**Section 270.255 Abuse, Abandonment, Neglect, Financial Exploitation, or Self-Neglect Case Work, Follow-Up, Referrals and Case Closure**

a) Case Work

*APS provider agencies shall assist, to the extent possible, eligible adults who need agency services to allow them to continue to function independently.* [320 ILCS 20/3(c)]

1) If, after the assessment, the APS provider agency determines that the case is substantiated, it shall develop a case plan for the eligible adult, when the eligible adult consents to services.

A) *In developing a case plan, the APS provider agency may consult with any other appropriate* professional and/or *provider of* *services,* such as advocacy, care coordination, counseling, education, emergency aid, financial, housing, law enforcement, legal, long term care, managed care, medical, nutrition, personal assistance, relocation, respite, social supports through charitable and community assistance, disability agencies, private means, or public benefit programs to meet identified needs for the purpose of stabilizing the abusive situation and reducing the risk of further harm, and such professionals and/or *providers shall be immune from civil or criminal liability on account of those acts.* [320 ILCS 20/5(a)]

B) *The case plan shall include alternative suggested or recommended services* that *are appropriate to the needs of the eligible adult and that involve the least restriction of the eligible adult's activities commensurate with his or her needs*. [320 ILCS 20/5(a)]

i) The case worker shall use the case worker's professional judgment in advocating in the best interest, safety and welfare of the eligible adult.

ii) The eligible adult's interest in living in the most independent setting with the least restrictive alternatives for legal, medical and social services come before those of any other family or community members.

iii) The case worker shall involve the eligible adult, and the eligible adult's family members for support, if possible, in the development of the intervention, and explain, in a direct manner, the situation, the range of available options for services, and the consequences of failing to cooperate or refusing to accept services, so the eligible adult can exercise maximum decision-making ability.

C) The APS provider agencies shall establish working relationships with disability agencies for purposes of mutual training, referral and service response.

2) *Only those services to which consent is given in accordance with Section 9 of* the *Act shall be provided, contingent upon the availability of those services.* [320 ILCS 20/5(a)]

b) Follow-up

*All services provided to an eligible adult shall be reviewed by the APS provider agency on at least a quarterly basis for up to one year to determine whether the service care plan should be continued or modified,* *except that, upon review, the Department may grant a waiver to extend the service care plan for up to one additional year*. [320 ILCS 20/7]

c) Referral

*An APS provider agency shall refer evidence of crimes against an eligible adult to the appropriate law enforcement agency according to Department policies. A referral to law enforcement may be made at intake, at any time during the case or after a report of a suspicious death, depending on the circumstances.* [320 ILCS 20/5(b)]

d) The "evidence of crimes" referred to in subsection (c) includes:

1) death that may have been the result of abuse or neglect;

2) brain damage;

3) loss or substantial impairment of a bodily function or organ;

4) bone fracture;

5) extensive burns;

6) substantial disfigurement;

7) sexual assault or aggravated sexual assault;

8) serious bodily injury as the result of a pattern of repetitive actions;

9) extensive swelling or bruising, depending on such factors as the eligible adult's physical condition, circumstances under which the injury occurred, and the number and location of bruises;

10) serious symptoms resulting from the use of medications or chemical restraints, or the withholding of life sustaining medications (e.g., insulin);

11) evidence of severe neglect, such as unreasonable decubiti;

12) other activity that would place the eligible adult in imminent danger of death or serious bodily injury; or

13) any felonious criminal activity directed at the eligible adult that the case worker directly observes.

e) When *an APS provider agency has reason to believe that the death of an eligible adult* that occurs during the course of assessment, case work, or follow-up *may be the result of abuse, abandonment, or neglect, the agency shall promptly report the matter to both the appropriate law enforcement agency and coroner or medical examiner* and make subsequent contact with them in accordance with the time frame set forth in Section 270.241(b).[320 ILCS 20/3(c-5)]

f) Upon request by an APS provider agency, law enforcement agencies, coroners and medical examiners shall supply a summary of their action in response to a reported death of an eligible adult. The APS provider agency shall maintain a copy of the reports, and all follow-up with law enforcement, coroners and medical examiners shall be documented in the case record of the eligible adult.

g) In all cases in which there is a substantiated finding of abuse, abandonment, neglect or financial exploitation by a guardian, the APS provider agency shall, within 30 days after the finding, notify the probate court with jurisdiction over the guardianship.

h) Case Closure

An APS provider agency shall close a case when:

1) the alleged victim refuses services;

2) the alleged victim is deceased; however, an APS provider agency will still be subject to the requirements of subsections (c) and (e);

3) the alleged victim has entered a long term care facility and resided there for 60 days; provided the Department may waive the 60-day limitation in cases in which the APS provider agency submits evidence that the waiver is necessary to protect the safety and well-being of the client;

4) the alleged victim has moved out of the area; provided, if the alleged victim remains at risk and the APS provider agency is aware of the new location, the APS provider agency shall refer the case to the APS provider agency in the location of the new residence for case work and follow-up services;

5) the victim is no longer at risk of abuse, abandonment, neglect, financial exploitation, or self-neglect;

6) the victim has received uninterrupted follow-up services for 12 months, which shall be considered an administrative closure;

7) the report is not substantiated; or

8) the alleged victim is determined to be ineligible for services.

(Source: Amended at 48 Ill. Reg. 8469, effective May 28, 2024)