



## Ohio Administrative Code Rule 4112-8-04 Confidentiality statutes.

Effective: September 1, 2013

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The following federal and state regulations, statutes and administrative rules make personal information maintained by the commission confidential and identify the confidential personal information within the scope of rules promulgated by this agency in accordance with section 1347.15 of the Revised Code:

(A) Social security numbers: 5 U.S.C. 552a, "State ex rel Beacon Journal v. Akron (1994), 70 Ohio St. 3d 605," unless the individual was told the number would be disclosed.

(B) "Bureau of Criminal Investigation and Information" criminal records check results: section 4776.04 of the Revised Code.

(C) Prior to the notification of the parties of a determination of a no probable cause finding pursuant to division (B)(3)(a)(i) of section 4112.05 of the Revised Code or the initiation of the conciliation process pursuant to division (B)(3)(c) of section 4112.05 of the Revised Code, information obtained as a result of an investigation of a civil rights charge: division (B)(3) of section 4112.05 of the Revised Code.

(D) Except as provided in paragraph (J) of rule 4112-3-03 of the Administrative Code, information obtained during informal methods of conference, conciliation and persuasion: division (B)(5) of section 4112.05 of the Revised Code.

(E) To the extent the commission maintains personal information in a system defined by this chapter:

(1) Sections 262 and 264 of the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C 1320d-2 and 42 U.S.C 1320d-4; Pub. L. No. 104-191 as implemented in 45 C.F.R. Parts 160 and 164.

(2) The Family Medical Leave Act of 1993, Pub. L. No. 103-3 ; 29 U.S.C. Sec. 2601 as implemented



in 29 C.F.R. 825.500.

(3) Title I of The Americans with Disabilities Act of 1990, 42 U.S.C. 12112(d).

(4) Genetic Information Nondiscrimination Act (GINA) of 2008, Pub. L. No. 110 - 233, 122 Stat. 881.