

Requesting Public Information from the Imperial County Public Health Department

The Imperial County Public Health Department has established procedures for accessibility of information to members of the public and to affirm the public's right to access Public Records maintained by the Department.

The California Public Records Act

The California Public Records Act declares that access to information concerning the conduct of the public's business is a fundamental and necessary right of every resident in the State because it provides the public an opportunity to monitor the functioning of their government.

Public Record Access:

Generally, all County records are available to the public unless there is a statute that exempts them from disclosure. California Government Code section 6254 provides a partial list of records that are exempt from disclosure. Some of the types of records that are exempt include:

- Personnel records, medical records and similar files which would constitute an unwarranted invasion of personal privacy if publicly disclosed;
- Records pertaining to pending litigation to which a public agency is a party;
- Preliminary drafts, notes and memoranda;
- Records of complaints to or investigations conducted by a police agency;
- Records covered by the attorney-client privilege;
- Examination data used to administer a licensing, employment or academic examination; and
- Criminal history information.

Procedures for Public Records Requests:

Written requests for public records may be made by submitting the request in writing to the Department. It is strongly advised that requests include a telephone number or other method to contact the requesting party to clarify a request and/or advise when records are ready.

Department staff will request that verbal requests be put in writing for clarification, accuracy and record keeping. However, the California Public Records Act does not explicitly require a written request. Therefore, a requester shall not be denied access to records based solely on their refusal to make a request in writing.

Access to records will not be refused to any member of the public based solely on their wish to request records anonymously. The Department reserves the right to refrain from creating a document if the document does not exist, or to convert an original document to another format or media.

When a request for records has been received, Department staff will respond to the request within 10 days of the date of receipt. In cases where the records are not readily identifiable or accessible, or additional time is needed to determine if the record is disclosable, the requestor shall be informed that there will be a delay, the reason for the delay and an estimated time frame for the Department's response (not to exceed an additional 14 days).

The requesting party will be notified as soon as copies are available.

Costs:

Access to some public records and the associated fees for copying of those records is not covered under the California Public Records Act. Fees to obtain copies for certain public records (i.e. birth and death certificates) are set by the State of California.

The Department will not charge fees to cover time and costs incurred in searching for, locating and collecting records. However, information requests that require data compilation, analysis or that requires production of a record that is otherwise only produced at regular intervals, shall be assessed the cost for time and materials to produce the record.

Document Review	There is no charge for a member of the public to review documents during the Department's normal business hours.
Electronic, facsimile, print or CD documents	Documents can be provided electronically, by FAX, print copies, or CD. There is no charge for a member of the public to receive documents in any of these formats.
Postage	There is no charge for a member of the public to receive documents by USPS.
Request requiring data compilation, analysis or that is otherwise only produced at regular intervals	Time + Materials
Vital Records, i.e. Informational Birth and Death Certificates	Price is set by State regulation.

Personal Information: Requests for records and documents containing personal information such as social security numbers, home addresses, home telephone numbers, financial matters and medical or employment history shall be forwarded to the Departments' Custodian of Record to determine the need for County Counsel review.

Denial of Request: If a request for information is denied in whole or in part, the denial shall be in writing and shall contain the reasons for denial of access.

Records Retention: The Imperial County Public Health Department is not obligated to retain documents beyond the period of time designated for the specific record requested. In the event a request for records is received prior to its destruction, the requested record shall be provided.

For questions regarding procedures for requesting public information, please contact the Deputy Director of Health and Support Services, at 442-265-1340 or at danilavargas@co.imperial.ca.us