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County Hospital and Health Department Records and Ambulance Records

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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County Hospital and Health Department Records and Ambulance Records 3
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Reference Number: CTAS-1175

Special rules apply to medical records. They are governed primarily by T.C.A. §§ 68-11-301 and following. The definition of hospital used in those provisions is broad enough to include county health departments.^[1] Certain hospital records are not public records.^[2] Generally, the law requires that a hospital or health department is required to retain and preserve records which relate directly to the care and treatment of a patient for 10 years following the discharge of the patient or such patient's death during the period of treatment within the hospital.^[3] Mental health records are treated differently. Hospitals and health departments are given the option of retaining records for a longer period of time if they wish.^[4] Records held by a local health department related to sexually transmitted diseases are strictly confidential.^[5]

Records of ambulance services are similar in some respects to hospital records. There are a handful of statutes and regulations that specifically mandate the creation and retention of certain records related to the operation of ambulance services.^[6] The information in run records that relates to the medical condition and treatment of the patient is specifically declared confidential.^[7] Although the statutes and regulations do not establish retention period for all ambulance records, it is recommended that ambulance services should follow the general standard of a 10-year retention period for records that are medical in nature. Additionally, the rules of the Emergency Medical Services Division specifically require that ambulance dispatch logs should be retain for at least 10 years.^[8]

[1] T.C.A. § 68-11-302.

[2] T.C.A. § 68-11-304.

[3] T.C.A. § 68-11-305.

[4] T.C.A. § 68-11-307.

[5] T.C.A. § 68-10-113.

[6] See T.C.A. §§ 68-140-301, *et seq.*, especially § 68-140-319 and the official Rules of the Tennessee Department of Health, Bureau of Manpower and Facilities, Emergency Medical Services Division, Rules 1200-12-1-.05, 1200-12-1-.09 and 1200-12-1-.15.

[7] T.C.A. § 68-140-319.

[8] Rules of the Emergency Medical Services Division, Rules 1200-12-1-.15.

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