

Wisconsin Board on Aging and Long Term Care

PUBLIC NOTICE: ACCESS TO RECORDS

You have a right to inspect and copy certain records under Wisconsin's Public Records Law,
§§ 19.31-19.39, *Wis. Stats.*

DEPARTMENT DESCRIPTION

The Wisconsin Board on Aging and Long Term Care (BOALTC) supports elder consumers of long term care services and persons who are eligible for Medicare and its component programs.

BOALTC is organized into the following divisions: 1) the Office of the State Long Term Care Ombudsman; 2) the Long Term Care Ombudsman Program; 3) the Volunteer Ombudsman Program; and 4) the Medigap Helpline Program.

The employees of this agency are state public officials under the definition provided in the State's statute (Ch. 19, Subch. II, Stats.). BOALTC's Executive Director and the BOALTC Legal Counsel are also state public officials.

PROCEDURE FOR MAKING REQUESTS

Under the authority of Chapter 19 of the Wisconsin Statutes, the BOALTC Executive Director is the legal custodian of the Board's records. To facilitate access to the records, the Executive Director's authority as records custodian has been delegated to the BOALTC Legal Counsel. Requests for access to public records, and questions concerning the application of the public records law, should be directed to:

Legal Counsel
Wisconsin Board on Aging and Long Term Care
1402 Pankratz Street, Suite 111
Madison, WI 53704-4001

Telephone: (608) 246-7018
email: Christopher.McElgunn@wisconsin.gov

Staff will be available to accept requests made in person or by phone during BOALTC's normal office hours of 8:00 a.m. until 4:30 p.m., Monday through Friday. Requests should be made in writing, and must be reasonably specific as to subject matter or time period. Staff will forward all records requests to the records custodian as soon as is possible.

As soon as practicable and without delay, the records custodian will either notify you of the availability of the records requested, or deny the request in whole or in part because the records do not exist or are not accessible under the public records law. Certain records of client interactions which are held by this agency are subject to confidentiality requirements imposed by federal statute and/or rule (codified at 45 CFR 1327.11(e) and § 4360 of P.L. 101-508). In such situations, consent to release these records must be provided prior to such release by the person who is the subject of the record in the format specified in the cited statute or rule. A court of competent jurisdiction may order the release of such confidential records. The time it takes the custodian to respond to the request will depend on factors including the nature and extent of the request and the availability of staff and other resources necessary to process the request. If the custodian denies a written request, the requester has a right to receive the denial in writing.

FEES

BOALTC may charge the actual, necessary, and direct cost of reproducing a record. When the request calls for a copy of a record, and the record can be photocopied, BOALTC may charge its standard fee of \$.25 for each impression produced in response to the request. If the record requested is not in readily comprehensible form (e.g. computer file, database entry), BOALTC may charge the actual cost of creating a readily comprehensible copy. BOALTC may charge the actual, necessary, and direct costs of locating the records if those costs exceed \$50. If the records are forwarded to the requester, BOALTC may charge the actual, necessary and direct shipping or mailing cost.

Regardless of who processes the request, fees will be calculated based on the hourly wage of the lowest paid staff member capable of performing the work. The above fees apply except where a different fee is authorized by law. BOALTC may request pre-payment if the total costs are greater than \$5. Make checks payable to Wisconsin Board on Aging and Long Term Care.