

***** DRAFT - NOT YET FILED *****

4112-8-03

Valid reasons for accessing confidential personal information.

Pursuant to the requirements of division (B)(2) of section 1347.15 of the Revised Code, this rule contains a list of valid reasons, directly related to the commission's exercise of its powers or duties, for which only employees of the commission may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

(A) Performing the following functions constitute valid reasons for authorized employees of the commission to access confidential personal information:

- (1) Responding to a public records request;
- (2) Responding to a request from an individual for the list of CPI the commission maintains on that individual;
- (3) Administering a constitutional provision or duty;
- (4) Administering a statutory provision or duty;
- (5) Administering an administrative rule provision or duty;
- (6) Complying with any state or federal program requirements;
- (7) Processing or payment of claims or otherwise administering a program with individual participants or beneficiaries;
- (8) Auditing purposes;
- (9) Licensure [or permit, eligibility, filing, etc.] processes;
- (10) Investigation or law enforcement purposes;
- (11) Administrative hearings;
- (12) Litigation, complying with an order of the court, or subpoena;
- (13) Human resource matters (e.g., hiring, promotion, demotion, discharge, salary/compensation issues, leave requests/issues, time card approvals/issues);
- (14) Complying with an executive order or policy;
- (15) Complying with an agency policy or a state administrative policy issued by the department of administrative services, the office of budget and management

or other similar state agency; or

(16) Complying with a collective bargaining agreement provision.

(B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the commission, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

(1) Where the employee of the commission is researching, reviewing, or otherwise administering a duty as set forth in Revised Code Chapter 4112.

(2) Where the employee of the commission is researching, reviewing, or otherwise administering a duty as set forth in Ohio Administrative Code Chapter 4112.

(3) Where the employee of the commission accesses the CPI in accordance with routine job duties.

(4) Where the employee of the commission is responding to a request by a party or their authorized representative to take some action with respect to a charge.

(5) Where the employee of the commission is responding to a request by an authorized employee of a governmental agency whose official duties require the information to take some action with respect to a charge.

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	1347.15, 4112.04
Rule Amplifies:	1347.15