

## **4123-6-14.1 RECORDS TO BE RETAINED BY MCO.**

(A) An MCO shall retain records received from providers and subcontractors that are utilized by the MCO to develop electronic billings to the bureau. The MCO shall retain any records obtained from the providers and subcontractors that are utilized by the MCO to perform its medical management functions or to substantiate the delivery, value, necessity, and appropriateness of goods and services provided to injured workers. The MCO shall retain records relating to a claim so long as the industrial commission and bureau of workers' compensation have continuing jurisdiction over the claim pursuant to section 4123.52 of the Revised Code; however, if the MCO is no longer managing the claim in which the services were provided due to transfer of the management of the claim to another MCO or to the bureau, the MCO shall transfer the claim records to the other MCO or bureau. For records that do not relate to a specific claim, the MCO shall also create, maintain, and retain for a period of three years from the date of the transaction records documenting transactions with the injured worker, providers, and subcontractors.

(B) The failure of an MCO to create, maintain, and retain such records shall be sufficient cause for the bureau to deny payment for goods or services, or for performance fees, or for declaring overpaid previous payments made to the MCO, and may be cause for decertification.

(C) As used in this rule, "records" includes, but is not limited to, "record" and "electronic record" as defined in rule 4125-1-02 of the Administrative Code.

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