

West Virginia Executive Branch Privacy Policy: Individual Rights

Limits on Individual Access Rights

Question:

Are there limits on access to my personal information?

Answer:

Although the Executive Branch agencies are committed to respecting individual rights of access to personal information (PI), those rights are limited. In particular, a Department can generally deny an individuals' access request if:

- ✓ The cost of providing the access is unreasonable.
- ✓ Providing access would compromise another person's privacy.
- ✓ Providing access would expose other sensitive information, such as an investigation.
- ✓ Providing access would violate a law or department policy.

Of course, Departments may never deny access to PI where the person has a specific legal right of access, such as under the HIPAA Privacy Rule.

If you want to deny someone's request for access to PI, you should first consult with your Privacy Officer. Your Privacy Officer can help you decide if access is necessary. Your Privacy Officer can also help you satisfy an access request in a reasonable manner.