

TO BE RESCINDED

173-13-01 **Introduction and definitions.**

(A) Introduction: Chapter 173-13 regulates employee access to the confidential personal information that ODA retains. ODA has promulgated this chapter in response to section 1347.15 of the Revised Code.

(B) Definitions for Chapter 173-13 of the Administrative Code:

- (1) "Access" as a noun means an instance of copying, viewing, or otherwise perceiving, whereas "access" as a verb means to copy, view, or otherwise perceive.
- (2) "Acquisition of a new computer system" means the purchase of a "computer system," as defined in this rule, that is not a computer system currently in place nor one for which the acquisition process has been initiated as of the effective date of this rule.
- (3) "Computer system" means a "system," as defined by section 1347.01 of the Revised Code, that stores, maintains, or retrieves personal information using electronic data processing equipment.
- (4) "Confidential personal information" ("CPI") has the meaning as defined by division (A)(1) of section 1347.15 of the Revised Code and identified by rule 173-13-04 of the Administrative Code.
- (5) "Employee of the state agency" means each employee of ODA regardless of whether he/she holds an elected or appointed office or position within ODA. "Employee of the state agency" is limited to ODA.
- (6) "Incidental contact" means contact with the information that is secondary or tangential to the primary purpose of the activity that resulted in the contact.
- (7) "Individual" means a natural person or the natural person's authorized representative, legal counsel, legal custodian, or legal guardian.
- (8) "Information owner" means the individual appointed in accordance with division (A) of section 1347.05 of the Revised Code to be directly responsible for a system.
- (9) "ODA" means "the Ohio department of aging."

- (10) "Person" means a natural person.
- (11) "Personal information" has the same meaning as defined in division (E) of section 1347.01 of the Revised Code.
- (12) "Personal information system" means a "system" that "maintains" "personal information," as those terms are defined in section 1347.01 of the Revised Code. "System" includes manual and computer systems.
- (13) "Research" means a methodical investigation into a subject.
- (14) "Routine" means commonplace, regular, habitual, or ordinary.
- (15) "Routine information that is maintained for the purpose of internal office administration, the use of which would not adversely affect a person," as that phrase is used in division (F) of section 1347.01 of the Revised Code, means personal information relating to employees and maintained by ODA for internal administrative and human resource purposes.
- (16) "System" has the same meaning as defined by division (F) of section 1347.01 of the Revised Code.
- (17) "Upgrade" means a substantial redesign of an existing computer system for the purpose of providing a substantial amount of new application functionality, or application modifications that would involve substantial administrative or fiscal resources to implement, but would not include maintenance, minor updates and patches, or modifications that entail a limited addition of functionality due to changes in business or legal requirements.

Effective:

Five Year Review (FYR) Dates: 04/13/2015

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 173.01, 173.02, 1347.15
Rule Amplifies: 1347.15
Prior Effective Dates: 08/30/2010, 12/29/2011