

Colorado Open Records Act (CORA) – Public Records Requests

Gunnison Valley Health (GVH)

Purpose and Scope

Gunnison Valley Health (GVH) provides access to public records in accordance with the Colorado Open Records Act (CORA), C.R.S. §§ 24-72-200.1 through 24-72-206, subject to applicable statutory exclusions and exceptions. This information explains how to submit a public records request, how GVH processes requests, applicable response times and fees, and circumstances in which records may be withheld or redacted.

This information applies to public records for which GVH is the custodian, including applicable public records of Gunnison Valley Health, the Senior Care Center, and Alpine Surgery Center.

What Records Can Be Requested?

CORA generally applies to existing public records made, maintained, or kept by GVH in connection with its official functions, subject to exclusions and exceptions established by law. Not every record maintained by GVH is a public record or available for public inspection. Records that are confidential, privileged, exempt from disclosure, or otherwise protected by federal or state law may be withheld or redacted.

Examples of information that may be protected from disclosure include:

- **Patient records and protected health information:** Patient charts, diagnoses, treatment records, identifiable billing and claims information, and patient complaints containing medical information
- **Personnel records:** Employee financial information, home addresses, personal information, and other personnel-file information protected by law
- **Trade secrets and confidential commercial information:** Proprietary vendor pricing formulas, confidential financial data, purchasing methods, proprietary software information, and other protected commercial information
- **Attorney-client communications and attorney work product:** Confidential legal advice, communications with legal counsel, legal analyses, and qualifying litigation materials
- **Physician peer review and credentialing:** Protected peer-review proceedings, committee reports, recommendations, and credentialing evaluations
- **Quality assurance and risk management:** Protected patient-safety, quality-improvement, and risk-management reviews and materials
- **Deliberative materials:** Qualifying pre-decisional materials, internal recommendations, and protected deliberative communications
- **Security and infrastructure records:** Protected cybersecurity information, facility security plans, emergency-preparedness information, and security-system details

Submitting a CORA request does not mean the requested records are public or subject to disclosure. GVH will review each request under CORA and other applicable federal and state laws. CORA generally applies to existing public records. GVH is not required to create a new record solely to respond to a request, except as otherwise required by applicable law. A request that asks GVH to answer questions, provide explanations, or conduct analysis does not require GVH to create a response when no responsive record already exists.

Patient and Client Records

CORA is not the process for requesting patient or client health records, including records relating to care or services provided through Gunnison Valley Health, the Senior Care Center, Alpine Surgery Center, Behavioral Health, or other GVH services. Patient and client health records are subject to applicable confidentiality and privacy laws and are not available for public inspection under CORA except as otherwise provided by law.

Patients, clients, or other individuals legally authorized to obtain these records should contact GVH Health Information Management (HIM).

Phone: 970-641-7282

Fax: 970-641-7273

How to Submit a Public Records Request

Requests to inspect or obtain public records should be directed to the GVH Official Custodian of Records or the designated representative. Written requests are encouraged to help GVH identify and process the requested records. Requesters are not required to use a particular form.

Requests should describe the existing records sought with sufficient detail for GVH to identify and locate them. Names, dates, subject matter, departments, and other identifying information may help GVH locate the records. If a request is unclear or does not reasonably identify the records, GVH may seek clarification.

Official Custodian of Records: Gunnison Valley Health CEO

CORA Designee: Executive Assistant to the GVH CEO

Email: lsinger@gvh-colorado.org

Mail or in person: Gunnison Valley Health, 711 North Taylor Street, Gunnison, CO 81230

Receipt and Response Time

CORA requests may be submitted by email, mail, or in person to the Official Custodian of Records or the designated representative. GVH will calculate and meet applicable statutory response deadlines. When responsive records are provided by mail, mailing and delivery time are not included in the time allowed for GVH to respond to the request.

Requests received outside regular administrative office business hours, on weekends, or on Colorado state holidays will be handled in accordance with applicable law when determining the date of receipt and the response deadline.

GVH generally must make responsive public records available within three working days. When legally permitted extenuating circumstances apply, the response period may be extended by up to seven additional working days. GVH will provide written notice of the extension within the initial three-working-day period.

GVH processes public records requests alongside its regular operations and previously scheduled responsibilities. GVH will make every effort to respond within the timeframes required by CORA, but the scope and burden of a request and the availability of staff and records may affect when records can be assembled, reviewed, and provided, as permitted by law.

If a request does not contain sufficient information to identify the requested records, GVH may seek clarification from the requester. The applicable response period will be paused until GVH receives sufficient clarification to identify and locate the records. When requested records are already publicly available online, GVH may direct the requester to their location when permitted by law.

Fees

GVH may charge fees authorized by CORA and its adopted fee schedule. The following charges apply only to the extent permitted by applicable law:

- **Paper copies:** No charge for the first 25 pages; \$0.25 per standard page thereafter.
- **Electronic copies:** No per-page copying fee. Authorized research and retrieval fees may still apply.
- **Research and retrieval:** \$41.37 per hour after the first free hour, not to exceed the applicable statutory maximum.
- **Data manipulation:** A reasonable fee not exceeding the actual cost of manipulating data and generating a record in a form not maintained by GVH, as permitted by law.
- **Mailing or shipping:** Actual costs, as permitted by law.

If charges are anticipated, GVH will provide a good-faith estimate. Any written authorization, deposit, or prepayment requirement must be consistent with applicable law and GVH's adopted written procedures. GVH will notify the requester and obtain approval before incurring costs beyond an approved estimate. Applicable fees may be required to be paid before records are provided, as permitted by law. GVH will provide a final accounting and refund any overpayment, as applicable.

If GVH accepts credit cards or electronic payments for other services or products, those payment methods will be available for CORA fees or deposits as required by law. Processing fees may be charged only when permitted by law.

Inspection of Records

Requesters may arrange to inspect responsive records during normal business hours. GVH may establish reasonable procedures necessary to protect records and prevent their removal, alteration, or damage, while providing access as required by law.

Electronic Records and Record Format

GVH will provide digital public records in the formats required by CORA. When applicable, records maintained in a searchable or sortable digital format will be provided in the required searchable or sortable format unless a statutory exception applies.

If GVH cannot provide a record in the required format, it will follow applicable statutory requirements, including providing an alternate format or issuing a denial and a written declaration explaining why the requested format cannot be provided, when required by law. Copyright, licensing, third-party proprietary information, and practical or technological limitations will be evaluated in accordance with applicable law.

Records That Are Withheld or Redacted

GVH will withhold or redact records, or portions of records, when disclosure is prohibited or restricted by CORA or another applicable state or federal law. When required by CORA, GVH will provide the requester with the legal basis for denying access to a requested record.

Public Records Request Form

Requesters are encouraged to use GVH's Public Records Request Form to help identify and process their requests. Use of the form is optional; a requester may submit a written request without using it.

The form may be obtained from GVH or accessed through GVH's website, if posted.

Policy Administration and Publication

GVH will maintain and publish its CORA policy and public-facing instructions for submitting records requests as required by applicable law. GVH will periodically review the policy, fee schedule, and request form to ensure consistency with current law and GVH procedures.