



Ohio Administrative Code

Rule 5902-5-03 Valid reasons for accessing confidential personal information.

Effective: September 17, 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 department of veterans services exercise of its powers or duties, for which only employees of the agency 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 agency 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 agency 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 agency 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 Ohio department of veterans services, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

- (1) Employees of the Ohio department of veterans services may access the CPI of residents of the Ohio veterans homes for purposes of diagnosis and treatment related to residents physical, mental, and/or psycho-social well-being and for purposes of carrying out the agency's duties related to resident assessments and resident billing for services provided.
- (2) Employees of the Ohio department of veterans services may access the CPI of individuals seeking admission to the Ohio veterans homes for purposes of determining eligibility for admissions.
- (3) Employees of the Ohio department of veterans services may access the CPI of applicants for compensation under the veterans bonus program for purposes of carrying out the duties found in Section 2r of Article VIII of the Constitution of the state of Ohio.



(4) Employees of the Ohio department of veterans services may access the CPI of former members of the U.S. armed forces, members of the national guard, reservists and their dependents applying for assistance from the agency related to eligibility for benefits or availability of programs for which they may qualify under state and/or federal law. Such access is permissible whether the application for assistance was made by the veteran on his or her own behalf; or through county veterans service officers, state or federal legislators, the U.S. department of veterans affairs, veterans service organizations, legal guardians, or other individuals or organizations making applications for assistance on the individuals behalf.

(5) Employees of the Ohio department of veterans services may access the CPI of former members of the U.S. armed forces, members of the national guard, reservists and their dependents, applying for education and employment training services under the G.I. bill for purposes of carrying out its duties as the administering body for the state approving authority (SAA) for veterans training in Ohio.