

OVERSIGHT COMMITTEE ON PUBLIC RECORDS MEETING MINUTES

Regular Meeting July 24 2019

19-07-24-1

CALL TO ORDER

A regular meeting of the Oversight Committee on Public Records was held on Wednesday, July 24, 2019. The meeting was called to order by Chairman Tammy Glickman, Designee for Lesley Crane, Commissioner, Department of Administration, at 10:00a.m., IDOA Large Conference Room W478 4 D, Indiana Government Center South, Fourth Floor.

Members present constituting a quorum: Jerry Bonnet, Designee for Connie Lawson, Secretary of State; Luke Britt, Public Access Counselor; Cynthia Carrasco, Governor's Designee, Tamara Hemmerlein, lay member; Doug Kowalski, Designee for Paul Joyce, State Examiner, State Board of Accounts; Chandler Lighty, Executive Director, Indiana Archives and Records Administration; Jay Phelps, County Clerk/Bartholomew County, Jacob Speer, Director, Indiana State Library.

Members absent: Graig Lubsen, Designee for Dewand Neely, Chief Information Officer, Office of Technology; Scott Uecker, professional journalist/lay member.

Guests: Maureen Bennett, Professional Licensing Agency; Steve Kremer, Office of Technology.

IARA staff in attendance: Marilyn Fernandez, Deputy Director; Kim Hagerty, Director/Digitization & Micrographic Services; Amy Robinson, Records Management; Beverly Stiers, County and Local Government Records Management.

19-07-24-2

NEXT MEETING

The next meeting will be held Wednesday, August 21, 2019 at 10:00a.m. Conference Room 12, Indiana Government Center, First Floor.

19-07-24-3

PREVIOUS MEETING

A motion was made by Jerry Bonnet, seconded by Jay Phelps to approve the minutes of June 19, 2019 meeting. Motion carried.

19-07-24-4

DIRECTOR'S REPORT

Chandler Lighty submitted the Director's Report previously distributed to the OCPR Committee for review. The report includes a narrative from Claire Horton/Archives, Marilyn Fernandez/Records Management and Kim Hagerty/Digitization & Micrographics highlighting points from the various divisions.

19-07-24-5

NEW BUSINESS

1. Readoption of rules under IC 4-22-2.5 – required to be readopted prior to year end
60 IAC 3 Electronic Copies of Forms
60 IAC 4 Commercial Use of Governmental Records of the Commission

Chandler Lighty advised the primary changes were in language changing the designation from “commission” to “administration”. Article 3 refers to electronic copies of forms. By statute, IARA has total oversight of forms generated by Agencies and authority to oversee forms in electronic formats as well. Article 4 was developed to provide a means to enter in a contract with commercial entities (i.e.: Ancestry). It is advisable to have rules lined out on how that information can be shared for any similar future situations that may arise.

A motion was made by Luke Britt, seconded by Doug Kowalski to adopt the Rules as amended and proposed. Motion carried. Tammy Glickman will follow up with Legislative Services to advise of the re-adoption of the rules with approved changes and report back to the Commission on status at the next meeting.

2. Informal Opinion: 19 INF-10 – Chandler Lighty shared IARA did request and receive an informal opinion from the Public Access Counselor with regards to the access of confidential patient health records received from State institutions by the Archives. The opinion concluded the records are exempt from the Access to Public Records Act, and are only accessible to family members defined in IC 16-39-1-1. The opinion has tightened some of the access that the Archives have hitherto granted to researchers. The archivists have been instructed to follow the informal opinion regarding patrons accessing these records.
3. Luke Britt, as Public Access Counselor, will bring a question for discussion to the next meeting of OCPD. The discussion would be about revisions of databases, registries and other types of records. The question involves subsequent retention of prior versions as they are developed in the ordinary course of business. Can these prior versions be discarded or kept for posterity?

19-07-24-6

AGENCY REQUESTS – RECORDS RETENTION AND DISPOSITION SCHEDULES

The Oversight Committee on Public Records took the following actions regarding retention and disposition schedules:

1. DEPARTMENT OF CHILD SERVICES/Child Support Division

A motion was made by Luke Britt, seconded by Cynthia Carrasco to adopt Schedule 1. Motion carried.

2. DEPARTMENT OF CHILD SERVICES/Child Welfare

A motion was made by Jacob Speer, seconded by Cynthia Carrasco to adopt Schedule 2. Motion carried.

3. FAMILY & SOCIAL SERVICE ADMINISTRATION/Disability & Rehabilitation, Child Development

A motion was made by Luke Britt, seconded by Doug Kowalski to adopt Schedule 3. Motion carried.

4. FAMILY & SOCIAL SERVICE ADMINISTRATION/Family Resources, County Offices

A motion was made by Luke Britt, seconded by Cynthia Carrasco to adopt Schedule 4. Motion carried.

5. DEPARTMENT OF HEALTH/Acute Care

A motion was made by Jacob Speer, seconded by Doug Kowalski to adopt Schedule 5. Motion carried.

6. DEPARTMENT OF HEALTH/Chronic Disease, Breast & Cervical Cancer Program

A motion was made by Doug Kowalski, seconded by Luke Britt to adopt Schedule 6. Motion carried.

7. DEPARTMENT OF HEALTH/Environmental Public Health

A motion was made by Jerry Bonnet, seconded by Doug Kowalski to adopt Schedule 7. Motion carried.

8. DEPARTMENT OF HEALTH/Indoor Air

A motion was made by Cynthia Carrasco, seconded by Jay Phelps to adopt Schedule 8. Motion carried.

9. DEPARTMENT OF HEALTH/Medical Radiological Services

A motion was made by Luke Britt, seconded by Jacob Speer to adopt Schedule 9. Motion carried.

10. DEPARTMENT OF HEALTH/Oral Health

A motion was made by Luke Britt, seconded by Jacob Speer to adopt Schedule 10. Motion carried.

11. DEPARTMENT OF HEALTH/Women, Infants & Children

A motion was made by Doug Kowalski, seconded by Jacob Speer to adopt Schedule 11. Motion carried.

12. PROFESSIONAL LICENSING AGENCY

A motion was made by Jerry Bonnet, seconded by Jay Phelps to adopt Schedule 12. Motion carried.

13. OFFICE OF TECHNOLOGY

A motion was made by Doug Kowalski, seconded by Luke Britt to adopt Schedule 12. Motion carried.

14. COUNTY LOCAL RECORDS/County Recorder

A motion was made by Jay Phelps, seconded by Cynthia Carrasco to adopt Schedule 13. Motion carried.

19-07-24-7

OLD BUSINESS:

1. Electronic Meetings Policy for the OCPR #14-01- Revision includes following changes:
Item I: At any meeting of the OCPR, at least one third (1/3) of the members must be physically present at the place where the meeting is conducted.
Item VI B: Each member of the OCPR is required to physically attend at least two-thirds (2/3) of the meetings held by the OCPR annually.
A motion was made by Jerry Bonnet, seconded by Luke Britt to adopt the revision to Policy #14-01. Motion carried. Electronic dial-in information will be provided for the next meeting.
2. Use of Records in the State Archives Policy #05-02 – Clarifies language and provides the revised SF48404 to manage updates in patron use of Archives materials. Copies are available on request to patrons and posted at the Archives. A motion was made by Jerry Bonnet, second by Luke Britt to adopt the revisions to Policy #05-02. Motion carried.

Updates to the policies will be made and posted to the website.

19-07-24-8

ADJOURNMENT

There being no further business before the Committee, a motion was made by Luke Britt, seconded by Jerry Bonnet to adjourn the meeting at 10:31a.m.

