

Title: Public Records Request
Effective Date: March 7, 2014

Revision Date: 10/31/2017

I. PURPOSE

To establish the policy and procedures for handling requests from the public for information, data, records, reports, and publications.

II. AUTHORITY

NRS 239
NAC 239

III. REFERENCES

Nevada State Records and Retention Schedules; Nevada Public Records Act: A Manual for State Agencies (http://nsla.nv.gov/Records/Public_Records/Public_Records/)

IV. DEFINITIONS

Public Information – Information, data, and records of the Exchange, unless declared confidential by law, are public information.

V. PROCEDURES

The information, data, and records will be made available for inspection by the public during normal business hours, Monday through Friday 8:00 a.m. to 5:00 p.m. Pursuant to NRS Chapter 239.0107, the Exchange will acknowledge receipt of a request and provide a status report to the requestor within five business days.

1. Request for public records

A request may be made to the Exchange's Compliance Officer by completing the Exchange's public records request form and submitting it either by mail, email, or deliver it directly to the Exchange's Carson City headquarters office at:

Attn: Public Records Request
Silver State Health Insurance Exchange
2310 S. Carson Street, Suite 2
Carson City, NV 89701

[Click here for the Exchange's Public Records Request Form](#)

Contact Information for Exchange Records Official: [Email](#)

A request should contain details regarding the records being requested, which will focus and expedite the records search. The request should also include the requestor's contact information, preferably with email and physical mailing addresses and a daytime phone number.

A request for public records need not be made on the Exchange's public requests form and may be made verbally, as long as the request is not extraordinary and otherwise readily identifiable as a request for public records.

The Silver State Health Insurance Exchange appreciates your interest in the public documents associated with our programs and statutory duties. For your convenience, below are some notes regarding public requests for information. Please feel free to contact us if you have any questions:

- Complete the Exchange's Public Records Request form and mail, email or deliver the request directly to the Exchange's Carson City office. The office will coordinate the records search and a response with appropriate staff.
- Be specific and reduce the scope of the request as much as possible. Details regarding locations, dates or contract numbers are helpful. This will focus and expedite the records search.
- Include the requestor's contact information, preferably with email and physical mailing addresses and a daytime phone number.
- Please keep in mind that the Exchange may also charge for copies and staff time in accordance with NRS 239.055 (see "Fee Schedule" below).

2. Timeframe for Responding to a Request

Pursuant to NRS Chapter 239.0107, the Exchange will acknowledge receipt of a request and provide a status report to the requestor within five business days. The office will provide a staff contact point and, if necessary, ask for clarification so it can expedite the search for records relevant to your needs.

The Exchange's Compliance Officer or another appropriate Exchange employee will notify the requestor when the material is ready for inspection. Inspection of such public records must take place in the Exchange's main office during normal business hours, Monday through Friday, 8:00 AM to 5:00 PM. If the requestor asks for copies of specific documents while on site, copies will be made by Exchange staff and the requestor will be charged per the Exchange's fee schedule.

Records are not always readily accessible and may be located in archived files. To save time, prior to visiting the office to see documents or files that may or may not be on-hand, the Exchange asks that a request be made by either letter or email before visiting the office.

Due to the volume of requests, records accessibility, staff availability, and legal constraints, the Exchange may need a few days or even weeks to locate and produce requested records.

3. Confidential Records

Records may be deemed as confidential by the Exchange. In such cases, the agency has the burden of establishing confidentiality, and must cite the appropriate legal authority for that confidentiality such as state or federal statute, court order, etc.

4. Protection of Original Documents

At no time should any person inspecting public records be allowed to remove original records from the premises or location stored. Reasonable steps shall be taken to ensure the protection of public records while being inspected including but not limited to supervision, viewing areas, and sign-in sign-out requirements.

5. Extraordinary use of personnel or resources

In accordance with NRS 239.055, if a request for copies or inspection of public books or records will require extraordinary use of personnel or technological resources, including the redaction of personal or other privacy protected information a government entity may charge a reasonable fee to comply with such an extraordinary request. A request that is reasonably estimated to take more than 2 hours of staff time is deemed extraordinary. Extraordinary use fees are defined below.

6. Fees

The Exchange may charge for document searches, certification of documentation, copies and staff time in accordance with NRS 239.052 and 239.055. These fees will be posted in a conspicuous place in all Exchange offices and the website. Posting and shipping costs will be reimbursed by the requestor.

- a. **Invoices.** Any fees imposed must be invoiced and must detail each of the four costs: staff time, copies, scanning/e-mail/online posting, and postage.
- b. **Cost estimates.** Before further processing, the requester will be notified in writing and required to remit payment in full. If the final costs are less than estimated, the requester will be reimbursed any difference.
- c. **Staff time.** In accordance with Nevada Revised Statute 239.055, fees may be charged for extraordinary staff time for processing, researching, copying, legal/technical review, or viewing.
- d. **Copying costs:**
 - Black & White: \$0.10 per page.
 - Color: \$0.50 per page.
 - Compact Disk/DVD: \$5 per disk.
 - Certified Copies: \$5 per page.
 - Electronic Scanning to E-mail, CD or FTP: \$0.10 per page.
- e. **Postage/shipping.** All shipping will be via USPS unless otherwise requested. Postage and shipping costs will be reimbursed by the requester.
- f. **Payment:** Checks or money orders must be payable to the "Silver State Health Insurance Exchange." Partial payment of estimated fees is required

prior to commitment of substantial staff time and effort. Full payment of actual fees is required before any records will be provided.

- g. **Use of outside copying services.** If estimated staff time exceeds four (4) hours, outside vendors/contractors may be utilized under the direction of the Exchange. Actual vendor costs in addition to staff time, if warranted, will be charged to the requester.
- h. **Extraordinary Use Fee:** Actual cost or \$ 0.50 per page, whichever is less. **Extraordinary use of personnel:** Public records requests that require more than two cumulative hours of Exchange personnel time will be charged the time incurred, in 15 minute increments, for each employee who gathers, reviews, redacts, copies, or otherwise processes the request at a rate of \$27-\$50/hour per employee

Extraordinary use of resources: Public records requests that require the use of technological resources will be charged the actual cost incurred by the Department for use of the resource in obtaining documents in response to a public records request.

Please note that other requests for public records, which result in extraordinary use of Exchange personnel or resources, may incur a fee even if no records are produced. For example, if records are gathered, but withheld, and a log identifies the records as withheld., payment will still be required.

7. Failure to Retrieve or Inspect Records

If within thirty days of notification that records are available for inspection or copying the requestor fails to inspect or retrieve the entire set of records or one or more of the installments, as applicable, the public records officer shall close the request. The requestor shall be notified in writing of this action. Please note that payment is still required.

PUBLIC RECORDS REQUESTS

Executive Director

Date

Policy and procedure statements contain the Silver State Health Insurance Exchange's official interpretation of existing statutes and/or regulations as referenced above.

**THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES
ON THIS SPECIFIC SUBJECT**

Additional Information

- [NRS 239, Public Records](#)
- [NRS 239C, Homeland Security](#)
- [NAC 239, Public Records](#)
- [Nevada State Records Management Office](#)
- [State Records Retention Schedule, Nevada Exchange of Agriculture](#)