

***** DRAFT – NOT FOR FILING *****

4121-4-05

**Restricting and logging access to confidential personal information
in computerized personal information systems.**

For personal information systems that are computer systems and contain confidential personal information, the commission shall do the following.

- (A) Access restrictions. Access to confidential personal information that is kept electronically shall require a password or other authentication measure.
- (B) Acquisition of a new computer system. When the commission acquires a new computer system that stores, manages or contains confidential personal information, the commission shall include a mechanism for recording specific access by employees of the industrial commission to confidential personal information in the system.
- (C) Upgrading existing computer systems. When the commission modifies an existing computer system that stores, manages or contains confidential personal information, the commission shall make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system shall include a mechanism for recording specific access by employees of the industrial commission to confidential personal information in the system.
- (D) Logging requirements regarding confidential personal information in existing computer systems.
 - (1) The commission shall require employees of the industrial commission who access confidential personal information within computer systems to maintain a log that records that access.
 - (2) Access to confidential information is not required to be entered into the log under the following circumstances:
 - (a) The employee of the industrial commission is accessing confidential personal information for official commission purposes, including research, and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.
 - (b) The employee of the industrial commission is accessing confidential personal information for routine office procedures and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.
 - (c) The employee of the industrial commission come into incidental contact with confidential personal information and the access of the information is not

***** DRAFT – NOT FOR FILING *****

specifically directed toward a specifically named individual or a group of specifically named individuals.

(d) The employee of the industrial commission accesses confidential personal information about an individual based upon a request made under either of the following circumstances:

(i) The individual requests confidential personal information about himself/herself.

(ii) The individual, or his or her authorized representative, makes a request that the employee of the industrial commission take some action on that individual's behalf and accessing the confidential personal information is required in order to consider or process that request.

(3) For purposes of this paragraph, the commission may choose the form or forms of logging, whether in electronic or paper formats.

(E) Log management. The commission shall issue a policy that specifies the following:

(1) Who shall maintain the log;

(2) What information shall be captured in the log;

(3) How the log is to be stored; and

(4) How long information kept in the log is to be retained.

Nothing in this rule limits the employee of the industrial commission from requiring logging in any circumstance that he or she deems necessary.