



## Ohio Administrative Code

### Rule 109-4-05 Restricting and logging access to confidential personal information in computerized personal information systems.

Effective: February 1, 2011

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For personal information systems that are computer systems and contain confidential personal information, the office shall do the following:

- (A) Access restrictions. Access to confidential personal information that is kept electronically shall require a password or other authentication measure.
- (B) Acquisition of a new computer system. When the office acquires a new computer system that stores, manages or contains confidential personal information, the office shall include a mechanism for recording specific access by employees of the office to confidential personal information in the system.
- (C) Upgrading existing computer systems. When the office modifies an existing computer system that stores, manages or contains confidential personal information, the office shall make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system shall include a mechanism for recording specific access by employees of the office to confidential personal information in the system.
- (D) Logging requirements regarding confidential personal information in existing computer systems.
  - (1) The office shall require employees of the office who access confidential personal information within computer systems to maintain a log that records that access.
  - (2) Access to confidential information is not required to be entered into the log under the following circumstances:
    - (a) The employee of the office is accessing confidential personal information for official office purposes, including research, and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.



(b) The employee of the agency is accessing confidential personal information for routine office procedures and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(c) The employee of the office comes into incidental contact with confidential personal information and the access of the information is not specifically directed toward a specifically named individual or a group of specifically named individuals.

(d) The employee of the office accesses confidential personal information about an individual based upon a request made under either of the following circumstances:

(i) The individual requests confidential personal information about himself/herself.

(ii) The individual makes a request that the office takes some action on that individual's behalf and accessing the confidential personal information is required in order to consider or process that request.

(3) For purposes of this paragraph, the office may choose the form or forms of logging, whether in electronic or paper formats.

(E) Log management. The office shall issue a policy that specifies the following:

(1) Who shall maintain the log;

(2) What information shall be captured in the log;

(3) How the log is to be stored; and

(4) How long information kept in the log is to be retained.

Nothing in this rule limits the office from requiring logging in any circumstances that it deems necessary.