

Status **Active** PolicyStat ID **15335497**



Origination 3/19/2024  
Approved 3/19/2024  
Effective 3/19/2024  
Last Revised 3/19/2024  
Next Review 3/19/2027

Owner Christina  
Boyll:  
Administrative  
Office  
Manager  
Executive  
Assistant  
  
Department Board of  
Commissioners

## Public Records Policy

### AUTHORITY AND PURPOSE

It is the policy of the Grant County Public Hospital District No. 1 (Samaritan Healthcare) (herein, the "District") to release District records in compliance with the Washington Public Records Act ("PRA"), Chapter 42.56 RCW, and any other applicable federal or state law.

This policy establishes the procedures the District will follow in order to provide full access to public records. This policy provides information to persons requesting access to the District's public records and establishes request processes for both requester and District staff.

The purposes of this policy are: (1) to describe the District's organization and (2) to ensure that the District complies with the PRA. Except where these guidelines are mandated by statute, the guidelines in this policy are discretionary and advisory only and shall not impose any affirmative duty on District. The District reserves the right to apply and interpret this policy within its sole discretion and to revise or change the policy at any time.

This policy shall be made available upon request, shall be prominently displayed in the Administrative Offices at Samaritan Hospital and posted on the District's website.

### AGENCY DESCRIPTION

Grant County Public Hospital District No. 1 is a public hospital district and local government agency that operates Samaritan Healthcare and multiple health care facilities in the region.

The District's main office is located at 2000 South Clover Drive, Moses Lake, WA 98837.

# PUBLIC RECORDS OFFICER

The District's Administrative Office Manager is designated as the District's Public Records Officer.

The Public Records Officer will oversee the District's compliance with the PRA and this policy. The Public Records Officer may delegate the responsibilities of processing requests to other staff. Accordingly, any reference in this Policy to the "Public Records Officer" means the Public Records Officer or applicable designee.

The Public Records Officer will provide full assistance to requester; ensure that public records are protected from damage, disorganization, and improper disclosure; and prevent the fulfillment of any PRA request from causing excessive interference with the District's essential functions.

## MAKING A REQUEST FOR PUBLIC RECORDS

Public Records Act requesters, or those seeking assistance in making a PRA request, are directed to contact:

Christina Boyll, Public Records Officer

Samaritan Healthcare

2000 S. Clover Drive

Moses Lake, WA 98837

Phone: 509-793-9701

E-mail: [pr@samharthcare.com](mailto:pr@samharthcare.com)

PRA information is also available at <https://www.samharthcare.com/board-of-commissioners/> with access to the District's Public Records Request Form. While no particular format is required to make a public records request, the District recommends making public records requests in writing via e-mail addressed to [pr@samharthcare.com](mailto:pr@samharthcare.com). In order to aid timely disclosure, requests should include the following information:

- a. The requester's name and contact information;
- b. The date of the request;
- c. A detailed description of the public records being requested;
- d. Whether the requester wants copies, or wants to inspect the requested records; and
- e. If copies are requested, the address where copies should be mailed.

The Public Records Officer shall confirm in writing (e-mail allowed) all oral requests, indicating receipt of the information and the substance of the request.

# PROCESSING PUBLIC RECORDS REQUESTS

## Initial Response to Records Request

Within five business days of receipt of a request, the Public Records Officer shall do one or more of the following:

- a. Notify the requester in writing that the records are available;
- b. Send copies of the records to the requester if copying fees have been received (unless waived by the District) or other terms of payment are agreed upon, with a letter acknowledging or closing the request as appropriate;
- c. Send a letter acknowledging the request and providing a reasonable estimate of when records or an installment of records will be available (the Public Records Officer may revise the estimate of when records will be available);
- d. Send a letter acknowledging the request and asking the requester to provide clarification for a request that is unclear, and provide, to the greatest extent possible, a reasonable estimate of time the District will require to respond to the request if it is not clarified; or
- e. Send a letter denying the request.

The District reserves the right to direct requester to the District website if a requested record is posted to the website. The Public Records Officer shall make reasonable efforts to assist any requester who cannot easily access the internet.

If the District does not respond to a public records request in writing within five business days of receipt of the request, the requester should contact the Public Records Officer to determine the reason for the failure to respond.

## Reasons for Additional Time to Respond

The District may require additional time to respond to a request based on the need to do any of the following:

- a. Clarify what records are being sought in the request;
- b. Locate and assemble the records requested;
- c. Use a requested record in the District's normal course of business;
- d. Notify third persons or agencies affected by the request; or
- e. Determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.

This list is not exhaustive, and the District reserves the right to additional time as permitted by the PRA or other applicable federal or state law.

## Unclear and Invalid Requests

In acknowledging receipt of a request that is unclear or ambiguous, the District may ask the requester to clarify what records the requester is seeking. Such clarification may be requested and provided by telephone, but will then be confirmed in writing by the Public Records Officer. If the requester fails to clarify the request, and the entire request is unclear, the District may deem the request abandoned and need not respond to it. The District will respond to any portions of the request that are clear.

Requests must be for identifiable public records. A request for all or substantially all District records will not be considered a valid request for identifiable records.

## Providing Records in Installments

When the request is for a large volume of records, or where some records are more readily available or require no redaction, the Public Records Officer may elect to provide records on an installment basis. In such cases, the Public Records Officer shall provide a reasonable estimate in the initial response as to when the first installment will be available. The Public Records Officer shall send additional written notice as installments become ready for inspection or copying. If a requester does not contact the Public Records Officer within 30 days of any such notification to arrange for the review of the first installment or any subsequent installment, the District may deem the request abandoned and stop fulfilling the remainder of the request.

## Notice to Third Parties

In the event that the requested records specifically pertain to an individual or organization, the Public Records Officer may provide notice to those individuals or organizations or such others whose rights may be affected by disclosure. The notice to the affected persons shall include a copy of the records request, the date the District intends to release the records, and how the individual or organization can prevent release of the records. The District will release the records by the specified date if no one objects or the contacted party does not respond by the specified date. This procedure shall not create any rights to third parties to such notice.

## Records Exempt From Disclosure

Some records are exempt from disclosure, in whole or in part, based on the PRA, the laws and regulations identified in Appendix A, or under other state or federal law. If the District believes that a record is exempt from disclosure and should be withheld, the Public Records Officer shall provide the requester with a brief written explanation of why the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the Public Records Officer will redact the exempt portions, provide the nonexempt portions, and provide a brief written explanation to the requester of why portions of the record are being redacted. An exemption log may be provided to the requester to assist in identifying and explaining the basis for specific redactions or withholdings.

Pursuant to the PRA, the District reserves the right to seek to enjoin the examination of any specific record if the District determines that the examination is clearly not in the public interest and will substantially and irreparably damage any person or will substantially and irreparably damage vital

governmental functions.

## Providing Electronic Records

When records are requested in an electronic format, the Public Records Officer shall provide the nonexempt records, or portions of the records that are reasonably locatable, in an electronic format that is used by the District and is generally commercially available, or in a format that is reasonably translatable from the format that the District keeps the records. Fees associated with electronic records are addressed in Section 6, below.

## Failure to Claim or Review Records

The requester must claim or review the assembled records within thirty (30) days of the District's notification to the requester that the records are available for inspection or copying. The District shall notify the requester in writing of this requirement and direct the requester to contact the agency to make arrangements to claim or review the records. If the requester fails to claim or review the records within the 30-day period or make other arrangements, the District may consider the request abandoned unless the requester seeks an additional amount of time to review the records.

## Protection of Records

In order to protect the District's public records from damage or disorganization as required by the PRA, the District shall use the following procedures and practices:

- a. Inspection of any public records shall be conducted in the presence of the Public Records Officer or designated staff;
- b. No public record may be marked, defaced, torn, damaged, destroyed, unreasonably disorganized, or removed from its proper location or order by a member of the public; and
- c. Public records maintained in a file jacket or binders, or in chronological order, may not be dismantled except for the purpose of copying, and then only by District staff.

The District shall deny and terminate a requester's inspection if the Public Records Officer determines that a requester, when reviewing records, acts in a manner that will damage or substantially disorganize the records or interfere with other essential District functions.

## Closing of Request

Once the inspection of the requested records is complete and all requested copies have been provided, or the District has completed a reasonable search and not located any responsive records, the Public Records Officer shall send the requester a "Closing Letter" (email allowed) informing the requester that the District has fully responded to the records request. Upon receipt of the Closing Letter, the requester should immediately inform the Public Records Officer if the requester does not think the District has fully complied with the request.

If the requester either withdraws the request, or fails to clarify an entirely unclear request, or fails to fulfill his or her obligations to inspect the records, pay the deposit, pay the required fees for an installment, or make final payment for the requested copies, the Public Records Officer will send the requester a

Closing Letter (email allowed) stating that the District has closed the request.

## Log of Records Requests

The District will maintain a log of public records requests submitted to and processed by the District, which shall include the identity of the requester (if provided), the date the request was received, the text of the request, a description of the records produced, a description of the records redacted or withheld, the reasons for redaction or withholding, and the date of the final disposition of the request.

## AVAILABILITY OF PUBLIC RECORDS; COSTS OF PROVIDING COPIES

### Inspection

Public records are available for inspection and copying by appointment during the customary office hours of the District: 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

There is no fee for inspecting public records, including inspecting records available on the District's website. Some District documents regarding the District's Board of Commissioners, including meeting agendas, are available on the District's website at <https://www.samaritanhealthcare.com/board-of-commissioners/>. For patients or their legal representatives seeking to access his or her own medical records, more information is available here: <https://www.samaritanhealthcare.com/medical-records/>.

### Costs for Providing Copies of Records (Statutory Default Costs)

As stated in Resolution 02/24-01 incorporated herein by reference, the District is not calculating the actual costs of providing public records, including electronic records, because to do so would be unduly burdensome for the following reasons: the District does not have the resources to conduct a study to determine actual copying costs for all of its records; to conduct such a study would interfere with other essential District functions; and, through the legislative process, the public and requesters have commented on and been informed of authorized fees and costs provided in the Public Records Act, including RCW 42.56.120 and other laws. Accordingly, it is more cost efficient, expeditious, and in the public interest for the District to adopt the state legislature's approved fees and costs for most of the District's records, as authorized in RCW 42.56.120 and set forth in the District's fee schedule (Section 6.3).

### Fee Schedule

Photocopies or printed copies of electronic public records when requested by the person requesting records	\$0.15 per page
Scanned records	\$0.10 per page
Records uploaded to email, or cloud-based data storage service, or other means of electronic	\$0.05 per 4 electronic files

delivery	
Records transmitted in an electronic format	\$0.10 per gigabyte
CD, DVD, thumb drive, or other digital storage media or device	Actual cost
Postage or delivery charges	Actual cost of postage or delivery, plus actual cost of any container or envelope used to mail or deliver records

The above charges may be combined to the extent that more than one type of charge applies to copies produced in response to a particular request. The requester may ask for a summary of applicable charges before any copies are made.

The District may, as an alternative to the above fees, charge a flat fee of up to \$2.00 for any request where the Public Records Officer reasonably estimates and documents that the costs under the fee schedule are clearly equal to or more than \$2.00. If the request is being fulfilled in installments, no additional flat fee will be charged for any installment after the first installment.

Depending on the size, nature (e.g., color copies), or number of requested copies, document copying may be contracted to another provider, and the actual cost of the copies shall be the responsibility of the requester.

For larger requests, the District may require a deposit of up to ten percent of the estimated costs of copying all of the records. The Public Records Officer may also require the payment of the remainder of the copying costs before providing all of the records, or the payment of the costs of copying an installment before providing that installment.

The Public Records Officer may elect to waive the fees for a request for purposes of administrative convenience or based on other reasonable grounds. Additionally, the District may agree to an alternative fee arrangement with a requester.

## Customized Service Charges

The District may charge a customized service charge for the actual costs incurred for requests requiring information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by the District for other District purposes.

In the event the District believes the request requires such expertise or customization, the District will notify the requester of the customized service charge, explain why the charge applies, describe the specific expertise needed, and provide a reasonable estimate of the cost of the charge. The notice will provide the requester an opportunity to amend the request to avoid the customized service charge.

## Payment

Payment may be made by cash, check, or money order to Samaritan Healthcare.

# RECORDS PRESERVATION

The District shall comply with state and federal laws affecting the maintenance and preservation of public records. This includes but is not limited to the guidelines promulgated by the Secretary of State Division of Archives and Records Management: the Local Government Common Records Retention Schedule (CORE) and the Public Hospital Districts Records Retention Schedule. If a request is made at a time when a requested record exists but is scheduled for destruction in the near future for any reason, the Public Records Officer shall retain possession of the record and may not destroy or erase the record until the request is resolved.

# PUBLIC RECORDS INDEX

For the reasons stated in Resolution 02/24-01, incorporated herein by reference, the District finds that it would be unduly burdensome and would interfere with District operations to maintain an index of records. The District will make available for public disclosure all indices which may at a future time be developed for District use.

# REVIEW OF PUBLIC RECORDS REQUEST DENIALS

Any person who objects to the initial denial or partial denial of a records request may petition in writing (e-mail allowed) to the Public Records Officer for a review of that decision. The petition must include a copy of, or reasonably identify, the written statement by the Public Records Officer or designee denying the request.

The Public Records Officer shall promptly provide the petition and any other relevant information to the Chief Executive Officer or the Chief Executive Officer's designee. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the District's receipt of the petition, or within such other time as the District and the requester mutually agree.

Any person may obtain court review of any District records decision pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

# DISCLAIMER OF LIABILITY

Neither the District nor any of its officers, employees, officials, or custodians shall be liable, nor shall cause of action exist, for any loss or damage based upon release of public records if the person releasing the records acted in good faith in attempting to comply with this policy.

This policy is not intended to expand or restrict the rights of privacy or the rights to inspect and copy public records as they exist under state and federal law. Despite the use of any mandatory terms such as "shall," nothing in this policy is intended to impose mandatory duties on the District beyond those imposed by state and federal law.

## Appendix A

### Exemption and Prohibition Statutes Pertaining to District Public Records

The following statutes are listed in addition to any exemptions in Chapter 42.56 RCW. This list is for informational purposes and is not intended to be exclusive or exhaustive. Public records may be exempt from disclosure under other laws.

#### Washington State Statutes

RCW 4.24.550	Information on sex offenders to public
RCW 5.60.070	Court-ordered mediation records
RCW 9.02.100	Reproductive privacy
RCW 18.19.180	Confidential communications with counselors
RCW 19.34.240(3)	Private digital signature keys
RCW 19.108.020	Misappropriation of trade secrets
RCW 19.215.020	Destruction of personal health and financial information
RCW 19.215.030	Compliance with federal rules
RCW 26.26.450	Confidentiality of genetic testing
RCW 26.44.030	Reports of child abuse/neglect
RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 48.62.101	Local government insurance transactions – access to information
RCW 50.13.060	Access to employment security records by local government agencies
RCW 51.28.070	Worker's compensation records
RCW 51.36.060	Physician information on injured workers
Chapter 70.02 RCW	Medical records – access and disclosure
RCW 70.24.022	Public health agency information regarding sexually transmitted diseases
RCW 70.24.105	HIV/STD records
RCW 70.58.055	Birth certificates
RCW 70.96A.150	Alcohol and drug abuse treatment programs
RCW 70.123.075	Client records of domestic violence programs
RCW 71.05.390	Information about mental health consumers
RCW 71.05.395	Ch. 70.02 RCW applies to mental health records
RCW 71.05.630	Release of mental health treatment records
RCW 71.05.640	Access to treatment records
RCW 71.34.200	Mental health treatment of minors

## Federal Statutes

5 U.S.C. § 552a	Federal Privacy Act
42 U.S.C. § 290dd-2	Confidentiality of substance abuse records
42 U.S.C. § 405(c)(2)(vii)(I)	Limits on use and disclosure of social security numbers
42 C.F.R. Part 2 (2.1-2.67)	Confidentiality of alcohol and drug abuse patient records
42 C.F.R. § 431.300-.307	Safeguarding information on applicants and recipients of medical assistance
45 C.F.R. Parts 160-164	HIPAA Privacy Rule

## All Revision Dates

3/19/2024

## Attachments

[Resolution 02-24-01 Adopting Policy re Disclosure of Public Records.pdf](#)

## Approval Signatures

Step Description	Approver	Date
CEO	Theresa Sullivan: CEO	3/19/2024
Admin Coordinator	Christina Boyll: Administrative Office Manager Executive Assistant	3/19/2024

## Standards

Standard Body: 246.320.021.4

Chapter: 246-320 Hospital Licensing Regulations