**Section 50.30 Responsibilities of OIG for Intake Assessment**

a) Availability of OIG

OIG shall be available 24 hours a day to assess reports of allegations of abuse, neglect, financial exploitation, or the death of an individual and provide any technical assistance with making the report.

b) Responsibility of OIG for receiving the report

OIG staff receiving the report of the allegation are responsible for assessing, based on the information received at intake, whether the allegation could constitute abuse, neglect, or financial exploitation and whether OIG has the authority to investigate in accordance with the Act. Absent extenuating circumstances, OIG shall make these assessments within one day after receiving the report.

c) Reports involving routine programmatic, licensure or certification matters

1) OIG shall have no supervision over or involvement in routine programmatic, licensure, or certification operations of the department. (Section 1-17(f) of the Act)

2) If the reported allegation relates to licensure or certification standards or routine programmatic operations and is deemed not to be abuse, neglect, or financial exploitation, OIG shall refer the allegation to the appropriate agency or unit of government.

d) Investigations by two or more State agencies

When two or more State agencies could investigate an allegation of abuse or neglect at a community agency or facility, OIG shall not conduct an investigation that is redundant to an investigation conducted by another State agency (see Section 1-17(f) of the Act) unless requested in writing by another State agency in accordance with Section 1-17(e) of the Act.

e) Referrals to the Illinois State Police/Local Law Enforcement

In certain instances, it is appropriate or required for OIG to refer allegations to other entities.

1) Section 1-17(l) of the Act requires OIG to refer an allegation to the Illinois State Police or ensure that notification is made to the respective local law enforcement entity for investigation within 24 hours after determining that there is credible evidence indicating that a criminal act may have been committed in connection with an allegation of abuse, neglect, financial exploitation, or death of an individual served by a facility or agency.

2) When an allegation concerns the actions of a community agency or facility employee, but the described conduct does not rise to the level of a reportable offense (e.g., an allegation that an employee was late to work), where appropriate, OIG shall forward the allegation to the appropriate authorized representative.

3) When an allegation does not concern the actions of either a community agency or facility employee, the intake investigator shall transfer or refer the caller to the appropriate local, State, or federal agency or organization, as appropriate.

4) When OIG has jurisdiction over an allegation, it may make a referral of that allegation to the involved facility or agency where, among other factors:

A) The primary facts relevant to the allegation have already been identified and additional investigative work by OIG would be of minimal value;

B) The agency or facility is better positioned to immediately address the allegation;

C) The allegation, if true, would be unlikely to result in a report to the Registry (e.g., mental abuse, non-egregious neglect); or

D) The allegation does not indicate an emergency situation or that an individual is in imminent danger.

f) Authorized Representative

If the allegation of abuse, neglect, or financial exploitation is within the jurisdiction of OIG, the authorized representative of the involved community agency or facility or their designee shall:

1) Ensure the immediate health and safety of involved individuals and employees, including ordering medical examinations and healthcare, when applicable, and immediately contacting victim services, when applicable (a listing of victim services is available by contacting the OIG hotline ); and

2) Remove accused employees from having contact with individuals at the facility or agency when there is credible evidence supporting the allegation of abuse, pending the outcome of any further investigation, prosecution, or disciplinary action against the employee or until OIG independently determines that the allegation against the employee will be unsubstantiated or unfounded in OIG's final investigative report (see 405 ILCS 5/3-210); and

3) Ensure OIG is notified; and

4) Unless otherwise directed by OIG, initiate the preliminary steps of the investigation by a Section 50.30(f)-trained OIG liaison. This may include the need to:

A) Secure the scene of the incident and preserve evidence, if applicable;

B) Identify and separate potential witnesses, and take statements when applicable;

C) Identify and record the names of all persons at the scene at the time of the incident and, when relevant, those who had entered the scene prior to the scene being secured;

D) Secure all relevant documents and physical evidence, such as clothing, if applicable; and

E) Photograph the scene of the incident and the individual's injury, when applicable.

g) OIG may determine what further action, if any, is necessary to protect the safety of any individual, secure the scene of the alleged incident, preserve the evidence, and maintain the integrity of the investigation. Such action may include immediate emergency referrals (such as medical or housing services), the notification of law enforcement officials, requesting hospital services or contacting the Department or other State agencies for assistance.

(Source: Amended at 48 Ill. Reg. 14653, effective September 27, 2024)