

RECORD AS REQUESTED AND INFORM THE PERSON IN WRITING OF THAT AMENDMENT OR SUPPLEMENT, OR INFORM THE PERSON OF ITS REFUSAL TO AMEND OR SUPPLEMENT THE RECORD AS REQUESTED, INCLUDING THE REASON FOR THE REFUSAL AND THE PROCEDURES ESTABLISHED BY THE DIRECTOR FOR THE PERSON TO OBTAIN A REVIEW OF THAT REFUSAL.

(5) THE PERSON WHO DISAGREES WITH THE REFUSAL OF THE FACILITY MAY REQUEST THE DIRECTOR TO REVIEW THE REFUSAL. WITHIN 45 DAYS FROM THIS REQUEST, THE DIRECTOR SHALL COMPLETE A REVIEW AND MAKE A FINAL DETERMINATION. THE DIRECTOR SHALL NOTIFY THE PERSON IN WRITING OF THE FINAL DETERMINATION. IF THE FINAL DETERMINATION INVOLVES A REFUSAL TO AMEND OR SUPPLEMENT THE RECORD AS REQUESTED, THEN THE WRITTEN NOTIFICATION SHALL INCLUDE THE REASONS FOR THE REFUSAL, INFORM THE PERSON OF THE PROCEDURES FOR INSERTING IN THE RECORD A CONCISE STATEMENT OF THE REASONS THE PERSON DISAGREES WITH THE REFUSAL OF THE AGENCY, AND APPRISE THE PERSON OF THE PROVISIONS FOR JUDICIAL REVIEW OF THE DIRECTOR'S DECISION.

(D) EXCEPT AS PROVIDED IN SUBSECTION (E), THESE RECORDS ARE NOT OPEN FOR INSPECTION TO ANYONE OTHER THAN THE PERSON ABOUT WHOM THE RECORD IS MAINTAINED, UNLESS:

(1) THE PERSON HAS GIVEN WRITTEN INFORMED CONSENT FOR THE INSPECTION; OR

(2) THE INFORMATION IS REQUESTED IN FURTHERANCE OF THE PURPOSE OF:

(I) A MEDICAL REVIEW COMMITTEE; OR

(II) AN ACCREDITATION BOARD OR COMMISSION;

OR

(III) A LICENSING AGENCY AUTHORIZED BY STATUTE TO REVIEW RECORDS; OR

(IV) A COURT ORDER; OR

(V) PROVIDING MEDICAL OR OTHER SERVICE FOR THE HEALTH AND WELFARE OF SUCH PERSON AND THE FACILITY OR INDIVIDUAL MAKING SUCH REQUEST IS RESPONSIBLE FOR THE DELIVERY OF SUCH SERVICE; OR

(VI) REPRESENTATIVES OF THE DIVISION OF REIMBURSEMENT, DEPARTMENT OF HEALTH AND MENTAL HYGIENE; OR

(VII) AUDITORS OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE; OR

(VIII) AUDITORS OF THE LEGISLATIVE AUDITOR'S OFFICE IN THE DEPARTMENT OF FISCAL SERVICES.

(3) THE INFORMATION IS NECESSARY FOR ROUTINE USE BY THE STAFF OF THE PARTICULAR FACILITY.