AMERICAN OVERSIGHT

February 19, 2025

VIA EMAIL

Ohio Department of Health
Office of Health Assurance and Licensing, Public Information
246 N. High St.
Columbus, OH 43215
PRI@odh.ohio.gov

Re: Public Records Act Request

Dear Public Records Officers:

Pursuant to the Ohio Public Records Act (PRA), Ohio Rev. Code § 149.43, and other applicable Ohio law, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your agency promptly produce the following records:

> **For all parts of this request, please provide all responsive records from January 13, 2025, through the date the search is conducted.**

1. All formal or informal final guidance, recommendations, or directives created by or issued to the Ohio Department of Health (ODH) related to any federal or state regulation on gender identity, including, but not limited to, Executive Order 14168, "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government."[1]

2. All formal or informal final guidance, recommendations, or directives created by or issued to ODH related to any federal or state regulation on diversity, equity, and inclusion initiatives, including, but not limited to, Executive Order 14151, "Ending Radical and Wasteful Government DEI Programs and Preferencing."[2]

[1] For further identifying information, see *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, The White House (Jan. 20, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/; Exec. Order 14168, 90 Fed. Reg. § 8615 (2025).
[2] For further identifying information, see *Ending Radical and Wasteful Government DEI Programs and Preferencing*, The White House (Jan. 20, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/; Exec. Order 14151, 90 Fed. Reg. § 8339 (2025).

3. All formal or informal final impact assessments, reports, or analyses (including memoranda and other written products) prepared by or otherwise provided to your agency regarding any termination of diversity, equity, and inclusion initiatives such as those mentioned above in part 2.

4. All formal or informal final guidance, recommendations, or directives created by or issued to ODH related to any federal or state regulation on gender-affirming care, including, but not limited to, Executive Order 14187, "Protecting Children from Chemical and Surgical Mutilation."[3]

5. All formal or informal final impact assessments, reports, or analyses (including memoranda and other written products) prepared by or otherwise provided to your agency regarding the provision of gender-affirming care as mentioned above in part 4.

Please notify American Oversight of any anticipated fees or costs in excess of $100 prior to incurring such costs or fee.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.

- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.

- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of

[3] For further identifying information, see *Protecting Children from Chemical and Surgical Mutilation*, The White House (Jan. 28, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/protecting-children-from-chemical-and-surgical-mutilation/; Exec. Order 14187, 90 Fed. Reg. § 8771 (2025).

the requested records.[4] If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.

- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).[5]

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not

[4] Ohio Rev. Code § 149.43(B)(1).
[5] American Oversight currently has approximately 16,000 followers on Facebook and 95,700 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Feb. 17, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Feb. 17, 2025).

understand any part of this request, please contact Ben Sparks at records@americanoversight.org or (202) 873-1741.

Sincerely,

/s/ Ben Sparks
Ben Sparks
on behalf of
American Oversight