

State Retention Policy Laws

State	State Codes, Regulations, or Laws Resources	Additional State Codes, Regulations, or Laws Resources	Updated / Current Through	Expanded Retention Requirements
Alabama	https://bit.ly/2znNJkb		2013	(a) Medical records shall be retained in their original or legally reproduced form for a period of at least five years. In the case of minor patients, records shall be retained for at least five years after the patient has reached the age of majority.
Alaska	https://bit.ly/35LAHJx		2019	Unless specified otherwise by the department a hospital shall retain and preserve records that relate directly to the care and treatment of a patient for a period of seven years following the discharge of the patient. However, the records of a patient under 19 years of age shall be kept until at least two years after the patient has reached the age of 19 years or until seven years following the discharge of the patient, whichever is longer. Records consisting of X-ray film are required to be retained for five years.
Arizona	https://bit.ly/2zhOyLC		2019	Unless otherwise required by statute or by federal law, a health care provider shall retain the original or copies of a patient's medical records as follows: 1. If the patient is an adult, for at least six years after the last date the adult patient received medical or health care services from that provider. 2. If the patient is a child, either for at least three years after the child's eighteenth birthday or for at least six years after the last date the child received medical or health care services from that provider, whichever date occurs later. 3. Source data may be maintained separately from the medical record and must be retained for six years from the date of collection of the source data.
Arkansas	https://bit.ly/35HoDsB		2016	All medical records shall be retained in either the original, microfilm or other acceptable methods for 10 years after the last discharge. After 10 years a medical record may be destroyed provided the facility permanently maintains the information contained in the Master Patient Index. Complete medical records of minors shall be retained for a period of two years after the age of majority.

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California	https://bit.ly/2L5TUfu		2020	Patient records including X-ray films or reproduction thereof shall be preserved safely for a minimum of seven years following discharge of the patient, except that the records of unemancipated minors shall be kept at least one year after such minor has reached the age of 18 years and, in any case, not less than seven years.
Colorado	https://bit.ly/2SKQSBB		2010	Medical records shall be preserved as original records, on microfilm or electronically: (a) for minors, for the period of minority plus 10 years (i.e., until the patient is age 28) or 10 years after the most recent patient usage, whichever is later. (b) for adults, for 10 years after the most recent patient care usage of the medical record.
Connecticut	https://bit.ly/2SGrZHa		2015	Medical records shall be filed in an accessible manner and shall be kept for a minimum of ten years after discharge of patients, except that original medical records may be destroyed sooner if they are preserved by a process consistent with current hospital industry standards. The hospital shall provide the Department of Public Health with a list of the process or processes it uses.
Delaware	No specific information found	No specific information found	No specific information found	No specific information found
District of Columbia	https://bit.ly/2xHBMWa		2019	A licensed physician shall maintain a record for each patient that accurately reflects the evaluation and treatment of each patient. These records shall be kept for three (3) years after last seeing the patient, or three (3) years after a minor patient reaches eighteen (18) years of age.
Florida	https://bit.ly/3cdUi7r		2018	A licensed physician medical records owner shall maintain the full and total responsibility for and control of all files and records relating to his patients and his medical practice for a period of at least five years from the last patient contact. All such records shall remain confidential except as otherwise provided by law and shall be maintained in the licensed physician's office or in the possession of the licensed physician.

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Georgia	https://bit.ly/2WEHYqB		2020	<p>The hospital shall retain all patients' medical records at least until the fifth anniversary of the patients' discharges. If the patient is a minor, the records must be retained for at least five (5) years past the age of majority. Records may be preserved in the hospital's format of choice, including but not limited to paper or electronic format, so long as the records are readable and capable of being reproduced in paper format upon request.</p>
Hawaii	https://bit.ly/3ft4A5R		2019	<p>(a) The health care provider shall retain medical records in the original or reproduced form for a minimum of seven years after the last data entry except in the case of minors whose records shall be retained during the period of minority plus seven years after the minor reaches the age of majority. (d) Medical records may be destroyed after the seven-year retention period or after minification, in a manner that will preserve the confidentiality of the information in the record; provided that the health care provider retains basic information from each record destroyed. Basic information from the records of a physician or surgeon shall include the patient's name and birthdate, a list of dated diagnoses and intrusive treatments, and a record of all drugs prescribed or given. Basic information from the records of a health care facility, as defined in section 323D-2, shall include the patient's name and birthdate, dates of admission and discharge, names of attending physicians, final diagnosis, major procedures performed, operative reports, pathology reports, and discharge summaries. (e) The health care provider, or the health care provider's successor, shall be liable for the preservation of basic information from the medical record for twenty-five years after the last entry, except in the case of minors, whose records shall be retained during the period of minority plus twenty-five years after the minor reaches the age of majority. If the health care provider is succeeded by another entity, the burden of compliance with this section shall rest with the successor. Before a provider ceases operations, the provider shall make immediate arrangements, subject to the approval of the department of health, for the retention and preservation of the medical records in keeping with the intent of this section.</p>

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Idaho	https://bit.ly/2ziYLHH		2019	(b) Clinical laboratory test records and reports may be destroyed five (5) years after the date of the test recorded or reported therein, pursuant to paragraph (d) of this subsection. (c) X-ray films may be destroyed five (5) years after the date of exposure, or five (5) years after the patient reaches the age of majority, whichever is later, pursuant to paragraph (d) of this subsection, if there are in the hospital record written findings of a physician who has read such x-ray films.
Illinois	https://bit.ly/3dukNGd		2019	(c) Every hospital shall preserve its medical records in a format and for a duration established by hospital policy and for not less than 10 years, provided that if the hospital has been notified in writing by an attorney before the expiration of the 10 year retention period that there is litigation pending in court involving the record of a particular patient as possible evidence and that the patient is his client or is the person who has instituted such litigation against his client, then the hospital shall retain the record of that patient until notified in writing by the plaintiff's attorney, with the approval of the defendant's attorney of record, that the case in court involving such record has been concluded or for a period of 12 years from the date that the record was produced, whichever occurs first in time.
Indiana	https://bit.ly/2YHoLlF		2019	(c) A provider shall maintain the original health records or microfilms of the records for at least seven (7) years.
Iowa	https://bit.ly/2WDIDlv		2016 / 2019	a. A physician shall retain all medical records, not appropriately transferred to another physician or entity, for at least seven years from the last date of service for each patient, except as otherwise required by law. b. A physician must retain all medical records of minor patients, not appropriately transferred to another physician or entity, for a period consistent with that established by Iowa Code section 614.8.

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Kansas	https://bit.ly/2yBv58A		No specific information found	(1) Each medical record shall be kept on file for 10 years after the date of last discharge of the patient or one year beyond the date that the minor patient reached the age of majority, whichever is longer. (2) If a hospital discontinues operation, the hospital shall inform the licensing agency of the location of its records. (3) A summary shall be maintained of medical records that are destroyed. This summary shall be retained on file for at least 25 years and shall include [information identified in the statute].
Kentucky	https://bit.ly/2LeOv5H		2019	2. Medical records shall be retained for at least: a. Six (6) years from date of discharge; or b. If a minor, three (3) years after the patient reaches the age of majority under state law, whichever is the longest.
Louisiana	https://bit.ly/2yClrRR		2019	F.(1) Hospital records shall be retained by hospitals in their original, microfilmed, or similarly reproduced form for a minimum period of ten years from the date a patient is discharged.
Maine	https://bit.ly/2YJZfRU		No specific information found	Records must be retained for a period of seven (7) years. If the patient is a minor, the record must be retained for at least six (6) years after the minor's age of majority. In addition, all licensees must comply with applicable federal and state laws and rules governing record retention.
Maryland	https://bit.ly/3bfYiDc		No specific information found	Except as provided in Regulations .06 and .07 of this chapter, a health care provider shall maintain medical records for all patients in the health care provider's care for a minimum of 5 years after the medical record is made or until the patient is 21 years old, whichever is longer.
Massachusetts	https://bit.ly/2YHchzm		2012	Records for adult patients must be maintained for a minimum of seven years from date of last patient encounter. If a patient is a minor on the date of the last visit, then the physician must maintain the pediatric patient's records for a minimum period of either seven years from the date of the last patient encounter or until the patient reaches the age of eighteen, whichever is the longer retention period.

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Michigan	https://bit.ly/3fvfRCM		2020	(1) Unless a longer retention period is otherwise required under federal or state laws or regulations or by generally accepted standards of medical practice, a licensee shall keep and retain each record for a minimum of 7 years from the date of service to which the record pertains. The records shall be maintained in such a manner as to protect their integrity, to ensure their confidentiality and proper use, and to ensure their accessibility and availability to each patient or his or her authorized representative as required by law. A licensee may destroy a record that is less than 7 years old only if both of the following are satisfied: (a) The licensee sends a written notice to the patient at the last known address of that patient informing the patient that the record is about to be destroyed, offering the patient the opportunity to request a copy of that record, and requesting the patient's written authorization to destroy the record. (b) The licensee receives written authorization from the patient or his or her authorized representative agreeing to the destruction of the record.
Minnesota	https://bit.ly/2zo1bob		2019	All portions of individual hospital medical records of minors shall be maintained for seven years following the age of majority. (Subject to destruction provisions provided in statute).

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Mississippi	https://bit.ly/3ci3eZG		2019	Complete hospital records shall be retained for a period after discharge of the patient of at least (a) seven (7) years in cases of patients discharged at death, except as may be otherwise hereinafter provided; (b) ten (10) years in cases of adult patients of sound mind at the time of discharge, except as may be otherwise hereinafter provided; (c) for the period of minority or other known disability of the patient plus seven (7) additional years, but not to exceed twenty-eight (28) years, in cases of patients under disability of minority or otherwise; or (d) for the period of minority or other known disability of any survivors hereinafter mentioned plus seven (7) additional years, but not to exceed twenty-eight (28) years, in all cases where the patient was discharged at death, or is known by the hospital to have died within thirty (30) days after discharge, and the hospital knows or has reason to believe that such patient or former patient left one or more survivors under disability of minority or otherwise who are or are claimed to be entitled to damages for wrongful death of the patient under Section 11-7-13, or laws amendatory thereof.
Missouri	https://bit.ly/3bfYAdg		2019	(17) Medical records shall be preserved in a permanent file in the original, on microfilm, or other electronic media. Patients' medical records shall be retained for a minimum of ten (10) years, except that a minor shall have his/her record retained until his/her twentieth birthday, whichever occurs later. Preservation of medical records may be extended by the hospital for clinical, educational, statistical, or administrative purposes.
Montana	https://bit.ly/35DOjqa		2019	37.106.402 Medical records shall comply with the following requirements:(1) A patient's entire medical record must be maintained, in either its original form or that allowed by ARM 37.106.314(3) , for not less than 10 years following the date of a patient's discharge or death, or, in the case of a patient who is a minor, for not less than 10 years following the date the patient either attains the age of majority or dies, if earlier.

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Nebraska	https://bit.ly/2WvjzDG		2019	9-006.07A5 Retention: The medical record of each patient must be maintained and preserved, in original, microfilm, electronic or other similar form, for a period of at least ten years following discharge or in the case of minors, the records must be kept until three years after the age of majority has been attained. In cases in which a hospital ceases operation, all medical records of patients must be transferred as directed by the patient or authorized representative to the hospital or other health care facility or health care service to which the patient is transferred. All other medical records that have not reached the required time for destruction must be stored to assure confidentiality and the Department must be notified of the address where stored.
Nevada	https://bit.ly/3beHsVc		2019	<p>1. Except as otherwise provided in this section and in regulations adopted by the State Board of Health pursuant to NRS 652.135 with regard to the records of a medical laboratory and unless a longer period is provided by federal law, each custodian of health care records shall retain the health care records of patients as part of the regularly maintained records of the custodian for 5 years after their receipt or production.</p> <p>7. A custodian of health care records shall not destroy the health care records of a person who is less than 23 years of age on the date of the proposed destruction of the records. The health care records of a person who has attained the age of 23 years may be destroyed in accordance with this section for those records which have been retained for at least 5 years or for any longer period provided by federal law.</p>

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New Hampshire	https://bit.ly/2A9bXzd		2018	(h) Patient records shall be retained 7 years after discharge of a patient, and in the case of minors, patient records shall be retained until at least one year after reaching age 18, but in no case shall they be retained for less than 7 years after discharge. (i) The hospital shall arrange for the storage of and access to medical records for 7 years in the event the hospital ceases operation.
New Jersey	https://bit.ly/3cdX1xH		2019	The medical records provided for herein or photographic reproductions thereof shall be retained by the custodian of records of such institution for a period of 10 years following the most recent discharge of the patient, or until the person confined therein reaches the age of 23 years, whichever is the longer period of time. In addition, a discharge summary sheet shall be retained by such custodian of records for a period of 20 years following the most recent discharge of the patient. The discharge summary sheet shall contain the patient's name, address, dates of admission and discharge and a summary of the treatment and medication rendered during the patient's stay. Any X-ray films related to such confinement, or any size reproductions thereof which maintain the clarity of the original shall be retained by such custodian of records for a period of 5 years.
New Mexico	https://bit.ly/2yqAWO5		2019	A. Unless provided otherwise in this section, a hospital shall retain and preserve all records directly relating to the care and treatment of a patient for a period of ten years following the last discharge of the patient. Retention and preservation of such records in microfilm or other photographically reproduced form shall be deemed compliance with this subsection and such reproduced and retained copies shall be deemed originals for the purposes of the rules of evidence promulgated by the supreme court of New Mexico.
New York	https://bit.ly/3bhincd		2019	(a)(4) Medical records shall be retained in their original or legally reproduced form for a period of at least six years from the date of discharge or three years after the patient's age of majority (18 years), whichever is longer, or at least six years after death.

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North Carolina	https://bit.ly/3fvgpZm		2019	(a) The manager of medical records service shall maintain medical records, whether original, computer media, or microfilm, for a minimum of 11 years following the discharge of an adult patient. (b) The manager of medical records shall maintain medical records of a patient who is a minor until the patient's 30th birthday.
North Dakota	https://bit.ly/2SMpXVZ		No specific information found	(b)(1) Records must be preserved in original or any other method of preservation, such as by microfilm, for a period of at least the tenth anniversary of the date on which the patient who is the subject of the record was last treated in the hospital. (1) If a patient was less than eighteen years of age at the time of last treatment, the hospital may authorize the disposal of medical records relating to the patient on or after the date of the patient's twenty-first birthday or on or after the tenth anniversary of the date on which the patient was last treated, whichever is later
Ohio	https://bit.ly/35H9Hef		2019	(F) Each HCF shall maintain medical records as necessary to verify the information and reports required by statute or regulation for at least six years from the date of discharge.
Oklahoma	https://bit.ly/2ziK8UC		2020	(a) Medical records shall be retained a minimum of five (5) years beyond the date the patient was last seen or a minimum of three (3) years beyond the date of the patient's death. Records of newborns or minors shall be retained three (3) years past the age of majority.
Oregon	https://bit.ly/3dpo0aP		2020	(14) Medical records shall be kept for a period of at least 10 years after discharge. Original medical records may be retained on paper, microfilm, electronic or other media.

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Pennsylvania	https://bit.ly/3dtBwth		2019	<p>49 PA. CODE 16.95 (e) A patient's medical record shall be retained by a physician for at least 7 years from the date of the last medical service for which a medical record entry is required. The medical record for a minor patient shall be retained until 1 year after the minor patient reaches majority, even if this means that the physician retains the record for a period of more than 7 years.;</p> <p>28 PA. CODE 115.23 (a) Medical records, whether original, reproductions or microfilm, shall be kept on file for a minimum of 7 years following the discharge of a patient. (b) If the patient is a minor, records shall be kept on file until his majority, and then for 7 years or as long as the records of adult patients are maintained.</p>
Rhode Island	https://bit.ly/35LOcJd		2020	<p>216 RICR 040-05-01.5.12(c) Medical Records shall be stored by physicians or their authorized agents for a period of at least seven (7) years unless otherwise required by law or regulation.;</p> <p>216 RICR 040-10-4.6.10(j) All medical records either original or accurate reproductions shall be preserved for a minimum of five (5) years following discharge of the patient in accordance with R.I. Gen. Laws § 23-3-26. 1. Records of minors shall be kept for at least five (5) years after such minor shall have reached the age of 18 years.</p>
South Carolina	https://bit.ly/3dqT893		2019	Physicians shall retain their records for at least ten years for adult patients and at least thirteen years for minors. These minimum recordkeeping periods begin to run from the last date of treatment. After these minimum recordkeeping periods, the records may be destroyed.

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South Dakota	https://bit.ly/3bdFWmc		No specific information found	A facility shall retain medical records for a minimum of ten years from the actual visit date of service or resident care. The retention of the record for ten years is not affected by additional and future visit dates. Records of minors shall be retained until the minor reaches the age of majority plus an additional two years, but no less than ten years from the actual visit date of service or resident care. Initial, annual, and significant-change resident assessment records, as required in §§ 44:73:06:10 and 44:73:06:11, shall be retained for ten years from the actual visit date of resident care. The retention of the record for ten years is not affected by additional and future visit dates.
Tennessee	https://bit.ly/3ccQpzX		2020	(1) Unless specified otherwise by the board, a hospital shall retain and preserve records that relate directly to the care and treatment of a patient for a period of ten (10) years following the discharge of the patient or such patient's death during such patient's period of treatment within the hospital. (2) In cases of patients under mental disability or minority, their complete hospital records shall be retained for the period of minority or known mental disability, plus one (1) year, or ten (10) years following the discharge of the patient, whichever is longer.

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Texas	Hospital - https://bit.ly/2YJvhgA	Physician's Office - https://bit.ly/2Wc5c8p	2019	<p>Hospital - (9) Medical records (reports and printouts) shall be retained by the hospital in their original or legally reproduced form for a period of at least ten years.; (11) If a patient was less than 18 years of age at the time he was last treated, the hospital may authorize the disposal of those medical records relating to the patient on or after the date of his 20th birthday or on or after the 10th anniversary of the date on which he was last treated, whichever date is later.</p> <p>Physician's Office - (b) Maintenance of Medical Records. (1) A licensed physician shall maintain adequate medical records of a patient for a minimum of seven years from the anniversary date of the date of last treatment by the physician. (2) If a patient was younger than 18 years of age when last treated by the physician, the medical records of the patient shall be maintained by the physician until the patient reaches age 21 or for seven years from the date of last treatment, whichever is longer.</p>
Utah	https://bit.ly/3beVdDm		2019	(c) Medical records shall be retained for at least seven years. Medical records of minors shall be kept until the age of eighteen plus four years, but in no case less than seven years.
Vermont	https://bit.ly/3fvh116		No specific information found	(8) Professional case records shall be compiled for all patients and signed by the attending physician. These records shall be kept on file for a minimum of 10 years.

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Virginia	Hospital - https://bit.ly/2xH2M8b	Physician's Office - https://bit.ly/3c8Z32e	2019	<p>Hospital - C. All medical records, either original or accurate reproductions, shall be preserved for a minimum of five years following discharge of the patient. (1) Records of minors shall be kept for at least five years after such minor has reached the age of 18 years.</p> <p>Physician's Office - D. Practitioners shall maintain a patient record for a minimum of six years following the last patient encounter with the following exceptions: (1) Records of a minor child, including immunizations, shall be maintained until the child reaches the age of 18 or becomes emancipated, with a minimum time for record retention of six years from the last patient encounter regardless of the age of the child;</p>
Washington	https://bit.ly/3ceVuHZ		No specific information found	Unless specified otherwise by the department, a hospital shall retain and preserve all medical records which relate directly to the care and treatment of a patient for a period of no less than ten years following the most recent discharge of the patient; except the records of minors, which shall be retained and preserved for a period of no less than three years following attainment of the age of eighteen years, or ten years following such discharge, whichever is longer.
West Virginia	https://bit.ly/35FOKAh		2018	7.2.f. The hospital shall preserve medical records, including records of patients treated in the emergency room or outpatient department, for a minimum of five years in their original form or in a legally reproduced form.

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Wisconsin	Hospital - https://bit.ly/2A2QR5q	Physician's Office - https://bit.ly/2SJVpEa	No specific information found	<p>Hospital - Preservation. There shall be a written policy for the preservation of medical records, either the original record or in the form of microfiche. The retention period shall be determined by each hospital based on historical research, legal, teaching, and patient care needs but medical records shall be maintained for at least 5 years.</p> <p>Physician's Office - (1) A physician or physician assistant shall maintain patient health care records on every patient administered to for a period of not less than 5 years after the date of the last entry, or for such longer period as may be otherwise required by law.</p>
Wyoming	No specific information found	No specific information found	No specific information found	No specific information found

Medical Record Retention Laws

This information is intended to serve as a starting point for investigating medical record retention laws in your state. It is important to note the laws in some states govern hospitals and doctors together and in some states separately. This differentiation was noted where this information was evident.

Disclaimer

The contents of this document are intended to convey general information and not to provide legal services or opinions. Organizational Policies and Procedures should not be created relying on information provided in this document. The information on this document may not reflect the most current statutes, regulations or legal developments. An attorney should be contacted for advice on specific legal issues.

This document was last updated February 2020.