



Ohio Administrative Code Rule 4732-1-08 Personal information systems.

Effective: October 1, 1990

(A) The board shall appoint one employee to be directly responsible for each personal information system maintained by the state board of psychology. Said employee shall:

(1) Inform other employees who have any responsibility for the operation or maintenance of said system, or for the use of personal information maintained in the system, of the applicable provisions of Chapter 1347. of the Revised Code and the rules adopted thereunder; and

(2) Inform a person who is asked to supply personal information for a system whether the person is legally required to, or may refuse to, supply the information; and

(3) Assure the collection, maintenance and use of only personal information which is necessary and relevant to the functions the board is required or authorized to perform by statute, ordinance, code, or rule; and

(4) Provide a person, who is asked to supply personal information that will be placed in an interconnected or combined system, with information relevant to the system, including the identity of the other agencies or organizations that have access to the information in the system; and

(5) Allow the person who is the subject of a record in a personal information system to inspect the record pursuant to section 1347.08 of the Revised Code. Upon the request and the proper identification of the person, the employee shall:

(a) Inform the person of any personal information in the system which includes reference(s) to that person;

(b) Except as provided in divisions (C), (E)(2) and (F) of section 1347.08 of the Revised Code, permit the person, the legal guardian, or an attorney who presents a signed, written authorization made by the person to inspect all personal information in the system which includes reference(s) to



that person;

(c) Inform the person about the types of uses made of the personal information, including the identity of any user usually granted access to the system;

(d) Allow a person who wishes to exercise a right provided by this paragraph to be accompanied by another individual chosen by the person;

(e) Provide, upon request, copies of any personal information the person is authorized to inspect. Reasonable charges are made for providing requested copies, with information about such charges being available by writing or calling the board office;

(6) Investigate disputes to the accuracy, relevance, timeliness or completeness of personal information pursuant to section 1347.09 of the Revised Code.

(B) The board shall reprimand in writing any employee who initiates or otherwise contributes to any disciplinary or other punitive action against any individual who brings to the attention of appropriate authorities, the press, or any member of the public, evidence of unauthorized use of information contained in the system. A copy of such reprimand shall be entered in the employee's personnel file in the board office.

(C) The board shall monitor the accuracy, relevance, timeliness, and completeness of the personal information in the system and,

(1) In accordance with procedures, maintain the personal information in the system with the accuracy, relevance, timeliness, and completeness that is necessary to assure fairness in any determination made with respect to a person on the basis of the information, eliminating information that is no longer necessary; and

(2) If a person who is the subject of personal information in a personal information system disputes the accuracy, relevance, timeliness, or completeness of the personal information and requests the board to investigate the current status of the information, the board shall:



- (a) Within ninety days after receiving the request from the disputant, make a reasonable investigation to determine whether the disputed information is accurate, relevant, timely, and complete; and
- (b) Notify the disputant of the results of the investigation and of the action the board plans to take with respect to the disputed information; and
- (c) Delete any information that it cannot verify or that it finds to be inaccurate; and
- (d) Permit the disputant, if not satisfied with the board's determination, to include within the system:
 - (i) A brief statement on the disputed information, such statement being limited to one hundred words with the board assisting the disputant to write a clear summary of the dispute; or
 - (ii) A notation that the disputant protests that the information is inaccurate, irrelevant, outdated, or incomplete; with the board maintaining a copy of the disputant's statement of the dispute.
- (D) The board shall not place personal information into an interconnected and combined system, or use personal information that is placed into such a system by another state or local agency or another organization, unless such system will contribute to the efficiency of the involved agencies in implementing programs that are authorized by law.
- (E) The board shall not use personal information placed into an interconnected or combined system by another state or local agency or another organization, unless the personal information is necessary and relevant to the performance of a lawful function of the board.