

7-1009.

WITHIN 14 DAYS AFTER AN INDIVIDUAL WITH DEVELOPMENTAL DISABILITY ASKS A LICENSEE FOR INFORMATION ABOUT ITS RECORDS ON THAT INDIVIDUAL, THE LICENSEE SHALL ADVISE THE INDIVIDUAL, IN WRITING, ABOUT THE RECORDS AND THE PROCEDURES FOR THEIR DISCLOSURE.

7-1010.

(A) EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS SECTION, A LICENSEE MAY NOT DISCLOSE ANY RECORD THAT THE LICENSEE KEEPS ON AN INDIVIDUAL WHO HAS BEEN SERVED BY THE LICENSEE, UNLESS THE INDIVIDUAL GIVES WRITTEN, INFORMED CONSENT TO THE DISCLOSURE.

(B) (1) SUBJECT TO THE LIMITATIONS OF THIS SUBSECTION, A LICENSEE SHALL DISCLOSE A RECORD OF AN INDIVIDUAL WHO IS SERVED BY A LICENSEE TO:

(I) THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY, IF:

1. A PERSON IS NOT AUTHORIZED TO ACT ON BEHALF OF THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY; AND

2. THE EXECUTIVE OFFICER OR ADMINISTRATIVE HEAD OF THE LICENSEE DETERMINES THAT DISCLOSURE WOULD NOT BE DETRIMENTAL TO THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY;

(II) A PARENT OR GUARDIAN OF THE PERSON WITH DEVELOPMENTAL DISABILITY WHO IS:

1. A MINOR; OR

2. UNLESS THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY ASKS THAT DISCLOSURE TO THE PARENT OR GUARDIAN NOT BE ALLOWED, AN ADULT;

(III) A LAWYER OR OTHER INDIVIDUAL WHO IS AUTHORIZED:

1. BY THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY; OR

2. BY ANOTHER INDIVIDUAL TO WHOM, ON BEHALF OF THE INDIVIDUAL WITH DEVELOPMENTAL DISABILITY, DISCLOSURE OF THE RECORD IS AUTHORIZED; OR

(IV) TO THE EXECUTIVE DIRECTOR OR A DESIGNEE OF THE EXECUTIVE DIRECTOR OF THE STATE DESIGNATED PROTECTION AND ADVOCACY AGENCY, IF:

1. THE AGENCY HAS RECEIVED A REQUEST FOR AN INVESTIGATION; AND