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July 6, 1987

William W. Weare, M.D.
Burns Clinic
271 North Egan
Burns, OR 97720

Re: Petition for Public Records Disclosure Order

Dear Dr. Weare:

This letter responds to your June 26, 1987, petition for a public records order. The Attorney General's office received your petition on June 29, 1987. For the reasons set forth below, your petition is granted, with qualifications.

Your petition requests that we order Adult and Family Services (AFS) to disclose "a list of referral doctors who will accept welfare patients." We understand that you are interested specifically in physicians in Eastern Oregon who will accept obstetrical patients.

AFS reports that it maintains no list of physicians who practice obstetrics in Eastern Oregon and who are currently participating in the Medicaid program. AFS has no duty to compile such a list in response to a public records disclosure request.

AFS does store on its computer the names and addresses of all doctors currently enrolled in the Medicaid program. Enrollment in the program, however, does not guarantee that a provider is currently accepting Medicaid patients.

Upon request, AFS must provide you with the opportunity to examine their public records that contain the names and addresses of physicians enrolled in the Medicaid program, so long as any information exempt from disclosure is excised. From this raw data, you then can compile your own list of enrolled doctors.

We understand that AFS has the ability to generate a list of enrolled physicians by specialty and by county. Although not required to do so under the Public Records Law, AFS may choose to provide you with such a list as a more convenient

means to comply with this order. It also may charge you a reasonable fee for staff time and copying expenses for providing you this information. See ORS 192.440(2).

Respectfully submitted,

James E. Mountain Jr

JAMES E. MOUNTAIN, JR.
Special Counsel to the
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