

BQC - 88 - 040

Date: September 15, 1988
To: Wisconsin Hospitals
From: Larry Tainter, Director
Bureau of Quality Compliance
Subject: Preservation of Fetal Monitor Tracings and Microfilm Copies

The Department of Health and Social Services has recently been asked for clarification of the effects of ss.146.817(2)(a) through (d) on the preservation and retention of fetal monitor tracings. A copy of this statute is attached for your reference. (Section 146.817 was created by Act 27, which went into effect on August 1, 1987, and then was in part amended and in part repealed and re-created by Act 399, which went into effect on May 17, 1988.)

A hospital is required to keep either the tracing or a microfilm copy of it for 5 years, except that it may destroy the tracing or microfilm copy 35 days after it sends written notice to the patient, at the patient's last known address, that the hospital will destroy it unless the patient lets the hospital know within 30 days after receipt of the notice that the patient wants the tracing or its microfilm copy. If the patient requests the tracing or the copy within that period of time, the hospital must send it to the patient rather than destroy it.

A hospital may destroy a fetal monitoring tracing at any time after it is made and without notice to the patient if the hospital has made and preserved a microfilm copy of the tracing.

If you have any questions or comments, please feel free to contact Phyllis Tschumper at (608) 266-0701.

LT:PT:bc 9128

cc: Wisconsin Hospital Association
Wisconsin Medical Records Association