



Ohio Administrative Code Rule 4765-4-05 Protected information.

Effective: December 27, 2007

(A) The information required to be provided to the data systems under section 4765.06 of the Revised Code and this chapter shall be provided and maintained in such a way as to protect against revealing the identity of the recipient of EMS care or trauma care. Any person handling information received for the data systems has a fiduciary duty to maintain the confidentiality of such information and shall sign and adhere to a contract with the department of public safety, division of EMS, regarding the confidentiality of such information. If such person violates this fiduciary duty or violates any terms of the contract, the department of public safety, division of EMS, may terminate such person and employ any other remedies, legal or equitable, available to it. Emergency medical service organizations, health care facilities and other providers shall be identified in the data systems by a code or similar designation other than name.

(B) Information that identifies or would tend to identify a specific EMS casualty or a specific recipient of EMS care or trauma care shall include, but not be limited to, the recipient's social security number, medical record number, EMS incident number and name.

(1) No records provided in response to a public records request shall contain any information that identifies or would tend to identify a specific EMS casualty or a specific recipient of EMS care or trauma care.

(2) No records shall be provided in response to a public records request if the request asks for information sorted by, or if the request contains, information that identifies or would tend to identify a specific EMS casualty or a specific recipient of EMS care or trauma care.

(3) Prior to the implementation of risk adjustment standards and procedures, no records shall be provided in response to a public records request if the request asks for information sorted by, or if the request contains, information that identifies or would tend to identify a specific provider of EMS care or trauma care. After risk adjustment standards and procedures are implemented, such records may be made public, but only on a risk adjusted basis.