



Ohio Administrative Code

Rule 4757-31-03 Valid reasons for accessing confidential personal information.

Effective: September 1, 2010

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 board's 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 vendors billing;
- (8) Auditing purposes;
- (9) Licensure or registration 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 a board policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state agency; 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) Board investigators and the executive director may review CPI of individuals who are subject to investigation for alleged misconduct that may result in licensure or registration 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 administrative hearings.
- (2) Employees assigned to the continuing education audit may review CPI of licensees and registrants who are being audited for the purpose of carrying out that program.
- (3) Employees assigned to registration, certification and licensure may review CPI of persons who hold or are applying for a license or registration issued by the board for the purpose of carrying out the counselor, social worker or marriage and family therapist licensing program.



(4) Employees assigned to the renewal section may review CPI of persons who are applying for renewal of a license or registration issued by the board for the purpose of carrying out the counselor, social worker or marriage and family therapist licensing program.

(5) Employees assigned to fiscal and human resource positions may review CPI of vendors billing the board for services rendered and employees of the board for payroll and other human resource activities for the purpose of carrying out the counselor, social worker or marriage and family therapist board's daily activities.