



Agency Legislative Proposal - 2016 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): DDS1015BSP

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Developmental Services (DDS)

Liaison: Christine Pollio Cooney

Phone: 860-418-6066

E-mail: Christine.Pollio@ct.gov

Lead agency division requesting this proposal: Commissioner's Office

Agency Analyst/Drafter of Proposal: Rod O'Connor

Title of Proposal: AAC the Department of Developmental Services' Behavioral Services Program

Statutory Reference: Section 17a-210 CGS

Proposal Summary:

To include a reference to DDS's Behavioral Services Program (BSP) in DDS statute. Currently DDS BSP is named in a DSS statute (Sec. 17b-261(i) CGS) and in a DCF statute (Sec. 17a-28(12) CGS) but not in DDS statute.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary?*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action?*
- (4) *What would happen if this was not enacted in law this session?*

In the 2015 session, DDS renamed the DDS Voluntary Services Program to the DDS Behavioral Services Program (BSP) to more accurately reflect the services being offered through the program. In making this change to the budget line item and in statute, the fact that the program was only referenced in DSS and DCF statute became apparent. This proposed statutory language would put BSP in DDS's governing statute and set general parameters for the population that the program is designed to support. Nothing would happen if the statutory language were not changed.

◇ **Origin of Proposal**

☒ **New Proposal**

☐ **Resubmission**



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: No state agencies besides DDS would be affected

Agency Contact (name, title, phone): [Click here to enter text.](#)

Date Contacted: [Click here to enter text.](#)

Approve of Proposal ☐ YES ☐ NO ☐ Talks Ongoing

Summary of Affected Agency's Comments

[Click here to enter text.](#)

Will there need to be further negotiation? ☐ YES ☐ NO

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

None

State

None

Federal

None

Additional notes on fiscal impact

None

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*



By including a reference to BSP and the program's intended population in the department's establishing statute, it will acknowledge a key DDS program. Adding a statutory reference will not impact how DDS provides BSP services to those eligible for the program.

Insert fully drafted bill here

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Subsection (a) of section 17a-210 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) There shall be a Department of Developmental Services. The Department of Developmental Services, with the advice of a Council on Developmental Services, shall be responsible for the planning, development and administration of complete, comprehensive and integrated state-wide services for persons with intellectual disability and persons medically diagnosed as having Prader-Willi syndrome. The Department of Developmental Services shall be under the supervision of a Commissioner of Developmental Services, who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive. The Council on Developmental Services may advise the Governor on the appointment. The commissioner shall be a person who has background, training, education or experience in administering programs for the care, training, education, treatment and custody of persons with intellectual disability. The commissioner shall be responsible, with the advice of the council, for: (1) Planning and developing complete, comprehensive and integrated state-wide services for persons with intellectual disability; (2) the implementation and where appropriate the funding of such services; and (3) the coordination of the efforts of the Department of Developmental Services with those of other state departments and agencies, municipal governments and private agencies concerned with and providing services for persons with intellectual disability. The commissioner shall be responsible for the administration and operation of the state training school, state developmental services regions and all state-operated community-based residential facilities established for the diagnosis, care and training of persons with intellectual disability. The commissioner shall be responsible for establishing standards, providing technical assistance and exercising the requisite supervision of all state-supported residential, day and program support services for persons with intellectual disability and work activity programs operated pursuant to section 17a-226. The commissioner shall be responsible for a behavioral services program for persons under the age of 21 with a diagnosis of intellectual disability or autism spectrum disorder and a significant co-occurring behavioral health diagnosis. The commissioner shall stimulate research by public and private agencies, institutions of higher education and hospitals, in the interest of the elimination and amelioration of intellectual disability and care and training of persons with intellectual disability. The commissioner shall conduct or monitor investigations into allegations of abuse and neglect and file



reports as requested by state agencies having statutory responsibility for the conduct and oversight of such investigations. In the event of the death of a person with intellectual disability for whom the department has direct or oversight responsibility for medical care, the commissioner shall ensure that a comprehensive and timely review of the events, overall care, quality of life issues and medical care preceding such death is conducted by the department and shall, as requested, provide information and assistance to the Independent Mortality Review Board established by Executive Order No. 25 of Governor John G. Rowland. The commissioner shall report to the board and the board shall review any death: (A) Involving an allegation of abuse or neglect; (B) for which the Office of the Chief Medical Examiner or local medical examiner has accepted jurisdiction; (C) in which an autopsy was performed; (D) which was sudden and unexpected; or (E) in which the commissioner's review raises questions about the appropriateness of care. The department's mortality review process and the Independent Mortality Review Board shall operate in accordance with the peer review provisions established under section 19a-17b for medical review teams and confidentiality of records provisions established under section 19a-25 for the Department of Public Health.



Agency Legislative Proposal - 2016 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): DDS1015involuntaryadmissionlanguage

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Developmental Services (DDS)

Liaison: Christine Pollio Cooney

Phone: 860-418-6066

E-mail: Christine.Pollio@ct.gov

Lead agency division requesting this proposal: Legislative Office

Agency Analyst/Drafter of Proposal: Christine Cooney

Title of Proposal: AAC the Department of Developmental Services' Involuntary Admission Language

Statutory Reference: Sec. 17a-282

Proposal Summary:

Changes outdated "adult incompetent" language to more appropriate, person-first language and terminology more in line with what is used by the probate courts.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

This proposal is in line with other DDS respectful language legislation that has been passed by the legislature over the past several years. This is an internal fix as the language was found when reviewing our statutes for out of date terminology.

◇ Origin of Proposal

☒ New Proposal

☐ Resubmission

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

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PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Probate Court, possibly DMHAS Agency Contact (<i>name, title, phone</i>): Vin Russo at Probate, Doreen Delbianco at DMHAS Date Contacted: Week of 10/12/15
Approve of Proposal ☒ YES ☐ NO ☐ Talks Ongoing
Summary of Affected Agency's Comments Finalizing agreement on best language to use. Are willing to use what is agreed to by all parties.
Will there need to be further negotiation? ☒ YES ☐

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal <i>(please include any municipal mandate that can be found within legislation)</i> None
State None
Federal None
Additional notes on fiscal impact None

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This is purely a language clean up, there is no policy programmatic impact intended or expected.
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Insert fully drafted bill here

An Act Concerning DDS Involuntary Admission language

Section 17a-282 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):



Sec. 17a-282. (Formerly Sec. 19a-456). Involuntary admission to facility for persons with intellectual disability. Termination of admission. No person admitted to a facility for persons with intellectual disability under the provisions of section 17a-281, shall be detained in such facility for more than seven days after such person has given notice in writing, or, if such person is a minor or [adult incompetent]an adult for whom a guardian or involuntary conservator has been appointed, after such notice has been given on his or her behalf by his or her parent, guardian, conservator or person having custody, to the Commissioner of Developmental Services, of his or her intention or desire to leave such facility. If the commissioner is of the opinion that such person is in need of further treatment or observation, the commissioner may make and file, in the probate court for the district within which such person resides, application for the involuntary placement of such person to such facility and the probate court shall proceed thereon in the same manner as is provided in section 17a-274.



DRAFT Agency Legislative Proposal - 2016 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): DDS_120415_ASD_Definition.docx

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Developmental Services (DDS)

Liaison: Christine Pollio Cooney

Phone: 860-418-6066

E-mail: Christine.Pollio@ct.gov

Lead agency division requesting this proposal: Commissioner's Office/Autism Division

Agency Analyst/Drafter of Proposal: Rod O'Connor

Title of Proposal: AAC the Definition of Autism Spectrum Disorder

Statutory Reference: NEW

Proposal Summary:

To define "autism spectrum disorder" in general terms in state statute as per section 17a-215c(b) CGS.

DRAFT PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

Laws concerning persons with autism spectrum disorder (ASD) and programs that fund and serve those individuals have rapidly changed over the last several years. A general definition of ASD for the State of Connecticut will clarify certain gray areas in programming and funding of services. The proposed definition is similar to one just adopted in Massachusetts' regulations. The definition also is similar to wording in section 38a-488b CGS. Subsection (b) of section 215c CGS requires DDS to develop a definition of ASD. If the ASD definition were not enacted, it would complicate DDS's ability to create eligibility standards for the Division of Autism Spectrum Disorder Services.

◇ Origin of Proposal

☒ New Proposal

☐ Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: DSS

Agency Contact (name, title, phone): Joel Norwood, DSS Staff Attorney, (860) 424-5124

Date Contacted: 10/30/15

Approve of Proposal ☒ **YES** ☐ **NO** ☐ **Talks Ongoing**

Summary of Affected Agency's Comments

Doesn't appear to be a problem and makes the ASD definition simpler

Will there need to be further negotiation? ☐ **YES** ☒ **NO**

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

None

State

None

Federal

None

Additional notes on fiscal impact

None

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

Adding a general definition of autism spectrum disorder to state statute will provide a base



criteria for the provision of funding and services to individuals with autism spectrum disorder. This definition will add clarity as to who may receive ASD funding and services in the state.

Insert fully drafted bill here

DRAFT Be it enacted by the Senate and House of Representatives in General Assembly convened:

(NEW) Except as otherwise provided by statute, "autism spectrum disorder" has the same meaning as is set forth in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders". (*Effective July 1, 2016*)



DRAFT Agency Legislative Proposal - 2016 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc):
DDS_120415_Confidentiality_of_DDS_Records

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Department of Developmental Services (DDS)

Liaison: Christine Pollio Cooney

Phone: 860-418-6066

E-mail: Christine.Pollio@ct.gov

Lead agency division requesting this proposal: Legal and Government Affairs

Agency Analyst/Drafter of Proposal: Rod O'Connor

Title of Proposal: AAC Confidentiality of DDS Records

Statutory Reference: NEW

Proposal Summary:

To establish the parameters of when an individual's DDS records shall remain confidential and when DDS records shall or may be released without an individual's or guardian's consent.

DRAFT PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary?
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?
- (3) Have certain constituencies called for this action?
- (4) What would happen if this was not enacted in law this session?

Within the last several years DDS has received FOI requests for information that falls within an individual's records but is not HIPAA protected. The DMR Rules of Practice, section 19-570-5 of the Regulations of Connecticut State Agencies is the only DDS regulation or statute that covers DDS confidentiality of records. It is more than 30 years old and does not address current issues around confidentiality of an individual's records. DDS believes that confidentiality of records should be statutory in the same manner as DCF has it in section 17a-28 CGS and DSS has it in section 17b-90 CGS. DDS has determined that the DCF statute on confidentiality of records is closer to what DDS would need in statute and so this draft legislative proposal is based upon the wording in section 17a-28 CGS. DDS is currently reviewing the list of instances where



records “shall” and “may” be disclosed without the individual’s or a guardian’s consent. .

◇ **Origin of Proposal**

☒ **New Proposal**

☐ **Resubmission**

If this is a resubmission, please share:

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

[Click here to enter text.](#)

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Multiple agencies named in the legislative proposal

Agency Contact *(name, title, phone):*

Date Contacted:

Approve of Proposal ☐ **YES** ☐ **NO** ☒ **Talks Ongoing**

Summary of Affected Agency’s Comments Agencies are being contacted the week of December 7, 2015

Will there need to be further negotiation? ☒ **YES** ☐ **NO**

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

None

State

None

Federal

None



Additional notes on fiscal impact

None

◇ POLICY and PROGRAMMATIC IMPACTS *(Please specify the proposal section associated with the impact)*

Individuals receiving funding or services from DDS will not have confidential information released through an FOI or other request for information without their consent being granted. Any exceptions to releasing records with consent will be specified in statute with limits placed on the information to be released and to which agencies or entities.

Insert fully drafted bill here

DRAFT Be it enacted by the Senate and House of Representatives in General Assembly convened:

(NEW) (a) As used in this section:

- (1) "Attorney" means the licensed attorney authorized to assert the confidentiality of or right of access to records of an individual;
 - (2) "Authorized representative" means a parent, guardian, guardian of an adult with intellectual disability, guardian ad litem, attorney, conservator or other person authorized to assert the confidentiality of or right of access to records of an individual;
 - (3) "Consent" means permission given in writing by an individual, such individual's attorney or authorized representative to disclose specified information, within a limited time period, regarding the individual to specifically identified persons or entities;
 - (4) "Disclose" means (A) to provide an oral summary of records maintained by the department to a person, public agency, firm, corporation or organization, or (B) to allow a person, public agency, firm, corporation or organization to review or obtain copies of such records in whole, part or summary form;
 - (5) "Individual" means any person named in a record, maintained by the department, who (A) is an applicant for eligibility for the department's funding or services; (B) has been made eligible for the department's funding or services; or (C) receives funding or services from the department;
 - (6) "Records" means information created, obtained or maintained in connection with (A) an applicant for eligibility for the department's funding or services; (B) an individual who has been made eligible for the department's funding or services; or (C) an individual who receives funding or services from the department;
- (b) Notwithstanding the provisions of section 1-210, 1-211 or 1-213, records maintained by the department shall be confidential and shall not be disclosed, unless the department receives written consent from the individual or the individual's authorized representative. Any unauthorized disclosure shall be punishable by a fine of not more



than one thousand dollars or imprisonment for not more than one year, or both. Any employee of the department or employee of a department-funded qualified provider who in the ordinary course of such person's employment has reasonable cause to suspect or believe that another employee has engaged in the unauthorized disclosure of records shall report in writing such unauthorized disclosure of records to the commissioner. The report shall include the name of the person disclosing the information and the nature of the information disclosed and to whom it was disclosed, if known.

(c) Records that (1) contain privileged communications, or (2) are confidential pursuant to any federal law or regulation shall not be disclosed except as authorized by law.

(d) Any information disclosed from an individual's record shall not be further disclosed to another person or entity without the written consent of the individual or the individual's authorized representative, except (1) pursuant to the order of a court of competent jurisdiction, or (2) as otherwise provided by law.

(e) The department shall disclose records, subject to subsections (b) and (c) of this section, without the consent of the individual who is the subject of the record or the individual's authorized representative, to:

(1) The individual named in the record or such individual's authorized representative, provided such disclosure shall be limited to information (A) contained in the record about such individual; and (B) identifying a person who reported abuse or neglect of the individual, including any tape recording of an oral report, if a court determines that there is reasonable cause to believe the reporter knowingly made a false report or that the interests of justice require disclosure;

(2) An employee of the department or an employee of a department-funded qualified provider for any purpose reasonably related to the performance of such employee's duties;

(3) A guardian ad litem or attorney appointed to represent an individual in litigation affecting the best interests of the individual;

(4) The Attorney General, any assistant attorney general or any other legal counsel retained to represent the department during the course of a legal proceeding involving the department or an employee of the department;

(5) The Office of Protection and Advocacy for Persons with Disabilities, the Department of Children and Families or the Department of Social Services for the purposes of investigation of alleged abuse or neglect of an individual;

(6) The Child Advocate or the Child Advocate's designee;

(7) The Chief Public Defender or the Chief Public Defender's designee for purposes of ensuring competent representation by the attorneys with whom the Chief Public Defender contracts to provide legal and guardian ad litem services to the subjects of such records and for ensuring accurate payments for services rendered by such attorneys;

(8) The Chief State's Attorney or the Chief State's Attorney's designee for purposes of investigating or prosecuting (A) an allegation related to abuse or neglect, (B) an allegation that a person made a false report of



suspected abuse or neglect, or (C) an allegation that a mandated reporter failed to report suspected abuse or neglect, provided such prosecuting authority shall have access to records, only while the case is being prosecuted and after obtaining a release;

(9) A state or federal law enforcement officer for purposes of investigating (A) an allegation related to abuse or neglect, (B) an allegation that a person made a false report of suspected abuse or neglect, or (C) an allegation that a mandated reporter failed to report suspected abuse or neglect;

(10) The Governor, when requested in writing in the course of the Governor's official functions, the Legislative Program Review and Investigations Committee, when requested in writing by such committee in the course of such committee's official functions, and upon a majority vote of such committee, provided no name or other identifying information is disclosed unless such information is essential to the gubernatorial or legislative purpose;

(11) A judge or employee of a probate court who requires access to such records in order to perform such judge's or employee's official duties;

(12) A judge of the Superior Court in a criminal prosecution for purposes of in camera inspection whenever (A) the court has ordered that the record be provided to the court; or (B) a party to the proceeding has issued a subpoena for the record;

(13) The Auditors of Public Accounts, or their representative, provided no information identifying the subject of the record is disclosed unless such information is essential to an audit conducted pursuant to section 2-90;

(14) The Department of Mental Health and Addiction Services for the purpose of treatment planning for young adults who have transitioned from the care of the Department of Children and Families or Department of Developmental Services;

(15) The Department of Social Services for the purpose of (A) promoting the health, safety and welfare of an individual receiving services from either department; or (B) investigating allegations of fraud provided no information identifying the subject of the record is disclosed unless such information is essential to any such investigation;

(16) The Court Support Services Division of the Judicial Branch, to allow the division to determine the supervision and treatment needs of an individual, and provide appropriate supervision and treatment services to such individual, provided such disclosure shall be limited to information that identifies the individual, (A) under the supervision of the Commissioner of Developmental Services, or (B) enrolled in the behavioral services program operated by the Department of Developmental Services; and

(17) The birth-to-three program's referral intake office for the purpose of (A) determining eligibility of, (B) facilitating enrollment for, and (C) providing services to an individual.

(f) The department may, subject to subsections (b) and (c) of this section, disclose records without the consent of the individual who is the subject of the record, or the individual's authorized representative, to:



- (1) An employee or former employee of the department or a department-funded qualified provider or such employee or former employee's authorized representative for purposes of participating in any court, administrative or disciplinary proceeding, provided such disclosure shall be limited to records that are necessary to the proceeding, as determined by the department;
 - (2) A department-funded qualified provider for an individual referred to such provider, provided such disclosure is limited to information necessary to provide services to the individual;
 - (3) A person conducting bona fide research, provided no information identifying the subject of the record is disclosed unless (A) such information is essential to the purpose of the research; and (B) the department has given written approval for the use of such information;
 - (4) A law enforcement officer or state's attorney if there is reasonable cause to believe that (A) an individual is being abused or neglected or at risk of being abused or neglected as a result of any suspected criminal activity by any person, or (B) an employee of the department is being threatened or harassed or has been assaulted by an individual or coworker; and
 - (5) A judge of a court of competent jurisdiction whenever an employee of the department or an employee of a department-funded qualified provider is subpoenaed and ordered to testify about such records for purposes of in camera inspection to determine if such records may be disclosed pursuant to this section if (A) the court has ordered that such records be provided to the court; or (B) a party to the proceeding has issued a subpoena for such records;
- (g) Notwithstanding the provisions of subsections (e) and (f) of this section, the department may refuse to disclose records to any person, provided the department gives such person notice (1) that records are being withheld; (2) of the general nature of the records being withheld; (3) of the department's reason for refusing to disclose the records; and (4) of the person's right to judicial relief pursuant to subsection (h) of this section.
- (h) (1) Any individual or person aggrieved by a violation of subsections (b), (d), (e), (f), or (i) of this section, or an individual's authorized representative, may seek judicial relief in the manner prescribed in section 52-146j.
- (2) Any individual, person or authorized representative denied access to records by the commissioner under subdivision (g) of this section may petition the superior court for the venue district provided in section 46b-142 in which the person resides for an order requiring the commissioner to permit access to those records, and the court, after a hearing and an in camera review of the records in question, shall issue such an order unless it determines that permitting disclosure of all or any portion of the record (A) would be contrary to the best interests of the individual or the individual's authorized representative; (B) could reasonably result in the risk of harm to any person; or (C) would contravene the public policy of the state.
- (i) All written records disclosed to a person who is not the subject of the record, a public agency, firm, corporation or organization shall bear a stamp requiring confidentiality in accordance with the provisions of this section. Such records shall not be disclosed to another person, public agency, firm, corporation or organization without the written consent of the individual who is the subject of the record or the individual's authorized representative. A copy of a consent form, specifying to whom and for what specific use the record is disclosed



or a statement setting forth any other statutory authorization for disclosure and the limitations imposed on such disclosure, shall accompany the record. In cases where the disclosure is made orally, the person disclosing the information shall inform the recipient that such information is governed by the provisions of this section.

(j) Whenever any individual, attorney or an individual's authorized representative, having obtained access to any record, believes there are factually inaccurate entries or materials contained in such record, such individual, attorney or authorized representative may add a statement to the record setting forth what such individual, attorney or authorized representative believes to be an accurate statement of those facts and such statement shall become a permanent part of the record.