

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

PROPOSED AMENDMENT

19 CSR 15-4.300 Record Keeping and Confidentiality. The department is amending the purpose statement and sections (1) and (2).

PURPOSE: This amendment updates terminology and legal authority.

*PURPOSE: This rule establishes the length of time that the division, area agencies **on aging** and service providers shall maintain records and the standards by which confidentiality of records will be maintained.*

(1) The division, area agencies **on aging** and service providers shall maintain all records under Title III for a minimum of three (3) years; Social Services Block Grant records shall be maintained for five (5) years.

(2) The division, area agencies **on aging** and service providers shall maintain the confidentiality of records as follows:

(A) All records that identify individual recipients of alternative services shall be confidential and may be released, for administrative and program monitoring purposes only, to the following:

1. Designated employees *[of the Federal Administration on Aging Regional Office VII]* **of the United States Department of Health and Human Services, Administration for Community Living (ACL);**

2. Designated employees of the Missouri Department of *[Social Services]* **Health and Senior Services** and the Division of *[Aging]* **Senior and Disability Services;**

3. Designated employees of the area agency **on aging** or service provider; or

(B) No information or records maintained by the *[l]Long-[t]Term [c]Care [o]Ombudsman* program may be disclosed unless the *[l]Long-[t]Term [c]Care [o]Ombudsman* authorizes the disclosure;

(C) Lists of names of older *[persons]* **adults** shall be used for the purpose of providing services and shall not be distributed, released or used for any other reason;

*AUTHORITY: section[660.050] 192.2000, RSMo [Supp. 1999] 2016. * This rule was previously filed as 13 CSR 15-6.015 and 13 CSR 15-4.300. Original rule filed Jan. 6, 1986, effective April 30, 1986. Amended: Filed Aug. 28, 2000, effective March 30, 2001. Moved to 19 CSR 15-4.300, effective Aug. 28, 2001.*

**Original authority: 660.050 RSMo 1984, amended 1988, 1992, 1993, 1994, 1995.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Department of Health and Senior Services, Division of

*Senior and Disability Services, Melanie Highland, Division Director, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. Email: DSDSDirectorsOffice@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*