

# KEEFE MEMORIAL HOSPITAL

<b>PROCEDURE TITLE</b>	Colorado Open Records Act (CORA)	<b>REFERENCE</b>			
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<b>APPROVED BY</b>	Board	<b>ORIGINAL DATE</b>	10/09/24		
		<b>REVISED DATES</b>			

## Purpose

Keefe Memorial Hospital (KMH) is committed to transparency and compliance with Colorado’s Open Records Act (CORA), CRS § 24-72-201, et seq. This policy is intended to inform the public and serve as a guide for KMH regarding requests for public records for which KMH is the custodian.

## Procedure

### Written Requests and Timing

CORA requests must be in writing and may be delivered by mail, fax, courier, or email to the attention of the CEO. Records request made via social media shall not be accepted. KMH will treat a records request that cites the Freedom of Information Act as though it were made pursuant to the Colorado Open Records Act.

A request is considered “received” the day that it is received by KMH (e.g. the day an e-mail, fax or letter containing a request is opened). A request received after 5:00 p.m. or any day the business office is closed will be considered received as of the following working day. KMH shall endeavor to respond within three working days, beginning on the first working day following receipt of the request.

KMH may extend its response period up to seven (7) working days if it finds extenuating circumstances exist and communicates to the requestor in writing. The extension period would begin on the fourth working day following receipt of the request.

If records are stored in paper format, KMH will work with the requestor to schedule a time to inspect records in person. KMH may require that members of the public or media only view copies of documents when the custodian determines that allowing access to originals could interfere with the discharge of duties of KMH or its staff or that the review of original records could jeopardize the condition of the records.

KMH will not be responsible for conducting analysis of records on behalf of a requestor.

### Confidential Information

KMH will redact or remove information that is legally required or allowed to be withheld pursuant to Colorado or federal law. KMH may deny a request for any legally permissible reason for denial including, without limit:

- Investigatory files compiled for any law enforcement purpose
- Test questions, scoring keys, and other data pertaining to administration of a examinations
- Details of bona fide research projects
- Electronic mail addresses, phone numbers, and home addresses
- Specialized details of security arrangements or investigations
- Medical, mental health, sociological, and scholastic achievement data on individuals
- Personnel files
- Trade secrets and privileged or confidential information

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- Records of sexual harassment complaints and investigations, with the exception of information regarding founded investigations against elected officials
- Records protected under the governmental or deliberative process privilege

## Format

If a public record is stored in a digital format, whether searchable, sortable, or neither, KMH will provide that record in a searchable digital PDF format.

KMH may modify the format of digital records if:

- Providing the records in their current format would violate copyright, the terms of a licensing agreement, or would result in the release of a third-party's proprietary information;
- Using the current format, it is not technologically or practically feasible to remove information that CDE is allowed or required to withhold.

## Fees

The first hour of staff time researching and retrieving requested records and up to 25 pages will be provided for free. KMH will charge the requestor for all copying expenses in excess of 25 pages and actual costs associated with research and retrieval in excess of one hour consistent with CORA. KMH will not charge a copy fee per page if records are produced electronically.

If a records request requires more than mere retrieval of records — such as technical expertise to synthesize or reconfigure data, or requires legal assessment for confidential or privileged information — KMH will charge the requestor for such costs.

Prior to producing requested records, KMH will provide an estimate of the costs of production. If the requestor does not wish to pay the fees, KMH can provide the requestor with information on how the request can be modified to reduce the fees. After a requestor has agreed to costs of production, KMH will keep the requestor informed if any additional costs are anticipated and will not incur additional costs without prior consent. Costs must be paid in full before KMH provides the records.

Type of Request	Actual costs based on the below rates
Records that exceed 25 pages	\$0.25 per page for all documents photocopied
Requests that require more than one hour of staff time for retrieval	\$33.58 per hour, after the first hour
Requests that require manipulation of data to generate a record	Hourly rate of staff (based on salary), or contractor hourly rate, as applicable