

How long should I retain my patients' medical records in North Carolina?

North Carolina - Just how long medical records should be kept depends upon the type of record, its potential use and specific legal requirements.

By statute, the North Carolina Department of Health and Human Resources is charged with creating policy regarding "health care facilities", including hospitals. According to the DHR's Rules, medical records of a facility must be maintained for at least 11 years after an adult patient's discharge. Minor patients' facility records are handled differently; they should be kept until the patient reaches their 30th birthday.

North Carolina does not have a medical office record retention statute. We therefore recommend that these records be maintained for as long as "facility" records are.

Finally, records should be kept indefinitely in riskier situations, including where there is an undesirable outcome, where the patient was or might have been legally incompetent at the time of treatment or becomes legally competent thereafter (including cases involving brain damage, Alzheimer's Disease and other mental and emotional disabilities), when a patient is unhappy with a result or any time a patient threatens or files a lawsuit.

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