



## Ohio Administrative Code

### Rule 120-3-02 Procedures for accessing confidential personal information.

Effective: December 1, 2015

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(A) Criteria for accessing confidential personal information. Personal information systems of the agency are managed on a need-to-know basis, whereby the information owner determines the level of access required for an employee of the agency to fulfill the employees job duties. The determination of access to confidential personal information shall be approved by the employees supervisor and the information owner prior to providing the employee with access to confidential personal information within a personal information system. The agency shall establish procedures for determining a revision to an employees access to confidential personal information upon a change to that employees job duties, including, but not limited to, transfer or termination. Whenever an employees job duties no longer require access to confidential personal information in a personal information system, the employees access to confidential personal information shall be removed.

(B) Individual requests for a list of confidential personal information. Upon the signed written request of any individual for a list of confidential personal information about the individual maintained by the agency, the agency shall:

(1) Verify the identity of the individual by a method that provides safeguards commensurate with the risk associated with the confidential personal information; and

(2) Provide to the individual the list of confidential personal information that does not relate to an investigation about the individual or is otherwise not excluded from the scope of Chapter 1347. of the Revised Code; and

(3) If all information relates to an investigation about that individual, inform the individual that the agency has no confidential personal information about the individual that is responsive to the individuals request.

(C) Notice of invalid access.



(1) Upon discovery or notification that confidential personal information of a person has been accessed by an employee for an invalid reason, the agency shall notify the person whose information was invalidly accessed as soon as practical and to the extent known at the time. However, the agency shall delay notification for a period of time necessary to ensure that the notification would not delay or impede an investigation or jeopardize homeland or national security. Additionally, the agency may delay the notification consistent with any measures necessary to determine the scope of the invalid access, including which individuals confidential personal information invalidly was accessed, and to restore the reasonable integrity of the system.

Once the agency determines that notification would not delay or impede an investigation of the circumstances and involvement of an employee surrounding the invalid access of the confidential personal information, the agency shall disclose the invalid access to confidential personal information to the person whose information was invalidly accessed.

(2) Notification provided by the agency shall inform the person of the type of confidential personal information accessed and the dates of the invalid access.

(3) Notification may be made by any method reasonably designed to accurately inform the person of the invalid access, including written, electronic, or telephone notice.

(D) Appointment of a data privacy point of contact. The agency director shall designate an employee of the agency to serve as the data privacy point of contact. The data privacy point of contact shall work with the chief privacy officer within the office of information technology to assist the agency with both the implementation of privacy protections for the confidential personal information that the agency maintains and compliance with section 1347.15 of the Revised Code and the rules adopted pursuant to the authority provided by that chapter.

(E) Completion of a privacy impact assessment. The agency director shall designate an employee of the agency to serve as the data privacy point of contact who shall timely complete the privacy impact assessment form developed by the office of information technology.