

4723-1-10

**Confidentiality statutes, regulations and rules.**

The following federal statutes or regulations or state statutes or administrative rules make personal information maintained by the board confidential and identify the confidential personal information within the scope of rules promulgated by this board in accordance with section 1347.15 of the Revised Code:

- (A) Social security numbers: 5 U.S.C. 552a (2012), unless the individual was told that the number would be disclosed.
- (B) "Bureau of Criminal Identification and Investigation" criminal records check results: section 4776.04 of the Revised Code and division (D) of section 4723.091 of the Revised Code.
- (C) Records or information received by the board pursuant to an investigation of an application for or holder of a license; ~~certificate of authority~~ or a dialysis technician certificate; division (I)(1) of section 4723.28 of the Revised Code.
- (D) Records or information received by the board pursuant to an investigation of an applicant for or holder of a medication aide certificate: division (C) of section 4723.652 of the Revised Code.
- (E) Records or information received by the board pursuant to an investigation of an applicant for or holder of a community health worker certificate: paragraph (J) of rule 4723-26-11 of the Administrative Code.
- (F) Patient information or records reviewed in the course of an investigation by the board: division (I)(2) of section 4723.28 of the Revised Code.
- (G) Information or records received or maintained as part of continued monitoring of an individual as part of or following any disciplinary action of the board: division (I)(4) of section 4723.28 of the Revised Code.
- (H) Information or records received or maintained for purposes of the practice intervention and improvement program: division (D) of section 4723.282 of the Revised Code.
- (I) Information or records received or maintained for purposes of an individual's application for or participation in the alternative program for chemical dependency, including medical records, treatment records, and mental health records, unless the exception set forth in division (E)(4) of section 4723.35 of the Revised Code applies: division (E)(3) of section 4723.35 of the Revised Code.
- (J) Student education records, unless the individual consents to the release: 20 U.S.C. 1232g (2013).

- (K) Security or infrastructure records: division (B) of section 149.433 of the Revised Code.
- (L) Information or records that are attorney client privileged: division (A)(1) of section 2317.02 of the Revised Code.
- (M) Mediation communications or records: section 2710.03 of the Revised Code.
- (N) Trial preparation records: division (A)(1)(g) of section 149.43 of the Revised Code.
- (O) Information obtained from the drug database established and maintained by the state board of pharmacy: division (C) of section 4729.80 of the Revised Code.

Effective:

Five Year Review (FYR) Dates: 10/5/2022

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 1347.05, 1347.15, 4723.07  
Rule Amplifies: 1347.05, 4723.06  
Prior Effective Dates: 10/01/2010, 02/01/2013, 02/01/2016, 01/01/2018