

TECHNICAL IMPLIMENTATION

NYS Department of Health

Smart Processing FOIL System (SPFS)

Description of Innovation:

The **Smart Processing FOIL System (SPFS)** project was first launched in August of 2007, with the latest version completed in November 2009. It has allowed the DOH Records Access Office (RAO) to streamline the process of generating responses to Freedom of Information Law (FOIL) requests. RAO now gathers information for FOIL requests from Department staff electronically via document scanning, e-mail, and fax. In the past, Department programs sent almost all records to the RAO on paper. SPFS is used to organize, review, and redact the response data to create a final FOIL request response.

This streamlined process has had an enormous impact on the Department in terms of: faster request processing; drastic reduction of manual workflow; reduced resource commitments related to printing, shipping, and storage of the paper for FOIL response data; improved compliance rate of on-time fulfillment FOIL responses; and dramatically reduced time to bring new RAO staff up to full productivity.

Business Problem Solved by Implementing this Information Technology:

The Freedom of Information Law (Public Officers Law, Article 6), commonly referred to as FOIL, provides citizens with rights of access to records reflective of governmental decisions and policies that affect the lives of every New Yorker. The Records Access Office (RAO) is the Department entity charged with providing direction to Department staff in order to coordinate prompt, accurate and complete responses to FOIL requests.

Within the Department, responding to FOIL requests is a major undertaking. The RAO handles about 5,000 FOIL requests per year, amounting to approximately 10,000,000 pages. FOIL requests can require analysis and production of large quantities of records, and the breadth of the agency's mission means that custody and stewardship of these records is widely distributed both organizationally and geographically. Although FOIL requests average about 575 pages, a large request can require the RAO to review and produce over 100,000 pages of documents.

Requests are received by mail or email and must be carefully logged and tracked. The law establishes very specific requirements regarding FOIL requests. For example, within five business days of receipt of a written request, the agency must make the record available, deny access in writing giving the reasons for denial, or furnish a written acknowledgment of receipt of the request and a statement of the approximate date when the request will be granted or denied. Similar requirements exist regarding production of records and communication of anticipated delivery. If the agency fails to abide by any of these requirements the request is deemed denied, and the person seeking the records may appeal the denial. The Freedom of Information Law permits a court to award reasonable attorney's fees to a person denied access to records; thus, failure to meet mandated time constraints can expose the Department to substantial fiscal penalty.

Because of the highly regulated nature of the FOIL environment and the complexity of the Department's mission and organization, the Smart Processing FOIL System needed to address several business problems: DOH out of compliance in the timeliness of fulfilling FOIL requests, with attendant legal and financial exposure; cost of fulfilling FOIL requests; duplication of effort to produce information for similar FOIL requests; cost for storage, reproduction, and movement of paper documents; and length of time necessary to train new staff on the FOIL request handling process.

Features, Functionality, and Benefits of the Information Technology:

In the pre-SPFS environment, almost all functions involved in tracking and satisfying a FOIL request were performed manually. These tasks included assignment of tracking numbers; creation of control files; generation of acknowledgement letters; issuance of requests to program areas for records; copying of paper records; redaction (black markers) of sensitive material; generation of response letters; creation of the Department's file copy; and delivery of the response. The average response time was 40 to 60 days, and the typical unit backlog was 20 to 30 days. SPFS changed this process dramatically by adding electronic tracking capability and replacing most of the paper flow with enterprise content management (ECM) tools. SPFS uses the InterTrac application to provide request tracking and generation of correspondence. Content is ingested through EMC Captiva into the Department's ECM repository, IBM FileNet P8.

When a request is received, the RAO enters the request into InterTrac, which assigns tracking information and "starts the clock" on compliance monitoring. By using a tracking system, the RAO can quickly check to see if a request duplicates a previous request, which can avoid huge amounts of rework. If the request is not a duplicate it is sent electronically to the appropriate program area(s) for production of records.

Program areas are able to return material to the RAO by email, fax, or direct scanning. Because the tracking system generates machine-readable control information, these electronic submissions can be ingested directly into the ECM repository. As data are received, SPFS notifies RAO staff that records are arriving; this enables RAO staff to prioritize their work and budget their time efficiently.

As part of the initial request tracking, file structures are established in the repository for each request's work in progress and final response. RAO staff use specialized electronic redaction tools to remove sensitive information. SPFS stores both the original and redacted versions, which allows the RAO to reconstruct the work that was done to produce a response. SPFS produces the response letter automatically; this letter accompanies the final response, which is either sent by email or on CD/DVD. SPFS has reduced the response time to less than 20 days, and has slashed the unit backlog by 90%.

Business Process Improved as Result of Information Technology:

In the former manual paper workflow scenario, the RAO would process hundreds of FOIL requests per month and photocopy over 1,000,000 pages annually in response to public inquiries for records maintained by the Department of Health. The costs associated with the paper production and transfer of records significantly increased every year. The amount of human resources committed to fully process each FOIL request to meet legal mandates also increased every year. The program areas had limited document access since the boxes of paper files had to be retrieved, wait to be scanned, and no concurrent access. In addition, there was always the risk of incomplete files being recovered or sent – and typically, the first sign that pages were missing would

be a complaint from the recipient. There was also the litigation exposure of late or incomplete response. The average response time, in fact, exceeded the limits of the law.

The paperless business process allowed the Department to increase its compliance rate of on-time FOIL responses from 80% to 95%. The average time to produce a FOIL request response has been reduced by approximately 50%. FOIL requests are processed in 1 - 20 business days, whereas in 2007, it took 20-40 business days. This reduction has addressed issues of non-compliance and has placed the Department in compliance with the law. The time to train new RAO staff to process FOIL requests has been reduced from approximately 52 weeks to 12 weeks.

There have also been savings related to printing, shipping, and storage of the paper for FOIL response data. The RAO has seen a 95% reduction in the ordering of paper and printing supplies. It has seen a 75% reduction in the amount of hard copy (paper) FOIL responses received from DOH Program areas. By law, the Department must still accept FOIL requests that come in through the mail. It is significant to note that the Program areas throughout the Department have begun to utilize this technology to transfer their FOIL responses to the RAO electronically.

Before and after workflow diagrams are available at:
http://www.nyhealth.gov/best_of_ny/index.htm

Contact: Robert Locicero, Director, Records Access Office
NYS Dept. of Health, Corning Tower, Rm. 2364
Albany, NY 12237
(518) 474-873
rwlo2@health.state.ny.us