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# THE INFORMATION MANAGEMENT DIGEST

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A Service of Data Storage, Inc.

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## POOR RECORD DISPOSAL LEADS TO POOR PUBLICITY

A recycling center in Stockton, California, took another hit in early January 2007 when dozens of boxes of unshredded medical records showed up. This same recycling center was in the news in December 2005 when confidential patient files from San Joaquin County Mental Health Services were dumped there.

The source for the January 2007 records was unknown, and reporters were not allowed to look at them. The manager for the recycling center said the records would be destroyed immediately, stating "We're following the advice of (legal) counsel."

Twelve months earlier San Joaquin County had hired a subcontractor, Delta MicroImaging, Inc., to destroy files from its Mental Health Services office. Instead, Delta dumped them in plain view at the recycling center. That incident caused the county to begin destroying most of its own confidential files. Neither San Joaquin General Hospital nor any other public health facilities had recently gotten rid of records, so the county was not to blame for the January 2007 incident.

California enacted a law in 2001 to protect patients' personal information. Under it doctors or their contracted records disposal services who dump records negligently can receive stiff penalties.

## Another Recycling Center Makes the News

Thousands of miles from California, a recycling center in Rochester, New York made television news in June 2006 when personal files showed up in a Dumpster at the Monroe County Recycling Center. There were hundreds of file folders that came from an employment agency called Metro Resources of Rochester, an agency that closed in July 2004.

The blue file folders contained forms with driver's license numbers and Social Security numbers, resumes with addresses, phones, employers, references, and



more personal information. They were discovered by a woman bringing cardboard to be recycled. As she was putting it in the Dumpster, she noticed a piece of paper with a name and other information on it. She tried to get recycling staff to lock up the bins to make these files inaccessible. Rochester police arrived and made a report. Then the woman called Channel 10-NBC because she felt something should be done to protect the information.

The TV station contacted the owner of Metro Resources who had closed the company. He claimed to have no knowledge of the discarded files. In early June 2006 New York Governor George Pataki signed a law that makes it illegal for businesses to dispose of records with personal information without shredding them first. The law went into effect October 2006 and the penalty is \$5,000.

## Abandoned Medical Records Result in Edict from Ontario, Canada

In April 2006, the Martin Grove Medical and Rehab Centre located in Etobicoke, Ontario closed its doors and left behind boxes of personal health records and information. When the landlord for the office space discovered them, he notified the College of Physicians and Surgeons/Ontario which in turn notified the Office of the Information and Privacy Commissioner/Ontario (IPC) which then conducted an investigation. As a result, the IPC issued its third Executive Order under the powers granted it by Ontario's Personal Health Information Protection Act (PHIPA).

The IPC issued its first order, HO-001, following an incident in which medical records were found strewn about the streets during the filming of a movie in Toronto. The latest edict, HO-003, was issued in December 2006. The IPC's web site [www.ipc.on.ca](http://www.ipc.on.ca) gives the findings of the investigation and makes the following points.

When a physician has a change in practice or closes a practice and does not transfer or dispose of medical records properly, patient privacy is infringed. Beyond that, the loss of records can cost a patient further access to health care in some situations, and certainly a loss of continuity that could have an impact on future treatment.

There were some interesting sidelights to this situation. The IPC's investigation uncovered the fact that the clinic's management had segregated out 6,000 to 7,000 records from physicians who practiced there and had sent those records to safe storage. The boxes of abandoned records were described by clinic management as "non-active physio files of patients who had received physiotherapy or massage therapy." Also, the College of Physicians and Surgeons/Ontario subsequently issued a policy for practice management for physicians who cease to practice or who take an extended leave of absence.

## Dumpster Diver Goes Big League By Accident

A Chicago Dumpster diver made a big league haul when he found discarded, unshredded loan applications, tax returns and other private documents that had been thrown out by a company, SFX Baseball, which negotiates contracts for professional baseball players. Suspecting him of identity theft in an unrelated case, law enforcement agents searched his West Side apartment in December and found financial records for 91 Major League Baseball players including Jim Thome, Pedro Martinez, Moises Alou, Juan Pierre, Andres Galarraga and many more.

David Dright was charged on December 20, 2006 with 19 counts of identity theft. He was also charged with eight counts of aggravated identify theft, based on allegations he used public web sites to look for the names of deceased children so he could obtain fraudulent Social Security numbers.

SFX Baseball has its offices in Northbrook, Illinois where the records were found. The company claims to represent more major-league players than any other sports agency, about 125 clients. SFX officials had no comment as to why the records were not shredded before being thrown away.

The investigation started in November when Al Vermeil, a consultant for the Chicago Bulls, was told by a credit agency that someone had used his financial identity to obtain credit cards and apply for

mortgages. He filed a complaint with authorities, the search began, and Lincolnshire police zeroed in on Dright as a suspect. Vermeil said he did not lose any money because the credit card agency stopped everything in its tracks.

## The Fire House Should have Burned These Files

In England, the Bovingdon Fire Station in Hemel Hempstead was closed in July 2006, termed a redundant building. The Herts Fire and Rescue team was responsible for getting everything out of the building. Imagine the surprise when in September records with information about local persons as well as evacuation plans were found in a skip, or trash bin, outside the station.

The discarded records included incident logs with person's names, addresses and phone numbers. There was an operational manual with instructions for responses to emergencies at The Mount, a prison, the Harlequin Shopping Centre in Watford, and the NATO base in Northwood.

A local group of residents had tried to save the station from being closed. Sharon Sims was a member of this group and some of these files were given to her when they were discovered in the trash bin. She said "I was just stunned....this is a breach of the Data Protection Act...some of these records related to families who would have been distressed to know this information was not protected." Mrs. Sims received only a small number of documents and fears many others were available in the trash bin before its contents were finally destroyed. An investigation followed the discovery.

If you are concerned about disposal of your records, talk with your storage contractor to learn how best to deal with this pressing issue.

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**"You should have received it by now!  
We're not allowed to transmit confidential information  
by telephone, fax, or e-mail, so I sent it telepathically."**

## SNIA and ARMA International Announce Alliance

New Alliance Formed To Drive Collaboration Between Records and Information Management, and IT Professionals

The Storage Networking Industry Association (SNIA) and ARMA International announced a formal alliance between the two organizations to cooperate on educational and technical programs. The underlying purpose of this alliance centers on creating programs that stimulate further collaboration between the two primary constituencies represented by the associations: Information Technology (IT) and Records/Information Management (RIM) professionals.

By working together, ARMA International and SNIA can achieve the common goal of cross educating their constituencies and helping these information management professionals manage the convergence of regulatory and legal imperatives as well as increase their ability to deliver value to their companies, organizations and customers. ARMA International and SNIA both recognize that collaboration between IT, RIM, legal, and security professionals has moved from optional to essential for most organizations

"Information management compliance requires competence and cooperation from multiple stakeholders in the organization. No one group has all the answers," explains ARMA International President Susan McKinney, CRM. "They must all bring their expertise to the table to ensure the organization is positioned to respond to increasing competition and regulatory compliance requirements."

By working together, ARMA International and SNIA provide a model for collaboration. Examples of joint programs currently underway include:

- Publishing of the new joint paper, "Collaboration: The New Standard of Excellence"
- Cross-educational participation in each other's conferences, namely the ARMA International Annual Conference and Storage Networking World
- Cooperative promotion of the 100 Year Archive Task Force, a multi-agency task force focused on the development of best practices and standards for long-term digital storage systems sponsored by SNIA
- Continued joint participation in the SNIA's Enterprise Information World Conference
- Access to resources and publications offered to the membership of both associations

"The role of professional and trade organizations includes anticipating environmental trends that will impact their members, professions and industries," said Vincent Franceschini, chair of the SNIA Strategic Alliances Committee. "This alliance is part of our fulfilling our role to help provide the guidance and education that will equip our stakeholders with the necessary tools and skills to remain marketable, competitive and of value to their organizations and customers."

ARMA International and the SNIA's Data Management Forum have worked closely together for more than two years on events such as the first annual Enterprise Information World conference which took place in May 2006. Today, the two associations are also announcing the new fruit of this alliance a white paper entitled "Collaboration: The New Standard of Excellence." In the new joint paper, both associations are declaring to the world a new operating mantra, "Collaboration," as the first step in solving the chaos of overwhelming information growth and the complexity of its management.

To access the white paper, on ARMA International's website visit [www.arma.org/pdf/news/collaborationwp.pdf](http://www.arma.org/pdf/news/collaborationwp.pdf) or on the SNIA Data Management Forum's website at: <http://www.snia-dmf.org/alliances.shtml>.

### About ARMA International

ARMA International is a not-for-profit professional association and the authority on managing records and information. Formed in 1955, ARMA International is the oldest and largest association for the records and information management profession, with a current membership of more than 10,000. It provides standards and best practices, education, publications, and information the efficient maintenance, retrieval and preservation of vital information created in public and private organizations in all sectors of the economy. For additional information, visit [www.arma.org](http://www.arma.org).

### About the SNIA

The Storage Networking Industry Association (SNIA) is a not-for-profit global organization, made up of more than 460 member companies and close to 7,000 active individuals spanning virtually the entire storage industry. SNIA members share the common goal of advancing the adoption of storage networks as complete and trusted solutions. To this end, the SNIA is uniquely committed to delivering standards, education and services that will propel open storage networking solutions into the broader market. For additional information, visit the SNIA web site at <http://www.snia.org>.

# Integrating Records Management Requirements into Financial Management Information Systems

The International Records Management Trust ([www.irmt.org](http://www.irmt.org)) is working with the UK Department for International Development (DFID) on a project to investigate how records management standards and good practices can be integrated into financial information management systems to reduce the misuse, mismanagement or loss of the electronic financial records created in these systems and to strengthen control of paper-based inputs.

Financial management is at the heart of anti-corruption and transparency efforts, and one of the most fundamental ways that governments are held accountable for their actions is by providing evidence, in the form of financial records, of how public funds have been spent and managed.

Records management standards and good practices, notably the International Standard on Records Management (ISO-15489), are available to guide the management of records as evidence. Within the past decade, standards and practices also have emerged for the life-cycle management of electronic records. However, most financial management information systems are implemented without consideration of these standards.

This means that one of the most critical systems for supporting government services and accountability is operating at significant risk due to the lack of systematic processes and controls for the capture, organisation, preservation and long-term accessibility of electronic records. At the same time, inadequate attention has been given to the issues involved in managing paper-based records as a critical part of financial information management systems. As a result, the systems tend to be incomplete and difficult to audit.

This project seeks to provide solutions to these issues by developing model policy statements, management frameworks, functional systems specifications and implementation guidelines for incorporating sound records management principles, processes and controls into financial information management systems. This will be done through an iterative analysis of standards and good practice against results of field studies and field testing.



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