**Section 1285.280 Mandatory Reporting of Persons Engaged in Post-Graduate Clinical Training Programs**

a) Section 23(A)(1.5) of the Act requires the program director of any post-graduate clinical training program to report to the Disciplinary Board if a person engaged in a post-graduate clinical training program at the institution, including, but not limited to, a residency or fellowship, separates from the program for any reason prior to its conclusion.

b) "Separation", as used in this Section, means any absence from a post-graduate clinical training program exceeding 45 days, whether continuous or in the aggregate, in any 365 day period; any suspension from a post-graduate clinical training program, regardless of length or reason; or any termination from a post-graduate clinical training program. Separation includes a program's decision not to renew a person's contract to participate in the program prior to the conclusion of the full term for which the person was originally engaged. Separation does not include approved leaves of absence for training, maternity or paternity leave, or vacation, sick or personal leave.

c) Contents of Reports.  Reports of persons who have separated or will separate from a post-graduate clinical training program shall be submitted in writing, on forms provided by the Division, that shall include, but not be limited to, the following information:

1) The name of the post-graduate clinical training program;

2) The name, address, telephone number, email address and title of the director of the program;

3) The name, address and telephone number of the institution where the program operates;

4) The name, address, telephone number, email address and license number of the person who is the subject of the report;

5) The nature of, and reasons for, the person's separation from the program;

6) Any other information deemed by the reporting person to be of assistance to the Disciplinary Board and the Medical Coordinators in evaluating the report.

d) Deadline to Report. Reports of persons who have separated from a post-graduate clinical training program shall be submitted by the program director to the Disciplinary Board in a timely manner.  The initial report shall be submitted on forms provided by the Division within 60 days after the separation.

e) Additional Documentation. *The program director shall provide all documentation relating to the separation if, after review of the report, the Disciplinary Board determines that those documents are necessary to determine whether a violation of the Act occurred*. [225 ILCS 60/23(A)(1.5)]

f) Confidentiality

1) The contents of any report shall be strictly confidential, except as otherwise provided in this subsection (f) and exempt from public disclosure, but may be reviewed by:

A) Members of the Disciplinary Board or their designees;

B) The Disciplinary Board's designated attorneys;

C) The Medical Coordinators or their designees;

D) Administrative personnel assigned to open mail containing reports and to process and distribute reports to authorized persons, and to communicate with senders of reports; and

E) The person who is the subject of the report or that person's attorney or authorized representative (as evidenced by a written authorization signed by the person who is the subject of the report).

2) The reports may also be handled or processed by other designated persons in a limited manner necessary to implement reports required under the Act by computer, word processing equipment or other mechanical means. The data record shall be limited to the name and address of the originator of the report, the date the initial report was received, the date of the most recent report, and the professional license number of the subject of the report.

3) The contents of the confidential reports shall not be used or made available in any administrative proceedings before the Division or any other department except for an administrative proceeding against the subject of the report for violations of the Act disclosed in the reports. Reports shall not be disclosed, made available, or be subject to subpoena or discovery proceedings in any civil or criminal court proceedings.

g) Whenever a program director makes a report to the Disciplinary Board concerning a person who has separated from a post-graduate clinical training program, acting in good faith and not in a willful and wanton manner, the program director, and the institution employing him or her, *shall not, as a result of* making the report*, be subject to criminal prosecution or civil damages*. [225 ILCS 60/23(C)]

(Source: Added at 40 Ill. Reg. 3503, effective March 4, 2016)