

**COLUMBIANA COUNTY MENTAL HEALTH AND RECOVERY SERVICES BOARD**  
27 Vista Drive, P O Box 500, Lisbon, Ohio 44432

**SUBJECT: PUBLIC ACCESS TO BOARD RECORDS**

**Section:**

Page 1 of 3

**Effective Date: 12/03/04**

**Supersedes:**

**Approved By: Patricia A. Baumgarner  
Executive Director**

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**PURPOSE:**

The purpose of this policy is to comply with the Ohio Public Records Act and Section 149.43, Ohio Revised Code, which provides *prompt* inspection of public records and upon request, copies of public records within a *reasonable* amount of time.

**POLICY AND PROVISIONS:**

The Board and administration of the Columbiana County Mental Health and Recovery Services Board recognize that most records generated by and for the operation of the Board are public documents, including, but not limited to, Board minutes and Executive Director's Reports to the Board; receipts and expenditures; salary schedules and position descriptions, safety and health materials, contracts; and policy statements. As such, management recognizes that these public records are open to public review.

A "public office" is basically an entity that performs a public service and is supported by public funds.

A "public record" is a record held by any public office that is stored on a fixed medium, created, received or sent under the jurisdiction of a public office, and which documents the activities of the office. Public record documents include, but are not limited to, paper, tapes, e-mails, photos, films, and videos.

Exceptions to the public records disclosure request include:

1. Other provisions of Ohio or federal law that protect particular records from public view.
2. Medical records related to a consumer's medical condition generated and maintained in the process of medical treatment (see HIPAA policies and procedures.)
3. Trial preparation records that contain information that was specifically compiled in reasonable anticipation of, or in defense of, litigation. Trial preparation records are not subject to public disclosure until the case and any appeals have concluded.
4. "Residential and familial information" (per Opinion #2000-021 by the Attorney General), including among other things, home street address, social security number, home telephone number, bank account number, emergency telephone numbers, medical information, beneficiaries' names, voluntary salary deductions, and similar information for the spouse, former spouse, and children.

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5. "Infrastructure records" (information that discloses the configuration of computer systems, electrical systems, mechanical systems, ventilation systems, plumbing systems, security codes; and "security records" (records that contain information directly used for protecting or maintaining the security of a public office against attack, interference, or sabotage; or any record assembled, prepared, or maintained by a public office to prevent, lessen, or respond to acts of terrorism.)
6. "Confidential Law Enforcement Investigatory Records" (records pertaining to a law enforcement matter.)

**PROCEDURES:**

1. Requests to review public records can be made to any Board staff member. If the requested documents are easily accessed and compiled, the requester can inspect the records immediately. In those cases where the requested records are extensive, the Executive Director will respond to the request without delay and with reasonable speed, which is to be determined based on the nature of the request. On-site review of public records is made in the presence of the Executive Director or his or her designee during normal business hours.
2. Copies of public records may be requested. Copies are made by the Board and are provided to the requestor at a duplication cost of \$.05 per page. The Board will not charge for employee time in gathering or reviewing the records. Full payment must be received before copies are given to the requester.
3. Mail requests to review public records are made to the Executive Director, who is to respond to the request within a reasonable period of time, stating the cost of the copies available and any mailing or delivery costs. Prepayment of copying and delivery costs is required. Mail or delivery of requested copies is to be made within 5 business days after receipt or full payment for copying and delivery.
4. The requester does not need to identify him or herself or explain the intended use of any requested public document. The Executive Director cannot deny access due to a requester's refusal to answer these questions.