**Section 51.90 Confidentiality**

*All records concerning reports of abuse, neglect or exploitation of an adult with disabilities and all records generated as a result of the reports shall be confidential and shall not be disclosed except as specifically authorized by the Act or other applicable law. A person making a report of alleged abuse, neglect, or exploitation functioning in his or her capacity as a licensed professional may be entitled to the finding of the investigative assessment and subsequent referrals as authorized by the Inspector General. Office of Inspector General (OIG) investigators shall inform the alleged victim or guardian that information regarding the finding and referrals may be released to the person who made the report if that person is a professional, and the alleged victim or guardian shall be afforded the opportunity to refuse to consent to the release of that information. Access to records, but not access to the identity of the person or persons making a report of alleged abuse, neglect or exploitation that may be contained in the record, shall be allowed to the following persons and for the following reasons:*

a) *Project staff in the furtherance of their responsibilities;*

b) *A law enforcement agency investigating alleged or suspected abuse, neglect or exploitation of an adult with disabilities;*

c) *An adult with disabilities reported to be abused, neglected or exploited, or his or her guardian unless the guardian is the alleged perpetrator of the abuse, neglect or exploitation;*

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

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

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

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

h) *The agency designated pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act* [405 ILCS 40] *and the Protection and Advocacy for Mentally Ill Persons Act* [405 ILCS 45]*.* [20 ILCS 2435/55]

(Source: Amended at 32 Ill. Reg. 14735, effective August 26, 2008)