



TOM SCHEDLER
SECRETARY OF STATE

Secretary of State
State of Louisiana

P.O. Box 94125
BATON ROUGE, LA 70804-9125
www.sos.louisiana.gov

October 17, 2014

Ms. Susan West
Director, Office of Group Benefits
Post Office Box 44036
Baton Rouge, LA 70804

Re: Possible Destruction of Office of Group Benefits Records

Dear Susan,

On September 30, 2014, I requested information on the status and location of original claim records that your office had imaged but not yet microfilmed. A written response was required by October 6, 2014, but to this date I have not received one.

The Office of Group Benefits operates under a binding retention schedule that requires all health claims to be kept for the life of the agency and to be imaged upon arrival. The schedule also provides that, after three years, original claim records may be microfilmed and shredded – but the records may only be shredded after receiving written approval from Carrie Fager Martin, the Records Management Officer Statewide (LAC4.XVII.Chapter 9 §901).

This Office has reason to believe that some original claim records may have been destroyed without prior approval from Ms. Martin and in direct violation of Louisiana Revised Statutes Title 44, Chapter 5 and OGB's retention schedule (*see* La. R.S. 44:411(A)). When actual, impending, or threatened destruction of records comes to the attention of the Secretary of State's Office, I am bound by law to initiate action through the attorney general to protect or recover the affected records, or to pursue any other redress provided by law (La. R.S. 44:411(B)).

Please be advised that your failure to respond to my September 30, 2014 inquiry on the status of original claim records now requires me to inform the attorney general of their potential destruction and initiate action through his office to protect any records that may have been destroyed in violation of OGB's retention schedule.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Schedler", written over a horizontal line.

Tom Schedler
Secretary of State

cc: Kristy Nichols, Commissioner of Administration
Buddy Caldwell, Attorney General



October 17, 2014

Mr. Tom Schedler
Secretary of State of Louisiana
P.O. Box 94125
Baton Rouge, LA 70804

Dear Mr. Schedler,

The Office of Group Benefits (OGB) is in receipt of correspondence from your agency dated August 28, 2014 requesting that OGB place a hold on any further records disposals until the issues surrounding the reorganization of OGB, the plans being offered and the maintenance of eligibility records have all been resolved.

We are also in receipt of correspondence from your agency dated September 30, 2014 seeking information on the status and location of the original claims records that OGB has imaged but has not been microfilmed.

This letter is to certify that we are in compliance with your request. We have ceased destruction of original claims records effective upon the September 03, 2014 receipt of your August 28, 2014 correspondence.

If you have any further questions regarding this matter, please refer them to me or our Chief Executive Officer, Susan T. West.

Sincerely,

Bill Guerra
Interim Chief Operating Officer

cc: Kristy Nichols, Commissioner of Administration
Ruth Johnson, Deputy Commissioner of Administration
Susan T. West, Chief Executive Officer, OGB
R. Kyle Ardoin, First Assistant Secretary of State