Columbia County Health System		
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Effective Date: 03/06/2025		Subject
Approval: Shane McGuire (CEO)		***Columbia County Public Hospital District #1- Public Records Act Policy***
		☒ **Policy** ☒ **Procedure** ☐ **Protocol**

Columbia County Public Hospital
District #1 Public Records Act Policy

INTENT

Public Hospital Districts are required by State and federal laws to protect all patient Health Care Information from disclosure. Public Hospital Districts are also subject to the Public Records Act, which makes almost all of its records, including patient records, public records. But the purpose of the Public Records Act is "to allow public scrutiny of government, rather than to promote scrutiny of particular individuals who are unrelated to any governmental operations." Tacoma Public Library v. Woessner, 90 Wn. App. 205, 218 (1998). The federal and state privacy mandates require that certain information in these public records be redacted before disclosed. This mandate is consistent with the Public Records Act, which provides, "To the extent required to prevent an unreasonable invasion of personal privacy interests protected by this chapter, an agency shall delete identifying details [.]" RCW 42.56.070(1).

Columbia County Public Hospital District #1 is committed to providing the public full access to public records in accordance with the Washington State Public Records Act (PRA), referenced in RCW Chapter 42.56 **and** the Model Rules of WAC 44-14. The purpose of the PRA is to provide the public with full access to records concerning the conduct of government, mindful of individual privacy rights and the desirability of the efficient administration of government.

This policy establishes the procedures Columbia County Public Hospital District #1 will follow to provide for the fullest assistance to requestors including the most timely possible action on requests, while protecting "…public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency." RCW 42.56.100 This policy is subject to revision at any time.

DEFINITIONS

1. **"Columbia County Public Hospital District #1" also known as, "Columbia County Health System,"** includes any office, department, division, bureau, board, commission, or agency of Columbia County Public Hospital District #1. *RCW 42.56.010(1) and is collectively referred to herein as "CCHS."*

2. **"Public Record"** Includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary

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function, prepared, owned, used, or retained by CCHS regardless of physical form or characteristics. RCW 42.56.010(3)

3. **"Writing"** means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated. RCW 42.56.010(4).

4. **"Health Care Information"** means "individually identifiable health information" as defined in 42 U.S.C. 1320d(6) and any information "whether oral or recorded in an y form or medium, that identifies or can readily be associated with the identity of a patient and directly relates to the patient's health care" under RCW 70.02.010.

5. **"Quality Improvement Information"** means information and documents created specifically for, and collected and maintained by a quality improvement committee under RCW 43.70.510 or 70.41.200, or by a peer review committee under RCW 4.24.250, or by a quality assurance committee pursuant to RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections under RCW 43.70.056, and notifications or reports of adverse events or incidents made under RCW 70.56.020 or 70.56.040.

6. **"Reasonably locatable"** means an electronic record that can be located with typical search features and organizing methods contained in the Public Hospital District's current software.

RESPONSIBILITY

Public Records Officer: The Columbia County Public Hospital District #1 CCHS's Public Records Officer is The Medical Staff Services Manager. Other county staff members may also process public records requests, as needs require and as designated by CCHS CEO.

Health System Attorney: CCHS's attorney's office shall provide legal advice to the Public Records Officer or designee on those occasions when such advice is sought. Additionally, CCHS's attorney's office will provide a timely written response to a written request for explanation of a denial of the release of public information as provided in Section 6 of this policy.

Central and Field Offices: The Columbia County Public Hospital District #1 CCHS's central office for requesting records is 1012 S. 3rd Street, Dayton, WA 99328. CCHS is a public hospital district organized under RCW Chapter 70.44. CCHS is a non-charter code city governed by the provisions of RCW Chapter 35A.12 under the mayor-council form of government. In addition to CCHS's central office, CCHS has a medical clinic located at 235 Main Street, Waitsburg, WA 99361. Offices located in various locations for Booker Rest Home, Columbia Family Clinic, Waitsburg Clinic, and Dayton General Hospital. More information regarding the Columbia County Public Hospital District #1's departments and services may be obtained through CCHS's website www.cchd-wa.org.

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PROCEDURE

1. Where to Request Records:

1.1. **General Records Requests:** Any person requesting access to general public records **or** seeking assistance in making such a request must contact CCHS's Main Office located at:

Medical Records Office
Ryan Russell Public Records Officer
1012 S. 3rd Street
Dayton, WA 99328

Phone: (509) 382.2531 extension 5118
Fax: (509) 382.3205
Email:RyanR@cchd-wa.org
Hours: 8:00 am to 4:30 pm Mon-Fri

1.2. **Medical Records Requests** : Any person requesting medical records must contact the medical records department located at:

Columbia County Health System
Medical Records
1012 S. 3rd Street
Dayton, WA 99328

Phone: (509) 382.3203
Fax: (509) 382.3205

2. Making a Request for Public records:

2.1. Any person wishing to inspect or copy public records of CCHS should make the request in writing on CCHS's request form, or by letter, fax, or e-mail addressed to the Public Records Officer and including the following information:

- Name of requestor;
- Address of requestor;
- Other contact information, including address where copies are to be mailed, telephone number and any e-mail address;
- Identification of the public records adequate for the Public Records Officer or Designee to locate the records; and
- The date and time of day of the request.
- A statement regarding whether the records are being requested for a commercial purpose

2.2. If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit. If the requestor wishes to have electronic copies of the records, please review section (4.8), below.

2.3. A form is available for use by requestors at the office of the Public Records Officer and on-line at www.cchd-wa.org

2.4. The Public Records Officer or Designee may accept requests for public records that contain the above information by telephone or in person. If the Public Records Officer or Designee accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing, via e-mail, physical letter or fax.

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3. Response to Requests: Only Public Records as defined by RCW 42.56.010 are subject to disclosure. Non-exempt reasonably locatable electronic records are subject to disclosure. Requests for Health Care Information or Quality Improvement Information shall be forwarded to CCHS's Medical Records Office and handled pursuant to the Health Care Information Addendum to this plan. In such situations, the Public Records Officer shall notify the Requester within (5) five business days that the request has been forwarded and provide the Requester with a contact person who will be handling the request. CCHS will process requests in the order allowing most requests to be processed in the most efficient manner, as determined by the Public Records Officer.

3.1. Acknowledging receipt of request. Within five (5) business days of receiving a request, the Public Records Officer will do one or more of the following:

3.1.1. Make the records available for inspection or copying;

3.1.2. If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;

3.1.3. Provide a reasonable estimate of when records will be available; or

3.1.4. If the request is unclear or does not sufficiently identify the requested records, the Public Records Officer, or Designee, may request clarification from the requestor. Such clarification may be requested and provided by telephone. The Public Records Officer or Designee may revise the estimate of when records will be available. If the requestor fails to clarify an unclear request within 30 days of the request for clarification, CCHS will treat the public records request as having been withdrawn; in such event, CCHS will send a closing letter to the requestor, RCW 42.56.520; or

3.1.5. Deny the request.

3.2. Consequences of failure to respond. If CCHS does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the Public Records Officer to determine the reason for the failure to respond.

3.3. Protecting rights of others. In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the Public Records Officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

3.4. Records exempt from disclosure. Some records are exempt from disclosure, in whole or in part. If CCHS believes that a record is exempt from disclosure and should be withheld, the Public Records Officer will state the specific exemption and provide a brief explanation of why the record or a portion of 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 indicate to the requestor why portions of the record are being redacted.

3.5. Inspection of records.

3.5.1. Public records are available for inspection and copying during CCHS's normal business hours: Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. Records must be inspected at CCHS's Administrative Office. CCHS personnel and the requestor may make mutually agreeable arrangements for time(s) of inspection and copying.

3.5.2. Consistent with other demands, CCHS shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the agency to copy.

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3.5.3. The requestor must claim or review the assembled records within thirty days of the CCHS's notification to him or her that the records are available for inspection or copying. The agency will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the agency to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the (30) thirty-day period or make other arrangements, CCHS may close the request and re-file the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

3.6. Protection of Records. In order that Public Records maintained on the premises of CCHS may be protected from damage or disorganization as required by the Act, the following procedures and practices are hereby instituted:

3.6.1. No Public records shall be removed from CCHS's Main Office without the Public Records Officer's permission;

3.6.2. Inspection of any Public records shall be conducted in the presence of the Public Records Officer or designated staff;

3.6.3. 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;

3.6.4. 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 CCHS staff; and

3.6.5. Public records of CCHS may be copied only on the copying machines of CCHS unless other arrangements are made by the Public Records Officer.

3.7. Loss of Right to Inspect. Inspection shall be denied and the records withdrawn by the Public Records Officer if the Requestor, when reviewing records, acts in a manner which will damage or substantially disorganize the records or interfere excessively with other essential functions of CCHS.

3.8. Providing copies of records. After inspection is complete, the Public Records Officer or Designee shall make the requested copies or arrange for copying. CCHS has adopted an additional policy for responding to requests for public records in an electronic format: Policy No. 1273 incorporated by this reference, herein.

3.9. Providing records in installments. When the request is for a large number of records, the Public Records Officer or Designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within (30) thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the Public Records Officer or Designee may stop searching for the remaining records and close the request.

3.10. Completion of inspection. When the inspection of the requested records is complete and all requested copies are provided, the Public Records Officer or Designee will indicate that CCHS has completed a diligent search for the requested records and make any located nonexempt records available for inspection.

3.11. Closing withdrawn or abandoned request. When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the Public Records Officer will close the request and indicate to the requestor that CCHS has closed the request. WAC 44.14.040. CCHS personnel will document closure of the request and the conditions that led to closure. RCW 42.56.120, WAC 44.14.040.

3.12. Later discovered documents. If, after CCHS has informed the requestor that it has provided all available records, CCHS becomes aware of additional responsive

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documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

GENERAL

1. **Indexing and Organization of Public Records:** For the reasons stated in Resolution No. 3-2014, incorporated herein by this reference, CCHS finds that it would be unduly burdensome and would interfere with CCHS's operations to maintain an index of records. Notwithstanding the foregoing, CCHS will maintain its records in a reasonably organized manner and take reasonable actions to protect records from damage and disorganization.
2. **No Duty to Create Records:** This policy does not require CCHS to answer written questions, create new public records, or provide information in a format that is different from original public records; however, CCHS may in its discretion, create such a new record to fulfill the request where it may be easier for CCHS to create a record responsive to the request than to collect and make available voluminous records that contain small pieces of information responsive to the request. WAC 44-14-04003(6)
3. **No Duty to Supplement Responses:** CCHS is not obligated to hold current records requests open to respond to requests for records that may be created in the future. A new request must be made to obtain later-created public records.
4. **Fees:**
   - 4.1. The charge for photocopies is ($10) ten dollars per request and ($0.25) twenty-five cents per page or the actual per page cost, whichever is greater.
   - 4.2. When public records are mailed to a requestor, a charge for postage and the cost of the envelope or container used may be added.
   - 4.3. No fee is charged for inspection of a public record or for locating a record.
   - 4.4. Fees may be waived due to the few number of copies made or other circumstances.
   - 4.5. Payment of fees is required prior to release of records unless other arrangements have been made. RCW 42.56.120 Payment may be made by cash, check, or money order to CCHS.
   - 4.6. Before beginning to make the copies, the Public Records Officer or Designee may require a deposit of up to (10%) ten percent of the estimated costs of copying all the records selected by the requestor. The Public Records Officer or Designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment.
   - 4.7. CCHS will not charge sales tax when it makes copies of public records.
   - 4.8. The cost of electronic copies of records shall be ($1.00) one dollar for information on a CD-ROM. (If the agency has scanning equipment at its offices: The cost of scanning existing CCHS paper or other non-electronic records is ($0.10) ten cents per page.) There will be no charge for e-mailing electronic records to a requestor, unless another cost applies such as a scanning fee. Additional charges for electronic records may be charged pursuant to CCHS's electronic public records policy No. 1273.
   - 4.9. There may be a fee of ($15.00/hr.) fifteen dollars an hour for cost of IT staff if a request involves customizing access or converting documents from their native format.
5. **Records and Information Exempt from Public Disclosure:** After CCHS has gathered responsive records, CCHS will determine whether an exemption applies to all or part of the record. CCHS is not required to permit public inspection and copying of records for which public disclosure of the record is prohibited, restricted or limited by state or federal statute or regulation.

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5.1. CCHS is prohibited by statute from disclosing lists of individuals for commercial purposes.

5.2. The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. RCW 42.56.230 through 42.56.510 contain a large number of exemptions from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by CCHS for inspection and copying (CCHS's failure to list an exemption shall not affect the effectiveness of the exemption):

5.2.1. Records that are protected by trade secrets law;

5.2.2. Personal information in files maintained for Board members and District employees to the extent that disclosure would violate their right to privacy, including but not limited to addresses, phone numbers, Social Security number, voluntary deductions, marriage status, number of dependents, and any garnishment deductions;

5.2.3. Preliminary drafts, recommendations, and intra-agency memoranda in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the Board in connection with any board action;

5.2.4. All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant;

5.2.5. The residential addresses and telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers;

5.2.6. Records obtained by the District related to the impaired physician program pursuant to RCW 18.71.300 through 18.71.340;

5.2.7. Complaints filed under chapter 18.130 RCW after July 27, 1997, to the extent provided in RCW 18.130.095;

5.2.8. Except for published statistical compilations and reports relating to the infant mortality review studies that do not identify individual cases and sources of information, any records or documents obtained, prepared, or maintained by the local Health Department for the purposes of an infant mortality review conducted by the Department of Health under RCW 70.05.170; or

5.2.9. Any record which is exempt from disclosure under state or federal law.

5.3. The District shall not make available for inspection and copying the following categories of Public Records:

5.3.1. Quality Improvement and medical malpractice prevention program items (including but not limited to information gathered pursuant to or protected by: RCW 42.56.360, RCW 4.24.250, RCW 18.20.390, RCW 43.70.056, RCW 70.41.200, RCW 70.44.062, RCW 70.56.020, RCW 70.56.040, RCW 74.42.640); or

5.3.2. Medical records, except as allowed by the Health Care Information Act, chapter 70.02 RCW, The Health Insurance Portability and Accountability Act ("HIPPA"), Public Law No. 104-191, 110 Stat. 1936 (1996), and all applicable federal and state regulations.

6. Denial of Request

6.1. Denial: All denials of requests for public records will be accompanied by a written statement specifying the reason(s) for the denial, including a statement of the specific

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exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. RCW 42.56.210(3)

6.2. Redaction. If a portion of a record is exempt from disclosure, but the remainder is not, CCHS will redact (black out) the exempt portion and then provide the remainder. RCW 42.56.210(1)

6.3. Mechanism for Review of Denial of Request:

6.3.1. *Petition for internal administrative review of denial of access.* Any person who objects to the initial denial or partial denial or a records request may petition in writing (including e-mail) to the Public Records Officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the Public Records Officer or Designee denying the request.

6.3.2. *Consideration of petition for review.* The Public Records Officer shall promptly provide the petition and any other relevant information to CCHS's; CEO. That person will immediately consider the petition and will affirm or reverse the denial within (2) two business days following CCHS's receipt of the petition, or within such other time as CCHS and the requestor mutually agree to.

6.3.3. *Judicial review.* Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of (2) two business days after the initial denial regardless of any internal administrative appeal.

7. **Retention of Records:** CCHS is not required to retain all records it creates or uses. However, CCHS will follow RCW Chapter 40.14, Preservation and Destruction of Public Records, in the retention and destruction of public records. The retention schedule for local agencies is available at www.secstate.wa.gov/archives.

8. **Disclaimer of Liability:** Neither CCHS nor any officer, employee, official or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of Public records if the person releasing the records acted in good faith in attempting to comply with this policy. This is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as "shall" or "will," nothing in this policy is intended to impose mandatory duties on CCHS beyond those imposed by state and federal law.