

AN ACT concerning aging.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Elder Abuse and Neglect Act is amended by changing Section 3 as follows:

(320 ILCS 20/3) (from Ch. 23, par. 6603)

Sec. 3. Responsibilities.

(a) The Department shall establish, design and manage a program of response and services for persons 60 years of age and older who have been, or are alleged to be, victims of abuse, neglect, financial exploitation, or self-neglect. The Department shall contract with or fund or, contract with and fund, regional administrative agencies, provider agencies, or both, for the provision of those functions, and, contingent on adequate funding, with attorneys or legal services provider agencies for the provision of legal assistance pursuant to this Act.

(b) Each regional administrative agency shall designate provider agencies within its planning and service area with prior approval by the Department on Aging, monitor the use of services, provide technical assistance to the provider agencies and be involved in program development activities.

(c) Provider agencies shall assist, to the extent possible,

eligible adults who need agency services to allow them to continue to function independently. Such assistance shall include but not be limited to receiving reports of alleged or suspected abuse, neglect, financial exploitation, or self-neglect, conducting face-to-face assessments of such reported cases, determination of substantiated cases, referral of substantiated cases for necessary support services, referral of criminal conduct to law enforcement in accordance with Department guidelines, and provision of case work and follow-up services on substantiated cases. In the case of a report of alleged or suspected abuse or neglect that places an eligible adult at risk of injury or death, a provider agency shall respond to the report on an emergency basis in accordance with guidelines established by the Department by administrative rule and shall ensure that it is capable of responding to such a report 24 hours per day, 7 days per week. A provider agency may use an on-call system to respond to reports of alleged or suspected abuse or neglect after hours and on weekends.

(d) By January 1, 2008, the Department on Aging, in cooperation with an Elder Self-Neglect Steering Committee, shall by rule develop protocols, procedures, and policies for (i) responding to reports of possible self-neglect, (ii) protecting the autonomy, rights, privacy, and privileges of adults during investigations of possible self-neglect and consequential judicial proceedings regarding competency, (iii)

collecting and sharing relevant information and data among the Department, provider agencies, regional administrative agencies, and relevant seniors, (iv) developing working agreements between provider agencies and law enforcement, where practicable, and (v) developing procedures for collecting data regarding incidents of self-neglect. The Elder Self-Neglect Steering Committee shall be comprised of one person selected by the Elder Abuse Advisory Committee of the Department on Aging; 3 persons selected, on the request of the Director of Aging, by State or regional organizations that advocate for the rights of seniors, at least one of whom shall be a legal assistance attorney who represents seniors in competency proceedings; 2 persons selected, on the request of the Director of Aging, by statewide organizations that represent social workers and other persons who provide direct intervention and care to housebound seniors who are likely to neglect themselves; an expert on geropsychiatry, appointed by the Secretary of Human Services; an expert on issues of physical health associated with seniors, appointed by the Director of Public Health; one representative of a law enforcement agency; one representative of the Chicago Department on Aging; and 3 other persons selected by the Director of Aging, including an expert from an institution of higher education who is familiar with the relevant areas of data collection and study.

(Source: P.A. 94-1064, eff. 1-1-07.)