

## Open Records Act

105.00 The following regulation is enacted for the purpose of providing reasonable written procedures concerning the cost, time, place, and method of access, under the provisions of the Mississippi Public Records Act of 1983 (Open Records Act) [Section 25-61-1, et. Seq.]. It is not intended that these procedures shall apply to any public record or other document which is exempt from the provisions of said Act or not covered by the provisions of the Open Records Act.

1. Any individual seeking to inspect, copy, or mechanically reproduce or obtain a reproduction of any public records of the Board should make a written request signed by themselves to be mailed to the Executive Secretary; Mississippi State Board of Chiropractic Examiners; P.O. Box 775; Louisville, Mississippi 39339.
2. The written request must be typed or clearly hand printed on a letter sized piece of paper and shall specify in detail the public records sought. The request should include, if possible, a description of the type of record, dates, title of publication, and other information which may aid in the locating of the record.
3. The written request must specify what the applicant proposed to do with record, i.e., inspect, copy, etc.; state the date and time for the proposed activity; state the number of persons scheduled to participate; and shall provide the name, address, home and office telephone number of the applicant.
4. The executive secretary, upon receipt of any such request, shall review same and determine whether the records sought are exempt under the Mississippi Public Records Act, and shall either produce records or access to records or deny access to or production of the records sought within fourteen (14) working days of the receipt of the request.
5. All inspection, copying or mechanical reproduction shall be done in the office of the Board or such other reasonable place within the State of Mississippi as may be designated by the Board. It shall be the duty of the applicant to contact the Executive Secretary by phone before noon of the first working day preceding the proposed date set out in the application to determine if same is acceptable and, if not, what date and/or time will be substituted.
6. Where possible, nonexempt material will be separated from exempt material and only the exempt material will be withheld.
7. If the Executive Secretary determines that the records requested are exempt or privileged under the law, he shall deny the request and shall send the person making the request a statement of specific reasons for the denial. Such denials shall be kept on file for inspection by any person for three (3) years.
8. The Executive Secretary is authorized to calculate the estimated cost of searching, obtaining from storage, reviewing, shipping and/or duplicating records and to require payment in advance of such estimated charges prior

to complying with the request. There shall be a charge of \$0.50 per page for each copy. Copies printed on both sides (front and back) shall be considered as two pages for copy charge purposes. Mailing cost shall be calculated at the applicable rate for each such mailing. If request involves notice to be given to a third party, the cost of mailing such notice via certified mail return receipt requested shall be charged to the person requesting such public records. In the event that actual cost of such activity exceeds the estimate, the Executive Secretary is authorized to withhold mailing or delivery of said documents or to delay the inspection until the difference is paid.

9. There shall be no charge for inspection of the current Board records maintained at the Board office. Cost of obtaining records from any state storage facilities and the search for it shall be charged to the applicant.
10. The Executive Secretary may waive any or all of the foregoing requirements related to written notice, time, and method of access prepayment of expenses whenever the determination is made that such waiver would be in the public interest.

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4. The executive secretary, upon receipt of any such request, shall review same and determine whether the records sought are exempt under the Mississippi Public Records Act, and shall either produce records or access to records or deny access to or production of the records sought within seven (7) fourteen (14) working days of the receipt of the request. If the secretary is unable to produce a public record by the seventh working day after the request is made, the secretary must provide a written explanation to the person making the request, stating that records requested will be produced and specifying with particularity why the records cannot be produced within the seven-day period. Unless there is a mutual agreement of the parties, in no event shall the date for the Board's production of the requested records be any later than fourteen (14) working days from the receipt by the Board of the original request.
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