



# RECORDS RETENTION AND DISPOSITION SCHEDULE

## Toxicology, Department of

Agency: Toxicology, Indiana State Department of		Division:	
ITEM NO.	RECORD SERIES	TITLE/DESCRIPTION <i>(This Retention Schedule is approved on a space-available basis)</i>	RETENTION PERIOD
1	2012-16	<p><b>LABORATORY CASE RECORDS - GENERAL</b></p> <p>Records of tests done on forensic samples, including toxicology reports and associated quality assurance/quality control reports. Most toxicology reports issued by the Department are used in criminal prosecutions, mainly in cases of operating a vehicle while intoxicated. Statute of limitations on prosecution of such cases is five years (IC 35-41-4-2 and IC 9-30-5); the ten year retention period is based on the potential need for the records during appeals to criminal convictions. Disclosure of these records may be affected by IC 5-14-3-4(b).</p>	IMAGE according to IARA standards. DESTROY hard copies after verification of electronic records for completeness and legibility. DELETE electronic records after ten (10) years.
2	2012-17	<p><b>LABORATORY CASE RECORDS - HOMICIDE AND LEVEL ONE AND LEVEL TWO FELONIES</b></p> <p>Like "Laboratory Case Records ? General," these are records of tests completed on forensic samples, including toxicology reports and associated quality assurance/quality control reports. Disclosure of these records may be affected by IC 5-14-3-4(b).</p>	TRANSFER any hard copies to the RECORDS CENTER two (2) years after tests are conducted. DESTROY in the state RECORDS CENTER after an additional twenty-three (23) years. DELETE any born-digital records after twenty-five (25) years.
3	2012-18	<p><b>QUALITY MANAGEMENT AND TECHNICAL RECORDS</b></p> <p>Testing validation records related to general quality management for laboratory testing and breath test program, including records of proficiency testing.</p>	IMAGE according to IARA standards. DELETE electronic records after five (5) years.
4	2012-19	<p><b>BREATH TEST INSTRUMENT RECORDS</b></p> <p>Records of instruments for breath tests, including calibration, inspection, repair, certification, and testing data collected under 260 IAC.</p>	IMAGE according to IARA standards. DESTROY hard copies after verification of electronic records for completeness and legibility. DELETE electronic records after ten (10) years.
5	2012-21	<p><b>DRUG INVENTORIES</b></p> <p>Records required by 21 CFR 1304.22 to be kept by registrants authorized to conduct chemical analysis with controlled substances. Retention based on 21 CFR 1304.04. Disclosure of these records may be affected by IC 5-14-3-4(a).</p>	IMAGE according to IARA standards. DESTROY hard copies after verification of electronic records for completeness and legibility. DELETE electronic records after two (2) years.
6	2012-22	<p><b>CERTIFICATION OF BREATH TEST OPERATORS</b></p> <p>Records relating to selection, training, certification, and re-certification of persons authorized to perform evidentiary breath testing. Operators must be re-certified every two (2) years. Ten (10) year retention is based on agency need for occasional research into older certifications.</p>	IMAGE according to IARA standards. DESTROY hard copies after verification of electronic records for completeness and legibility. DELETE electronic records after ten (10) years.
7	2020-06	<p><b>LABORATORY INSTRUMENT RAW DATA</b></p> <p>Raw data that is generated by analytical instruments during testing, can only be visualized using specialized software, and is used to produce the reports included in Record Series 2012-16, 2012-17, and 2012-18.</p>	DELETE electronic records after two (2) years.