



COLORADO

Department of Human Services

Chapter: I. Internal Administration

Title: Colorado Open Records Act

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(\$24-72-201 to 205.5, C.R.S.)

Date

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Background/Purpose

CDHS and BHA (collectively “the Department”) are committed to transparency and open government. This policy specifies how the Department will apply the Colorado Open Records Act (“CORA”) (24-72-201 to 205.5, C.R.S.) in a uniform and reliable manner to promote transparency, accountability and public trust in government operations, while safeguarding confidential and protected information.

Definitions

“**CORA Manager**” means the person designated by the Department as the primary contact for all public records requests. The CORA Manager is responsible for managing the entire process from intake to fulfillment in compliance with the Colorado Open Records Act.

“**CORA requester**” means ‘any person,’ which includes individuals as well as entities like corporations and partnerships.

“**Normal Business Hours**” means Monday through Friday, 8am to 5pm, excluding holidays and unexpected closures.

“**Official Custodian**” means and includes any officer or employee of the state, of any agency, institution, or political subdivision of the state, of any institutionally related foundation, of any institutionally related health care foundation, of any institutionally related real estate foundation, or of any local-government-financed entity, who is responsible for the maintenance, care, and keeping of Public Records, regardless of whether the records are in their actual personal custody and control.

"Person" means and includes any natural person, including any public employee and any elected or appointed public official acting in an official or personal capacity, and any corporation, limited liability company, partnership, firm, or association.

"Person in Interest" means and includes the person who is the subject of a record or any representative designated by said person; except that, if the subject of the record is under legal disability. "Person in Interest" means and includes their parent or duly appointed legal representative.

"Public Records" means and includes all writings made, maintained, or kept by the state, any agency, institution, a nonprofit corporation pursuant to section 23-5-121 (2), C.R.S., or political subdivision of the state, or that are described in section 29-1-902, C.R.S., and held by any local-government-financed entity for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. Public Records are defined according to 24-72-202, C.R.S.

Scope

This policy applies to the Department, governs requests for information under CORA and access to records, and outlines the responsibilities for handling such requests where the Department is the Official Custodian of records pursuant to CORA. Any Person can request inspection of Public Records under CORA.

Policy

This policy summarizes the Department's practices and expectations with regard to its obligations under CORA. This policy is not intended to be duplicative of CORA or supersede state law.

CORA does not require the Department to create new records in response to a request. Furthermore, the CORA Manager does not conduct research or analysis, explore or interpret records, or answer questions posed by the CORA requester.

Submission of CORA Requests

The Department responds to requests for Public Records from any Person. While the statute favors access to records, CORA does not require public disclosure of all records in the custody of the Department. The Department only accepts CORA requests via email or in writing through U.S. Mail. All CORA requests shall be directed to the Department's CORA Manager. The email and postal addresses can be found on the Department's website.

Receipt of CORA Request

CORA requests received by the CORA Manager during Normal Business Hours shall be considered received on the same day. CORA requests received outside of Normal Business Hours shall be considered received on the following business day.

Identification of requesters

A requester shall not be required to produce any form of identification or release of information to receive Public Records, except for records pertaining to a Person in Interest.

Deadlines

The Department shall make every effort to respond to CORA requests within three working days as required by 24-72-203(3)(b), C.R.S. The Department may add up to a seven working-day extension if extenuating circumstances apply, as defined in section 24-72-203(3)(b), C.R.S.

Fees for Research, Retrieval, and Manipulation

Pursuant to section 24-72-205(3), C.R.S., and section 24-72-205(6), C.R.S., the Department may impose a fee for the time spent on research, retrieval, and manipulation of the responsive records. When a request is made requiring the use of more than one hour of combined staff time, the Department shall charge a fee consistent with the statutory limits and general assembly's published fee schedules, which can be found on our internet page (weblink to CDHS records request website: <https://cdhs.colorado.gov/records-requests>), with the first hour always being free of charge. When production requires legal review of the responsive records to comply with CORA, the Department shall charge attorney time at the same rate, and include the review time in the estimate.

Format for Records Produced

CORA guarantees that all Public Records shall be open for inspection by any Person at reasonable times, 24-72-201 C.R.S. CORA does not guarantee access to the records in a specific format. The majority of records are available digitally and will be transmitted via email, or via multiple emails, if a single digital file is too large to send in one email. The Department shall provide records in a searchable format when possible, as outlined in section 24-72-203(3.5)(a), C.R.S. The Department may direct requesters to records available through the Department's websites when such records appropriately address the request. If producing or reviewing records in a specific format would hinder one of a CDHS employee's regular duties or create an excessive burden, the CORA Manager will decide the appropriate format for the records to mitigate that burden as outlined in section 24-72-203(1)(a), C.R.S.

Remitting Payment

Cost estimates associated with a CORA request must be paid in full before the Department will produce the responsive records.

Records Not Requiring Cost or Reduced Costs

The Department may identify certain categories of Records that are exempt from fee estimates or detailed review under CORA, provided that no redactions or legal review are required. These categories include:

1. Records already posted to the Department's public-facing website, internal employee intranet, or other broadly accessible platforms shall be provided free of charge. Examples of such records include employee policies, facility policies, public guidance, or information intended for general access by Department employees or Department clients.
2. Current and former employees requesting their own personnel files shall be provided their personnel file free of charge.
3. Procurement-related materials shall be produced in accordance with a reduced fee schedule. The reduced fee schedule shall be maintained by the CORA Manager.

Fees for Copying and Printing

When a substantial request is made, requiring the production of more than 25 pages of records, the Department shall charge the requester for all copying expenses and for staff time in accordance with sections 24-72-205(5)(a) and 24-72-306, C.R.S., and other applicable law.

Abandoned Requests

If the Department attempts to contact a requester to clarify a request or discuss its scope, and the requester does not respond within ten (10) business days, the Department will close the request and require the requester to submit a new records request.

Americans with Disabilities Act Accommodations

If a CORA requester requires a reasonable accommodation due to a disability in order to request, access, review, or receive records, they may request such an accommodation at the time of their CORA request.

Resources

CDHS | Colorado Department of Human Services

(<https://cdhs.colorado.gov/about-cdhs/cdhs-news>)

Colorado Revised Statutes

(<https://leg.colorado.gov/agencies/office-legislative-legal-services/colorado-revised-statutes>)

Colorado Open Records Act Maximum Hourly Research and Retrieval Fee

(https://content.leg.colorado.gov/node/3056586?_gl=1*1m529ep*_ga*MTE2NzQ2MTk1Ni4xNzYwNTc4ODI2*_ga_V0L3NG2C4C*czE3NjQ3MDE0NzQkbzEkZzAkdDE3NjQ3MDE0NzQkajYwJGwwJGgw)

2025 April Colorado General Assembly Digital Accessibility Report

(<https://leg.colorado.gov/sites/default/files/2025-04-colorado-legislature-digital-accessibility-report-accessible.pdf>)