



**Category:** ADMINISTRATION

**Date Originated:**

**Approved By:** Karen Russell, Clerk Treasurer

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## POLICY

### **Records Requests**

#### PURPOSE

To provide direction by establishing a clearly defined policy for providing public access to District records. This policy is to provide guidelines and overall general procedures for requesting Public Records, Fire Property Reports, and Protected Health Information.

#### SCOPE

All requests for records including but not limited to medical records and personnel records will be directed to the Fire District's Record Department.

All requests for fire reports will be directed to the Fire Prevention Department.

Not all records are PUBLIC record, so the procedures below will outline the guidelines and procedures for requesting records.

#### PROCEDURE

The St. Lucie County Fire District (SLCFD) Records Department is responsible for keeping the Fire District in compliance with Florida's Open Records Laws. To obtain fire incident reports, please contact the Fire Prevention Department at 772-621-3344 or to obtain emergency medical reports, please contact the SLCFD Record Department at 772-621-3347, or fax at 772-621-3606. If you fax, please include a call back number. The Records Department is located at the Administration Complex at 5160 NW Milner Drive, Port St. Lucie, FL 34983. The office is open Monday through Friday from 8:00a.m. to 4:30p.m.

### **Public Records**

The St. Lucie County Fire District (SLCFD) Records Department processes all requests for public records generated by the general public and the media. These may include, but not limited to; incident reports, district personnel files, district policies and procedures, data reports, and interoffice memos.

To streamline processing, ensure accuracy and track progress, all public record requests must be submitted in writing to the SLCFD Records Department. All requests will be logged and verified; copies of the pertinent records will be obtained and released to the requesting party.

### **Fire Reports / Environmental Reports**

- Fire incident reports are considered public record and are available upon request. Fire reports are available at the above address during normal business hours.
- It is suggested that the Fire Prevention Department is contacted by phone to ensure the report is available.
- The date, time, and address of the incident is requested to process the request. Provide the incident number when available.
- If the exact date is unknown, please provide the incident location and approximate month and year of the incident.
- For fire loss research on a property address or extensive fire property research (only on public places), please provide property location, date and year parameters to be researched.

**NOTE:** Fire reports are public records with exception of arson investigation reports unless closed.



### **Medical Aid / Transport Records**

Reports involving any type of medical treatment are considered confidential information and are protected by law. It is exempt from Florida State Statutes 119.01, Public Records Law; and protected under Florida State Statutes 401.30, Medical Transport Law; 401.2101, Emergency Medical Transportation Services Act; Public Law 104-191, the Health Insurance Portability and Accountability Act of 1996 (HIPAA); and Privacy Rule 45 CFR Part 160-164.

These reports may be released only to the patient or an authorized representative or agent of the patient.

As per the SLCFD requirements the following items are required before any medical records can be released:

- Copy of the photo ID
- Completed Medical Release form signed by the patient.
- If the patient is a child under 18, a copy of the child's birth certificate or legal document stating guardianship, is required along with the parent or legal guardians photo ID.
- If the patient is in someone else's care, a copy of a power of attorney is required.
- If a person comes in to get a copy of a medical record for someone who has passed away, we need a copy of the death certificate. If the patient is deceased (reports are released to the next of kin only), a copy of the death certificate identifying the next of kin and/or legal documents of estate representative are required and a copy of the driver's license, legal photo identification or attorney letter representing the estate of the requesting family member.
- Mail completed record request to the above address

### **Requests made by Attorney or Insurance Companies**

- All requests from attorneys or Insurance Companies for medical records and/or billing statements must be accompanied by a **Witnessed or Notarized Release** signed by the patient.
- Please include the patient's name, date of incident and location of incident on all request for records.
- Requests must be made on the attorney or insurance company's letterhead.
- Attorneys that have a history of non-payment will be put on "prepayment status" or "hold" status at the discretion of the records custodian and the records will not be released until payment is made or the account is made current.

### **Subpoenas (Florida Rules for Civil Procedures 1.351)**

- All subpoenas must be hand delivered by service of process or certified mail to the Records Custodian located at 5160 NW Milner Dr. Port St. Lucie, FL 34983.
- Subpoenas received by fax, regular mail, or any other means will be subject to denial.
- The subpoena must be signed by a person of the court and not stamped.
- Prepayment is required if the cost exceeds \$25.00 or the attorney issuing the subpoena is in "prepayment" or "hold" status.

### **REFERENCE**

There is a minimum fee of \$.15 per page for copying documents. However, the fee for most records is \$1.00 per certified page (amount of pages per report will vary) and \$.25 for each page thereafter, per the Florida Administrative Rule 59R-10.003. Contact the SLCFD Records Department office at 772.621.3347 for total amount of report cost. Please include a check for the amount provided over the phone or by fax made payable to "St. Lucie County Fire District". We do not accept credit cards for payment. Pre-payment must be made if the cost exceeds \$25.00 before we can process the request. Fee schedule per Florida Statutes, Chapters 119, section 119.07 (4).