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**RECORD KEEPING****Retention of Records**

The Intermediate Care Facility for individuals with intellectual disabilities (ICF/ IID) shall retain all such records on file as required by the Louisiana Department of Health (LDH) and shall have them available for inspection at request for six years from the date of service or until all audit exceptions are resolved, whichever period is longer.

In the case of minors, retain all records for three years after they become 18 years of age; **or** five years after the date of discharge, transfer, or death of the recipient.

**Accounting Records**

Accounting records must be maintained in accordance with generally accepted accounting principles as well as state and federal regulations. The accrual method of accounting is the only acceptable method for private providers.

**NOTE: Purchase discounts, allowances and refunds will be recorded as a reduction of the cost to which they relate.**

Each facility must maintain all accounting records, books, invoices, canceled checks, payroll records, and other documents relative to recipient care costs for a period of five years or until all audit exceptions are resolved, whichever period is longer.

All fiscal and other records pertaining to recipient care costs shall be subject at all times to inspection and audit by LDH, the legislative auditor, and auditors of appropriate federal funding agencies or their agents.

**Daily Census Records**

Each facility must maintain statistical information related to the daily census and/or attendance records for **all** recipients receiving care in the facility.

**Employee Records**

The ICF/IID shall retain written verification of hours worked by individual employees. The records may be sign-in sheets or time cards but shall indicate the date and hours worked. Records shall include all employees even those on a contractual or consultant basis.

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The ICF/IID shall retain verification of each employee's criminal background check and disposition of charges, if any, communicable disease screening in accordance with the LDH-OPH guidelines, employee orientation and in-service training.

**Billing Records**

The ICF/IID shall maintain billing records in accordance with recognized fiscal and accounting procedures. Individual records shall be maintained for each recipient. These records shall:

- Clearly detail each charge and each payment made on behalf of the recipient;
- Be current and shall clearly reveal to whom charges were made and for whom payments were received;
- Itemize each billing entry; and
- Show the amount of each payment received and the date received.

The ICF/ IID shall maintain supporting fiscal documents and other records necessary to ensure that claims are made in accordance with federal and state requirements.

**Recipient Records General Requirements**

An ICF/IID facility shall have written policies and procedures governing access, publication, and dissemination of information from recipient records. Recipient records are the property of the ICF/IID and must be protected from loss, damage, tampering, or use by unauthorized individuals. Records may be removed from the ICF/IID's jurisdiction and safekeeping only in accordance with a court order, subpoena or statute.

An ICF/IID facility shall ensure confidential treatment of recipient records, including information contained in automatic data banks. The recipient's written consent, if the recipient is determined competent, shall be required for the release of information to any persons not otherwise authorized under law to receive it. If the recipient is not considered competent, a member of the family, responsible party or advocate shall be required to sign.

**NOTE: "Blanket" signed authorizations for release of information from recipient records are prohibited.**

The facility shall adhere to the criteria regarding recipient confidentiality:

- A record of all disclosures from recipient's records shall be kept.

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- All staff shall be trained in the policies regarding confidentiality during orientation and in subsequent on-the-job and in-service training.
- Any information concerning a recipient or family considered confidential for general knowledge by the ICF/IID staff shall be kept in a separate file by the chief executive officer, his designee, or social worker. A notation regarding the location of this information shall be made in the recipient's record.

The ICF/IID shall make necessary records available to appropriate state and federal personnel upon request.

**Records Service System**

The ICF/IID shall maintain an organized central record service for collecting and releasing recipient information in such a fashion as to protect the legal rights of the recipients, ICF/IID, and ICF/IID staff.

Copies of appropriate information shall be available in the recipient living units. There must also be a written policy regarding a "charge out system" by which a recipient's record may be located when it is out of file.

The ICF/IID shall maintain a master alphabetical index of all recipients.

**General Contents of Records**

A written record shall be maintained for each recipient and shall:

- Be adequate for planning and for continuously evaluating each recipient's habilitation plan and providing documentation of each recipient's response to and progress made in the habilitation plan.
- Contain sufficient information to allow staff members to execute, monitor and evaluate each recipient's habilitation program.

**Specifics Regarding Entries into Recipient Records**

The ICF/IID shall maintain a roster of signatures, initials and identification of individuals making entries in each record. All entries in recipient records shall be:

- Legible, signed, and dated by the person making the entry;

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- All corrections must be initialed and completed in such a manner that the original entry remains legible (no white out); and
- Dated **only** on the date when they are made.

**Components of Recipient Records**

Components of recipient records shall include, but shall not be limited to, the following:

- Admission records;
- Personal property records;
- Financial records; and
- Medical records. This includes:
  - Records of all treatments, drugs, and services for which vendor payments have been made, or which are to be made, under the Medical Assistance Program; and
  - Authorization for and the date of administration of such treatment, drugs, or services.

**NOTE: The ICF/IID shall provide sufficient documentation to enable LDH to verify that each charge is due and proper prior to payment.**

- All other records that LDH finds necessary to determine an ICF/IID's compliance with any federal or state law, rule or regulation promulgated by the LDH

**Interdicted Recipient**

If the ICF/IID recipient has been interdicted, a copy of the legal documents shall be contained in the recipient's records.

**Recipient Admission Records****Time of Admission**

At the time of admission to the ICF/IID information shall be entered into the recipient's record which shall identify and give a history of the recipient. This identifying information shall at least include the following:

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- A recent photograph;
- Full name;
- Sex;
- Date of birth;
- Ethnic group;
- Birthplace;
- Height;
- Weight;
- Color of hair and eyes;
- Identifying marks;
- Home address, including street address, city, parish and state;
- Social security number;
- Medical assistance identification number;
- Medicare claim number, if applicable;
- Citizenship;
- Marital status;
- Religious preference;
- Language spoken or understood;
- Dates of service in the United States Armed Forces, if applicable;
- Legal competency status if other than competent;
- Sources of support: Social Security, Veterans benefits, etc.;

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- Father's name, birthplace, social security number, current address, and current phone number;
- Mother's maiden name, birthplace, social security number, current address, and current phone number;
- Name, address, and phone number of next of kin, legal guardian, or other responsible party;
- Date of admission;
- Name, address and telephone number of referral agency or hospital;
- Reason for admission;
- Admitting diagnosis;
- Current diagnosis, including primary and secondary DSM III diagnosis, if applicable;
- Medical information, such as allergies and general health conditions;
- Legal status at time of admission;
- Personal attending physician and alternate, if applicable;
- Choice of other service providers;
- Name of funeral home, if appropriate; and
- Any other useful identifying information (Refer to Section 26.1 Admission Process).

**First Month after Admission**

Within 30 calendar days after a recipient's admission, the following shall be completed and updated:

- A review and update of the pre-admission evaluation;
- A prognosis for programming and placement; and

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- A comprehensive evaluation and an individual habilitation plan (IHP) for the recipient which includes a 24-hour schedule.

**Entries in Recipient Records**

The following information shall be added to each recipient's record during his/her stay at the ICF/IID:

- Reports of accidents, seizures, illnesses, and treatments for these conditions;
- Records of immunizations;
- Behavior incidents and plans to manage inappropriate behavior;
- Records of all periods where restraints were used, with justification and authorization for each, and records of monitoring in accordance with these standards;
- Reports of at least an annual review and evaluation of the recipient's program, developmental progress, and status, as required in these standards;
- Records of visits and contacts with family and other persons;
- Records of attendance, absences, and visits away from the ICF/IID;
- Correspondence pertaining to the recipient;
- Periodic updates of the admission information (such updating shall be performed in accordance with the written policy of the ICF/IID) at least annually; and
- Appropriate authorizations and consents.

**Entries at Discharge**

At the time of a recipient's discharge, professional staff, as appropriate, shall enter a discharge summary into the recipient's record. This summary shall address the findings, events, and progress of the recipient while at the ICF/IID and a diagnosis, prognosis, and recommendations for future programming.

**Medical Records**

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The ICF/IID shall maintain medical records that include clinical, medical, and psycho-social information on each recipient.

**Components of Medical Records**

Each recipient's record shall consist of a current active medical section and the ICF/IID's medical files or folders.

**Active Medical Section**

The active medical section shall contain the following information:

- Physician certification of the recipients' need for admission to the ICF/IID;
- Six months of current pertinent information relating to the active on-going medical care;
- Physician re-certification that the recipient continues to require the services of the ICF/IID;
- Nurses quarterly physical assessment;
- Pharmacy consultant's quarterly review of all medication administered to each recipient; and
- Certification that each IHP has been periodically reviewed and revised.

As the active medical section becomes bulky, the outdated information shall be periodically removed and filed in the ICF/IID's medical files.

**Recipient Personal Property Records**

The ICF/IID shall permit recipients to maintain and use their personal property. The number of personal possessions may be limited only for health and safety reasons. When such limitations are imposed, documentation is required in the recipient's records.

Within 24 hours after admission, the ICF/IID shall prepare a written inventory of the personal property a recipient brings to the ICF/IID. The authorized representative shall sign and retain the written inventory and shall give a copy to the recipient, family or responsible party. The written



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inventory shall be revised to show if acquired property is lost, destroyed, damaged, replaced or supplemented.

**Recipient Financial Records**

Recipients have the right to maintain their personal funds or to designate someone to assume this responsibility for them. Recipients' income may be from Social Security, Supplemental Security Income (SSI), optional State Supplementation, other sources (VA or insurance benefits, etc.) or earnings of the recipient. A portion of the recipients' income is used to pay the recipients' share (liability) of the monthly charges for the ICF/IID. The ICF/IID shall:

- Have written policies and procedures for protecting recipients' funds and for counseling recipients concerning the use of their funds;
- Develop written procedures for the recording and accounting of recipient's personal funds;

**NOTE: ICF/IIDs shall ensure the soundness and accuracy of the recipient fund account system.**

- Train recipients to manage as many of their financial affairs as they are capable; (Documentation **must** support that training was provided and the results of that training);
- Maintain current records that include the name of the person (recipient or person designated) handling each recipient's personal funds;
- Be responsible for the disbursements, deposits, soundness, and accuracy of the recipients' personal funds account. (Arrangements should be made with a federal or state insured banking institution to provide banking services for the recipients).

**NOTE: All bank charges, including charges for ordering checks, shall be paid by the ICF/IID and *not* charged to the recipient's personal funds account(s);**

- Maintain current, written individual ledger sheet records of all financial transactions involving recipients' personal funds, which the facility is holding and safeguarding; and
- Make personal fund account records available upon request to the recipient, family, responsible party, and LDH.

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**Components Necessary for a Recipient Fund Account System**

The ICF/IID shall maintain current, written individual records of all financial transactions involving recipients' personal funds for which the ICF/IID is responsible. This individual recipient participation file shall contain a ledger sheet which includes all transactions pertinent to each recipient's account, and includes the following:

- Name of the recipient and date of admission.
- Deposits which include the:
  - Date;
  - Source; and
  - Amount.
- Withdrawals which include the:
  - Date;
  - Amount;
  - Check/petty cash voucher number;
  - Payee (if check is issued); and
  - Purpose of withdrawal.
- Fund balance after each transaction.

**NOTE: Checks shall not be payable to "cash" or employees of the facility.**

Receipts or invoices for disbursements shall include the following:

- Date;
- Amount of the disbursement;
- Description of items purchased;
- Signature of the recipient, family, or responsible party to support receipt of items;
- Supporting documentation for each withdrawal as follows:
  - Cash register receipt with canceled check or petty cash voucher signed by the recipient;
  - Invoices with canceled check or petty cash voucher signed by the recipient;

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- Petty cash voucher signed by the recipient; or
- Canceled check.

**NOTE: Canceled checks written to family members or responsible parties are sufficient receipts for disbursements if coupled with information regarding the purpose of the expenditures.**

Supporting documentation for each deposit shall include the following:

- Receipts for all cash received on behalf of the recipients;
- Copies of all checks received on behalf of the recipients; and
- Monies either spent on behalf of the recipient or withdrawn by the recipient, family, or responsible party shall be supported on the individual ledger sheet by a receipt, invoice, canceled check or signed voucher on file.

**NOTE: It is highly recommended that the functions for actual disbursement of cash and reconciling of the cash disbursement record be performed by separate individuals.**

The file shall be available to the recipient, family, or other responsible party upon request during the normal administrative work day.

**Recipient Personal Funds Bank Account(s)**

ICF/IIDs may deposit recipient's money in individual or collective bank account(s), which shall:

- Be separate and distinct from all ICF/IID facility accounts;
- Consist solely of recipient's money and shall not be commingled with the ICF/IID facility account(s);
- Be available daily upon request during banking hours; and
- Be maintained at the facility.

**Reconciliations of Recipient's Personal Funds Account(s)**

There shall be a written reconciliation, at least monthly, by someone other than the custodian of the recipient's personal funds account(s). "Assets" (cash in bank, both checking and savings) must equal "liabilities" (ledger sheet balance(s)). Collective bank accounts shall be reconciled to

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the total of recipient's ledger sheet balances. The reconciliation shall be reviewed and approved by someone other than the preparer or custodian of the recipients' personal funds account.

**Unallowable Charges to Recipient's Personal Funds Account(s)**

It is the State's intent that ICF/IIDs provide total maintenance for recipients. The recipients' personal funds should be set aside for their individual wants and be spent as the recipient sees fit. In the event that a recipient desires to purchase a certain brand item, he/she has the right to do so. However, the recipient must be made aware of what the facility is providing prior to his/her making that decision. Written documentation must be maintained to support that the recipient was made aware of products or services the facility is obligated to provide.

Listed below (but not limited to) are items that **shall not** be charged to a recipient's personal funds account(s), the recipient's family or responsible party(s):

- Clothing – if a recipient does not have adequate seasonal clothing (including shoes, etc.), it is the responsibility of the facility to provide the clothing;
- Personal hygiene items;
- Haircuts;
- Dentures/braces, etc.;
- Eyeglasses;
- Hearing and other communication aids;
- Support braces;
- Any other devices identified by the interdisciplinary team;
- Wheelchairs;
- Repair and maintenance of dentures/braces, eyeglasses, hearing and other communication aids, support braces, wheelchairs or any other device identified by the interdisciplinary team;
- Transportation;
- Prescription or over-the-counter drugs;

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- Recreational costs included in the IHP;
- Medical expenses of any nature;
- Tips, gifts, expenses for staff;
- Supplies or items to meet goals of IHP; and
- Damage to facility property or the recipient's possessions.

**NOTE: The recipient may not be charged for damage to facility property or the property of others caused by that individual's destructive behavior. ICF/IIDs have a general responsibility to maintain the environment as a cost of doing business. Property of recipients damaged or stolen by others must be replaced by the facility.**

**Cash On Hand**

ICF/IIDs shall have a minimum of cash on hand to meet recipients' spending needs. Cash on hand shall be maintained on an imprest petty cash system that includes pre-numbered petty cash vouchers. Petty cash shall be maintained at the facility and shall be available to the recipients 24 hours a day, 7 days a week.

The facility shall provide the funds to implement the petty cash system and replenish it, as necessary, from the recipients' personal funds through the use of signed vouchers. Vouchers may be signed by recipients, families, or responsible parties. When recipients cannot sign their name, vouchers shall be signed by two witnesses. Checks issued to replenish the fund should be made payable to "Custodian of Petty Cash." When funds are withdrawn from the recipients' savings account to cover signed vouchers, a receipt signed by the custodian of petty cash shall be maintained in lieu of a canceled check.

There shall be at least a weekly written reconciliation by someone other than the custodian of the petty cash fund. This reconciliation shall be reviewed and approved by someone other than the preparer or custodian of the petty cash fund.

**NOTE: The facility is responsible for any shortage in the petty cash fund.**

**Access to Funds**

Recipients shall have access to their funds during hours comparable to those of banking institutions in their local community. Large ICF/IIDs shall post the times when recipients shall have access to their funds.

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**Closing a Discharged Recipient's Fund Account**

When a recipient is discharged, the ICF/IID shall refund the balance of a recipient's personal fund account and that portion of any advance payment not applied directly to the ICF/IID fee. The amount shall be refunded to the recipient, family or other responsible party within 30 days following the date of discharge. Date, check number, and "to close account" should be noted on the ledger sheet. When the facility is the payee for a Social Security check or other third party payments, the change in payee should be initiated immediately by the facility upon knowledge of the discharge.

**NOTE: The facility shall allow the recipient to withdraw a minimum of \$25.00 from his/her personal funds account on the day of discharge.**

**Disposition of a Deceased Recipient's Personal Funds**

Upon a recipient's death, an ICF/IID shall submit written notification within 10 business days to the next of kin disclosing the amount of funds in the deceased's account as of the date of death. The ICF/IID shall hold the funds until one of the following occurs:

- **Succession Judicially Opened with Appointment or Confirmation of Succession Representative**

If the recipient's succession is judicially opened (that is, if legal proceedings are filed in court to effect the transfer of the recipient's property to his/her heirs) and a succession representative (executor or administrator) is appointed or confirmed, the ICF/IID shall pay the funds to the succession representative upon receipt of a certified copy of the letters testamentary or letters of administration issued by the court to the representative.

- **Succession Judicially Opened Without Appointment or Confirmation of Succession Representative (Succession Opened by Affidavit in Accordance with Articles 3431-3434 of the Louisiana Code of Civil Procedure)**

If the procedure set forth in Articles 3431-3434 of the Louisiana Code of Civil Procedure (see explanation below) is used for the recipient's succession, the ICF/IID shall pay the funds in accordance with the affidavit executed by the heirs upon receipt of a multiple original of the affidavit endorsed by Louisiana's inheritance tax collector.

Explanation: Articles 3431-3434 of the Louisiana Code of Civil Procedure provide for a special procedure which may be used if:

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- The deceased leaves property in Louisiana having a gross value of \$50,000 or less;
- The deceased leaves no immovable property; and
- All of the heirs are either descendants, ascendants, brothers or sisters (or descendants thereof), or the surviving spouse.

Under this procedure, the heirs of the deceased execute an affidavit containing certain required information and submit it to Louisiana's inheritance tax collector. A multiple original of that affidavit, endorsed by the inheritance tax collector, is full and sufficient authority for payment of any money or property of the deceased to the heirs.

If within three months after the recipient's death the ICF/IID has not received a certified copy of letters testamentary or letters of administration, a certified copy of a judgment of possession, or a certified copy of an endorsed affidavit, the ICF/IID shall give notice to the secretary of the Department of Revenue and Taxation, Unclaimed Property Section, including detailed information about the recipient, his/her next of kin, and the amount of funds.

The facility shall continue to retain the funds until a court order specifies that the funds are to be turned over to the secretary of the Department of Revenue. If no order or judgment is forthcoming, the ICF/IID shall retain the funds for five years after date of death. After five years, the ICF/IID is responsible for delivering the unclaimed funds to the secretary of Revenue. A termination date of the account and the reason for termination shall be recorded on the recipient's participation file. A notation shall read, "to close account." Then endorse canceled check with check number noted on the ledger sheet shall serve as sufficient receipt and documentation.

Where the legislature has enacted a law governing the disposition of personal funds belonging to residents of state developmental centers for the mentally retarded or developmentally disabled, that law shall be applicable.