



April 2015

**Health Information Management
Office of Informatics and Analytics**

FACT SHEET RECORDS MANAGEMENT REQUIREMENTS USE OF PERSONAL EMAIL ACCOUNTS

BACKGROUND

Recent events in the media have shown the importance of using government email accounts as your primary employee email system. National Archives and Records Administration has stated that government agencies should use .gov email addresses when available. Exceptions include manmade or natural emergencies that limit or block the VA employee from having email network access. When this happens, the employee shall either copy their government email account when using private accounts; and/or print the email, place it in a folder, and maintain it as a government record.

GUIDANCE

Per official guidance, employees shall not use a non-government email account as their primary government email account. Auto-forwarding of government email messages to personal email accounts is strictly prohibited. In addition, the courts have allowed for the search of employees' personal email accounts if it is believed that the employee used his/her personal email account to conduct government business. Employees must take care not to place personally identifiable information (PII) or protected health information (PHI) in their personal email accounts. All emails must be maintained per the content of the email itself (subject driven). The employee shall apply the records schedule to emails based on their subjects found in [Record Control Schedule \(RCS\) 10-1](#) or [National Archives and Records Administration \(NARA\) General Records Schedules \(GRS\)](#). Additional information on this subject can be found in [VA Handbook 6301 "Procedures for handling Electronic Mail Records"](#) and [VA Handbook 6500, VA Information Security Program](#).

Presidential and Federal Records Act Amendment of 2014 (Public Law 113-187) States;
(Sec. 10) Prohibits an officer or employee of an executive agency from creating or sending a record using a non-official electronic messaging account unless such officer or employee: (1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record, or (2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record. Provides for disciplinary action against an agency officer or employee for an intentional violation of such prohibition.

Contact your facility Records Manager for more information or visit the VHA Records Management website at: <http://vaww.vhahim.va.gov/>. Please direct any additional questions to Matthew Staden, VHA Records Officer, Health Information Management (HIM) at (202) 461-5509 or Matthew.Staden@va.gov.