

## **University of Colorado Hospital Authority CORA Policy**

This document outlines how University of Colorado Hospital Authority will apply the Colorado Open Records Act ("CORA") with respect to "public records" as defined in Colorado Revised Statutes § 23-21-510. This policy is meant to inform the public and guide staff, and applies to every request for public records filed under CORA for which University of Colorado Hospital Authority is the custodian.

### **I. Records Requests and Timing of Response**

- a. All requests to inspect public records must be made in writing to the University of Colorado Health Chief Legal Officer ("CLO") or that person's designee (the "CORA Officer"). Requests made to any other person will not be accepted.
- b. Requests may be submitted via electronic email to [Jacki.Melmed@uchealth.org](mailto:Jacki.Melmed@uchealth.org), or to 12401 E. 17th Avenue, Mail Stop F-415, Aurora, Colorado, 80045.
- c. University of Colorado Hospital Authority staff that receives requests made pursuant to CORA must promptly contact the UCHHealth Legal Department when received.
- d. The date that the CORA Officer receives the request will be considered the "date of receipt," except with respect to requests submitted via email, which will be considered received on the date the CORA Officer confirms receipt in writing to the requestor. University of Colorado Hospital Authority will respond to requests for records within a reasonable time as set forth in C.R.S. § 24-72-203(3)(b), unless extenuating circumstances exist such that it will require additional time to comply with the request.
- e. The statutory time for response will begin on the date that the CORA Officer receives the request, except in the case of a submission via email, in which case the statutory time for response will begin when the CORA Officer acknowledges receipt in writing to the requestor. Any non-emailed request received after 2:00 p.m. or any day that the state of Colorado recognizes as a holiday will be considered received on the following business day.
- f. All requests for records must be specific and include relevant dates. Any request that is vague or overbroad may require the CORA Officer to request additional information from the requestor.

### **II. Records Subject to CORA**

- a. Only records identified in C.R.S. § 23-21-510 are "public records" subject to CORA's requirements. Those records are:
  - i. The book of resolutions, orders, other proceedings of the University of Colorado Hospital Authority board of directors ("Board of Directors"),
  - ii. Minutes of the meetings of the Board of Directors;
  - iii. Annual reports and monthly financial statements given to the Board of Directors;
  - iv. Certificates, contracts and any financial agreements, and bonds given by officers, employees, and any other agents of the University of Colorado Hospital Authority;
  - v. Any personnel reports, guidelines, manuals, handbooks, other than individual personnel files; and
  - vi. The account of all money received by and disbursed on behalf of University of Colorado Hospital Authority.
- b. All writings and other records concerning the modification, initiation, or cessation of patient care programs shall not be deemed to be a public record if premature disclosure

of information contained in such writings or other records would give an unfair competitive or bargaining advantage to any person or entity.

III. Records Not Subject to CORA

- a. Any record that is not specifically identified in C.R.S. § 23-21-510 is not considered a public record subject to CORA.
- b. Any records for which an applicable state or federal law limits disclosure (including but not limited to HIPAA and applicable federal and state privacy laws) are not considered public records subject to CORA.

IV. Fees for Production

- a. To cover the cost of processing a CORA request, University of Colorado Hospital Authority may charge for the time spent to research and respond to requests.
  - i. A research and retrieval fee based on the actual time spent by employees to locate and produce the requested documents may be charged at the maximum fee permitted by C.R.S. § 24-72-205, which automatically adjusts for inflation. As of June 21, 2019, that maximum hourly charge is \$33.53. There is no charge for the first hour to research and retrieve records.
  - ii. The production of any document that requires copying will be charged at:
    1. \$0.25 per standard page for a copy of a record
    2. The actual cost of copying non-standard copies, including any records that are produced on disc or in any other electronic format.
  - iii. If electronic records of requested documents exist and can be produced without printing or scanning, there will be no charge for providing such records if it can be done in an electronic format if there is no cost to the University of Colorado Hospital Authority (i.e. email).
- b. If University of Colorado Hospital Authority anticipates that producing the requested documents will exceed the initial hour of an employee's time, the CORA Officer will provide the requestor with a good-faith estimate of the cost of responding. If after receiving the estimate the requestor wishes to proceed, the requestor must provide written confirmation of the estimate and desire to proceed in writing, and must pre-pay the estimated cost for research, retrieval, and production. The period of time between the estimate and the date the CORA Officer receives written authorization to proceed will not count against the statutory time period for production. Any pre-payment that exceeds the charge actually incurred will be refunded.
- c. If a requestor wishes to personally inspect the documents prior to receiving copies, the inspection will be conducted by appointment during normal business hours. The requestor may be charged for an employee's time spent in conjunction with an inspection.
- d. University of Colorado Hospital Authority may, without creating any enforceable right, waive the fee in its sole discretion.
- e. University of Colorado Hospital Authority may set a fee for productions that are produced through the manipulation of data.

V. Document Format

- a. Documents may be available in their native format if they do not need to be redacted or if they can be readily accessed.

- b. Documents such as databases or spreadsheets that can be sorted or searched will be available in a similar format.
- c. University of Colorado Hospital Authority will not provide documents in a format that requires providing software or that would violate the terms of any agreement or rights held by a third party, such as licensing agreements or copyrights.