

**Brown County Board of Mental Health and Addiction Services
Policy and Procedure**

Policy Number: II-A.3	Title: Requests for access to public records	
Effective Date: February 7, 2008	Review Dates: December 3, 2015	Page 1 of 3

The Board will respond to requests for access to public records for review or copying as defined by ORC 149.43. The Board recognizes that most records are public, but some are not. The Board will strike a proper balance in the public's right to know and the duty to keep certain information private.

The Board may waive all policy steps if the request to review or obtain records is made by:

- another governmental agency
 - an authorized representative of another governmental agency
 - an authorized agent of the Board or another Brown County Appointing Authority
 - accordance with a court order
1. The request may be made in writing or verbally and submitted to the Board office at 85 Banting Drive, Georgetown, OH.
 2. The request must include the specific information requested, the date it is needed, and contact information for the person requesting the information.
 3. The request will be reviewed by the Executive Director and forwarded to the records keeper (as all records are not maintained at the Board office) for fulfillment by the requested date. If the date is less than 3 business days, the person requesting the information will be contacted and a mutually agreeable date will be agreed upon.

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4. Records may be reviewed at the Board office during regular business hours after completing the request procedure. A fee for copying expenses and postage may be assessed as is established in the medical records request policy.
5. All requests will be logged and kept on file for 7 years from the date of request.

The Board shall refuse to make confidential records available for inspection and copying by anyone but the subject employee or client, absent a signed release of information obtained through informed consent of the said employee/client or their legal guardian:

- a. medical records
- b. records pertaining to adoption, probation, or parole proceedings
- c. juvenile records as ORC 2151.85 and appeals thereafter
- d. information obtained by the putative father registry established by Section 3107.062 of the Ohio Revised Code
- e. trial preparation records
- f. confidential law enforcement investigatory records
- g. records containing information that is confidential under ORC 4112.25
- h. DNA records stored in the DNA data base ORC 109.577
- i. Other records that are prohibited by the state or federal government

(this list is not all inclusive)

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7. Board employees are prohibited from releasing either verbally or in writing any confidential information regarding employee or client information of the Board.
8. All public records in the custody of the Board shall be retained in accordance with state and federal requirements establishing record retention requirement. Public records shall not be removed, destroyed, mutilated, transferred or otherwise damaged or disposed of, in whole or part, except as permitted by the state and federal laws and regulations and rules of the Records Commission.
9. The final decision as to whether a record is public as defined by Section 149.42 ORC will be determined by the Prosecuting Attorney. The Board will request a written opinion from the Prosecutor whenever there is a question whether a document is a public record.
10. Any employee may agree to allow an individual or organization to inspect their personnel file, even though the records may not be deemed to be public records. To allow this inspection, the employee must complete a written authorization to allow inspection or release of their records. This request must be submitted to the Executive Director/designee.

DOCUMENTATION:

Copies of requests
Fulfillment log