



## Ohio Administrative Code

### Rule 3745-48-01 Personal information systems - definitions and incorporation by reference.

Effective: February 15, 2016

---

(A) For the purposes of this chapter, the following definitions apply:

(1) "Access" as a noun means an instance of copying, viewing, or otherwise perceiving whereas "access" as a verb means to copy, view, or otherwise perceive.

(2) "Acquisition of a new computer system" means the purchase of a "computer system," as defined in this rule, that is not a computer system currently in place nor one for which the acquisition process has been initiated as of the effective date of this chapter.

(3) "Computer system" means a "system," as defined by section 1347.01 of the Revised Code, that stores, maintains, or retrieves personal information using electronic data processing equipment.

(4) "Confidential personal information" (CPI) has the meaning as defined in division (A)(1) of section 1347.15 of the Revised Code and identified by this chapter that reference the federal or state statutes or administrative rules that make personal information maintained by the agency confidential.

(5) "Employee of the state agency" means each employee of a state agency regardless of whether the employee holds an elected or appointed office or position within the state agency. "Employee of the state agency" is limited to the specific employing state agency.

(6) "Incidental contact" means contact with the information that is secondary or tangential to the primary purpose of the activity that resulted in the contact.

(7) "Individual" means a natural person or the natural person's authorized representative, legal counsel, legal custodian, or legal guardian.

(8) "Information owner" means the individual appointed in accordance with division (A) of section



1347.05 of the Revised Code to be directly responsible for a system.

(9) "Person" means a natural person.

(10) "Personal information" has the same meaning as defined in division (E) of section 1347.01 of the Revised Code.

(11) "Personal information system" means a "system" that "maintains" "personal information" as those terms are defined in section 1347.01 of the Revised Code. "System" includes manual and computer systems.

(12) "Research" means a methodical investigation into a subject.

(13) "Routine" means commonplace, regular, habitual, or ordinary.

(14) "Routine information that is maintained for the purpose of internal office administration, the use of which would not adversely affect a person" as that phrase is used in division (F) of section 1347.01 of the Revised Code means personal information relating to employees and maintained by the agency for internal administrative and human resources purposes.

(15) "System" has the same meaning as defined by division (F) of section 1347.01 of the Revised Code.

(16) "Upgrade" means a substantial redesign of an existing computer system for the purpose of providing a substantial amount of new application functionality, or application modifications that would involve substantial administrative or fiscal resources to implement, but would not include maintenance, minor updates and patches, or modifications that entail a limited addition of functionality due to changes in business or legal requirements.

(B) Incorporation by reference. This chapter includes references to certain matter or materials. The text of the incorporated materials is not included in the regulations contained in this chapter. The materials are hereby made a part of the regulations in this chapter. For materials subject to change, only the specific version specified in the regulation are incorporated. Material is incorporated as it



exists on the effective date of this rule. Except for subsequent annual publication of existing (unmodified) Code of Federal Regulation compilations, any amendment or revision to a reference document is not incorporated unless and until this rule has been amended to specify the new dates.

(1) Availability. Information and copies of the United States Code (U.S.C.) may be obtained by writing to: "Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954." The full text of the United States Code is also available in electronic format at <http://www4.law.cornell.edu/uscode/>. The USC compilations are also available for inspection and copying at most public libraries and "The State Library of Ohio."

(2) Incorporated material. 5 U.S.C. 522a; "Records maintained on individuals"; published December 31, 1974; as amended July 7, 2004, Pub. L. 108-271, sec. 8(b), 118 Stat. 814.