

**WAC 246-08-990 Copying fees.** The copy fees and payment procedures in this section apply to public records requests to the department of health (department) under chapter 42.56 RCW and received on or after July 23, 2017.

(1) Pursuant to RCW 42.56.120 (2)(b), the department is not calculating all actual costs for copying records because to do so would be unduly burdensome for the following reasons:

(a) The department does not have the resources to conduct a study to determine all its actual copying costs;

(b) To conduct a study to determine actual copying costs would interfere with other essential agency functions; and

(c) Through the 2017 legislative process, the public and requestors have commented on and been informed of authorized fees and costs, including fees for electronic records, provided in RCW 42.56.120 (2)(b), (c), (3), and (4).

(2) The department will charge for copies of records pursuant to the default fees in RCW 42.56.120 (2)(b) and (c).

(3) The department will charge for customized services pursuant to 42.56.120(3). The department will not provide customized access if doing so will interfere with other essential agency functions.

(4) Under RCW 42.56.130, the department may charge other copy fees authorized by statutes outside of chapter 42.56 RCW.

(5) The department may enter into an alternative fee agreement with a requestor under RCW 42.56.120(4).

(6) The following fees for copying methods used by the department include:

<b>Copying Method</b>	<b>Fee</b>
Records scanned into electronic format	\$.10/page
Electronic file	\$.05/every four electronic files or attachments uploaded to an email, cloud storage service, or other electronic delivery system
Transmission of electronic records	\$.10/gigabyte
Flat fee	\$2.00 (agencies have the option to charge up to \$2 as an alternative to actual or default costs if the agency reasonably estimates and documents that the costs are equal or more than \$2)

(7) Requestors are required to pay for copies in advance of receiving records.

(8) Fee waivers are an exception and may be available for some small requests:

(a) At the discretion of the department a fee waiver may be available when:

(i) All of the records responsive to an entire request are paper copies only and are twenty-five or fewer pages; or

(ii) All of the records responsive to an entire request are electronic and can be provided in a single email with attachments of a size totaling no more than the equivalent of one hundred printed pages. If that email for any reason is not deliverable, records will be provided through another means of delivery, and the requestor will be charged in accordance with this section.

(b) Fee waivers are not applicable to records provided in installments.

(9) The department may require an advance deposit of ten percent of the estimated fees when the copying fees for an installment or an entire request, or customized service charge, exceeds twenty-five dollars.

(10) All required fees must be paid in advance of release of the copies or an installment of copies, or in advance of when a deposit is required. The department will notify the requestor of when payment is due.

(11) The requestor must make payment by check or money order to the Washington state department of health. The department prefers not to receive cash. For cash payments, it is within the department's discretion to determine the denomination of bills and coins that will be accepted.

(12) The department will close a request when a requestor fails by the payment date to pay in the manner prescribed for records, an installment of records, or a required deposit.

[Statutory Authority: RCW 43.70.040 and 42.56.120. WSR 18-03-124, § 246-08-990, filed 1/19/18, effective 2/19/18.]