

HB3065



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3065

by Rep. Terri Bryant

SYNOPSIS AS INTRODUCED:

320 ILCS 20/5

from Ch. 23, par. 6605

Amends the Adult Protective Services Act. Provides that when conducting any investigation concerning a report of suspected abuse, neglect, financial exploitation, or self-neglect of an eligible adult, the Department on Aging shall contact as many of the eligible adult's family members, neighbors, and friends as reasonably possible under the circumstances.

LRB101 08858 KTG 53947 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning aging.

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

4 Section 5. The Adult Protective Services Act is amended by
5 changing Section 5 as follows:

6 (320 ILCS 20/5) (from Ch. 23, par. 6605)

7 Sec. 5. Procedure.

8 (a) A provider agency designated to receive reports of
9 alleged or suspected abuse, neglect, financial exploitation,
10 or self-neglect under this Act shall, upon receiving such a
11 report, conduct a face-to-face assessment with respect to such
12 report, in accord with established law and Department
13 protocols, procedures, and policies. Face-to-face assessments,
14 casework, and follow-up of reports of self-neglect by the
15 provider agencies designated to receive reports of
16 self-neglect shall be subject to sufficient appropriation for
17 statewide implementation of assessments, casework, and
18 follow-up of reports of self-neglect. In the absence of
19 sufficient appropriation for statewide implementation of
20 assessments, casework, and follow-up of reports of
21 self-neglect, the designated adult protective services
22 provider agency shall refer all reports of self-neglect to the
23 appropriate agency or agencies as designated by the Department

1 for any follow-up. The assessment shall include, but not be
2 limited to, a visit to the residence of the eligible adult who
3 is the subject of the report and may include interviews or
4 consultations with service agencies or individuals who may have
5 knowledge of the eligible adult's circumstances. If, after the
6 assessment, the provider agency determines that the case is
7 substantiated it shall develop a service care plan for the
8 eligible adult and may report its findings at any time during
9 the case to the appropriate law enforcement agency in accord
10 with established law and Department protocols, procedures, and
11 policies. In developing a case plan, the provider agency may
12 consult with any other appropriate provider of services, and
13 such providers shall be immune from civil or criminal liability
14 on account of such acts. The plan shall include alternative
15 suggested or recommended services which are appropriate to the
16 needs of the eligible adult and which involve the least
17 restriction of the eligible adult's activities commensurate
18 with his or her needs. Only those services to which consent is
19 provided in accordance with Section 9 of this Act shall be
20 provided, contingent upon the availability of such services.

21 (a-5) When conducting any investigation concerning a
22 report of suspected abuse, neglect, financial exploitation, or
23 self-neglect of an eligible adult, the Department shall contact
24 as many of the eligible adult's family members, neighbors, and
25 friends as reasonably possible under the circumstances.

26 (b) A provider agency shall refer evidence of crimes

1 against an eligible adult to the appropriate law enforcement
2 agency according to Department policies. A referral to law
3 enforcement may be made at intake or any time during the case.
4 Where a provider agency has reason to believe the death of an
5 eligible adult may be the result of abuse or neglect, the
6 agency shall immediately report the matter to the coroner or
7 medical examiner and shall cooperate fully with any subsequent
8 investigation.

9 (c) If any person other than the alleged victim refuses to
10 allow the provider agency to begin an investigation, interferes
11 with the provider agency's ability to conduct an investigation,
12 or refuses to give access to an eligible adult, the appropriate
13 law enforcement agency must be consulted regarding the
14 investigation.

15 (Source: P.A. 98-49, eff. 7-1-13; 98-1039, eff. 8-25-14.)