

# Office of Radiological Health

## X-RAY BULLETIN

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### ORH-700: Guidance on the Retention of X-ray Images Reissued Dec. 5, 2018

VDH advises facilities that are not State agencies or owned to seek guidance regarding X-ray image retention from their legal counsel.

Public agencies should consult with the Library of Virginia's Archives, Records and Collection Services Division and obtain a copy of the Records Retention and Disposition Schedule: General Schedule No. 120 (GS-120), Health Records, for Diagnostic Testing and Imaging Records, Patient Medical/Dental Records, etc.

Medical facilities that provide mammography services must also comply with the federal Mammography Quality Standards Act (MQSA) of 1994, as amended, and standards for mammogram retention is addressed in 21 CFR Part 900.12 (c) 4:

- (i) *Shall (except as provided in paragraph (c)(4)(ii) of this section) maintain mammography films and reports in a permanent medical record of the patient for a period of not less than 5 years, or not less than 10 years if no additional mammograms of the patient are performed at the facility, or a longer period if mandated by State or local law; and*
- (ii) *Shall upon request by, or on behalf of, the patient, permanently or temporarily transfer the original mammograms and copies of the patient's reports to medical institution, or to a physician or health care provider of the patient, or to the patient directly;*
- (iii) *Any fee charged to the patients for providing the services in paragraph (c)(4)(ii) of this section shall not exceed the documented costs associated with this service.*

Disclaimer: This guidance does not represent a comprehensive listing of all laws and regulations addressing X-ray or medical record retention for all situations, and is not a substitute for competent legal advice.