



Ohio Administrative Code Rule 4758-20-01 Personal information systems.

Effective: June 13, 2004

(A) The following regulations shall govern the control of personal information maintained by the board.

(1) The executive director shall be directly responsible for each applicant's personal information maintained in the board's personal information system. The executive director shall:

(a) Inform all employees who have been assigned responsibility for the operation, maintenance, or use of personal information of the applicable provisions of Chapter 1347. of the Revised Code and rules adopted there under.

(b) Inform all persons requested to supply personal information to only that which is necessary and relevant to functions of the board as required or authorized by statute or rule.

(c) Restrict the collection, maintenance, and use of personal information to only that which is necessary and relevant to functions of the board as required or authorized by statute or rule.

(d) Provide to all persons 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 all other agencies or organizations that have access to the system.

(e) Allow all persons to inspect their personal information pursuant to section 1347.08 of the Revised Code. Upon receiving a request and verifying that the person requesting access to the personal information is the subject of the information contained in the system, the employee shall:

(i) Provide the personal information to that person;

(ii) Permit the person or the person's legal guardian, or an attorney who presents a signed authorization made by the person, to inspect all personal information in the system of which the



person is subject, except where prohibited by law;

(iii) Inform the person of the uses made of the personal information and identify other users who have access to the system;

(iv) Allow persons who wish to exercise their right to inspect personal information, as provided by this rule, to be accompanied by one individual of that person's choice;

(v) Provide, for a reasonable fee, copies of any personal information the person is authorized to inspect; and

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

(2) The board shall discipline any employee who initiates or otherwise contributes to any disciplinary or other punitive action taken against another individual who brings attention to the appropriate authorities, the press, or a member of the public, any evidence of unauthorized use of any material contained in the personal information system.

(3) The board shall monitor its personal information system by:

(a) Maintaining the personal information system with the accuracy, relevance, timeliness and completeness necessary to assure fairness in any determination made by the board that is based on information contained in the system; and

(b) Eliminating unnecessary information from the system.

(4) The board shall investigate, upon request, the accuracy, relevance, timeliness or completeness of personal information which is disputed by a person who is the subject of information contained in the system within ninety days after receipt of a request. The board shall:

(a) Notify the disputant of the results of the investigation and any action the Board intends to take with respect to the disputed information; and



- (b) Delete any information the board cannot verify or finds to be inaccurate; and

- (c) Permit the disputant, if the disputant is not satisfied with the determination made by the board, to include within the system:
 - (i) A brief statement of the person's position on the disputed information; or
 - (ii) A brief statement that the person finds the information in the system to be inaccurate, irrelevant, outdated, or incomplete.

- (d) The board shall maintain a copy of all statements made by the disputant.

- (5) The board shall not place personal information into an interconnected and combined system, unless the system contributes to the efficiency of the agencies or organizations authorized to use the system in implementing programs, which are required or authorized by law.

- (6) The board shall not use personal information placed into an interconnected and combined system by another state or local agency or organization, unless the personal information is necessary and relevant to the performance of a lawful function of the board.

- (7) The board shall make available, upon request, all information concerning fees charged by the board for reproduction of materials contained in its personal information system.