



Pennsylvania Patient Safety Authority  
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Harrisburg, PA 17101  
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**Patient Safety Authority Right-to-Know Law Request Policy**  
(Effective August 2, 2001, revised August 5, 2019)

Pursuant to 65 P.S. § 67.101 et seq., known as the Right-to-Know Law (RTKL), and relevant portions of the Medical Care Availability and Reduction of Error (MCARE) Act, 40 P.S. §§ 1303.301 to 1303.313, the Patient Safety Authority (PSA) hereby sets forth the following policy for requesting records under the RTKL:

All RTKL requests must be addressed or delivered as follows:

By hand delivery to:  
Patient Safety Authority  
Attn: Agency Open Records Officer  
333 Market Street, Lobby Level  
Harrisburg, PA 17101

By U.S. Mail to:  
Patient Safety Authority  
Attn: Agency Open Records Officer  
333 Market Street, Lobby Level  
Harrisburg, PA 17101

By electronic mail to:  
[ra-patientsafetyauthority@pa.gov](mailto:ra-patientsafetyauthority@pa.gov)  
Subject: Agency Open Records Officer

Submission of a request to any other address or by any other means than those specified above does not give rise to any obligation by PSA to respond and cannot serve as a basis for a deemed denial of the request.

All RTKL requests to PSA must:

- ⌚ Identify the requester by name;
- ⌚ State that the requester is a legal resident of the United States;
- ⌚ Include the address to which a response should be sent;
- ⌚ Expressly state that the request is being made under the RTKL;
- ⌚ Identify or describe the records requested with sufficient specificity to enable PSA to determine what records are being sought.

All RTKL requests must be from a legal U.S. resident. If a written RTKL request sets forth a mailing address within the United States, the PSA's Open Records Office will ordinarily assume that the requester is a legal resident of the United States. However, if any of the following circumstances exist, the presumption is that the requester is not a U.S. resident: The requester's address is the address of a foreign embassy, consulate, or similar entity; the request lists a foreign postal address; the requester's email information indicates that the email was sent from outside the United States; or the requester's facsimile transmission or telephone number indicates that the requester is using a telephone service from outside the United States. In any of the preceding situations, the policy of the PSA is that the requester must also include proof that he or she is a legal resident of the United States, and the requester's non-compliance with this policy will be considered an admission that the requester is not a legal U.S. resident. The PSA reserves the right to ask any requester in any other circumstance for proof of U.S. residency.

RTKL requests may be made on the form available on the website of the Office of Open Records (OOR) at <https://www.openrecords.pa.gov/RTKL/HowToFile.cfm>.

The PSA has regular business hours from 8:30 a.m. to 5 p.m., Monday through Friday, except holidays. Any RTKL request received by PSA's Open Records Office after the close of regular business hours shall be deemed to have been received on the following business day.

### **Fees:**

Applicable fees to be charged by PSA under the RTKL are as follows:

#### **A. Fees Determined by the Office of Open Records (OOR)**

Under the RTKL, the OOR has the authority to establish two fees for Commonwealth agencies: Duplication, 65 P.S. §67.1307(b); and Enhanced Electronic Access (an agency may establish user fees, subject to approval by the OOR), 65 P.S. §67.1307(e).

The fees for duplication are established by the Office of Open Records, as posted on its website at <http://www.openrecords.pa.gov>. Unless otherwise directed by statute, PSA will charge \$.25 per page for duplication.

## B. Specialized Fees

1. PSA will charge \$5 per copy for certified copies, when requested by the requester.

2. PSA will charge the actual cost for postage, facsimile, or other media such as CDs, as well as for specialized documents.

3. Special rules apply to fees for transcripts of administrative proceedings:

- (i) Prior to an adjudication becoming "final, binding and non-appealable," transcripts may be requested through an agency; however, the stenographer or court reporter is permitted to charge the regular fee for this service.
- (ii) Following an adjudication becoming "final, binding and non-appealable," a request for the transcript shall be treated like any other request for a record and the usual duplication fee of up to \$.25 per page will be charged.

## C. Reasonable and Necessarily Incurred Costs

As expressly provided by 65 P.S. §67.1307(g), PSA has the authority to charge requesters reasonable fees for necessarily incurred costs. PSA will determine and charge such fees on a case by case basis.

## D. General

No charge shall be made for agency or legal review of the record to see whether the requested records are public records that are subject to production. If the estimated fees that are required to fulfill the RTKL request exceed \$100, it may be necessary for the requester to pay the estimated amount in advance, either by certified check or by ordinary check, which must first have cleared to be considered received by PSA. All checks should be made payable to the "Patient Safety Authority." The demand for prepayment will specify a reasonable period of time in which the requester must make such prepayment.

If the requester fails to make prepayment within the specified time, PSA is not required to produce the records requested.

All applicable fees must be paid in order to receive access to the record requested. 65 P.S. §67.901.

This policy was adopted by the Patient Safety Authority Board of Directors on August 2, 2004, and was reviewed and revised on August 5, 2019 by the Executive Director, Regina M. Hoffman.

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Regina M. Hoffman MBA, RN  
Executive Director