



Ohio Administrative Code

Rule 107-2-03 Valid reasons for accessing confidential person information.

Effective: November 14, 2013

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 governor's office exercise of its powers or duties, for which only employees of the governor's office 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 governor's office 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 governor's office 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 governor's office, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

- (1) Employees in the governor's office may access and review CPI of individuals when responding to a request from that individual for assistance with a state issue or claim.
- (2) Employees in the governor's office may access and review CPI of individuals when processing extraditions, requisitions, renditions and/or executive agreements.
- (3) Employees in the governor's office may access and review CPI of individuals when administering or exercising the Ohio Constitution Article III, section 10 authority to act as commander-in-chief of the military and naval forces of the state.
- (4) Employees in the governor's office may access and review CPI of individuals when administering



or exercising the Ohio Constitution Article III, section 11 power to grant reprieves, commutations and pardons.

(5) Employees in the governor's office may access and review CPI of individuals who are subject to investigation for alleged state employee misconduct. Such employees may also review CPI of individuals who are not the subject of the investigation, but who otherwise may be witnesses with information related to the investigation.