Chris,

Fort Lewis College does not maintain any records responsive to your request. Below is additional information/explanation provided by Wayne Barger, FLC Athletics' Head Athletic Trainer. As Wayne estimated that this request took only one hour to complete, there is no charge.

Regarding your previous open records request that was completed on January 14 with additional information provided on January 19, 2015, as explained in a cost estimate sent on January 12 FLC Athletics staff needed 5 hours to complete that request. As the first hour is free, 4 hours are eligible to be charged at $30 per hour. I can prepare a bill of the charges, if that would be preferable.

Mitch Davis

Public Affairs Officer

Fort Lewis College

Your University recently fulfilled a records request from KDVR-TV FOX31 Denver regarding purchases of pain medication and nutritional supplements for athletic departments. You may consider this letter an appeal or, if legal reason can be provided, a new CORA request.

Information gathered during process from various university athletic programs has prompted this follow-up request.

For clarification and in general, FOX31 Denver seeks university policy, statistics, procedures, and expenses regarding the use of painkillers or anti-inflammatory medications for game day athletes.

We are specifically asking your athletic program provide the following:

Policy, if any, regarding the use of Toradol and other painkillers and anti-inflammatory medications  before, during, and after sporting events to treat injured athletes by staff or outside medical contractors for the university athletic department. Fort Lewis College follows the 2014-15 NCAA Sports Medicine Handbook Guidelines 1G “Dispensing Prescription Medication”. We do not dispense or administer these types of medications.

Statistical information as to how many times (if any) painkillers have been administered to athletes by medical personnel, hired or reimbursed by the university. Please provide the sport, dates, reason, and type and amount of medication provided to the athlete. Include, but do not limit, the list of painkillers to Toradol or Ketorolac Tromethamine, Bupivacaine, Depo-Medrol, Hydrocodone/Vicodin, Lidocaine/Xylocaine, Methylprednisolone, Naproxen. As is stated above, Fort Lewis College Department of Athletics does not administer or dispense painkillers like the ones mentioned above.

We are seeking list and quantity of painkillers (both oral and injectable), anti-inflammatory medications, and other prescription drugs contained inside a team physicians’ or medical personnel’s “pre-stock” bag for game-day medical treatments. If the pre-stock list for home and road games is different, please note and provide two lists. You may exempt over-the-counter products and medications. As is stated above, Fort Lewis College Department of Athletics does not administer or dispense any of the above mentioned medications. Thus, the Fort Lewis College Department of Athletics facility and/or staff does not possess, store, stock, or carry these medications at home or away events.

ProvideFOX31 Denver with a written procedure, if any, as to the process a team physician must go through to be reimbursed for painkillers, other medications, and supplies used out of a pre-stock bag or of the physicians own supply. As is stated above, Fort Lewis College Department of Athletics does not administer or dispense any of the above mentioned medications. Any prescribed medications that are administered or dispensed to an individual athlete are given personally through the physician’s office, and/or licensed pharmacy per the physician’s office (post-surgery). Thus, there is not a written procedure to provide.

KDVR Fox 31 Denver formally requests your office waive any and all research and retrieval fees as provided under the Colorado Open Records Act 24-72-205 (4).  If your agency refuses to waive such fees, please provide an itemized accounting for any and all research and retrieval fees in advance.