

Release of information-director investigations.

- (A) Investigations conducted by the director pursuant to section 3701.14 of the Revised Code are subject to the release requirements specified in that section. An investigation may be initiated when one or more of the following situations is present.
- (1) A local health district has reported cases of illness, including contagious, infectious, epidemic, pandemic, or endemic conditions, that qualified department staff have evaluated and have determined that those cases represent an outbreak of a contagious or infectious condition in one or more local health districts.
 - (2) The director has determined based on reports of births and deaths, the sanitary conditions and effects of localities and employments, or the personal and business habits of the people that affect their health have or are causing illness in one or more parts of a local health district.
 - (3) The director has received a request from an agency of state or local government regarding the water supply, sewerage, disposal of excreta of any locality, or the heating, plumbing, and ventilation of a public building that requires a non-routine analysis of a disease, other condition, or unusual occurrence that involves persons in one or more parts of a local health district.
 - (4) The director has accepted a request for an investigation from another agency of state or local government.
- (B) Information obtained during an investigation initiated pursuant to paragraph (A) of this rule that is not complete is confidential and shall not be released unless one or more of the following apply:
- (1) The information is released in summary, statistical, or aggregate form that does not identify an individual.
 - (2) The director has determined pursuant to division (J) of section 3701.14 of the Revised Code that the release of information collected pursuant to an investigation that is not complete and that was initiated pursuant to paragraph (A) of this rule is necessary to avert or mitigate a clear threat to an individual or to the public health. Any information released pursuant to this paragraph shall be released in compliance with the requirements of division (J) of section 3701.14 of the Revised Code.
 - (3) The information that is a part of an incomplete investigation is released pursuant to division (B)(1), (B)(2), or (B)(3) of section 3701.14 of the Revised Code.
- (C) A director's journal entry shall be prepared that specifies the date investigations initiated pursuant to paragraph (A) of this rule began. A subsequent director's journal entry shall be prepared each time a preliminary report is issued and after the final report is issued. The original of any journal entry shall be maintained in the Office of Legal Services of the department. Copies of journal entries shall be

maintained in the file for the final report of the investigation. Journal entries prepared pursuant to this rule shall not include any protected health information and shall include the following information.

- (1) The date the investigation began.
- (2) The county or counties where the investigation is being conducted.
- (3) Information regarding whether the investigation is being conducted pursuant to paragraph (A)(1), (A)(2), (A)(3), or (A)(4) of this rule.
- (4) If the journal entry is prepared for a preliminary or final report, the journal entry shall, in addition to the information in paragraph (C)(1), (C)(2), and (C)(3) of this rule contain a summary of the preliminary or final report and the date the preliminary or final report was placed on the department's website.

If an investigation is not complete within six months of the date the director signed the journal entry that initiated the investigation, the director shall prepare a report containing preliminary findings. The director shall continue to prepare supplemental preliminary reports each six months thereafter until the investigation is completed. All preliminary reports issued by the director pursuant to this rule shall be placed on the Ohio Department of Health website under a section titled Public Health Investigation Preliminary Reports until the final report is released.

After the final report of an investigation is released, the report shall be placed on the department's website under a section titled Public Health Investigation Final Reports. Final reports shall be available on the department's website for twelve months after placement on the website.

A person who wishes to receive information regarding reports released by the department shall notify the department's Office of Public Affairs annually. The Office of Public Affairs will provide information regarding all reports released via electronic mail to persons who notify the department.

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CERTIFIED ELECTRONICALLY

Certification

Date

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