



Greater Tompkins County Municipal Health Insurance Consortium

P.O. Box 7 • Ithaca, New York 14851 • (607) 274-5590

Headquarters: 215 N. Tioga Street, Ithaca, NY 14850

www.healthconsortium.net • consortium@tompkins-co.org

"Individually and collectively we invest in realizing high quality, affordable, dependable health insurance."

GTCMHIC FREEDOM OF INFORMATION LAW (FOIL) PROCEDURES

Adopted December 15, 2021

It is the intent of the Greater Tompkins County Municipal Health Insurance Consortium ("Consortium") to provide the public with transparency and access to records in compliance with New York State and Federal Freedom of Information Law (FOIL); Public Officers Law, Article 6, §§84-90; 21 NYCRR Part 1401 (Committee on Open Government). The objective is to have procedures in place describing how to access and acquire copies of records.

The Consortium's website (www.healthconsortium.net) maintains copies of public information for public access. Records maintained by the Consortium includes, but is not limited to:

- 1) Board and committee agendas
- 2) Approved committee minutes
- 3) Approved resolutions
- 4) Approved policies
- 5) Board and committee membership
- 6) Financial reports including budgets
- 7) Municipal Cooperative Agreement
- 8) Municipal membership listing with contact information
- 9) Health insurance plans and premiums by municipality
- 10) Videos of the Consortium's meetings held via Zoom are maintained by the Consortium and are uploaded to the Consortium's YouTube Channel.

1. A request for records not publicly available on the Consortium's website may be submitted in writing to the address below. A fee may be charged as allowed in 21 NYCRR PART 1401.8. Requests will be responded to within five business days.

Greater Tompkins County Municipal Health Insurance Consortium

ATTN: Records Access Officer

RE: FOIL Request

PO Box 7, Ithaca, NY 14851

or by e-mail:

Consortium@tompkins-co.org

2. Once a FOIL request is received it will be reviewed by the Records Access Officer granting or denying access in whole or in part.

3. A response to the requestor is required within five (5) business days of receipt of the request by:

- Granting the request in whole or in part;
- Denying the request in whole or in part, including the reason for denial;
- Acknowledging the receipt of the request in writing, including an approximate date of a decision of approval or denial, which shall not be more than twenty (20) days after the acknowledgment.

If circumstances are known that prevent the disclosure within the stated timeframe, a statement must be provided in writing stating the reason for the inability to grant the request and a certain date must be provided within a reasonable period when the request will be granted.

- If the Consortium fails to respond to a request within the specified timeframes, the request will be deemed as a denial of access.

Approved Access to Records

1. Once a records request is approved, the request will be routed to the appropriate staff for fulfillment.
2. The Consortium shall make all records available for public inspection and copying during general business hours (8:30 a.m.- 4:30 p.m).
3. When the Consortium has the ability to retrieve records maintained in an electronic database and doing so requires less employee time than a manual retrieval of paper records, the Consortium is required to retrieve the records electronically. In such case, the Consortium may charge a fee in accordance with 21 NYCRR Part 1401.8 (Fees).

Denial of Access to Records

1. The Consortium shall make all records available for public inspection and copying except, in accordance with Public Officers Law, Article 6, Section 87, those records or portions thereof that:
 - are specifically exempted from disclosure by state or federal statute;
 - if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section eighty-nine of Public Officers Law, Article 6;
 - if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
 - are trade secrets or are submitted to a department by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise;
 - if disclosed could endanger the life or safety of any person;
 - are examination questions or answers which are requested prior to the final administration of such questions; or
 - if disclosed, would jeopardize the capacity of an entity that has shared information with the Consortium to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures.

Note: The Consortium has the authority to redact portions of a record prior to the disclosure of the record to the requestor in accordance with Public Officers Law, Article 6, Section 87.

2. Denial of access to records shall be in writing stating the reason for denial and advising the requestor of the right to appeal the denial to the Executive Committee. This statement shall include the name, title, address, and business phone number of the Executive Committee Chair.
3. The Executive Committee shall serve as the Appeals Committee to determine appeals regarding denial of access to records under the Freedom of Information Law.

4. An appeal may be made within thirty (30) days of a denial. The appeal should be sent to the following address: Greater Tompkins County Municipal Health Insurance Consortium, ATTN: Executive Committee, RE: FOIL Appeal, PO Box 7, Ithaca, NY 14851, or by e-mail: Consortium@tompkins-co.org

5. An appeal to the denial of access to records shall be decided and communicated to the requestor in writing within ten (10) business days of the receipt of an appeal. The appeal decision shall state either the approval, granting records access or explaining the reason(s) for further denial.

6. Failure to respond to an appeal within the required period of time shall constitute a denial of an appeal.

7. The Appeals Committee (Executive Committee) shall deliver upon receipt, copies of all appeals to the Committee on Open Government. Committee on Open Government Department of State One Commerce Plaza, 99 Washington Ave., Suite 650 Albany, NY 12231

PUBLIC NOTICE

PUBLIC ACCESS TO RECORDS - FREEDOM OF INFORMATION LAW (FOIL)

The amended Freedom of Information Law, which took effect on January 1, 1978, gives the public access to records of state and local agencies. The Greater Tompkins County Municipal Health Insurance Consortium has established procedures outlining public access to records. A fee may be charged as allowed in 21 NYCRR PART 1401.8. These procedures are available on the Consortium's website.

FOIL requests can be submitted to the following:

Records Access Officer
Greater Tompkins County Municipal Health Insurance Consortium
PO Box 7
Ithaca, NY 14851
(607) 274-5590
consortium@tompkins-co.org

Any FOIL request that is denied may be appealed to the Executive Committee at the address above.