

Get Serious About Paper Record Destruction

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by Kevin Mead

How serious are you about your document destruction processes? There are steps that you can take that ensure protection from liability and embarrassment after the records are tagged for disposal. Merely saying “we shred our old records” and “we have a certificate of destruction” is an inadequate defense when things have gone wrong.

Even though a record may be of no use to you and may have met all of its business needs, it remains your responsibility. Your duty of care over records extends from the time of their creation to the time of their ultimate destruction, no matter whose hands the documents or records pass into. Therefore, the controls that you establish must be capable of ensuring that risk is addressed at all stages of a record’s life.

Taking Control

A strong system of security is one with centralized control over all records at all times. The owner assumes direct physical responsibility for the destruction of the records. Yet, in many instances, this is impractical. First, HIM professionals are educated in the efficient storage, indexing, and availability of records. Secure destruction may not be their first priority. Second, the financial investment in secure records disposal can be considerable. In all but the largest and most active institutions, these assets will likely remain idle for long time periods.

If you choose to outsource your destruction process, make sure that the vendor has the processes in place to ensure record protection to your satisfaction.

Making Good Choices

The range of service providers is large, but most of the choices and trade-offs can be described as follows:

Company Size: Local Versus Global

The real trade-off is reputation. In the case of records destruction, the hiring of a nationally or globally known company may assist in the event of a mistake. However, for a number of larger companies, secure destruction is just one of many lines of business.

Destruction Location: On-site Versus Off-site

You are at risk any time a readable record in any format leaves your premises. Many organizations have therefore opted for an on-site service where a self-contained shredding unit visits your location. However, these are not inherently more secure. Inadequate storage and handling of records at your site before the shredding truck visit, the equipment on the truck, and the subsequent disposal method could all render the increased security afforded by on-site destruction invalid.

Destruction Methods

For paper documents, **shredding** is the most usual method. Shredding has the advantage of being portable and easily available and is often an economical option. Unfortunately, shredding is also easily compromised. Strip-shred documents have been easily reconstructed. Crosscut shredders offer a higher degree of security, but are less available.

Pulverizing has a clear readability advantage. Documents and storage media are fed into a pulverizer that uses hydraulic or pneumatic action to reduce the materials to loose fibers and shards. The disadvantages are cost and availability, as few

commercial disposers use this method.

Both **incineration** and **pulping** have been used as disposal methods in a number of industries. Pulping reduces paper to liquid slurry before reusing it in post-consumer products. The disadvantages here are the transportation, receipt, and disposal of documents before they are either incinerated or pulped. The preferred answer may therefore be to have the documents rendered unreadable through shredding or pulverization, and then made irretrievable by pulping or incineration.

Make sure you are aware of the ultimate destination of the records that you consign for destruction. In increasing order of risk, possible destinations include:

- re-pulping in a paper mill
- incineration
- landfill
- direct consumer/business usage (pet bedding, insulation)

Risk Prevention

While it might be typical for a purchasing agent to validate the processes used as a part of the bidding and contracting process, it is also important for those involved in the management of the records to ensure that their records are handled appropriately.

In addition to a pre-contract inspection, are there regular reviews of the processes being used by vendors and service providers to ensure no deviation from contracted requirements and good security and destruction practices?

Building the Paper Trail

Assume that the worst has occurred and large numbers of your records have been discovered at a local public landfill. None of this information is destroyed or encrypted, and the records are readable.

If you are adequately prepared, you should be able to produce a file showing the efforts made to prevent this from occurring. The file should contain:

- The document destruction policy detailed above, signed by an officer of the organization
- Procedures that support the policy detailed above. Procedures should include:
 - use of secure storage for obsolete documents
 - authority to order destruction
 - approved destruction methodology
 - approved destruction vendor listing
- The vendor selection system, including:
 - pre-qualification of vendors
 - reference checks
 - certifications held by vendor
 - vendor process review notes
 - selection criteria
 - contract and performance agreement documentation
- Documents related to the disclosed records, including:
 - date (or date range) of creation
 - authority for destruction
 - contents description
 - date accepted by destruction vendor
 - certificate of destruction

A **certificate of destruction** offers scant protection from embarrassment, although it may be a useful legal “fig leaf.” Unfortunately, that fig leaf will disappear if all the certificate says is “34 boxes of medical records: 1991-1994.” Your certificate of destruction should be able to connect each of the individual records destroyed through a valid audit trail.

The ideal audit trail would resemble the following example: you have paperwork showing that an inpatient record from April 1, 2001, was located in file folder #42-01-12. Additionally, you have paperwork showing that the file folder #42-01-12 was part of a block of files placed in secure destruction box #912837 on April 1, 2001, and that the box was sealed and countersigned by another employee. Finally, box #912837 was part of a consignment of 34 boxes signed for by an employee of a destruction company on April 2, 2001. This consignment of 34 boxes was then issued a certificate of destruction.

This admittedly lengthy process provides evidence of care and control that would be far more robust than the possession of a mere certificate from a vendor.

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