

Memo 4.42

Confidential Personal Information (CPI) Access and Logging

To fulfill our mission to injured workers and employers, BWC maintains a large repository of confidential personal information (CPI). Our customers have the right to expect that we will only view their CPI when necessary. Thus, BWC's policy is that **employees may only access CPI when there is a clear business purpose to do so.** This policy implements Ohio law (Ohio Revised Code 1347.15).

Definition of CPI

CPI refers to data of any kind — whether hard copy or electronic. Some examples of CPI include claim number, Social Security number and an injured worker's name.

Generally, BWC defines CPI as any injured worker data that contains a name or any other identifier; and which describes anything about, done by or done to a person.

CPI does **not** include employer, provider or other business' data. CPI for other people includes data that another party could use to harm that person or his or her interests. Such data might include Social Security numbers, bank account numbers, the names and other information about the dependents of BWC employees, etc.

Procedure: [What is CPI](#)

Searches that display CPI

BWC must record every time an employee conducts a targeted search for someone *other than an injured worker* by:

- Name;
 - An identifying number;
 - A symbol;
 - Another identifier.
- **Automated logging**

Some BWC applications and electronic systems, including those listed here, will automatically log when an employee accesses CPI. (Note: This list is not all-inclusive.)

 - V-3
 - Data Warehouse
 - Rates and Payments
 - Cambridge
 - Fraud Management Systems
 - ohiobwc.com
 - Ad hoc queries (for IT only)

Any new computer systems that BWC installs or substantially upgrades after June 30, 2011, will automatically log all CPI accesses.

Memo 4.42

- **Manual logging**

- Employees MUST manually log their access to CPI for ANY of these THREE reasons.
 1. They search for CPI for a non-business purpose, *no matter where they find it*
 2. They search for the CPI of non-injured workers (e.g., prospective state employees/job applicants, past state employees, employees' family members and beneficiaries) **AND** their access does not occur in a system that has automatic logging **AND** the search wasn't to satisfy that person's specific request
 3. They search for someone's CPI in another state agency's system **AND** their action is not at that person's request
- Employees do NOT have to manually log CPI access if it was for any of these FIVE reasons.
 1. For a clear business reason, they search for the CPI of an injured worker who has filed a claim
 2. They search for anyone's CPI to answer that person's specific request
 3. They have already *manually* logged a CPI access for that person today
 4. They search for *current* BWC employees' CPI for clear business reasons
 5. They search for businesses, such as employers, MCOs, providers, sole proprietors and TPAs (Per ORC 1347.15, businesses do not have CPI.)
- BWC will provide employees with an online tool to manually log certain types of access to CPI. The *CPI Access Log* will be available on BWCWeb.

Procedure: [When to manually log access to CPI](#)

Procedure: [Using the CPI access log](#)

- **Review of logs**

BWC will periodically review logs to look for searches that target persons of interest. Ohio law mandates that BWC notify injured workers whenever we access their CPI for an invalid reason. An invalid reason is when an employee does not have a clear business purpose to access CPI. Employees must manually log the access and also notify a supervisor or manager in their chain of command when they access CPI for an invalid reason.

Procedure: [Procedure if someone is suspected of inappropriate access to CPI](#)

- **Accidental access**

Sometimes employees access CPI by accident. This could happen if they mistype a claim number or other identifying data. BWC considers accidental access of this kind to be a part of normal business — as long as the employee immediately leaves

Memo 4.42

that screen. BWC encourages employees to manually log accidental access even if it occurs in a system with automated logging.

Storing CPI

Employees must never store CPI unless it is required for a business purpose.

Employees who have CPI stored in files outside of a BWC application (e.g., files stored in Word, Excel, SharePoint, Access, Outlook, etc.) must securely limit access to those files by:

- Using folders or SharePoint sites that only authorized people can view; or
- Password protecting the files. (Remember that IT cannot help with lost file passwords.)

Procedure: [Securing CPI using protected folders, passwords, or RightFax](#)

Access to CPI

Access to CPI depends on each person's function and responsibilities. Supervisors will:

- Determine what systems containing CPI each person may access;
- Provide this policy to each person who has CPI access; and
- Obtain the appropriate level of access for each person.

Supervisors also will periodically review these levels of access to ensure their appropriateness.

Procedure: [Granting and revoking access to applications that contain CPI](#)

Applicability

Logging requirements do **NOT** apply to BWC employees whose main function relates to the enforcement of criminal laws and who access CPI in the course of those job duties.

Notifications and records requests

BWC will notify injured workers and their representatives that we will use CPI to process their requests. BWC also will notify an individual if we access his or her CPI without a clear business purpose.

At an individual's request, BWC will provide a list of the types of CPI that we maintain. Upon written request, BWC also will provide a report of the specific CPI that we have for that person.

Employee compliance

BWC expects that all employees shall adhere to the CPI logging procedures and provisions of this policy. So, BWC encourages employees to ask questions or seek clarification about:

- Access;
- Logging;
- Other issues related to CPI.

Exhibit 1

Page 4 of 4

Memo 4.42

Employees should refer questions to their immediate supervisors or to the [CPI Questions](mailto:cpquestions@bwc.state.oh.us) mailbox (cpquestions@bwc.state.oh.us).

Zero-tolerance policy

BWC will not tolerate any inappropriate access of CPI by employees. Employees who intentionally access CPI without a clear business purpose will face disciplinary action (per BWC's Disciplinary Policy; Employee Handbook Memo 5.01). They also may face prosecution for a first-degree misdemeanor.