous treatment of UAE Nationals.

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- 4.2.1 As per Ministerial Resolution 1990, No 12 the Healthcare facility must ensure the provision to access medical records is in place when requested by HAAD.
- 4.3 All healthcare facilities are required to maintain patient medical records/health information for medical purposes for five years from the date of last treatment.
- 4.3.1 While minimum retention requirements are absolute, there is nothing to prevent a healthcare facility from retaining medical records of periods well beyond the specified minimum. This may be considered appropriate for continuous treatment of UAE Nationals.
- 4.4 Scanning / other reproduction methods and off-site secure or encrypted storage systems may be adopted as retention options.
- 4.5 The off-site storage system must ensure the same level of access, safety and security of the records/information as provided by the healthcare facility.
- 4.6 Destruction of records/information must be performed in accordance with the disposal period and requirements defined in this Standard.
- 4.7 The inspection will be conducted by HAAD inspectors to ensure that the healthcare facility management has complied with this Standard.
- 4.8 Access on behalf of a patient or deceased must be by legally authorized in accordance with UAE laws, and includes any use of the record concerning the patient or deceased, or access to the record for any purpose, such as for the provision of a report to another healthcare professional or facility or inspection by the patient or deceased's next of kin. Access in response to release of information, requests for research or for the education of healthcare professionals is not be counted as "access on behalf of the patient" and must be subject to the applicable UAE laws and respective HAAD Policies and Standards.
- 4.9 There must be evidence of formalised/contractual arrangements between healthcare providers and outsourced third party entities or service providers (if applicable to the facility) in support of managing the safe and secure destruction of medical record/health information.

5. Enforcement and Sanctions

5.1 Healthcare providers must comply with the terms and requirements of this Standard, the HAAD Standard Provider Contract and the HAAD Data Standards and Procedures. HAAD may impose sanctions in relation to any breach of requirements under this standard in accordance with the Complaints, Investigations, Regulatory Action and Sanctions Policy, Chapter IX, Healthcare Regulator Policy Manual Version 1.0 and Healthcare Insurance Policy Manual Version 1.0.

6. Standard 1. Procedure

The Healthcare Provider is responsible for establishing appropriate record retention and disposal management practices, protocols and procedures as per the following:

- 6.1 Have in place policies and standard operating procedures (SOPs) and evidence of their implementing record retention and disposal practices as per facility policies and SOPs;
- 6.2 Ensure that record management, retention and disposal procedures are consistent with this HAAD Standard and requirements of relevant laws and HAAD Policies and Standards;
- 6.3 Educate staff within their facility on compliant and sound record retention and disposal practices;
- 6.4 Ensure the confidentiality and privacy of records/information during the process of archiving/conciliation/transferring to an offsite location;
- 6.5 Ensure that storage systems (offsite & onsite) are equipped with environmental control, applicable safety, privacy and security measures. If commercial storage system is opted, regular site visits to such companies/sites must be conducted to confirm safety, privacy and confidentiality of records.
- 6.6. Ensure all patient files and records relating to the Healthcare Services provided to the Insured shall be confidential and shall not be disclosed to any third party except as set out in Article 23 of the Implementing Regulation of the Abu Dhabi Law No. (23) of 2005 Concerning

Health Insurance in the Emirate of Abu Dhabi.

6.7. Disposal and destruction of records

The systematic permanent disposal of medical records that have been maintained for the prescribed retention period is the overall responsibility of the concerned healthcare facility. The purpose of disposal or destruction is to permanently remove records from active use, with no possibility of reconstructing the information. The following steps must be adopted by the management of healthcare facilities before destruction of medical record:

6.7.1 No disposal or destruction of birth and death medical records;

6.7.2 No disposal or destruction of medical records shall be made in cases of pending litigation or ongoing investigation by HAAD or any other competent authority;

6.7.3 Ensure completion of the retention period required as per Article 23 of the Implementing Regulation of the Abu Dhabi Law No. (23) of 2005 Concerning Health Insurance in the Emirate of Abu Dhabi (**Appendix 1**) prior to final destruction;

6.7.4 Medical record that is scheduled for destruction must be placed in a secure location to guard against unauthorised or inappropriate access until the destruction takes place;

6.7.5 Create a record destruction log, individually listing all medical records (i.e. individual patient care records) to be destroyed. The log book must include the following information:

6.7.5.1 Patient name and medical record number

6.7.5.2 Dates of service included

6.7.5.3 Date of destruction

6.7.5.4 The name of the company performing the destruction

6.7.5.5 Signature(s) of individuals witnessing destruction

6.7.5.6 Method of destruction

6.7.6 Record destruction logs must be maintained/retained and secured permanently for tracking purposes;

6.7.7 There must be a planned site visit by healthcare facility management in coordination with the disposal/destruction company to ensure the confidentiality and privacy of medical records and to witness that the records have been completely destroyed;

6.7.8 The methods of destruction, such as burning and burial are not reliable. Therefore, HAAD recommends against these methods. It is critical that the method of destruction does not compromise the confidentiality, privacy and/or integrity of patient information, either in the short or long term.

6.7.9 It is recommended that records which are approved for destruction after completing the retention period be destroyed by methods of shredding, trammeling or pulping.

Appendix 1 - Article 23 of the Implementing Regulation of the Abu Dhabi Law No. (23) of 2005
Concerning Health Insurance in the Emirate of Abu Dhabi

General Provisions

Article 23

1. All Patients' files and records relating to the Healthcare Services provided to the Insured shall be confidential and shall not be disclosed to any third party as set out below:

-where the Insured provides a written consent to such records being disclosed to a third party;

-pursuant to an order by a competent court, the police or the Authority; and

-Where disclosure of the records is required for the purposes of this Regulation and the person to whom the files and records are disclosed shall undertake to maintain the disclosed information confidential

2. An Authorised Healthcare Service Provider shall retain such records for a period of at least two years from the date of the last health insurance policy or treatment, whichever is farther, and may only be disposed of permanently five years after the last treatment.
3. An Insured may, in the event the Healthcare Service Provider is changed for any reason whatsoever, request a complete copy of his file or records and submit the same to the new Healthcare Service Provider.