

173-13-02**Confidential personal information: procedures for accessing CPI.**

For personal information systems containing CPI, whether manual or computer systems, ODA shall do the following:

(A) Requirements to access CPI: ODA manages its personal information systems on a "need-to-know" basis whereby the information owner determines the level of access required for an employee to fulfill his or her job duties. The employee's supervisor and the information owner shall approve the employee's access to CPI before providing the employee with access to CPI within a personal information system. ODA shall establish procedures for determining a revision to an employee's access to CPI upon a change to that employee's job duties including, but not limited to, transfer or termination. Whenever an employee's job duties no longer require access to CPI in a personal information system, the employee's access to CPI shall be removed.

(B) Request for a list of CPI: If ODA receives a signed, written request from any person for a list of CPI that ODA maintains about the person, ODA shall do all of the following:

(1) Verify the person's identity by a method that provides safeguards commensurate with the risk associated with the CPI.

(2) Provide the person with a list of CPI that does not relate to an investigation about the person or is otherwise not excluded from the scope of Chapter 1347. of the Revised Code.

(3) If all CPI relates to an investigation about that person, inform the person that ODA has no CPI about the person that is responsive to the person's request.

(C) Notice of invalid access:

(1) Upon discovery or notification that an employee accessed a person's CPI for an invalid reason, ODA shall notify the person whose information was invalidly accessed as soon as practical and to the extent known at the time. However, ODA shall delay notification for a period of time necessary to ensure that the notification would not delay or impede an investigation or jeopardize homeland or national security. Additionally, ODA may delay the notification consistent with any measures necessary to determine the scope of the invalid access, including which individuals' CPI was invalidly accessed, and to restore the reasonable integrity of the system. As used in this paragraph, "investigation" means the investigation of the circumstances and involvement of an employee surrounding the invalid access of the CPI. Once ODA determines that notification would not delay or impede an investigation, ODA shall disclose the access to CPI made for an invalid reason to the person.

- (2) The notification ODA provides shall inform the person of the type of CPI accessed and the date(s) of the invalid access.
- (3) ODA may notify the person of the invalid access by any method reasonably designed to accurately inform, including a written, electronic, or telephone notice.
- (D) Appointment of a data privacy point of contact: ODA's director shall designate an employee to serve as the data privacy point of contact. The data privacy point of contact shall work with the chief privacy officer within the office of information technology in the department of administrative services to assist ODA with both the implementation of privacy protections for the CPI that ODA maintains and compliance with section 1347.15 of the Revised Code and this chapter.
- (E) Completion of a privacy impact assessment: The data privacy point of contact shall timely complete the privacy impact assessment form developed by the office of information technology.

Replaces: 173-13-02

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 121.07, 173.01, 173.02, 1347.15
Rule Amplifies: 1347.15
Prior Effective Dates: 08/30/2010, 07/01/2015