**Section 270.420 Removal from Registry**

a) At any time after a caregiver's identity has been placed on the Registry, a caregiver may request removal of his or her name from the Registry by submitting a request to the Department in writing.

1) The request may only be made in relation to a single Registry placement decision. A request cannot be made requesting removal of multiple Registry placement decisions.

2) A request for removal of a Registry placement decision is not to be made more than once in each successive 3-year period after placement, with a maximum of 3 such requests.

3) The caregiver is to prove by a preponderance of the evidence that removal of his or her name from the Registry is in the public interest.

b) Within 60 calendar days after receiving a removal request, the Department will review and consider any written supporting material provided by the caregiver.

1) The review will not include in-person testimony.

2) The Department may consider the following factors in making its determination on whether to remove a caregiver's identity from the Registry:

A) the length of time the caregiver provided care to the victim;

B) the relationship between the caregiver and the victim;

C) whether inclusion of the caregiver's identity on the Registry remains in the victim's best interest or that of other participants;

D) whether the caregiver completed training to remediate the abuse, neglect or financial exploitation;

E) in the case of financial exploitation, the value of the assets at issue and whether restitution was made;

F) whether criminal charges were filed against a caregiver and any related outcome.

3) Within 30 calendar days after completion of the review, the Department will issue a written decision either granting or denying removal of the caregiver's identity from the Registry.

4) In the event the Department decides that the caregiver's identity should be removed from the Registry, the Department will take all necessary steps to remove the caregiver's identity from the Registry.

5) The removal decision by the Department is not subject to the Administrative Review Law [735 ILCS 5/Art. III].

(Source: Added at 42 Ill. Reg. 9226, effective July 1, 2018)