

TITLE 1 GENERAL GOVERNMENT ADMINISTRATION
CHAPTER 18 EXECUTIVE RECORDS RETENTION AND DISPOSITION SCHEDULES (ERRDS)
PART 690 ERRDS, CHILDREN, YOUTH AND FAMILIES DEPARTMENT

1.18.690.1 ISSUING AGENCY: State Commission of Public Records - State Records Center and Archives
[1.18.690.1 NMAC - Rp, 1.18.690.1 NMAC, 05/02/2005]

1.18.690.2 SCOPE: children, youth and families department
[1.18.690.2 NMAC - Rp, 1.18.690.2 NMAC, 05/02/2005]

1.18.690.3 STATUTORY AUTHORITY: Section 14-3-1 NMSA 1978. The administrator shall establish a records management program for the application of efficient and economical management methods for the creation, utilization, maintenance, retention, preservation and disposal of public records.
[1.18.690.3 NMAC - Rp, 1.18.690.3 NMAC, 05/02/2005]

1.18.690.4 DURATION: permanent
[1.18.690.4 NMAC - Rp, 1.18.690.4 NMAC, 05/02/2005]

1.18.690.5 EFFECTIVE DATE: May 2, 2005, unless a later date is cited at the end of a section.
[1.18.690.5 NMAC - Rp, 1.18.690.5 NMAC, 05/02/2005]

1.18.690.6 OBJECTIVE: To establish a records retention schedule for the orderly management and retirement of records necessary for carrying out of the Public Records Act per Section 14-3-6 NMSA 1978.
[1.18.690.6 NMAC - Rp, 1.18.690.6 NMAC, 05/02/2005]

1.18.690.7 DEFINITIONS:

- A. "Administrator"** means the state records administrator (Section 14-3-2 NMSA 1978).
- B. "Agency"** means any state agency, department, bureau, board, commission, institution or other organization of the state government, the territorial government and the Spanish and Mexican governments in New Mexico (Section 14-3-2 NMSA 1978).
- C. "Archives"** means the state archives of the commission of public records.
- D. "Disposition"** means final action that puts into effect the results of an appraisal decision for a series of records (i.e., transfer to archives or destruction).
- E. "Microphotography"** means the transfer of images onto film and electronic imaging or other information storage techniques that meet the performance guidelines for legal acceptance of public records produced by information system technologies pursuant to regulations adopted by the commission of public records.
- F. "Non-record"** means extra copies of documents kept solely for convenience of reference, stocks of publications, records not usually included within the scope of the official records of an agency or government entity, and library material intended only for reference or exhibition. The following specific types of materials are non-records: materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; extra copies of correspondence; preliminary drafts or other material summarized in final or other form and which have no value once action has been taken; blank forms, transmittal letters or forms that do not add information; sample letters; and reading file or informational files.
- G. "Public records"** means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein (Section 14-4-2 NMSA 1978).
- H. "Records custodian"** means the statutory head of the agency using or maintaining the records or the custodian's designee.
- I. "Records management"** means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.
- J. "Records retention and disposition schedule"** means rules adopted by the commission pursuant to Section 14-3-6 NMSA 1978 describing records of an agency, establishing a timetable for their life cycle and providing authorization for their disposition.

K. “Retention” means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes. [1.18.690.7 NMAC - Rp, 1.18.690.7 NMAC, 05/02/2005]

1.18.690.8 ABBREVIATIONS AND ACRONYMS:

- A.** “ACA” stands for American correctional association.
- B.** “APS” stands for adult protective services.
- C.** “CACFP” stands for children and adult care food program.
- D.** “CPS” stands for children protective services.
- E.** “FACTS” stands for family automated client tracking system.
- F.** “JJD” stands for juvenile justice division.
- G.** “JPPO” stands for juvenile probation and parole office.
- H.** “NMAC” stands for New Mexico administrative code.
- I.** “NMSA” stands for New Mexico statutes annotated.
- J.** “USC” stands for United States code.

[1.18.690.8 NMAC - N, 05/02/2005]

1.18.690.9 INSTRUCTIONS:

- A.** For records of a general administrative nature, refer to the GRRDS, General Administrative Records Retention and Disposition Schedule, 1.15.2 NMAC.
- B.** For records of a financial nature, refer to the GRRDS, General Financial Records Retention and Disposition Schedule, 1.15.4 NMAC.
- C.** For records of a personnel nature, refer to the GRRDS, General Personnel Records Retention and Disposition Schedule, 1.15.6 NMAC.
- D.** For records of a medical nature, refer to the GRRDS, General Medical Records Retention and Disposition Schedule, 1.15.8 NMAC.
- E.** Retention periods shall be extended until six months after all current or pending litigation, current claims, audit exceptions or court orders involving a record have been resolved or concluded.
- F.** Descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are filed in a file that are not listed in the description, and similarly not every file will contain an example of each document listed in the description.
- G.** Confidentiality is denoted for files likely to contain confidential materials, but files without a confidentiality note nonetheless may contain confidential or privileged materials, and failure to include an express confidentiality note in the description of a file does not waive the confidential or privileged nature of those materials. Refer questions concerning the confidentiality of a file or portions of a file to legal counsel for the agency.
- H.** Access to confidential documents and files shall be only by authorization of the records custodian, or by court order, unless otherwise provided by statute. Release of confidential documents to law enforcement and other government agencies shall only be upon specific statutory authorization or court order.
- I.** Records, papers or documents may be reformatted thorough microphotography. Such reformatted records shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies (Sections 14-1-5 and 14-1-6 NMSA 1978).
- J.** Public records placed on magnetic tapes, disks or other data processing media shall be retained for the length of time specified in records retention and disposition schedules and are subject to the same confidentiality and access restrictions as paper records. See also 1.13.70 NMAC, Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems.

[1.18.690.9 NMAC - Rp, 1.18.690.9 NMAC, 05/02/2005]

1.18.690.10 - 14 [RESERVED]

1.18.690.15 FAMILY AUTOMATED CLIENT TRACKING SYSTEM [FACTS]:

- A. Program:** case management
- B. Maintenance system:** numerical by primary key
- C. Description:** system maintains, monitors and tracks clients’ cases for the family services division, protective services division and the juvenile justice division. Data may contain childcare data, family services data, juvenile probation and parole data, juvenile institution data, children’s court data, etc.

D. Retention:

(1) Protective services division:

- (a) **Client data:** when client reaches age 19
- (b) **Vendor data:** 10 years after termination of services
- (c) **Financial data:** six years after close of fiscal year in which created
- (d) **Children's court data:** 10 years after case closed or until any minor involved attains age

21, whichever is longer

(2) Family services division: child care data: four years after case closed

(3) Juvenile justice division:

- (a) **Non-adjudicated client data:** when client reaches age 19
- (b) **Adjudicated client data:** when client reaches age 22

E. Hardcopy input documents: All documents used as input for the *FACTS* are filed in the corresponding program's files. Those documents include but are not limited to the following: *family services case files, childcare case files, juvenile master files, etc.*

F. Hardcopy output documents: All documents generated by the *FACTS* are produced because of public request or administrative reporting responsibilities. Because the *FACTS* is a data based system, required and ad hoc reports may be generated upon request or on demand. When produced, these reports are either forwarded to the requesting entity or filed in the program's files. Some of the reports include but are not limited to the following: *APS-CPS intake report, APS-CPS billing report, foster care and adoption providers report, foster home study process report, adoption progress report, JJD referrals, checks and payment reports, etc.*

G. Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978 (i.e., families in need of services records), Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records), Section 32A-5-8 NMSA 1978 (i.e., adoption records), and Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, pre-parole reports and supervision histories).

[1.18.690.15 NMAC - N, 05/02/2005]

1.18.690.16 FACTS FEDERAL REPORTS:

A. Program: federal compliance

B. Maintenance system: chronological by federal fiscal year and month

C. Description: output records from the FACT System detailing the monies used toward a specific federally funded program. Report may show account type, fund, organizational code, object code, revenue code, reporting category, debit amount, credit amount, warrant date, number of warrants by program, total warrants, amounts by program, total amounts, etc.

D. Retention: six years after the close of the federal fiscal year in which created

[1.18.690.16 NMAC - N, 05/02/2005]

1.18.690.17 PROVIDER AUDIT REPORTS:

A. Program: provider audit

B. Maintenance system: chronological by fiscal year, then alphabetical by program type and then by provider name

C. Description: records of the examination and verification by the children, youth and families department or an independent public accounting firm of a program provider's financial and accounting records and supporting documentation. Provider programs may include: child care; domestic violence; children's behavioral health; family preservation; adoption; juvenile rehabilitation; teen parenting and adult services. Reports may show official roster of provider's staff, narrative from independent auditor, statements of financial position, statements of activities, statements of cash flows, statements of functional expenses, etc.

D. Retention: three years after the close of the fiscal year in which the audit report is released

[1.18.690.17 NMAC - Rp, 1.18.690.126 NMAC, 05/02/2005]

1.18.690.18 - 19 [RESERVED]

1.18.690.20 CHILD PLACEMENT AGENCY (FOSTER CARE) FILES:

A. Program: children's services

B. Maintenance system: alphabetically by service provider's name

C. Description: records concerning licensing of private agencies that provide foster care services for the state of New Mexico. Files may contain licensing materials, budget and financial information, references, correspondence, assessment of on site visits, recommendations on license, copy of license, copies of complaints, etc.

D. Retention: permanent, transfer to archives five years after facility closes

E. Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978 (i.e., families in need of services records), Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records), 5 USC, and Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, pre-parole reports and supervision histories). [1.18.690.20 NMAC - Rp, 1.18.690.191 NMAC, 05/02/2005]

1.18.690.21 - 24 [RESERVED]

1.18.690.25 PRIVATE AGENCY LICENSING FILES:

A. Program: adoption

B. Maintenance system: alphabetical by program name

C. Description: records concerning the licensing of private adoption agencies. Files may contain description of personnel, personnel policy and procedures, operating procedures, copy of license, medical reports on staff, etc.

D. Retention: five years after expiration or revocation of license
[1.18.690.25 NMAC - Rp, 1.18.690.202 NMAC, 05/02/2005]

1.18.690.26 CONSENT DECREE MONTHLY REPORTS:

A. Program: adoption

B. Maintenance system: chronological by fiscal year, quarter and month

C. Description: records concerning statistical data needed to demonstrate compliance with *stipulated exit plan* (consent decree). Reports may show number of families in custody; names of clients in custody; number by ethnic groups; verification (yes or no) of temporary custody, adjudicated abuse and neglect, adjudicated delinquents, tribal court custody clients; client name, client number, date of birth, gender, race, ethnicity; custody dates; basis for custody; type of custody; adjudicated hearing date; disposition hearing date; dispositional conference; description of services; placement type; number of substitute care placements; name of legal guardian; number of adoption consultations; adoption worker; recruitment efforts; adoptive family name; number of individual interviews; number of education sessions; number of home visits; acceptable characteristics; special recruitment efforts; number of eligible families due for home studies completion; etc.

D. Retention: permanent. 10 years after date report created then transfer to archives.

E. Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978, (i.e., families in need of services records), Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records), and Section 32A-5-8 NMSA 1978 (i.e., adoption records).
[1.18.690.26 NMAC - Rp, 1.18.690.214 NMAC, 05/02/2005]

1.18.690.27 - 29 [RESERVED]

1.18.690.30 FAMILY SERVICES CASE FILES:

A. Program: family services

B. Maintenance system: alphabetical by client last name

C. Description: Portions of the information from these files maybe input into *FACTS*.

(1) **Family preservation services cases:** records concerning the investigation with respect to short-term voluntary preventive and remedial services to a family whose child is at high risk of abuse, neglect or delinquency. Record may contain *APS-CPS intake report, risk assessment narrative, child protective services investigation study, running narrative document*, correspondence, memoranda, etc.

(2) **Child-adult protective services investigation cases:** records concerning the investigations into alleged abuse, neglect or exploitation of vulnerable adult or children. The records may also concern the monitoring of the situation after the disposition of the case. Records may contain *APS-CPS intake report, protective services investigation study, safety assessment summary*, photographs, drawings, copies of court filings, copy of *notice of results of investigation*, etc.

(3) **Foster home-parent cases:** records concerning the evaluation of a foster home-parent for foster care of children in the custody of CYFD. The records also concern the monitoring of the foster home-parent for compliance of the child placement standards. Records may contain *foster home license application, foster*

application, foster home study, annual recertification, foster home study up-date report, authorization for release of information, criminal records check, copy of foster home license, foster parent physical examination, checklist for foster homes, correspondence, memoranda, etc.

(4) **Foster care cases:** records concerning the investigation into abuse, neglect or exploitation of children that result in the department taking custody of a child. The record will also contain the follow-up of the child after the transfer. Record may contain *PSD intake report*, police report, *family registration*, *changing placement-payment authorization for substitute care-adoptive children and for authorizing merchant-education service payments*, treatment plan, *motion for appointment of guardian ad litem*, *neglect-abuse petition*, *ex parte custody order*, correspondence, memoranda, etc.

(5) **Adoption cases:** records concerning the application of families requesting to adopt a child. The record will also contain the follow-up of the child after the transfer. File may contain family history, physical description of home, physical medical exam, FBI record check, department of public safety fingerprint record check, subsidy information, etc.

D. Retention:

(1) **Family preservation services cases:** three years after case closed

(2) **Child-adult protective services investigation cases:** 18 years after case closed

(3) **Foster home-parent cases:** permanent, transfer to archives 10 years after case closed

(4) **Foster care cases:** permanent, transfer to archives 10 years after case closed

(5) **Adoption cases:**

(a) **Approved:** permanent, transfer to archives 100 years after child's date of birth

(b) **Denied:** five years after close of case

E. Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978, (i.e., families in need of services records), Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records) and Section 32A-5-8 NMSA 1978 (i.e., adoption records).

[1.18.690.30 NMAC - Rp, 1.18.690.251 NMAC, 05/02/2005]

1.18.690.31 APS-CPS INTAKE REPORTS:

A. Program: family services [central intake]

B. Maintenance system: alphabetical by county name, then chronological by calendar year

C. Description: records concerning referrals of alleged abuse, neglect or exploitation of vulnerable adult or children that do not meet the criteria to start an investigation. Report may show alleged victim's name, age, address, name of parent or guardian, gender, siblings; alleged action; complainant's name, address, telephone number; etc.

D. Retention: one year after date of last activity concerning client

E. Confidentiality: Portions of record may be confidential per Section 32A-3B-22 NMSA 1978 (i.e., families in need of services records) and Section 32A-4-33 NMSA 1978 (i.e., neglect or abuse records).

[1.18.690.31 NMAC - N, 05/02/2005]

[Reports that do meet the criteria are investigated and filed in the *Family Services Case Files*.]

1.18.690.32 CRIMINAL BACKGROUND CHECK FILES:

A. Program: child care

B. Maintenance system: alphabetical by last name of employee

C. Description: records concerning the criminal background history of employees and volunteers of child care centers and any adults that reside at a child care home. File may contain *fingerprint cards*, *rapsheet*, results for FBI background check, correspondence, memoranda, etc.

D. Retention:

(1) **Clearance approved:**

(a) **Child care center:** three years after termination of employment

(b) **Child care home:** three years after home is no longer in operation

(2) **Clearance denied:** one year after date of result

E. Confidentiality: Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number).

[1.18.690.32 NMAC - Rp, 1.18.690.311 NMAC & 1.18.690.312 NMAC, 05/02/2005]

1.18.690.33 CHILD CARE LICENSING FILES:

A. Program: child care

B. Maintenance system: alphabetical by provider or business name
C. Description: records concerning the licensing of facilities that provide child care services. Files may contain copy of operator license, application, correspondence, complaint intakes, survey report, corrective action responses, etc.

D. Retention: five years after license expired or terminated
[1.18.690.33 NMAC - Rp, 1.18.690.313 NMAC, 05/02/2005]

1.18.690.34 CHILD CARE CASE FILES:

A. Program: child care
B. Maintenance system: alphabetical by client last name
C. Description: records concerning application for child care assistance by qualified clients. Portions of the information from these files maybe input into *FACTS*. Files may contain *child care application, child care placement agreement, child care attendance report, project forward - attendance and transportation reimbursement claim, waiting list information form, notice of action - I form, notice of action - II form, contact sheet, immunization records, in home parent computation form, TB tests, etc.*

D. Retention: three years after case closed
[1.18.690.34 NMAC - Rp, 1.18.690.361 NMAC, 05/02/2005]

1.18.690.35 - 39 [RESERVED]

1.18.690.40 JUVENILE MASTER FILES:

A. Program: juvenile justice
B. Maintenance system: alphabetical by client surname
C. Description: juvenile master files have two categories, adjudicated and non-adjudicated. Adjudicated files concern juvenile cases processed through the court system with the judgment of the court entered as a formal record. Non-adjudicated files concern referrals of juveniles based on difficulties the child or family may be experiencing. Portions of the information from these files maybe input into *FACTS*. Files may contain copy of an *offense or incident report, notice of preliminary inquiry, notice of privacy practices acknowledgement form, copies of juvenile's identification, copies of the juvenile's report card, petition, order of appointment, request for hearing pre-trial, consent decree, client tracking referral system master records form, client/family baseline assessment, psychological evaluation report, preliminary inquiry determination, probation agreement, judgment and disposition, community service order, petition to revoke probation, face sheet, commitment order, personal belongings form, plan of care, monthly progress reports, petition for extension of custody, discharge memo, parole or discharge certificate, JPPO officer progress notes, correspondence, memoranda, etc.*

D. Retention:
(1) **Non-adjudicated:** when client reaches age 19
(2) **Adjudicated:** when client reaches age 22
E. Confidentiality: Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.).
[1.18.690.40 NMAC - Rp, 1.18.690.401 NMAC, 05/02/2005]

1.18.690.41 - 50 [RESERVED]

1.18.690.51 CLIENTS' ACCOUNTS FILES:

A. Program: institutions
B. Maintenance system: chronological by fiscal year
C. Description: records concerning the tracking of money used by the juveniles out of their own funds or a general emergency fund. File may contain copy of *purchase voucher* (client's, petty cash, general and special activity funds), copy of *request for student trust fund expenditure*, copies of receipts, correspondence, memoranda, etc.

D. Retention: three years after close of fiscal year in which created
[1.18.690.51 NMAC - Rp, 1.18.690.421 NMAC, 05/02/2005]

1.18.690.52 CANTEEN FILES:

A. Program: institutions

- B. Maintenance system:** chronological by month
- C. Description:** records concerning the monitoring of purchases and inventory of items maintained for the canteen. File may contain *canteen order slips, canteen inventory sheets, canteen distribution forms, canteen coupon issue log*, etc.
- D. Retention:** three years after close of fiscal year in which created
[1.18.690.52 NMAC - Rp, 1.18.690.425 NMAC, 05/02/2005]

1.18.690.53 DAILY POPULATION SHEETS:

- A. Program:** institutions
- B. Maintenance system:** chronological by day
- C. Description:** records concerning the tracking of the population in a juvenile facility and for each specific unit within it. Sheet may show date, name and title of person completing sheet, unit name, previous day grand total, present in unit, admitted, released, escape, pass, hospital, area grand total, out of facility placement and residential treatment centers - center and city, previous day total, present day total, grand total, special program, hospital, detention, unit transfer, return date and time, destination place and county, etc.
- D. Retention:** three years after close of calendar year in which created
[1.18.690.53 NMAC - Rp, 1.18.690.452 NMAC, 05/02/2005]

1.18.690.54 UNIT FILES:

- A. Program:** institutions
- B. Maintenance system:** chronological by date
- C. Description:** records concerning the activities and security of the clients in each unit within an institution. File may contain shift *schedule for staff, off campus work details and activities, juvenile grievance, behavior change agreement, request for repairs (work order), daily adjustment unit chart, daily shift checklist, disciplinary report, conversation record, shakedown report, daily unit roster, use of force report, daily housing unit safety and sanitation inspection, counselor's log sheet, fire drill report*, etc.
- D. Retention:** three years after close of calendar year in which created
- E. Confidentiality:** Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.).
[1.18.690.54 NMAC - Rp, 1.18.690.481 NMAC, 05/02/2005]

1.18.690.55 RECREATION FILES:

- A. Program:** institutions
- B. Maintenance system:** chronological by day
- C. Description:** records concerning the scheduling, tracking and reporting of leisure and recreation time of juveniles. File may contain *recreation schedule, daily recreation log, recreation reports*, etc.
- D. Retention:** three years after close of calendar year in which created
[1.18.690.55 NMAC - Rp, 1.18.690.501 NMAC, 05/02/2005]

1.18.690.56 - 60 [RESERVED]

1.18.690.61 ACA ACCREDITATION FILES:

- A. Program:** accreditation
- B. Maintenance system:** numerical by standard number
- C. Description:** records concerning accreditation of a juvenile correctional institution by the American correctional association. Files may contain copies of personnel documents, financial documentation, maintenance documentation, security documentation, training documentation, educational documentation, medical documentation, recreation documentation, copy of audit results, etc.
- D. Retention:** five years after a compliant ACA audit
- E. Confidentiality:** Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.).
[1.18.690.61 NMAC - Rp, 1.18.690.561 NMAC, 05/02/2005]

1.18.690.62 - 69 [RESERVED]

1.18.690.70 CHILD DEVELOPMENT ASSOCIATE GRANT FILES:

- A. Program:** child development
 - B. Maintenance system:** chrono-alphabetical by federal fiscal year and by name
 - C. Description:** records concerning application for funding to attend child development associate training. Files may contain application, income verification, copies of review of narrative portion, assessment, grant award letter, correspondence, etc.
 - D. Retention:** three years after training received
 - E. Confidentiality:** Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.).
- [1.18.690.70 NMAC - Rp, 1.18.690.351 NMAC, 05/02/2005]

1.18.690.71 REFERRAL FILES:

- A. Program:** children's behavioral health and community services
 - B. Maintenance system:** alphabetical by clients' surname
 - C. Description:** records concerning the referral and eligibility of children and young adults, under protective service division, for behavioral health services. Files may contain referral, client's hospital or medical center medical record, psychological evaluation, *medical summary list*, *service plan*, progress notes, *treatment plan* and updates, correspondence, memoranda, etc.
 - D. Retention:** two years after case closed
 - E. Confidentiality:** Portions of record may be confidential per Section 32A-2-32 NMSA 1978 (i.e., diagnostic evaluations, psychiatric reports, medical reports, social studies reports, pre-parole reports and supervision histories, etc.), and Health Insurance Portability and Accountability Act of 1996 Public Law 104-191 104th Congress (i.e., health information).
- [1.18.690.71 NMAC - Rp, 1.18.690.371 NMAC, 05/02/2005]

1.18.690.72 PROVIDER SERVICES FILES:

- A. Program:** children's behavioral health and community services
 - B. Maintenance system:** chronological by fiscal year, then alphabetical by entity name
 - C. Description:** records concerning the review of services provided by contractors for children's behavioral health services. File may contain copies of the contract, site visit reports, corrective action plans, correspondence, memoranda, etc.
 - D. Retention:** six years after termination of contract
- [1.18.690.72 NMAC - N, 05/02/2005]

1.18.690.73 - 80 [RESERVED]

1.18.690.81 CHILDREN AND ADULT CARE FOOD PROGRAM SYSTEM [CACFP]:

- A. Program:** family nutrition
 - B. Maintenance system:** numerical by primary key
 - C. Description:** system maintains, monitors and tracks clients' cases in the children and adult care food program. Data may include demographics, assignments, client information, client names, vendor number, parents' names, etc.
 - D. Retention:** four years after case closed
 - E. Hardcopy input documents:** All documents used as input for the *CACFP system* are filed in the *application for participation files*. Those documents include the following: application, documentation of menu review, documentation of administrative review, update and amendments to application, etc
 - F. Hardcopy output documents:** All documents generated by the *CACFP system* are produced because of public request or administrative reporting responsibilities. Because the *CACFP system* is a data based system, ad hoc reports may be generated upon request or on demand. When produced, these reports are either forwarded to the requesting entity or filed in the *application for participation files*.
 - G. Confidentiality:** Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number)
- [1.18.690.81 NMAC - Rp, 1.18.690.302 NMAC, 05/02/2005]

1.18.690.82 APPLICATION FOR PARTICIPATION FILES:

- A. Program:** family nutrition
 - B. Maintenance system:** numerical by sponsor number
 - C. Description:** records concerning the eligibility for participation in child and adult care food program and summer food program. Portions of the information from these files maybe input into the *CACFP system*. Files may contain application, correspondence, documentation of menu review, documentation of administrative review, update and amendments to application, etc.
 - D. Retention:** six years after close of federal fiscal year in which created
 - E. Confidentiality:** Portions of record may be confidential per 5 USC, Section 552a (i.e., social security number)
- [1.18.690.82 NMAC - Rp, 1.18.690.303 NMAC, 05/02/2005]

1.18.690.83 - 90 [RESERVED]

1.18.690.91 JUVENILE PAROLE HEARINGS:

- A. Program:** juvenile parole
 - B. Maintenance system:** chronological by hearing date
 - C. Description:** list of decisions made by the parole board on juveniles at the parole board hearings. Record may show board members present, juvenile's name, juvenile's facility number, county, type of discharge, effective date, parole term, special conditions, date of hearing, etc.
 - D. Retention:** three years from date of hearing
 - E. Confidentiality:** confidential per Section 32A-2-32 NMSA 1978
- [1.18.690.91 NMAC - Rp, 1.18.765.102, NMAC, 1/11/2010]

1.18.690.92 PAROLE REVOCATION HEARING PROCEEDINGS:

- A. Program:** juvenile parole
 - B. Maintenance system:** chrono-alphabetical by hearing date and then juvenile name
 - C. Description:** verbatim record of the revocation hearing
 - D. Retention:** three years from date of hearing
 - E. Confidentiality:** confidential as per Section 32A-2-32 NMSA 1978
- [1.18.690.92 NMAC - Rp, 1.18.765.104, NMAC, 1/11/2010]

HISTORY OF 1.18.690 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center under:

- SRC Rule 71-3, Records Retention and Disposal Schedule for Health and Social Services Department, Social and Rehabilitation Services Division, 4/5/71.
- SRC Rule 71-4, Records Retention and Disposal Schedule for Health and Social Services Department, Health Facilities Services Division, 4/5/71.
- SRC Rule 71-5, Records Retention and Disposal Schedule for Health and Social Services Department, Maternity and Infant Care Project, 4/5/71.
- SRC Rule 71-9, Records Retention and Disposal Schedule for Health and Social Services Department, Staff Development Division, 6/22/71.
- SRC Rule 71-11, Records Retention and Disposal Schedule for Health and Social Services Department, Medical Assistance Division, 6/22/71.
- SRC Rule 71-24, Records Retention and Disposal Schedule for Health and Social Services Department, Personnel, 11/29/71.
- SRC Rule 71-25, Records Retention and Disposal Schedule for Health and Social Services Department, Legal, 11/29/71.
- SRC Rule 71-26, Records Retention and Disposal Schedule for Health and Social Services Department, Business Administration Division, 11/29/71.
- SRC Rule 71-23, Records Retention and Disposal Schedule for Health and Social Services Department, Medical Services Division, 11/30/71.
- SRC Rule 76-7 Records Retention and Disposal Schedule for Health and Social Services Department, Staff Offices, 5/5/76.
- SRC Rule 76-1, Records Retention and Disposal Schedule for Committee on Children and Youth, 5/5/76.

SRC Rule 76-10, Records Retention and Disposal Schedule for Health and Social Services Department, Social Services Agency, 11/15/76.

SRC Rule 78-4, Records Retention and Disposal Schedule for Health and Environment, Health Services Division, 8/1/78.

SRC Rule No. 83-13, Records Retention and Disposition Schedule for Health and Environment Department, Health Services Division, 4/29/83.

SRC Rule 84-03, Records Retention and Disposition Schedule for Corrections Department, Juvenile Facilities Division, 2/28/84.

SRC Rule No. 90-05, Records Retention and Disposition Schedule for Human Services Department, Social Services Division, 4/23/90.

SRC Rule No. 91-06, Records Retention and Disposition Schedule for New Mexico Youth Authority, 12/13/91.

History of Repealed Material:

1.18.690 NMAC, ERRDS, Children, Youth and Families Department file 6/21/2002 - Repealed 05/02/2005