# *** DRAFT – NOT FOR FILING ***

4121-4-03 **Valid Reasons for Accessing Confidential Personal Information.**

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 commission's exercise of its powers or duties, for which only employees of the industrial commission 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 industrial commission 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 commission 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) Eligibility or filing 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 commission 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 industrial commission, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

(1) Where the employee of the industrial commission is researching, reviewing, or otherwise administering a duty as set forth in Revised Code chapters 4121, 4123 or 4131 or Article II, Section 35 of the Ohio Constitution.

(2) Where the employee of the industrial commission is researching, reviewing, or otherwise administering a duty as set forth in Ohio Administrative Code chapters 4121, 4123, and 4125.

(3) Where the employee of the industrial commission accesses the CPI in accordance with routine job duties;

(4) Where employee of the industrial commission is responding to a request by a party or their authorized representative take some action with respect to the claim.

(5) Where the employee of the industrial commission is responding to a request by an authorized employee of a governmental agency whose official duties require the information to take some action with respect to a claim file.