



# Monterey County Behavioral Health Policy and Procedure

<b>Policy Number</b>	141
<b>Policy Title</b>	Health Service Records Retention
<b>References</b>	California Business and Professions Code 2919 California Health and Safety Code 123145 California Business and Professions Code 4982.05
<b>Form</b>	None
<b>Effective</b>	April 25, 2013 Revised: September 25, 2014

## 1 Policy

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3 It is the policy of Monterey County Behavioral Health (MCBH) to retain client health service records  
4 for a minimum of ten (10) years from the client's date of discharge or 10 years after client reaches  
5 the age of eighteen (18) if the client's services were discharged when client was a minor.

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7 MCBH will dispose of client records, both electronic and physical records, in accordance to the  
8 records retention timeframe established by this policy.

## 9 Background

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12 California Business and Professions Code 2919 specify that licensed psychologists practicing in  
13 the state of California must retain a client's health records for a minimum of seven (7) years from  
14 the client's discharge date or seven (7) years after a client reaches the age of eighteen (18) if  
15 services were discharged when the client was a minor.

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17 Although there are no California statutes indicating a specific amount of time that marriage and  
18 family therapists (licensed, interns or trainees), clinical social workers (licensed, associates, or  
19 interns), and professional clinical counselors (licensed, interns, or trainees) retain client health  
20 service records, the accepted minimum, as recommended by the California Association of  
21 Marriage and Family Therapist (CAMFT) and the California division of the National Association for  
22 Social Workers (CA-NASW), is for marriage and family therapists and clinical social workers to also  
23 retain records for a minimum of seven (7) years. This accepted minimum of seven (7) years is  
24 based upon established statutes and guidelines for record retention for hospitals and community  
25 treatment facilities (i.e. California Health and Safety Code 123145).

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27 The California Board of Behavioral Sciences (CA BBS) can pursue disciplinary action against  
28 marriage and family therapists, clinical social workers, and professional clinical counselors,  
29 pursuant to California Business and Professions Code 4982.05, within 7 years from the date an  
30 alleged act or omission requiring disciplinary action occurred. However, California Business and

31 Professions Code 4982.05 also indicate that the CA BBS can pursue disciplinary action up to ten  
32 (10) years from the date an alleged act or omission for allegations of sexual misconduct.

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34 The Monterey County Health Department – Behavioral Health Bureau adopted a policy to retain  
35 client health service records for a minimum of ten (10) years from the client’s date of discharge or  
36 10 years after a minor client reaches the age of eighteen (18) to address the myriad challenges  
37 presented by the diversity of MCBH’s clients; the variety of professional backgrounds of the  
38 MCBH’s mental health providers that enter documentation in any given health record; and the  
39 growing complexity of issues that providers and clients address together in their working  
40 relationships.