**Section 240.930 Memorandum of Understanding**

a) A provider may request a MOU from the CCU when a participant has not cooperated with the provider in the provision of services as set forth in Section 240.350.

b) When determining if a MOU is appropriate, the provider and CCU must consider whether the participant's behavior is due to a diminished mental capacity or mental illness and the participant's ability to comply with the terms of the MOU. Prior to the issue of a MOU, the CCU must document efforts to resolve the conflict in coordination with the participant and the provider.

c) Upon receipt of the provider’s verbal request for a MOU, the CCU shall immediately, but not later than the next work day, begin the process of preparing the MOU.

d) A MOU must include a detailed account of the actions or behaviors that resulted in the need for a MOU and outline the corrective steps that the participant needs to take to address the actions or behaviors.

e) The CCU must provide the participant with a copy of the MOU in their primary language.

f) A copy of the executed MOU must be provided to the participant/authorized representative by mail or email, if consented to. A copy shall be placed in the participant's file.

g) The CCU must complete an annual review of each MOU it has issued. The CCU must determine if the participant has successfully complied with the terms of the MOU and if the MOU should be terminated. The CCU must send the participant a letter detailing its decision to terminate or renew the MOU. The decision to renew a MOU may be appealed by the participant/authorized representative.

h) A MOU does not automatically transfer when a participant transfers to a new provider or CCU. The CCU must review the participant's case file and determine if a MOU is still necessary. If the CCU determines that a MOU is necessary, a new agreement must be executed.

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