



## ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

### ACCESS POLICY

Adopted 10/2006

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1. It is the policy of the **Alabama State Board of Chiropractic Examiners (ASBCE)** to promptly provide citizens with public records upon request, subject to: payment of reasonable fees, to applicable laws protecting sensitive information, and to the interest of the public in having the business of the **ASBCE** carried on efficiently and without undue interference.
2. When requesting records, please complete the form available at [www.chiro.alabama.gov](http://www.chiro.alabama.gov) emailing the **ASBCE** for a copy of the fully completed and sign form to: [public.records@chiro.alabama.gov](mailto:public.records@chiro.alabama.gov)

For definitions and further information refer to Code of Alabama 1975 §36-12-40 through 36-12-46. Definitions. For records request, the following terms shall have the following meanings.

- a. **Standard request.** A public-records request that seeks one or more specifically and discretely identified public records that the Board determines would take **less than eight hours** of staff time to process considering the time needed to identify and retrieve any responsive records-and to redact or take other measures to withhold legally protected information.
- b. **Time-intensive request.** A public-records request that the board determines would take **more than eight hours** of staff time to process considering the time needed to identify and retrieve any responsive records-including because the request is vague or overly broad- and any time needed to redact or take other measures to withhold legally protected information.

### **37-Document retrieval and preparation.**

A minimum fee of \$20.00 for the first hour and \$15.00 for each additional hour for time spent locating, retrieving and preparing records for production. Copies of records on standard 8.5 x 11 paper are available at \$.50 (fifty cents) per page. There is no per page fee for electronically provided documents. The fees do not include any legal review or redaction necessary to withhold legally protected information. **ASBCE** reserves the right to limit or prohibit the photocopying of fragile records.

#### 4. **Actual costs.**

The **ASBCE** may charge any actual costs incurred while processing or responding to a public- records request. Example: Flash Drive or other hardware.

#### 5. **Standard request.**

- I. **Form and Fee.** The staff of **ASBCE** will provide a certified copy of the records you request as quickly as possible.
- II. **Response time.** All records requested in person will be acknowledged within five (5) business days and the requester will be notified within fifteen (15) business days after the acknowledgment a response fulfilling or denying the request. The **ASBCE** may extend this period in 15 business day increments upon written notice to the requester. Standard request should require no or minimal clarification. Standard request will be processed as expeditiously as possible with regard to the requesters time constraints, the board staff workflow and the nature of the request.

#### 6. **Time Intensive request.**

- I. **Form and Fees.** The staff of **ASBCE** will provide a certified copy of the records you request as quickly as possible. The **ASBCE** will notify the requester of the fees and the requester shall pay the fees prior to the board providing a substantive response to the requester as outlined in Code of Alabama 1975 §36-12-43(5).
- II. **Response time.** All records requests will be acknowledged within five (5) business days and the requester will be notified within fifteen (15) business days after the acknowledgment that the request qualifies as a time-intensive request. At that time the requester may withdraw the time-intensive request and submit a new request that is not time-intensive. If the requester elects to proceed with the time-intensive request, the board shall be prepared to provide a substantive response fulfilling or denying the request within 45 business days after the requester elected to proceed with the request. The **ASBCE** may extend this 45-business day period in 45 day increments by notifying the requester in writing.

#### 7. **Standard request.** There shall be rebuttable presumption that a proper standard request has been denied by **ASBCE** if:

- a. A substantive response is not provided to the standard request within the earlier of 30 business days or 60 calendar days following acknowledgment of receipt by the **ASBCE**; or
- b. The public records are not produced within the earlier of 30 business days or 60 calendar days following the payment of the estimated fees to **ASBCE**.

8. **Standard request** There shall be no presumption that a proper standard request has been denied if:
  - a. The request is not proper or the **ASBCE** is not obligated or required to respond as provided in this section;
  - b. The **ASBCE** has responded in part;
  - c. The **ASBCE** and requester have reached an agreement regarding the time or substance, or both, of the response;
  - d. Negotiations are ongoing between the **ASBCE** and the requester; or
  - e. **ASBCE** has reasonably communicated the status of the request to the requester.
9. **Time Intensive request.** There shall be a rebuttable presumption that a proper time intensive request has been denied by **ASBCE** if:
  - a. substantive response not provided within the earlier of 180 business days or 270 calendar days following the requester's election to proceed with a time-intensive discretion to require the requester to pay all or a portion of request.
  - b. The records are not produced within the earlier of 180 business days or 270 calendar days following the payment of the estimated fees to **ASBCE**.

There shall be no presumption that a proper time-intensive request has been denied if:

- a. The request is not proper or **ASBCE** is not obligated or required to respond as provided in this section;
  - b. **ASBCE** has responded in part;
  - c. **ASBCE** and requester have reached an agreement regarding the time or substance, or both, of the response;
  - d. Negotiations are ongoing between **ASBCE** and the requester; or
  - e. **ASBCE** has reasonably communicated the status of the request to the requester.
10. **ASBCE** may request reasonable evidence to establish proof of residency. **ASBCE** shall have the discretion to respond to public records requests made by nonresidents, in which case, **ASBCE**'s decision to respond to such requests shall not operate as a waiver of **ASBCE**'s right to deny other or future requests made by nonresidents. See 36-12-44.
9. If you have any questions about this access policy or need further assistance, please email [public.records@chiro.alabama.gov](mailto:public.records@chiro.alabama.gov)

This policy was modified pursuant to EO No. 734 and Act 2024-278.