

§2504. Confidentiality of investigative records

1. Complaints and investigative records; confidentiality. Information identifying an individual who files a complaint in connection with the department's public health activities associated with the department's licensing and regulatory functions authorized by this chapter and Title 32, chapters 18, 63, 63-A and 64 is confidential unless otherwise directed by the court. With the exception of information that identifies the complainant, investigative records become public records upon the conclusion of an investigation, unless confidentiality is required by some other provision of law. For the purposes of this section, an investigation is concluded when:

A. A notice of an adjudicatory hearing under Title 5, chapter 375, subchapter 4 has been issued; [PL 2025, c. 339, §3 (NEW).]

B. A consent agreement has been executed; [PL 2025, c. 339, §3 (NEW).]

C. A letter of dismissal has been issued; or [PL 2025, c. 339, §3 (NEW).]

D. The investigation has otherwise been closed. [PL 2025, c. 339, §3 (NEW).]
[PL 2025, c. 339, §3 (NEW).]

2. Exceptions. Notwithstanding subsection 1, during the pendency of an investigation, the identity of a complainant or the investigative record may be disclosed:

A. To department employees designated by the commissioner to facilitate the investigation; and [PL 2025, c. 339, §3 (NEW).]

B. To other state or federal agencies when disclosure is determined necessary by the commissioner to avoid imminent and serious harm. The commissioner may not delegate the commissioner's authority to determine the need for disclosure under this paragraph. [PL 2025, c. 339, §3 (NEW).]
[PL 2025, c. 339, §3 (NEW).]

SECTION HISTORY

PL 2025, c. 339, §3 (NEW).

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