



FINAL DETERMINATION

DATE ISSUED AND MAILED: **June 25, 2026**

IN RE: *Craig Moyer v. Pennsylvania Department of Health*, OOR Dkt. AP 2026-2150

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number by Craig Moyer (“Requester”), as well as the Pennsylvania Department of Health’s (“Department”) submissions, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. Although the Request was submitted electronically to the Department on May 22, 2026, the Agency Open Records Officer (“AORO”), Danica Hoppes, did not receive the Request until May 26, 2026.¹ On June 2, 2026, the Department invoked a timely thirty-day extension to respond to the Request (“Extension Notice”).² See 65 P.S. § 67.902(b)(1). Under that extension, the Department had until July 2, 2026, to respond; however, it issued a Final Response on June 23, 2026, during the pendency of this matter. See Supplemental Hoppes Attestation, ¶ 4; see also 65 P.S. § 67.902(b)(2). Therefore, the appeal, which was filed by the Requester on June 2, 2026, must be dismissed as **premature**. See 65 P.S. § 67.1101(a)(1). However, the Requester is not prohibited from filing a new appeal with the OOR within fifteen business days of the Department’s Final Response. See 65 P.S. § 67.1101(a)(1).³

For this reason, the Department is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Commonwealth Court. 65 P.S. § 67.1301(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303, but as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.⁴ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Megan Burns

MEGAN BURNS

APPEALS OFFICER

Sent via OOR Portal to: Craig Moyer; Danica Hoppes, AORO; and Sandra Adams, Esq.

¹ “Pursuant to Management Directive 530.17,” Ms. Hoppes was dismissed from work early on May 22, 2026, and the Department was closed for business on May 25, 2026, in observance of the Memorial Day holiday. See Hoppes Attestation, ¶¶ 3-6

² The Requester acknowledged receipt of the Extension Notice in his June 3, 2026 email exchange with Ms. Hoppes. See June 5, 2026 Department Submission, pp. 3-4.

³ Because this appeal is premature, the OOR lacks jurisdiction to address any issues pertaining to the June 23, 2026 Final Response at this time.

⁴ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).