

COLLEGE OF MIDWIVES OF BRITISH COLUMBIA

GUIDE FOR RECORD KEEPING, STORAGE and RETENTION

This guide is to be used in combination with the CMBC *Policy on Records and Record Keeping* and Bylaws 85, 86 and 87 on storage and retention of personal information and manner of disposal of records. These additional guides include solo practitioners, group practices and locum registrants in the area of record retention, transfer and storage.

Midwives are responsible for ensuring that the original¹ client records are maintained for 21 years in a confidential and secure manner and can be accessed by the client and by the College upon request.

Retained records should be filed in a suitable systematic manner in either paper or electronic format². For hospital births, original labour and birth records for care provided in hospital are securely maintained in the hospital's Health Records Department.

The information within the records belongs to the client and must be provided upon the client's request as set out in Bylaw 91.

Practice Protocol for Sharing Responsibility for Record Storage and Retention

1. In shared care³, the responsibility for ensuring that a client's records are confidentially and securely maintained is shared by a group of midwives who share care. The group's arrangements for confidential and secure record storage and retention must be set out in a written **practice protocol** which sets out:
 - a) where and how original client records or unalterable copies of those records are securely stored,
 - b) how the midwife or the client can access or obtain a copy of those records,
 - c) how original records and/or copies will be made available to all midwives who provided care to the clients in the event of a midwife leaving the practice or the practice closing.
2. Records must be accessible to all midwives who were involved with the provision of care.

All midwives involved with a client's care, whether working in a shared care practice or acting as a locum, have the right to a copy of all documentation recorded for the care they provided. When a copy of a record is retained by a midwife, that midwife has the same responsibility for ensuring it is maintained in a confidential and secure manner as if it were the original.

¹ Current information for transitioning original records to electronic format and/or retaining, transferring and disposing of electronic records stored on a laptop, CD-rom, memory stick can be obtained from the Office of the Information and Privacy Commissioner (OIPC).

² Records may be retained in electronic form as long as the electronic record is complete, permanent and unalterable.

³ Please see *Continuity of Care Policy* to define sharing care.

When a Midwife Leaves a Group Practice

1. When a midwife leaves a group practice, that midwife is responsible to retain copies of all care in which was provided by that midwife. The midwife is responsible for the confidentiality, security, accessibility and retention of these records. This responsibility may formally be transferred to another registered midwife in the practice in accordance with the Practice Policy and the College's bylaw and policy requirements.
2. The original records may be kept at the midwifery practice or taken with the leaving midwife provided that all midwives involved in the client's care have access to a complete copy that can be retained and secured properly.
3. If the midwife is leaving the community where the client's care was provided and the midwifery practice remains in that community, consideration should be given to having the client's original records remain in the community where the client received care.

When a Practice Closes

1. When a shared care midwifery practice closes, all midwives who provided care to a client shall have access to the client's original record or a complete copy of the record. The Practice Protocol should outline the process and procedures for how this will take place.

When a Midwife Ceases to Practice or Resigns

1. Before a midwife **ceases to practice** in British Columbia, either temporarily through **non-practising** registration or by **resigning**, there is a responsibility to ensure that all original retained records of clinical care that are still within the legal retention period are a) transferred to another registered midwife who has agreed to take custody of the records and is practicing midwifery in British Columbia, ideally in the same community, so that the records remain both secure and accessible as required under the Bylaws for the College of Midwives; and b) stored in a safe location and/or storage facility.
2. A transfer of client records to another registered midwife, should be documented and outline:
 - a) the stored location, the safety and confidentiality of client records;
 - b) a requirement that the receiving midwife notify the transferring midwife and the College of Midwives if the location changes;
 - c) the transferring midwife right of access;
 - d) the client's right of access; and
 - e) the duration of record storage required and appropriate means of disposing of records.
3. In **all** circumstances, midwives ceasing to practice, either becoming **non-practising**, or **resigning from registration**, are legally required to notify the College of Midwives of BC as to where in BC their records of midwifery care are securely stored.