**Section 240.340 Confidentiality/Safeguarding of Case Information**

a) For protection purposes, any information about a participant's case is confidential and may be used only for purposes directly related to the administration of the CCP. Information that is considered to be included in the administration of the program is as follows:

1) Establishing a participant's initial/continuing eligibility, preventing duplicate coverage under another Home and Community-Based Service (HCBS) Waiver, and providing assistance in transitioning to other programs in appropriate instances.

2) Establishing the extent of a participant's: assets and income; determination of need under CCP; person-centered plan of care; case notes and other benefits. This includes recovery of payments and investigating allegations of fraud or other abuse of publicly funded benefits. This information may be shared in a secure manner by and among the Department and the Social Security Administration, the Department of Employment Security, HFS, the Department of Human Services, the Department of Revenue, the Secretary of State, the U.S. Department of Veterans Affairs, and any other governmental entity only to the extent that there is no conflict with any federal or State law or regulation.

3) Finding and linking needed services and resources available to an eligible participant, including information about new laws or changes in public benefit programs.

4) Assuring the health, safety, and welfare of the participant, submission of required critical events reports, reporting alleged or suspected abuse, neglect, financial exploitation, or self-neglect, assisting with investigations conducted under the Adult Protective Services Program, and making referrals to the State/Regional Long Term Care Ombudsman Programs.

5) Collecting data for the Department's demonstration/research projects.

6) Compliance with legal proceedings in response to valid court or administrative agency orders.

7) Directing and planning programming to transform long-term services and supports in Illinois and to maximize Federal Financial Participation in State expenditures under Medical Assistance Programs.

b) Use of information for commercial, personal, political or other purposes not specified in this Section is specifically prohibited. Information about a participant's case under the CCP is exempt from disclosure under the Freedom of Information Act [5 ILCS 140].

c) The Department, CCUs and vendors shall inform all agencies and governmental departments to whom information is furnished that this material is confidential and must be so considered by the agency or governmental department.

d) Any information received from other agencies or persons, which includes the express statement that the information is not to be released to the participant/authorized representative or to any other person or agency under any circumstances, is prohibited from release as case information. Requests for this information shall be referred to the originator of the restricted information.

e) If any information about a participant or document contained in the participant's case file is to be used for any purpose other than the administration of CCP, the CCU shall obtain a Release of Information form signed by the participant /authorized representative. The Release of Information form shall be placed in the participant's case record.

(Source: Amended at 48 Ill. Reg. 11053, effective July 16, 2024)