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Title 22@ Social Security

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Division 2@ Department of Social Services-Department of Health Services

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Part 2@ Health and Welfare Agency-Department of Health Services Regulations

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Subdivision 6@ Preventive Medical Services

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Chapter 2@ Rural Health Services Development Projects

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Article 6@ Recipient Rights

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Section 40241@ Confidentiality

## **40241 Confidentiality**

### **(a)**

All files and information pertaining to a person receiving the services of any Rural Health Services Development Project shall be held confidential and shall not be divulged without the written consent of the individual or his/her authorized representative (or the parent or guardian, in the case of a minor), except as may be necessary to provide emergency services to the individual, to file a claim for benefits on behalf of the individual, as required by the Department to administer this program, or as otherwise required by law. Information may be disclosed in summary, statistical or other form which does not identify the particular individual.

### **(b)**

Notwithstanding, any patient shall have the right to access to his/her own file, except when contravening to the provisions of Section 5328 of the Welfare and Institutions Code. This shall not apply retroactively to records established prior to funding under this program nor to records from other facilities or institutions.