



Ohio Administrative Code

Rule 3701-73-01 Release of Information-Director Investigations.

Effective: February 3, 2005

(A) Investigations conducted by the director pursuant to section 3701.14 of the Revised Code are subject to the release requirements specified in that section. An investigation may be initiated when one or more of the following situations is present.

(1) The director has received, in accordance with law, reported cases of illness, including contagious, infectious, epidemic, pandemic, or endemic conditions, that qualified department staff have evaluated and have determined that those cases may represent an outbreak of a contagious or infectious condition in one or more local health districts.

(2) The director has determined based on reports of births and deaths, the sanitary conditions and effects of localities and employments, or the personal and business habits of the people that affect their health have or are causing illness in one or more local health districts.

(3) The director has accepted a request from an agency of state or local government regarding the water supply, sewerage, disposal of excreta of any locality, or the heating, plumbing, and ventilation of a public building that requires a non-routine analysis of a disease, other condition, or unusual occurrence that involves persons in one or more local health districts.

(4) The director has accepted a request for an investigation from another agency of state or local government.

(B) Information obtained during an investigation initiated pursuant to paragraph (A) of this rule that is not complete is confidential and shall not be released unless both of the following apply:

(1) The information is in summary, statistical, or aggregate form and does not identify an individual.

(2) The director has determined pursuant to division (J) of section 3701.14 of the Revised Code that the release of information collected pursuant to an investigation that is not complete and that was



initiated pursuant to paragraph (A) of this rule is necessary to avert or mitigate a clear threat to an individual or to the public health. Any information released pursuant this paragraph shall be released in compliance with the requirements of division (J) of section 3701.14 of the Revised Code.

(C) The director shall prepare a journal entry that specifies the process for authorizing investigations pursuant to paragraph (A) of this rule. Pursuant to the director's journal entry, a designee of the director may authorize in writing an investigation. The written authorization shall document the following information and shall not include any protected health information and shall include the following information:

(1) The date the investigation began.

(2) The county or counties where the investigation is being conducted.

(3) Information regarding whether the investigation is being conducted pursuant to paragraph (A)(1), (A)(2), (A)(3), or (A)(4) of this rule.

(D) If an investigation initiated pursuant to section 3701.14 of the Revised Code. is not complete within six months of the date of initiation a preliminary report shall be prepared and released containing preliminary findings.

(1) Supplemental preliminary reports shall be issued each six months thereafter until the investigation is completed.

(2) All preliminary and supplemental preliminary reports issued by the director pursuant to this rule shall be placed on the Ohio department of health website under a section titled "Revised Code 3701.14 public health investigation preliminary reports" until the final report is released.

(E) After the final report of an investigation is released, the report shall be placed on the department's website under a section titled "Revised Code 3701.14 public health investigation final reports". Final reports shall be available on the department's website for twelve months after placement on the website.



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(F) A person who desires to obtain paper copies of preliminary, supplemental preliminary, or final reports may submit such requests to the Ohio department of health, office of public affairs.