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Operation of Commission on Medicolegal Investigations Reports of Death, Suicide Notes and Personal Data

Sec. 19a-401-1. Definitions

- (a) "Commission" shall mean the Commission on Medicolegal Investigations.
- (b) "Office" shall mean the Office of the Chief Medical Examiner.
- (c) "Institutions" shall mean any institution defined in Section 19a-490 of the Connecticut General Statutes.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-2. Commission on medicolegal investigations

The Commission shall operate in accordance with the "Medicolegal Investigations Act," Chapter 368q of the Connecticut General Statutes. The powers and duties of the Commission shall include but not be limited to the following:

- (a) Appoint the chief medical examiner pursuant to Sections 19a-403 and 19a-404 of the Connecticut General Statutes and Section 19a-401-3 of these regulations;
- (b) Oversee the operations of the Office of the Chief Medical Examiner;
- (c) Approve of the Office procedures manual and organizational chart;
- (d) Approve of numbers and qualifications of professional staff.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-3. Qualifications of staff

(a) **Chief Medical Examiner.** The chief medical examiner shall meet all qualifications specified in Section 19a-404 of the Connecticut General Statutes and shall be certified by the American Board of Pathology in forensic pathology.

(b) **Deputy Chief Medical Examiner.** The deputy chief medical examiner shall meet all of the qualifications required for the chief medical examiner in subsection (a) above.

(c) **Associate Medical Examiners.** Associate medical examiners shall meet all qualifications specified in the State of Connecticut job specification, "Associate Medical Examiner."

(d) **Assistant Medical Examiners.** Assistant medical examiners shall have the following qualifications:

- (1) A current license to practice medicine and surgery in Connecticut; and
- (2) Compliance with continuing medical education requirements as specified in Sec. 19a-401-5 of these regulations.

(e) **Director, Toxicology Laboratory.** The director of toxicology laboratory shall meet all qualifications specified in the State of Connecticut job specification, "Director of Toxicology Laboratory, Office of the Chief Medical Examiner".

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-4. Powers and duties of the chief medical examiner

The chief medical examiner shall have the following duties and responsibilities:

(a) Investigation of human deaths in accordance with subsections (a) and (c) of Section 19a-406.

(b) Appointment, with the Commission's approval, of a deputy chief medical examiner to act on behalf of the chief medical examiner in the chief's absence, and other professional staff in accordance with Section 19a-405 of the Connecticut General Statutes and Section 19a-401-3 of these regulations;

(c) Designation of certified pathologists in accordance with Section 19a-406 (b) of the Connecticut General Statutes;

(d) Removal of assistant medical examiners, in accordance with Section 19a-401-7 of these regulations;

(e) Development of continuing medical education, in accordance with Section 19a-401-5 of these regulations;

(f) Development of an organizational chart, including written definition of the duties and responsibilities of all personnel classifications;

(g) Research in pathology.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-5. Continuing medical education

(a) The chief medical examiner shall ensure the availability of continuing education in forensic medicine. Such educational programs shall be developed and administered by the Office and shall be offered at least annually in locations throughout the state.

(b) Each assistant medical examiner and designated certified pathologist shall attend annually at least six hours of continuing medical education in forensic medicine pursuant to subsection (a) above, except that accredited programs offered under other auspices may be approved by the chief medical examiner as complying with this section. Documentation of attendance shall be provided to the Office. Failure to demonstrate compliance with this section during a calendar year may be grounds for removal or withdrawal of designation.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-6. Staff identification required

Any medical examiner shall carry an identification issued by the Office at all times while acting in the official capacity on behalf of the Office. The card shall contain the name, title and photograph of the individual and the name, address and telephone number of the Office and shall be signed by the chief medical examiner.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-7. Removal of assistant medical examiners

Any assistant medical examiner may be removed at the discretion of the commission upon the recommendation of the chief medical examiner.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-8. Timely submission of reports

Assistant medical examiners shall mail, or otherwise deliver, to the Office reports of their investigation of a death no later than ten working days after the investigation is complete. Payment for investigations may be denied if the reports are not submitted in a timely fashion.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-9. Reporting of deaths

(a) Deaths in institutions.

(1) Deaths in institutions shall be reported to the Office in accordance with subdivision (2) below if death occurs:

(A) As specified in Connecticut General Statutes Sec. 19a-406;

(B) Within 24 hours of admission;

(C) In a sudden or unexpected fashion;

(D) During or related to a therapeutic or diagnostic procedure;

(E) In an operating room or recovery room; or

(F) If there is evidence of abuse or neglect in causing the death.

(2) Any death occurring as described in subdivision (1) above shall be immediately reported to the Office by telephone. A report of death, on the form issued by the office, shall be completed, signed and sent to the office of The Chief Medical Examiner, 11 Shuttle Rd., Farmington, CT 06032 within ten calendar days of death.

(b) Deaths Occurring Outside Institutions.

When any death subject to investigation by the Office occurs, the police department having primary responsibility for the investigation of such death shall immediately telephone the Office and shall give at least the following information:

(1) the name, age, race and sex of the deceased, if known:

(2) the place and apparent manner of death;

(3) the time the death was discovered.

(c) When the body is initially unidentified, and subsequent identification is made by comparison of fingerprints, that police department shall notify the Office in writing of the correct name, age and address of the deceased person so identified.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-10. Changes in certificate of death

(a) In any death subject to investigation by the chief medical examiner, the identification of the deceased or cause or manner of death, as listed on the certificate of death as initially recorded by the registrar of vital statistics or ex officio registrar of vital statistics, shall not be changed, modified, altered, or added to without the written authorization of the Office.

(b) When there is any change in the identification of the deceased or cause or manner of death, as initially recorded by the registrar of vital statistics, the chief medical examiner shall clearly indicate on the records at the Office any such change and shall mail to the registrar of vital statistics or ex officio registrar of vital statistics, notification of such change.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-11.

Repealed, February 2, 2004.

Sec. 19a-401-12. Reports and forms; inquiries; records

(a) **Reports of investigations and of autopsies are prepared on standard forms issued by the Office of the Medical Examiner.** The original reports of investigations, reports of hospital deaths, and of authorized autopsies are transmitted to the Office of the Medical Examiner and copies are obtainable only from the Chief Medical Examiner. The standard forms utilized by the Office of the Medical Examiner include: (1) telephone notice of death; (2) report of investigation; (3) hospital report of death; (4) identification form; (5) autopsy report; (6) receipt of evidence.

(b) **Retention of records; inspection of records.** The Office of the Medical Examiner keeps full and complete records of every death reported and investigated. They are retained at the Office of the Medical Examiner. The original records shall be disposed of in accordance with section 11-8a of the Connecticut general statutes.

(c) **Inquiries and requests for copies of records.** Inquiries concerning a death may be made in person or by letter to the Chief Medical Examiner, Office of the Medical Examiner, 11 Shuttle Rd., Farmington, Connecticut 06032. Copies of reports prepared by personnel of the Office of the Medical Examiner, Assistant Medical Examiners and designated pathologists and other laboratories where pertinent, or

detailed findings of other scientific investigations, are furnished upon payment of fees and upon conditions established by the Commission on Medicolegal Investigations. Copies of such reports may be obtained as follows:

(1) If the requester of the records is a public authority, professional, medical, legal or scientific body or university or similar research body, seeking access to records for scientific or research purposes, access to the records is in the discretion of the commission. Such persons should address a letter to the chief medical examiner stating the general purposes for which access to the records is required and stipulating under oath that the identity of the deceased persons or any references which might result in the disclosure of the identity of the deceased persons, shall remain confidential and not be published.

(2) If the requester of the records is a member of the general public, he or she may obtain access to such records if the person has a legitimate interest in the documents and no court has issued an order prohibiting disclosure pursuant to section 19a-411(c) of the Connecticut general statutes.

(3) If the requester of the records is a member of the general public and the records concern a person in the custody of the state at the time of death, as defined in section 19a-411(b) of the Connecticut general statutes, he or she may obtain access to such records if no court has issued an order prohibiting disclosure pursuant to section 19a-411(c) of the Connecticut general statutes.

(4) If the requester of the records is a pro se litigant seeking access to medical records, he or she may obtain access to such records if the records are legitimately sought for pending litigation and no court has issued an order prohibiting disclosure pursuant to section 19a-411(c) of the Connecticut General Statutes. Such person should address a letter to the chief medical examiner stating the case name, docket number, court where the litigation is pending, and why the requester believes these records reasonably relate to his or her case.

(d) Requests for copies of records should be in writing addressed to the Chief Medical Examiner, Office of the Medical Examiner, 11 Shuttle Rd., Farmington, Connecticut 06032. Requests for copies of records will be accepted in person during normal business hours upon such conditions as indicated for written requests and provided that such requests will not interfere with the normal operations of the Office of the Medical Examiner. Requests for copies of records should list the name of the deceased, date of death and place of death.

(e) Requests for records sought by an attorney acting on behalf of an estate should be accompanied by a duly executed authorization by the executor or administrator of the estate. Requests by attorneys, insurance claims agents or other interested parties, other than the next of kin or persons acting on behalf of the next of kin, should state reasons for which records are required.

(f) Upon receipt of request from defense counsel of record in a criminal case for copies of reports in said case, the Chief Medical Examiner shall promptly notify the Office of the State's Attorney which has jurisdiction of such request and shall release said records to the defense attorney after the expiration of 10 working days from the date of receipt of such request, without charge therefor, unless the Chief Medical Examiner is notified within said period of time that an application limiting disclosure has been made by the State's Attorney pursuant to provisions of Section 19a-411 of the Connecticut General Statutes and that an order limiting disclosure has been issued by a judge for the judicial district in which the state's attorney has jurisdiction.

(g) The following records will be furnished upon payment of the following fees, payable to the Treasurer, State of Connecticut, prescribed by the Commission on

Medicolegal Investigations for copying such records and, where requested, for certification:

1 Telephone Notice of Death	\$2.00 per page
2 Report of Investigation	\$2.00 per page
3 Hospital Report of Death	\$2.00 per page
4 Identification Form	\$2.00 per page
5 Autopsy Report	\$2.00 per page
6 Report of Toxicologic Analysis	\$2.00 per page
7 Receipt of Evidence	\$2.00 per page
8 Certification as True Copy	\$5.00 per certification

(h) The records of the Office of the Medical Examiner may also contain copies of records of hospitalization, reports of police investigation, coroner's findings and copies of certificates of death. These records are subject to the freedom of information act, as defined in section 1-200 of the Connecticut general statutes.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004, November 14, 2006)

Sec. 19a-401-13. Request for regulation

These rules set forth the procedure to be followed by the Commission on Medicolegal Investigations in the disposition of petitions concerning the promulgation, amendment, or repeal of a regulation governing the duties of the Chief Medical Examiner and the administration of the Office of the Medical Examiner.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-14. Form of petition

Any interested person may at any time petition the Commission to promulgate, amend, or repeal any regulation. The petition shall set forth clearly and concisely the text of the proposed regulation, amendment or repeal. Such petition shall also state the facts and arguments that favor the action it proposes either in the petition or in a brief annexed thereto. The petition shall be addressed to the Chairman of the Commission and sent to him by mail to the Office of the Medical Examiner, 11 Shuttle Rd., Farmington, Connecticut 06032 or delivered in person during normal business hours. The petition shall be signed by the petitioner and shall furnish the address of the petitioner and the name and address of the petitioner's attorney, if applicable.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-15. Procedure after petition filed

(a) **Decision on petition.** The Commission shall within 30 days after submission of the petition either deny the petition in writing stating its reasons for the denial or shall initiate regulation-making proceedings in accordance with Section 4-168 of the Connecticut General Statutes.

(b) **Procedure on denial.** If the Commission denies the petition, the Chairman of the Commission shall give the petitioner notice in writing stating the reasons for the denial based upon the data, facts, and arguments submitted with the petition by the petitioner and upon such additional data, facts, and arguments as the Commission shall deem appropriate.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-16. Requests for declaratory rulings. General

These rules set forth the procedure to be followed by the Commission in the disposition of requests for declaratory rulings as to the validity of any regulation,

or the applicability to specified circumstances of a provision of the Connecticut General Statutes, a regulation or a final decision within the Commission's jurisdiction.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-17. Form of request for declaratory ruling

A request for declaratory ruling shall be addressed to the Commission and sent to the Chairman of the Commission on Medicolegal Investigations by mail to the Office of the Medical Examiner, 11 Shuttle Rd., Farmington, Connecticut 06032 or delivered in person during normal business hours. The request shall be signed by the person in whose behalf the inquiry is made or by his attorney. It shall give the address of the person inquiring and the name and address of such person's attorney, if applicable. The request shall clearly and concisely state the substance and nature of the request. It shall identify the statute, the regulation or order concerning which the inquiry is made and shall identify the particular aspect thereof to which the inquiry is directed. The request for a declaratory ruling shall be accompanied by a statement of any data, facts and arguments that support the position of the person making the inquiry.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-18. Procedure after request filed

(a) **Notice to other persons.** Within 30 days after receipt of a request for a declaratory ruling, the Commission shall give notice of the request to all persons to whom notice is required by any provision of law and to all persons who have requested notice of declaratory ruling requests on the subject matter of the request, as required by section 4-176 of the Connecticut General Statutes.

(b) **Provision for hearing.** If the Commission deems a hearing necessary or helpful in determining any issue concerning the request for an declaratory ruling, the Commission shall schedule such hearing and give such notice thereof as shall be appropriate.

(c) **Decision on Request.** Within 60 days after receipt of a request for a declaratory ruling, the commission shall: (1) issue a ruling declaring the validity of a regulation or the applicability of the provision of the General Statutes, the regulation, or the final decision in question to the specified circumstances; (2) order the matter set for specified proceedings; (3) agree to issue a declaratory ruling by a specified date; (4) decide not to issue a declaratory ruling and initiate regulation-making proceedings, under section 4-168 of the Connecticut General Statutes, on the subject; or (5) decide not to issue a declaratory ruling, stating the reasons for its action. If the commission does not issue a declaratory ruling within one hundred eighty days after filing of a request or within such longer period as may be agreed by the parties, the commission shall be deemed to have decided not to issue such ruling.

(d) **Notice of decision.** A copy of all rulings issued and any actions taken under subsection (c) of this section shall be promptly delivered to the petitioner and other parties personally or by United States mail, certified or registered, postage prepaid, return receipt requested.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-19. Place of hearing

Hearings shall be held at times and locations specified by the Chairman of the Commission on Medicolegal Investigations pursuant to Statute.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-20. Hearings

(a) **Persons notified.** The Chairman of the Commission on Medicolegal Investigations shall give written notice of a hearing to all parties and to such other persons as have filed with the Chairman their written request to be notified of a hearing in the particular matter and to such additional persons as the Chairman deems appropriate and advisable. The Chairman shall give such notice by newspaper publication as may be required by law.

(b) **Contents of notice.** Notice of a hearing shall include but shall not be limited to the following: (1) a statement of the time, place and nature of the hearing; (2) a statement of the legal authority and jurisdiction under which the hearing is to be held; (3) a reference to the particular sections of the statutes and regulations involved; (4) a short and plain statement of fact describing the matters asserted.

(c) If a hearing is held, the contested case provisions of the Uniform Administrative Procedure Act shall apply.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-21. Designation of hearing officer

The Chairman of the Commission on Medicolegal Investigations shall designate himself or such member as he deems appropriate to serve as the Hearing Officer.

(Effective June 23, 1986; amended September 3, 1998)

Sec. 19a-401-22. Representation of parties

Each party and intervenor or their duly authorized representative shall file a written notice of appearance with the Hearing Officer prior to the commencement of the hearing.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-23.

Repealed, February 2, 2004.

Sec. 19a-401-24. Purpose of hearing

The purpose of the hearing on a request for a declaratory ruling shall be to provide to all parties the opportunity to present evidence and argument on all issues to be considered by the Commission on Medicolegal Investigations.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-25. Order of procedure

The order of procedure shall be determined by the hearing officer and furnished to the parties at the beginning of the hearing. A transcript of the hearing shall be taken by a public stenographer and be presented to the members of the Commission along with the findings of the Hearing Officer.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-26. Limiting number of witnesses

The Hearing Officer may limit the number of witnesses or the time for testimony on any particular issue in the course of any hearing.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-27. Final decision

The Hearing Officer shall present his findings and furnish the full Commission with a final transcript of the hearing prior to the next scheduled meeting or sooner, as deemed appropriate. The findings of the Hearing Officer shall include all findings

of the Hearing Officer which include all findings of fact and conclusions relied upon in arriving at his decision.

(Effective June 23, 1986; amended September 3, 1998, February 2, 2004)

Sec. 19a-401-28. Personal data

(a) The following definitions shall apply to sections 19a-401-28 to 19a-401-32, inclusive:

(1) "Category of Personal Data" means the classifications of personal information set forth in the Personal Data Act, Connecticut General Statutes section 4-190 (9).

(2) "Commission" means the Commission on Medicolegal Investigations.

(3) "Office" means the Office of the Chief Medical Examiner.

(4) "Other Data" means any information that because of name, identification number, mark or description can be readily associated with a particular person.

(5) "Personal Data Act" means the provisions of Chapter 55 of the Connecticut General Statutes.

(6) "State Personnel Act" means the provisions of Chapter 67 of the Connecticut General Statutes.

(b) Definitions contained in Connecticut General Statutes section 4-190 shall apply to sections 19a-401-28 to 19a-401-32, inclusive.

(Adopted effective February 2, 2004)

Sec. 19a-401-29. General nature and purpose of personal data

The Office of the Chief Medical Examiner maintains the following personal data systems:

(a) **Personnel records**

(1) Personnel records for Office employees are maintained at 11 Shuttle Rd., Farmington, CT 06032.

(2) Personnel records are maintained in automated and manual form.

(3) The purpose of the system is to provide data necessary for personnel and payroll management activities as required by federal and state law.

(4) Personnel records are the responsibility of the Personnel Officer. The Personnel Officer, 11 Shuttle Rd., Farmington, CT 06032, oversees personnel systems. All requests for disclosure or amendment of these records should be directed to the Personnel Officer, Office of the Chief Medical Examiner, 11 Shuttle Rd., Farmington, CT 06032.

(5) Routine sources of information contained in personnel records include the employee, previous employers of the employee, references provided by the applicant, the employee's supervisor, the Comptroller's Office, the Department of Administrative Services, Division of Personnel, the Office of Labor Relations and insurance carriers.

(6) Categories of personal data maintained in personnel files may include, but are not necessarily limited to:

(A) payroll information such as longevity payments, designation of compensation plan, rate of pay, salary history, deductions;

(B) employment information such as starting date, title of position, employee transfer and termination information, performance appraisal, and records of disciplinary action;

(C) educational credentials;

(D) medical or emotional condition or history; and

(E) reputation and character.

(7) Categories of other data include name, address, telephone number, employee number, social security number, date of birth, designation of status as veteran, racial, ethnic and handicapped designation as appropriate, and general correspondence related to personnel matters such as requests for employment verification.

(8) The personnel department and other administrative or supervisory staff use personnel records as required to record and document the performance of personnel and payroll management activities within the Office.

(9) Personnel records are maintained on all classified and unclassified employees of the Office and on applicants for employment.

(10) Personal data in personnel records are collected, maintained and used under the authority of the State Personnel Act.

(b) Payroll records

(1) Payroll records for all Office employees are maintained in the Fiscal Office in the Office of the Chief Medical Examiner, 11 Shuttle Rd., Farmington, CT 06032. These records are the responsibility of the Office Business Manager. All requests for disclosure or amendment of these records should be directed to the Personnel Officer, Office of the Chief Medical Examiner, 11 Shuttle Rd., Farmington, CT 06032.

(2) Payroll records are maintained in automated and manual form.

(3) The purpose of the system is to facilitate the Office's activities regarding payroll, budgeting, cost accounting, personnel planning and compliance with state and federal reporting requirements. Records are maintained for all current and former Office employees. Payroll records are used by the Fiscal Office staff to plan payroll and calculate budgets; to process promotions, reclassifications, transfers to other state agencies and retirements; and to maintain personnel documents required by, but not necessarily limited to the Comptroller's Office, Department of Administrative Services and group insurance carriers.

(4) Routine sources of information in payroll records may include the employee, the employee's supervisor, attendance sheets, contracts, the Comptroller's Office, the Department of Administrative Services, the Office of Labor Relations and insurance carriers.

(5) Categories of personal data maintained in payroll files may include:

(A) financial information such as salary records, longevity payments, compensation plan, rate of pay, deductions, salary history and garnishment of wages and payments related to garnishment; and

(B) employment information such as starting date, job classification and bargaining unit, attendance information, vacation, sick and personal leave days accrued and used, title of position, and contracts.

(6) Categories of other data may include name, address, social security number, date of birth, telephone number, marital status, insurance and retirement information, military service, and correspondence regarding payroll and benefits matters.

(7) Payroll data are collected, maintained and used under authority of the State Personnel Act.

(c) Client Records

(1) All client records are either located at the Office of the Chief Medical Examiner, 11 Shuttle Rd., Farmington, CT 06032 or at a records storage facility. Documents regarding the storage facility location and the records kept at such facility are located in Office of the Chief Medical Examiner, 11 Shuttle Rd., Farmington, CT 06032, in the custody of the Chief Medical Examiner.

(2) Records are maintained in automated and manual form.

(3) Client records are the responsibility of the Chief Medical Examiner or his designee. All requests for the disclosure or amendment of the records should be directed to the Chief Medical Examiner, or his designee.

(4) Routine sources of data may include interviews, examination of the client, information provided by family members, public and private health care providers, social workers, other professionals and other state agencies.

(5) Categories of personal data maintained in client records may include, but are not necessarily limited to:

(A) medical condition and history which includes the use of alcohol or other drugs;

(B) psychiatric and psychological condition and history;

(C) family and personal relationships;

(D) legal status, including relevant legal documents;

(E) employment information such as employment status, education, occupation, and employer and income;

(F) treatment and discharge information, including treatment plans, physicians, orders, laboratory test results, progress notes, discharge plan, nature of the discharge, and referrals.

(6) Categories of other data include name, address, telephone number, date of birth, sex, racial or ethnic designation, social security number, and insurance information such as primary and secondary source, and type of insurance;

(7) Records are used by the individual hospital staff to reflect treatment planning and services provided to or on behalf of clients and their families.

(Adopted effective February 2, 2004)

Sec. 19a-401-30. Maintenance of personal data

(a) Personal data shall not be maintained unless relevant and necessary to accomplish the lawful purposes of the Office. Where the Office finds irrelevant or unnecessary public records in its possession, the Office shall dispose of the records in accordance with its record retention schedule and with the approval of the Public Records Administrator as per section 11-8a of the Connecticut General Statutes, or, if the records are not disposable under the records retention schedule, request permission from the Public Records Administrator to dispose of the records under section 11-8a of the Connecticut General Statutes.

(b) The Office shall collect and maintain all records with accurateness and completeness.

(c) Office employees involved in the operations of the Office's personal data systems shall be informed of the provisions of: (1) the Personal Data Act; (2) the commission's regulations adopted pursuant to section 4-196 of the Connecticut General Statutes; (3) the Freedom of Information Act and (4) any other state or federal statute or regulations concerning maintenance or disclosure of personal data kept by the Office.

(d) All Office employees shall take reasonable precautions to protect personal data under their custody from the danger of fire, theft, flood, natural disasters and other physical threats.

(e) The Office shall incorporate by reference the provisions of the Personal Data Act and regulations promulgated thereunder in all contracts, agreements or licenses for operation of a personal data system or for research, evaluation and reporting of personal data for the Office or on its behalf.

(f) The Office shall insure that personal data requested and received from any other agency is maintained in conformance with the Personal Data Act.

(g) Only Office employees who have a specific need to review personal data records for lawful purposes of the Office shall be entitled to access to such records under the Personal Data Act.

(h) The Office shall insure that all records in manual personal data systems are kept under lock and key and, to the greatest extent practical, are kept in controlled access areas.

(i) With respect to automated personal data systems, the Office shall:

(1) to the greatest extent practical, locate automated equipment and records in a limited access area;

(2) to the greatest extent practical, require visitors to such area to sign a visitor's log and permit access to said area on a bona-fide need-to-enter basis only;

(3) to the greatest extent practical, insure that regular access to automated equipment is limited to operations personnel;

(4) utilize appropriate access control mechanisms to prevent disclosure of personal data to unauthorized individuals.

(j) Records for each personal data system are maintained in accordance with schedules prepared by the Connecticut State Library, Department of Public Records Administration and records retention schedule as approved by the Public Records Administrator as authorized by section 11-8a of the Connecticut General Statutes. Retention schedules shall be maintained on file at the Office and may be examined during normal business hours.

(Adopted effective February 2, 2004)

Sec. 19a-401-31. Disclosure of personal data

(a) The Office shall not disclose to the public personal records of a confidential or private nature except as required under state and federal law.

(b) Within four business days of receipt of a written request therefore, the Office shall mail or deliver to the requesting individual a written response in plain language, informing him or her as to whether or not the Office maintains personal data on that individual, the category and location of the personal data maintained on that individual and procedures available to review the records.

(c) Except where non-disclosure is required or specifically permitted by law, the Office shall disclose to any person upon written request all personal data concerning that individual which is maintained by the Office. The procedures for disclosure shall be in accordance with the Freedom of Information Act, as defined in section 1-200 of the Connecticut General Statutes. If the personal data is maintained in coded form, the Office shall transcribe the data into commonly understandable form before disclosure.

(Adopted effective February 2, 2004)

Sec. 19a-401-32. Contesting the content of personal data records

(a) Any person who believes that the Office is maintaining inaccurate, incomplete or irrelevant personal data concerning him or her may file a written request with the official of the Office who is responsible for maintaining such records for correction of said personal data.

(b) Within thirty (30) days of receipt of such request, the official of the Office who is responsible for maintaining the records shall give written notice to that person that the Office will make the requested correction, or if the correction is not to be made as submitted, the official of the Office shall state the reason for the Office's denial of such request and notify the person of his or her right to add his or her own statement to his or her personal data records.

(c) Following such denial by the Office, the person requesting such correction shall be permitted to add a statement to his or her personal data records setting forth what that person believes to be an accurate, complete and relevant version of the personal data in question. Such statements shall become a permanent part of the Office's personal data system and shall be disclosed to any individual, agency or organization to which the disputed data is disclosed.

(Adopted effective February 2, 2004)