



DBH Record Retention Policy

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DocuSigned by:
Georgina Yoshioka
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Georgina Yoshioka, DSW, MBA LCSW, Director

Policy It is the policy of the San Bernardino County (County) Department of Behavioral Health (DBH) to manage DBH and contracted provider records in compliance with all applicable federal, state, and county laws and/or regulations and in accordance with the County Record Retention Policy.

Note, please see DBH Retention of Medical Records Policy ([COM0906](#)) for primary and additional guidance regarding retention of mental health and substance use disorder records.

Purpose The purpose of this policy is to provide information and instruction to the DBH workforce and DBH contracted providers regarding the San Bernardino County Records Management Program and proper retention of County records, including the approval and posting of the department-level Records Retention Schedule.

Definitions **County Record:** The California Public Records Act defines “public records” as “any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. (Government Code section 7920.530). The California Public Records Act further defines a “writing” as “any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.” (Government Code section 7920.545).

Record Retention Schedule: A Record Retention Schedule (RRS) provides the requirements for the maintenance, storage, transfer, and ultimate disposition of County records. Final disposition depends on the record type and the legal requirements for that record type as indicated in the RRS.

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Record Retention Schedule

Each County department is required to develop and submit a department-level Records Retention Schedule. The Records Retention Schedule must be reviewed and accepted by County Counsel, the Clerk of the Board of Supervisors (COB), the County Administrative Office (CAO), and submitted and approved by the Board of Supervisors (Board). The DBH Records Management Coordinator (RMC) oversees the Records Management Program for the department and is responsible for coordination and development of the DBH Records Retention Schedule. DBH Office of Compliance designees act as the Department's RMC.

DBH and DBH contracted providers are required to implement and adhere to the approved Countywide and DBH Records Retention Schedules, as applicable. The Records Retention Schedules must be reviewed every two (2) years to ensure alignment with legal and policy updates. Departments are responsible for ensuring that their records are stored in a manner that ensures their physical or electronic safety, security against unauthorized access, and confidentiality as applicable.

Board approved department Records Retention Schedules are available online at the Clerk of the Board's [intranet website](#). See [DBH Retention Schedule](#) under "[Record Retention Schedules](#)".

Note: The Records Retention Schedule developed under the Records Management Program and approved by the Board of Supervisors will replace any previous schedules a department may have, or that were previously approved by the Board of Supervisors.

Related Policy or Procedure

[San Bernardino County Policy Manual](#)

- [Records Management Program Policy, No. 10-07](#)
- [Archives Management Policy, No. 10-08](#)

Reference(s)

- California Public Records Act (Government Code section 7920.000 et seq.)
 - California Public Records Act sections 26201 to 26202.6 and 26205 to 26205.8
 - California Public Records Act section 26206.7
 - [DBH Records Retention Schedule](#)
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