



Ohio Administrative Code

Rule 4123-16-09 Investigation of data subject's dispute of the accuracy, relevance, timeliness or completeness of personal information.

Effective: October 14, 2002

(A) If a person who is the subject of personal information in a personal information system maintained by the bureau disputes the accuracy, relevance, timeliness or completeness of the personal information, the person may request the bureau to investigate the current status of the information.

(B) Requests to investigate personal information shall be made to the privacy officer or the director who is responsible for the system.

(C) Within ninety days after receiving the request from the disputant, the bureau shall make a reasonable investigation to determine whether the disputed information is accurate, relevant, timely and complete and shall notify the disputant of the results of the investigation and of the action that the bureau plans to take with respect to the disputed information. The bureau shall delete any information that it cannot verify or that it finds to be inaccurate.

(D) If after the bureau's determination, the disputant is not satisfied, the bureau shall do either of the following:

(1) Permit the disputant to include within the system a brief statement of his or her position on the disputed information, or

(2) Permit the disputant to include within the system a notation that the disputant protests that the information is inaccurate, irrelevant, outdated, or incomplete. The agency shall maintain a copy of the disputant's statement of the dispute.

The department may limit the statement to not more than one hundred words if the bureau assists the disputant to write a clear summary of the dispute.

(E) The bureau shall include the statement or notation in any subsequent transfer, report or



dissemination of the disputed information and may include with the statement or notation of the disputant a statement by the bureau that it has reasonable grounds to believe that the dispute is frivolous or irrelevant and of the reasons for its belief.

(F) The presence of contradictory information in the person's file does not alone constitute reasonable grounds to believe that the dispute is frivolous or irrelevant.

(G) Following any deletion of information that is found to be inaccurate or the accuracy of which can no longer be verified, or if a statement of dispute was filed by the disputant, the bureau shall, at the written request of the disputant, furnish notification that the information has been deleted, or furnish a copy of the disputant's statement of the dispute, to any person specifically designated by the disputant. The bureau shall specifically disclose to the disputant that he or she has the right to make such a request.