# Applicable to

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Entity** | QHBPC[[1]](#endnote-1) | QHPC[[2]](#endnote-2) | QHPMC[[3]](#endnote-3) | QHIC[[4]](#endnote-4) | QTZ[[5]](#endnote-5) | If other, please specify. | |
| **State** | Iowa | Illinois | Minnesota | Wisconsin | | If other, please specify. | |
| **Product Line** | All Insured Product Lines (Does not include self-funded) | | | | | Self-Funded |  |
|  | Commercial HMO  Commercial PPO  Commercial POS | | Individual ACA Exchange  Individual ACA Non-Exchange  Individual Pre-2010  Medicaid-BadgerCare Plus  Medicaid-SSI | | | Medicare Advantage  Medicare Select  Medicare Supplement  State/Local  D-SNP | |

# Enforcement

Workforce members who violate this policy will be subject to disciplinary actions, up to and including termination of employment. Workforce members have a duty to report suspected or actual noncompliance. Failure to do so may result in disciplinary action leading up to and including termination.

# Review, Revision and Distribution

This policy and any material revisions to this policy require the approval of **the Compliance Officer(s)**.

External requests for access to this P&P (from network partners, sister companies, etc.) should be directed to **the Compliance Officer(s)**.

This document will be updated periodically to reflect changing business and technology requirements or at least annually, whichever is sooner. All change requests should be directed to the document owner.

# Document Logistics & Revision History

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| --- | --- |
| **Document Owner:** | AVP, Compliance and Government Regulatory Operations and Senior Director, Deputy General Counsel – Compliance Services |
| **Next Review:** | November 2024 |

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| --- | --- | --- |
| **Description of Changes** | **Name, Title, or Committee** | **Date** |
| **Creation** | Amy Papsun, Legal | 11/20/2016 |
| **Reviewed/Revised** | Jessica Stanton, Sr. Compliance Analyst | 11/3/2023 |
| **Approved** | Compliance Committee | 12/14/2021 |
| **Note:** Only keep the initial creation, last revision, and last approval dates. Previous versions must be archived for 10 years. | | |

# Purpose

The purpose of this policy is to communicate Quartz’s procedures for maintaining documentation.

# Policy

Quartz has a policy to provide uniform guidance for the retention of various records, in order to ensure appropriate retention of Quartz records for internal business purposes, to meet legal requirements, and to promote the cost-effective management or records.

# Definitions

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| --- | --- |
| **Record** | All records created or received in the ordinary course of Quartz business are Quartz records, are the property of Quartz, and are subject to this guide. This pertains to all forms and all media, including:   * handwritten, typed, or printed documents on paper * documents stored electronically (e.g., emails, Web sites, documents stored on portable hard drives, thumb drives, network servers, electronic applications, electronic transactions, etc.) * video * audio * graphic representations |

# Related Documents

None

# Requirements

See Exhibit A below

# Procedure

It is the policy of Quartz to store and retain records in accordance with this Record Retention policy, which encompasses the following criteria:

1. It is the Quartz policy to maintain complete, accurate and high quality records. Records are to be retained for the period of their immediate use, unless longer retention is required for historical reference, contractual or legal requirements, or for other purposes as set in **Exhibit A.** If a record could potentially fall under more than one line in the matrix, then the record shall be kept for whichever time period is longer.
2. Records that are no longer required, and have satisfied their required periods of retention, shall be destroyed in a manner that ensures the confidentiality of the records as required by law.
3. Appropriate management staff shall approve the destruction of records. Such approval shall be made in writing.
4. Paper documents shall be shredded by a third-party document destruction vendor.
5. Electronic documents shall be destroyed in a manner specific to the type of electronic document. For example, documents stored on a portable thumb drive shall be deleted permanently from the thumb drive.
6. The unauthorized destruction, removal or use of records is prohibited.
7. All workforce members and contractors are responsible for ensuring that accurate and complete records are identified, retained, stored, protected and subsequently destroyed within their area of assigned responsibility.
8. All records generated and received by Quartz are the property of Quartz. No Quartz workforce member or contractor, by virtue of his or her position, has any personal or property right to such records even though he or she may have developed or compiled them, unless otherwise specified in law or contract.
9. Paper records may be scanned to ease storage demands.
10. Electronic records must be stored in a matter that ensures the quality of the record for at least as long as the minimum recommended retention time. This includes but is not limited to storage in a manner that retains metadata.

**Exhibit A**

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| **Description of Records** | **Retention Period** | **Citation** |
| Medicare Advantage / Medicare Advantage Drug Plan (MA / MAPD) | | |
| Financial records sufficient for CMS to audit the Company (e.g. data related to Medicare utilization, costs, computation of the bid, related P&Ps, etc.) | 10 years from termination of final contract | 42 CFR s. 422.504(d)(1)(i); 42 CFR s. 423.505(d)(1)(i) |
| Any record allowing CMS to inspect or otherwise evaluate quality, appropriateness, timeliness of services performed under the MA(PD) contract. This includes but is not limited to enrollee correspondence (letters, emails), reconsideration committee notes and minutes, and EOBs. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(1)(ii); 42 CFR s. 422.504(e)(1)(i); 42 CFR s. 423.504(d)(2)(i); 42 CFR s. 423.505(d)(1)(ii); 42 CFR s. 423.505(e)(1)(i) |
| Any record allowing CMS to inspect or otherwise evaluate the Company’s facilities (including computer and other electronic systems) | 10 years from termination of final contract | 42 CFR s. 422.504(d)(1)(ii); 42 CFR s. 422.504(e)(1)(iii); 42 CFR s. 423.504(d)(2)(ii); 42 CFR s. 423.505(e)(1)(iii) |
| Financial records sufficient for CMS to evaluate the Company’s, or the Company’s first tier or downstream entities’ ability to bear risk of potential financial losses, or services performed, or determinations of amounts payable under the MA contract | 10 years from termination of final contract | 42 CFR s. 422.504(d)(1)(iii); 42 CFR s. 423.504(d)(2)(iii); 42 CFR s. 423.505(d)(1)(iii) |
| Records showing all direct and indirect costs the Company claimed it incurred that it used in the preparation of the bid, including for PD gross covered prescription drug costs, allowable reinsurance costs, allowable risk corridor costs) | 10 years from termination of final contract | 42 CFR s. 422.504(d)(1)(iv); 42 CFR s. 423.505(d)(1)(iv) |
| Records used to establish component rates of the bid for determining additional and supplementary benefits. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(1)(v); 42 CFR s. 423.505(d)(1)(v) |
| Records used to determine the rates utilized in setting premiums for State insurance agency purposes and for other government and private purchasers | 10 years from termination of final contract | 42 CFR s. 422.504(d)(1)(vi) |
| Ownership and operation of the Company’s financial, medical, and other record keeping systems | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(i); 42 CFR s. 423.505(d)(2)(i) |
| Financial statements for the current contract period and the past 10 contract periods | Depends on past contract periods | 42 CFR s. 422.504(d)(2)(ii); 42 CFR s. 423.505(d)(2)(ii) |
| Federal income tax or informational returns for the current contract period and 10 prior periods. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(iii); 42 CFR s. 423.505(d)(2)(iii) |
| Asset acquisition, lease, sale, or other action. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(iv); 42 CFR s. 423.505(d)(2)(iv) |
| Agreements, contracts, and subcontracts, and any records that pertain to any aspect of services performed under the MA contract. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(v); 42 CFR s. 422.504(e)(2); 42 CFR s. 423.505(d)(2)(v) |
| Franchise, marketing, and management agreements. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(vi); 42 CFR s. 423.505(d)(2)(vi) |
| Schedules of charges for the MA organization's fee-for-service patients. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(vii) |
| Matters pertaining to costs of operations. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(vii); 42 CFR s. 423.505(d)(2)(vii) |
| Amounts of income received by source and payment (PD only) | 10 years from termination of final contract | 42 CFR s. 423.505(d)(2)(viii) |
| Cash flow statements. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(viii); 42 CFR s. 423.505(d)(2)(ix) |
| Any financial reports filed with other Federal programs or State authorities. | 10 years from termination of final contract | 42 CFR s. 422.504(d)(2)(ix); 42 CFR s. 423.505(d)(2)(x) |
| Records showing compliance with HIPAA and other legal requirements to maintain the privacy and security of enrollee’s PHI and personally identifiable information | 10 years from termination of final contract | 42 CFR s. 422.504(e)(1)(ii); 42 CFR s. 423.505(e)(1)(ii) |
| All prescription drug claims for the current contract period and the past 10 contract periods | Depends on past contract periods | 42 CFR s. 423.505(d)(2)(xi) |
| Enrollment and disenrollment records for the current contract period and the past 10 contract periods | Depends on past contract periods | 42 CFR s. 422.504(e)(1)(iv); 42 CFR s. 423.505(e)(1)(iv) |
| All price concessions, including concessions offered by manufacturers, for the current contract period and 10 prior periods accounted for separately from other administrative fees | Depends on past contract periods | 42 CFR s. 423.505(d)(2)(xii) |
| Qualified Health Plan (QHP) | | |
| All documents and records and other evidence of accounting procedures and practices necessary for HHS to conduct compliance reviews or otherwise monitor QHP issuers' compliance with all Exchange standards applicable to issuers offering QHPs in a federally-facilitated Exchange as listed in this part. This includes but is not limited to: Financial statements, including cash flow statements, and accounts receivable and matters pertaining to the costs of operations;  Any financial reports filed with other Federal programs or State authorities;  Qualified health plan contracting (including benefit review) data and consumer outreach and Navigator grant oversight information. | 10 years | 45 CFR s. 156.705(a)(2), 45 CFR s. 156.705(b) |
| All documents and records and other evidence of accounting procedures and practices necessary for HHS to periodically audit financial records related to the Company’s participation in a Federally-facilitated Exchange and evaluate the ability of the Company to bear the risk of potential financial losses. This includes but is not limited to: Financial statements, including cash flow statements, and accounts receivable and matters pertaining to the costs of operations;  Any financial reports filed with other Federal programs or State authorities;  Qualified health plan contracting (including benefit review) data and consumer outreach and Navigator grant oversight information. | 10 years | 45 CFR s. 156.705(a)(1); 45 CFR s. 156.705(b) |
| HIPAA | | |
| HIPAA Policies and Procedures | 6 years from: date of creation, or the date the P&P was last in effect, whichever is later | 45 CFR s. 164.530(j)(2)  §164.316(b)(2)(i) |
| Communication to members or participants required by HIPAA (e.g. Notice of Privacy Practices) | 6 years from: date of creation or the date document was in effect, whichever is later | 45 CFR s. 164.530(j)(2)  §164.316(b)(2)(ii) |
| Documentation of any action, activity, or designation required by HIPAA (e.g. breach notification sent to HHS) | 6 years from: date of creation or the date document was in effect, whichever is later | 45 CFR s. 164.530(j)(2)  §164.316(b)(2)(iii) |
| Wisconsin – Medicaid (BadgerCare) | | |
| All records relating to the performance of Company’s obligations under the Contract, including paper and electronic claim forms | 10 years from contract termination. Destruction of any documents requires DHS’s prior written consent | Contract between Company and BadgerCare |
| All records involving matters that are the subject of litigation or audit | Not less than 10 years following the termination of litigation or audit. Destruction of any documents requires DHS’s prior written consent | Contract between Company and BadgerCare |
| Federal Employee Health Benefit Product (FEHB) | | |
| All pertinent records involving transactions related to this contract | 6 years from contract termination | 48 CFR 1652.204-70 48 CFR 52.215-2 |
| State of Wisconsin Department of Employee Trust Funds (ETF) | | |
| Adequate records of all expenditures incurred under the contract | The Contractor, following final payment, shall retain all records produced or collected under the contract for 6 years | Wis. Stat s. 19.36(3) as outlined in Section 37 of the contract between the Company and ETF |
| All pertinent books, financial records, documents, papers, and records, and those of any parent, affiliate, or subsidiary organization performing under formal or informal arrangement any service or furnishing any supplies or equipment | 7 years from contract termination plus any extensions | Section III.J.3 of the contract between the Company and ETF |
| Any records that relate to litigation or settlement of claims arising out of the performance of the agreement; or costs or expenses of the agreement with which exception is taken by litigation, claims, or exceptions | 7 years after the conclusion of the litigation, regardless of the termination date of the contract | Section III.J.3 of the contract between the Company and ETF |
| Wisconsin – Commercial Fully Insured Products | | |
| Rate books | As long as related insurance coverage remains in force | Wis. Admin. Code Ins. s. 6.80(4)(a)(2) |
| Agents’ handbooks | As long as related insurance coverage remains in force | Wis. Admin. Code Ins. s. 6.80(4)(a)(2) |
| Underwriting manuals | As long as related insurance coverage remains in force | Wis. Admin. Code Ins. s. 6.80(4)(a)(2) |
| Specimen forms | As long as related insurance coverage remains in force | Wis. Admin. Code Ins. s. 6.80(4)(a)(2) |
| Actuarial material related to rate books, agents’ handbooks, underwriting manuals, and specimen forms | As long as related insurance coverage remains in force | Wis. Admin. Code Ins. s. 6.80(4)(a)(2) |
| Reinsurance contracts | As long as related insurance coverage remains in force | Wis. Admin. Code Ins. s. 6.80(4)(a)(2) |
| Advertisements in any form, including but not limited to: Newspaper, Radio, Television, Clippings or Press Releases | 4 years or until the filing of the next market conduct exam, whichever is longer | Wis. Adm. Code Ins. s. 3.27(28) |
| Minnesota – Commercial Fully Insured Products | | |
| Advertisements in any form, including but not limited to: Newspaper, Radio, Television, Clippings or Press Releases | Not less than 3 years | MN. Rules, part 2790.2000 |
| Documents sufficient to complete a market conduct exam | 6 years | MN. Stat. s. 60A.031 |
| Underwriting documents, policy forms, member applications | 3 years from the effective date of the policy | MN. Stat. s. 72A.20, Subd.30 |
| Claim files and documentation related to a claim | 3 years from the date the claim was paid or denied | MN. Stat. s. 72A.20, Subd.30 |
| Records of all quality of care complaints and their resolution | Five years | MN. Stat. s. 62D.115, Subd. 4 |
| Accounting audit work papers and communications | No longer than 7 years after the period reported on ends | MN. Stat. s. 60A.1291, Subd. 14 |
| Iowa – Commercial Fully Insured Products | | |
| Advertisements in any form, including but not limited to: Newspaper, Radio, Television, Clippings or Press Releases | 4 years or until the filing of the next market conduct exam, whichever is longer | Iowa Admin Code § 191-15.13(2) |
| Claim data related to a testimonial used in an advertisement | 4 years or until the filing of the next market conduct exam, whichever is longer | Iowa Admin Code s. 161-37.54 |
| Document sufficient to complete a market conduct exam | 6 years | Iowa Admin Code s. 191-1.1(2)(b) |
| Illinois – Third Party Administrator (includes Preferred Provider Program Administrator and Utilization Review Organization requirements) | | |
| None |  |  |
| Wisconsin – corporate operations | | |
| General Ledger and Journals | Permanent | Wis. Admin. Code Ins. s. 6.80(4)(a)(1) |
| Closing documents and Due Diligence | Permanent | Wis. Admin. Code Ins. s. 6.80(4)(a)(1) |
| Articles of Incorporation and Bylaws | Permanent | Wis. Admin. Code Ins. s. 6.80(4)(a)(1) |
| Board minute books | Permanent | Wis. Admin. Code Ins. s. 6.80(4)(a)(1) |
| Shareholder/Stock and membership records | Permanent | Wis. Admin. Code Ins. s. 6.80(4)(a)(1) |
| Record of actions taken by shareholders or Board of Directors without a meeting | Permanent | Wis. Admin. Code Ins. s. 6.80(4)(a)(1) |
| Insurance company operations and other financial records reasonably related to insurance operations | 3 years | Wis. Admin. Code Ins. s. 6.80(4)(b) |
| Payroll: absentee reports, earning records, payroll checks, time sheets | 3 years | Wis. Admin. Code DWD § 272.11 |
| Federal and state tax reports | At least 4 years after the due date of tax for the return period to which the records relate, or the date such tax is paid, whatever is later | 26 USC s. 31.6001-1(e)(2) |
| All States – corporate operations - general | | |
| Committee meeting minutes | Up to 10 years | N/A |
| All States – corporate operations - HR | | |
| Payroll records | 3 years | 29 CFR s. 1627.3(a) |
| Job applications, resumes, or any other form of employment inquiry whenever submitted to the employer in response to his advertisement or other notice of existing or anticipated job openings, including records pertaining to the failure or refusal to hire any individual | 1 year from the date of the personnel action | 29 CFR s. 1627(b)(1)(i) |
| Promotion, demotion, transfer, selection for training, layoff, recall, or discharge of any employee | 1 year from the date of the personnel action | 29 CFR s. 1627(b)(1)(ii) |
| Job orders submitted by the employer to an employment agency or labor organization for recruitment of personnel for job openings | 1 year from the date of the personnel action | 29 CFR s. 1627(b)(1)(iii) |
| Test papers completed by applicants or candidates for any position which disclose the results of any employer-administered aptitude or other employment test considered by the employer in connection with any personnel action | 1 year from the date of the personnel action | 29 CFR s. 1627(b)(1)(iv) |
| The results of any physical examination where such examination is considered by the employer in connection with any personnel action | 1 year from the date of the personnel action | 29 CFR s. 1627(b)(1)(v) |
| Any advertisements or notices to the public or to employees relating to job openings, promotions, training programs, or opportunities for overtime work | 1 year from the date of the personnel action | 29 CFR s. 1627(b)(1)(vi) |
| Any employee benefit plans such as pension and insurance plans, as well as copies of any seniority systems and merit systems | The full period the plan or system is in effect, and for at least 1 year after its termination | 29 CFR s. 1627(b)(2) |
| FMLA records | No less than 3 years | 29 CFR 825.500(b) |
| Employee benefit plan SPDs, annual reports, terminal/supplemental reports | Not less than 6 years from the date of filing, or 6 years from the date the forms should’ve been filed but for an exemption | 29 USC 1027 |
| Affirmative Action Plan | Permanent | 41 CFR s. 60-2.32 |
| Employment Verification Form I-9 under Immigration Reform and Control Act of 1986 | The later of three years following date of hire or one year following date of termination of employment | 8 CFR 274a.2(c)-(d) |
| Employer Information EEO-1 Form | Most recent report filed for each business unit | 29 CFR s. 1602.7 |
| Timesheets and wage rate tables | At least 2 years | 29 CFR s. 516.6 |
| Order, shipping and billing records (includes bills of lading and customer billing) | At least 2 years | 29 CFR s. 516.6 |
| Records of additions to or reductions from wages paid to individual employees | At least 2 years | 29 CFR s. 516.6 |
| Records used by the employer to determine the original cost, operating and maintenance cost, and depreciation and interest charges, if such costs and charges are involved in the additions or deductions from wages paid | At least 2 years | 29 CFR s. 516.6 |
| OSHA- 300 log, privacy case list, illness/injury annual summary, OSHA 301 incident report form | Five years following the end of the calendar year that these records cover | 29 CFR s. 1904.33 |

1. [↑](#endnote-ref-1)
2. [↑](#endnote-ref-2)
3. [↑](#endnote-ref-3)
4. [↑](#endnote-ref-4)
5. [↑](#endnote-ref-5)