

WAC 388-01-080 Does DSHS charge for inspecting or providing public records? (1) There is no fee for inspecting public records.

(2) Pursuant to RCW 42.56.120 (2)(b), DSHS does not calculate the actual costs for copying records because to do so would be unduly burdensome for the following reasons:

(a) DSHS does not have the resources to conduct a study to determine all of its actual copying costs; and

(b) To conduct such a study would interfere with other essential agency functions.

(3) DSHS may do one or more of the following:

(a) Charge for copies of records according to the default fees in RCW 42.56.120 (2)(b), (c) and (d);

(b) Charge for customized services pursuant to RCW 42.56.120(3);

(c) Charge other copy fees authorized by statutes outside of chapter 42.56 RCW;

(d) Enter into an alternative fee agreement with a requester under RCW 42.56.120(4).

(e) Charge for an advanced deposit of 10% of the estimated fees, including a customized service charge, as allowable under RCW 42.56.120(4).

(4) Responsive records may be provided in installments as allowable under RCW 42.56.120(4). Each installment must be either paid for or inspected prior to fulfilling the remainder of the request.

(5) Payment must be made by check or money order to the department of social and health services.

(6) The department will close a request as abandoned when the requester fails within 30 days to pay for a request, or an installment, or for the required 10% deposit.

(7) DSHS may waive copying fees in one or more of the following circumstances:

(a) Clients or someone having a valid authorization or court order to act for a client receiving the first copy of their client file;

(b) Producing records assists in managing a program;

(c) The expense of billing exceeds the cost of producing records;

(d) Fees totaling less than \$2.00.

[Statutory Authority: RCW 42.56.040. WSR 23-19-028, § 388-01-080, filed 9/12/23, effective 10/13/23; WSR 18-05-021, § 388-01-080, filed 2/9/18, effective 3/12/18. Statutory Authority: RCW 42.17.250 and 34.05.220. WSR 99-15-065, § 388-01-080, filed 7/19/99, effective 8/19/99.]