

OUR VIEW

State laws create an incentive for high fees

What's broken about Oregon's public records laws remains broken. And every year that goes by with it broken, the public's ability to know what its government is doing is diminished.

Oregon's public records laws are well-intentioned. They are also flawed.

The structure of the law creates a perverse incentive for high fees. Public bodies are not given incentives to make public documents available at low cost. The laws give them the power to charge reasonable fees to recoup their costs. That gives them no incentive to keep those costs as low as possible. And any fee — no matter how small it may seem — can be like a wall blocking the public from information. While there are ways for the public to appeal decisions to release documents, it's nowhere near as simple to get fees reduced.

The problem is easier to understand with examples. This first one we heard from Rachel Alexander, the managing editor of the Salem Reporter. She also chairs the Oregon Freedom of Information Committee of the Society of Professional Journalists.

She recently spoke with Oregon's Public Record Advisory Council.

Remember earlier this year when then-Oregon State University president F. King Alexander resigned? There were questions about his role in the sexual misconduct investigations at Louisiana State University. A reporter for the Albany Democrat-Herald filed a narrow public records request asking for email among Alexander and several members of OSU's board of trustees. It was emails for a period of about a week. OSU said it would require an IT expert to search for emails and came back with a \$250 bill.

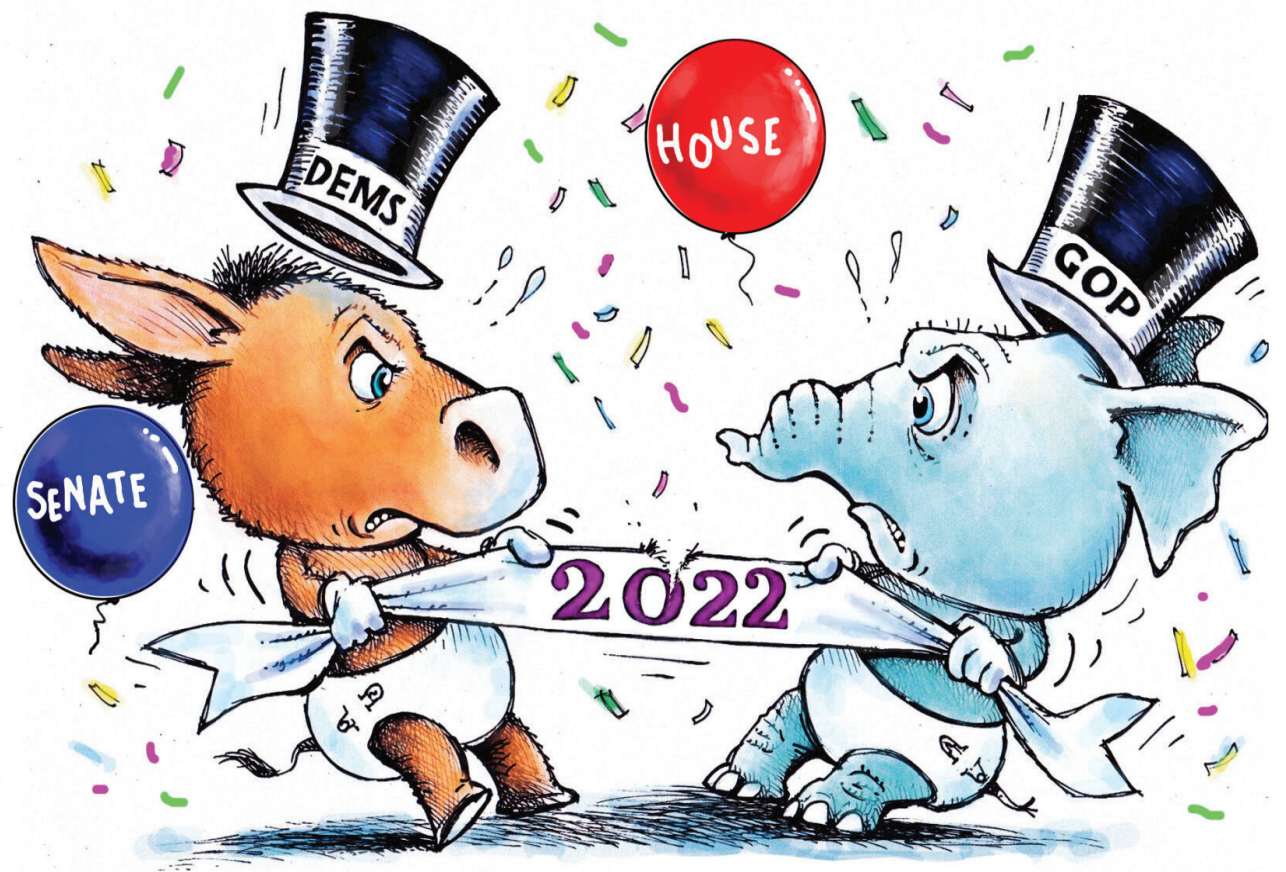
A \$250 fee might seem like nothing. It's a barrier. As you may have heard, most newspapers are struggling for money these days. Many smaller newspapers have zero budgets for public record requests. The newspaper was only able to get the records after Oregon's Society for Professional Journalists awarded it a grant to do so. The emails showed the work some members of the board of trustees were doing behind the scenes to help Alexander craft messaging.

If the solution to this fee issue were simple, of course, it would already be fixed. Many government agencies have a culture of transparency and openness. They try to be forthcoming about records, making them available swiftly and at minimal or no cost.

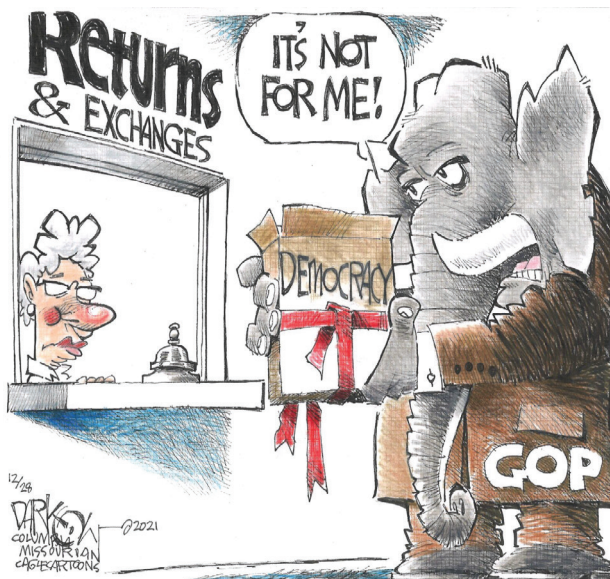
But even for government agencies with that culture, not every public records request is easy to tackle. Sweeping requests may require pouring through hundreds of emails or documents, taking significant staff time. Imagine what that would be like for a small town with few staff.

There are solutions out there. Some states put limits on what can be charged. Some jurisdictions bar charging for time spent researching if a record may be exempt from disclosure. The federal government defines what can be charged for FOIA requests. As Alexander put it, relying on shoestring efforts of journalists to crowdfund public records requests is no solution.

We don't expect the Legislature will take on this issue in the short 2022 session. At least another year will pass with Oregon's broken public records laws. It will be another year where the public's right to know is diminished.



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POLITICAL CARTOONS



The strength of small-town America



JEREMY DAVIS
OTHER VIEWS

A year ago, we couldn't wait to see 2020 in the rearview mirror. We eagerly looked ahead to 2021 hoping for relief from the pandemic. And then the 2021 roller coaster ride of variants said, "Buckle up."

The delta variant was a game changer. As hospitals large and small across the nation were hit hard, some stopped taking patients, and others found themselves in situations where rationing care and resources became a heartbreaking reality.

Thankfully, we did not face those hard choices here in Union County, but we did see our COVID cases rise to unprecedented levels, as our hospital filled with younger and sicker patients. Our battle-weary staff understandably became disheartened at times. Each loss was incredibly personal. As we do our best to lift each other up, we won't forget the losses. But we must always hope for the best and work to move forward.

The strength of small-town America has never been more important to a future of health, peace and prosperity. I have personally witnessed that strength. The resolve and resiliency of the caregivers we have here at Grande Ronde Hospital is both humbling

and rewarding. I believe more than ever it is a privilege to live and serve in a rural community.

I am grateful Grande Ronde also experienced some tender mercies and wonderful accomplishments over the past 12 months. In March we were notified we made the Top 100 Critical Access Hospital list, one of just three of Oregon's 25 CAHs to do so. With a total of 1,350 CAHs in the nation, this honor places GRH in the top 7.4% in performance.

In June we made the full transition to acquire Blue Mountain Associates, a 30-year outpatient mental health treatment center, adding a psychiatrist and his care team to our behavioral health services program. This gave GRH a key foundational building block to recruiting additional providers to an interdisciplinary team. We are seeing success there already, and there will be more to come on that this summer.

Another project just completed was moving our infusion services into the former rehabilitation therapy and gym space. With a wall of windows and the best view of our beautiful valley from here on the hill, there are now 10 new, light-filled spaces. Patients who must sit for hours at a time, often more than once a week, now have a calm and healing environment in which to do so. It was designed specifically with these very special patients in mind.

The good news is that — despite all the challenges we have had to

work through — GRH is growing and moving forward to serve our community. We have always been the exception to the rule of small-town health care. We have always looked forward at what can be done to improve our communities' health and well-being. It is what drives us. And because more of you chose to stay home for care during COVID, we had the opportunity to show you who we are today. It was a privilege to be here when you needed us and become reacquainted.

When we consider a new service, program or big construction project, we ask: How does this benefit the health, wellness and quality of life in our community? Our mission is to provide the best health care services in as broad a variety as we possibly can. All so that you can stay home for care. We are partners in your health. And we look forward to investing further in Union County. There are more good things to come in 2022.

We believe in the power of rural — the strength of small-town America. We believe in our community and in all of you. We believe in the vision statement that adorns our walls: "Quality health care is our mission. Patients are our passion." And we truly believe that our best days lie ahead.

Jeremy P. Davis is the president and CEO of Grande Ronde Hospital, La Grande.

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