



## Ohio Administrative Code

### Rule 4703-4-03 Valid reasons for accessing confidential personal information.

Effective: September 1, 2010

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Pursuant to the requirements of division (B)(2) of section 1347.15 of the Revised Code, this rule contains a list of valid reasons, directly related to the boards exercise of its powers or duties, for which only employees of the board may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

(A) Performing the following functions constitute valid reasons for authorized employees of the board 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 board 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 (e.g., hiring, promotion, demotion, discharge, salary/compensation issues, leave requests/issues, time card approvals/issues);
- (14) Complying with an executive order or policy;
- (15) Complying with an board policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state board; or
- (16) Complying with a collective bargaining agreement provision.

(B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the board, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

- (1) Employees of the board conducting an investigation may review CPI of individuals who are subject to investigation for alleged misconduct that may result in licensure discipline. Such employees may review CPI of individuals who are not the subject of the investigation, but who otherwise may be witnesses with information related to the investigation. CPI may be reviewed by such employees and members of the board in professional conduct matters that become the subject of an investigation or administrative hearing.
- (2) Employees of the board may review CPI of students who apply for or participate in the boards intern development program fee reimbursement program for the purpose of carrying out those programs.
- (3) Employees of the board may review CPI of persons who hold or are applying for or renewing a license issued by the board for the purpose of carrying out the licensing program.



(4) Employees of the board may review CPI of persons who are applying to take the Architect Registration Exam or who are in the process of taking the Architect Registration Exam for the purpose of carrying out the licensing program.