

GROUP WANTS CHANGE IN PUBLIC RECORDS LAW

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TWIN FALLS, Idaho -- In response to an Idaho Supreme Court ruling last November, the Idaho Hospital Association is planning to ask state legislators to change the public records law.

The state's top court ruled in favor of The Times-News, requiring Magic Valley Regional Medical Center to hand over a document the newspaper had requested a year and a half earlier -- a list of names, job titles and salaries of employees earning more than \$50,000 a year.

Now, for the second time, the Idaho Hospital Association plans to ask that state legislators exempt hospital pay records from Idaho's Public Records Law.

"We knew it wouldn't go anywhere last year, because we didn't introduce it until the last two weeks of the session," said association President Steve Millard. "It is our intent to bring it back this year."

Millard said public hospitals are different from cities, counties and other public entities.

"Funding comes from patient revenue, just like the private hospitals they compete with," Millard said. Magic Valley Regional hasn't received tax dollars since 1979.

But Boise attorney Roy Eiguren, a lobbyist representing Idaho's 14 daily newspapers, says that does not matter, because public hospitals have the capability to impose taxes through methods like bond issues.

"Public hospitals are created pursuant to statute and they're public entities," Eiguren said.

"Every year, the Legislature considers 10 to 12 pieces of new legislation to allow further exemptions from public disclosure," Eiguren said. "We oppose that. The public's right to know is the fundamental issue. The salaries of all public employees should be open to the public. It's been the law of the state of Idaho since its statehood and was recently confirmed by the Supreme Court."

The Times-News took the hospital to court when hospital officials refused to provide the names of employees making more than \$50,000. The hospital provided job titles and salaries, but with the exception of the names of three top executives, the names were blacked out.

Hospital officials said providing the names would violate employees' privacy, which officials said outweighed the public's right to know.

In August 2001, 5th District Judge Roger Burdick ruled that employees of the county-owned hospital are subject to Idaho's Public Records Law just as any other public employees. Magic Valley Regional appealed to the Idaho Supreme Court, which heard the case in November.