



Ohio Administrative Code

Rule 102-1-12 Restricting and logging access to confidential personal information in computerized personal information systems.

Effective: September 30, 2010

For personal information systems that are computer systems and contain confidential personal information, the Ohio ethics commission shall do the following:

(A) Access restrictions. Access to confidential personal information that is kept electronically shall require a password or other authentication measure.

(B) Acquisition of a new computer system. When the Ohio ethics commission acquires a new computer system that stores, manages or contains confidential personal information, the ethics commission shall include a mechanism for recording specific access by employees of the ethics commission to confidential personal information in the system.

(C) Upgrading existing computer systems. When the Ohio ethics commission modifies an existing computer system that stores, manages or contains confidential personal information, the ethics commission shall make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system shall include a mechanism for recording specific access by employees of the ethics commission to confidential personal information in the system.

(D) Logging requirements regarding confidential personal information in existing computer systems.

(1) The Ohio ethics commission shall require employees of the ethics commission who access confidential personal information within computer systems to maintain a log that records that access.

(2) Access to confidential information is not required to be entered into the log under the following circumstances:

(a) The employee of the ethics commission is accessing confidential personal information for official agency 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 ethics 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 ethics 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 ethics 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 ethics commission takes some action on that individual's behalf and accessing the confidential personal information is required in order to consider or process that request.

(3) For purposes of this paragraph, the ethics commission may choose the form or forms of logging, whether in electronic or paper formats.

(E) Log management. The Ohio ethics commission shall issue a policy that specifies the following:

(1) Who shall maintain the log;

(2) What information shall be 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 ethics commission from requiring logging in any circumstance that it deems necessary.