

# OREGON BOARD OF MEDICAL IMAGING (OBMI)

## Public Records Management

### Policy Adopted October 21, 2016

The Oregon Board of Medical Imaging (OBMI) adheres to ORS 192.410 to 192.505 and ORS 688 regarding requests for public information. It is the policy of OBMI to acknowledge information requests within one business week of receipt, and to fulfill the requests within 30 days. OBMI is committed to public transparency in all of its work as outlined in Oregon law.

The OBMI's policy is to ensure public records are managed and maintained appropriately within OBMI and consistently across the enterprise of state government.

This Public Records Management Policy, adopted in accordance with the requirements of DAS Statewide Policy 107-001-020 and ORS 192.018, addresses the following components:

- I. Public Records Maintenance
- II. Roles and Responsibilities
- III. Education and Training
- IV. Access and Ownership
- V. Integrity
- VI. Retention Generally
- VII. Storage and Retrieval
- VIII. Public Records Requests
- IX. Disposition and Destruction

#### **Compliance**

The OBMI shall develop and implement internal policies and procedures that support compliance, deter abuse and detect violations of this policy.

#### **I. Public Records Maintenance**

Public records shall be maintained and managed in a manner that protects the integrity of the records within OBMI without regard to the technology or medium used to create or communicate the record, from the time of creation of a public record to the time of final disposition of the public record as determined by their authorized records retention schedule.

#### **II. Roles and Responsibilities**

Oregon law requires agencies to designate an Agency Records Officer "to coordinate its agency's Records Management Program" (ORS 192.105(2)(a)). The OBMI executive director will serve as primary liaison with the State Archivist and receive training from the State Archivist in performing their duties.

OBMI will ensure agency public records are managed in accordance with their authorized records retention schedules, from the time of creation to final disposition, by assigning designated staff/positions with the following responsibilities:

- The Executive Director will review retention schedules with Administrative Assistant.
- The Executive Director will conduct a yearly review of records, (electronic, paper, etc.) to determine if records should be retained or destroyed.
- The Executive Director or other available OBMI staff persons will destroy records according to their authorized retention period.

#### **III. Education and Training**

Basic public records training will be completed as a component of OBMI's new employee orientation training; and incorporated as part of regular employee training, completed once a biennium.

OBMI will utilize the following training program to provide public records training: The Executive Director or a representative of the OBMI will attend Secretary of State Archive training when offered.

#### **IV. Access and Ownership**

Without regard to how public records are being stored, the OBMI will have custody and control over public records. Thorough on-going review of technological advances, the OBMI shall ensure all public records are maintained and accessible for as long as required by applicable retention schedules or litigation holds.

The OBMI's disaster mitigation processes are addressed in OBMI's Business Continuity Plan.

#### **V. Integrity**

The OBMI will ensure appropriate access and version controls are applied to all electronically stored records from record creation to final disposition.

The authenticity of each record can be demonstrated either by certified copy of paper records or via accompanying metadata for all electronic records.

#### **VI. Retention Generally**

OBMI will preserve and classify public records in accordance with ORS chapter 192, OAR chapter 166-300 and DAS Statewide Policy 107-004-050 regarding Information Asset Classification.

OBMI will work with the Archives Division to establish retention practices to ensure compliance with ORS chapter 192 and OAR chapter 166-300.

#### **Cloud-Computing**

The OBMI practices and procedures with respect to public records management in the Cloud will ensure compliance with DAS Statewide Cloud-Computing Policy (DAS Statewide Policy 107-004-150; 107-004-150 PR) and OAR chapter 166.

#### **Official Email Accounts**

In most circumstances, emails sent to or from a State employee's official email account will meet the definition of a public record. It is therefore OBMI's policy that virtually all email messages composed or sent using employees' official equipment and/or official email addresses be for primarily business purposes.

When OBMI receives a public records request, all official email accounts and systems used for official State business are subject to search and production.

#### **Personal Email Accounts / Social Media / Text Messaging**

It is the policy of OBMI that employees do not utilize private email accounts to conduct State business. Nor does OBMI utilize Social Media, Text messaging or Unified Communications. In the event that electronic communication relating to state business is transmitted through an employee's personal account, such communication must be immediately forwarded or copied to their state email account so that it can be properly maintained as a public record.

#### **Voice Mail**

Unless otherwise required, the OBMI will not retain messages on voicemail.

#### **VII. Storage and Retrieval**

Paper records: OBMI will maintain a filing system of the agency's paper records based on authorized retention schedules. The filing system will include the location of records, retention periods and procedures for retrieval to ensure accessibility of agency records.

Electronic records: The OBMI will maintain a filing system and naming conventions for all agency records stored in electronic format, based upon the OBMI's authorized retention schedules. The filing system and naming conventions will include the location of records in agency directories, retention periods, access controls and privacy conditions to support management of the agency's inventory of electronic records.

The OBMI will work with the State Archivist to ensure that retention periods for all records have been met before any data is destroyed and prior to deleting any large electronic record system.

#### **VIII. Public Records Requests**

The OBMI shall respond to all official requests for public records as timely as possible, consistent with the proper exercise of judgment relating to OBMI's other duties.

Additional policies and procedures related to requests for public records (intake, processing, and disclosure and/or determinations related to fees and charges) are the subject of separate agency policies and statewide protocols, processes and procedures.

#### **IX. Disposition and Destruction of Public Records**

The OBMI shall dispose of and/or destroy public records in accordance with the requirements of authorized records retention schedules and OAR chapter 166-300.

Pursuant to ORS 357.855, the State Archivist shall be consulted by OBMI employees for advice and assistance with determining the disposition of certain record types, not accounted for in State Agency General or Special Retention Schedules and reconciliation of unforeseen issues regarding public records.