

STATE RECORDS COMMISSION  
MINUTES

March 16, 2016  
Springfield, Illinois

A meeting of the State Records Commission was held at 9:30 a.m., March 16, 2016 in the John Daly conference room of the Margaret Cross Norton Building in Springfield.

Commission members present were: Chairman David Joens, designee of Secretary of State Jesse White; Steve Klokkenga, representing State Comptroller Leslie Geissler Munger; Lynn Patton, representing Attorney General Lisa Madigan; and Matthew Sebek, representing acting director Michael Hoffman of the Department of Central Management Services.

Commission member absent: G. Allen Mayer, representing State Treasurer Michael Frerichs.

State Archives staff members present were: Rochelle Joseph, Lynn Kahbeah, Steve Jones, and Bob Boots.

Records Officers present: Diana Baranzelli, Jessica Stefanski, and Pat Webber from Department of Transportation and via Phone Patty Brown and Kim Hewitt from the Department of Human Services.

The meeting was called to order by Chairman Joens at 9:30 a.m. The first item on the agenda was a review of the February 17, 2016 minutes. Mr. Sebek moved to approve. Mr. Klokkenga seconded the motion. The motion carried and the minutes from the February 17, 2016 State Records Commission were unanimously approved as written.

***NEW BUSINESS***

Chairman Joens asked the commission for permission to review Application 15-87 from the Department of Transportation first since records officers were present. He then asked agency representatives if they wanted to summarize the application. Ms. Baranzelli said in “d” of the retention of item 1 “Drug & Alcohol Test Results Files” the agency would like to amend the proposed retention from seven (7) years to ten (10).” Ms. Patton asked for clarification of a, b, and c of the same recommendation. She asked if a and b dealt with the actual tests results and c dealt with the process of the collection. Ms. Baranzelli said yes. Mr. Klokkenga moved to approve. Mr. Sebek seconded the motion. The motion carried and Application 15-87 was unanimously approved as amended.

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## ***OLD BUSINESS***

Next the commission moved to Application 15-67 from the Department of Human Services (Rehabilitation Services). Agency representatives were present via phone to answer questions. This application was deferred at the February 17, 2016 to allow members to review statutes regarding individual providers. Ms. Joseph gave a summary of what commission members had requested at the last meeting. She said DHS had sent a memo which was forwarded to commission members with links to various statutory citations. Also sent were links to the agency's rules which reference "individual provider." Ms. Patton said the concern raised by the commission related to litigation which has occurred initially over the use of the term "personal assistant" and "individual provider". She said some aspects of the litigation are not complete. Ms. Patton said she was hoping to find statutory provisions or rule provisions which specifically use the term "individual providers." After reviewing the information which was sent by the agency she said she did not see the use of the term "individual provider." Ms. Patton said in one set of the rules the term "service provider" was used but not "individual provider." Ms. Patton said at the last meeting the members asked to see examples where the language change from personal assistant to individual provider had been codified. She did not see this information in the links provided by the agency. Ms. Patton asked Ms. Brown if she agreed that the information in the links provided did not use the term "individual provider." Ms. Brown said yes. Ms. Brown said DHS is in the middle of negotiating a new waiver and the terminology is used in the Medicaid waiver. Ms. Patton said the Medicaid Home and Community-Based Services Waiver is listed as a "draft" therefore she did not think this would be the finalized version. She said she would like to use the rules that are in place today. She said her concern is she wants the terminology consistent with how she perceives the law is today. After deliberation the members decided to remove "individual provider" from the application. Ms. Patton said the terminology "individual provider" is in every record series of the application and all those references should be removed. Ms. Patton said when the rules are changed, the agency can have the application amended and add "individual provider" to it. Mr. Klokkenga moved to approve as amended. Ms. Patton seconded the motion. The motion carried and application 15-67 was unanimously approved as amended.

The next Application under New Business was 14-14 from the Department of Central Management Services (Internal Audit). Ms. Patton moved to item 1 Audit Working Files and Division

of Internal Audit Administrative Documents. She said in the fourth line of the description the “slash” should be removed from the citation after the “10”. Mr. Sebek moved to approve. Ms. Patton seconded the motion. The motion carried and Application 14-14 was a unanimously approved as corrected.

Application 86-123V from the Department of Corrections (All Correctional Facilities) was next to be considered. Mr. Joens moved to item 240.13 “Inmate Recreational Reports.” He said the recommendation had been permanent, but after talking with the agency it did not see the need to maintain these records permanently. Ms. Joseph said the agency proposed a retention of “retain at the facility for five years after date of report then destroy in a secure manner or delete from the system providing all audits have been completed if necessary and no litigation is pending or anticipated.” Ms. Patton moved to item 240.12 “Incident Log of Duty Officers.” She asked what happened to the previous volumes from 1918-1960 of the series. Ms. Joseph said she was unsure. Ms. Patton asked for clarification of the description of the series. She said after reviewing the description she thought it was documentation of what activities an inmate was involved in. Since the volume is only negligible she does not believe the description is accurate. Ms. Joseph said normally if the record is for an individual inmate the information is maintained in a master file. The records officer thought this was a record that was just used at the facility. Ms. Patton asked staff to confirm that the record series refers to inmate recreational activities available. After deliberation the commission voted to defer. Ms. Patton moved to defer. Mr. Klokkenga seconded the motion. The motion carried and Application 86-123V was unanimously deferred.

Application 86-123EE from the Department of Corrections (All Adult Correctional Facilities) was next on the agenda. Ms. Patton moved to line four of the description. She suggested replacing the semi-colon with a colon. Ms. Patton moved to approve as corrected. Mr. Sebek seconded the motion. The motion carried and Application 86-123EE was unanimously approved as corrected.

Application 16-10 from the Office of the Secretary of State (Business Services) was the next on the agenda. Mr. Klokkenga moved to approve. Ms. Patton seconded the motion. The motion carried and Application 16-10 was unanimously approved as written.

The next Application was 16-02 from the Department of Public Health (Office of Health Care Regulations). Steve Jones said IDPH has approximately 400 cubic feet of this record series stored at the records center which has been scanned and would meet the new retention requirement, meaning they

could be disposed of. He suggested adding language which would address these volumes. Mr. Jones suggested adding “All accumulations already stored at the State Records Center may be disposed of upon approval of this application.” Mr. Sebek moved to approve as amended. Mr. Klokkenga seconded the motion. The motion carried and Application 16-02 was unanimously approved as amended.

The next Application on the agenda was 97-43BBB from Southern Illinois University at Carbondale (V.C. for Academic Affairs and Provost). Ms. Patton moved to approve. Mr. Klokkenga seconded the motion. The motion carried and Application 97-43BBB was unanimously approved as written.

The last item on the agenda was Application 07-09N from Southern Illinois University – Edwardsville (Provost and V.C. for Academic Affairs). Mr. Sebek moved to approve. Ms. Patton seconded the motion. The motion carried and Application 07-09N was unanimously approved as written.

#### ***PUBLIC COMMENT***

There was no public comment.

The date of the next scheduled State Records Commission meeting is Wednesday, April 20, 2016 at 9:30 a.m. in the John Daly Conference Room of the Margaret Cross Norton Building, Springfield, Illinois. Mr. Sebek moved to adjourn. Mr. Klokkenga seconded the motion. The motion carried and the March 16, 2016 State Records Commission adjourned at 9:58 a.m.

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The following applications were submitted to the State Records Commission members for consideration:

- 15-67        Department of Human Services  
                  (Rehabilitation Services)  
                  *Approved as Amended*
  
- 14-14        Central Management Services  
                  (Internal Audit)  
                  *Approved as Corrected*
  
- 86-123V     Department of Corrections  
                  (All Correctional Facilities)  
                  *Deferred*
  
- 86-123EE    Department of Corrections  
                  (All Adult Correctional Centers)  
                  *Approved as Corrected*
  
- 16-10        Office of the Secretary of State  
                  (Business Services)  
                  *Approved as Written*
  
- 16-02        Department of Public Health  
                  (Office of Health Care Regulations)  
                  *Approved as Amended*
  
- 15-87        Department of Transportation  
                  (Finance and Administration)  
                  *Approved as Amended*
  
- 97-43BBB    Southern Illinois University - Carbondale  
                  (V.P. for Academic Affairs and Provost)  
                  *Approved as Written*
  
- 07-09N      Southern Illinois University - Edwardsville  
                  (Provost and V.C. for Academic Affairs)  
                  *Approved as Written*