



Ohio Administrative Code Rule 109-4-04 Confidentiality statutes.

Effective: December 23, 2021

The following federal statutes or regulations, state statutes and administrative rules, and case law make personal information maintained by the office confidential and identify the confidential personal information within the scope of rules promulgated by the office in accordance with section 1347.15 of the Revised Code.

(A) Social security numbers: 5 U.S.C. 552a., "State ex rel Beacon Journal v. Akron (1994), 70 Ohio St. 3d 605."

(B) Bureau of criminal identification and investigation criminal records check results: section 4776.04 of the Revised Code.

(C) Residential and familial information for BCI investigators (division (A)(1)(p) of section 149.43 of the Revised Code and division (A)(22) of section 109.71 of the Revised Code).

(D) Victims of crime applications and supporting documentation pursuant to section 2743.62 of the Revised Code.

(E) Information obtained by the superintendent of the bureau of criminal identification and investigation pursuant to division (H) of section 109.57 of the Revised Code.

(F) In performing the attorney general's duty to represent the state, its agencies, officers and employees in administrative and civil proceedings and in performing the office's duty to collect amounts due to the state, the attorney general may obtain information that is confidential including but not limited to:

(1) State income tax information obtained from the department of taxation pursuant to section 5703.21 of the Revised Code;



- (2) Unemployment compensation information obtained and/or maintained by the department of job and family services pursuant to sections 4141.21 and 4141.22 of the Revised Code;
- (3) Workers' compensation claims, appeals and other information pursuant to section 4123.88 of the Revised Code;
- (4) Information concerning applicants for and recipients of Title IV-D support enforcement program services provided by a child support enforcement agency pursuant to section 3121.50 of the Revised Code;
- (5) Information regarding an investigation of a teacher pursuant to section 3319.311 of the Revised Code;
- (6) Criminal records check results of a teacher or other school employee pursuant to section 3319.39 of the Revised Code;
- (7) Information concerning children with disabilities pursuant to 20 USC 1412(a)(8) and 34 CFR 300.123; and
- (8) Educational records pursuant to the Family Education and Privacy Rights Act, 20 USC 1232g.
- (9) Federal tax information received pursuant to 26 USC 6103 and "Redisclosure Agreements" with other state and federal agencies.
- (10) Protected health information received pursuant to agreements with covered entities and data regulated per the Health Insurance Portability and Accountability Act and the Health Information Technology for Economic and Clinical Health Act, 45 CFR Parts 160, 162, and 164.