

PUBLIC RECORD REQUESTS

Under ORS 192.420, “every person” has a right to inspect any non-exempt public record of a public body in Oregon. Only those items classified as non-exempt “public record” may be reviewed by the general public. If the Executive Officer (EO) is in doubt about whether a particular file or document is considered a public record, the EO will consult with the Board’s Assistant Attorney General (AAG).

Requests for Board records shall be made in writing under the Oregon Public Records Law and in compliance with the state Administrative Procedures Act. Oregon Public Records Law provides the Board a reasonable time to respond to records requests, despite any deadlines that a requestor attempts to impose. The amount of time that is reasonable will depend upon the volume of records requested, staff availability and the difficulty in determining whether any of the records are exempt from disclosure.

The Board shall provide “proper and reasonable opportunities for inspection and examination of Board records” during usual business hours. Reasonable opportunities for inspection of records expressly extends to records “maintained in machine readable or electronic form.” No files may be removed from the office, and the EO must be present during file review. Any person reviewing a file must sign and date the Public Records Review Log and identify the file and information to be reviewed.

The Board may charge reasonable fees for its actual cost in making records available. Such fees include costs for locating, summarizing, compiling or tailoring a record, either in organization or media, to meet the person’s request. Reasonable fees include administrative, legal and material costs. Administrative fees include locating, screening and copying records. Legal fees include AAG charges for reviewing and segregating records and related legal administrative support charges. Material fees include copies and postage or charges related to special delivery requests.

The Board may estimate charges for responding to a records request and require prepayment of the estimated charges before acting on the request. Any overpayment will be promptly refunded in the event the actual charges are less than the prepayment.

The Board may allow a waiver/reduction of fees if the EO determines that the waiver/reduction of fees is in the public interest and that making the record available primarily benefits the general public. A person who believes that there has been an unreasonable denial of a fee waiver or fee reduction may petition the Attorney General or the district attorney in the same manner as a person petitions when inspection of a public record is denied under ORS 192.410 to 192.505.

Fee Schedule

- **Administrative Charges**
 - 1-15 minutes: \$5
 - 16-30 minutes: \$10
 - 31-45 minutes: \$15
 - 46-60 minutes: \$20
 - 61+ minutes: Add \$5 per quarter hour
- **Legal Charges**
 - AAG: Charge based on Actual Cost (est. \$98 per hour)
 - Administrative Support: Charge based on Actual Cost
- **Material Charges**
 - Copy Charge: 10 cents per copy

OREGON BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

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PUBLIC RECORDS REVIEW LOG

1.	NAME OF REVIEWER (PRINTED)	DATE
2.	SIGNATURE OF REVIEWER	
3.	FILE(S) REVIEWED	
4.	INFORMATION REVIEWED	

RECORD REVIEW CHARGES (FOR BOARD OFFICE USE)

Administrative Charges

- 1-15 minutes: \$5
- 16-30 minutes: \$10
- 31-45 minutes: \$15
- 46-60 minutes: \$20
- 61+ minutes: Add \$5 per quarter hour

Administrative Charges: \$ _____

Legal Charges

- Assistant Attorney General: \$ _____
- Administrative Support: \$ _____

Legal Charges: \$ _____

Material Charges

- Copies (_____ X 10¢): \$ _____
- Postage/Delivery: \$ _____
- Special Delivery? Co. _____

Material Charges: \$ _____

- **Non-disclosed Information:**
- **Redacted Information:**

TOTAL RECORD REVIEW CHARGES: \$ _____

Please Make Checks Payable to the *Board of Nursing Home Administrators.*