**Section 946.60 Confidentiality**

a) The following information received and records kept by the Department for purposes of administering this Part are subject to all applicable federal privacy laws, are confidential, are exempt from the Illinois Freedom of Information Act, and are not subject to disclosure to any individual or public or private entity, except as necessary for authorized employees of the Department to perform official duties of the Department pursuant to this Part:

1) Applications or renewals, their contents and supporting information submitted by qualifying patients and designated caregivers, including information regarding designated caregivers and certifying health care professionals;

2) The individual names and other information identifying persons to whom the Department has issued registry identification cards; and

3) All medical records provided to the Department in connection with an application for a registry identification card.

b) Department hard drives or other data recording media that are no longer in use and that contain cardholder information will be destroyed.

c) Data subject to this Section shall not be *combined or linked in any manner with any other list or database and shall not be used for any purpose not provided by* this Part or the Act. (Section 150(a) of the Act)

d) Any dispensing information required to be kept under Section 135 or 150 of the Act or under this Part will identify cardholders, including an Opioid Alternative Pilot Program participant, by their registry identification numbers and not contain names or other personally identifying information.

e) The Department of Agriculture, the Department of Financial and Professional Regulation and the Illinois State Police may verify registry identification cards. Law enforcement personnel shall have access to the Department's online verification system to verify the period for which the registration is valid and the status of qualifying patients who have submitted an application for a registry identification card and Opioid Alternative Pilot Program participant registration information.

f) This Section does not preclude the following notifications:

1) Department employees may notify law enforcement if information submitted to the Department is suspected to be falsified or fraudulent.

2) The Department may notify State or local law enforcement about alleged criminal violations of this Part.

3) The Department will notify the Department of Financial and Professional Regulation if there is reasonable cause to believe that a certifying health care professional has:

A) Issued a written certification without a bona-fide health care professional-patient relationship; or

B) Issued a written certification to a person who was not under the certifying health care professional's care for the debilitating medical condition; or

C) Failed to abide by the acceptable and prevailing standard of care when evaluating a patient's medical condition.

g) The Department will share, disclose, and forward patient information as required by Section 60(e) of the Act.

(Source: Amended at 45 Ill. Reg. 6205, effective April 27, 2021)