**Section 240.350 Participant/Authorized Representative Cooperation**

Participants/authorized representatives shall cooperate with the representatives of the Department/CCUs/providers in determinations of eligibility, redeterminations, other necessary or required face-to-face visits, or provision of CCP services.

a) The actions specified below shall be considered non-cooperative and may result in a MOU as set forth in Section 240.930 or termination from CCP services:

1) Repeated absences that disrupt the provision of in-home services or ADS services without advising the provider. Such absences shall result in a reassessment before pursuing a MOU;

2) Refusing to allow the provider to enter the home to provide services;

3) Interfering with any provision of the services specified in the person-centered plan of care;

4) Residing outside the State for longer than 60 days while receiving EHRS services without an exemption from the CCU; or

5) Purposefully damaging or losing AMD equipment or EHRS base unit or activation devices without a law enforcement report of theft or intentional damage.

b) The provider must document each time the participant engages in any of the non-cooperative actions listed in subsection (a). If the action is due to an emergency, then it will not be considered non-cooperative.

c) The provider shall verbally notify the CCU on the same day, if possible, but no later than the next work day, that the participant was non-cooperative. Within two working days after the verbal notification, the provider shall submit to the CCU a written report including, at a minimum, the names of the participant and the worker, the dates a brief description of the incident.

d) The actions specified in this subsection (d) shall also be considered non-cooperation and shall be cause for denial of a request for services or termination of service, as appropriate.

1) Refusal to sign an MOU;

2) Failure to adhere to the terms of an MOU;

3) Refusal to provide the necessary documentation needed to determine initial and continuing eligibility for CCP services; or

4) Refusal to provide a mailing address and/or an email address, including sufficient information to enable the Department/CCU/provider to locate the participant/authorized representative (i.e., the name, address and telephone number of a contact through whom the participant may be located; it may be necessary to provide directions to the participant's home).

e) Each action specified in subsection (d) shall be documented by the provider and the documentation submitted to the CCU within two work days. The written report must include the names of the participant and/or the worker, the dates the action occurred, and a brief description of the action.

(Source: Amended at 48 Ill. Reg. 11053, effective July 16, 2024)