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LRB094 15527 DRJ 55453 a

1 AMENDMENT TO SENATE BILL 2782

2 AMENDMENT NO. _____. Amend Senate Bill 2782 on page 1,
3 after line 3, by inserting the following:

4 "Section 2. The Abuse of Adults with Disabilities
5 Intervention Act is amended by changing Section 55 as follows:

6 (20 ILCS 2435/55) (from Ch. 23, par. 3395-55)

7 Sec. 55. Access to records. All records concerning reports
8 of abuse, neglect, or exploitation of an adult with
9 disabilities and all records generated as a result of the
10 reports shall be confidential and shall not be disclosed except
11 as specifically authorized by this Act or other applicable law.
12 A person making a report of alleged abuse, neglect, or
13 exploitation functioning in his or her capacity as a licensed
14 professional may be entitled to the result of the report and of
15 the investigative assessment as authorized by the Inspector
16 General. Access to the records, but not access to the identity
17 of the person or persons making a report of alleged abuse,
18 neglect, or exploitation as contained in the records, shall be
19 allowed to the following persons and for the following
20 purposes:

21 (a) Adults with Disabilities Abuse Project staff in the
22 furtherance of their responsibilities under this Act;

23 (b) A law enforcement agency investigating alleged or
24 suspected abuse, neglect, or exploitation of an adult with

1 disabilities;

2 (c) An adult with disabilities reported to be abused,
3 neglected, or exploited, or the guardian of an adult with
4 disabilities unless the guardian is the alleged perpetrator of
5 the abuse, neglect, or exploitation;

6 (d) A court, upon its finding that access to the records
7 may be necessary for the determination of an issue before the
8 court. However, the access shall be limited to an in camera
9 inspection of the records, unless the court determines that
10 disclosure of the information contained therein is necessary
11 for the resolution of an issue then pending before it;

12 (e) A grand jury, upon its determination that access to the
13 records is necessary to the conduct of its official business;

14 (f) Any person authorized by the Secretary, in writing, for
15 audit or bona fide research purposes;

16 (g) A coroner or medical examiner who has reason to believe
17 that abuse or neglect contributed to or resulted in the death
18 of an adult with disabilities;

19 (h) The agency designated pursuant to the Protection and
20 Advocacy for Developmentally Disabled Persons Act and the
21 Protection and Advocacy for Mentally Ill Persons Act.

22 (Source: P.A. 91-671, eff. 7-1-00.)".