

Purpose of form

Form 23RM023E is certified by a person requesting to review, search, or copy records. Records kept confidential by federal and state law are not subject to release.

Instructions

Form 23RM023E is prepared by the person requesting the information. The person's signature certifies his or her identification. The OKDHS public records officer (PRO) reviews the form for completeness, verifies with the requestor the information requested, and discusses the fee schedule when applicable.

A person requesting access to OKDHS records may request to have his or her identity kept anonymous. OKDHS cannot guarantee anonymity of the requestor, as it is not a condition of the law.

Section 183 of Title 56 of the Oklahoma Statute (56 O.S. § 183) is a specific law, more restrictive than the Oklahoma Open Records Act, and applies to applicant or recipient records. Section 56 O.S. §183 provides:

A. *All applications, information and records concerning any applicant or recipient obtained pursuant to law or as authorized by law by the Department of Human Services or any other public or private entity shall be confidential and shall be open to inspection only:*

1. *To persons duly authorized by the Department of Human Services pursuant to rule promulgated in compliance with Article I of the Administrative Procedures Act or by the United States in connection with the performance of their official duties; or*

As otherwise authorized by law. Provided, however, the Department of Human Services shall maintain a process to allow an authorized representative of a client of the Department of Human Services to have access to confidential information when necessary for eligibility determination and the appeals process. For purposes of this section, "authorized representative" shall mean any person designated by a client of the Department of Human Services to review confidential information about the client pertinent to eligibility determination and the appeals process.

It shall be unlawful and a misdemeanor for any public officer or employee, to furnish or permit to be taken off of the records any information therein contained for commercial or political purposes.

B. *It shall also be a felony, punishable by imprisonment in the State Penitentiary for not to exceed two (2) years, for any person, firm or corporation to publish, or to use for commercial or political purposes, any list or names obtained through access to such information or records.*

Routing

The PRO retains original Form 23RM023E for three years after completion of the request per Consolidated Records Disposition Schedule (CRDS) 98-02, 7-2.

County offices retain form for one year after completion of request per CRDS 82-37, 2-12.

Divisions and units retain the form in their office for one year after completion of request per CRDS 97-05, 1-31.