

# RECORD KEEPING AND DOCUMENTATION

## Professional Practice Toolkit

*The Maryland Psychological Association*

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### Document Objective

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This document is meant to provide information about Maryland Statutes/Regulations on information pertaining to record keeping and documentation. Links to documentation templates can be found below

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### Background & Ethical Considerations

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- Maryland (MD) law requires that records include an intake/evaluation note and progress notes.
- Termination notes may be beneficial in reducing risk and decreasing confusion around continuation of care
- MD law requires that psychologists document the following for each client: informed consent, presenting problems, diagnosis, fee arrangements, dates and substance of each billed service, original test data with results and other evaluative material, and the results of any formal consultations with other professionals
- MD law requires that psychologists retain records for 5 years for adults, and 5 years or 3 years after reaching age 18 for minors, whichever is later. [Medicare can preform audits for up to 6 years.](#)

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### What you need to know

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- The linked templates below are examples that meet the minimum requirements, though keep in mind that it may be clinically appropriate in many cases to document additional information. For example, it may be clinically appropriate during an intake/initial evaluation to document a variety of bio/psycho/social factors that will be important for that client's care and treatment, even if not specifically required by state law.
- APA Division 31 has examined documentation regulations in each state and developed a sample template that meets the state's minimum requirements, as follow:
  - [Intake and Evaluation Form](#)
  - [Progress Note](#)
  - [Termination Summary](#)

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### Relevant Resources

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1. [APA Division 31's summary of Maryland's record keeping laws](#)
2. [COMAR 10.36.05.08 Confidentiality and Client Records](#)
3. [COMAR 10.36.05.05 Representation of Services and Fees](#)
4. [Annotated Code of Maryland - Health - General § 4-403](#)
5. American Psychological Association. (2007). Record keeping guidelines. *The American Psychologist*, 62(9), 993-1004.