



POLICY AND PROCEDURE

Department: Administration

Creation Date: 3/10/2014

Review Date: 10/18/2019

Policy Title: Open Records Request Policy

Revise Date: 9/18/2024

POLICY:

The Park Hospital District, operating as the Estes Park Health (“EPH”) has developed the following Open Records Request Policy in order to create a systematic method of managing open records requests. Pursuant to the Colorado Open Records Act ("CORA") public records are to be open for inspection by individuals at reasonable times, upon request, unless exempted under CORA. As a public agency EPH recognizes the importance of this state policy and the importance of creating an environment of openness with respect to its internal operations. This policy is intended to balance the public's right to inspect the records of EPH with EPH's need to protect its records and prevent unnecessary interference with its regular duties in responding to requests.

PROCEDURE:

- The designated Custodian of Records (CR) will accept written CORA requests.
- Requests for EPH open records shall be addressed to:

Estes Park Health, Custodian of Records
Administration
555 Prospect Avenue
Estes Park, CO 80517

Email to: adminassistant@eph.org

- The CR will immediately forward requests to the CEO, and if not available, to the District's legal counsel.
- All requests must be made in writing or e-mailed to be accepted. The date the request is received by the CR will constitute the "date of receipt" for timing purposes.
- All requests must be specific as to the records sought and the relevant dates of those records.
- Requests for correspondence, including e-mail correspondence, must identify the parties to the correspondence. For any request that is vague or broadly stated the CR may require the requestor to provide more specific information.
- E-mail communications for the purpose of compliance with CORA shall be monitored only once legal counsel has determined that the request concerns information subject to inspection under CORA.



- Requests for records will not take priority over previously scheduled work activities or duties of EPH; provided, however, that the request shall be met within the statutory three (3) day time period unless the request encompasses all or substantially all of a large category of records and EPH is unable to prepare the records because extenuating circumstances require EPH to devote substantially all of its resources to meet an impending deadline or period of peak activity that is either unique or does not occur more frequently than once a month.
- EPH reserves the right to levy a reasonable fee for research and retrieval services of requested documents above and beyond the costs for obtaining copies as identified. The records retrieval fee shall not exceed \$41.37 per hour and will not be charged for the first hour of research.
- The CR is not required by the Open Records Act to construct a document that does not exist.

Responding to Requests for Open Records:

- The EPH's legal counsel will assist the CR to determine if the information requested is subject to inspection under CORA. If it is determined the records requested are not subject to inspection under CORA, the CR will inform the requestor, in writing, that the request is being denied and provide the specific statutory citation supporting the denial.
- If the request is for records EPH does not possess, the requestor will be informed, in writing, that EPH does not possess the requested records, the details within EPH's belief or knowledge regarding the reason for the absence, the current location, and the current custodian of the requested records.
- If the requested records contain information that is partially open to inspection and partially exempt from inspection EPH may withhold the record altogether or redact the exempted information and provide the record(s) for inspection.
- If the request is made by a member of the media, the Public Information Officer will be informed.
- Some records are available online. If so, the CR will inform the requestor of its online availability. If the requestor still wants a personal inspection and to obtain copies pursuant to the rest of this policy EPH will reasonably accommodate, including producing public records in formats accessible to individuals with disabilities in accordance with the federal Americans with Disabilities Act and applicable state law.
- EPH will make reasonable efforts to ensure requested records are available for inspection within three (3) business days of receiving the request. If the records are not immediately available, or if extenuating circumstances exist as defined by Sec. 24-72-203(3)(b), C.R.S., EPH will make reasonable efforts to ensure the records are available within seven (7) business days of receiving the request.



- Once the records have been located and reviewed, EPH will notify the requestor, in writing, via United States Mail that the records are available for inspection.
- A transmittal fee may not be charged for emailing electronic records to the requestor.

Inspection of Records:

- Once the requestor is notified that the records are available for inspection, the requestor must contact EPH within five (5) business days to arrange a date, time, and place to inspect the records. If within five (5) business days the requestor fails to schedule a time for inspection the request, it will be considered abandoned.
- Records will be available for inspection during EPH's normal business hours, 8am – 5pm, Monday - Friday.
- The requestor may obtain copies of the requested records at a cost of \$0.25 per page, or for documents in non-standard formats, the actual duplication costs.
- Payment must be received in advance of releasing requested copies. The CR shall send the record within three business days after receiving payment.
- The records will be maintained by EPH for two (2) business days after the scheduled inspection time at which point the records will be returned to their point of origination.
- Once a request is considered abandoned, the requestor must submit a new request to inspect any records.

Reference: Colorado Revised Statutes Title 24 Government State § 24-72-205, public records.