



California's Protection & Advocacy System  
Toll-Free (800) 776-5746

# Request for Department of Rehabilitation (DOR) Records Fact Sheet

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## **Q. Can I ask DOR for a copy of my records?**

A. Yes, according to federal law, the State must release information to an applicant or eligible individual when there is a **written** request by that applicant or individual. 34 Code of Federal Regulations (C.F.R.) § 361.38(c)(1). Under the California regulations, an applicant or client can obtain his or her records from DOR upon request and with proper identification. Title 9 California Code of Regulations (C.C.R.) § 7141(a). Although there is no written requirement in California, we advise clients that a written request is always best and is more likely to be addressed by DOR.

## **Q. What about getting a copy of my Individualized Plan for Employment (IPE)?**

A. You, or your representative, are entitled to receive a copy of your IPE and any amendments to the IPE. These documents shall be provided in writing and in the eligible individual's native language or mode of communication. Title 9 CCR § 7130(a) (4). Additionally, copies of the annual review shall be placed in the individual's record of services and provided to the eligible individual or representative. Title 9 CCR § 7133(f).

**Q. DOR is saying that I cannot have my records. Can they keep them from me?**

A. DOR may refuse to release information only in limited circumstances. Title 9 C.C.R. § 7141(c). For example, if DOR determines that the information “may be harmful to the individual,” it can refuse to disclose that specific information and must notify the individual in writing that disclosure directly to the individual is not permitted by law.

Even under this circumstance, however, DOR must notify you, in writing, about the non-disclosure and include the way(s) which DOR will release the information to you, by using one of the following options:

- Disclosure to an authorized representative;
- Disclosure to a guardian or conservator;
- Disclosure to a physician, psychiatrist, licensed or certified psychologist or other representative designated by DOR applicant or client.

The DOR may also disclose and provide the information to a DOR applicant or client through a DOR medical consultant, psychologist, panel physician or psychiatrist.

**Q. Can I get my records in a language other than English?**

A. Yes, let your DOR counselor know which records you want translated. DOR is responsible for getting those records translated into a language that you understand. Title 9 C.C.R. § 7141(b). However, it is not required that the entire case record be translated into other languages. Title 9 C.C.R. § 7141(b).

**Q. Can I amend my record of services?**

A. If you believe that the information in your record is inaccurate, you can make a written request that the information be added, deleted or amended by DOR. Title 9 C.C.R. § 7141.5(b). If DOR decides not to amend your records according to your request, it must document your request for an

amendment, provide a reason for the denial, and provide you with your appeal rights. Title 9 C.C.R. § 7141.5(e).

**Q. Do I have to pay for copies of my DOR records?**

A. DOR may charge up to 10 cents per page, when providing you with copies of your records. If you request fewer than 10 pages, there is no cost. DOR may also waive charges at its discretion. Title 9 C.C.R. § 7141(g).

**Under federal law, DOR** may charge reasonable fees to cover extraordinary costs of duplicating records or making extensive searches for records. 34 C.F.R. § 361.38(a)(2).

**Q. What if I only want to look at my DOR records?**

A. Once you have made a written request to review your records, DOR has 30 days to process your request if you have an open case or 60 days to process your request if your DOR case is closed. Title 9 C.C.R. § 7141(e). A DOR representative is also required to be present while you review your records. Title 9 C.C.R. § 7141(f).

**Q. What can I do if DOR will not let me review or receive copies of my records?**

A. You may contact your DOR counselor's supervisor and/or the District Administrator and make a new request for records and attach a copy of this fact sheet to your records request. You may also file a written complaint by emailing: [Externalaffairs@dor.ca.gov](mailto:Externalaffairs@dor.ca.gov). For more information about your appeal rights you may refer to the Client Assistance Program online publication, California Department of Rehabilitation Appeals Options & Process Fact Sheet at: <http://www.disabilityrightsca.org/pubs/553001.pdf>

**If you have questions or problems regarding your DOR records, you may contact the Client Assistance Program (CAP) at Disability Rights California at 1-800-776-5746.**

*Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.*