

**GRAND RIVER HOSPITAL DISTRICT
Rifle, CO**

X GRMC X EDMCC X GRPC X BMMC X H&SC X SBC

Policy Title: Open Records & Colorado Open Records Act (CORA)

Department: Administration

Manual:

Initiated by Title/Dept.: Administration **Effective Date:** 8/27/14

Revised:

Reviewed:

Approved by Title/Dept.: Administration **Date:**

Approved by Board of Directors: Yes **Date:** 8/27/14

Review Frequency: Annually

PURPOSE: Policy on Responding to Open Records Requests.

The Grand River Hospital District (the “**District**”) Board of Directors fully supports, and complies with, all Federal and State laws relating to the retention, protection and disclosure of District records including, but not limited to, the Colorado Open Records Act, Title 24, Article 72, Part 2, C.R.S. (“**CORA**”), the Health Insurance Portability and Accountability Act of 1996 (“**HIPAA**”), and the Privacy Rule promulgated by the U.S. Department of Health and Human Services which interprets and implements HIPAA.

POLICY: It is the policy of the District that all public records shall be open for inspection by any person at reasonable times, except as otherwise provided by law. Public records are defined by CORA as all writings made or maintained by the District, regardless of the format or medium of the records, subject to certain exceptions. Public records expressly include email communications. The District maintains an archive of all email messages for emergency backup purposes only; such archived email communications are not individually retrievable and are specifically not intended to create a public record. By action of the Board of Directors of the District, the Executive Assistant is hereby designated as the official Custodian of Open Records responsible for the maintenance, care and keeping of all open records of the District. The official Custodian of Open Records shall have authority to designate such agents as he/she shall determine appropriate to perform any and all acts necessary to enforce and execute the provisions of this policy. Upon receipt, requests by a citizen, entity, Federal or State agency, District member, subpoena, Administrative or Court Order, or other legal process, to inspect and/or copy any District open record (collectively referred to as a “**Records Request**”) should be immediately sent to the Custodian of Open Records.

The following are general policies concerning the release of records:

1. Every Open Records Request must be submitted to the District’s Custodian of Open Records in writing on the form attached.
2. If any question arises as to the propriety of fully complying with a Records Request, the Custodian of Open Records shall immediately forward the request to the District’s legal counsel.
3. The District’s legal counsel shall determine the District’s obligations under the applicable Federal and/or State law(s). If the District is permitted to comply with the Records Request in whole or in part, the District’s legal counsel will so notify the District’s Custodian of Open

Records, who will assemble the disclosable requested documents for inspection and/or copying in accordance with applicable Federal or State law.

4. If the District's legal counsel determines the District is not permitted by Federal or State law to comply with the Records Request in whole or in part, legal counsel shall provide a written response to the party submitting the Records Request stating the legal basis upon which the Records Request in whole or in part is being denied.
5. The Custodian of Open Records shall set a date, time and place within three (3) working days of receipt of the request during normal office hours when such records will be available. The Custodian or a delegated employee must be present while the records are examined. If extenuating circumstances exist, then the Custodian shall notify the requester of this fact in writing within the initial three (3) working day period and shall make the records available within seven (7) working days thereafter.
6. Copies of public records will be delivered by the Custodian to the requester at a cost of \$.25 per page in standard size and format. The charge for providing a copy, printout or photograph of a public record in a format other than a standard page will be assessed at the actual cost of production. In addition, the District shall charge a research and retrieval fee of \$30 per hour and no charge shall be made for the first hour of time expended in connection with the research and retrieval of public records. All fees will automatically adjust for inflation pursuant to statute.
7. Upon request for records transmission by a person seeking a copy of any public record, the Custodian will transmit a copy of the record by U.S. Mail, other delivery service, facsimile, or electronic mail. No transmission fees will be charged to the records requester for transmitting public records via electronic mail. The custodian will notify the record requestor that a copy of the record is available but will only be sent to the requestor once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed, unless recovery of all or any portion of such costs or fees has been waived by the custodian. The custodian will include an estimate of the costs and fees that will be charged.

This policy shall supersede any previous policy related to open records requests.



Open Records Request Form
Submit Request Form to Administration

Date of request: _____ Time of request: _____

Requestor's information
Name: _____ E-mail address: _____
Address: _____ Daytime phone: _____
City: _____ State: _____ Zip Code: _____

Describe records requested: _____

If the document name is unknown, provide brief but specific description of document or information requested (note date and location of document, if known). A request, which is broad, vague or too voluminous, may cause a delay in the time the District can produce the records. Please attach an additional page if needed to list these items in detail.

Purpose of request

[] Court case [] Personal information

[] Other (please specify): _____

Are you requesting certified copies? [] Yes [] No

FOR ADMINISTRATION ONLY

Responsible Department: _____

Availability: [] Paper Copy [] Electronic Format

Location: [] In Storage [] Readily Available

Cost Estimate table with rows for Copying of pages, Research and Retrieval Costs, Certification, and Total Cost Estimate.

Having received the foregoing cost estimate, I choose to confirm my request for the records described and agree to pay the charges. [] Yes [] No - cancel request

Signature _____ Date _____