



Royal College of
Dental Surgeons of Ontario

Ensuring Continued Trust

6 Crescent Road, Toronto, ON Canada M4W 1T1
T: 416.961.6555 F: 416.961.5814 Toll Free: 1.800.565.4591
www.rcdso.org

Information About Retention of Records For Patients



CONTENTS

- ▶ How long must my dentist keep my dental records? 2
- ▶ Is this a legal requirement for dentists to retain records? 2
- ▶ How about my financial records? How long should these records be kept? 2
- ▶ How long will my stone models be kept? 3
- ▶ After the record retention period has passed, how do dentists destroy the records that are no longer needed? 3
- ▶ Is recycling considered a secure method of disposing of the records? 3
- ▶ Who owns the patients' dental records? 4
- ▶ If my dentist passes away, what will happen to my dental records? 4
- ▶ Can my dentist store my archived records off-site? 4
- ▶ If my dentist decides to store my archived records off-site, does he/she need to notify me? 4
- ▶ Can my dentist e-mail my x-ray images and other records to another dentist? 5



Information About Retention of Records For Patients



How long must my dentist keep my dental records?

In general, clinical and financial records, as well as radiographs, consultant reports, and drug and lab prescriptions, which are made in respect to an individual patient, must be maintained for at least ten years after the date of the last entry in the patient's record. In the case of a minor, these records must be kept for at least ten years after the day on which the patient reached the age of eighteen years.

RCDSO Dental Recordkeeping Guidelines ▶

(Issued February 2008-Revised May 2008. Pg. 18)

Is this a legal requirement for dentists to retain records?

Yes. Dentists are required by the regulations made under the Dentistry Act, 1991, to retain records. You can find Ontario Regulation 853/93 (which are the professional misconduct regulations made under the Dentistry Act, 1991), on the Government of Ontario website at www.e-laws.gov.on.ca

How about my financial records? How long should these records be kept?

Financial records include a copy of any written agreement with a patient, the date and amount of all fees charged and payments made, and an itemized listing of all commercial laboratory fees. These financial records should be kept for the same retention period prescribed by the regulations. Copies of dental claim forms that have been completed manually and submitted in hard copy must be maintained for at least two years. However, it is up to the dentist's discretion to decide whether and how long to retain copies of other correspondence with insurance companies regarding dental insurance claims, for example predetermination forms, explanations of benefits forms, requests for additional information sent by insurance companies subsequent to the submission of predeterminations or insurance claim, the dentist's responses to such inquiries, and the confirmation of transmission produced when claims are submitted electronically.

Retention of Financial and Business Records ▶

(Dispatch July/August 2004. Pg. 24)

How long will my stone models be kept?

Diagnostic or study models are considered part of the patient's record and must be kept for the same retention period prescribed by the regulations. Working models do not have to be retained for any specific period of time. A decision to keep working models should be based on the complexity of the case and is left to the judgement of the individual practitioner.

[RCDSO Dental Recordkeeping Guidelines](#)

(Issued February 2008 - Revised May 2008 Pg. 18)

After the record retention period has passed, how do dentists destroy the records that are no longer needed?

Dentists are required to maintain patient confidentiality when disposing of dental records. Chart records and other documents must be properly destroyed either by shredding or incineration. If there are large volumes of paper records to sort and dispose of at one time, some dentists may consider having a shredding or document management company destroy and dispose of these records for them. Dentists must ensure that appropriate safeguards will be taken to protect the patient's personal health information and should review the company's privacy policy; dentists may also use the privacy agreement for third-party contractors that is available from the College. Dentists may discard photographs, x-rays and models in the garbage once patient identification/identifying labels have been removed, obliterated or rendered illegible.

[Best Practices for the secure destruction of personal health information.](#)

(Dispatch article May/June 2010. Pg. 54)

Is recycling considered a secure method of disposing of the records?

The Information and Privacy Commissioner of Ontario has stated that "recycling does not equal secure disposal", and that "the only acceptable method of disposing of records is to destroy them by a method that ensures the information is completely obliterated, for example, by irreversible shredding of the documents."

[Best Practices for the secure destruction of personal health information.](#)

(Dispatch article May/June 2010. Pg. 54)

Who owns the patients' dental records?

Under privacy legislation and the regulations made under the Dentistry Act, 1991, the dentist is deemed to be the custodian of his/her patients' dental records. Only a dentist can be the custodian of patients' dental records.

If my dentist passes away, what will happen to my dental records?

The estate trustee or the person who has assumed responsibility for the administration of the deceased dentist's estate assumes responsibility for retaining the dental records until they can be transferred to another dentist.

Proper Procedures and Appropriate Safeguards for Dental Records When a Dentist Passes Away. ▶

(Dispatch February/March 2012. Pg. 28)

Can my dentist store my archived records off-site?

Yes. However, the privacy legislation requires that patients' dental records be stored in secure premises to prevent unauthorized access and dentists should take reasonable steps to protect them from theft and damage from fire or flood. It is also recommended that stored records be kept in a systematic fashion so they can be easily retrieved if a patient returns to the practice or they are needed for another purpose.

Dental Records Storage and Recovery of Damaged Records ▶

(Dispatch February/March 2012 Pg. 26)

If my dentist decides to store my archived records off-site, does he/she need to notify me?

It is not necessary to notify patients if the records are archived in the basement of the dental office or in some other area controlled by the dentist. However, if the records are moved to premises that are not under the control of the dentist, such as a private record storage facility, the privacy legislation requires that patient consent be obtained before the records can be stored in such a facility.

Can my dentist e-mail my x-ray images and other records to another dentist?

As a general rule, e-mail is not a secure means of communication, and may be vulnerable to interception and hacking by unauthorized third parties. Accordingly, your dentist should avoid using e-mail to communicate your personal health information, unless he/she is employing a secure e-mail service with strong encryption. There are several products and services that are available to permit dentists to communicate with each other and their patients via secure e-mail.

Alternatively, digital x-ray files can be saved and delivered on a medium such as a CD-ROM or a USB key.