



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB2643

Introduced 2/21/2013, by Rep. Greg Harris

#### SYNOPSIS AS INTRODUCED:

See Index

Creates the Vulnerable Adult Fatality Review Team Act. Requires the Director of the Department on Aging, in consultation with other specified agencies and professionals who work in the field of investigating, treating, or preventing abuse or neglect of vulnerable adults, to appoint members to a minimum of one vulnerable adult fatality review team in each of the Department's 13 planning and service areas. Contains provisions concerning appointment terms and the requirement that each review team consist of at least one member who is a physician knowledgeable about abuse and neglect of vulnerable adults; a representative of the Department; a representative of the Department of State Police; a representative of a social service or health care agency that provides services to persons with mental illness; and other specified persons. Provides that each review team shall select a chairperson from among its members and that the chairperson shall also serve on the Illinois Vulnerable Adult Fatality Review Teams Executive Council. Contains provisions concerning the Executive Council, its composition, and duties. Contains provisions concerning the review of vulnerable adult deaths; review team access to information; public access to information; the creation of a database of at-risk individuals; and other matters. Amends the Open Meetings Act. Provides that the meetings of a review team or the Executive Council shall be closed to the public. Amends the Freedom of Information Act. Provides that records and information provided to a review team or the Executive Council shall be exempt from public inspection and copying. Amends the Elder Abuse and Neglect Act. Repeals a provision permitting the Department on Aging to establish regional interagency elder abuse fatality review teams. Effective immediately.

LRB098 07572 KTG 37643 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning aging.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Vulnerable Adult Fatality Review Team Act.

6 Section 5. State policy. The following statements are the  
7 policy of this State:

8 (a) Both the State and the community maintain a  
9 commitment to preventing the abuse, neglect, and financial  
10 exploitation of vulnerable adults. This includes a charge  
11 to bring perpetrators of crimes against vulnerable adults  
12 to justice and prevent untimely deaths in the community.

13 (b) When a vulnerable adult dies, the response by the  
14 community and the State to the death must include an  
15 accurate and complete determination of the cause of death,  
16 and the development and implementation of measures to  
17 prevent future deaths from similar causes.

18 (c) Multidisciplinary and multi-agency reviews of  
19 deaths can assist the State and counties in (i)  
20 investigating the deaths of vulnerable adults, (ii)  
21 developing a greater understanding of the incidence and  
22 causes of pre-mature deaths and the methods for preventing  
23 those deaths, and (iii) identifying gaps in services to

1 vulnerable adults.

2 (d) Access to information regarding the deceased and  
3 their families by multidisciplinary and multi-agency  
4 vulnerable adult fatality review teams is necessary in  
5 order to fulfill their purposes and duties.

6 Section 10. Definitions. As used in this Act:

7 (a) "Department" means the Department on Aging.

8 (b) "Director" means the Director of the Department on  
9 Aging.

10 (c) "Executive Council" means the Illinois Vulnerable  
11 Adult Fatality Review Teams Executive Council.

12 (d) "Review team" means a vulnerable adult fatality review  
13 team appointed under this Act.

14 (e) "Vulnerable adult" means

15 (1) a person aged 18 through 59 who resides in a  
16 domestic living situation and whose physical or mental  
17 disability impairs his or her ability to seek or obtain  
18 protection from abuse, neglect, or exploitation; or

19 (2) a person 60 years of age or older who resides in a  
20 domestic living situation.

21 Section 15. Vulnerable adult fatality review teams;  
22 establishment.

23 (a) The Director, in consultation with the Executive  
24 Council, law enforcement, and other professionals who work in

1 the field of investigating, treating, or preventing abuse or  
2 neglect of vulnerable adults, shall appoint members to a  
3 minimum of one review team in each of the Department's 13  
4 planning and service areas. The members of a review team shall  
5 be appointed for 2-year terms and shall be eligible for  
6 reappointment upon the expiration of the terms. The Director  
7 must fill any vacancy in a review team within 60 days after  
8 that vacancy occurs.

9 (b) Each review team shall consist of at least one member  
10 from each of the following categories:

11 (1) Physician knowledgeable about abuse and neglect of  
12 vulnerable adults.

13 (2) Representative of the Department.

14 (3) State's attorney or State's attorney's  
15 representative.

16 (4) Representative of a local law enforcement agency.

17 (5) Psychologist or psychiatrist.

18 (6) Representative of a local health department.

19 (7) Representative of a social service agency  
20 providing services for persons 60 years of age or older in  
21 domestic living situations.

22 (8) Representative of a social service or health care  
23 agency that provides services to persons with mental  
24 illness, in a program whose accreditation to provide such  
25 services is recognized by the Office of Mental Health  
26 within the Department of Human Services.

1           (9) Representative of a social service or health care  
2           agency that provides services to persons with  
3           developmental disabilities, in a program whose  
4           accreditation to provide such services is recognized by the  
5           Office of Developmental Disabilities within the Department  
6           of Human Services.

7           (10) Coroner or forensic pathologist.

8           (11) Representative of a local hospital, trauma  
9           center, or provider of emergency medical services.

10          (12) Representative of the Department of State Police.

11          (13) Representative of the Area Agency on Aging for the  
12          review team's planning and service area.

13          (14) Representative of a forensic unit.

14          Each review team may make recommendations to the Director  
15          concerning additional appointments.

16          Each review team member must have demonstrated experience  
17          and an interest in investigating, treating, or preventing abuse  
18          or neglect of vulnerable adults.

19          (c) Each review team shall select a chairperson from among  
20          its members. The chairperson shall also serve on the Illinois  
21          Vulnerable Adult Fatality Review Teams Executive Council.

22          Section 20. Reviews of vulnerable adult deaths.

23          (a) The review team shall review a case of a death of a  
24          vulnerable adult occurring in its planning and service area if:

25          (1) the death involves blunt force trauma or an

1 undetermined manner or suspicious cause of death;

2 (2) requested by the deceased's attending physician;

3 (3) referred by a health care provider; or

4 (4) the vulnerable adult was the subject of an open or  
5 closed case from a senior protective services agency, law  
6 enforcement agency, or State's Attorney's office that  
7 involves alleged or suspected abuse, neglect, or financial  
8 exploitation.

9 A review team may also review other cases of deaths of  
10 vulnerable adults if the alleged abuse or neglect occurred  
11 while the person was residing in a domestic living situation.

12 (b) A review team's purpose in conducting reviews of  
13 vulnerable adult deaths is to do all of the following:

14 (1) Assist local agencies in identifying and reviewing  
15 suspicious deaths of vulnerable adult victims of alleged,  
16 suspected, or substantiated abuse or neglect in domestic  
17 living situations.

18 (2) Facilitate communications between officials  
19 responsible for autopsies and inquests and persons  
20 involved in reporting or investigating alleged or  
21 suspected cases of abuse, neglect, or financial  
22 exploitation of vulnerable adults.

23 (3) Evaluate means by which the death might have been  
24 prevented.

25 (4) Report its findings to appropriate agencies and the  
26 Executive Council and make recommendations that may help to

1           reduce the number of vulnerable adult deaths caused by  
2           abuse or neglect.

3           (c) A review team shall meet not less than 6 times a year  
4           to discuss cases for its possible review. Each review team,  
5           with the advice and consent of the Department, shall establish  
6           criteria to be used by review teams in discussing cases of  
7           alleged, suspected, or substantiated abuse or neglect of  
8           vulnerable adults for review.

9           Section 25. Review team access to information.

10          (a) Each entity's or individual's representative on the  
11          review team may share with other members of the review team  
12          information in the entity's or individual's possession  
13          concerning the decedent who is the subject of the review or  
14          concerning any person who was in contact with the decedent, as  
15          well as any other information deemed by the entity or  
16          individual to be pertinent to the review. Any such information  
17          shared by an entity's or individual's representative on the  
18          review team with other members of the review team is  
19          confidential. The intent of this subsection is to permit the  
20          disclosure to members of a review team of any information  
21          deemed confidential or privileged or prohibited from  
22          disclosure by any other provision of law. Release of a  
23          confidential communication between domestic violence advocates  
24          and a domestic violence victim shall be in accordance with  
25          subsection (d) of Section 227 of the Illinois Domestic Violence

1 Act of 1986 which allows for the waiver of privilege afforded  
2 to guardians, executors, or administrators of the estate of the  
3 domestic violence victim. This provision relating to the  
4 release of a confidential communication between domestic  
5 violence advocates and a domestic violence victim shall exclude  
6 adult protective service providers.

7 (b) A coroner's or medical examiner's office may share with  
8 a review team medical records that have been made available to  
9 the coroner's or medical examiner's office in connection with  
10 that office's investigation of a death.

11 Section 30. Public access to information.

12 (a) Meetings of the review teams and the Executive Council  
13 shall be closed to the public. Meetings of the review teams and  
14 the Executive Council are not subject to the Open Meetings Act.

15 (b) Records and information provided to a review team and  
16 the Executive Council, and records maintained by a team or the  
17 Executive Council, are confidential and are not subject to the  
18 Freedom of Information Act.

19 (c) Any document or oral or written communication shared  
20 within or produced by a review team relating to a case  
21 discussed or reviewed by the review team is confidential, is  
22 not subject to discovery or subpoena, and is not admissible as  
23 evidence in any civil or criminal proceeding. Those records and  
24 information are, however, subject to discovery or a subpoena,  
25 and are admissible as evidence, to the extent they are



1 otherwise available to the public.

2 (d) Any document or oral or written communication provided  
3 to a review team by an individual or entity, and created by  
4 that individual or entity solely for the use of the review  
5 team, is confidential, is not subject to discovery or subpoena,  
6 and is not admissible as evidence in any civil or criminal  
7 proceeding. Those records and information are, however,  
8 subject to discovery or a subpoena, and are admissible as  
9 evidence, to the extent they are otherwise available to the  
10 public.

11 (e) Members of a review team and the Executive Council are  
12 not subject to examination, in any civil or criminal  
13 proceeding, concerning information presented to members of the  
14 review team or the Executive Council or opinions formed by  
15 members of the review team or the Executive Council based on  
16 that information. A person may, however, be examined concerning  
17 information provided to a review team or the Executive Council  
18 that is otherwise available to the public.

19 Section 35. Indemnification. The State shall indemnify and  
20 hold harmless members of a review team and the Executive  
21 Council for all their acts, omissions, decisions, or other  
22 conduct arising out of the scope of their service on the review  
23 team or Executive Council, except those involving willful or  
24 wanton misconduct. The method of providing indemnification  
25 shall be as provided in the State Employee Indemnification Act.

1           Section 40. Illinois Vulnerable Adult Fatality Review  
2 Teams Executive Council.

3           (a) The Illinois Vulnerable Adult Fatality Review Teams  
4 Executive Council, consisting of the chairpersons of all review  
5 teams in Illinois, is the coordinating and oversight body for  
6 review teams and activities in Illinois. The vice-chairperson  
7 of a review team, as designated by the chairperson, may serve  
8 as a back-up member or an alternate member of the Executive  
9 Council, if the chairperson of the review team is unavailable  
10 to serve on the Executive Council. The Inspector General of the  
11 Department, ex officio, is a non-voting member of the Executive  
12 Council. The Director may appoint to the Executive Council any  
13 ex-officio members deemed necessary. Persons with expertise  
14 needed by the Executive Council may be invited to meetings. The  
15 Executive Council must select from its members a chairperson  
16 and a vice-chairperson, each to serve a 2-year term. The  
17 chairperson or vice-chairperson may be selected to serve  
18 additional, subsequent terms. The Executive Council must meet  
19 at least 4 times during each calendar year.

20           (b) The Department must provide or arrange for the staff  
21 support necessary for the Executive Council to carry out its  
22 duties. The Director, in cooperation and consultation with the  
23 Executive Council, shall appoint, reappoint, and remove review  
24 team members.

25           (c) The Executive Council has, but is not limited to, the

1 following duties:

2 (1) To serve as the voice of review teams in Illinois.

3 (2) To oversee the review teams in order to ensure that  
4 the review teams' work is coordinated and in compliance  
5 with State statutes and the operating protocol.

6 (3) To ensure that the data, results, findings, and  
7 recommendations of the review teams are adequately used to  
8 make any necessary changes to the policies, procedures, and  
9 State statutes in order to protect vulnerable adults in a  
10 timely manner.

11 (4) To collaborate with the Department in order to  
12 develop any legislation needed to prevent unnecessary  
13 deaths of vulnerable adults.

14 (5) To assist in the development of quarterly and  
15 annual reports based on the work and the findings of the  
16 review teams.

17 (6) To ensure that the review teams' review processes  
18 are standardized in order to convey data, findings, and  
19 recommendations in a usable format.

20 (7) To serve as a link with review teams throughout the  
21 country and to participate in national review team  
22 activities.

23 (8) To develop an annual statewide symposium to update  
24 the knowledge and skills of review team members and to  
25 promote the exchange of information between review teams.

26 (9) To provide the review teams with the most current

1 information and practices concerning vulnerable adult  
2 death review and related topics.

3 (10) To perform any other functions necessary to  
4 enhance the capability of the review teams to reduce and  
5 prevent vulnerable adult fatalities.

6 (d) The Executive Council shall prepare an annual report,  
7 in consultation with the Department, using aggregate data  
8 gathered by review teams and using the review teams'  
9 recommendations to develop education, prevention, prosecution,  
10 or other strategies designed to improve the coordination of  
11 services for vulnerable adults and their families. The  
12 Executive Council shall send a copy of its annual report to  
13 each of the following:

14 (1) The Governor.

15 (2) The chairperson of each review team in the State.

16 (e) In any instance when a review team does not operate in  
17 accordance with established protocol, the Director, in  
18 consultation and cooperation with the Executive Council, must  
19 take any necessary actions to bring the review team into  
20 compliance with the protocol.

21 Section 45. Database. The Department or another State or  
22 county agency, in consultation with coroners, medical  
23 examiners, and law enforcement agencies, also may use aggregate  
24 data gathered by review teams to create a database of at-risk  
25 individuals.

1           Section 50. Administrative rules. The Department shall  
2           adopt such rules and regulations as it deems necessary to  
3           implement this Act.

4           Section 55. The Open Meetings Act is amended by changing  
5           Section 2 as follows:

6           (5 ILCS 120/2) (from Ch. 102, par. 42)

7           Sec. 2. Open meetings.

8           (a) Openness required. All meetings of public bodies shall  
9           be open to the public unless excepted in subsection (c) and  
10          closed in accordance with Section 2a.

11          (b) Construction of exceptions. The exceptions contained  
12          in subsection (c) are in derogation of the requirement that  
13          public bodies meet in the open, and therefore, the exceptions  
14          are to be strictly construed, extending only to subjects  
15          clearly within their scope. The exceptions authorize but do not  
16          require the holding of a closed meeting to discuss a subject  
17          included within an enumerated exception.

18          (c) Exceptions. A public body may hold closed meetings to  
19          consider the following subjects:

20               (1) The appointment, employment, compensation,  
21               discipline, performance, or dismissal of specific  
22               employees of the public body or legal counsel for the  
23               public body, including hearing testimony on a complaint

1 lodged against an employee of the public body or against  
2 legal counsel for the public body to determine its  
3 validity.

4 (2) Collective negotiating matters between the public  
5 body and its employees or their representatives, or  
6 deliberations concerning salary schedules for one or more  
7 classes of employees.

8 (3) The selection of a person to fill a public office,  
9 as defined in this Act, including a vacancy in a public  
10 office, when the public body is given power to appoint  
11 under law or ordinance, or the discipline, performance or  
12 removal of the occupant of a public office, when the public  
13 body is given power to remove the occupant under law or  
14 ordinance.

15 (4) Evidence or testimony presented in open hearing, or  
16 in closed hearing where specifically authorized by law, to  
17 a quasi-adjudicative body, as defined in this Act, provided  
18 that the body prepares and makes available for public  
19 inspection a written decision setting forth its  
20 determinative reasoning.

21 (5) The purchase or lease of real property for the use  
22 of the public body, including meetings held for the purpose  
23 of discussing whether a particular parcel should be  
24 acquired.

25 (6) The setting of a price for sale or lease of  
26 property owned by the public body.

1           (7) The sale or purchase of securities, investments, or  
2 investment contracts. This exception shall not apply to the  
3 investment of assets or income of funds deposited into the  
4 Illinois Prepaid Tuition Trust Fund.

5           (8) Security procedures and the use of personnel and  
6 equipment to respond to an actual, a threatened, or a  
7 reasonably potential danger to the safety of employees,  
8 students, staff, the public, or public property.

9           (9) Student disciplinary cases.

10          (10) The placement of individual students in special  
11 education programs and other matters relating to  
12 individual students.

13          (11) Litigation, when an action against, affecting or  
14 on behalf of the particular public body has been filed and  
15 is pending before a court or administrative tribunal, or  
16 when the public body finds that an action is probable or  
17 imminent, in which case the basis for the finding shall be  
18 recorded and entered into the minutes of the closed  
19 meeting.

20          (12) The establishment of reserves or settlement of  
21 claims as provided in the Local Governmental and  
22 Governmental Employees Tort Immunity Act, if otherwise the  
23 disposition of a claim or potential claim might be  
24 prejudiced, or the review or discussion of claims, loss or  
25 risk management information, records, data, advice or  
26 communications from or with respect to any insurer of the

1 public body or any intergovernmental risk management  
2 association or self insurance pool of which the public body  
3 is a member.

4 (13) Conciliation of complaints of discrimination in  
5 the sale or rental of housing, when closed meetings are  
6 authorized by the law or ordinance prescribing fair housing  
7 practices and creating a commission or administrative  
8 agency for their enforcement.

9 (14) Informant sources, the hiring or assignment of  
10 undercover personnel or equipment, or ongoing, prior or  
11 future criminal investigations, when discussed by a public  
12 body with criminal investigatory responsibilities.

13 (15) Professional ethics or performance when  
14 considered by an advisory body appointed to advise a  
15 licensing or regulatory agency on matters germane to the  
16 advisory body's field of competence.

17 (16) Self evaluation, practices and procedures or  
18 professional ethics, when meeting with a representative of  
19 a statewide association of which the public body is a  
20 member.

21 (17) The recruitment, credentialing, discipline or  
22 formal peer review of physicians or other health care  
23 professionals for a hospital, or other institution  
24 providing medical care, that is operated by the public  
25 body.

26 (18) Deliberations for decisions of the Prisoner



1 Review Board.

2 (19) Review or discussion of applications received  
3 under the Experimental Organ Transplantation Procedures  
4 Act.

5 (20) The classification and discussion of matters  
6 classified as confidential or continued confidential by  
7 the State Government Suggestion Award Board.

8 (21) Discussion of minutes of meetings lawfully closed  
9 under this Act, whether for purposes of approval by the  
10 body of the minutes or semi-annual review of the minutes as  
11 mandated by Section 2.06.

12 (22) Deliberations for decisions of the State  
13 Emergency Medical Services Disciplinary Review Board.

14 (23) The operation by a municipality of a municipal  
15 utility or the operation of a municipal power agency or  
16 municipal natural gas agency when the discussion involves  
17 (i) contracts relating to the purchase, sale, or delivery  
18 of electricity or natural gas or (ii) the results or  
19 conclusions of load forecast studies.

20 (24) Meetings of a residential health care facility  
21 resident sexual assault and death review team or the  
22 Executive Council under the Abuse Prevention Review Team  
23 Act.

24 (25) Meetings of an independent team of experts under  
25 Brian's Law.

26 (26) Meetings of a mortality review team appointed

1 under the Department of Juvenile Justice Mortality Review  
2 Team Act.

3 (27) Confidential information, when discussed by one  
4 or more members of an elder abuse fatality review team,  
5 designated under Section 15 of the Elder Abuse and Neglect  
6 Act, while participating in a review conducted by that team  
7 of the death of an elderly person in which abuse or neglect  
8 is suspected, alleged, or substantiated; provided that  
9 before the review team holds a closed meeting, or closes an  
10 open meeting, to discuss the confidential information,  
11 each participating review team member seeking to disclose  
12 the confidential information in the closed meeting or  
13 closed portion of the meeting must state on the record  
14 during an open meeting or the open portion of a meeting the  
15 nature of the information to be disclosed and the legal  
16 basis for otherwise holding that information confidential.

17 (28) Correspondence and records (i) that may not be  
18 disclosed under Section 11-9 of the Public Aid Code or (ii)  
19 that pertain to appeals under Section 11-8 of the Public  
20 Aid Code.

21 (29) Meetings between internal or external auditors  
22 and governmental audit committees, finance committees, and  
23 their equivalents, when the discussion involves internal  
24 control weaknesses, identification of potential fraud risk  
25 areas, known or suspected frauds, and fraud interviews  
26 conducted in accordance with generally accepted auditing

1 standards of the United States of America.

2 (30) Meetings of a vulnerable adult fatality review  
3 team or the Illinois Vulnerable Adult Fatality Review Teams  
4 Executive Council under the Vulnerable Adult Fatality  
5 Review Team Act.

6 (d) Definitions. For purposes of this Section:

7 "Employee" means a person employed by a public body whose  
8 relationship with the public body constitutes an  
9 employer-employee relationship under the usual common law  
10 rules, and who is not an independent contractor.

11 "Public office" means a position created by or under the  
12 Constitution or laws of this State, the occupant of which is  
13 charged with the exercise of some portion of the sovereign  
14 power of this State. The term "public office" shall include  
15 members of the public body, but it shall not include  
16 organizational positions filled by members thereof, whether  
17 established by law or by a public body itself, that exist to  
18 assist the body in the conduct of its business.

19 "Quasi-adjudicative body" means an administrative body  
20 charged by law or ordinance with the responsibility to conduct  
21 hearings, receive evidence or testimony and make  
22 determinations based thereon, but does not include local  
23 electoral boards when such bodies are considering petition  
24 challenges.

25 (e) Final action. No final action may be taken at a closed  
26 meeting. Final action shall be preceded by a public recital of

1 the nature of the matter being considered and other information  
2 that will inform the public of the business being conducted.

3 (Source: P.A. 96-1235, eff. 1-1-11; 96-1378, eff. 7-29-10;  
4 96-1428, eff. 8-11-10; 97-318, eff. 1-1-12; 97-333, eff.  
5 8-12-11; 97-452, eff. 8-19-11; 97-813, eff. 7-13-12; 97-876,  
6 eff. 8-1-12.)

7 Section 60. The Freedom of Information Act is amended by  
8 changing Section 7.5 as follows:

9 (5 ILCS 140/7.5)

10 Sec. 7.5. Statutory Exemptions. To the extent provided for  
11 by the statutes referenced below, the following shall be exempt  
12 from inspection and copying:

13 (a) All information determined to be confidential under  
14 Section 4002 of the Technology Advancement and Development Act.

15 (b) Library circulation and order records identifying  
16 library users with specific materials under the Library Records  
17 Confidentiality Act.

18 (c) Applications, related documents, and medical records  
19 received by the Experimental Organ Transplantation Procedures  
20 Board and any and all documents or other records prepared by  
21 the Experimental Organ Transplantation Procedures Board or its  
22 staff relating to applications it has received.

23 (d) Information and records held by the Department of  
24 Public Health and its authorized representatives relating to

1 known or suspected cases of sexually transmissible disease or  
2 any information the disclosure of which is restricted under the  
3 Illinois Sexually Transmissible Disease Control Act.

4 (e) Information the disclosure of which is exempted under  
5 Section 30 of the Radon Industry Licensing Act.

6 (f) Firm performance evaluations under Section 55 of the  
7 Architectural, Engineering, and Land Surveying Qualifications  
8 Based Selection Act.

9 (g) Information the disclosure of which is restricted and  
10 exempted under Section 50 of the Illinois Prepaid Tuition Act.

11 (h) Information the disclosure of which is exempted under  
12 the State Officials and Employees Ethics Act, and records of  
13 any lawfully created State or local inspector general's office  
14 that would be exempt if created or obtained by an Executive  
15 Inspector General's office under that Act.

16 (i) Information contained in a local emergency energy plan  
17 submitted to a municipality in accordance with a local  
18 emergency energy plan ordinance that is adopted under Section  
19 11-21.5-5 of the Illinois Municipal Code.

20 (j) Information and data concerning the distribution of  
21 surcharge moneys collected and remitted by wireless carriers  
22 under the Wireless Emergency Telephone Safety Act.

23 (k) Law enforcement officer identification information or  
24 driver identification information compiled by a law  
25 enforcement agency or the Department of Transportation under  
26 Section 11-212 of the Illinois Vehicle Code.

1           (l) Records and information provided to a residential  
2 health care facility resident sexual assault and death review  
3 team or the Executive Council under the Abuse Prevention Review  
4 Team Act.

5           (m) Information provided to the predatory lending database  
6 created pursuant to Article 3 of the Residential Real Property  
7 Disclosure Act, except to the extent authorized under that  
8 Article.

9           (n) Defense budgets and petitions for certification of  
10 compensation and expenses for court appointed trial counsel as  
11 provided under Sections 10 and 15 of the Capital Crimes  
12 Litigation Act. This subsection (n) shall apply until the  
13 conclusion of the trial of the case, even if the prosecution  
14 chooses not to pursue the death penalty prior to trial or  
15 sentencing.

16           (o) Information that is prohibited from being disclosed  
17 under Section 4 of the Illinois Health and Hazardous Substances  
18 Registry Act.

19           (p) Security portions of system safety program plans,  
20 investigation reports, surveys, schedules, lists, data, or  
21 information compiled, collected, or prepared by or for the  
22 Regional Transportation Authority under Section 2.11 of the  
23 Regional Transportation Authority Act or the St. Clair County  
24 Transit District under the Bi-State Transit Safety Act.

25           (q) Information prohibited from being disclosed by the  
26 Personnel Records Review Act.

1 (r) Information prohibited from being disclosed by the  
2 Illinois School Student Records Act.

3 (s) Information the disclosure of which is restricted under  
4 Section 5-108 of the Public Utilities Act.

5 (t) All identified or deidentified health information in  
6 the form of health data or medical records contained in, stored  
7 in, submitted to, transferred by, or released from the Illinois  
8 Health Information Exchange, and identified or deidentified  
9 health information in the form of health data and medical  
10 records of the Illinois Health Information Exchange in the  
11 possession of the Illinois Health Information Exchange  
12 Authority due to its administration of the Illinois Health  
13 Information Exchange. The terms "identified" and  
14 "deidentified" shall be given the same meaning as in the Health  
15 Insurance Accountability and Portability Act of 1996, Public  
16 Law 104-191, or any subsequent amendments thereto, and any  
17 regulations promulgated thereunder.

18 (u) Records and information provided to an independent team  
19 of experts under Brian's Law.

20 (v) Names and information of people who have applied for or  
21 received Firearm Owner's Identification Cards under the  
22 Firearm Owners Identification Card Act.

23 (w) Personally identifiable information which is exempted  
24 from disclosure under subsection (g) of Section 19.1 of the  
25 Toll Highway Act.

26 (x) Information which is exempted from disclosure under

1 Section 5-1014.3 of the Counties Code or Section 8-11-21 of the  
2 Illinois Municipal Code.

3 (y) Records and information provided to a vulnerable adult  
4 fatality review team or the Illinois Vulnerable Adult Fatality  
5 Review Teams Executive Council under the Vulnerable Adult  
6 Fatality Review Team Act.

7 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;  
8 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.  
9 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,  
10 eff. 1-1-13.)

11 (320 ILCS 20/15 rep.)

12 Section 65. The Elder Abuse and Neglect Act is amended by  
13 repealing Section 15.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.



1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 5 ILCS 120/2 from Ch. 102, par. 42

5 5 ILCS 140/7.5

6 320 ILCS 20/15 rep.