

BOARD REGULATION NUMBER 33--PUBLIC RECORDS ACCESS

It shall be the stated policy of the State Board of Dental Examiners that the terms, conditions, and mandates contained in the Mississippi Public Records Act of 1983, Miss. Code Ann. § 25-61-1 et. seq., shall be strictly observed.

The following procedures shall be implemented and complied with by any individual exercising his or her right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record held and controlled by the Mississippi State Board of Dental Examiners, to-wit (except where prohibited by the Federal Privacy Act):

1. A person requesting any public record held or controlled by the State Board of Dental Examiners may do so either in writing or in person. The request shall be clear and concise and shall include only one subject matter.
2. The request shall be addressed to the Mississippi State Board of Dental Examiners, Suite 100, 600 East Amite Street, Jackson, Mississippi, 39201-2801.
3. Any such request for records or the reproduction of records shall be acted upon within fourteen (14) working days computed from the date of receipt of the request. Denial shall contain the specific reason for the denial. Copies of all denials shall be maintained on file by the Board for not less than three (3) years from the date denial is made.
4. Access to non-exempt records will be allowed during regular business hours.
5. If any public record which is held to be exempt from disclosure contains material which is not exempt, the Board shall separate the exempt material and make the non-exempt material available for examination and/or copying.
6. When fees are appropriate, the fees must be paid prior to the Board's compliance with the request. Only cash, money orders and cashier's checks will be accepted in payment for fees.
7. Records furnished to the Board by third parties, which are not public bodies, as defined in the Public Records Access Act, will not be released until notice to the third parties has been given. The record shall be released in fourteen (14) days unless the third party obtains a court order protecting the records as confidential.
8. The Executive Director of the State Board of Dental Examiners or his/her designee has the authority to specify the mode, manner, time and place of access.

9. Costs:

- a. Any person who desires copies of public record as defined herein but does not officially represent a public body shall be charged twenty-five cents (\$.25) per mechanically reproduced copy. Copies of pages printed on both sides (front and back) shall be considered as two pages. This fee is for the cost of searching, reviewing and duplicating the public record. However, if the searching, reviewing or duplicating of documents or the separating of non-exempt material from documents, etc. containing exempt material requires more than one quarter hour of work, then the requesting party shall be charged for the work time above one quarter hour, in addition to a mechanical reproduction charge of twenty-five cents (\$.25) per page for any copies desired. The charge for the hour shall be based upon the hourly salary of the person at the Board, qualified and available to do the job.
- b. In the event the public record is available in computer files and can be obtained through computer use, then the requesting party may pay the charge for the computer including programming time and actual computer time, as well as any other costs incurred. This charge will be determined by the Board.
- c. Mailing costs calculated at the applicable United States Postal Service rates shall be charged where appropriate. The cost of mailing a notice to third parties via certified mail, return receipt requested, shall be charged to persons requesting the public records.

Regulation Thirty-Three adopted by the Mississippi State Board of Dental Examiners on August 18, 1989; amended September 25, 1992; amended September 20, 1996.