



Oregon Board of
Chiropractic
Examiners

Effective Date:
September 21, 2017

Date approved/ratified:
September 21, 2017

Public Records Request Policy and Procedures

POLICY

The Oregon Board of Chiropractic Examiners 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 procedures.

The OBCE's Executive Director is responsible for coordinating public records requests made to the OBCE. The Executive Director, and OBCE staff, will work with the Oregon Department of Justice as appropriate in fulfilling the public records requests. All formal public records requests must be submitted using the OBCE Request for Public Records form, found on the OBCE's website.

2. Initial response to public records requests.

After receiving a request for a public record or document, OBCE staff will respond to records requests as soon as practicable and without unreasonable delay. We will respond with one or more of the following:

- A statement that the OBCE does or does not have custody of the requested document(s);
- Copies of all requested public records for which the OBCE does not claim an exemption from disclosure under ORS 192.410 to 192.505;

- A statement that the OBCE is the custodian of some responsive records, an estimate of time in which copies will be provided or inspection will be available, and an estimate of the fees the requestor must pay;
- A statement that the OBCE 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 OBCE from acknowledging whether the record exists and a citation to the relevant state or federal law.

3. Clarification of public records requests.

If the OBCE receives an unusual request or the scope of the request is unclear, the Executive Director or other staff member may request additional clarification before responding to the request.

4. Publication of public records requests.

- Information on all public record requests made on or after March 23, 2017 will be publicly available on the OBCE website as a Public Records Request Log.
- The Public Records Request Log will be updated on a quarterly basis.

5. Non-responsive requestors.

- If a requestor fails to respond to inquiries for clarifications, cost estimates, or any other communication from the OBCE within 10 business days, the status of the request will be changed to “Non-Responsive Requestor.”
- Non-responsive requests may be resubmitted and will be processed as a new request.

COST

The Oregon Public Records Law allows agencies to recover their actual costs in fulfilling a public records request. If the estimated fee is greater than \$45, the OBCE will provide the requestor with written notice of the estimated amount of the fee. In such instances, the public records request coordinator will not fulfill the request until the requestor confirms in writing that the requestor wants to proceed with the request despite the estimated cost.

The OBCE fee schedule is as follows (per DAS Policy 107-01-160 and OAR 811-001-0060):

Standard Copies: \$0.15 per page
Certification of Public Records: \$5.00

Lists or labels of current Doctor of Chiropractic licensees: \$50.00/entire list; \$25.00/only active or inactive licensees; \$2.00/page for partial list by city/zip code

Lists or labels of Certified Chiropractic Assistants: \$15.00

Labor charges

Clerical Staff: \$15 per partial or full hour

Attorney Review: Hourly costs based on DOJ fee schedule

The OBCE will generate an invoice for completing the public records request. The OBCE will bill direct costs to the requestor (e.g. the cost of legal review by the Department of Justice). The requestor must pay the fee before the OBCE sends the requested records or makes them available for viewing.

Fee waivers for public records requests.

Requests for fee waivers or reduced fees must be made in writing to the Office of General Counsel, 160 State Capitol, 900 Court St. NE, Salem OR 97301. The General Counsel's office may furnish copies without charge or at a substantially reduced fee if it is determined that the waiver or reductions of fees is in the public interest because making the record available primarily benefits the general public. The General Counsel's office will determine the appropriateness of fee waivers or adjustments based on the guidance of the relevant statutes and the Attorney General's Public Records and Meetings Manual.