

## Rule 375-5-6-.16 Program Records

- (1) **Confidentiality.** Program records shall be maintained in accordance with the confidentiality provisions of 375-5-6-.24.
- (2) **Required records.** All Program records shall be maintained at the Program's certified location. Each Program shall maintain and make available and accessible for inspection and copying by the Department the following all records for the periods set forth in policy. below:

### (3) Student Contracts.

(a) Each Program and Student or prospective Student shall enter into a written contract for both the Assessment Component and Intervention Component, and a copy of the executed contract shall be furnished to the Student prior to the delivery of any service.

(b) The original Assessment Component and Intervention Component contracts shall be maintained by the Program for a period of three (3) years from the date of execution.

(c) All Assessment Component and Intervention Component contracts shall follow a format prescribed by the Department and shall contain all information and provisions required by the Department,

(d) All contracts shall include the Program's "Doing Business As" (DBA/Trade) Name, Street Address, City, State, Zip Code, Telephone Number, and assigned Certification Number, as assigned by the Department, printed at the top of the form.

### **(a) ~~Assessment Roster Files:~~**

- ~~1. Assessment Roster Files shall be retained for a period of twenty four (24) months five (5) years. At the end of the (5) five year period, Programs shall securely destroy said files.~~
- ~~2. Assessment Roster Files shall contain the monthly assessment rosters and copies of rebate checks.~~
- ~~3. Assessment Roster Files shall be organized chronologically by month and calendar year.~~

### **(b) ~~Class Files:~~**

- ~~1. Class Files shall be labeled with the class dates and maintained in chronological order by dates of the class.~~
- ~~2. Class Files shall contain the original class roll and Program copy of class roster.~~
- ~~3. In addition to the original class roll and class roster, class files shall contain the following records for each Student enrolled in any Program component: original assessment contract, assessment answer sheet, assessment results, assessment summary sheet, Student information sheet, original intervention contract, a graded intervention post test, certificate of completion, and replacement certificates of completion, and Transfer Authorization form, if applicable.~~

4. ~~Class files, class rosters, and assessment results shall be maintained retained for a period of five (5) years. At the end of the (5) five year period, Programs shall securely destroy said files.~~
  5. ~~The Department may require all Programs to submit and/or store records electronically in addition to the record requirements set forth in this regulation.~~
- (c) **~~Comprehensive Student and Offender List.~~** Each Program shall ~~main~~ retain, for a period of five (5) years, a comprehensive Student and Offender list reflecting everyone to whom it has provided any service. The Student and Offender List may be contained in a card file, ~~list in a computer database, or other media prescribed by the Department.~~ The Student and Offender List ~~list~~ shall be maintained in alphabetical order by Student name and shall contain the following information about each Student or Offender:
1. His or her Nname, address, and phone number(s);
  2. His or her Driver's license number ~~or~~ and social security number;
  3. His or her Ddate of birth;
  4. His or her Ddate of assessment;
  5. His or her Class dates and date of class completion;
  6. The Intervention Component Instructor's name(s); and
  7. His or her Certificate of completion number; and
  8. The date of issuance of any replacement certificates of completion.
- (d) ~~Records of Offenders assessed who have not enrolled in a class shall be placed in the assessment roster file with the appropriate month's assessment roster.~~
- (3) **~~Submittal of Program records to the Department.~~** Each Program shall submit the following records to the Department at the intervals set forth below.
- (a) ~~Intervention Component course rosters shall be forwarded to the Department within 15 days of class completion;~~
  - (b) ~~Should no Assessment Components be administered during a month, an Assessment Component roster marked "no assessments" shall be submitted to the Department by the 10th day of the month following the report month;~~
  - (c) ~~The Department may require all Programs to submit and/or store records electronically in addition to the record requirements set forth in this regulation.~~
  - (d) ~~Program records submitted to the Department shall bear the handwritten legal signature of the Program Owner, Director, or Instructor.~~
- (4) **~~Transfer of assessment results to clinical evaluators.~~** Programs shall transfer by fax or mail a copy of the Assessment Component results of any Offender to any clinical evaluator designated by the Offender within five (5) business days of the receipt by the Program of a written release. Programs may charge a fee of up to \$25 for the transfer of Assessment Component results.

**Authority: O.C.G.A. Secs. 40-5-82, 40-5-83.**

**SYNOPSIS**

**STATEMENT OF PURPOSE OF PROPOSED RULE**

The purpose of this amendment is to combine multiple rules that related to similar matters and to provide flexibility when updates/changes are required.

**DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES**

Reference to the Risk Reduction Program's policy is added. The requirement for certain documents to be sent to the Department was eliminated because they are now in OCRA. Paragraph (3) was moved here from another rule. Subsections 2 (a) through (d) in reference to Required Records were removed to be added to policy.