



Matthew G. Bevin
Governor

Edith Slone
Executive Director

Adam Meier
Secretary

OPEN RECORDS REQUEST TO INSPECT PUBLIC RECORDS (KRS CHAPTER 61)

Please Note: It is important that you write legibly and be as specific as possible regarding your request.

I request to inspect and/or receive copies of the following document(s): _____

Choose your preferred method of receiving documents (check the box and choose only one):

- CD (**\$10 fee per CD**); Number of copies of each requested item: _____
- Paper Copies (**\$0.10 fee per page**); Number of copies of each requested item: _____

Please Note the Following:

- Payment is expected prior to mailing. No hard copies of requested records will be mailed until all payments, including any shipping charges, have been received by the Kentucky Office of Health Benefit and Health Information Exchange (KOHBHIE).
- Additional fees may apply if the requested records are to be used for commercial purposes; see KRS §61.870(4), §61.874 and §61.8745.

Printed Name

Company Name

Mailing Address

City/State and Zip Code

Phone Number

FAX Number

Email Address

Signature of Requestor

EMAIL COMPLETED FORM TO: KHBEOpenRecords@ky.gov

or FAX COMPLETED FORM TO: (502) 573-2090

**or MAIL COMPLETED FORM TO:
OPEN RECORDS COORDINATOR
KENTUCKY OFFICE OF HEALTH BENEFIT AND HEALTH INFORMATION EXCHANGE
PO BOX 2104
FRANKFORT KY 40602**

Open Records Request Information

The General Assembly finds and declares that free and open examination of public records is in the public interest. Kentucky Revised Statutes 61.870 through 61.884 discuss the procedures for filing and handling an Open Records Request, which records are open for inspection, and which records are exempt from inspection.

An Open Records Request directed to the Kentucky Health Benefit Exchange (KHBE) must be submitted in writing. You may use the form attached to submit your Request. Please submit the Request via mail, fax, or email using the contact information on the form and in the Frequently Asked Questions section of this page.

Frequently Asked Questions

1. How do I submit an Open Records Request?

All Open Records Requests must be submitted in writing. You may use the Open Records Request Form from the KHBE or you may submit a letter identifying the records sought and your preferred method of receiving those records (i.e. fax or postal mail). Please provide your name, address, and daytime telephone number in the event we need to contact you. If you have an email address at which you would like to be contacted, please include that email address along with your other contact information.

2. To whom do I submit an Open Records Request?

- A. To request records maintained by and in the custody of the KHBE, you may submit your request in the following ways:
 - I. Mail: Open Records Coordinator, Kentucky Health Benefit Exchange, PO Box 2104, Frankfort, Kentucky 40602
 - II. Fax: Open Records Coordinator (502) 564-0302
 - III. Email: Open Records Coordinator KHBEProgram@ky.gov
- B. If the records you are seeking are under the custody and control of another agency, please submit your request to that agency. Failure to do so may delay the time it takes for you to obtain the records that you seek.

3. Is there any cost associated with receiving a response to an Open Records Request?

- A. The standard cost of providing paper copies of responsive records is \$.10 per page. If mailing is required, there will also be a charge for the cost of postage.
- B. The standard cost of providing CDs of responsive records is \$10.00 per CD. If mailing is required, there will also be a charge for the cost of postage.
- C. In accordance with KRS §61.874, additional fees may apply if the requested records are to be used for commercial purposes; see KRS §61.870(4), §61.874 and §61.8745. An estimate of the time and cost associated with fulfilling the request will be provided to the requestor prior to the request being fulfilled. Once an authorization for payment is received, materials will be gathered to produce a response to an approved request.

4. When is payment for an Open Records Request expected?

All payments, including applicable shipping charges, are expected prior to release of the requested records.

5. To whom do I make my check or money order payable for an Open Records Request?

Your check or money order should be made payable to the ***Kentucky State Treasurer*** and mailed to the Open Records Coordinator, Kentucky Health Benefit Exchange, PO Box 2104, Frankfort, Kentucky 40602.

Do not send payments for anything other than Open Records Request charges to the Open Records Coordinator.

6. Are all records maintained and in the custody of the Kentucky Health Benefit Exchange subject to release under the Kentucky Open Records Act?

No. Some records are exempt under the Open Records Act. Exempt records include, but are not limited to, individual and corporate income taxes; records held with an application for or administration of a loan or grant; records held with the regulation of commercial enterprise; records held for the grant or review of a license to do business; prospective locations of businesses or industries; real estate appraisals until all of the property has been acquired; examination data before the exam is administered; and records that compromise public safety.

7. What are some of the records available for release by KHBE?

Releasable records include, but are not limited to, any public records on an individual to that individual only; any public records on a company to an authorized representative of the company; certain property assessment information, both personal and real; and course materials for classes conducted by KOHBHIE.

8. Is any information purged from released records?

Yes. All information considered to be personal and private in nature will be redacted from all records prior to release.

9. How long does it take to receive a response to an Open Records Request?

- A. Generally, an agency has three business days from the date of receipt to respond to an Open Records Request. Requests received by the Open Records Coordinator prior to 3:00 P.M. Eastern Time shall be deemed received on that day; all requests received by the Open Records Coordinator after 3:00 P.M. Eastern Time shall be deemed received on the following business day.
- B. If the documents requested are not available for release within those three business days, a written response will be provided to the requestor indicating the approximate date of availability of the requested documents.
- C. If the requested records are protected from release under the Act, and it is determined that a request will be denied, a written response will be provided to the requestor within three business days following the date the request was received.