

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 maintained in a state system 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)

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

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

CPI logs will be reviewed 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

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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 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.

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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.

Employees should refer questions to their immediate supervisors or to the BWC CPI Questions 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.

Policy & Procedure Name:	Confidential Personal Information Access and Logging
Policy #:	HR – 4.42
Code/Rule References:	Ohio Revised Code 1347.15
Effective Date:	September 28, 2015
Approved:	Toni Brokaw, Chief Human Resources Officer (signature on file)
Origin:	Human Resources
Supersedes:	All Human Resources policies, procedures, directives and memos regarding confidential personal information that predate the effective date of this policy.
History:	Created: June 1, 2011 Revised: July 1, 2013
Review date:	September 1, 2018

I. POLICY & PROCEDURE PURPOSE

The purpose of this policy and procedure is to make employees aware of the requirements and responsibilities for appropriate access, use, and/or disclosure of confidential personal information (CPI); and the procedures for logging access to CPI.

II. APPLICABILITY

This policy applies to all Bureau of Workers' Compensation (BWC) employees.

III. DEFINITIONS

CPI: any injured worker data (whether hard copy or electronic) maintained in a state system that contains a name or any other identifier; and which describes anything about, done by or done to a person. Some examples of CPI include claim number, Social Security number, and an injured worker's name. 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 includes Social Security numbers, bank account numbers, the names and other information about the dependents of BWC employees, etc. For further information regarding CPI see Appendix A.

IV. POLICY

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

- B. Employees who intentionally access, use, or disclose CPI without a clear BWC business purpose will face disciplinary action in accordance with BWC's Disciplinary Policy. They also may face prosecution for a first-degree misdemeanor.

IV. PROCEDURE

- A. 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):
 1. V-3
 2. Data Warehouse
 3. Rates & Payments
 4. Cambridge
 5. Fraud Management System
 6. ohio.bwc
 7. Ad hoc queries (for IT only)
 8. Any new computer systems that BWC installs or substantially upgrades after June 30, 2011, will automatically log all CPI.

- B. Manual logging
 1. BWC recognizes that there may be instances when CPI is accessed for non-business purposes and such access must be logged. If non-business purpose access is logged, that log may be factored into any discipline that the employee may face for improper access to CPI.
 2. Employees **must** manually log their access to CPI when:
 - a. They search for CPI for a non-business purpose, *no matter where they find it*.
 - b. 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
 - c. They search for someone's CPI in another state agency's system **AND** their action is not at that person's request
 3. Employees do **not** have to manually log CPI access when:
 - a. For a clear business reason, they search for the CPI of an injured worker who has filed a claim
 - b. They search for anyone's CPI to answer that person's specific request
 - c. They have already *manually* logged a CPI access for that person that same day
 - d. They search for *current* BWC employees' CPI for clear business reasons
 - e. They search for businesses, such as employers, MCOs, providers, sole proprietors and TPAs (Per ORC 1347.15, businesses do not have CPI.)
 4. Appendix B provides further information and examples on when to manually log access to CPI.
 5. BWC will provide employees with an online tool to manually log certain types of access to CPI (see Appendix C). The CPI Access Log will be available on BWCWeb.

- C. Review of CPI logs - logs will be reviewed to look for searches that target persons of interest.
 1. Ohio law mandates that BWC notify injured workers whenever we access their CPI for any non-business purpose.
 2. Employees must manually log the access and also notify a supervisor or manager in their chain of command when they access CPI for any non-business purpose.
 3. Inappropriate CPI access must be reported immediately (see Appendix D).

- D. Accidental CPI Access – Employees may unintentionally access CPI by mistyping 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 that screen. BWC encourages employees to manually log accidental access even if it occurs in a system with automated logging.
- E. Storing CPI – Employees must never store CPI unless it is required for a business purpose.
1. 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 (see Appendix E):
 - a. Using folders or SharePoint sites that only authorized people can view
 - b. Password protecting the files. (Remember that IT cannot help with lost file passwords.)
 2. Employees who have CPI stored in files outside of a BWC application must delete them as soon as:
 - a. There is no longer a business reason to keep them, and
 - b. The records retention period has expired
- F. Access to CPI depends on each person's function and responsibilities (see Appendix F). Supervisors will:
1. Determine what systems containing CPI each person may access
 2. Provide this policy to each person who has CPI access
 3. Obtain the appropriate level of access for each person
- G. 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.
- H. Notifications and records requests
1. 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,
 2. 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.
- I. Employee compliance – all employees shall adhere to the CPI logging procedures and provisions of this policy.
1. BWC encourages employees to ask questions or seek clarification about:
 - a. Access
 - b. Logging
 - c. Other issues related to CPI
 2. Employees should refer questions to their immediate supervisors or to the BWC CPI Questions mailbox (cpquestions@bwc.state.oh.us).

Appendix A

What is Confidential Personal Information (CPI)?

What exactly is CPI?

ORC 1347.15 (A) (1) says, "*Confidential personal information* means personal information that is not a public record for purposes of section 149.43 of the Revised Code."

1. CPI is any injured worker or other person's information (data) that:
 - Contains a name or any other identifier; and
 - Describes anything about, done by or done to that person.
2. CPI refers to information of any kind — both hard copy and electronic.
3. A list of *terminated* BWC employees that has identifying information *is* CPI.

Some examples of CPI

- An injured worker's name
- Claim number
- Social Security number
- An injured worker's medical conditions with an identifier for that person (The identifier might be a name, claim number, address, etc.)
- The fact that an injured worker has a claim is CPI.
- A job candidate's name and SSN
- The names of a BWC employee's family members

Employers and providers

- CPI does *not* include employer or provider data because they are not people/individuals; they are business entities. ORC 1347.15 does not protect business entities.
- However, if an employer or provider is an injured worker, you must treat that person's CPI just like any other injured worker's CPI.

Additional examples: What *is* and *is not* CPI

Scenario	Is it or isn't it CPI?
I have a list of injured workers. Is that CPI?	Yes.
I use a list or a database of injured workers, but it doesn't have Social Security numbers, names, addresses or any other identifying information. It only has the claim number with other information from the claim, like diagnosis codes or payments. Is that CPI?	<ul style="list-style-type: none"> • Yes. A claim number alone is enough to tell who the diagnosis codes and payments on your list belong to. In addition, a claim number: <ul style="list-style-type: none"> - Is NOT a public record; - IS maintained in a system; - IS an identifier; - Describes something about a person (he or she has a claim).
If a list has only Social Security numbers for identification, is that CPI?	Yes.
What about the information I give to HR or DAS about my wife, husband, children, etc. for insurance or other purposes. Is that CPI?	Yes, that is CPI.
A person's bank account, credit card numbers and other financial account numbers are CPI, right?	Yes, even without any other identifying information.

Scenario	Is it or isn't it CPI?
<p>I use a list of BWC employees that has people's names and salaries on it. Is that CPI?</p>	<ul style="list-style-type: none"> • No. Both the name and the salary of employees are public records. • BWC's personnel files are public records EXCEPT for these items, which are CPI. <ul style="list-style-type: none"> - Personal address - SSN - Residential telephone number - Bank account numbers - Debit/charge/credit card numbers - Emergency telephone numbers - Medical information - Beneficiary names - Voluntary salary deduction - And the same information for spouses, former spouses and children
<p>What about information on legal and authorized representatives of injured workers? What information about the authorized rep should I consider to be CPI?</p>	<ul style="list-style-type: none"> • An injured worker's authorized representative's name/identity is CPI. • An authorized representatives' information is also CPI.
<p>Are these types of injured worker data CPI?</p> <ul style="list-style-type: none"> • Medical record • Date of service • Payment • Description of service • Prescription • Allowed condition • Claim status • Medicare Information 	<ul style="list-style-type: none"> • Yes, if it is with identifying information with that data that would allow someone to figure out the identify of the injured worker. • Examples <ul style="list-style-type: none"> - An injured worker's name and dates of service are CPI. - A claim number and payment information are CPI, because the claim number is identifying information. - An SSN and allowed condition are CPI, because the SSN is identifying information. - A list of allowed conditions and the payments made for each one, without any information that could tell you which injured worker had which conditions or payments, is <i>not</i> CPI without identifying information.

Appendix B

When to Manually Log Access to Confidential Personal Information (CPI)

Manual logging

BWC provides an online tool for you to manually log certain types of access to CPI. The *CPI Access Log* is available in the *Tasks & Tools* section of BWCWeb under *Safety, Security, and Ethics*.

You MUST manually log your access to CPI for ANY of these THREE reasons.

1. You search for CPI for a non-business purpose, *no matter where you find it*
 - For example, in the “Joe the Plumber” case, a supervisor told an employee to give her Joe’s CPI for a non-business purpose. If this happens at BWC, both the employee and the supervisor must manually log that access — *even if it’s in a system that has automatic logging*.
 - Because this access was not for a clear business reason, when you fill out the *CPI Access Log* (manual logging screen), you must check the box to mark that *Access was NOT appropriate*.
 - Also, because this search was not for a clear business purpose, click the *Report Fraud* icon on your PC desktop. Then fill out and submit the *CPI Allegation Referral* form to report that you:
 - Suspect your supervisor has inappropriately accessed CPI;
 - Searched for this CPI at his/her request.
 - Notify another supervisor or manager in your chain of command of this improper access to CPI.
2. You search for the CPI of non-injured workers (e.g., prospective state employees/job applicants, past state employees, employees’ family members and beneficiaries) **AND** your access does not occur in a system that has automatic logging **AND** the search wasn’t to satisfy that person’s specific request
3. You search for a non-injured worker’s CPI in another state agency’s system **AND** your action is not at that person’s request

You do NOT have to manually log CPI access if it was for any of these FIVE reasons.

1. For a clear business reason, you search for the CPI of an injured worker who has filed a claim
2. You search for anyone’s CPI to answer that person’s specific request
3. You’ve already *manually* logged a CPI access for that person today
4. You search for *current* BWC employees’ CPI for clear business reasons

5. You search for businesses, such as employers, MCOs, providers, sole proprietors and TPAs (Per ORC 1347.15, businesses do not have CPI.)

Though NOT required, you may CHOOSE to manually log when you want to record your business reason for a CPI access that might look inappropriate.

- For example, a famous person has a claim and you are covering for the assigned CSS. If you access this claim for a clear business reason, you can *choose* to manually log this access and use the *Reason text* field on the *CPI Access Log* to explain why.
- If you mistype a name or claim number and close the claim as soon as you see it's wrong, you can *choose* to manually log the access. Use the *Reason text* field to explain what happened and that you closed the claim immediately.
- These actions do not prove that your access was appropriate, but can help you explain it.

Additional examples: When you MUST manually log (or not)

First, if you don't need CPI in a list or report, ask the sender to remove this information before giving you the list or report. Then you won't have to log for it and there's less chance for its misuse.

Scenario	What to do
<p>I did a search of past employees' data to find everyone who left BWC in 2009 so we could send them a business letter. I did not do my search on a system that has automatic logging. Do I have to manually log my search?</p>	<ul style="list-style-type: none"> • No, you don't have to log this because you weren't looking for specific individuals by a name or another identifier. You were looking for people who have certain characteristics (i.e., they left BWC in 2009). • However, if you later look up specific past employees on that list of people who left in 2009, you must manually log it (if it's not automatically logged).
<p>I looked up a retiree, John Smith, for some information I needed for work on a system that does not automatically log. Later that day, I looked up John's CPI again so I could send him a letter. Do I have to log this twice, since John is <i>not</i> a current employee and I looked up his CPI twice in the same day?</p>	<p>You only need to log this once that day. If you look up John's record again another day and there is no automatic log, then you must log it once that day, too.</p>

Scenario	What to do
<p>What if I'm talking to John, the retiree, and he asks me if we have his bank account correctly listed. Do I have to log that?</p>	<p>No, because you looked it up specifically at John's request. Even if John sent you a letter asking that question, you don't have to log it because John asked you to look up his information.</p>
<p>I use an HR spreadsheet to do the COEMP cross-match. That spreadsheet has a lot of identifying data on it for <i>current</i> employees. Do I have to log this?</p> <p>(COEMP claims are for BWC and IC current and former employees, their spouses, and people residing in their homes.)</p>	<ul style="list-style-type: none"> • For CPI, you must handle a COEMP claim like any other claim. It is NOT considered HR information for CPI purposes. It is a claim. • If you have another list of <i>current</i> BWC employees (not COEMP) with HR data and you are using that information for routine administrative purposes, you do <i>not</i> have to log it.
<p>I get a list that shows <i>terminated</i> BWC employees so I can take them off certain lists or take away their security. This list has identifying and private information (for example, names with addresses) on it. The list is on paper or in an email, document or spreadsheet. Do I have to log when I look at this list?</p>	<p>If you are using the CPI for <i>former</i> (e.g., resigned, retired, terminated) employees or for external job applicants, you <i>must manually log</i> each person that you search for once a day — but only if <i>all</i> of these are true:</p> <ul style="list-style-type: none"> • You search for a <i>specific</i> person/people; • You search in a system that does not automatically log; • The person didn't make a specific request that required your search

Exhibit 1

Scenario	What to do
What about the information on an employee's wife, husband, children, etc., that BWC has for health insurance and emergency contacts? Do I have to manually log when I look that up?	<ul style="list-style-type: none">• Yes, you must log searches for an individual's (or group of specific individuals') CPI if all of these apply:<ul style="list-style-type: none">- Those people are not current employees, injured workers or businesses;- Your search isn't automatically logged;- Your search is not to satisfy that person's specific request.• Only information about <i>current employees</i> is exempt from manual logging when you use it for internal office administration.
My boss told me to show him the claim of a football star who lives in Ohio. I don't think this is for a business purpose. What should I do?	<ul style="list-style-type: none">• First, say "no" and go to HR or another supervisor. Only if you cannot say "no", do a manual log of your access right away. In the <i>Reason</i> text field, explain that your boss, John Smith, specifically told you to look up this injured worker. Also, check the box to mark that <i>Access was NOT appropriate</i>.• Then, report that you suspect John of an inappropriate access and that you did this search at his request by:<ul style="list-style-type: none">- Clicking the <i>Report Fraud</i> icon on your PC desktop;- Filling out and submitting the <i>CPI Allegation Referral</i> form;- Notifying another supervisor or manager in your chain of command of this improper CPI access.• When you submit it, the allegation form will go to Employee and Labor Relations and to BWC Security/Internal. BWC will notify the injured worker of the inappropriate access and investigate.
My co-worker asked me to look up that football player's claim. What should I do?	<ul style="list-style-type: none">• If Jane has a business requirement to look up the football player's claim, Jane should look it up on her own PC. (Remember, BWC's automatic logs track employees' CPI access by A-number.)• If your co-worker insists, take the issue to a supervisor or manager. No one should ever access any CPI unless there is a clear business reason.

Scenario	What to do
<p>My co-worker needs information (including CPI) from the Data Warehouse and she can't get it herself. I'm not sure the information is for a business purpose, because it's about my co-worker's former husband. What should I do?</p>	<ul style="list-style-type: none">• Take the issue to a supervisor or manager.• Remember, any time you search for CPI, even on behalf of another employee, you can <i>choose</i> to manually log it and explain in the <i>Reason text</i> field why you searched for that CPI. This is a good way to document why you did that search.
<p>I accidentally typed part of a phone number when I was entering a claim number, so I opened the wrong claim. I closed it right away. Do I have to manually log that?</p>	<ul style="list-style-type: none">• No, accidental access to CPI does <i>not require</i> a manual log entry.• You may <i>choose</i> to manually log this to explain what happened. Manual log entries are in the same database as all the automatic logs, so someone looking at the logs can see your explanation right away.

Appendix C How to Use the CPI Access Log

What it is

This service offering allows you to log when you access confidential, personal information (CPI) on BWC computer systems. For example, if you look up a retired employee's confidential personal information, or if you look up a claim when you don't need to for your work, you must log that here. This service offering also allows you to view CPI access logs.

CPI Access Log Location

1. Open BWCWeb: <http://bwcweb/>
2. Click **Tasks and Tools** in the toolbar near the top of the page.
3. Under the title, **Safety, Security, and Ethics**, click the link for **CPI Access Logs**.
4. This displays the **Log my CPI access** page. Use the links at the bottom of the page to access the **View my recent CPI logs** (for supervisors and managers: **View my team's recent CPI logs**) and the **Add system names** pages.

Notes:

- You must add at least one system name (the place where you accessed the CPI) before you can log a CPI access.
- For faster access, you may add the log pages to your Favorites in Internet Explorer. You may also put a link to the log pages in other files to make it easy to use the CPI access log.

How it works

1. Add system names

When you first enter the service offering, you'll need to create a system list. First, click the **Add system names** link at the bottom of the page. Then, you'll see two lists. The top list is your personalized list; the bottom list is a list of our systems, which you can use to add to your personal list. To add a system name to your list, just select it from the complete list, and click **Submit**. To delete a system from your personal list just select it from your personal list, and click **Submit**. You also can add a new system name to the complete list by going to the bottom of the complete list. Enter the new system's name and specific location, and then click **Add**.

2. Log my CPI access

Click the link at the bottom of the page to go to the Log my CPI access page. Enter the information about the CPI record you accessed. First, select a system from the drop-down list. (To add systems, see the previous paragraph.) If the displayed time isn't close to the time of your access, select the correct date/time. All the fields that have an * in front of them are required fields.

- What did you search on – Click the radio button for the type of CPI you accessed. That will determine which search key fields you will see.
- Search key (name) – Enter the first and last name of the person you accessed.
- Search key (claim no.) – Enter the claim number you accessed. You may click **Get name** to see that person's name.
- Search key (SSN) – Enter the Social Security number you accessed. You may click **Get name** to see that person's name.
- Search key (other) – Enter the specific CPI you accessed. This might be an address, an A number or some other information.

Notice! If your access to this CPI was NOT for clear business reasons, you **must** click on the checkbox next to Access was NOT appropriate.

The Reason text field is optional. You may use it to explain this CPI access. Finally, click **Submit** to save that log.

3. View my recent CPI logs (View my team's recent CPI logs)

You can look up CPI logs using different search criteria. What you can view is based on your level of access to this service offering. You may only be able to search for records you've entered, or you may be able to search anyone's logs.

- **CPI type** – Click the appropriate radio button for the type of CPI to search on.
- **Search key** – Enter the specific CPI to search on. If you click N/A, your search will include all CPI types.
- You may enter specific dates and times to search, or you may use the defaults.
- **Authorized** – Click the appropriate radio button to search only for NOT authorized accesses or to search all accesses. (Select NA to search all accesses.)
- **User ID** – Employees will see their own User ID in the textbox, supervisors will see a drop-down list. Supervisors should click the drop-down arrow, and then click the A number to search that person's CPI log.
- **System name** – You can search the log from one system at a time or from all systems.

Note: Because there are over 300,000 new CPI accesses logged every day, limit your search to a very short time period (From and To date and time) or limit your search in other ways. If you don't, your search will take a long time and may have thousands of results.

After you click **Search**, you'll see your results displayed underneath the search button. If you want more detail about a particular item in your search results, click **Detail**.

Who to contact

If you have questions or concerns about this tool, please contact the Service Desk at ServiceDesk@bwc.state.oh.us or at (614) 644-0479.

Appendix D

Procedure if someone is suspected of an inappropriate access to CPI

PURPOSE: According to ORC 1347.15, employees must protect confidential personal information (CPI) and only access this information for a clear business reason. As part of this responsibility, employees should also report allegations of inappropriate access of CPI to BWC Special Investigations Department (SID). Allegation referrals can be reported by individuals or as a result of periodic reviews of automated / manual logs by SID.

PROCEDURE: To report suspected inappropriate access of CPI by an employee:

- From your workstation, select the **Report Fraud** icon on your desktop and submit the **CPI Allegation Referral** form.
- The completed form will be sent securely to the **CPI Allegations** mailbox which is administered by designees of BWC Employee and Labor Relations and SID.

Designees of BWC Employee and Labor Relations and SID will complete the following procedures:

- 1) Receive CPI allegations from sources;
- 2) Review CPI allegation referral forms and any evidence furnished by sources;
- 3) Request, secure, compile and review evidence, including automated and manual CPI logs;
- 4) Determine whether or not an investigation is warranted; i.e., whether or not the facts as alleged, if proven to be true, would constitute employee misconduct;
 - If not, reject the allegation;
 - If so, proceed to step 5;
- 5) Conduct an investigation to determine whether or not a violation of ORC 1347.15 occurred, close the case unfounded or founded, and complete a report of investigation:
 - If founded, refer the case to BWC Human Resources Division and the Office of the Ohio Inspector General, and follow the procedures in *Memo 4.31.1* to notify the individual of BWC's improper access to his or her CPI.

Designees of the BWC Human Resources Division will review the case and determine appropriate discipline and/or next steps.

Appendix E

Securing CPI Using Protected Folders, Passwords or RightFax

The following steps must be taken to ensure that documents containing CPI are secure and cannot be inadvertently accessed by unauthorized personnel.

Place Documents in a *Protected* Folder on a Network Drive.

- A *protected* network folder is one that has limited access
 - Only those explicitly given access to a *protected* folder can access the files contained within it.
 - Contact the Service Desk to have a new *protected* folder created or to add/remove access to an existing *protected* folder
- All folders in your personal "H" drive are protected as only you can access them

Password Protect Documents Using either Microsoft Office or the RightFax Application

- Do not use the password as part of the document name.
- When e-mailing a password protected document, never send the password in the same e-mail as the document or include it in the subject line.
- The preferred method of providing passwords is either via telephone, voice mail, a message, or in person.

Microsoft Office Password Protection

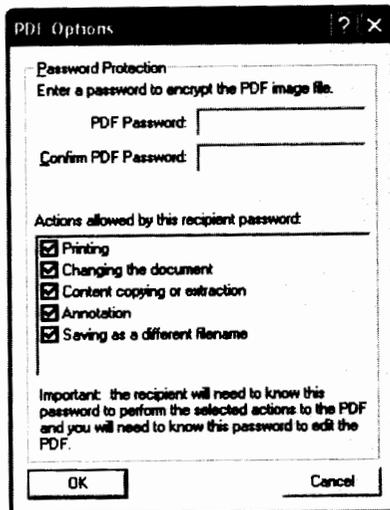
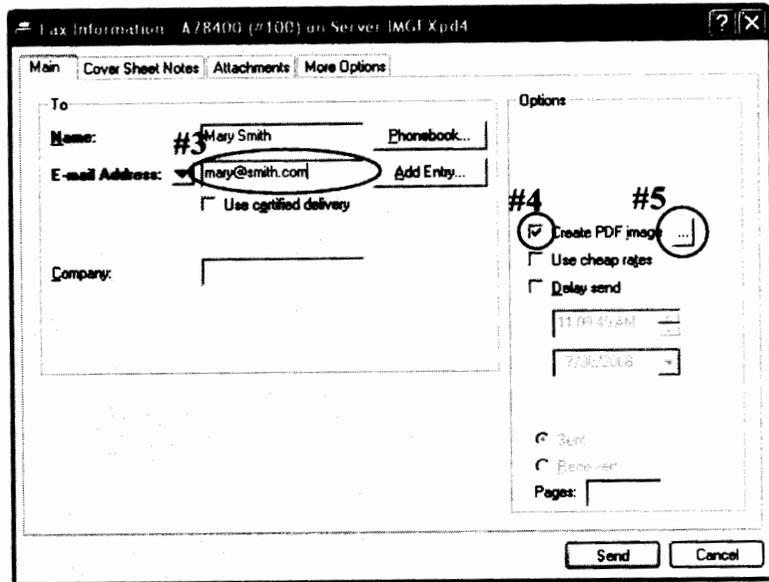
1. Click the **Microsoft Office Button**  , point to **Prepare**, and then click **Encrypt Document**.
2. Choose a password that others will need in order to open the document.
3. Re-enter password to confirm.
4. When prompted with the option to convert to Office 07 XML format, select **No** (at this time).
5. The document is now encrypted and password protected.

Utilizing RightFax to Password Protect Other Document Types

1. Open the file you wish to password protect
2. From the Print Menu, select the *RightFax E-Mail Printer (Win XP)* or *RightFax Printer (Win 7)*
3. Enter your name and e-mail address.

4. Select the Create PDF image check box.
5. Click the [...] button next to Create PDF image. This opens the PDF Options dialog box.

(Important: Do not check the box next to "Use certified delivery". This will result in an invalid link being sent to the recipient rather than the document)



6. Enter the password you wish to assign to this document.
 - a. Be sure to type the same password for the PDF file in both the PDF Password and Confirm PDF Password boxes.
 - b. Click OK. The reader of the file will be prompted for this password each time the file is opened.

7. Click **Send** to send the document to your E-mail. After it is received in your inbox as an e-mail attachment, you will be able to save it to your desired location.

Appendix F

Granting and Revoking Access to Applications that Contain CPI

General

1. Any time a supervisor requests access to any application, folder or database it is implied they are requesting access to CPI and approving the employee's access to CPI if they have authority to do so.
2. Requests for granting/revoking access to CPI will be via the BWC Logon Request Form, e-mail or Service Desk Trouble Ticket. E-mails can be sent to the IT Computer Security Department at IT Computer Security or the Service Desk at IT Service Desk.

Granting Access to CPI

1. The IT Computer Security or the Server I&O department will provide access based on the logon form, e-mail or Service Desk ticket requests.
2. If the requestor does not have the authority to approve access, the IT Computer Security or the Server I&O Department will obtain approval from the granting authority before granting access to CPI.

Revoking Access to CPI

1. All supervisors must ensure that if any type of employee separates, receives a promotion or transfers to another department, notify the IT Computer Security Department so their access to CPI can be modified or removed.
2. All SharePoint site owners must contact HR Personnel and Benefits (e-mail to HR Customer Service) in order to receive notification when someone is transferring departments or receiving a promotion in order to revoke access and remove them from the site if required. When an employee leaves the Bureau and their 'A' is removed from the LAN, it DOES NOT remove the ID from SharePoint. This must be done manually by the SharePoint Administrator.
3. The IT Computer Security Department is responsible for removing access to CPI or notifying those that can remove an employee's access to CPI including the SharePoint Administrator.

Reviewing Employee's Access to CPI

1. The IT Computer Security Department will send out annual reports of application access to all Chiefs. This report will include access to applications such as V3, WCIS, Rates and Payments, MIIS and e-mail. It does not include any LAN group access to any of the drives such as i:\ and j:\ drive.
2. If you are a LAN drive folder owner, you must contact the Server I&O group (e-mail to Server I&O Support Group) to obtain the list of employees who have access to your folders to ensure only authorized employees have access to your folders. This review must be done on an annual basis.
3. If you are a SharePoint site owner, you must review who has access to your site on an annual basis to ensure only authorized users have access.

Memo 1.01

**Chapter 4123-15 Ethics Rules
(Effective September 2012)
(Updated October 2012)**

4123-15-01 Code of ethics, title and rules covering.

This rule and rules 4123-15-02 to 4123-15-04 and 4121-15-01 to 4121-15-04 of the Administrative Code shall be titled, "Code of Ethics for Employees of the Bureau of Workers' Compensation and the Industrial Commission of Ohio" and shall contain the code of ethics for employees of these agencies.

In addition to any civil or criminal penalties that may be provided by statute or rule, an employee who violates any of the provisions in the code of ethics shall be subject to discipline as provided in the employee handbook of the employee's agency.

4123-15-02 Policy.

(A) It is essential that the public has confidence in the administration of the industrial commission and the bureau of workers' compensation. This public confidence depends in a large degree on whether the public trusts that employees of these agencies are impartial, fair, and act only in the interest of the people, uninfluenced by any consideration of self-interest, except those inherent in the proper performance of their duties. Each employee, of whatever position, should, therefore, maintain the highest standards of personal integrity, since the public often judges the actions of an employee as reflecting the standards of the employing agency.

(B) The industrial commission and the bureau of workers' compensation are entrusted with the collection and distribution of a large fund. Their employees must respect this trust and should welcome public scrutiny of the way in which they perform their duties in connection with the administration of this fund. They should be willing to accept restrictions on their conduct that may not be necessary of public employees in other agencies, who are not in similar positions of trust. They must avoid not only impropriety, but the appearance of impropriety.

4123-15-03 Standards of conduct.

(A) Purpose

It is the policy of the industrial commission and the bureau of workers' compensation to carry out its mission in accordance with the strictest ethical guidelines and to ensure that commission and bureau employees conduct themselves in a manner that fosters public confidence in the integrity of the commission and the bureau, its processes, and its accomplishments.

Memo 1.01

The commission and the bureau hereby adopt the provisions of the Ohio ethics law, including but not limited to the provisions of Chapters 102. and 2921. of the Ohio Revised Code, and as interpreted by the Ohio ethics commission and Ohio courts.

(B) Prohibited Conduct

(1) No industrial commission member, the administrator of workers' compensation, bureau of workers' compensation board of directors member, commission employee, bureau employee, ombudsperson, or employee of the office of ombudsperson shall do any of the following acts:

(a) Solicit or accept anything of value from anyone doing business with the commission or the bureau;

(b) Solicit or accept employment from anyone doing business with the commission or the bureau, unless the member or employee completely withdraws from any commission or bureau discretionary or decision-making activity regarding the party offering employment, and the commission or the bureau approves the withdrawal;

(c) Use his or her public position to obtain benefits for the member or employee, a family member, or anyone with whom the member or employee has a business or employment relationship;

(d) Be paid or accept any form of compensation for personal services rendered on a matter before, or sell goods or services to the commission or the bureau;

(e) Be paid or accept any form of compensation for personal services rendered on a matter before, or sell (except by competitive bid) goods or services to, any state agency other than the commission or the bureau, as applicable, unless the member or employee first discloses the services or sales and withdraws from matters before the commission or the bureau that directly affect officials and employees of the other state agency, as directed in section 102.04 of the Revised Code;

(f) Hold or benefit from a contract with, authorized by, or approved by the commission or the bureau, (the ethics law does accept some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under section 2921.42 of the Revised Code are met);

(g) Vote, authorize, recommend, or in any other way use his or her position to secure approval of a commission or bureau contract (including employment or personal services) in which the member or employee, a

Memo 1.01

family member, or anyone with whom the member or employee has a business or employment relationship, has an interest;

(h) Solicit or accept honoraria (see division (H) of section 102.01 and division (H) of section 202.03 of the Revised Code) except that employees who are not financial disclosure filers may receive an honorarium only if the honorarium is paid in recognition of a demonstrable business, profession, or esthetic interest of the employee that exists apart from public office or employment, and is not paid by any person or other entity, or by a representative or association of those persons or entities, doing business with the commission or the bureau, as applicable;

(i) During public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the member or employee personally participated while serving with the commission or the bureau, as applicable; and for one year after leaving public service shall not represent any person, in any fashion, before any public agency, with respect to a matter in which the member or employee personally exercised discretionary authority while serving with the commission or the bureau; after separation from state employment, this policy does not apply to ministerial acts on behalf of a client or customer;

(j) Use or disclose confidential information protected by law, unless appropriately authorized;

(k) Use, or authorize the use of, his or her title, the name of the commission or the bureau, or the agencies logos in a manner that suggests impropriety, favoritism, or bias by the commission or the bureau, or by a member or employee; and

(l) Solicit or accept any compensation, except as allowed by law, to perform his or her official duties or any act or service in his or her official capacity;

(m) Sponsor parties or other entertainment for the personnel of their agencies, the costs of which are covered in whole or in part by donations or receipts from the sale of tickets to individuals or entities, who are doing or seeking to do business with the commission or bureau.

(2) For purposes of this rule, these phrases have the following meanings:

(a) "Anything of value" includes anything of monetary value, including, but not limited to, money, loans, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. "Value" means worth greater than de minimis or nominal.

Memo 1.01

(b) "Anyone doing business with the commission or the bureau" includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the commission or the bureau, including anyone who is known or should be known to be an agent or acting on behalf of such party, including any person or entity marketing or otherwise attempting to secure business with the commission or the bureau.

(C) Conflict of interest.

No employee of these agencies shall engage in outside employment that results in a conflict or apparent conflict with the employee's official duties and responsibilities.

(1) Outside employment or activity in which an employee with or without pay represents a claimant or employer in any matter before the industrial commission or the bureau of workers' compensation is prohibited.

(2) Outside employment with an attorney, representative or entity that involves work concerning industrial claims, whether filed or to be filed, or which is in any way related to workers' compensation matters is prohibited.

(D) Professional code of ethics.

In the event there is any conflict between a professional code of ethics governing any employee of these agencies and this code of ethics for employees, the professional code of ethics shall take precedence over the code of ethics for employees but the conflict shall be promptly reported to the employing agency. In such case the agency shall promptly determine the degree of conflict and take such further action as may be indicated.

(E) An employee shall not use state property of any kind for other than approved activities. The employee shall not misuse or deface state property. The taking of state property for the private purposes of an employee is prohibited. The use of state property for the private purposes of an employee is prohibited, except for nominal, minimal, occasional, or emergency use. The employee shall protect and conserve all state property, including equipment and supplies entrusted to or issued to the employee.

(F) Diligence and impartiality in work.

Employees are encouraged to avoid absenteeism and tardiness, to not use sick leave unless necessary and to abide by rules of the Ohio civil service. Recognizing that the industrial commission and bureau of workers' compensation serve many people whose interests are divergent, employees should work in a speedy and efficient manner, strive to be courteous, fair and impartial to the people they serve, and responsive to the problems that come before them. All segments of the public

Memo 1.01

are to be treated equally, without regard to age, race, sex, religion, country of origin, or handicap.

(G) It is understood that standards of ethical conduct may involve a myriad of situations. The good conscience of individual employees shall remain the best guarantee of the moral quality of their activities. The overall intent of this code of ethics is that employees avoid any action, whether or not prohibited by the preceding provisions, which result in, or create the appearance of:

- (1) Using public office for private gain, or
- (2) Giving preferential treatment to any person, entity, or group.

(H) Confidential information

The confidentiality of all information which comes into possession of commission and bureau employees shall be respected. In order to properly discharge this duty, all employees must acquaint themselves with those areas of information that are designated as confidential by statutes, by the courts and by the attorney general. Furthermore, they must become familiar with the circumstances under which and the persons to whom such information can be released.

(I) Every member or employee required to file a financial disclosure statement must file a complete and accurate statement with the Ohio Ethics Commission by April 15 of each year. Any member or employee appointed, or employed in a filing position after February 15 and required to file a financial disclosure statement must file a statement within 90 days of appointment or employment.

(J) Every member or employee subject to the bureau personal investment policy is required to file a personal trading policy annual affirmation with the bureau by April fifteenth of each year.

4123-15-04 Posting, distribution and employee acknowledgement and receipt.

(A) The code of ethics for employees of the bureau of workers' compensation and industrial commission shall be posted in a conspicuous place in every office of the bureau and commission.

(B) A copy of this code of ethics shall be distributed to each employee. After two weeks from such receipt each employee will certify that the employee has received and read this code. The certification shall be placed in the employee's personnel file.

Memo 1.01

4123-15-05 Purpose: eliminating outside influence; producing impartiality in handling of claims and employer risk accounts and avoiding favoritism.

In accordance with division (C) of section 4121.122 of the Revised Code and division (M) of section 4121.121 of the Revised Code, the rules 4123-15-05 to 4123-15-09 and 4121-15-05 to 4121-15-09 of the Administrative Code are for the purpose of eliminating improper outside influence on employees of the bureau of workers' compensation and the industrial commission, producing an impartial workers' compensation claims and employer risk account handling process and avoiding favoritism in that process.

4123-15-06 Furnishing employees' code of ethics and rules on improper influence to representatives.

To the extent possible, all those who represent claimants or employers shall be furnished without charge with a copy of the "Code of Ethics for Employees of the Bureau of Workers' Compensation and the Industrial Commission of Ohio" and with a copy of the rules concerning the elimination of outside influence, producing impartial claims and risk account handling, and avoiding favoritism in this process. These rules shall also, to the extent possible, be furnished to employees or agents of those who represent claimants or employers and who may be permitted to inspect claims and employer risk files, or whose work requires personal contact with employees of the bureau or commission.

4123-15-07 Representatives' responsibility relative to employees' code of ethics.

Representatives of claimants and employers as well as their employees and agents shall conduct their business with the employees of the bureau of workers' compensation and the industrial commission in accordance with the highest moral principles and are expected to support the "Code of Ethics for Employees of the Bureau of Workers' Compensation and the Industrial Commission of Ohio" by conduct that will not tempt employees of the bureau and commission to violate that code but will encourage them to fully observe it. Employees of the bureau and commission shall report to their immediate superior any activity which is, or appears to be, in violation of this rule, for further action by the administrator or by the industrial commission, as the case may be.

4123-15-08 Remedial action against persons exercising improper influence and engaging in favoritism.

Upon receipt of information indicating a violation of rule 4123-15-07 of the Administrative Code, to ensure appropriate corrective action, the industrial commission or the administrator, as the case may be, shall take every action to ensure the matter is investigated, and, provided the circumstances warrant it, shall notify the office of deputy inspector general for the bureau of workers' compensation and industrial commission, and any other appropriate agency or official.

Memo 1.01

4123-15-09 Prohibition against unnecessary claim file possession.

No employee shall have possession of a workers' compensation claim file unless the file is necessary to the performance of the employee's duties. In case of violation or apparent violation of this rule, the section director, office director or the state coordinator shall refer the matter to the internal security committee for investigation, or to the administrator or the industrial commission for action consistent with division (A) of section 4121.122 of the Revised Code. A copy of this rule shall be distributed to each employee for certification that he has received and read this rule. This certification shall be placed in the employee's personnel file.

Policy Name:	Code of Ethics
Policy #:	HR – 1.01
Code/Rule Reference:	OAC 4123-15-01, 4123-15-02, 4123-15-03, 4123-15-04, 4123-15-05, 4123-15-06, 4123-15-07, 4123-15-08, and 4123-15-09
Effective Date:	September 1, 2015
Approved:	Toni Brokaw, Chief Human Resources Officer (signature on file)
Origin:	Human Resources
Supersedes:	All Human Resources policies, procedures, directives and memos regarding the code of ethics that predate the effective date of this policy.
History:	Revised: October 1, 2012; February 1, 2008
Review date:	September 1, 2020

I. POLICY PURPOSE

The purpose of this policy is to ensure that the public may have confidence and trust that Bureau of Workers' Compensation (BWC) employees are impartial, fair, and act only in the interest of the people, uninfluenced by any consideration of self-interest, except those inherent in the proper performance of their duties.

II. APPLICABILITY

This policy applies to all BWC employees.

III. POLICY

- A. Each employee shall maintain the highest standards of personal integrity in accordance with the laws of this state.
- B. The BWC is entrusted with the collection and distribution of a large fund. BWC employees shall respect this trust and welcome public scrutiny of the way in which they perform their duties in connection with the administration of this fund.
- C. Employees shall be willing to accept restrictions on their conduct that may not be necessary of public employees in other agencies, who are not in similar positions of trust. Employees must avoid not only impropriety, but the appearance of impropriety.
- D. Employees shall be responsible for reading the Code of Ethics OAC 4123-15 (refer to Appendix A).
- E. Employees shall adhere to the Standards of Conduct found in OAC 4123-15-03 and the prohibitions on unnecessary claim file possession found in OAC 4123-15-09.

- F. In addition to any civil or criminal penalties that may be provided by statute or rule, an employee who violates any of the provisions in the code of ethics shall be subject to discipline as provided in the BWC Disciplinary Policy (Memo 5.01).
- G. If you have any questions concerning the Code of Ethics or this policy, please contact the BWC Chief Ethics Officer at the "Ethics 4 BWC" mailbox.

Appendix A

Chapter 4123-15 Code of Ethics

4123-15-01 Code of ethics, title and rules covering.

This rule and rules 4123-15-02 to 4123-15-04 and 4121-15-01 to 4121-15-04 of the Administrative Code shall be titled, "Code of Ethics for the Bureau of Workers' Compensation and the Industrial Commission of Ohio" and shall contain the code of ethics for employees of these agencies, including the members of the bureau of workers' compensation board of directors.

In addition to any civil or criminal penalties that may be provided by statute or rule, an employee who violates any of the provisions in the code of ethics shall be subject to discipline as provided in the employee handbook of the employee's agency.

Effective: 01/01/2014

R.C. 119.032 review dates: 06/01/2017

Promulgated Under: 119.03

Statutory Authority: 4121.12, 4121.121

Rule Amplifies: 4121.122

Prior Effective Dates: 1/1/78, 8/15/07

4123-15-02 Policy.

(A) It is essential that the public has confidence in the administration of the industrial commission and the bureau of workers' compensation. This public confidence depends in a large degree on whether the public trusts that employees of these agencies are impartial, fair, and act only in the interest of the people, uninfluenced by any consideration of self-interest, except those inherent in the proper performance of their duties. Each employee, of whatever position, should, therefore, maintain the highest standards of personal integrity, since the public often judges the actions of an employee as reflecting the standards of the employing agency.

(B) The industrial commission and the bureau of workers' compensation are entrusted with the collection and distribution of a large fund. Their employees must respect this trust and should welcome public scrutiny of the way in which they perform their duties in connection with the administration of this fund. They should be willing to accept restrictions on their conduct that may not be necessary of public employees in other agencies, who are not in similar positions of trust. They must avoid not only impropriety, but the appearance of impropriety.

R.C. 119.032 review dates: 06/13/2012 and 06/01/2017

Promulgated Under: 119.03

Statutory Authority: 4121.12, 4121.121

Rule Amplifies: 4121.122
Prior Effective Dates: 1/1/78

4123-15-03 Standards of conduct.

(A) Purpose.

It is the policy of the industrial commission and the bureau of workers' compensation to carry out its mission in accordance with the strictest ethical guidelines and to ensure that commission and bureau employees conduct themselves in a manner that fosters public confidence in the integrity of the commission and the bureau, its processes, and its accomplishments.

The commission and the bureau hereby adopt the provisions of the Ohio ethics law, including but not limited to the provisions of Chapters 102. and 2921. of the Revised Code, and as interpreted by the Ohio ethics commission and Ohio courts.

(B) Prohibited conduct.

(1) No industrial commission member, the administrator of workers' compensation, bureau of workers' compensation board of directors member, commission employee, bureau employee, ombudsperson, or employee of the office of ombudsperson shall do any of the following acts:

(a) Solicit or accept anything of value from anyone doing business with the commission or the bureau;

(b) Solicit or accept employment from anyone doing business with the commission or the bureau, unless the member or employee completely withdraws from any commission or bureau discretionary or decision-making activity regarding the party offering employment, and the commission or the bureau approves the withdrawal;

(c) Use his or her public position to obtain benefits for the member or employee, a family member, or anyone with whom the member or employee has a business or employment relationship;

(d) Be paid or accept any form of compensation for personal services rendered on a matter before, or sell goods or services to the commission or the bureau;

(e) Be paid or accept any form of compensation for personal services rendered on a matter before, or sell (except by competitive bid) goods or services to, any state agency other than the commission or the bureau, as applicable, unless the member or employee first discloses the services or sales and withdraws from matters before the commission or the bureau that directly affect officials and employees of the other state agency, as directed in section 102.04 of the Revised Code;

Exhibit 2

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(f) Hold or benefit from a contract with, authorized by, or approved by the commission or the bureau, (the ethics law does accept some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under section 2921.42 of the Revised Code are met);

(g) Vote, authorize, recommend, or in any other way use his or her position to secure approval of a commission or bureau contract (including employment or personal services) in which the member or employee, a family member, or anyone with whom the member or employee has a business or employment relationship, has an interest;

(h) Solicit or accept honoraria (see division (H) of section 102.01 and division (H) of section 202.03 of the Revised Code) except that employees who are not financial disclosure filers may receive an honorarium only if the honorarium is paid in recognition of a demonstrable business, profession, or esthetic interest of the employee that exists apart from public office or employment, and is not paid by any person or other entity, or by a representative or association of those persons or entities, doing business with the commission or the bureau, as applicable;

(i) During public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the member or employee personally participated while serving with the commission or the bureau, as applicable; and for one year after leaving public service shall not represent any person, in any fashion, before any public agency, with respect to a matter in which the member or employee personally exercised discretionary authority while serving with the commission or the bureau; after separation from state employment, this policy does not apply to ministerial acts on behalf of a client or customer;

(j) Use or disclose confidential information protected by law, unless appropriately authorized;

(k) Use, or authorize the use of, his or her title, the name of the commission or the bureau, or the agencies logos in a manner that suggests impropriety, favoritism, or bias by the commission or the bureau, or by a member or employee;

(l) Solicit or accept any compensation, except as allowed by law, to perform his or her official duties or any act or service in his or her official capacity; and

(m) Sponsor parties or other entertainment for the personnel of their agencies, the costs of which are covered in whole or in part by donations or receipts from the sale of tickets to individuals or entities, who are doing or seeking to do business with the commission or bureau.

(2) For purposes of this rule, these phrases have the following meanings:

(a) "Anything of value" includes anything of monetary value, including, but not limited to, money, loans, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. "Value" means worth greater than de minimis or nominal.

(b) "Anyone doing business with the commission or the bureau" includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the commission or the bureau, including anyone who is known or should be known to be an agent or acting on behalf of such party, including any person or entity marketing or otherwise attempting to secure business with the commission or the bureau.

(C) Conflict of interest.

No employee of these agencies shall engage in outside employment that results in a conflict or apparent conflict with the employee's official duties and responsibilities.

(1) Outside employment or activity in which an employee with or without pay represents a claimant or employer in any matter before the industrial commission, or the bureau of workers' compensation is prohibited.

(2) Outside employment with an attorney, representative or entity that involves work concerning industrial claims, whether filed or to be filed, or which is in any way related to workers' compensation matters is prohibited.

(D) Professional code of ethics.

In the event there is any conflict between a professional code of ethics governing any employee of these agencies and this code of ethics for employees, the professional code of ethics shall take precedence over the code of ethics for employees but the conflict shall be promptly reported to the employing agency. In such case the agency shall promptly determine the degree of conflict and take such further action as may be indicated.

(E) An employee shall not use state property of any kind for other than approved activities. The employee shall not misuse or deface state property. The taking of state property for the private purposes of an employee is prohibited. The use of state property for the private purposes of an employee is prohibited, except for nominal, minimal, occasional, or emergency use. The employee shall protect and conserve all state property, including equipment and supplies entrusted to or issued to the employee.

(F) Diligence and impartiality in work.

Employees are encouraged to avoid absenteeism and tardiness, to not use sick leave unless necessary and to abide by rules of the Ohio civil service. Recognizing that the

industrial commission and bureau of workers' compensation serve many people whose interests are divergent, employees should work in a speedy and efficient manner, strive to be courteous, fair and impartial to the people they serve, and responsive to the problems that come before them. All segments of the public are to be treated equally, without regard to age, race, sex, religion, country of origin, or handicap.

(G) It is understood that standards of ethical conduct may involve a myriad of situations.

The good conscience of individual employees shall remain the best guarantee of the moral quality of their activities. The overall intent of this code of ethics is that employees avoid any action, whether or not prohibited by the preceding provisions, which result in, or create the appearance of:

- (1) Using public office for private gain, or
- (2) Giving preferential treatment to any person, entity, or group.

(H) Confidential information.

The confidentiality of all information which comes into possession of commission and bureau employees shall be respected. In order to properly discharge this duty, all employees must acquaint themselves with those areas of information that are designated as confidential by statutes, by the courts and by the attorney general. Furthermore, they must become familiar with the circumstances under which and the persons to whom such information can be released.

(I) Every member or employee required to file a financial disclosure statement must file a complete and accurate statement with the Ohio ethics commission by April fifteen of each year. Any member or employee appointed, or employed in a filing position after February fifteen of each year, and required to file a financial disclosure statement must file a statement within ninety days of appointment or employment.

(J) Every member or employee subject to the bureau personal investment policy is required to file a personal trading policy annual affirmation with the bureau by April fifteenth of each year.

(K) Nothing in this rule shall prohibit any member of the bureau of workers' compensation board of directors from receiving compensation or other things of value from the member's outside employer, provided that the member completely withdraws from any discretionary or decision-making activity matters that definitely and directly affect his or her outside employer.

Effective: 01/01/2014

R.C. 119.032 review dates: 06/01/2017

Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121
Rule Amplifies: 4121.122
Prior Effective Dates: 1/1/78, 8/15/07, 2/15/08, 9/1/12

4123-15-04 Posting, distribution and employee acknowledgement and receipt.

(A) The code of ethics for employees of the bureau of workers' compensation and industrial commission shall be posted in a conspicuous place in every office of the bureau and commission.

(B) A copy of this code of ethics shall be distributed to each employee. After two weeks from such receipt each employee will certify that the employee has received and read this code. The certification shall be placed in the employee's personnel file.

R.C. 119.032 review dates: 06/13/2012 and 06/01/2017
Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121
Rule Amplifies: 4121.122
Prior Effective Dates: 1/1/78

4123-15-05 Purpose: eliminating outside influence; producing impartiality in handling of claims and employer risk accounts and avoiding favoritism.

In accordance with division (C) of section 4121.122 of the Revised Code and division (M) of section 4121.121 of the Revised Code, the rules 4123-15-05 to 4123-15-09 and 4121-15-05 to 4121-15-09 of the Administrative Code are for the purpose of eliminating improper outside influence on employees of the bureau of workers' compensation and the industrial commission, producing an impartial workers' compensation claims and employer risk account handling process and avoiding favoritism in that process.

R.C. 119.032 review dates: 06/13/2012 and 06/01/2017
Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121
Rule Amplifies: 4121.122
Prior Effective Dates: 1/1/78

4123-15-06 Furnishing employees' code of ethics and rules on improper influence to representatives.

To the extent possible, all those who represent claimants or employers shall be furnished without charge with a copy of the "Code of Ethics of the Bureau of Workers' Compensation and the Industrial Commission of Ohio" and with a copy of the rules concerning the elimination of outside influence, producing impartial claims

and risk account handling, and avoiding favoritism in this process. Administrative Code rules shall also, to the extent possible, be furnished to employees or agents of those who represent claimants or employers and who may be permitted to inspect claims and employer risk files, or whose work requires personal contact with employees of the bureau or commission.

Effective: 01/01/2014

R.C. 119.032 review dates: 06/01/2017

Promulgated Under: 119.03

Statutory Authority: 4121.12, 4121.121

Rule Amplifies: 4121.122

Prior Effective Dates: 1/1/78

4123-15-07 Representatives' responsibility relative to employees' code of ethics.

Representatives of claimants and employers as well as their employees and agents shall conduct their business with the employees of the bureau of workers' compensation, and the industrial commission in accordance with the highest moral principles and are expected to support the "Code of Ethics of the Bureau of Workers' Compensation and the Industrial Commission of Ohio" by conduct that will not tempt employees of the bureau and commission to violate that code but will encourage them to fully observe it. Employees of the bureau and commission shall report to their immediate superior any activity which is, or appears to be, in violation of this rule, for further action by the administrator or by the industrial commission, as the case may be.

Effective: 01/01/2014

R.C. 119.032 review dates: 06/01/2017

Promulgated Under: 119.03

Statutory Authority: 4121.12, 4121.121

Rule Amplifies: 4121.122

Prior Effective Dates: 1/1/78, 8/15/07

4123-15-08 Remedial action against persons exercising improper influence and engaging in favoritism.

Upon receipt of information indicating a violation of rule 4123-15-07 of the Administrative Code, to ensure appropriate corrective action, the industrial commission or the administrator, as the case may be, shall take every action to ensure the matter is investigated, and, provided the circumstances warrant it, shall notify the office of deputy inspector general for the bureau of workers' compensation and industrial commission, and any other appropriate agency or official.

R.C. 119.032 review dates: 06/13/2012 and 06/01/2017

Promulgated Under: 119.03

Statutory Authority: 4121.12, 4121.121
Rule Amplifies: 4121.122
Prior Effective Dates: 1/1/78, 8/15/07, 2/15/08

4123-15-09 Prohibition against unnecessary claim file possession.

No employee shall have possession of a workers' compensation claim file unless the file is necessary to the performance of the employee's duties. In case of violation or apparent violation of this rule, the section director, office director or the state coordinator shall refer the matter to the internal security committee for investigation, or to the administrator or the industrial commission for action consistent with division (A) of section 4121.122 of the Revised Code. A copy of this rule shall be distributed to each employee for certification that he has received and read this rule. This certification shall be placed in the employee's personnel file.

R.C. 119.032 review dates: 06/13/2012 and 06/01/2017
Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121
Rule Amplifies: 4121.122
Prior Effective Dates: 1/1/78



Notes Refresher

Notes Refresher



The Purpose of V3 Notes

- All data elements gathered during the initial investigation of the claim must be documented in V3 notes.
- Notes are a chronological record of events and activities in a claim.
- They provide a complete history of a claim throughout its life cycle.
- **Notes are considered legal documents and public record.**
- A Claims Service Specialist (CSS) uses notes as a tool to manage a claim by documenting:
 - Facts gathered during the investigation phase of a claim
 - Issues identified throughout the life of a claim
 - Action steps to resolve claim issues
 - Outcomes of claim issue resolution
 - Compensation payments and adjustments
 - Claim actions, decisions and the reason(s) for the decision
- Other information that should be documented in notes includes:
 - Summary of staffing/meeting(s) held with CCT
 - Customer feedback that is claim specific
 - All telephone contacts
 - Correspondence to and from parties of the claim as well as the MCO
 - Onsite visits...e.g. Risk, Safety and Hygiene
 - Brief summary of medical reports or evidence
 - Results of IC hearing orders, BWC orders and Appeals
 - Action plans developed by the CSS or CCT that contain goals of the claim, steps to achieve those goals, team member responsible for the action steps, target dates and next staffing date
 - Notes on referrals or consultations from Physician or MCO, legal representatives, rehab, reviews
 - Information the MCO gathered from their contacts that affect the claim and shared with CSS (document name of MCO contact)
 - With undisputed claims, specific medical evidence MCO has on file, but not supplied hard copy to CSS, that is the basis for BWC decision(s)
 - Types of compensation payments and the period of payment (TT paid from 1/1/06 to 3/31/06)