

DEPARTMENT OF GENERAL SERVICES  
RECORDS MANAGEMENT DIVISION  
RECORDS RETENTION AND DISPOSAL SCHEDULE

Schedule No. 2444

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Agency  
Maryland Insurance Administration

Division / Unit  
Insurance Fraud Division

Item No.	Description Supersedes Schedule 1797	Retention
1	<p><u>General Correspondence</u></p> <p>Incoming /outgoing letters, memoranda, reports, directives, policies and other materials related in Insurance Fraud subject matter or the administrative operation of the Fraud Division.</p>	<p>Screen annually and retain permanently all materials that serve to document the origin, development, functions and accomplishments of the Agency. Transfer annually to the State Archives. Retain all other materials in office for 3 years then destroy.</p>
2	<p><u>Referral Files</u></p> <p>A. All written, electronic and telephonic referrals with investigative narratives, referral forms and other support attachments which do not result in investigative activity</p> <p>B. Any associated documentation received by the Fraud Division in support of these referrals such as medical records, claim file notes, transcribed statements, etc.</p>	<p>Retain in office for 5 years then transfer to the State Record Center for 5 years then destroy</p> <p>Retain until referral closure is complete then destroy.</p>
3	<p><u>Investigative Files</u></p> <p>A. Investigations conducted that do not result in criminal charges and/or prosecution</p> <p>B. Investigations conducted that do result in criminal charges and/or prosecution, other state enforcement actions or referral to a state professional licensing board.</p> <p>C. Any associated documentation received by the Fraud Division in support of these investigations such as medical records, claim file notes, transcribed statements, etc.</p>	<p>Retain in office for 5 years then transfer to State Records Center for 5 years then destroy.</p> <p>Retain in office for 5 years or until the conclusion of all legal actions and appeal processes, transfer to State Records Center for 5 years then destroy.</p> <p>Retain until investigation closure is complete then destroy.</p>

Schedule Approved by Department, Agency, Or Division Representative.

Date: 9/15/08  
Signature: Carolyn H. Henneman  
Typed Name: Carolyn H. Henneman  
Title: Associate Commissioner, Insurance Fraud

Schedule Authorized by State Archivist

Date: 13 May 09  
Signature: [Signature]

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4	<p><u>Evidentiary Documents</u></p> <p>Documentation and other associated items obtained by the Fraud Division through subpoena, search warrant and other prosecutorial or law enforcement means in accordance with legislative, regulatory or judicial requirements.</p>	Retain in office until the conclusion of all legal actions and appeal processes. Review as required by statute and/or agency procedures and destroy materials no longer necessary for current business.
5	<p><u>A. Anti-Fraud Plans</u></p> <p>Anti-Fraud plans filed by insurers in accordance with legislative and regulatory requirements subject to approval.</p> <p><u>B. Fraud Related Data Reports</u></p> <p>Reports filed annually by insurers in accordance with legislative and regulatory requirements.</p>	<p>Retain most recently approved fraud plans on site. Review and update as dictated by approved changes submitted by insurers and/or required by statute and destroy materials no longer necessary for current business.</p> <p>Retain current and 2 previously submitted annual reports in office for 3 years then destroy.</p>
6	<p><u>Miscellaneous Records and Documents</u></p> <p>Documents and other records obtained, produced and/or collected during the investigation of insurance fraud complaints</p>	Retain in office while complaint is open. Screen annually and destroy materials no longer necessary for current business after complaint closure or conclusion of any court/appellate appeal process.
7	<p><u>Electronic Files</u></p> <p>Data and other information obtained, produced and/or collected which is filed and maintained through electronic means during the investigation of insurance fraud complaints.</p>	<p>Complaints closed administratively – retain file data electronically. Screen annually and remove associated data no longer required for current business.</p> <p>Complaints resulting in criminal charges and/or prosecution – retain until the conclusion of all legal actions and appeal processes then remove data no longer required for current business.</p>
8	<p><u>Electronic Files - Associated Records and Documents</u></p> <p>Documents and other materials obtained, produced and/or collected which are maintained in hard copy form as well as by electronic means during the investigation of insurance fraud complaints.</p>	<p>Retain in office while complaint is open. Screen annually and destroy materials no longer necessary for current business.</p> <p>Complaints closed administratively – all materials can be destroyed.</p> <p>Complaints resulting in criminal charges and/or prosecution – retain until the conclusion of all legal actions and appeal processes then destroy.</p>