

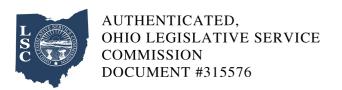
Ohio Administrative Code

Rule 3769-2-41 Restricting and logging access to confidential personal information in computerized personal information systems.

Effective: March 21, 2024

For personal information systems that are computersystems and contain confidential personal information, the commission will dothe following:

- (A) Access restrictions. Access to confidential personal information that is kept electronically will need a password or other authentication measure.
- (B) Acquisition of a new computer system. When the commission acquires a new computer system that stores, manages or contains confidential personal information, the commission will include a mechanism for recording specific access by employees of the commission to confidential personal information in the system.
- (C) Upgrading existing computer systems. When the commission modifies an existing computer system that stores, manages or contains confidential personal information, the commission will make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system will include a mechanism for recording specific access by employees of the commission to confidential personal information in the system.
- (D) Logging obligations regarding confidential personal information in existing computer systems.
- (1) Employees of the commission who access confidential personal information within computer systems have to maintain a log that records that access.
- (2) Access to confidential information is not needed to be entered into the log under the following circumstances:
- (a) The employee of the commission is accessing confidential personal information for official commission purposes, including research, and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.



- (b) The employee of the commission is accessing confidential personal information for routine office procedures and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.
- (c) The employee of the commission comes into incidental contact with confidential personal information and the access of the information is not specifically directed toward a specifically named individual or a group of specifically named individuals.
- (d) The employee of the commission accesses confidential personal information about an individual based upon a request made under either of the following circumstances:
- (i) The individual requests confidential personal information about himself/herself.
- (ii) The individual makes a request that the commission takes some action on that individual's behalf and accessing the confidential personal information is needed in order to consider or process that request.
- (3) For purposes of this paragraph, the commission may choose the form or forms of logging, whether in electronic or paper formats.
- (E) Log management. The commission will issue a policy that specifies the following:
- (1) Who maintains the log;
- (2) What information is captured in the log;
- (3) How the log is to be stored; and
- (4) How long information kept in the log is to be retained.

Nothing in this rule limits the commission from mandating logging in any circumstance that it deems necessary.