

2. THERE IS NO OTHER PERSON TO WHOM, IN ON BEHALF OF THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY, THE RECORD MAY BE DISCLOSED UNDER THIS PARAGRAPH; OR

3. THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY IS UNABLE TO GIVE WRITTEN INFORMED CONSENT AND THE DIRECTOR DETERMINES THAT DISCLOSURE IS NECESSARY TO PROTECT THE RIGHTS OF THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY.

(2) A LICENSEE SHALL COMPLY WITHIN 14 DAYS AFTER AN INDIVIDUAL WITH DEVELOPMENTAL DISABILITY OR A PERSON WHO IS AUTHORIZED TO ACT ON BEHALF OF THAT INDIVIDUAL, ASKS IN WRITING:

(I) TO RECEIVE A COPY OF A RECORD; OR

(II) TO SEE AND COPY THE RECORD DISCLOSED.

(C) IF A LICENSEE REFUSES TO DISCLOSE A RECORD UNDER SUBSECTION (B)(1)(I) OF THIS SECTION, THE EXECUTIVE OFFICER OR ADMINISTRATIVE HEAD OF A LICENSEE SHALL APPLY, WITHIN 10 WORKING DAYS AFTER THE REFUSAL, TO THE CIRCUIT COURT FOR THE COUNTY WHERE THE INDIVIDUAL MAKING THE REQUEST RESIDES OR WHERE THE SITE OF SERVICES TO THE INDIVIDUAL OCCURRED FOR AN ORDER TO PERMIT THE EXECUTIVE OFFICER OR ADMINISTRATIVE HEAD OF THE LICENSEE TO CONTINUE TO REFUSE DISCLOSURE TO THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY.

(D) A LICENSEE SHALL DISCLOSE A RECORD THAT IS SOUGHT:

(1) BY THE STAFF OF THE LICENSEE TO CARRY OUT A PURPOSE FOR WHICH THE RECORD IS KEPT;

(2) BY ANY OTHER PERSON WHO PROVIDES OR COORDINATES SERVICES IN ACCORDANCE WITH THE INDIVIDUAL'S PLAN OF HABILITATION;

(3) BY THE DIRECTOR OR A DESIGNEE OF THE DIRECTOR;
AND

(4) BY A PERSON TO FURTHER THE PURPOSES OF:

(I) A MEDICAL REVIEW COMMITTEE;

(II) AN ACCREDITATION BOARD OR COMMISSION;

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

(IV) A COURT ORDER;

(V) A REPRESENTATIVE OF THE DIVISION OF REIMBURSEMENT OF THE DEPARTMENT;

(VI) AN AUDITOR OF THE DEPARTMENT;