



Ohio Administrative Code

Rule 120-3-03 Valid reasons for accessing confidential person information.

Effective: December 1, 2015

(A) Performing the following functions constitute valid reasons for authorized employees of the agency 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 agency 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, including but not limited to hiring, promotion, demotion, discharge, salary and compensation issues, leave requests, time card approvals, discipline matters, and investigations of work rule or policy violations;

(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;

(16) Complying with a collective bargaining agreement provision.

(B) For the purpose of carrying out specific duties of the Ohio public defender, authorized employees would also have valid reasons for accessing CPI in the following circumstances:

(1) Employees of the office, co-counsel, contractors, interns, and volunteers may review CPI of individuals who are defendants, respondents, clients, plaintiffs, witnesses, relatives of these individuals; victims, jurors, experts, or persons appearing in any evidence or investigation relative to the legal representation of indigent defendants.

(2) Employees of the office may review CPI of individuals seeking to contract with the agency relative to personal service contracts, including but not limited to training programs.

(3) Employees of the office may review CPI of individuals relative to reimbursement and indigent defense expenses.

(4) Employees of the office and members of the Ohio public defender commission may review CPI of individuals relative to all the powers given and duties required to be performed by the Ohio public defender commission and the Ohio public defender pursuant to Chapter 120. of the Revised Code, agency 120 of the Administrative Code, and section 2941.51 of the Revised Code.