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Medical Record Standard

Applies To

This document applies to all 3M workers including Employees and Contingent Workers who create or have access to individual worker medical records.

Introduction and Background or Purpose

The medical record includes information about health status documented on a worker, including personal and occupational health histories as well as opinions and written evaluations generated in the course of diagnosis, employment related treatment, and examination by healthcare professionals.

3M workers have the right to their personal medical information being kept confidential. They provide information on their health and aspects of their personal life which must be kept strictly private and not passed on to anyone without the worker's consent or otherwise consistent with local laws or other regulations. Maintaining the confidentiality of medical information respects workers' autonomy and privacy and prevents discrimination.

Although data protection laws can vary in detail between countries they all have a basic requirement to collect, process and disclose all personal information in a manner which guarantees worker medical information is processed and stored securely as well as protected from improper disclosure. Data Protection laws consider an individual's identifiable health data to be 'personally identifiable information' and is subject to even more stringent security and processing controls than those imposed on non-sensitive personal data.

Medical records must be protected regardless of the media in which the information is conveyed (e.g., printed, electronic files, e-mail, photos and verbal conversation). The key to preserving confidentiality is making sure that only authorized individuals have access to medical records.

Requirements

Overall responsibility for ensuring compliance with this document is assigned to 3M Corporate Occupational Medicine.

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ACCESS

Access to occupational health information, including computerized or paper records, must be limited to personnel who are authorized and have a business need-to-know. Workers also have the right to view or have copies of their own medical files.

DATA COLLECTION

Only authorized personnel can collect and record information in a medical record (e.g. nurses, physicians, medical assistant). Authorized personnel recording information in an electronic format must use their globally unique UPIN for identification. For more information, refer to the User Account Standard.

Some countries or jurisdictions require that consent must be obtained and recorded prior to collecting worker medical information. It is the responsibility of the authorized personnel to ensure the proper consent is obtained and recorded.

Workers have the ability to request that inaccurate or incomplete information be corrected in accordance with applicable laws.

STORAGE/SECURITY

Any medical record information, whether records exist in a paper or electronic format, must be stored in a secured area free from unauthorized access, unauthorized use or improper disclosure. Medical records must be stored separate from personnel records.

Appropriate security for electronic data, such as encryption, authentication, passwords and back-up must be in place.

RELEASE OF INFORMATION

Information in the medical record is considered restricted information. Requests for release of medical records must be accompanied by written consent from the worker. In certain circumstances information may be released as mandated by law (e.g. public health obligation).

Limited information regarding potentially work-related medical conditions may be released on a need-to-know basis. In the event of a work-related illness or injury, it is appropriate for an occupational health professional to share the following confidential information with the worker's supervisor, EHS professional, Human Resources or others involved in incident analysis/reporting efforts:

- Name
- Job Title
- General signs/symptoms and body part affected
- Work-related activity/activities that the employee relates to current health concern
- Restrictions, if given excluding diagnosis or medications that may be related to the restriction
- Estimated return or actual return to work date

TRANSFER OF RECORDS

Data protection laws vary by jurisdiction. When an employee transfers to a different 3M location, within the same country, medical records must transfer to the new location according to local regulations. If there is no occupational health professional at the new facility, the medical record for the worker must be sent to the occupational health location responsible for workers at the receiving site. Transferred records must be sent in a secure manner which can be tracked.

Before transferring medical records from one country to another, including 3M affiliates, contact your business unit's assigned legal counsel to ensure compliance with applicable laws.

RECORD RETENTION

The 3M Corporate Retention Schedule requires occupational health records be maintained for the length of employment plus 40 years. If local or national regulations require record destruction in less than 40 years, the occupational health professional must contact Corporate Occupational Medicine for authorization.

Records for inactive workers must be retained and transferred to long term storage. Transferred records must be sent in a secure manner which can be tracked.

In the event of a site closure, medical records must be archived in accordance with 3M Corporate Retention Schedule and local regulations.

RECORD DESTRUCTION

Medical records may be disposed, deleted, or destroyed in a confidential waste bin after the Records Retention Schedule expires and if not under a preservation notice. If the information is in electronic form, it may be disposed, deleted, or destroyed after the Records Retention Schedule expires and if not under a preservation notice.

Failure to comply with the above requirements may result in discipline, up to and including termination of employment.