



# GIG HARBOR FIRE & MEDIC ONE Organizational Procedure

Title: Public Records Procedure

Applies to: District Personnel & Members of the Public

Approved by: Deputy Chief Perry Oldenburg

## 1.0 PURPOSE

The purpose of the Public Records Act is to provide the public with full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of efficient administration of government. The Public Records Act provides a statutory framework by which to administer access to public records. Gig Harbor Fire & Medic One (the District) must ensure its record disclosure procedure fulfills this commitment to transparency and accessibility while also protecting against the invasion of an individual's right to privacy by restricting access to its records that are exempt from public disclosure.

The purpose of establishing the following procedure is to provide a method by which the District will review and provide the fullest assistance, including the timeliest possible action, to requests for public records within the Washington Public Records Act ([RCW 42.56](#)) framework. The information contained in this document is designed to aid both those requesting public records and those responding to records requests. The procedure should assist in guiding expectations of requesters.

## 2.0 GENERAL POLICY

The District will provide District records requested by the public as provided in this procedure, unless such records are exempt from disclosure under [RCW 42.56](#) or other law under which disclosure is regulated. The records of the District shall be available for inspection and copying.

District employees shall not distinguish among persons requesting records. Persons requesting records shall not be required to provide information as to the purpose of their request, except as necessary to determine whether inspection and copying would violate any law prohibiting disclosure of specific information. If the requested record is a list of individuals, the requester must confirm that the information obtained will not be used for commercial purposes.

### **3.0 SUBMITTING PUBLIC RECORDS REQUESTS**

Any person wishing to submit a public records request may do so by submitting a request online through the District's website, by written letter delivered by mail or email, or in person during the District's normal office hours.

Written requests may be directed to:

Gig Harbor Fire & Medic One  
Public Records Officer  
10222 Bujacich Rd NW  
Gig Harbor, WA 98332  
records@gigharborfire.org

Public records requests submitted by written letter or email should include the following information:

- Name of requester
- Date of request
- Phone number, email address, or other contact information
- Nature of the public records request (title and date, if known)
- Address or location of the requested records, if known or applicable

While there is no specific required format for a public records request, a requester must provide the District with reasonable notice that the request being made is pursuant to the Public Records Act. The proper form of public records request shall be completion of the Request for Public Records form or completion of the online Public Records Request form. Any reasonable written request providing the same information as these forms shall be acceptable.

### **4.0 PROCESSING PUBLIC RECORDS REQUESTS**

Requests to inspect or copy records shall be responded to promptly. Within five (5) business days of receiving the request, the Public Records Officer or designee will respond by one or more of the following actions, as provided in RCW 42.56.520.

The District may provide the record, provide the internet address and a link on the District website to the specific records requested, or acknowledge that the District has received the request and provide a reasonable estimate of time the District will require to respond.

If the requester notifies the District that they cannot access the records online, the District shall provide copies of the record or allow the requester to view the records on a District computer.

Additional time may be required to respond based upon the need to clarify the intent of the request, locate and assemble the information requested, redact confidential or exempt information, notify third persons or agencies affected by the request, or determine whether any of the information requested is exempt.

If the request is unclear, the District will acknowledge receipt of the request and ask the requester to provide clarification by a specific date, and will provide a reasonable estimate of when the records will be available. If the requester does not respond to a request for clarification by the date specified and the entire request is unclear, the District may close the request without further notice to the requester. If only part of the request is unclear, the District shall respond to those portions of the request that are clear.

If the record requested is classified as a medical record, the Public Records Officer shall determine whether the patient has authorized disclosure of the medical record pursuant to [RCW 70.02.030](#). In the absence of patient authorization, the Public Records Officer shall determine whether the requester is an authorized recipient of the record as defined by [chapter 70.02 RCW](#).

If the request is denied, a written reason for denial must be given. Denials of a patient's request for the patient's medical records shall comply with the requirements specified in [RCW 70.02.090](#).

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. A copy of the redacted release should be maintained as evidence of what was actually released and should document the reasons for the redactions.

## **5.0 PROCESSING PUBLIC RECORDS REQUESTS**

Response time to a records request will also be based on current staffing levels and essential job functions that must be performed by staff prior to locating and assembling the record request. The Public Records Officer has numerous duties in addition to responding to records requests that are essential to the effective operation of the District.

The volume of pending public records requests may also affect response time. The general policy of the District is to respond to records requests on a first-come, first-served basis. However, the Public Records Officer retains discretion to respond to requests out of order of receipt when such out-of-order responses are more efficient.

## **6.0 REVIEW OF DENIALS**

Any person who objects to the initial denial or partial denial of a records request may petition in writing to the Public Records Officer for a review of that decision. The petition must include a copy of the written statement by the Public Records Officer or designee denying the request and reasonably identify the agency's denial.

The Public Records Officer or designee will immediately consider the petition and either affirm or reverse the denial within two business days following the Public Records Officer's receipt of the petition, or within such time as the District and the requester mutually agree ([RCW 42.56.520](#)).

**7.0 INSPECTION OF RECORDS**

Records are generally available to be scheduled for inspection and copying during District office hours, Monday through Thursday, 8:30am to 4:30pm and Friday by appointment, excluding legal holidays. The availability of District staff during these hours may be limited by budgetary constraints, staff workloads, volume of public records requests and other factors related to the District’s primary purpose of providing its essential functions in the community. Scheduling inspection times in advance is strongly advised to help ensure staff availability.

Records must be inspected at an office of the District, in the presence of a designated District employee.

No member of the public may remove a record from the viewing area or disassemble or alter any record.

The requester must indicate which records should be copied by the District.

In order to maintain the security of the records as required by [RCW 42.56.100](#), District computer hardware shall not be available to the public for review of electronic records.

Reasonable conditions may be imposed by the Chief, or the Chief’s designee, on the manner of inspection of records so as to minimize the risks of damage or disorganization of the records and to prevent excessive interference with other essential operations of the District.

**8.0 FEES FOR RECORDS**

The District does not impose a fee for a patient requesting records pertaining to them. Fees may be charged for copying and sending records for other requests, per the fee schedule adopted in [Resolution 2021-12](#), as follows:

<b>RECORDS REQUEST FEES FOR MEDICAL RECORDS:</b>	
Copying Charges	Medical records 50 or less pages: no charge Medical records more than 50 pages: \$1.24 per page for first 30 pages copied, and \$0.94 per page thereafter (Adjustments made per WAC 246.08.400)
Clerical Fee	\$28.00 for each medical record(s) request that is greater than 50 pages (Adjustments made per WAC 246.08.400)
Requested Documents on Digital Storage Media	Actual Cost (Adjustments made per WAC 246.08.400)
<b>PUBLIC RECORDS REQUEST FOR NON-MEDICAL RECORDS:</b>	
First 50 pages or copies	No charge
Each page after 50 pages or copies	\$.15 per page or copy
Requested Documents on Digital Storage Media	Actual Cost (Adjustments made per WAC 42.56.120)

## **9.0 RECORDS LOG AND CLOSURE**

The Public Records Officer shall maintain a log of public disclosure requests received by the District. The log must be retained by the District in accordance with the relevant record retention schedule. The log shall include the following minimum information:

- A. Identity of requester, if available
- B. Date request received
- C. Text of original request together with any clarification received
- D. Description of records produced
- E. Description of any records withheld or redacted and the reasons supporting the withholding or redaction
- F. The final disposition of the request

When a response is complete, the Public Records Officer shall notify the requester in writing using language substantially as follows:

All responsive records have been produced and records that were redacted or withheld, if any, have been noted on the provided exemption log. The request is now closed and the Public Records Act one-year statute of limitations to seek judicial review has started to run. We do not intend to produce additional records or further address the request. You may submit follow-up questions regarding your request within ten (10) business days of the date of this letter. Any such follow-up questions will not extend the start date of the statute of limitations unless we formally notify you that we have reopened your request in response to such follow up.

## **10.0 RESPONSIBILITY**

The Deputy Chief of Finance & Administration is the designated Public Records Officer. The District's Public Records Officer will oversee compliance with the Public Records Act and these procedures. The District's Public Records Officer may delegate the responsibilities of processing requests to other staff.

District staff will aid requesters, take reasonable actions to protect records from damage and disorganization, and prevent fulfilling public records requests from causing excessive interference with essential functions of the District. The District has a limited number of office personnel available and will make every effort to provide prompt responses to record inspection and copying requests. The District cannot permit the response to record requests to unduly interrupt the normal operations of the district.

The District will not destroy or transfer records to the Washington State Archives that are responsive to active public records requests. Assigned District staff will be responsible and held accountable to meet the District's responsibilities of this procedure.

While there is no specific required format for a public records request, a requester must provide the District with reasonable notice that the request being made is pursuant to the Public Records Act. Requesters must request identifiable records or classes of records that the

District can reasonably locate even though they are not required to specifically state the exact record sought.

## **11.0 GUIDELINES**

Neither the District nor any officer, employee, official, or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of public records if the person releasing the records acted in good faith in attempting to comply with this procedure. This procedure is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. The District reserves the right to apply and interpret this procedure as it sees fit, and to revise or change the policy at any time.

The District is not obligated to create new records to satisfy a records request.

A public records request is not continuing in nature. If a requester desires additional records created or obtained by the District after the date of the original request, the requester must submit a new request.

The District's response to a request will be deemed complete upon the requester's inspection of the records, upon notification that copies of all the requested records are available for payment and pick up, upon notification that all records have been provided, or upon notification that no responsive records were located.

The District Board of Commissioners pursuant to Resolution No. 2026-01 has ordered that the District will not maintain an index of public records, as provided in [RCW 42.56.070\(4\)](#), as this would be unduly burdensome due to staffing and resources levels, and would hamper the efficiency of the department.

The District is not required to retain all records it creates or uses. The District maintains its records in accordance with the Washington State Archives Local Government CORE Retention Schedule and Fire and Emergency Medical Records Retention Schedule.

## **12.0 MEDICAL RECORDS**

Records containing individually identifiable health information regarding a District patient are subject to additional protection under chapter [70.02 RCW](#) and HIPAA. Requests for medical records must be accompanied by the patient's consent (see Appendix for Authorization to Use and Disclose Specific Protected Health Information Form), or the requester must identify the legal basis under which the District is authorized to release the record without patient consent.

## **13.0 RELEASE RESTRICTIONS**

The Public Records Act and other statutes exempt or prohibit disclosure of certain District records. Requesters should take note that there are many exemptions contained outside of the Public Records Act that may restrict the availability of some records. The District reserves the right to determine that a record requested is exempt in whole or in part from public inspection

under [chapter 42.56 RCW](#) or other applicable statutes. In accordance with [RCW 42.56.070](#), the District reserves the right to delete identifying details when it makes available any public record in any case where there is reason to believe that disclosure of details would be an invasion of personal privacy protected by chapter [42.56 RCW](#) or other applicable statutes.

All redactions and denials of requests for copies of public records shall be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record or portion of the record, and a brief explanation of how the exemption applies to the record. A full list of other statutes that may affect the disclosure of records can be found on the Washington State Attorney General's website at <http://www.atg.wa.gov/sunshine-committee>.

Commonly encountered records of the District that include release restrictions include:

- a) Medical Records, including Pre-Hospital Care Reports (PCRs) and medical records in an employee's personnel file. ([RCW 70.02](#), [45 CFR 164.502](#)).
- b) Personnel or similar files maintained for employees or elected officials that contain personal information to the extent that disclosure would violate privacy rights ([RCW 42.56.230](#); [RCW 42.56.250](#)).
- c) Records pertaining to pending litigation ([RCW 42.56.290](#)).
- d) Legal opinions ([RCW 42.56.904](#)).
- e) Financial account numbers ([RCW 42.56.230](#)).
- f) Preliminary drafts, notes, recommendations, or intra-agency memoranda in which opinions are expressed or policies formulated or recommended ([RCW 42.56.280](#)).
- g) All applications for public employment, including names of applicants, resumes, and other related materials submitted with respect to the applicant ([RCW 42.56.250](#)).
- h) Employee hiring records, including test questions, scoring keys, and other examination data used to administer an examination for employment ([RCW 42.56.250](#)).
- i) Records of complaints to or investigations conducted by Gig Harbor Fire & Medic One for law enforcement purposes ([RCW 42.56.240](#)).
- j) Contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by Gig Harbor Fire & Medic One relative to the acquisition of property or to prospective public supply and construction contracts, until all of the property has been acquired or all contract agreements executed ([RCW 42.56.260](#)).
- k) Records where disclosure is exempt or prohibited pursuant to provisions of federal or state law, including but not limited to provisions of the Evidence Code relating to privilege.
- l) GPS data of public employees or volunteers using GPS system recording device ([RCW 42.56.250](#))

- m) Records that relate to archeological site information ([RCW 42.56.300](#)).
- n) Records obtained and all reports produced as required by state fireworks law ([RCW 42.56.460](#)).
- o) Investigative records compiled by the District regarding possible unfair practices of discrimination under [RCW 49.60.010](#) et seq. or possible violation of other federal, state, or local laws or Gig Harbor Fire & Medic One internal policies during an active and ongoing investigation ([RCW 42.56.250](#))
  - A. Records may be released upon completion of the investigation, as allowed under [RCW 42.56.250](#).

#### **14.0 ADDITIONAL REFERENCES**

[Washington Public Records Act RCW 42.56](#)

[Resolution 2021-12 Fee Schedule](#)

[Medical Records – Health Care Information Access and Disclosure RCW 70.02](#)

[HIPAA Security Rule 45 CFR 160](#)

[Washington State Archives Retention Schedules](#)

#### **15.0 APPENDIX**

Request for Public Records Form

Authorization to Use and Disclose Specific Protected Health Information Form

Resolution of the Board of Commissioners – Determination Not to Maintain a Public Records Index ([RCW 42.56.070\(4\)](#))



# GIG HARBOR FIRE & MEDIC ONE

## REQUEST FOR PUBLIC RECORDS

Date of Request: \_\_\_\_\_

Name of Requester: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Public Record or Information Requested:

I declare under penalty of perjury under the laws of the State of Washington that I do not intend to use any list of individuals that may be covered by this request for commercial purposes.

Signature \_\_\_\_\_

\*If the identified records include medical records of a District patient, you must also attach a patient authorization form. If you do not have the patient's consent, the records will be redacted unless you identify the legal basis under which patient consent is not required.

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Completed by Public Records Officer/Designee

Records Request:       Granted       Withheld       Redacted

Copy(s) Provided:       in person       by mail       by fax       by email

If consent is needed, name of individual: \_\_\_\_\_

Exemption/Statute Applicable for  
Withholding/Redacting Record: \_\_\_\_\_

Date: \_\_\_\_\_

All responsive records have been produced and records that were redacted or withheld, if any, have been noted on the provided exemption log. The request is now closed and the Public Records Act one-year statute of limitations to seek judicial review has started to run. We do not intend to produce additional records or further address the request. You may submit follow-up questions regarding your request within ten (10) business days of the date of this letter. Any such follow-up questions will not extend the start date of the statute of limitations unless we formally notify you that we have reopened your request in response to such follow up.

Public Records Officer/Designee Signature: \_\_\_\_\_



## GIG HARBOR FIRE & MEDIC ONE

### Authorization to Use and Disclose Specific Protected Health Information

By signing this Authorization, I hereby authorize and direct the use or disclosure by Pierce County Fire District #5 of certain medical information (PHI) pertaining to \_\_\_\_\_, who  is  is not a deceased person.

This Authorization concerns the following medical information about the person enumerated above:

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This information may be used or disclosed by Pierce County Fire District #5 and its business associates and may be disclosed to:

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[LIST NAME OR SPECIFIC IDENTIFICATION OF THE PERSON(S) OR CLASS OF PERSONS TO WHOM THE REQUESTED USE/DISCLOSURE MAY BE MADE]

I understand that I have the right to revoke this Authorization at any time except to the extent that the Fire District has already acted in reliance on the Authorization. To revoke this Authorization, I understand that I must do so by written request to the District Privacy Officer (or their designee) at 10222 Bujacich Rd. NW, Gig Harbor, WA 98332, (253) 851-3111.

I understand that information used or disclosed pursuant to this Authorization may be subject to redisclosure by the recipient and no longer subject to privacy protections provided by law. I understand that my written authorization is not required to use the disclosed protected health information for treatment, payment and health care operations. I understand that I have the right to inspect and copy the disclosed PHI. The Authorization is being requested for the following purpose(s):

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The use or disclosure of the requested information  will /  will not result in direct or indirect remuneration to the Fire District from a third party.

I understand that if I am requesting my own medical records, the Fire District may require that I provide my driver's license or other identification in order that the Fire District may verify my signature on this authorization, as required by federal regulations.

I understand that if I am *not* requesting my own records, I must prove that a statutory exception exists under RCW 70.02 that would permit or require disclosure of the patient's medical records.

\*\*\*\* For Persons requesting records of a Deceased Person\*\*\*\*

I certify under penalty of perjury of the Laws of the State of Washington that I am either the personal representative of the deceased person whose PHI I seek to be disclosed, or a person who would have been statutorily authorized to give informed consent to the health care of the deceased person, while that person was living, and therefore am authorized to give consent to the disclosure of the requested PHI, pursuant to RCW 70.02.140 and/or RCW 7.70.065(1)(a). I further understand that prior to the disclosure of any PHI pertaining to the deceased person indicated above, I may be required by the District to provide proof of my status as a person authorized to give consent to the disclosure of the above PHI. Such proof may include but not be limited to testamentary documents such as wills and/or trusts, or letters testamentary, court orders appointing me as a personal representative or guardian, durable powers of attorney, marriage certificates or documents establishing parentage or paternity/maternity. I further certify under penalty of perjury that no other person exists which carries statutory priority over me in consenting to release of medical records of the deceased person above, as required under RCW 7.70.065. I understand that if such a person exists, that person must be given first priority to obtain the requested records.

SIGNED THIS \_\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_ in \_\_\_\_\_ County, Washington

\_\_\_\_\_ Printed Name

I acknowledge that I have read the provisions in the Authorization and that I have the right to refuse to sign this Authorization. I understand and agree to its terms.

\_\_\_\_\_ [Signature]

\_\_\_\_\_ [Printed Name] \_\_\_\_\_ [Date]

This authorization expires on: \_\_\_\_\_ [date or event]