

1006 Inspection of Public Records

(a)

Public access to records maintained by the Department is governed by the California Public Records Act (Government Code § 6250 et. seq.). The term "public record," as used in this section, is defined in Government Code section 6252(e). Public records are available for inspection and/or copying pursuant to the following procedures: (1) Requests for the inspection and/or copying of public records must be sufficiently descriptive to enable Department personnel to identify, locate, and retrieve the records. (2) Requests must be in writing and sent to the Department's mailing address at Department of Managed Health Care, 980 9th Street, Suite 500, Sacramento, CA 95814, Attention: Office of Legal Services. A properly addressed request will ensure prompt response by the Department. (3) Retrieval and inspection of any record shall not interfere with the ordinary business operations of the Department. Operational functions of the Department will not be suspended to permit inspection of records where the records are reasonably required by Department personnel in the performance of their duties. If the request requires reviewing numerous records, a mutually agreeable time will be established for the inspection of the records. All inspections will occur during regular business hours of the Department. (4) Physical inspection of records is permitted in Department offices. Upon completion of the inspection, the person conducting the inspection shall relinquish possession of the records.

Persons inspecting Department records shall not destroy, mutilate, deface, alter, or remove any such records from the Department. The Department reserves the right to have Departmental personnel present during the inspection of records in order to prevent the loss or destruction of records.

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(b)

The Department may refuse to disclose records that are exempt from disclosure under the Public Records Act. (See e.g., Gov. Code, § 6254.)

(c)

Requests for copies of public records will be conducted pursuant to the following procedures: (1) The Department shall charge the person requesting copies of public records made by Department personnel at the rate of thirty cents (\$0.30) per page. Payment of the total estimated copy charge shall be required before Department personnel copy any records. The Department may waive copying costs when the total copying cost for records requested is less than ten dollars (\$10.00) per year. (2) If the number of records requiring copying is determined to be voluminous by Department personnel, then the Department may require the person requesting the records to supply or hire his/her own copy service to photocopy the records. The cost associated with providing the copy service shall be borne entirely by the requesting person. (3) Persons requesting copies of transcripts from Department committees, panels or boards shall be charged a flat fee of \$30.00 per transcript regardless of page length. Tape-recorded cassette transcripts of Department committees, panels or board meetings shall be charged a flat fee of \$5.00 per proceeding.

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