§ 32.17 Certain duties of providers of services.

It shall be the duty of every holder of an operating certificate to assist both the office and the commission on quality of care for the mentally disabled in carrying out their respective and joint regulatory functions by:

(a) complying with the provisions of this chapter, other applicable federal, state, and local laws, rules, and regulations, and the regulations of the commissioner.

(b) consistent with federal and state confidentiality laws and regulations, making such reports as are required by the office as well as those necessary to provide notification to the district attorney or other appropriate law enforcement official and the commissioner or his or her authorized representative as soon as possible, or in any event within three working days, if it appears that a crime may have been committed by program personnel against a patient receiving services from such provider, and/or if a crime may have been committed by program personnel against any person on such provider's premises, and making such other reports, uniform and otherwise, as are required by the commissioner or his or her authorized representative with respect to its operations. Information obtained by the commissioner from the records of patients receiving services shall be kept confidential in accordance with applicable federal and state confidentiality laws and regulations.

(c) cooperating with the commissioner or his or her authorized representative and the commission on quality of care for the mentally disabled or any representative authorized by the chairperson of such commission in any investigation or inspection conducted by the department or commission on quality of care for the mentally disabled.

(d) permitting the commissioner or his or her authorized representative and the commission on quality of care for the mentally disabled or any representative authorized by the chairperson of such commission to inspect its facility and all books and records, including patient records, kept by it and to interview and examine any patient at its facility except that no patient may be examined against his or her will.