

Ohio Veterinary Medical Licensing Board Board Policies

Section 6-J

Public Records

Purpose:

The purpose of this policy is to establish criteria for dealing with public record requests. All records of the Ohio Veterinary Medical Licensing Board are public, unless they are specifically exempt from disclosure under the Ohio Revised Code (R.C.). "Record" includes any document or device whether paper, electronic, or other format, which is created or received under the jurisdiction of this office and which documents that organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Pursuant to R.C. 149.43(A), all information and records received or generated by the Board pursuant to an investigation or for litigation are confidential and are not public records. R.C. 4729.23 protects any complaint or investigatory information or documents received from the Ohio Board of Pharmacy as confidential and therefore are not public records. Rule 4729:5-3-05 of the Ohio Administrative Code requires confidentiality of any records relating to the administration of drugs or any patient specific drug transaction.

Policy:

- A. No specific language is required to make a request, but the request must identify records with sufficient clarity to allow the office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian should seek clarification.
- B. Inspection of public records must be made available promptly. Copies of public records will be made within a reasonable period of time. "Promptly" and "reasonable period of time" take into account the volume of records requested, where the records are stored, and time for any legal review and/or redaction. Records prepared for inspection may be viewed during regular business hours. The Board will provide copies of public records on paper, on the medium on which they are kept, or on any other medium the office determines it reasonably can duplicate the records as an integral part of normal operations. If portions of a record are public and portions are exempt, the exempt portions will be redacted and the rest released. Redactions must be plainly visible or the requestor must be notified of the redaction. Denial of all or any part of any public record requested shall include an explanation for the denial, including legal authority. Record retention schedules are to be updated regularly and made available online through the Records Information Management System.
- C. In accordance with recommendations of the Auditor of State, the Board staff will maintain an individual log of Public Records Requests to include the date of request, name of person or entity making the request, type of records requested, date of release, legal authority for any redactions/withholdings, and name of person fulfilling the request.
- D. There is no charge for viewing public records in the office. Copies of public records will be charged the actual cost of copying (\$.15). The Charge for downloaded computer files or copies of a computer disc onto a computer disc will be two (2) dollars per disc. Additionally, requesters may have records mailed to them by paying this office the actual cost of postage and mailing supplies. Payment by check or money order made out to the Board should be received by the Board before copying of the public records. If the Board is able to email the document requested, there will not be a charge for records delivered by e-mail.

- E. If the content of an e-mail or other electronic communication meets the definition of a public record, it is subject to disclosure, whether it is in a public or private e-mail account. Requests for e-mail records will be treated in the same fashion as records in other formats.
- F. If a person believes this office has failed to comply with the Ohio Public Records Act, they may file a court petition in mandamus. The Board recognizes the legal and non-legal consequences of failure to properly respond to a public records request.

Cindy Kidd, DVM

Cindy Kidd, DVM
President

8/14/2019

Date

Original Effective Date: 04/09/2008
Amended Date: