**Section 350.220 Information to Be Made Available to the Public by the Department**

a) *The Department shall respect the confidentiality of a resident's record and shall not divulge or disclose the contents of a record in a manner which identifies a resident, except upon a resident's death to a relative or guardian, or under judicial proceedings. This Section shall not be construed to limit the right of a resident or a resident's representative to inspect or copy the resident's records.* (Section 2-206(a) of the Act)

b) *Confidential medical, social, personal or financial information identifying a resident shall not be available for public inspection in a manner which identifies a resident.* (Section 2-206(b) of the Act)

c) *The following information is subject to disclosure to the public from the Department or the Department of Healthcare and Family Services:*

1) *Information submitted under Section 3-103 and 3-207* of the Act*, except information concerning the remuneration of personnel licensed, registered, or certified by the Department of Financial and Professional Regulation and monthly charges for an individual private resident;*

2) *Records of license and certification inspections, surveys, and evaluations of facilities, other reports of inspections, surveys, and evaluations of resident care, whether a facility is designated a distressed facility and the basis for the designation, and reports concerning a facility prepared pursuant to Titles XVIII and XIX of the Social Security Act, subject to the provisions of the Social Security Act;*

3) *Cost and reimbursement reports submitted by a facility under Section 3-208* of the Act, *reports of audits of facilities, and other public records concerning the cost incurred by, revenues received by, and reimbursement of facilities; and*

4) *Complaints filed against a facility and complaint investigation reports, except that a complaint or complaint investigation report shall not be disclosed to a person other than the complainant or complainant's representative before it is disclosed to a facility under Section 3-702* of the Act*, and, further, except that a complainant or resident's name shall not be disclosed except under Section 3-702* of the Act*.* (Section 2-205 of the Act)

d) *The Department shall disclose information under this Section in accordance with provisions for inspection and copying of public records required by the Freedom of Information Act*.

e) *However, the disclosure of information described in* subsection (c)(1) *shall not be restricted by any provision of the Freedom of Information Act*. (Section 2-205 of the Act)

f) Copies of reports available to the public may be obtained by making a written request to the Department in accordance with Access to Records of the Department of Public Health.

(Source: Amended at 46 Ill. Reg. 10519, effective June 2, 2022)