

**CHAPTER 133G**  
**CLIENT INFORMATION**

**Authority**

N.J.S.A. 9:6-8.14, 9:6-8.10a, 30:4-24.3, and 30:4C-4(h); and 45 CFR 205.50, 1355.21 and 1355.30.

**Source and Effective Date**

R.1996 d.35, effective March 18, 1996.  
See: 27 N.J.R. 38(a), 28 N.J.R. 1538(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 133G, Client Information, expires on March 18, 2001.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 10:133G-1.1 Purpose
- 10:133G-1.2 Scope
- 10:133G-1.3 Definitions

**SUBCHAPTER 2. DISCLOSURE OF CLIENT INFORMATION TO A CLIENT**

- 10:133G-2.1 Protective service information
- 10:133G-2.2 Child welfare information
- 10:133G-2.3 Third party information
- 10:133G-2.4 Minor client
- 10:133G-2.5 Adult adoptee

**SUBCHAPTER 3. RELEASE OF CLIENT INFORMATION TO PERSONS OTHER THAN THE CLIENT**

- 10:133G-3.1 Protective service information
- 10:133G-3.2 Child welfare information
- 10:133G-3.3 Third party information
- 10:133G-3.4 Requests for information
- 10:133G-3.5 Disclosure within the Division, the Department and Department of Law and Public Safety, Division of Law.

**SUBCHAPTER 4. DISCLOSURE OF INFORMATION TO THE MEDIA AND PUBLIC ABOUT CHILD FATALITIES AND NEAR FATALITIES**

- 10:133G-4.1 Authority for disclosure of information
- 10:133G-4.2 Who may disclose information to the media or a member of the public about a child fatality or near fatality
- 10:133G-4.3 Information that shall not be disclosed to the media or a member of the public about a child fatality or near fatality
- 10:133G-4.4 Information that shall be disclosed to the media or a member of the public during the Division investigation
- 10:133G-4.5 Information that shall be disclosed about a child fatality or near fatality not caused by child abuse or neglect
- 10:133G-4.6 Information that shall be disclosed about a child fatality or near fatality that was the result of child abuse or neglect
- 10:133G-4.7 Ability to seek court relief if denied information about a child fatality or near fatality

**SUBCHAPTER 5. RELEASE OF INFORMATION TO GOVERNMENT ENTITIES**

- 10:133G-5.1 Request procedure

- 10:133G-5.2 Office of the Director determines whether to disclose information
- 10:133G-5.3 Safeguards

**SUBCHAPTER 1. GENERAL PROVISIONS**

**10:133G-1.1 Purpose**

The purpose of this chapter is to protect the confidentiality of client information received, developed and maintained by the Division and state the conditions under which confidential information may be disclosed.

**10:133G-1.2 Scope**

The provisions of this chapter shall apply to each Division staff member, client, and person who discloses information to the Division, each person to whom the Division discloses confidential client information, each employee of the Division or the Department of Human Services who has knowledge about a child fatality or near fatality under investigation or investigated by the Division, each employee of the Division or the Department who is authorized to disclose information regarding a child fatality or near fatality, each representative of the media and each member of the public who seeks information about a child fatality or near fatality investigated by the Division, and each Federal, State and local government entity that requests information from the Division.

Amended by R.1999 d.255, effective August 2, 1999.  
See: 30 N.J.R. 3918(a), 31 N.J.R. 2214(b).  
Rewrote the section.

**10:133G-1.3 Definitions**

The definitions in N.J.A.C. 10:133-1.3, Definitions, are hereby incorporated into this chapter by reference.

**SUBCHAPTER 2. DISCLOSURE OF CLIENT INFORMATION TO A CLIENT**

**10:133G-2.1 Protective service information**

(a) The Division shall disclose only such protective service information to the parent or legal guardian as is needed in connection with the provision of care, treatment or supervision of the child, or the care, treatment or supervision of the parent. Disclosure includes advising the parent of the content of the protective service referral, the investigation findings, and information to discuss, develop and implement a case plan.

(b) Pursuant to N.J.S.A. 9:6-8.10a.b(6), the Division shall disclose records and reports of child abuse when a court or the Office of Administrative Law determines that it is necessary for determination of an issue before the court or the Office of Administrative Law. Such records may be disclosed by the court or the Office of Administrative Law in whole or in part to the law guardian, parent's attorney or other appropriate person upon a finding that such further disclosure is necessary for determination of an issue before the court or the Office of Administrative Law.

(c) The Division shall not disclose, confirm, or deny the identity of a protective service referral source, unless the referral source gives prior written consent and the disclosure is not likely to endanger the life or safety of the referral source or other person or result in the discharge or discrimination against the referral source with respect to his or her employment. The name or any other information identifying the person or entity who referred a child fatality or near fatality to the Division shall not be released to the public or the media pursuant to N.J.S.A. 9:6-8.10a, whether or not the referral source gives prior written consent.

1. The determination as to whether the disclosure of the identity of a protective service referral source would be likely to endanger the life or safety of the referral source or other person, or jeopardize the referral source's employment, shall be based upon the Division representative's and his or her supervisor's evaluation of the nature and seriousness of the case and an assessment of the propensity for violence and harm or discharge or discrimination.

Amended by R.1999 d.255, effective August 2, 1999.  
See: 30 N.J.R. 3918(a), 31 N.J.R. 2214(b).

In (a), substituted a reference to legal guardians for a reference to guardians, and inserted "discuss," following "information to" in the last sentence; and rewrote (b) and (c).

### 10:133G-2.2 Child welfare information

(a) Except as indicated in this chapter, each child welfare client is entitled to know what information is being collected, how it is used, and who has access to the information.

(b) No current or former client shall have unrestricted review of the case record or general access to the information contained therein.

(c) A client currently or formerly receiving services may inspect or copy his or her own records as they relate to financial eligibility for or receipt of benefits or assistance.

(d) The Division shall disclose to a current or former client other child welfare information from the client's record to the extent that the client makes a reasonable demonstration of the need to know. In general, the Division shall consider the client's statement of the need for the information as a reasonable demonstration, unless the Division has a compelling reason not to disclose the requested information, such as when the Division determines that disclosure of such information would be likely to endanger any person's life or safety. The determination shall be based on the Division representative's and his or her supervisor's professional judgment or that of another professional who has evaluated the nature and seriousness of the case and an assessment of the client's propensity for violence and harm as based on the client's known past behavior and threats against himself, herself or others. If the Division denies the disclosure of child welfare information to the client, the Division representative shall:

1. Give the client a verbal explanation of the reason for denial; and
2. Outline the reasons for denial in writing and make this a part of the client's record.

(e) Whenever there is reason to believe that a request for examination or copying of records is made in connection with a claim for compensation or damages against the State of New Jersey or State employees, the Office of the Attorney General shall be notified prior to honoring the request. The Office of Legal and Regulatory Liaison shall make the notification for the Division.

Amended by R.1999 d.255, effective August 2, 1999.  
See: 30 N.J.R. 3918(a), 31 N.J.R. 2214(b).

In (e), deleted references to the Claims Service Section throughout.

### 10:133G-2.3 Third party information

(a) The Division shall not disclose any of the following to a current or former client:

1. Any third-party report, unless the Division receives prior written consent from the third party and release is not prohibited by law or regulation. The following statutory provisions restrict disclosure:

- i. Juvenile-Family Crisis information in N.J.S.A. 2A:4A-60;
- ii. HIV information in N.J.S.A. 26:5C-5 et seq.;
- iii. Drug and alcohol treatment records in 42 CFR 2.1 et seq.; and
- iv. Domestic violence information in N.J.S.A. 30:14-1 et seq. and N.J.A.C. 10:130-2.8;

2. Any record containing information identifying a third-party source of information, e.g., referral source, other family member, collateral contact, unless the Division receives prior written consent from the third party and disclosure is not prohibited by law or regulation;

3. Information about another person, except with the express written consent of the other person and when not prohibited by law and regulation; or

4. Information which would, if disclosed to the client, be likely to endanger any person's life or safety as based on the client's known past behavior and threats against himself, herself or others. This determination shall be based on the Division representative's and his or her supervisor's evaluation of the nature and seriousness of the case and an assessment of the client's propensity for violence and harm to the child and others.

#### 10:133G-2.4 Minor client

(a) A current or former minor client may receive information contained in the Division's case record, which has not been previously disclosed, through a request made by the minor client's parent, except when the circumstances in (b) below apply. When providing information to a minor client, the Division representative shall present that information in a manner determined by the Division representative to be consistent with and appropriate to the minor client's age or condition, to enable the minor client to understand the basis for the Division's involvement, the minor client's ability to cope with the information, and, for a current minor client, the minor client's ability to participate in the development, discussion or implementation of the case plan pursuant to N.J.S.A. 9:6-8.10a.c. Information which may be disclosed on behalf of a minor client is limited in the same manner as described in N.J.A.C. 10:133G-2.1 through 2.3.

(b) An exception to the parental request requirement may be made when:

1. The information sought is not restricted by law, regulation, or policy; and
2. The requirement of parental involvement would interfere with the child's right to privacy (for example, a female child who has had a pregnancy or abortion of which her parent has no knowledge) or interfere with other rights the child may have as a result of circumstances making him or her an emancipated minor.

Amended by R.1999 d.255, effective August 2, 1999.

See: 30 N.J.R. 3918(a), 31 N.J.R. 2214(b).

In (a), inserted a new second sentence.

#### 10:133G-2.5 Adult adoptee

All court records and information relating to adoption proceedings are sealed upon the legal finalization of the adoption pursuant to N.J.S.A. 9:3-52. Since the Division's records contain sealed court records, the Division treats these records as confidential. The Division shall disclose to an adult adoptee non-identifying information available in the Division's records in accordance with N.J.A.C. 10:121A-5.9(b)2. The Division shall disclose identifying information to an adult adoptee about any birth family

member or other person who has given his or her written consent to the Division.

### SUBCHAPTER 3. RELEASE OF CLIENT INFORMATION TO PERSONS OTHER THAN THE CLIENT

#### 10:133G-3.1 Protective service information

(a) The Division shall disclose protective service information, with or without a client's consent, only in those circumstances pursuant to statute, including N.J.S.A. 9:3-54.2 and 9:6-8.10a, when the Division determines that the person or agency has made a reasonable demonstration of the need to know the information and in consideration of the risk of harm to the child and others. No person shall have unrestricted review of the case record or general access to the information contained therein unless ordered by a court or the Office of Administrative Law in accordance with N.J.S.A. 9:6-8.10a.

(b) A Division representative shall notify the police or local law enforcement authority of each substantiated incident of child abuse or neglect involving a child who resides within their jurisdiction in accordance with N.J.A.C. 10:129A-3.4(i).

Amended by R.1999 d.255, effective August 2, 1999.

See: 30 N.J.R. 3918(a), 31 N.J.R. 2214(b).

Rewrote the section.

#### 10:133G-3.2 Child welfare information

The Division shall disclose child welfare information only with the client's prior consent, except in an emergency, in which case the Division shall advise the client of the request and disclosure at a later time. With the client's consent or in an emergency, the Division shall disclose information about that client, subject to the limitations and provisions set forth in 45 CFR 205.50, 45 CFR 1355.21, 45 CFR 1355.30 and N.J.S.A. 30:4-24.3, and only to a person or agency representative who is subject to standards of confidentiality comparable to those of the Division and only to a party who presents a reasonable demonstration of the need to know the information requested, for example, information needed to provide medical, psychological or social services to the child or family, except when restricted by law or N.J.A.C. 10:133G-2.3(a)1. No person shall have unrestricted review of the case record or general access to the information contained therein.

#### 10:133G-3.3 Third party information

(a) The Division shall not disclose the following to a requester:

1. Third-party reports, unless the Division receives prior written consent from the third party and disclosure

is not prohibited by law or regulation, such as those cited in N.J.A.C. 10:133G-2.3(a)1i, ii, iii, and iv;

2. Information identifying a third-party source of information, for example, referral source or other family member, unless the Division receives prior written consent from the third party and disclosure is not prohibited by law or regulation; or

3. Information which would, if disclosed to the client, be likely to endanger any person's life or safety as based on the client's known past behavior and threats against himself, herself or others. This determination shall be based on the Division representative's and his or her supervisor's evaluation of the nature and seriousness of the case and an assessment of the propensity for violence and harm.

(b) When the Division requests a third party report to process a residential placement or other service, or apply for government benefits, the Division shall inform and obtain the consent of the third party at the time of request that the information may be disclosed to others to obtain a needed service or government benefit.

(c) The Division shall disclose third party reports to an agency or person who is subject to standards of confidentiality comparable to those of the Division, such as a physician, psychotherapist, health or mental health agency, when:

1. The Division has guardianship or custody of the child;
2. Disclosure of the information is necessary for the child's or parent's care, treatment or supervision;
3. Disclosure is not prohibited by law or regulation, such as those cited in N.J.A.C. 10:133G-2.3(a)1i, ii, iii, and iv;
4. The Division has considered the risk of harm to the child and others; and
5. The third party has given its consent in accordance with (b), above.

#### 10:133G-3.4 Requests for information

(a) Each person making an inquiry or request for client information shall put the request in writing, except as allowed in (d), below.

1. An agency shall make its request on official agency letterhead.
2. An individual person making a request shall include his or her address or telephone number which can be verified.
3. Any person requesting client information shall include a consent form signed by the client or shall indicate the reason he or she needs to know the information.

(b) The Division shall determine whether the person requesting the information can receive the information pursuant to statute and to the provisions of this chapter.

(c) No Division employee shall disclose client information over the telephone, including whether or not a person is or was known to the Division, except as authorized in (a) above or (d) below.

(d) When information is urgently needed, the Division shall disclose the information after verifying the caller's identity, determining that the caller is authorized to receive the information pursuant to N.J.S.A. 9:6-8.10a or in accordance with N.J.A.C. 10:133G-3.2, and determining that the caller has made a reasonable demonstration of the need to know the information and in consideration of the risk of harm to the child and others.

#### 10:133G-3.5 Disclosure within the Division, the Department and Department of Law and Public Safety, Division of Law

(a) Personal client information shall be disclosed within the Division only to those persons who require such information in the course of their jobs and only to the extent necessary. The Division shall obliterate the names of clients and other persons when case record materials or reports are used for training.

(b) Staff of the Office of Legal and Regulatory Affairs, the Deputy Commissioner, the Assistant Commissioner, or the Commissioner of the Department of Human Services shall have the authority to request and receive all information about Division clients.

1. The Division shall advise the Department of Human Services' Office of Public Information of all child fatalities or near fatalities which the Division has reasonable cause to believe were the result of child abuse or neglect. The Department of Human Services' Office of Public Information or the Director shall release information to the public about such child fatalities or near fatalities in accordance with N.J.A.C. 10:133G-4.

(c) The Division shall disclose client information to a Deputy Attorney General, Department of Law and Public Safety, Division of Law, representing the Division.

(d) The Division may, and upon written request shall, release records and reports to any other division or unit in the Department authorized to care for, treat, or supervise a child who is the subject of a child abuse report, or a parent or other person who is responsible for the child's welfare, or both, when the information is needed in connection with the provision of care, treatment, or supervision of a child or parent or other person pursuant to N.J.S.A. 9:6-8.10a.b(5).

Amended by R.1999 d.255, effective August 2, 1999.  
See: 30 N.J.R. 3918(a), 31 N.J.R. 2214(b).

In (b), added 1; and added (d).

**SUBCHAPTER 4. DISCLOSURE OF  
INFORMATION TO THE MEDIA AND  
PUBLIC ABOUT CHILD FATALITIES AND  
NEAR FATALITIES**

**Authority**

N.J.S.A. 9:6-8.10a, 9:6-8.14, 30:4-24.3 and 30:4C-4(h); 45 C.F.R. 205.50, 1355.21 and 1355.30; and 42 U.S.C. § 5106a.

**Source and Effective Date**

R.1999 d.255, effective August 2, 1999.  
See: 30 N.J.R. 3918(a), 31 N.J.R. 2214(b).

**10:133G-4.1 Authority for disclosure of information**

Pursuant to N.J.S.A. 9:6-8.10a, information may be released to the public regarding a child fatality or near fatality when the fatality or near fatality was the result of child abuse or neglect.

**10:133G-4.2 Who may disclose information to the media or a member of the public about a child fatality or near fatality**

(a) The Department of Human Services' Office of Public Information shall direct and control the release of information to the media about a child fatality or near fatality investigated by the Division or determined by the Division to be the result of child abuse or neglect. Information shall be disclosed by the Director or the Department's Office of Public Information. No other representative of the Division or the Department shall disclose information to the media or a member of the public about a child fatality or near fatality unless specifically authorized to do so by the Director or the Commissioner of the Department of Human Services.

(b) The media may request information about a child fatality or near fatality either verbally or in writing. The media shall direct the request to the Department of Human Services' Office of Public Information.

1. The Director of the Division of Youth and Family Services or the Department of Human Services' Office of Public Information shall provide information verbally to a representative of the media about a child fatality or near fatality, within the parameters established by this chapter, upon confirming that the requester is a representative of the media.

(c) A member of the public shall make a request for information about a child fatality or near fatality in writing to the Office of the Director, Division of Youth and Family Services. If the requester claims to represent an agency, he or she shall make the request for information on official agency letterhead in accordance with N.J.A.C. 10:133G-3.4(a)1.

1. The Office of the Director shall respond, in writing, within the parameters established by this chapter, to a

written request from a member of the public for information about a child fatality or near fatality.

**10:133G-4.3 Information that shall not be disclosed to the media or a member of the public about a child fatality or near fatality**

(a) Pursuant to N.J.S.A. 9:6-8.10a.f, the Office of the Director or the Department's Office of Public Information shall not disclose information to the media or a member of the public about a child fatality or near fatality investigated by the Division when:

1. The information would likely endanger the life, health, safety or physical or emotional well-being of a child or the life or safety of any other person;

2. The information may compromise the integrity of or interfere with a Division investigation, a civil or criminal investigation or a judicial proceeding;

i. If a criminal investigation is in progress or pending, the Office of the Director of the Division of Youth and Family Services shall contact the county prosecutor before releasing any information to the media or a member of the public about the incident, to determine what information can be disclosed, if any, based on the status of the criminal investigation;

3. The information is deemed confidential by Federal law or State law other than N.J.S.A. 9:6-8.10a;

4. The information includes the name of or any other identifying information about the referral source, even when the referral source gives written consent to disclose his or her identity in accordance with N.J.A.C. 10:133G-2.1(c);

5. The information includes the name of any Division representative assigned to the investigation or the management of the case; or

6. The information concerns any disciplinary actions taken against a Division representative as a result of or related to the incident or the handling of the Division case.

(b) The Office of the Director or the Department's Office of Public Information shall not release information obtained from another agency or entity which is investigating a child fatality or near fatality on its own or in cooperation with the Division, such as the police, the county prosecutor or the medical examiner.

**10:133G-4.4 Information that shall be disclosed to the media or a member of the public during the Division investigation**

(a) Unless prohibited by N.J.S.A. 9:6-8.10a or N.J.A.C. 10:133G-4.3, and upon the request of the media or a member of the public in accordance with N.J.A.C. 10:133G-4.2(b) and (c), information about a child fatality or near fatality that shall be disclosed to the media or a

member of the public during the Division's investigation, prior to the Division's determination of the investigation finding, shall include and shall be limited to the following:

1. The name, age and gender of the child victim;
2. The date of the incident and the date of the referral regarding the incident to the Division;
3. The living arrangement of the child victim at the time of the incident, and, for a near fatality, the child victim's current living arrangement, if different. The following standards apply:

- i. The type of setting shall be disclosed, such as the child's own home, a relative's home, a foster home, or an institution;

- ii. The name of the institution shall be provided, if the incident occurred in an institution; and

- iii. If the incident did not occur in an institution, the out-of-home placement provider's or other caregiver's name, address and other identifying information or whereabouts shall not be provided;

4. Information about other possible child victims. The following standards apply:

- i. The names of other possible child victims shall be disclosed only when they are also fatalities or near fatalities which the Division has reasonable cause to believe resulted from child abuse or neglect;

- ii. The relationship of each child to the child victim shall be disclosed; and

- iii. The type of living arrangement of each child shall be disclosed under the conditions specified in (a)3i, ii and iii above;

5. The nature of the incident. The following standards apply:

- i. The type of allegation shall be disclosed, including, but not limited to, physical abuse, neglect and sexual abuse;

- ii. The nature of the child victim's injuries, medical condition and prognosis shall be disclosed; and

- iii. The name and identifying information about the alleged perpetrator and other specific information about the circumstances of the incident shall be disclosed only after the Division concludes its investigation, child abuse or neglect is substantiated, and a perpetrator is confirmed;

6. The status of the Division's involvement with the child victim and his or her family prior to the child fatality or near fatality, including:

- i. Whether the case was in active status at the time of the child fatality or near fatality, in closed status or never known to the Division;

- ii. The Division office or offices responsible for each prior case opening;

- iii. The date and disposition of each prior referral;

- iv. The date of each prior case opening and closing;

- v. The types of services provided by or through the Division, including any referral to a service not provided by the Division. The names of service providers shall not be disclosed; and

- vi. The date and approximate time of the Division's last contact with the child victim prior to the incident, and whether the contact was in person or by telephone;

7. Division action taken to protect the child victim and other possible child victims within the family or the household; and

8. The name of the Division office supervising the case or conducting the investigation of the incident.

**10:133G-4.5 Information that shall be disclosed about a child fatality or near fatality not caused by child abuse or neglect**

(a) If the Division's investigation determines that the child fatality or near fatality was not the result of a substantiated incident of child abuse or neglect, the Division shall disclose only the following information to the media or a member of the public, in addition to the information previously disclosed during the investigation in accordance with N.J.A.C. 10:133G-4.4:

1. The Division's investigation finding of either not substantiated or unfounded; and

2. The date of the Division's investigation finding.

**10:133G-4.6 Information that shall be disclosed about a child fatality or near fatality that was the result of child abuse or neglect**

(a) If the Division's investigation determines that the child fatality or near fatality was the result of a substantiated incident of child abuse or neglect, unless prohibited by N.J.S.A. 9:6-8.10a or N.J.A.C. 10:133G-4.3 or withheld at the request of the county prosecutor, the Office of the Director or the Department's Office of Public Information shall disclose the following information to the media or a member of the public, as relevant to the given incident or the child's condition, in addition to the information disclosed during the investigation in accordance with N.J.A.C. 10:133G-4.4:

1. The child's current medical condition or the date and cause of the child's death;

2. The child's current living arrangement, with this information provided under the same limitation as imposed by N.J.A.C. 10:133G-4.4(a)3i, ii and iii;

3. Details about the Division's investigation of the incident, including, but not limited to:

- i. The type of child abuse or neglect that was substantiated;
- ii. Where the incident occurred; and
- iii. The name of the perpetrator and his or her relationship to the child victim;

4. Whether the Division's investigation determined that another child was abused or neglected at the time of the incident. The name of that child shall not be disclosed unless that child was a child fatality or near fatality as well; and

5. The types of services provided by or through the Division, both prior and subsequent to the child fatality or near fatality, including service referrals given on behalf of the child victim as well as the services or referrals given on behalf of the child victim's surviving family members. The name of service providers shall not be disclosed.

**10:133G-4.7 Ability to seek court relief if denied information about a child fatality or near fatality**

If the Office of the Director or the Department of Human Services' Office of Public Information denies the media or a member of the public access to information about a child fatality or near fatality under these rules, he or she may seek disclosure of the information through the Chancery Division of the Superior Court pursuant to N.J.S.A. 9:6-8.10a.f.

**SUBCHAPTER 5. RELEASE OF INFORMATION TO GOVERNMENT ENTITIES**

**Authority**

N.J.S.A. 9:6-8.10a, 9:6-8.14, 30:4-24.3 and 30:4C-4(h); 45 C.F.R. 205.50, 1355.21 and 1355.30; and 42 U.S.C. § 5106a.

**Source and Effective Date**

R.1999 d.255, effective August 2, 1999.  
See: 30 N.J.R. 3918(a), 31 N.J.R. 2214(b).

**10:133G-5.1 Request procedure**

(a) A Federal, State or local government entity requesting information regarding a child abuse or neglect report, when the information is being requested for a matter other than the investigation of a report of child abuse or neglect, shall submit a written request to: Director, Division of Youth and Family Services, PO Box 717, Trenton, NJ 08625-0717.

(b) The request shall include:

1. A citation identifying the requester's statutory mandate to protect children from abuse and neglect;
2. The specific information that is being requested;

3. The purpose for which the information will be used; and

4. A statement indicating that the requesting government entity will keep the information confidential.

**10:133G-5.2 Office of the Director determines whether to disclose information**

(a) A representative of the Office of the Director shall determine whether the requester has statutory authority to receive confidential child abuse and neglect information and a need to know the information being requested.

1. If the request is approved, a representative of the Office of the Director shall provide a summary of the information that is approved for release.

2. If the request is disapproved, a representative of the Office of the Director shall notify the requester, in writing, of the disapproval and the opportunity for the requester to appeal this decision through the Chancery Division of the Superior Court pursuant to N.J.S.A. 9:6-8.10a.

**10:133G-5.3 Safeguards**

(a) The following safeguards are applicable when information is requested by a government entity. A representative of the Office of the Director shall disclose only that information:

1. Deemed appropriate, as determined pursuant to N.J.A.C. 10:133G-5.2, for the requesting entity to carry out its responsibility under law to protect children from abuse and neglect;

2. Related to a child abuse report which would not be likely to endanger the life, safety, or physical or emotional well-being of a child or the life or safety of any other person;

3. Related to a child abuse report which would not be likely to compromise the integrity of a Division investigation or a civil or criminal investigation or judicial proceeding;

4. Related to a child abuse report which is not deemed confidential by Federal or State law other than N.J.S.A. 9:6-8.10a;

5. Which does not contain the name of or any other information which could readily identify the referral source who reported an incident or referred the child to the Division, unless the referral source gives prior written consent in accordance with N.J.A.C. 10:133G-2.1(c); and

6. Which does not contain the name of or any information which could readily identify the Division representative or representatives assigned to the investigation or the management of the case.

(b) A government entity receiving information pursuant to N.J.S.A. 9:6-8.10a shall keep the information confidential and shall not redisclose the information. A violation of this

confidentiality requirement shall be subject to criminal sanctions pursuant to N.J.S.A. 9:6-8.10b.