

Freedom of Information Act – Policy & Fee Schedule

Date of Issue	October 6, 2026
Last Amended Date	October 6, 2026

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. Purpose

The purpose of this policy is to establish policies and procedures regarding BHDD's accordance with the South Carolina Freedom of Information Act.

II. Applicability

All BHDD organizational components.

III. Procedures

A. Overview

As a public agency, the South Carolina Department of Behavioral Health and Developmental Disabilities (BHDD) provides existing public records in accordance with the South Carolina Freedom of Information Act (FOIA), SC Code of Laws 30-4-10, et. seq. The agency adheres to the South Carolina Department of Archives and History retention schedule for FOIA-related documents, as authorized by SC Code of Laws 30-1-90(B). BHDD public bodies adhere to the SC Code of Laws sections 30-4-60, 70, 80, and 90, regarding public meetings.

B. Requests

The BHDD Office of Communications, or its organizational equivalent, coordinates responses to FOIA requests.

Requests, other than those that may be made in person according to SC Code of Laws 30-4-30 (D), should be submitted in writing, in one of the following ways:

E-mail

Tracy.lapointe@omh.bhdd.sc.gov

Postal Mail

BHDD Office of Communications
Attn: FOIA Officer
P.O. Box 485
Columbia, SC 29202

BHDD has provided a form to assist requesters in providing all necessary information when making a request; it does not require that this form be used to submit a request. Regardless of the format used to make the request, the correspondence should include: the requestor's name, complete contact information, and detailed description of the records requested.

BHDD will provide a message of receipt for all FOIA requests.

C. Requests for Clarification, Additional Information, Narrowed Scope, Etc.

If BHDD requires more information, clarification, or a narrowed scope from a requestor to begin a search for the requested records, the FOIA officer will send a written message seeking these details.

Should the requestor not provide this information to BHDD within 10 business days, BHDD will consider the request withdrawn.

However, if BHDD has records responsive to the request, other than those in need of clarification, those records will be processed and provided to the requestor.

D. Fee Schedule

For requests that require a fee, the amount will be calculated according to the following guidelines:

- **Hard copy pages**
1-15 pages of material: No Fee
16 + pages: 20¢ per page
- **Employee Time (Research, Document Retrieval, Redaction, Copying/Scanning)**
\$25 per hour
- **Electronic Data Storage Devices**
If the FOIA response requires the use of an electronic data storage device (e.g., USB drive, etc.) the charge will be the actual cost associated with the device.

E. Deposits & Payments

Where applicable, BHDD will provide an estimate of any costs, including any required deposit, for FOIA requests to the requestor before proceeding to gather records.

Deposits will be no more than 25% of the total estimated costs for providing the materials.

If BHDD requires a deposit of fees, the requestor must notify the agency in writing within 10 business days whether they wish to move forward and pay the deposit/fee; e-mail is sufficient. If written notification to proceed is not received within 10 business days, BHDD will consider the FOIA request withdrawn.

Upon receipt of the deposit, BHDD will begin gathering responsive records and will notify the requestor of the final response date.

If the requestor does not remit the deposit within 30 calendar days after indicating they intend to do so, BHDD will consider the FOIA request withdrawn.

BHDD will provide the final cost of responsive materials, minus the received deposit upon completion of research, copying, and redaction of responsive records.

The balance of the total cost associated with the request must be paid at the time of production of the responsive records.

Checks and money orders for FOIA deposits and records should be made payable to “BHDD”.

Checks and money orders (cash is NOT accepted) along with a copy of the estimate/final balance, should be mailed to the address below:

BHDD Office of Communications
Attn: FOIA Officer
P.O. Box 485
Columbia, SC 29202