

62A-4a-1008 Timeframes for deletion of specified information or reports.

- (1) Unless the executive director determines that there is good cause for keeping a report of abuse or neglect in the Management Information System, based on standards established by rule, the division shall delete any reference to:
 - (a) a report that is without merit, if no subsequent report involving the same alleged perpetrator has occurred within one year; or
 - (b) a report that is determined by a court of competent jurisdiction to be unsubstantiated or without merit, if no subsequent report involving the same alleged perpetrator has occurred within five years.
- (2)
 - (a) The division shall maintain a separation of reports as follows:
 - (i) those that are supported;
 - (ii) those that are unsupported;
 - (iii) those that are without merit;
 - (iv) those that are unsubstantiated under the law in effect prior to May 6, 2002;
 - (v) those that are substantiated under the law in effect prior to May 6, 2002; and
 - (vi) those that are consented-to supported findings under Subsection 62A-4a-1005(3)(a)(iii).
 - (b) Only persons with statutory authority have access to information contained in any of the reports identified in Subsection (2)(a).

Renumbered and Amended by Chapter 77, 2006 General Session