

3701-8-09 Data and maintenance of records.

This rule applies to centralized coordination contractors, home visiting contractors, early intervention service coordination contractors. Expectant first-time mothers, parents, and eligible infants and toddlers are referred to in this rule as help me grow (HMG) participants.

- (A) Contractors shall designate at least one, and no more than four, individuals as an early track system administrator who is responsible for the contractor's data quality assurance plan. This plan, through the activities required in this paragraph, ensures that the collection and entry of data for each HMG participant meets standards for quality. System administrators shall oversee and ensure:
- (1) Data entry, as required, into the statewide data system for HMG;
 - (2) Data entry into the statewide data system within thirty calendar days of the activity, except when otherwise required as in rule 3701-8-04 of the Administrative Code;
 - (3) Information entered into the statewide data system is consistent with the information in the HMG participant's record;
 - (4) Completion of data system training as required by the department and documentation of training completion;
 - (5) Required reports in the statewide data system for data quality, compliance, monitoring, and communication about goals or outcomes are run and analyzed at least quarterly;
 - (6) That, prior to granting individuals access to the statewide data system, individuals have signed form HEA 8034 ;
 - (7) A list of individuals who have access to personally-identifiable information of HMG participants is maintained. On this list, it shall be specified, for each individual, whether they have access to paper records, electronic records, or both; the date that access was first granted; and the date that access was revoked for any reason. This list shall be made available to the department upon request;
 - (8) Access to the statewide data system is deactivated upon a user's termination, resignation, or when a user no longer requires access;
 - (9) Adherence to section 3701.17 of the Revised Code and other applicable federal and state laws, regulations, and rules with regard to confidentiality and security of personally identifiable information; and
 - (10) The data quality assurance plan is made available to the department upon request.
- (B) Contractors shall maintain only one record for each HMG participant, in accordance with the following:
- (1) The following, as applicable, are included in every HMG participant's record:

- (a) Referral from a PCSA on form HEA 8021;
 - (b) Referral follow-up on form HEA 8037;
 - (c) Consent to release information on form HEA 8019;
 - (d) Copies of written correspondence received from and sent to the family, service providers and other agencies or medical providers; and
 - (e) Case notes, unless kept in electronic format which shall be made available upon request for the record .
- (2) The following, as applicable, are included in the record of every person referred to HMG early intervention:
- (a) Documentation of eligibility, including form HEA 8024, or form HEA 8043;
 - (b) Consent to participate in early intervention, on form HEA 8018;
 - (c) All IFSPs on form HEA 7720 , signed by the IFSP team and parent;
 - (d) Written meeting notification on form HEA 8039;
 - (e) Application for surrogate parent for form HEA 8040;
 - (f) Application for early intervention payor of last resort on form HEA 8025; and
 - (g) Copies of prior written notices on form HEA 8022.
- (3) The following, as applicable, are included in the record of every person referred to HMG home visiting:
- (a) Documentation of eligibility, including form HEA 8043;
 - (b) Copies of the tools used, in accordance with Appendix 06.1 - A, for the purpose of screening or assessment;
 - (c) All family plans on form HEA 8036 , signed by the home visitor and parent;
 - (d) Consent to participate in home visiting on form HEA 8038 ; and
 - (e) Case notes, unless kept in electronic format which shall be made available upon request for the record.
- (4) Records shall be retained electronically or on paper, for a period of six years from the date of receipt of payment for the service. Upon exit from HMG, the contractor shall notify the HMG participant in writing of mechanisms for reviewing and requesting a copy of the record and the date that the record may be destroyed.
- (5) If a HMG participant transfers to another contractor within HMG, the current contractor shall retain the original file, and provide an electronic or paper copy of the participant's record to the new contractor. Information kept in the statewide data system shall be updated before transfer of the HMG participant's record.
- (6) If a HMG participant moves out of the state of Ohio, the current contractor shall

offer the participant a copy of the participant's record, including a printed copy of the information kept in the statewide data system for HMG. The current contractor shall retain the original record and provide a copy of the record to the participant upon request.

- (C) Contractors shall maintain a list of every request made and granted to access or receive a copy of a HMG participant's record. This list must include information about who made the request, the date the request was received by the contractor, the date access was granted to the requester, and the purpose for which the individual is authorized to see or have a copy of the record. This list shall be made available to the department upon request.
- (D) Contractors shall cooperate with the department when the department requests information about HMG. This includes, but is not limited to, on-site visits, complaint investigations, desk reviews, and data verification.
- (E) Contractors shall respond to requests for information from HMG participants, including but not limited to:
 - (1) Providing HMG participants, upon request, a list of the types and locations of HMG records collected, maintained, or used by the contractor; and
 - (2) Providing HMG participants, upon request, one electronic or paper copy of the complete record, in accordance with rules 3701-8-10.1 and 3701-8-10.2 of the Administrative Code.

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