**Section 310.80 Confidentiality**

a) Policy

Each regional authority shall conduct its meetings and investigations and keep its records in compliance with the requirements of confidentiality as enumerated in subsections (b) through (f) infra in order to uphold the dignity and privacy of eligible persons and their families.

b) Prohibition Against Disclosure of Identifiable Date

No *regional authority may disclose to any person any materials which identify an eligible person unless the eligible person or legally authorized* representative *consents to such disclosure, except if, and to the extent that disclosure may be necessary for the appointment of a guardian for such eligible person.* Any such consent shall be informed and in writing.

c) Prohibition Against Disclosure at Meetings or Hearings

1) No member shall intentionally refer by name, description or other information that would identify an eligible person or his family during any public meeting or hearing conducted by a regional authority unless the eligible person or legally authorized representative on his behalf consents to such disclosure pursuant to Section 310.80(b) of this Part.

2) Every nonmember scheduled to testify at a hearing or wishing to speak at a meeting concerning the alleged violations of an eligible person's rights shall be advised of the provisions of this Section and shall be instructed to use a specific, non-descript identifier (e.g., number) when referring to an eligible person or his family.

d) Close Meetings and Hearings

A *regional authority may conduct closed meetings and hearings,* or close a portion of a meeting or hearing, if *necessary to ensure confidentiality or protect the rights of any eligible person or provider of services or other person.* The minutes or records of such closed meetings shall not be made public. *However,* the regional authority *shall make public a summary,* which shall not contain personally identifiable data, *of* the *business conducted during any* closed *meeting or hearing.*

e) The regional authority shall record in its minutes Section 21 of the Act as the statutory basis for the closed session.

f) Deletion of Identifiable Data From Public Reports or Records

Reference shall not be made to any name, description or other information that would serve to identify an eligible person or his family in any public report issued by the regional authority, or in any minutes or other summaries of meetings or hearings, or any other public record or documents maintained by a regional authority, unless the use of such identifiable data is consented to by the eligible person or legally authorized representative in his behalf as provided in Section 310.80(b) of this Part.

(Source: Amended at 10 Ill. Reg. 7778, effective April 30, 1986)