

\*\*\* DRAFT - NOT YET FILED \*\*\*

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**Personal information systems.**

- (A) The board secretary shall be responsible for each personal information system maintained by the board ~~of examiners of nursing home administrators~~. Said employee shall:
- (1) Inform other employees who have any responsibility for the operation, maintenance, or use of personal information maintained in the system, of the applicable provisions of Chapter 1347. of the Revised Code and ~~the rules adopted thereunder~~ [this chapter](#); and,
  - (2) Inform ~~a person~~ [an individual](#) who is asked to supply personal information for a system whether the ~~person~~ [individual](#) is legally required to, or may refuse to, supply the information; and,
  - (3) Assure that only that personal information which is necessary and relevant to the functions of the board as required or authorized by statute or rule is collected and maintained; and,
  - (4) Upon the request and the proper identification of the ~~person~~ [individual](#), allow the ~~person~~ [individual](#) who is the subject of a record in a personal information system to inspect the record pursuant to section 1347.08 of the Revised Code. The employee shall:
    - (a) Inform the ~~person~~ [individual](#) of any personal information in the system of which ~~he~~ [the individual](#) is the subject;
    - (b) Except for investigative files or trial preparation files, as provided for in division (E)(2) of section 1347.08 of the Revised Code, permit the ~~person~~ [individual](#), ~~his~~ [the individual's](#) legal guardian, or an attorney who presents a signed, written authorization made by the ~~person~~ [individual](#) to inspect all personal information in the system of which ~~he~~ [the individual](#) is the subject;
    - (c) Inform the ~~person~~ [individual](#) about the types of uses made of the personal information, including the identity of any user [who is](#) usually granted access to the system;
    - (d) Allow a ~~person~~ [individual](#) who wishes to exercise a right provided by ~~this~~ paragraph [\(A\)\(4\) of this rule](#) to be accompanied by another individual of his [or her](#) choice;
    - (e) Provide, upon request, copies of any personal information [that](#) the ~~person~~

individual is authorized to inspect. Reasonable charges are made for providing requested copies, that shall not ~~to~~ exceed the cost of copying.

- (5) Investigate disputes to the accuracy, relevance, timeliness or completeness of personal information pursuant to section 1347.09 of the Revised Code.
- (B) The board shall reprimand in writing any employee who initiates or contributes to any disciplinary or 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 system. A copy of such reprimand shall be entered in the employee's personnel file.
- (C) The board shall monitor the accuracy, relevance, timeliness, and completeness and in accordance with procedures, maintain information that is necessary to assure fairness in any determination made with respect to ~~a person~~ an individual on the basis of the information, eliminating information that is no longer necessary; and,

If ~~a person~~ an individual who is the subject of a personal information disputes the accuracy, relevance, timeliness or completeness of the information and requests the board to investigate the current status of the information, the board shall:

- (1) Within ninety days after receiving the request, make a reasonable investigation to determine whether the disputed information is accurate, relevant, timely, and complete; and,
- (2) Notify the disputant of the results of the investigation and of the action the board plans to take with respect to the disputed information; and,
- (3) Delete any information that it cannot verify or that it finds to be inaccurate; and,
- (4) Permit the disputant, if ~~he is not satisfied~~ unsatisfied with the board's determination, to include within the system:
  - (a) A brief statement of ~~his~~ the disputant's position on the disputed information, such statement being limited to one hundred words with the board assisting the disputant to write a clear summary of the dispute; or,
  - (b) A notation that the disputant protests that the information is inaccurate, irrelevant, outdated, or incomplete, with the board maintaining a copy of the disputant's statement of the dispute.

- (D) The board shall not place personal information into an interconnected and combined system, unless such system will contribute to the efficiency of the involved agencies in implementing programs that are authorized by law.