



City Hospital and Other Health Records

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Reference Number: MTAS-479

Special rules apply to medical records. They generally are governed by T.C.A. §§ 68-11-301 et seq. The definition of “hospital” used in these provisions is broad enough to include city hospitals and health departments. ^[1] Certain hospital records are not public records. ^[2] Generally, the law requires that a hospital or health department is required to retain and preserve records that relate directly to the care and treatment of a patient for 10 years following the discharge of the patient or the patient’s death during the period of treatment within the hospital. ^[3]

Mental health records are treated differently. Hospitals and health departments are given the option of retaining records for a longer period if they wish. ^[4]

[1] T.C.A. § 66-11-302.

[2] T.C.A. § 68-11-304.

[3] T.C.A. § 68-11-305.

[4] T.C.A. § 68-11-307.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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