EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

ELIZABETH H. ROBERTS, SECRETARY

Hazard Building
74 West Road, Cranston RI 02920

PUBLIC RECORDS REQUEST GUIDELINE UNDER THE ACCESS TO PUBLIC RECORDS ACT

The Executive Office of Health and Human Services adheres to the Access to Public Records Act, R.I. Gen. Laws §38-2-1, et. seq., and has instituted the following procedures for the public to obtain public records.

1. The contact person for Public Records is Jennie DellaPosta. She may be reached at (401) 462-6823. Requests for records may be mailed to the Executive Office of Health and Human Services, Hazard Building, ATTN: Jennie DellaPosta, 74 West Road, Cranston, RI 02920, or faxed to (401) 462-1678.

2. The regular business hours of the Executive Office of Health and Human Services are Monday through Friday 8:30 a.m. to 4:00 p.m.

3. The Office of Health and Human Services ("OHHS") considers the confidentiality of its records a priority under federal and state laws but recognizes the right of access to the public records pursuant to R. I. Gen. Laws §38-2-1 et. seq. All requests for records, documentation, and other information under the care, control, and custody of the OHHS should be submitted to the Office of Legal Counsel, Hazard Building, 74 West Road, Cranston, RI 02920.

4. You are not required to provide identification or the reason you seek the information, and your right to access public records will not depend upon providing identification or reasons. To ensure that you are provided with the public records in an efficient manner, we ask that you complete the Public Records Request Form available through the Office of Legal Counsel or on our website. (http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/APRA/APRA%20Request%20Form..pdf). The exception to this is when a unit of OHHS maintains public records in an orderly fashion for the purposes of public viewing (such as the Policy Office maintaining policy, the Appeals Office maintaining redacted copies of decisions and the Director's Office maintaining copies of minutes of open meetings).

5. The OHHS, Office of Legal Counsel, will make a determination as to whether the records are public. A "public record" is defined as "documents, papers,... or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency." Although a document may constitute a public record, there may be some information contained within the document that may be redacted/deleted as it is exempt from disclosure under R. I. Gen. Laws §38-2-2.

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6. The Access to Public Records Act allows a citizen the opportunity to inspect and/ or to copy public records. The cost per copied page of written public documents will be $.15 per page and an hourly rate not to exceed $15.00 (fifteen) dollars per hour for time spent for the search and retrieval of documents, with no charge for the first hour. If the request requires a charge to be assessed, due to the manner in which the information is stored, a charge will be made for the actual production and/or reproduction cost. The OHHS, Office of Legal Counsel, will provide an estimate of charges, allowing for a retraction or amendment to the request, prior to any further action by OHHS.

7. To better understand what records are accessible and to review the pertinent laws regarding Open Government, you may obtain a copy of "The Attorney General's Guide to Open Government in Rhode" by clicking on http://www.riag.ri.gov/Forms/APRArequestguidelines.pdf

8. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for "good cause." We appreciate your understanding and patience.

9. Any person or entity who receives a denial for copies of requested records or the ability to inspect records may petition the Secretary of OHHS at Hazard Building, 74 West Road, Cranston RI 02920 for a review of the determinations made by her staff. The Secretary shall make a final determination whether or not to allow public inspection within ten (10) business days. If the denial is confirmed, the individual has a right to file a review petition with the Rhode Island Attorney General's Office. Nothing prohibits a person from instituting proceedings in Superior Court of the county where the record is maintained.

10. The Executive Office of Health and Human Services is committed to providing public records in an expeditious and courteous manner.