

**The Ohio Veterinary Medical Licensing Board
Board Policies**

Section 6-K

Accessing Confidential Personal Information

Purpose:

The purpose of this policy is designed to provide a framework to enhance the Ohio Veterinary Medical Licensing Board's ability to protect and access the confidential personal information maintained by this Board under the authority of Section 4741.03 of the Ohio Revised Code (ORC) and pursuant to Section 1347.15 ORC and rules adopted thereunder.

Definitions:

“Confidential personal information” means personal information that is not a public record for purposes of Section 149.43 ORC. Non-public personal information may include data related to an individual's financial, health/medical, criminal or employment history; social security numbers; federal tax identification numbers or financial account numbers.

“Personal information” means characteristics, attributes or actions about a person combined with the name or personal identifier of the person; and retrieved from a “system”.

“System” is a collection of records maintained by the agency and the Personal Information is retrieved by name or personal identifier.

Procedure:

- A. Employees shall complete a Confidential Personal Information (CPI) Access Log each time a computer system is specifically accessed for CPI unless the access is the result of: (i) a request by an individual about that individual; or (ii) research performed for official agency purposes, routine office procedures, or incidental contact with the information, and is not directed at a specifically named individual whether individually or as part of a group.
- B. Employees will have a confidential password to access electronic CPI.
- C. Employees shall transmit electronically or by mail, at the end of the month, their Log completed for that month to the Executive Director/DPPOC (data privacy point of contact). The DPPOC shall retain a copy of these records in accordance with the records retention schedule.
- D. Employees shall carefully review all information released when complying with public records requests to ensure that CPI is not included in the response.

Policy:

It is the policy of the Board to restrict access to non-public personal information, whether electronic or paper form, to only those employees who need access to perform a specific, legitimate governmental objective within their job functions.

For purposes of Section 1347.15(A) ORC, the logging requirements of that Section relating to computer system “specific access by employees” do not apply when non-public information is accessed as a result of a request by an individual about that individual; or when accessing information, within an employee’s scope of employment and normally assigned job duties, in order to perform research for official agency purposes, perform routine office procedures, or engage in incidental contact with the information.

A. Criteria for Access to CPI

Section 1347.15(B)(1) ORC requires that every state agency develop criteria for determining which employees of the agency may access, and which supervisory employees of the agency may authorize those employees to access CPI. For this Board, the following criteria apply:

1. The Executive Director shall be the supervisory employee responsible to delegate all access to Board records. Within those records is access to CPI which means personal information that is not a public record for purposes of Section 149.43 ORC.
2. By necessity for licensure, discipline, and office management, the Executive Director and the Administrative Assistant II (Licensure Coordinator) shall have access to all CPI contained in E-Licensing, Application documents and submitted fees for licensure and renewal, Complaint, Investigation and Monitoring documents, any other correspondence or documents retrieved while doing business for the Board and Personnel files for staff and board members.
3. The Clerk position will have access to CPI contained in E-Licensure and submitted application documents and checks for licensure and renewal purposes.
4. Board members shall have access to CPI submitted by individuals seeking veterinary medical licenses or registration as a veterinary technician that is contained within the applicant’s licensure application or Board investigative files directly related to their statutory duties.
5. During an investigation, the individual assigned to investigate is authorized access to all investigations, inquiries and licensee’s files that may contain CPI.
6. All Board members and staff are authorized access to their own OAKS information and their own personnel records that contain CPI maintained by the Board.

B. Rationale for Access to CPI

Board members and staff are only permitted to access CPI that is acquired by or in the possession of the Board for valid business reasons. Specifically, valid business reasons are those matters that reflect the Board member or staff’s execution of their duties as set forth in Chapter

4741. ORC including, but not limited to, initial licensure, renewals, investigations, discipline, and any monitoring as a result of discipline as well as administrative duties for agency management. With two full time staff and one part time clerk, cross training is essential, especially in the event someone is out of the office for an extended period of time or during busier renewal and licensing periods.

C. Statutory or Other Legal Authority for Confidentiality

“Confidential personal information” is defined by Sections 1347.15 and 149.43 ORC. Other state and federal statutes, and even case law, add to the collection of information that is considered confidential i.e. Health Insurance Portability and Accountability Act of 1996 (HIPAA), The Family Educational Right to Privacy Act (FERPA), and Section 4776.04 ORC stating an applicant’s fingerprints are not public record.

D. Existing Computer Systems/Upgrades

The Board does not currently own a computer server/system however does contract for E-licensing through the Department of Administrative Services which currently contains CPI. Should this agency ever acquire its own computer server, there shall be a mechanism for recording specific access by employees of this Board to CPI.

E. Requests for Information from Individuals

The Board will comply with any written request from an individual for a list of CPI that the Board keeps on that individual unless the CPI relates to an investigation about the individual based upon specific statutory authority. Any such requests will be reviewed by the Executive Director.

F. Access for Invalid Reasons

Should any CPI in the possession of this Board be accessed for an invalid reason by a staff or Board member, the Executive Director will advise that individual of the breach as soon as reasonably possible.

G. Data Privacy Point of Contact

The Executive Director of the Board will serve as the data privacy point of contact (DPPOC) to work with the chief privacy office within the Office of Information Technology to ensure that CPI is properly protected and that the requirements of Section 1347.15 ORC are satisfied. The DPPOC is responsible to complete a privacy impact assessment form.

H. Use of Authentication Measure

Should the Board acquire a computer system that stores, manages or contains CPI, any access by an employee will require a secure password. Employees are responsible for maintaining the security and use of their passwords for the E-licensing and OAKS systems maintained by DAS.

I. Compliance with Section 1347.15(C)(1) ORC

The Board will utilize a log-in sheet for each employee to record pertinent information relative to their access to CPI. This log will be maintained in ink or computer database. A copy will be submitted monthly to the Executive Director/DPPOC who will maintain the log in accordance with the records retention schedule.

J. Policy Acknowledgment

Each Board member and staff will be provided a copy of this policy, acknowledge receipt and confirm that they have read and understand the contents. Additionally, the policy will be posted on the Board's website and placed in the Board's policy manual.

Failure to comply with this and any other Board policy relating to the access and handling of CPI is prohibited and may result in discipline, civil and/or criminal sanctions.

Roger Redman, DVM
President

Date

**Receipt & Acknowledgement of
Ohio Veterinary Medical Licensing Board
CPI Policy**

As an employee/board member of the Ohio Veterinary Medical Licensing Board, I:

- Will not disclose any sensitive data without authorization;
- Will not share my password with an unauthorized individual;
- Will not access CPI unless authorized by the Executive Director to have access;
- Understand the duty I will have to protect the sensitive data to which I will have access;
- Will not store without written authorization any sensitive data on devices that are personally owned or otherwise not controlled by the state;
- Agree that the state has the right to access, inspect and monitor any files or communications on devices on which the public servant has or appears to have placed sensitive data whether the device is state-owned or not; and
- Understand the penalties associated with violating the policy

I have read the Policy on Accessing Confidential Personal Information, understand and agree to abide by said policy:

Signature

Date