



## Ohio Administrative Code

### Rule 102-1-10 Valid reasons for accessing confidential person information.

Effective: September 30, 2010

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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 Ohio ethics commissions exercise of its powers or duties, for which only employees of the Ohio ethics 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 Ohio ethics 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 ethics 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) Filing 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 ethics commission 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 Ohio ethics commission, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

- (1) Employees and members of the ethics commission may review CPI of individuals who are required to file confidential financial disclosure statements with the ethics commission in connection with administrative hearings or enforcement proceedings related to the filing of financial disclosure statements;
- (2) Employees and members of the ethics commission may review CPI of individuals who are subject to the Ohio ethics law and related statutes (public officials and employees, candidates for public office, private and nonprofit corporations and organizations doing business with, seeking to do business with, or regulated by public agencies) in connection with the statutory authority, administrative rules, or a duty of the ethics commission; and



(3) Employees and members of the ethics commission may review CPI of individuals who are required to file confidential financial disclosure statements with the ethics commission in connection with implementing the process the ethics commission has approved to respond to requests from the auditor of state pursuant to division (B) of section 102.02 of the Revised Code to receive copies of confidential financial disclosure statements.