



Policy Name:	DEPARTMENT	POLICY NUMBER:
Public Records Policy	Operating	OP-03
ORIGINAL DATE:	RESPONSIBLE PARTY:	REVISED DATE:
1/1/2018	Chief Financial Officer	10/1/2020
APPROVAL DATE:	DATE REVIEWED:	APPROVED BY:
10/21/2020		BOARD OF DIRECTORS
RESOLUTION NO:	BOARD CHAIR:	
1605 George Jackson Road, Maupin OR 97037 Phone 541-395-2911 Fax 541-395-2912		

This current policy replaces all previous editions of Public Records Request.

Purpose

To formalize a consistent method of responding to requests for public records in a manner that complies with the public records law, while allowing for efficiency in managing the impact on agency workload.

Policy

The White River Health District complies with the Oregon Public Records Law and responds to public record requests as soon as practicable and without unreasonable delay, in the manner described below. ORS 192.440(7) requires every public body to make available to the public a written procedure for making public record requests.

Procedures

1. Public records request procedure.

The Clinic Manager processes and coordinates all public records requests to any division that comes from the public, media, or any other entity. All employees, Board members and contracted entities are to notify the front office of any requests from the media, and any large and/or unusual requests from any source.

2. Initial response to public records requests.

After receiving a request for a public record or document, the Clinic Manager, in consultation with the Board of Directors and/or Legal counsel will respond to public records requests as soon as practicable and without unreasonable delay.

Clinic policy should also reflect these policies. Appropriate responses include:

- A statement that the White River Health District does or does not have custody of the requested document(s);
- Copies of all requested public records for which the White River Health District does or does not claim an exemption from disclosure under ORS 192.410 to 192.505 (see information on exemptions below);

- A statement that the Office of the White River Health District is the custodian of some responsive records, an estimate of time in which copies will be provided or inspection will be available if applicable, and an estimate of the fees the requestor must pay;
- A statement that the White River Health District is uncertain whether it possesses any requested records and that it will search for the requested records and respond as soon as practicable; or
- A statement that state or federal law prohibits the White River Health District from acknowledging whether the record exists and a citation to the relevant state or federal law.

Upon receipt of a public records request from the media, the Clinic Manager, or her designee, shall promptly provide a response acknowledging receipt of the request "as soon as practicable and without unreasonable delay."

The following information should be collected for each formal public records request:

- Name of the requestor:
- Date received
- Organization the requestor represents if any
- Address, phone number, and email contact
- Description of the information they are requesting

If a record is neither exempt nor confidential, ORS 192.430 requires a custodian of public records to provide "proper and reasonable opportunities for inspection and examination of the records in the office of the custodian" during usual business hours to persons seeking access to public records. Under HIPPA compliance this would require a room separate away from any medical rooms, patients, documents or within hearing range of phone calls. If a record is stored in a secure location, the only option will be a photocopy of the record or a mutual agreed upon site with staff oversight.

3. Clarification of public records requests.

If the White River Health District receives an unusual request or the scope of the request is unclear or overly broad, the Office may request additional clarification or narrowing before responding to the request.

4. Availability of public records requests.

Information on all public record requests directed to and processed by the Executive Office will be made available upon request.

A log of public records requests will be housed in the Deschutes Rim Health Clinic office of the White River Health District.

This log will include the requestor's name, organization, the nature of the request, and date of the request. The status of the request will be updated once processing has begun and is fulfilled.

The public records log will be updated with each request received by the White River Health District.

5. Non-responsive requestors.

If a requestor fails to respond to inquiries for clarifications, cost estimates, or any other communication from the White River Health District within 10 business days, the status of the request will be changed to "Non-Responsive Requestor," and a new request will be required.

Cost

Reasonable fees may be charged for the time it takes staff to fulfill requests including, but not limited, to, compiling, researching, locating, and/or reviewing public records for exemptions. Policy includes the charging for staff time when the time involved to fulfill the request exceeds two hours, unless otherwise provided in Oregon Administrative Rule. The fee schedule will be followed when charging fees, the requester must be given notice ahead of time. They then can modify their request to reduce the amount of work and the size of the fee.

Exempt/Confidential Records

The Public Records Law is primarily a disclosure law, not a confidentiality law, according to the Attorney General's Public Records and Meetings Manual. However, some public records are exempt from disclosure.

Under Oregon law, a public body is ordinarily free to disclose a record or information even if an exemption applies to that record or information. But there are some categories of records and information that public bodies are legally prohibited from disclosing or that they may disclose only to specified entities or in specified circumstances.

Fee Schedule

Agencies shall waive a minimum of 30 minutes of staff time for all Public Records Requests after which fees may be assessed for additional staff time, applicable services and supplies required to fulfill a Public Records Request in accordance with the applicable fee-schedule below.

The hourly rate charged for additional staff time will be based on the level of skill or expertise required to complete the work performed. Meaning, if work done to fulfill a request requires clerical-level skills, agencies may only charge the clerical hourly rate time spent on that portion of the work (as a maximum), even if a managerial-level or professional-level employee actually fulfills the request on behalf of the agency.

Fees will be charged for staff time required to redact exempt information from requested public records prior to release and for supervision of review of records on or off site.

Staff time

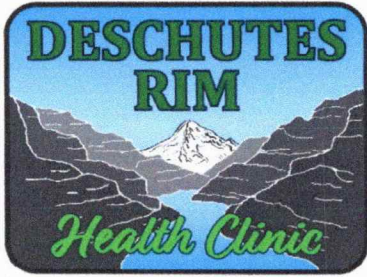
Fees for staff time required to fulfill a Public Records Request shall not exceed:

- **\$25/hour for Clerical** (administrative, office specialists, other support staff)
- **\$40/hour for Managerial** (Program managers, PIOs)
- **\$75/hour for Professional** (IT, HR, High-level Analyst)
- **Legal attorney and other applicable legal fees:** at the actual hourly rate charged for Public Records Request-related services. Fees are subject to statutory limitations described in ORS 192.440(4)(b).
- **Photocopies/microfilm**, 25 cents per page (includes cost of labor for). There is no charge for fewer than 40 pages. This minimum can only apply to one request per requestor per month.

Additional Cost Considerations

Miscellaneous fees related to production and release of responsive records:

- Expedited Archive retrieval
- Costs of software companies/contracts (as needed to manage the volume of request)
- Certified copies



1605 George Jackson Rd

PO Box 219

Maupin, OR 97037

541-395-2911

White River Health District

Request for Disclosure of Public Records

Date of Request: _____

Requestor's Name: _____

Requestor's Address: _____

Requestor's Phone Number: _____

Requestor's Email Address: _____

ATTN: Clinic Manager, I (we) _____ (name(s)), request that the
White River Health District, Deschutes Rim Health Clinic:

_____ make available for inspection

_____ provide a copy or copies of the following records:

Item	Inspect	Copy	Name or Description of Record

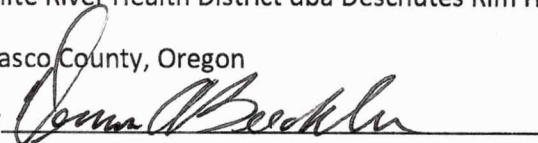
Signature of Requestor

Passed by a majority of the Board of Directors of White River Health District, with a quorum in attendance the 21st Day of October 2020.

White River Health District dba Deschutes Rim Health Clinic

Wasco County, Oregon

By



Dennis Beechler, Chairman of the Board

Attest:

By



Sue Knapp, Secretary of the Board