

STATE OF VERMONT GENERAL RECORD SCHEDULE

Issued to: All Agencies

GRS-1181.1059: Professional Licensing Files

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Vermont State Archives and Records Administration
Vermont Office of the Secretary of State

GRS-1181.1059: Professional Licensing Files

Classification: Professional services (Licensing)

- Authority:** A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3. (1 V.S.A. § 317a)
- Scope:** This general record schedule applies to any agency, board, department, commission, committee, branch, instrumentality, or authority of the state or any agency, board, committee, department, branch, instrumentality, commission, or authority of any political subdivision of the state that produces or acquires the records listed on this record schedule in the course of public agency business. Record means any written or recorded information, regardless of physical form or characteristics, and includes electronic or digital records and data. (1 V.S.A. § 317)
- Use:** State agencies **MUST** have a Notice of Adoption (VSARA-11) acknowledged by the Vermont State Archivist and on file with the Vermont State Archives and Records Administration (VSARA) prior to using any general record schedule. Use of a General Record Schedule (GRS) to destroy records without proper notification is not permitted. In addition, internal policies must be established to assure that the requirements outlined in any GRS are being applied across the agency. General Record Schedule (GRS) numbers shall be cited in all internal policies to demonstrate compliance with 1 V.S.A. § 317a. Local public agencies do not have to submit a Notice of Adoption; however, internal policies should clearly cite any general schedules that have been adopted and associated GRS numbers. If a GRS does not meet an agency's legal or administrative needs, the agency should continue to use any applicable disposition orders that have been issued for its records or seek agency specific record schedules through VSARA's Targeted Assistance Program (TAP).
- Exemptions:** It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on GRS-1181.1059 may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.
- Retention:** GRS-1181.1059 reflects the retention and disposition requirements for the following records regardless of their media, format, or mode of transmission. Duplicate records within the same agency that are used for specific legal, fiscal, or administrative purposes may be either retained using the retention requirement listed in this schedule or in accordance to an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records shall not be retained longer than the original records.

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Classification: Professional services (Licensing)

GRS-1181.1059: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the licensing, certifying or registering of individuals and/or organizations to perform professional services that are regulated by the State of Vermont.

Retention: Retain decisions and any critical supporting documents until the applicant or licensee has passed away or 50 years from the date of denial or license expiration, whichever is less. Registries, recording books, and similar records and systems are to be retained permanently.

Applications shall be retained until they are no longer needed administratively and then destroyed. Authorizations shall be retained until superseded by a final decision or one year after the authorization expires, whichever is less. Renewal certifications shall be retained until expired plus one year, then destroyed.

Any application, authorization or certificate that is also considered as the only evidence of a final decision shall follow the retention requirements for decisions. Incomplete applications shall be retained until the time frame for completing the application has expired and then destroyed when longer needed administratively.

Procedural records, such as legal notices, pleadings and reports shall be retained until the process or procedure by which they were created is completed or closed, plus the retention time specified in this schedule, and then destroyed. Reports required by law to be generated shall be retained for one year following the date of issuance, then destroyed.

Public Access: Review

MINIMUM RECORDKEEPING REQUIREMENTS for Specific Professional Licensing Files (see APPENDIX E for related legal references)

Record Category/Type:	Applicability/Use:	Appraised Value:	Minimum Retention/Disposition:
GRS-1181.1059.8 Applications Public Access: <i>Review</i>	Use for applications for a license, temporary license, license amendment, or a license reinstatement. Includes additional documentation submitted by the applicant. Retain until the application is no longer needed administratively then destroy. If original application is considered part of the decision, follow retention requirements for decisions.	Temporary (Administrative)	RETAIN UNTIL: Obsolete PLUS: 0 Year(s) THEN: Destroy (Shred)

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<p>GRS-1181.1059.141 Authorizations Public Access: <i>Review</i></p>	<p>Use for temporary licenses and related authorizations issued by the licensing agency that allow an individual to perform a professional service, in a limited capacity, prior to a final decision to grant or deny a license. Retain until superseded by final decision or one year after authorization expires, whichever is less, then destroy. If the authorization is considered part of the decision, follow retention requirements for decisions.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Expired PLUS: 1 Year(s) THEN: Destroy (Shred)</p>
<p>GRS-1181.1059.21 Certificates Public Access: <i>Review</i></p>	<p>Use for written documents submitted by a licensee as official verification that conditions or requirements for continued licensure have been met. Includes applications for renewals. Retain until one year after certificate expires, then destroy. If the certificate is considered part of the decision, follow retention requirements for decisions.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Expired PLUS: 1 Year(s) THEN: Destroy (Shred)</p>
<p>GRS-1181.1059.28 Correspondence (Routine) Public Access: <i>Review</i></p>	<p>Use for routine correspondence that is not otherwise specified on this schedule.</p>	<p>Temporary (Administrative)</p>	<p>RETAIN UNTIL: Obsolete PLUS: 0 Year(s) THEN: Destroy (Shred)</p>
<p>GRS-1181.1059.53 Correspondence (Substantive) Public Access: <i>Review</i></p>	<p>Use for correspondence that has significant administrative value and/or is essential to supporting a final decision. Includes executive-level correspondence.</p>	<p>Temporary (Administrative)</p>	<p>RETAIN UNTIL: Expired PLUS: 50 Year(s) THEN: Destroy (Shred)</p>
<p>GRS-1181.1059.133 Decisions Public Access: <i>Review</i></p>	<p>Use for recorded evidence of the licensing agency's final decision to grant or deny a license, including any critical supporting documentation that is in addition to, or in lieu of, a registry entry. In the event of an appeal, include the final decision of the authoritative body that adjudicated the appeal. If decisions are recorded in official minutes of a public body, use GRS-1000.1102.59 (Administrative Policy Records: Minutes) for retention requirements.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Expired PLUS: 50 Year(s) THEN: Destroy (Shred)</p>
<p>GRS-1181.1059.50 Notices, Legal Public Access: <i>Review</i></p>	<p>Use for notices of decisions, evidence of service of process, and related records. Retain until the process or procedure by which they were created is completed or closed, then destroy.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 0 Year(s) THEN: Destroy (Shred)</p>

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<p>GRS-1181.1059.126 Pleadings Public Access: <i>Review</i></p>	<p>Use for petitions, and other written statements of claims and defenses, including any recorded evidence, filed with the license agency regarding the agency's decision to deny, grant or reinstate a license. Includes oaths, transcripts and other recorded material captured as part of an oral proceeding. Retain until the process or procedure by which they were created is completed or closed, then destroy.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 0 Year(s) THEN: Destroy (Shred)</p>
<p>GRS-1181.1059.81 Registers Public Access: <i>Review</i></p>	<p>Use for registries, recording books and similar records and systems that track licensees, including license status and other relevant information.</p>	<p>Permanent (Archival)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 0 Year(s) THEN: Archives</p>
<p>GRS-1181.1059.144 Reports Public Access: <i>Review</i></p>	<p>Use for reports of the names of persons licensed by licensing agency and the status of their licensure that are required to be compiled and distributed by Federal or State law. If reports are generated as part of a larger requirement, use GRS-1000.1102.144 (Administrative Policy Records: Reports) for retention requirements.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 1 Year(s) THEN: Destroy (General)</p>

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Appendix A: Appraisal Values

An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value but not always.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special circumstances.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

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Appendix B: Public Access Requirements

A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. §§ 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.

Access	Description	Usage
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

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Appendix C: Retention Requirements

A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

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Appendix D: Disposition Requirements

A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.

Disposition	Description	Usage
Archives	Retain indefinitely. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate temporary records from archival records in accordance with the approved records schedule.	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to the Archives.

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Appendix E: Legal References

GRS-1181.1059: Professional Licensing Files		<i>Review for Exemption?</i>
04 030 CVR 004	Administrative rules for procedures to enforce child support orders by suspension of professional licenses	No
04 030 CVR 005	Administrative rules of practice	Yes
1 V.S.A. § 317	Definitions; public agency; public records and documents	Yes
10 V.S.A. § 1975	Designer licenses	No
12 033 CVR 001	Wastewater System and Potable Water Supply Rules	No
13 141 CVR 001	Rules of the Board of Medical Practice	No
13 V.S.A. § 7043a	Licenses or governmental contracts	No
15 V.S.A. § 795	Licenses or governmental contracts	No
16 V.S.A. § 1696	Licensing [related to professional educators]	No
18 V.S.A. § 4209	Supervision, revocation and reinstatement of licenses and certificates	No
21 V.S.A. § 1378	Requirements for obtaining license or governmental contract	No
21 V.S.A. § 145	Elevator mechanic license and lift mechanic license	No
21 V.S.A. § 146	Elevator inspector license	No
21 V.S.A. § 148	Issuance and renewal of licenses; fees	No
26 V.S.A. § 1368	Data repository; licensee profiles [related to medicine and surgery]	No
26 V.S.A. § 1397	Recording license [related to medicine and surgery]	No
26 V.S.A. § 1400	Renewal of license [related to medicine and surgery]	No
26 V.S.A. § 2091	Director of the office of professional regulation; duties [relating to physical therapists]	No

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26 V.S.A. § 2661	Director [of the office of professional regulation]; duties [relating to the state board of opticians]	No
26 V.S.A. § 2676	License; renewal; reinstatement [for opticians]	No
26 V.S.A. § 3203	Director of the office of professional regulation; duties [relating to clinical social work]	No
26 V.S.A. § 3288	Director of the office of professional regulation; duties	No
26 V.S.A. § 3353	Director of the office of professional regulation; duties [relating to occupational therapists and assistants]	No
26 V.S.A. § 3383	Director [of the office of professional regulation]; duties	No
26 V.S.A. § 4054	Director of the office of professional regulation; duties [relating to psychoanalysts]	No
26 V.S.A. § 4082	Definitions [relating to a roster of psychotherapists who are nonlicensed and noncertified]	No
26 V.S.A. § 4103	Director [of the office of professional regulation]; function; commissioner of health; rules [relating to tattooists and body piercers]	No
26 V.S.A. § 4125	Director [of professional regulation]; duties [relating to naturopathic physicians]	No
26 V.S.A. § 4154	Office of professional regulation [relative to athletic trainers]	No
26 V.S.A. § 4185	Director [of the office of professional regulation]; duties [relating to midwives]	No
26 V.S.A. § 4404	Director [of professional regulation]; duties	No
26 V.S.A. § 4604	Director [of the office of professional regulation]; duties [relating to auctioneers]	No
26 V.S.A. § 4704	Director of the office of professional regulation; duties [relating to respiratory care]	No
3 V.S.A. § 122	Office of professional regulation	No
3 V.S.A. § 123	Duties of office [of professional regulation]	No
3 V.S.A. § 126	Agent for process; nonresident licensees	No
3 V.S.A. § 129	Powers of boards; discipline process	Yes
3 V.S.A. § 129a	Unprofessional conduct	No

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3 V.S.A. § 130a	Appeals from board decisions	No
3 V.S.A. § 132	Board quorums	No
3 V.S.A. § 814	Licenses [in relation to the Administrative Procedures Act]	No
3 V.S.A. § 816	Exemptions [relating to the administrative procedure act]	No
31 V.S.A. § 1102	Director [of office of professional regulation]; powers; duties	No
32 V.S.A. § 3113	Requirements for obtaining license or governmental contract	No
4 V.S.A. § 1110	Licenses or governmental contracts [related to the Judicial Bureau]	No
42 CFR 431.710	Provisional [nursing home administrator] licenses	No
6 V.S.A. § 2721	[Milk] Handlers' licenses	No
6 V.S.A. § 2722	Application [related to milk handlers]	No
6 V.S.A. § 2722a	Hearings, and action upon applications [related to milk handlers]	No
6 V.S.A. § 2723a	Distributors' licenses [related to fluid dairy]	No
6 V.S.A. § 2724	Technicians' licenses [related to dairy products]	No
6 V.S.A. § 564	Licensing; application [related to industrial hemp]	No
6 V.S.A. § 6	Combined licenses	No
6 V.S.A. § 762	License; fee [related to livestock dealers, auctions, and sales rings]	No
6 V.S.A. § 764	Bond [related to livestock dealers, auctions, and sales rings]	No
8 V.S.A. § 2201	Licenses required	No
8 V.S.A. § 2502	License required [related to money services]	No
8 V.S.A. § 2506	Application for license [related to money services]	No
8 V.S.A. § 2507	Security	No

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8 V.S.A. § 2508	Issuance of license [related to money services]	No
8 V.S.A. § 2509	Renewal of [money services] license and annual report	No
8 V.S.A. § 2516	Application for license [related to money services]	No
8 V.S.A. § 2517	Issuance of license [related to money services]	No
8 V.S.A. § 2518	Renewal of [money services] license and annual report	No
8 V.S.A. § 2532	Reports [related to money services licensees]	No
8 V.S.A. § 2533	Change of control [related to money services licensee]	No
9 V.S.A. § 2440	Social security number protection	Yes