

Data Retention Policy

Questions and Answers

Updated September 8, 2020 with Track Changes

1. *We request that the final policy for data retention include "IPV cases which we are required to keep until the individual is deceased. These Recovery Accounts and case files need to be maintained whether the account is paid in full or has a balance". Can this be captured?*

Answer: Our policy is compliant with All County Letter (ACL) No. 11-08 Records Retention, which is referenced in the updated Data Retention Policy document and a check mark in the "compliance" column, indicating that the policy meets the requirements in the ACL.

2. *The Retention Policy document be updated to be clearer on what claims will be converted. Urgently, it shows pending and open claims. It should be clear that all claims (open, suspended, closed, etc.) for any case that will be converted are included since claims may be recalculated and money refunded. Also, any case both from Collections and CalWIN that have an open, suspended, terminated, pending should be included even if it is outside of the 4yr Retention even if it is only a shell case. If not, we will not be able to get rid of our collections system.*

Answer: The Data Retention Policy has been updated:

- The retention period has been extended to 6 years as directed by 45 Code of Federal Regulations 164.528
- The Policy has been updated to reflect Collections case statuses that will be maintained going forward
- A note has been added to the Policy for CalSAWS data migration: **For CalSAWS migration, additional consideration will be made for recovery accounts in Closed or Terminated status, and the County wishes to migrate their ancillary system data to CalSAWS.**

3. *For closed cases, if there is a pending recovery account (sometimes staff open them but don't do anything with it), will the overall status of the case be the guide? E.g. Open recovery account but closed case.*

Answer: Yes, this will be taken into consideration as part of the data conversion.

4. *For open cases, Will all case information be retained/converted for the entire history of the case? Example: The case was opened in October 2007 then discontinued January 2011. It was then re-opened in December 2016 and has remained active up to cutover date. Will we retain/convert all the program history from October 2007?*

Answer: Yes

5. *For open cases, does all case data include correspondence, NOAs, and images?*

Answer: Yes

6. *For open cases, recommendation: Retain all EDBC's (not just the most recent) for the year prior to cutover. This is to allow IEVS/Collections teams to have full case data as they are going back to determine overissuances/collections?*

Answer: The conversion team will consider this recommendation when the Eligibility EDBC functionality is mapped.

7. *For closed cases, The PowerPoint said five years but the document stated four years, is it four or five years?*

Answer: 6 years.

8. *For closed cases, will the closed cases retention policy follow the same rules as the open cases for conversion/retention? Example: The Case was opened in October 2007 then discontinued in January 2011. It was re-opened in December 2010 and discontinued December 2016. It is closed on cutover date, but was active within the last five years. Will we retain all the program history from October 2007?*

Answer: The details of specific person level data elements are being developed during the conversion mapping effort.

9. *For Exemptions, Time Limits/Warrant Registers: There is an asterisk that states that we will retain a shell case. The list of information does not include program eligibility data, is there no plan to retain/convert that data? What*

about correspondence, NOAs, and images? Are we to assume that the time limit and warrant register data will also be retained/converted?

Answer: Correct, there is no plan to retain/convert program eligibility data for a shell case. Correspondence, NOAs and images are subject to the same retention policy as a case. A "shell case" is intended to include basic level information to support the conversion of time on aid and recovery account information.

Please note, in terms of warrant registers, these are reports that would be retained to satisfy regulation.

Additional note, images categorized as Time Limit related will also be retained.

10. For exemptions, Recovery Accounts/Special Investigations/Foster Care, Kin-Gap & Adoption Assistance: If they meet these exemptions, does that mean the case will be treated as an open case? Will all the rules of the open case apply?

Answer: Yes, Special Investigation, Foster Care, Kin-Gap & Adoption Assistance are considered exceptions to the 6 year retention policy, so the case information would be retained per the exception rule.

11. Recovery Accounts: How do we define "Open", what status must the recover account be in to be considered open?

Answer: Any Recovery Account with a status other than "Closed" in your collection system.

12. General Recommendation: Add scenarios to help everyone understand what the retention policies mean.

Answer: It is our belief that the data retention policy, the regulations referenced and the responses to these questions are sufficient.

13. The only thing I think that is missing is about unsupported legacy systems. Shouldn't there be a no retention policy?

Answer: Unsupported legacy systems are outside the scope of this data retention policy.

14. Will this period of 4 years start from the time the case is closed/discontinued or will it start from the date the last payment is made on the account?

Answer: The period starts from the date the case is closed.

15. Is the term "Recovery Account" and "Claim" used equally?

Answer: Yes.

16. Will this process include Issuance History, such as Expungements?

Answer: Yes.

17. We believe all cases that have had hearings and certain court cases need to be retained. We do not see that anywhere. Will those cases be retained as well?

Answer: Yes, those cases will be retained according to the rules in the exception list.

*18. How many months or years of historical data will roll for open cases? Also, what does the * represent on the "Time Limit Data, Open Recovery Accounts, Retain All, and SIU areas?"*

Answer: All information is retained for open cases. [The](#) asterisk footnote has been removed from the Policy supporting documents, and the language clarified.

19. This is for program information only, correct? There has been no decision made on imaged documents? Also, there are asterisks on Time Limits and Special Investigations. What does that refer to?

Answer: Imaged documents follow the case. [The](#) asterisk footnote has been removed from the Policy supporting documents, and the language clarified.

20. I believe all cases that have had hearings and certain court cases need to be retained. I do not see that anywhere. Will those cases be retained as well?

Answer: Yes, those cases will be retained.

21. Isn't there a document that outlines the recommendation detail? I believe it was a draft white paper, but I could be mistaken on the document type. Can we get that as well?

Answer: The update now includes a formal Policy document, derived from All County Letter (ACL) 15-26, and updated supporting materials with clarified language.

22. In the Open Cases section, under CalSAWS Conversions Data Retention Requirements, there is no information on Historical EDBC data. Will there be Historical Data? I'm assuming this information just fell off the document.

Answer: All case data will be retained for open cases.

23. San Francisco ordinance states that General Assistance inactive case records that are over three years old may be destroyed but all records pertaining to denial of initial eligibility may be destroyed after five years. The document references several federal and state regulations governing data retention but does not account for local ordinances.

Answer: Thank you for bringing this County ordinance to our attention. This ordinance will be considered when the final policy is determined. The Policy document included with this update contains a new item #6 for Local Ordinances. San Francisco's exception noted in this question has been cited.

24. The last question, thirteen, "The only thing I think that is missing is about unsupported legacy systems. Shouldn't there be a no retention policy?" the answer is "Unsupported legacy systems are outside the scope of this data retention policy." Is this speaking of Leader, CalWIN and LDS or are the supported legacy systems? The ISAWS counties, have 10 years of history. The other four counties have 16 or 17 years history. If it is not all converted we need a useable way to access the data. Will C-IV be stored in static format like ISAWS is in LDS?

Answer: There are requirements in the CalSAWS Statement of Requirements to retain read-only versions of C-IV and CalWIN. The requirements state the read-only versions shall be kept for 12 months.

25. Our fiscal folks reviewed the data retention policy and do not agree with the 4 year retention period. They believe that there is a period of 18 months after a case has been closed for 3 years, that requires records to be retained.

Answer: The retention period has been extended to 6 years as directed by 45 Code of Federal Regulations 164.528.

Added September 10, 2019

26. Can you clarify if the benefit recovery data retention guidelines will apply to recovery accounts associated with FC/KG/AAP cases? Or do all recovery accounts from Child Welfare programs have the same data retention policy of our cases?

Answer: [The recovery accounts for the Child Welfare programs will follow the data retention policy of the Child Welfare programs cases, i.e., indefinite retention](#)

Added September 9, 2020

27. Recovery Account Status (We were originally told that cases with recovery accounts other than “active” wouldn’t transfer, so for the last 6 months we have been imaging all docs for our pending GR recovery accounts to get them active. We would like to ensure this is the case, so we will need that data point.

Answer: *If a Case has any recovery accounts, they must all be Closed in order to be identified as one that will have data removed from the System. I.e., Cases with Open recovery accounts will be retained, regardless of other criteria. Open recovery accounts are defined as any that are currently in one of the following statuses:*

- Active (AC)

- *Transferred Out (TO)*
- *Pending (PE)*
- *Suspended (SU)*

28. Recovery Account Status Date (Tax Intercepts are sometimes retracted or overturned due to decisions from Fair Hearing or IRS. If the recovery account is newly closed and the case otherwise meets purge criteria and is subsequently closed, if we have to retract a tax intercept, there will be no history.)

Answer: There will be a lag between when a Case is identified as one that can have data removed and when it is actually removed. This lag is currently TBD (perhaps a month? Six weeks? Something else? Given the number of Cases up for removal in the first pass, it will likely be several months). How long does it typically take for tax intercepts to be retracted? That will need to be taken into account when determining the lag time between Identified and Removal In Process. If a Case is on the Identified list and the status of the Recovery Account changes to Open between when it is Identified and when Removal starts, it won't get Removed: the first thing the Removal batch process is going to do is to verify the Case STILL meets the criteria for Removal (just in case circumstances have changed).

29. Time Limits: The plan states to "retain all time limit data for all programs". Will the whole case be kept, or just a shell case with a time limit page?

Answer: Shell case

30. We need to see examples of what this is going to look like, otherwise we will opt to keep all CalWORKs cases and not purge any of them if we are unsure.

Answer: We can create mockups of what a Shell Case looks like, but basically it will have the "All People Associated with the Case" section on Case Summary still populated. You will also be able to navigate to the Time Limits pages (Case Info->Time Limit Aid Summary) and still see data there.

Case Confidentiality will also be retained, as will Companion Case relationships (so the Companion Cases section on Case Summary may be populated). Beyond that, everything else will be gone. Data associated to an individual Person (e.g., Income, Employment, etc...) will only be Removed if that Person is only associated to cases that have been Identified for Removal and/or associated to cases that have already had Data Removed. E.g., if a person is associated to five cases that have been Removed and one that has not been removed, all of their person-level data will still exist in the System and will be accessible from any Case for which they are associated (including the shell case(s)).

31. Additionally, per the quoted Regs “1. Federal and/or state law and regulations require 60-month time limit on the receipt of Welfare-to-Work (WTW) services and aid and provide for exceptions to the time limit requirements. Therefore, counties are required to track CalWORKs recipients’ time in services and on aid. Welfare case record documentation which support the tracking of time in services and on aid for CalWORKs recipients must be retained and transmitted to the statewide automated time limit tracking (Welfare Data Tracking Implementation Project System). Case records must be retained until the system is validated for completeness and accuracy.” CDSS has never informed the Counties that WDTIP validation is complete and accurate. We will also want to keep any history on WtW Sanctions. What WtW info will be carried over that will help us resolve any time limit questions/concerns relating to WTW participation? We also need the history of sanctions, exemptions (including the type/reason of exemption), and good cause status. All of these impact the WTW 24 month clock and can also impact the 48 month clock.

Answer: My current understanding is that all of this information is currently available on the time limits pages (the data of which will be retained).

32. CMSP cases that have been closed 3.5 years “providing the Program has not notified the County Department that unresolved issues or pending civil or

criminal actions exist” may be destroyed with County BOS authorization according to the CMSP Eligibility Manual. This may be an issue for all counties with CMSP cases. Is that something CalSAWS has looked at?

Answer: We are only removing data for cases that have been closed for at least six years, so the 3.5 years noted here is covered. In addition, we are adding an Override Reason for “Pending Litigation,” so if a County needs to retain a CMSP cases for this reason, they will be able to do so.

33. Case Removal Identification Report - Last approved aid code for the program

Answer: Already been added to our report.

34. Case Removal Identification Report - Child Name for Foster Care and KinGAP

Answer: We are not purging any FC or KG cases, so they will never be on the report.

35. Override Reasons - The only other reason apart of the list but for County specific lawsuits. Not sure if this was the case with GA.

Answer: We are planning on adding “Pending Litigation” as an Override Reason.

36. Override Reasons - If the case has an extensive history of fair hearings; OP/OI history involving legal action or fraud determination; cases with linked CalHEERS cases.

Answer: Should we add “Fair Hearings” as an Override reason? Any case that ever had an associated SIU is already being retained indefinitely. Not sure why we would need to retain underlying data for cases linked to CalHEERS cases. Would need to understand that more. We will still have the shell case.

