OKLAHOMA STATE DEPARTMENT OF HEALTH

OPEN RECORDS REQUEST FORM

In order to complete your request, please read the following instructions:

- Please complete the form fields below. Required fields are noted by an asterisk (*).
- Submit the completed form electronically. Select the 'Email' button or attach the PDF form and email to: OSDHOpenRecords@health.ok.gov
  - You will be notified of any applicable fees pursuant to the Oklahoma Open Records Act, 51 O.S. § 24.A.5. DO NOT send money prior to receiving notification of applicable fees and the exact amount due.

Records requested are sent via email, to the address provided on this form, unless you specify a different method of delivery.

REQUEST INFORMATION

Narrow your request as much as possible. Broad requests that include commonly used terms (health, medical, public, etc.) or requests of information occurring between a lengthy period of time can retrieve thousands of documents, which must be located and reviewed to ensure compliance with confidentiality law, including those prohibiting disclosure of public health information. Reviewing a large number of documents will slow down the process.

Purpose of Request* *(select one)*: (●) Personal ( ) Commercial (●) Public Interest

Please provide specific date range: **06/01/2025** (Starting Date (mm/dd/yyyy)) TO **01/20/2028** (Ending Date (mm/dd/yyyy))

Specify the nature of the records you seek.*
Please provide detailed information to make the search as efficient and timely as possible.

Please see attached request (OK-OSDH-25-2166)

Please provide specific search terms, separated by commas: Please see attached request (OK-OSDH-25-2166)

CONTACT INFORMATION

I am a member of the *(select one)*: (●) General Public ( ) Media

Danny (First Name*) Martinez (Last Name*)

American Oversight (Business Name) 1030 15th ST NW, Suite B255 (Current Address *)

Washington (City*) DC (State*) 20005 (Zip*) (County)

(202) 897-2465 (Phone Number*) records@americanoversight.org (Email Address*)

CLEAR PRINT EMAIL

AMERICAN OVERSIGHT

September 8, 2025

VIA EMAIL

Oklahoma State Department of Health
123 Robert S. Kerr Ave., Suite 1702
Oklahoma City, OK 73102
OSDHOpenRecords@health.ok.gov

Re: Open Records Act Request

Dear Records Access Officer:

Pursuant to the Oklahoma Open Records Act, O.S. tit. 51, §§ 24A.1 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that your agency produce the following records within five business days:

1. All formal or informal final directives (including informal email communications), guidance, protocols, or policies created by, issued to, or otherwise provided to your agency regarding the provision of gender-affirming care for minors on or after June 18, 2025.

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by the officials listed below, or anyone communicating on their behalf, such as an assistant or scheduler, and containing any of the key terms also listed below.

   State Department of Health Officials:
   a. Keith Reed, Health Commissioner
   b. Brandie Combs, Chief of Staff
   c. Mendy Spohn, Deputy Commissioner
   d. Dr. Lisa Leeper, Chief Administrative Officer

   Key Terms:
   i. "gender affirming"
   ii. "SB 1"
   iii. Gender-affirming
   iv. SB1
   v. Skrmetti
   vi. Trans
   vii. Transgender

For part 2 of this request, please provide all responsive records from June 1, 2025 through the date the search is conducted.

Fee Waiver Request

In accordance with 51 O.S. tit. 51, § 24A.5(4), American Oversight requests that your office charge no search fees in connection with processing this request for records. Release of the requested records "is in the public interest," because American Oversight, in accordance with its organizational mission, makes this request "to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants."[1] Specifically, the requested records have the potential to shed light on The public has a significant interest in the provision of gender-affirming care in light of the recent Supreme Court ruling in U.S. v. Skrmetti.[2] Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including how and to what extent gender-affirming care bans are implemented in Oklahoma.

American Oversight's work is aimed solely at serving the public interest.[3] As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight's financial interest. Rather, American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. Similar to members of the news media, 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).[4] American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through regular substantive analyses posted to its website.[5]

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[1] O.S. tit. 51, § 24A.5(4).
[2] Sam Stockard, *US Supreme Court Upholds Tennessee Prohibition on Gender-Affirming Care for Minors*, Okla. Voice (June 18, 2025, 1:02 PM), https://oklahomavoice.com/2025/06/18/us-supreme-court-upholds-tennessee-prohibition-on-gender-affirming-care-for-minors/.
[3] *See* O.S. tit. 51, § 24A.5(4).
[4] American Oversight currently has approximately 16,000 followers on Facebook and 94,500 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Sept. 4, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Sept. 4, 2025).
[5] *See generally News*, American Oversight, https://www.americanoversight.org/blog; *State Investigations*, American Oversight, https://www.americanoversight.org/states; *see also, e.g.*, *State Government Contacts with Voting-Restriction Activists*, American Oversight, https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists; *Georgia's Voting Machines and Election Security*, American Oversight, https://www.americanoversight.org/investigation/georgias-voting-

American Oversight is committed to transparency and makes the responses public bodies provide to public records requests publicly available, and the public's understanding of the government's activities—including whether public servants are honestly, faithfully, and competently performing their duties—would be enhanced through American Oversight's analysis and publication of these records.

Therefore, in accordance with O.S. tit. 51, § 24A.5(4), American Oversight respectfully requests that you limit any copying fees to the reasonable, direct costs of record copying, or mechanical reproduction, if any such costs are incurred.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

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. For instance, if the request seeks "communications," please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or X (formerly Twitter) direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.

- 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

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machines-and-election-security; *Tulsa Health Officials Initially Estimated Trump Rally Would Directly Lead to 2 to 9 Deaths*, American Oversight, https://www.americanoversight.org/tulsa-health-officials-initially-estimated-trump-rally-would-directly-lead-to-2-to-9-deaths.

the requested records.[6] 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.

Conclusion

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.

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 understand any part of this request, please contact Danny Martinez at records@americanoversight.org or (202) 897-2465. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Danny Martinez
Danny Martinez
on behalf of
American Oversight

[6] O.S. tit. 51, § 24A.5(2).