

## TO BE RESCINDED

4734-3-04

**Confidentiality laws.**

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

- (A) Social security numbers: 5 U.S.C. 552a., "State ex rel Beacon Journal v. Akron (1994), 70 Ohio St. 3d 605," unless the individual was advised that the number would be disclosed.
- (B) Bureau of criminal identification and investigation criminal records check results: section 4776.04 of the Revised Code.
- (C) Medical records: section 149.43 of the Revised Code and Health Insurance Portability and Accountability Act, Title II 45 CFR 160, 42 USC 1320.
- (D) Law enforcement investigatory records: section 149.43 of the Revised Code and section 4734.45 of the Revised Code.
- (E) College transcripts: Family Education Rights and Privacy Act, 34 CFR Part 99.
- (F) Records excluded by the Ohio Public Records Act: section 149.43 of the Revised Code.

Effective:

Five Year Review (FYR) Dates: 7/10/2020

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 1347.15  
Rule Amplifies: 1347.15  
Prior Effective Dates: 10/18/2010, 04/16/2015