



Ohio Administrative Code

Rule 126-1-04 Rule governing the office of budget and management personal information systems.

Effective: December 16, 2002

(A) The personal information systems for the office of budget and management are hereby established according to the requirements of Chapter 1347. of the Revised Code for the purpose of carrying out the provisions of that chapter.

(B) The director of the office of budget and management shall designate one employee to be directly responsible for each of the office's personal information systems. Each such employee shall:

(1) Inform other employees who have any responsibility for the operation or maintenance of the personal information system, or for the use of the personal information maintained in the system, of the applicable requirements under Chapter 1347 of the Revised Code and under this rule.

(2) Assure that the collection, maintenance and use of personal information in the systems is:

(a) Accurate, timely and complete; and,

(b) Necessary and relevant to the functions that, by statute, rule or other legal authority, the office is required or authorized to perform.

(3) Upon the director's approval, eliminate personal information from the system when it is no longer necessary and relevant to the functions the office is required or authorized to perform.

(C) Employees of the office of budget and management shall inform a person who is asked to supply personal information for a system:

(1) Whether the person is legally required to supply the information or may refuse to do so; and,

(2) When the information will be placed in an interconnected or combined system, the identity of other agencies or organizations that have access to information in the system, and any other relevant



information about the system.

(D) Upon the request and proper identification of any person who is the subject of information contained in the personal information system, employees of the office of budget and management shall inform the person of the existence and nature of the information, the types of uses made of the information including the identity of the users, and shall permit inspection of the information by the person or his/her attorney or other representative who presents a written authorization from the person who is the subject of information. At the time of inspection, the person who is the subject of information may be accompanied by another person of his choosing. Upon request and as required under sections 1347.08 and 149.43 of the Revised Code, the office of budget and management shall disclose medical, psychiatric or psychological information to a person who is the subject of the information or to his/her legal guardian, unless a physician, psychiatrist or psychologist determines for the office that the disclosure of the information is likely to have an adverse effect on the person, in which case the information shall be released to a physician, psychiatrist, or psychologist who is designated by the person or by his/her legal guardian. If requested, the office shall provide a copy of inspected records, as required under sections 1347.08 and 149.43 of the Revised Code.

(E) When a disclosure of information contained in the personal information system is made pursuant to compulsory legal process, the employees designated under paragraph (B) of this rule shall make a reasonable effort to notify the person who is the subject of the information disclosed.

(F) Any person who disputes the accuracy, relevancy, timeliness, or completeness of personal information pertaining to him/her contained in the personal information system may submit to the director of the office of budget and management a written complaint succinctly setting forth that portion of the information which he/she contests and stating his/her reasons therefor. Within two weeks after receiving a complaint, the director shall investigate the complaint and shall notify the subject complainant of the results of the investigation and the action taken on his/her complaint.

If the complainant is not satisfied with the action of the director taken upon his/her complaint, the complainant may submit a brief statement of his/her position relative to his/her complaint which statement shall be included within the personal information system. The statement shall be included in any subsequent dissemination of the information.



If the director determines that information contained in the personal information system should be deleted or if a statement of the complaint was filed by the complainant, the employees designated under paragraph (B) of this rule shall, at the written request of the complainant, furnish notification that the information has been deleted or furnish a copy of the statement to any person specifically designated by the complainant in his/her written request.

(G) The office of budget and management and its employees shall take reasonable precautions to protect personal information in its systems from unauthorized modification, destruction, use, or disclosure.

(H) Any employee of the office of budget and management who initiates or otherwise contributes to any disciplinary or other punitive action against any individual who brings to the attention of appropriate authorities, the press, or any member of the public, evidence of unauthorized use of information contained in the personal information systems shall be considered insubordinate and subject to the strictest disciplinary action including removal at the discretion of the director.