# Making a Public Data Request DCT Guide

This document explains how members of the public request (“you”) may request access to public data from Direct Care and Treatment (DCT). The purpose of this document is, in part, to fulfill the requirements of [Minnesota Statutes, section 13.025, subdivision 2](https://www.revisor.mn.gov/statutes/cite/13.025).

## Data Practices Contacts

**Responsible Authority**

**Name**: Marshall Smith, DCT CEO

**Address**: 3200 Labore Road, Suite 104,

Vadnais Heights, MN 55110-5186

**Email address**: Privacy.Office.DCT@state.mn.us

**Data Practices Compliance Official**

**Name**: Amy Chantry

**Address**: 3200 Labore Road, Suite 104,

Vadnais Heights, MN 55110-5186

**Email address**: Privacy.Office.DCT@state.mn.us

## What law governs my right to access public data?

The Minnesota Government Data Practices Act (MGDPA) presumes that all government data are public unless a state or federal law or temporary classification provides that the data are not public. “Government data” is a term that means all information that DCT, as a state agency, keeps.

The MGDPA requires state agencies to keep government data in a way that makes it easy for you to access. You have the right to inspect public data that DCT keeps and to receive copies of public data for a cost. The MGDPA allows DCT to charge for copies and related costs. For more information, review the sections in this document about costs.

## What is a public data request?

A data request is a request from a member of the public to access public data that DCT keeps.

How do I make a data request?

Data requests must be made in writing. DCT recommends submitting your Data Request through the [DCT Data Request Form.](https://tnt06.agileapps.dhs.mn.gov/networking/WebFormV2.jsp?sid=b12da10fc41146d9aa766e68266bc8af&cid=766174375&oid=d884d0d3fc9847439c5c4fe14ec62207) However, if you would rather submit a written request by mail, a data request form is available for your convenience.

If you choose not to use the available online form, write down a specific description of the data you are seeking. Your written request should include:

* A statement that you are a member of the public and you are making a request for data under the Minnesota Government Data Practices Act
* A clear description of the data you would like to access
* A statement that you would like to receive copies of the data or look at (“inspect”) the data.

## Where do I send my data request?

If you submitted your request through the [DCT Data Request Form](https://tnt06.agileapps.dhs.mn.gov/networking/WebFormV2.jsp?sid=b12da10fc41146d9aa766e68266bc8af&cid=766174375&oid=d884d0d3fc9847439c5c4fe14ec62207), you request will instantly be submitted and review will begin.

The responsible authority is the official designated by law as the individual responsible for the collection, use, and dissemination of a government entity’s data. At DCT, the responsible authority is the Data Privacy Officer, currently Amy Chantry.

The form provided will send the data request directly to DCT.

Data requests and concerns generally are handled by staff members assigned to respond to requests for the DCT responsible authority. Please see the following for where to send your data request if you are submitting a written request:

DCT Central Officeby U.S. mail to:

Direct Care and Treatment

Attention: Data Request

3200 Labore Road, Suite 104

Vadnais Heights, MN 55110-5186

## How does DCT respond to data requests?

DCT responds to data requests in three ways:

1. **No responsive data**: If DCT does not have any data responsive to a request, DCT will notify you.
2. **Responsive data classified as confidential or private not about you**: If DCT has data responsive to the request, but the data is confidential or private data that is not about you, DCT will notify you. The MGDPA requires that when DCT withholds data classified as not public, and DCT will provide the law that classifies the data as not public when notifying.
3. **Responsive data collected, reviewed and disclosed**: If DCT has data responsive to your request, and the data is classified as public or private about you, DCT will begin the process to collect, review, and disclose the data.

After DCT determines that responsive data exists, DCT collects the data, reviews the data to ensure that it meets the criteria for public data, and discloses the data to you. DCT makes copies of the data or makes the data available for in-person inspection. DCT generally provides copies of data by CD. When the volume of responsive data is high, DCT may disclose data on a rolling basis until all responsive data has been given to you.

## How long will it take to get the data I requested?

The MGDPA requires DCT to fulfill requests for public data within a reasonable amount of time. The time it takes to fulfill a request depends on the volume of responsive data and the complexity of your request. If you write your request to be specific and concise, DCT will be more able to efficiently locate, review, and disclose the data. Requests that seek a broad range of data, or unclear types of data, often yield high volumes of data, which take longer to process.

After you have looked at the data you requested, DCT does not have to let you see the data again for six months, unless DCT collects or creates more data about you within that time period. You do not have to wait six months to see the data again if DCT has collected new data about you, or if you have challenged any of the data, or if you are appealing the results of that challenge.

## What if the request would require DCT to create new data or I want the data in a particular format?

The MGDPA does not require DCT to create or collect new data to respond to a data request. This means that if data does not exist at DCT, DCT cannot disclose it in response to a data request. If DCT agrees to create data to respond to a request, DCT will work out the details of that request with you, including the cost of creating data.

The MGDPA also does not require DCT to create new formats of requested data. This means that DCT is not required to disclose data in a particular format. DCT is also not required to scan data that is only in paper form to respond to a request that seeks data in an electronic format.

Although the MGDPA does not require DCT to answer questions that are not data requests, DCT typically attempts to answer questions from the public. Direct your questions to the DCT division that you think can best answer it. You can find contact information for DCT divisions on DCT's website.

## How much does it cost to look at or “inspect” public data?

DCT does not charge to look at or “inspect” public data. This inspection must take place at DCT, at a time and place arranged by DCT, and you may not take or copy data from DCT without first paying the costs outlined below.

## What if I want to take the data after “inspecting” it?

If you request copies of data after inspecting the data, DCT may charge you a prorated amount of the actual costs related to the request unless you are requesting paper copies of 100 or fewer pages, in which case you are only responsible for the copy charges listed below. For example, if 1000 pages of data are made available to you to inspect, and you want copies of 200 pages, you must pay 20 percent of the actual costs to receive the copies.

## What if I want to have all the data sent to me (without first inspecting it)?

If you would like copies of the data sent to you without first inspecting the data, DCT will contact you to provide you with an estimate for how much it will cost to send the requested data to you and information about how the data will be delivered to you.

## **What happens if I do not collect the data?**

If you do not collect your data, DCT may considered your request abandoned after 5 days. You will need to resubmit your data request through the online form.

## How does DCT calculate the actual costs of a request?

For members of the public, DCT computes the actual costs related to a request by multiplying the hourly pay rates of the DCT staff involved in the request by the time required to:

* Search and retrieve the responsive data.
* Make, certify, sort, and electronically transmit or mail the data.

DCT uses hourly staff pay rates determined annually by DCT Human Resources to calculate the actual costs related to a request. These rates are based on the median wages and do not include any adjustment for benefits, indirect costs, or other surcharges.

DCT does not charge actual costs if you are requesting paper copies of 100 or fewer pages.

## How much do the copies cost?

In addition to the actual costs of a request, if applicable, DCT may also charge for the copies of the data.

* Paper copies
	+ 100 or fewer pages: DCT may charge 25 cents per page for a one-sided copy or 50 cents per page for a two-sided copy.
	+ More than 100 pages: DCT may charge 8 cents per page for a one-sided copy or 16 cents per page for a two-sided copy.
* Electronic copies: DCT may charge for physical media to provide the electronic copies, which is commonly a CD for 59 cents each.