

Sub. S. B. No. 31  
As Passed by the Senate

**Topic:** Information disclosure

1

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, after "149.43" insert ", 4123.88,"

2

In line 6 of the title, after "Law" insert "and to require the  
Bureau of Workers' Compensation or Industrial Commission to disclose a  
claimant's name to a journalist upon written request"

3

4

5

In line 7, after "149.43" insert ", 4123.88,"

6

After line 896, insert:

7

**"Sec. 4123.88.** (A) No person shall orally or in writing,  
directly or indirectly, or through any agent or other person  
fraudulently hold the person's self out or represent the  
person's self or any of the person's partners or associates as  
authorized by a claimant or employer to take charge of, or  
represent the claimant or employer in respect of, any claim or  
matter in connection therewith before the bureau of workers'  
compensation or the industrial commission or its district or  
staff hearing officers. No person shall directly or indirectly

8

9

10

11

12

13

14

15

16



solicit authority, or pay or give anything of value to another person to solicit authority, or accept or receive pay or anything of value from another person for soliciting authority, from a claimant or employer to take charge of, or represent the claimant or employer in respect of, any claim or appeal which is or may be filed with the bureau or commission. No person shall, without prior authority from the bureau, a member of the commission, the claimant, or the employer, examine or directly or indirectly cause or employ another person to examine any claim file or any other file pertaining thereto. No person shall forge an authorization for the purpose of examining or cause another person to examine any such file. No district or staff hearing officer or other employee of the bureau or commission, notwithstanding the provisions of section 4123.27 of the Revised Code, shall divulge any information in respect of any claim or appeal which is or may be filed with a district or staff hearing officer, the bureau, or commission to any person other than members of the commission or to the superior of the employee except upon authorization of the administrator of workers' compensation or a member of the commission or upon authorization of the claimant or employer.

(B) The records described or referred to in division (A) of this section are not public records as defined in division (A) (1) of section 149.43 of the Revised Code. Any information directly or indirectly identifying the address or telephone number of a claimant, regardless of whether the claimant's claim is active or closed, is not a public record. No person shall solicit or obtain any such information from any such employee without first having obtained an authorization therefor as provided in this section.

(C) Except as otherwise specified in division (D) of this

section, information kept by the commission or the bureau 48  
pursuant to this section is for the exclusive use and 49  
information of the commission and the bureau in the discharge of 50  
their official duties, and shall not be open to the public nor 51  
be used in any court in any action or proceeding pending 52  
therein, unless the commission or the bureau is a party to the 53  
action or proceeding. The information, however, may be tabulated 54  
and published by the commission or the bureau in statistical 55  
form for the use and information of other state agencies and the 56  
public. 57

(D) (1) Upon receiving a written request made and signed by 58  
an individual whose primary occupation is as a journalist, the 59  
commission or the bureau shall disclose to the individual the 60  
name or names, address or addresses, and telephone number or 61  
numbers of claimants, regardless of whether their claims are 62  
active or closed, ~~and the dependents of those claimants.~~ 63

(2) An individual described in division (D) (1) of this 64  
section is permitted to request the information described in 65  
that division for multiple workers or dependents in one written 66  
request. 67

(3) An individual described in division (D) (1) of this 68  
section shall include all of the following in the written 69  
request: 70

(a) The individual's name, title, and signature; 71

(b) The name and title of the individual's employer; 72

(c) A statement that the disclosure of the information 73  
sought is in the public interest. 74

(4) Neither the commission nor the bureau may inquire as 75

to the specific public interest served by the disclosure of 76  
information requested by an individual under division (D) of 77  
this section. 78

(E) As used in this section, "journalist" has the same 79  
meaning as in division (B) (9) of section 149.43 of the Revised 80  
Code." 81

In line 969, after "149.43" insert ", 4123.88," 82

The motion was \_\_\_\_\_ agreed to.