

Personnel & Training Records

Guidance in the interpretation of activities and the evaluation of evidence for Site Visit Team (SVT) Members

Health Department Self-Assessment Instrument (HDSAI) Activities Involved – 23.2, 23.3, 24.3, 31.4, 31.5

Personnel Records

In response to the question of what documentation should be in a personnel record, the NC Office of State personnel has stated that there is no real and absolute set of information that must be contained in a personnel file. Their recommendation is to follow the suggestions listed in the Personnel Manual.

A personnel file is defined in the State Personnel Manual as consisting of any employment related or personal information gathered by the agency, the Retirement Systems Division of the Department of State Treasurer, or by the Office of State Personnel. Further information on State Personal Record Guidelines is found in Appendix 1.

Certain elements of a personnel record are defined as public record. **However, there is no authority for the SVT to see any information that is confidential.** The SVT should only be looking at information that is relevant as documentation for the given accreditation activity. The SVT should NOT examine, consider or question any confidential information that may be presented to the team.

The following are specific items that the SVT should seek when reviewing personnel record materials:

- Job description - current (reviewed in past year)
- Annual Evaluation / Performance Appraisal – most recent
- Credentials (certification, registration, licensure, transcripts) – if required by job description or by practice
- Required orientations, trainings or continuing education (may be separate agency log)

The entire personnel record does not have to be provided to the SVT. The information can be provided separately for the requested employees, can be provided by the county in personnel records that do not contain information other than what is available as public record, or can be submitted as the full personnel record IF consent for review has been obtained from the employee. The local health department will be responsible for obtaining employee consent if full records are provided for review.

Specific to the activities, the information that should be reviewed is as follows:

Activity 23.2 - The local health department staff shall meet all registration, certification or licensure requirements for positions held and duties assigned.

For this activity – note whether the job description requires a specific registration, certification or license and whether the documentation for the individual is in the record.

- **Public Health Nurses (PHN)** must have a current valid license through the NC Board of Nursing
 - For any PHN who does not have a baccalaureate or higher degree in nursing, NC Administrative Code requires within the first year of employment, successful completion of the "Introduction to Principles and Practices of Public Health and Public Health Nursing." Evidence of completion should be in the file.
 - For any PHN who dispenses medications, the Board of Pharmacy requires participation in training approved by the Board; documentation of such training, either by the DPH Pharmacist or a local pharmacist using the provided curriculum, should be in the file.
 - For PHNs who function in "enhanced roles" which allows the agency to bill Medicaid for assessments done by these PHNs, the following additional educational requirements apply:
 - Child Health - evidence of successful completion or challenge of the "Child Health Training Program"
 - Maternal Health - evidence of successful completion or challenge of the "Physical Assessment of Adults," "Orientation to Women's Health Services," and "Maternal Health Enhanced Role Training" (includes Women's Health Core and Specialty track)
 - Family Planning - evidence of successful completion or challenge of the "Physical Assessment of Adults," "Orientation to Women's Health Services," and "Family Planning Enhanced Role Training" (includes Women's Health Core and Specialty track)
 - Adult Health - evidence of successful completion or challenge of the "Physical Assessment of Adults"
 - STD - evidence of successful completion or challenge of the "Physical Assessment of Adults," "STD Nurse Clinician" and "HIV Prevention Counseling"
- **Environmental Health Specialist (EHS)**, including interns, must be registered through the NC Registered Sanitarian Board. Proper authorizations through NC Division of Environmental Health should be evident.
- **Health Educators** may be CHES certified. See if the job description or duties require such certification. If the individual is listed as having the certification, is there evidence that confirms.
- **Administrative Staff** may not have a registration, certification or license. Again see if the job description or duties require such certification. If the individual is listed as having the certification, is there evidence that confirms.
- **All Other Positions** reviewed may or may not have a registration, certification or license requirement. Review the job description to see if the duties require any type of registration, certification or license. If so, or if the individual is listed as such, is there evidence that confirms.

Please note that in many instances a position description may prefer a particular level of education or certification. In any instance where there is only a preference, the agency cannot be held responsible if the preference listed is not met.

Activity 23.3 - The local health department shall employ or contract with one or more physicians licensed to practice in North Carolina to serve as medical director.

The evidence this activity requires is similar to 23.2. If the medical director is a contract employee, all that is needed is a copy of the contract and evidence that the MD is properly credentialed. If an employee of the LHD, the SVT should examine evidence for proper credentials, the job description, and any records for required continuing education.

Activity 24.3 - The local health department staff shall participate in orientation and on-going training and continuing education activities required by law, rule or contractual obligation.

Site Visitors should request this information from the randomly selected staff members. This may be individual records or presented in a log. See if the job description or duties require continuing education. If so, examine that it has been met through evidence.

- **Public Health Nurses** –
 - Beginning July 1, 2006, upon license renewal or reinstatement, all RNs and LPNs will be required to complete a self assessment of their practice, develop a learning plan, and select an approved learning activity option which must be completed **prior to the next renewal date** in order to comply with Continuing Competence requirements.
 - Effective July 1, 2008 and thereafter, upon application for license renewal or reinstatement, all licensees will be required to **attest to** completion of a self assessment of their practice, development of a learning plan, and **completion of one** of the approved learning activity options during the preceding renewal cycle or prior to reinstatement of license. (Licensees should be prepared to submit evidence of completion if selected for audit by the Nursing Board.)
 - For several of the Enhanced Roles, there are also continuing education and clinical practice requirements - either 20 hours of relevant CE and 200 hours of clinical practice in the role (Child Health) every two years or 10 hours of relevant CE and 100 hours of clinical practice in the role (Maternity and Family Planning) every year.
- **Environmental Health Specialist** - Registered Sanitarians and Sanitarian Interns must successfully complete at least 15 clock hours of continuing education annually in order to renew their registration.
- **Health Educators and Administrative Staff** - If certified, may require a specified amount of continuing education.
- **All Other Positions** reviewed may or may not have continuing education requirements. Review the job description to see if the duties require any type of continuing education. If so, or if the individual is listed as having such, is there evidence that confirms the continuing education requirement as complete.

Activity 31.4 - The local health department shall have current written position descriptions and qualifications for each staff position.

Written position descriptions must be on file. They can be in personnel files or separate. To be defined as current, the position description should be signed and dated by the employee presently in the position and should accurately reflect the tasks, duties, and requirements of the position. A review of the position description ideally would have been within the past 12 months, but this is dictated by local policy (e.g., if the local policy says position descriptions are reviewed at least every three years and the date of the last review and signature is within that timeframe, then the position description meets the activity).

The position descriptions requested, based on the random selection of staff, will be provided to and verified by observations of the Site Visitors. Site visitors should review a position description (at least one) in each of the following roles: public health nursing, environmental health, health educator and administrative staff. If the randomly selected personnel records do not reflect these roles, additional personnel records may be requested.

Activity 31.5 - The local health department shall implement a performance appraisal system for all staff.

The policies and procedures for the performance appraisal system AND current appraisals should be verified through observations by Site Visitors. To be defined as current, the performance appraisal should have been conducted within the past 12 months, is signed and dated by the employee and the supervisor conducting the appraisal.

The system may be individual for the agency or could be a county system. The most recent performance appraisals requested, based on the random selection of staff, will be provided and verified. Site visitors should review a performance appraisal (at least one) in each of the following roles: public health nursing, environmental health, health educator and administrative staff. If the randomly selected personnel records do not reflect these roles, additional personnel records may be requested.

The annual evaluation or performance appraisal documentation is not public record. Therefore, the agency may provide the entire appraisal with consent of the employee; may show evidence that an appraisal has been conducted, such as the signature page along with the form used; or may provide a full copy with the evaluation ratings and comments blacked out. The intent is to show that an evaluation has been done, not to provide the SVT with the results of the evaluation itself.

Use the table following activity 24.3 for recording the information from activities 23.2, 24.3, 31.4, 31.5. This is the only personnel information that should be of concern to the SVT.

Training and Continuing Education

There are also a number of activities that require the evaluation of training records. These may or may not be a part of the personnel records and could be separate documents. The SVT will review local policy on required training and look to see if those records are present. Examples of required local training include Safety, HIPAA, OSHA Bloodborne Pathogens and Title VI.

The activities that will require evidence review for training records are:

3.1 – The local health department shall assure agency staff has expertise and training to collect, manage, integrate and display health-related data.

6.3 – The local health department shall participate in regional emergency preparedness exercises and activities.

15.5 – The local health department shall ensure that new staff is oriented to program policies and procedures and existing staff receives training on any updated or revised program policies and procedures.

16.1 – The local health director and unit directors, such as directors of communicable disease, nursing, clinical services and environmental health, shall receive ongoing training in current public health law and its application.

16.2 – Local health department new employee orientation shall address public health laws and rules.

16.3 – Environmental health staff shall be trained in the implementation of laws, rules and ordinances that they enforce and shall have access to copies of the laws, rules and ordinances.

25.1 – The local health department shall work with academic institutions and other programs such as universities, colleges, community colleges, Area Health Education Centers, CDC and professional associations to provide training opportunities for current staff and future public health practitioners.

26.1 – The local health department shall have and implement a non-discrimination policy as required by state and federal law and train staff in its application.

26.3 – The local health department shall assure that agency staff receives training in cultural sensitivity and competency.

32.2 - The local health department shall ensure that staff are able to use the management information system to participate in electronic communications and public health program implementation.

Evidence for these activities should be presented to show that defined staff (either by mention in the activity or evidence or involvement by nature of their position) have received proper training

or participated in provided training. The evidence may be presented as an agency log or may be a continuing education listing of an individual. Evidence may also be a certificate of participation.

For activities 26.1 and 26.3, if the agency does not maintain an agency training log, the evidence is to be present in all the randomly selected personnel records reviewed.

The State Personnel Manual states that:

Employment-related information includes information related to an individual's:

- application
- selection
- promotion, demotion, transfer
- salary and leave
- contract for employment
- benefits
- performance evaluation
- suspension, disciplinary actions, and termination

Personal information includes an individual's:

- home address,
- social security number,
- medical history,
- personal financial data,
- marital status, dependents and
- beneficiaries.

By statute, the following information with respect to each county employee is a matter of **public record**:

- name
- age
- date of original employment or appointment to county service
- current position title; current salary
- date and amount of the most recent increase or decrease in salary
- date of the most recent promotion, demotion, transfer, suspension, separation or other change in position classification
- the office to which the employee is currently assigned

The **board of county commissioners shall determine in what form and by whom this information will be maintained.** Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the board of commissioners may have adopted.

The statute that states what is the open record portion of a personnel file is **§ 126-23. Certain records to be kept by State agencies open to inspection.** It reads:

Each department, agency, institution, commission and bureau of the State shall maintain a record of each of its employees, showing the following information with respect to each such employee: name, age, date of original employment or appointment to the State service, current position, title, current salary, date and amount of most recent increase or decrease in salary, date of most

recent promotion, demotion, transfer, suspension, separation, or other change in position classification, and the office or station to which the employee is currently assigned. Subject only to rules and regulations for the safekeeping of the records, adopted by the State Personnel Commission, every person having custody of such records shall permit them to be inspected and examined and copies thereof made by any person during regular business hours. Any person who is denied access to any such record for the purpose of inspecting, examining or copying the same shall have a right to compel compliance with the provisions of this section by application to a court of competent jurisdiction for a writ of mandamus or other appropriate relief. (1975, c. 257, s. 1; c. 667, s. 2.)

Some agencies also maintain a position record that may contain the job description, classification information and a record of staff that have been in the position. This may or may not be kept with personnel records. As for a position record and who maintains this information, this will be a decision of the agency (and the County Human Resources Office or Board of County Commissioners, if applicable). Regardless of the decision to have a separate position record - any information, stored by any entity, constitutes the personnel record. Thus, even if the LHD keeps a personnel record, a position record and the County keeps a file on employees, all are part of the employee's personnel record.

The Section in the North Carolina Administrative Code that governs personnel records is Chapter 25 – State Personnel Subchapter 1I - Service to Local Government. The section that states what must be in the record is:

25 NCAC 01I .1704 Personnel Records and Reports

Such personnel records as are necessary for the proper administration of a personnel service system and related programs will be maintained. Periodic reports will be prepared as necessary to indicate compliance with applicable state and local requirements and the federal and state standards:

- (1) Personnel Records. Each agency shall maintain a service record for each employee including name, position title, organization unit, all changes in status, performance evaluations and other information considered pertinent.
- (2) Payroll Records. An accurate copy of the payroll of each local social services, public health, mental health and civil preparedness unit shall be submitted to the agency, personnel and/or budget offices within two weeks following each payroll period. The payroll information shall be used in reviewing conformity by local units to establish rules and regulations.

History Note: Authority G.S. 126-4; 153-A-98;
Standards for a Merit System of Personnel Administration;
Eff. August 3, 1992.