
Release of Records

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the public to inspect and obtain copies of public records.

Inspection and release of records with protected health information is covered in the Patient Medical Record Security and Privacy Policy.

801.2 POLICY

The Blue Ridge Fire District is committed to providing public access to records consistent with the Arizona Public Records Law (ARS § 39-121 et seq.).

801.3 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any member who receives a request for records shall route the request to the Custodian of Records or the authorized designee.

801.3.1 REQUESTS FOR RECORDS

The processing of requests for records is subject to the following (ARS § 39-121.01):

- (a) Records shall be provided promptly to a requester and fees charged as allowed by law.
- (b) A requester may request to examine or be furnished copies, printouts or photographs during regular business hours or request that copies of records be mailed unless otherwise available on the district website.
 - 1. When records are requested to be mailed, the requester shall pay in advance any copying and postage charges.
- (c) The district is not required to create records which do not exist.
- (d) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - 1. A copy of the redacted release should be maintained as evidence of what was actually released and should document the reasons for the redactions.
- (e) If a request is denied, the requester should be provided a written denial and the reason for the denial.
- (f) Access to a public record is deemed denied if the Custodian of Records fails to promptly respond to a request for production of a public record.

801.4 RELEASE RESTRICTIONS

Examples of records with release restrictions include:

- (a) Patient Care Reports (PCRs) (45 CFR 164.502; ARS § 12-2292; ARS § 36-2220) (see the Patient Medical Record Security and Privacy Policy).

Blue Ridge Fire District

Policy Manual

Release of Records

- (b) Social Security numbers (42 USC § 405).
- (c) Ongoing arson investigations where release would hinder an investigation or interfere with official duties (ARS § 20-1902(E); ARS § 20-1904).
- (d) Information pertaining to a member's drug test or alcohol impairment test received through the Blue Ridge Fire District testing program except as provided by ARS § 23-493.09.
- (e) Records where disclosure would invade privacy and that invasion outweighs the public's right to know.
- (f) Records where disclosure is exempt or prohibited pursuant to provisions of federal or state law, including, but not limited to, provisions of the Rules of Evidence relating to privilege.
- (g) Records that relate to archeological site information (ARS § 39-125).

801.5 RELEASED RECORDS TO BE MARKED

Each page of any record released pursuant to this policy should be stamped in a colored ink or otherwise electronically marked to indicate the district name and to whom the record was released.