

CENTRAL STATE HOSPITAL
POLICY

SUBJECT: Open Records Request Guidelines For Central State Hospital

ANNUAL REVIEW MONTH: October

RESPONSIBLE FOR REVIEW: Risk Management Director

LAST REVISION DATE: June 2007 (Reviewed 3/09)

I. POLICY

A. PURPOSE:

The purpose of this policy is to ensure compliance with the Open Records Act, OCGA section 50-18-70 and to provide concise guidelines for Central State Hospital when processing open records requests.

B. APPLICABILITY:

C. DEFINITIONS:

1. The following documents are considered public records:
 - A. Documents, letters, maps, books, facility and other organizational policy/procedure/plans, tapes, photos, brochures and computer based generated information prepared by or maintained in the operation of a public agency or office.
 - B. Any documents received or maintained by a private person or entity or on behalf of a public office or agency.
 - C. Records received or maintained by a private person firm, corporation or other private entity in the performance of a service or function for or on behalf of a public office or agency to the same extent that such records would be subject to disclosure if received or maintained by such public office or agency.
2. Open records requests may be presented in the following manner:
 - A. A person orally makes a request to a CSH staff member
 - B. A written request for documents is presented to a CSH staff member
 - C. An electronically (E-mail) request for documents is sent to a CSH staff member
 - D. A CSH staff member receives a facsimile (fax) request for documents
 - E. A request is verbalized over the telephone to a CSH staff member

D. POLICY STATEMENT:

1. It is the policy of Central State Hospital that each time an employee receives an open records request, either for copying or inspection of documents, the employee must immediately inform the unit/department/office Service Director/Service Chief. The unit/department/office supervisor/manager will immediately inform Risk Management of the request and to seek guidance/clarification for an appropriate response.
NOTE: The only exception to this policy directive relating to informing the Risk Management office is if the request was made for any handouts or brochures which are routinely made available for the general public and bid documents which are open to the public once the bid date is closed.
2. The unit/department/office Service Director/Service Chief must inform the person making the request that the records will be made available for copying or inspection within three (3) business days.
3. The unit/department/office supervisor/manager will be responsible for ensuring that public records will be prepared for copying or inspection within three (3) business days (Monday - Friday) of the request.
4. If the documents requested exist and additional time is needed to research/retrieve the requested documents, the unit/department/office supervisor/manager must provide a written response with a description of the documents and an estimated date the records will be available for copying/inspection.
5. If the requested documents exist, but are prohibited or exempted from disclosure, the unit/department/office Service Director/Service Chief must consult with the Risk Management Department for guidance. The Risk Management Director must reply in writing to the person making the request within three (3) working days and indicate in the written request the specific legal authority which prohibits or exempts the requested documents.
6. The unit/department/office Service Director/Service Chief will inform any individual making an open records request for copying or inspection that he/she must pay for the copying and retrieval of documents prior to releasing the documents or making the documents available for inspection.
7. The amount charged for copying each page of the open records request will be \$.25 cents.
8. The unit/department/office Service Director/Service Chief must establish an hourly charge for searching and the retrieval of requested documents. This amount will be calculated by the hourly rate of the lowest paid member in the department/section that is completing the request. NOTE: If fifteen (15) minutes or less is utilized for actual time required for copying or retrieval of requested documents, no charges will be assessed for labor/ retrieval/searching.

9. Actual charges for cost of mailing or any supplies necessary to complete the open records request must be billed to the person making the request. NOTE: The individual making the open records request must also be informed of these charges prior to releasing of the requested documents.
10. All open records requests for personnel related records will be handled by the Human Resources Department.
11. Each unit/department/office will be responsible for submitting to the Risk Management Office, no later than the 3rd day of each month, a compiled monthly report of their open records requests processed. The attached Open Records Activity Report will be used for this purpose.
12. The Risk Management office will compile the facility s unit/department/office open records report and complete a comprehensive monthly open records activity report for submission to the Division of Mental Health, Developmental Disabilities and Addictive Diseases Central Office no later than the 10th day of each month.
13. Any employee who knowingly and willfully fails to comply with the Open Records Act, refuses to provide access to non-exempted documents or fails/refuses to provide access to non-exempted documents within the established time limits shall be guilty of a misdemeanor criminal crime and upon conviction be punished by fine not to exceed \$100.00 and; appropriate disciplinary actions may also be awarded.

E. DISCUSSION:

The CEO will be responsible for providing adequate training to employees relating to the Open Records Act and the establishment of procedures utilized for responding to open records requests. Open records request training shall be provided to newly hired employees during the orientation period.

II. REFERENCES:

III. APPROVED:

This policy has been approved by the CEO and CMO on 06/09.