

GENERAL

1.0. POLICY

1.1. This chapter implements Department of Defense Administrative Instruction No. 15, "Records Management, Administrative Procedures and Records Disposition Schedules" (DoD AI 15). DoD AI 15, requires agencies to establish and maintain an active, continuing program for the economical and efficient management of agency records. It establishes procedures for the maintenance and disposition of government records, and prescribes records disposition schedules.

1.2. The TMA Records Management Program is designed to preserve government records of continuing value, systematically eliminate all other records, and remove less active current records from office areas to lower storage space costs. This ensures preservation of permanent records and reduces the cost and effort of record keeping. To achieve these objectives, standard procedures have been established for the disposition of all TRICARE records.

1.3. No record of the United States Government is to be alienated (removed) or destroyed except in accordance with the provisions of the Federal Records Act and applicable regulations. Unauthorized destruction of records is punishable by fine, imprisonment, or both.

2.0. APPLICABILITY

The provisions of this chapter apply to all TRICARE contractors. Where "contractor" is referred to within this chapter, the provisions shall apply, when appropriate, to subcontractors providing services under the prime contract.

3.0. RESPONSIBILITY

3.1. TRICARE Management Activity (TMA)

3.1.1. TMA is responsible for the development and implementation of standards and policies for the economical management of records for the TRICARE Program;

3.1.2. Providing effective control over the creation, organization, maintenance, use, and disposition of records including records containing adequate and proper documentation of the contractor's administration and procedures; and

3.1.3. Notifying contractors of records freezes.

3.2. Contractors

Records related to beneficiary health care or claims which are received or developed under the TRICARE contracts are, by contract, the property of the U.S. Government unless specifically excluded. Contractors are required to:

- Establish, within their organization, a records management program to support the requirements outlined in this chapter.
- Institute measures to ensure records of continuing value are preserved and appropriate disposition is made of records no longer of current use.
- Appoint an individual to perform the records management function in their offices and act in liaison with the TMA Records Management Officer.
- *Privacy Act Systems of Records Training. Ensure all individuals who work with a Privacy Act system of records are trained on the provisions of the Privacy Act systems of records notice and this instruction. Stress individual responsibilities and advise individuals of their rights and responsibilities under this instruction.*

4.0. DEFINITIONS

4.1. Case Files

Records, regardless of media, documenting a specific action, event, person, place, project, or other matter.

4.2. Contractor Records

Data produced and/or maintained by a contractor for a Federal agency and required to provide adequate and proper documentation of that agency's programs and to manage them effectively.

4.3. Destruction

In records management, the major type of disposal action. Methods of destroying records include selling or salvaging the record medium and burning, pulping, shredding, macerating, or discarding with other waste materials.

4.4. Disposition Instructions

Directions for cutting off records and carrying out their disposition in compliance with National Archives and Records Administration's (NARA) regulations and DoD AI-15. Directions for screening nonrecord materials and carrying out their disposal when no longer needed by the agency.

4.5. Records

All books, papers, maps, photographs, electronic records, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government, or because of the informational nature of data in them.

4.6. Non-Records

The material is an extra copy of a document already in an official file. It has no real evidential or informational value or only short term value. Consists of processed or printed material maintained for reference or distribution.

The following non-record materials are excluded by statute:

- Library and museum materials
- Extra convenience copies
- Supplies of publications and blank forms
- Personal papers
- Drafts and worksheets
- Routing slips, transmittal sheets, and envelopes
- Duplicate copies
- Catalogs, trade journals and publications

4.7. Vital Records (Sometimes Called Essential Records)

Records essential to the continued functioning or reconstitution of an organization during and after an emergency and also those records essential to protecting the rights and interests of that organization and of the individuals directly affected by its activities (includes both emergency-operating and rights-and-interests records). Vital records considerations are part of an agency's records disaster prevention and recovery program.

4.8. Electronic Records

Records stored in a form that only a computer can process (also called machine-readable records or ADP records).

5.0. AVAILABILITY AND ACCESSIBILITY OF RECORDS

5.1. TMA, its delegated audit agencies and the Comptroller General of the United States, shall have access to and the right to examine those books, records, documents, and other supporting data which will permit adequate evaluation of the cost or pricing data submitted by the contractor, along with the computations and projections used. The purpose of the examination shall be to verify that cost or pricing data submitted in conjunction with the negotiation of the agreement, including changes, and any fiscal report of settlement is accurate, complete, and current. The right to examination of records shall continue for six years and three months after final payment to the contractor has been made or until such time as the final audit is completed.

5.2. It is the responsibility of the contractor to ensure that records in its jurisdiction are retrievable within five working days of request by the government. Adequate management controls and procedures to ensure timely retrieval of federally stored records shall be established.

5.3. The government's right of access to these records shall not interfere with the contractor's ability to maintain an effective records management program. However, the contractor's records management program shall make allowance for the government's right of access to records.

6.0. ESTABLISHING A RECORDS MANAGEMENT PROGRAM

The following elements are basic to a records management program. Each contractor shall establish, maintain and assure:

- A standard classification and filing system achieving maximum uniformity and ease in maintaining and using records and facilitating the locating, charge-out, refiling, and disposing of records.
- All records are maintained in a current and easily retrievable manner.
- A documented file system for all government records will be maintained. This includes current file plans. Records of retired and destroyed files will also be maintained.
- Standards, guides, and instructions developed for the records management program are documented and accessible to all employees concerned with the records operations.
- A vital records program is developed and implemented in case of disaster.
- All records shall be filed within five days after final disposition.
- An effective quality control system for periodically auditing a representative sampling of the records for duplications, misclassifications, misfiles, etc.

7.0. E-MAIL RECORDKEEPING REQUIREMENTS

The same records management principles that apply to paper records also apply to e-mail records. Contractors shall, at a minimum:

- Write and implement contractor instructions on e-mail. Instructions at a minimum shall address: what is a record vs. a nonrecord, how the contractor will preserve the data, the names on distribution lists or directories, when to request receipts and how to preserve the receipts, external e-mail systems, and circulated drafts. The contractor must minimize the risk of unauthorized additions, deletions, or alterations to e-mail records (integrity).
- Assign an individual to be responsible for the maintenance of the e-mail recordkeeping system. This individual is also required to annually monitor the use of the e-mail system to assure recordkeeping instructions are being followed.
- Train all present e-mail users and provide on-going training for any new users on e-mail record keeping requirements in compliance with the General Records Schedule (GRS-20). This training shall include: defining what is a record vs. a nonrecord; how to put records into record keeping systems; preserving data; preserving names on distribution lists or directories, when to request receipts and how to preserve the receipts; how to deal with circulated drafts; and external e-mail systems.

8.0. RECORDS MAINTAINED BY CONTRACTORS

The records in [Chapter 2, Section 2](#) shall be maintained by all contractors. In the event of a contract transition, the outgoing contractor shall transfer either a microfilm or imaged copy of the necessary records for the full retention time required in the Disposition Instructions of this section to an incoming contractor. Necessary records include, but are not limited to:

- TRICARE Claims
- Claims Supporting Documentation (including any documentation that either supports or denies payment of a claim)
- Adjustment Records
- Adjustment Supporting Documentation (including any documentation that either supports or denies payment of the adjustment)
- Checks
- Explanation of Benefits Forms and Summary Payment Vouchers

