**Section 431.105 Disclosure of Alcoholism and Other Drug Abuse Records**

*Records of the identity, diagnosis, prognosis or treatment of any patient maintained in connection with the performance of any program or activity related to alcohol or other drug abuse or dependency education, early intervention, intervention, training, treatment or rehabilitation* that *is regulated, authorized or directly or indirectly assisted by any Department or agency of this State or under any provision of the* Alcoholism and Other Drug Abuse andDependency *Act shall be confidential and may be disclosed only* with consent. *The following are exempt from* federal *confidentiality* provisions and can be disclosed without consent:

a) *Veteran's Administration records;*

b) *Information obtained by the Armed Forces;*

c) *Information given to qualified service organizations;*

d) *Communications within a program or between a program and an entity having direct administrative control over that program;*

e) *Information given to law enforcement personnel investigating a patient's commission of a crime on the program premises or against program personnel; and*

f) *Reports under State law of incidents of suspected child abuse and neglect; however, confidentiality restrictions continue to apply to the records and any follow-up information for disclosure and use in civil or criminal proceedings arising from the report of suspected abuse or neglect.* [20 ILCS 301/30-5]

AGENCY NOTE: Statements of observation of a person's demeanor or behavior that suggest they are under the influence of alcohol or a controlled substance are not protected.

(Source: Added at 39 Ill. Reg. 7253, effective May 7, 2015)