



## Ohio Administrative Code

### Rule 4911-2-03 Valid reasons for accessing confidential person information.

Effective: January 21, 2011

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Pursuant to the requirements of division (B)(2) of section 1347.15 of the Revised Code, this rule contains a list of valid reasons, directly related to the office of the Ohio consumers' counsel (OCC) exercise of its powers or duties, for which only employees of the agency may access confidential personal information (CPI) regardless of whether the personal information system is a manual system or computer system:

(A) Performing the following functions constitute valid reasons for authorized employees of the agency to access confidential personal information:

- (1) Responding to a public records request;
- (2) Responding to a request from an individual for the list of CPI the agency maintains on that individual;
- (3) Administering a constitutional provision or duty;
- (4) Administering a statutory provision or duty;
- (5) Administering an administrative rule provision or duty;
- (6) Complying with any state or federal program requirements;
- (7) Processing or payment of claims or otherwise administering a program with individual participants or beneficiaries;
- (8) Auditing purposes;
- (9) Licensure [or permit, eligibility, filing, etc.] processes;



- (10) Investigation or law enforcement purposes;
- (11) Administrative hearings;
- (12) Litigation, complying with an order of the court, or subpoena;
- (13) Human resource matters (e.g., hiring, promotion, demotion, discharge, salary/compensation issues, leave requests/issues, time card approvals/issues);
- (14) Complying with an executive order or policy;
- (15) Complying with an agency policy or a state administrative policy issued by the department of administrative services, the office of budget and management or other similar state agency; or
- (16) Complying with a collective bargaining agreement provision.

(B) To the extent that the general processes described in paragraph (A) of this rule do not cover the following circumstances, for the purpose of carrying out specific duties of the Ohio consumers counsel, authorized employees would also have valid reasons for accessing CPI in these following circumstances:

- (1) Employees of the administration division may review CPI of individuals who are subject to investigation for alleged misconduct that may result in discipline or counseling. Such employees may also review CPI of individuals who are not the subject of an investigation, but who otherwise may be witnesses or have information related to the investigation.
- (2) Authorized employees of the agency may review CPI of consumers for the purpose of developing trends (documenting certain complaints), or gathering information to be used in legal matters/testimony as that information may apply to the representation of residential utility consumers in Ohio.
- (3) Employees of the communications department may review consumers CPI for the purpose of



developing and measuring the effectiveness of outreach and educational functions and programs as well as fact checking information for accuracy.