

## Guidance on the Retention of X-ray Images

VDH advises private facilities (those that are not operated by the Commonwealth of Virginia) to seek guidance regarding X-ray image retention from their legal counsel.

State agencies should refer to the Library of Virginia's Records Retention Program and obtain a copy of the Records Retention and Disposition Schedule. General Schedule No. 120 (GS-120), Health Records, contains the records retention schedule for diagnostic testing and imaging records.

Medical facilities that provide mammography services must also comply with the federal Mammography Quality Standards Act (MQSA) of 1994, as amended, as well as the standards for mammogram retention as 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.

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## Revision History

Date	Summary of Changes
12/05/2018	Original document created.
11/30/2022	Document reviewed and amended. Minor edits to improve grammar and clarity.

## Contact

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