



## Ohio Administrative Code

### Rule 3706-3-05 Restricting and logging access to confidential personal information in computerized personal information systems.

Effective: July 1, 2021

---

For personal information systems that are computer systems and contain confidential personal information, the Ohio air quality development authority shall do the following:

(A) Restricting access: Access to confidential personal information that is kept electronically shall require a password or other authentication measure.

(B) Acquiring a new computer system: When the Ohio air quality development authority acquires a new computer system that stores, manages or contains confidential personal information, the Ohio air quality development authority shall include a mechanism for recording specific access by employees of the Ohio air quality development authority to confidential personal information in the system.

(C) Upgrading existing computer systems: When the Ohio air quality development authority modifies an existing computer system that stores, manages or contains confidential personal information, the Ohio air quality development authority 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 Ohio air quality development authority to confidential personal information in the system.

(D) Logging requirements regarding confidential personal information in existing computer systems:

(1) The Ohio air quality development authority shall require employees of the Ohio air quality development authority 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 Ohio air quality development authority is accessing confidential personal information for official agency 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 Ohio air quality development authority 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 Ohio air quality development authority 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 Ohio air quality development authority 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 Ohio air quality development authority 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 Ohio air quality development authority may choose the form or forms of logging, whether in electronic or paper formats.

(E) Managing logs: The Ohio air quality development authority 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 Ohio air quality development authority from requiring logging in any circumstance that it deems necessary.