



Sen. Sue Rezin

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10100HB3065sam001

LRB101 08858 KTG 60597 a

1 AMENDMENT TO HOUSE BILL 3065

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3065 by replacing  
3 everything after the enacting clause with the following:

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

1 statewide implementation of assessments, casework, and  
2 follow-up of reports of self-neglect. In the absence of  
3 sufficient appropriation for statewide implementation of  
4 assessments, casework, and follow-up of reports of  
5 self-neglect, the designated adult protective services  
6 provider agency shall refer all reports of self-neglect to the  
7 appropriate agency or agencies as designated by the Department  
8 for any follow-up. The assessment shall include, but not be  
9 limited to, a visit to the residence of the eligible adult who  
10 is the subject of the report and shall ~~may~~ include interviews  
11 or consultations regarding the allegations with service  
12 agencies, immediate family members, and ~~or~~ individuals who may  
13 have knowledge of the eligible adult's circumstances based on  
14 the consent of the eligible adult in all instances, except  
15 where the provider agency is acting in the best interest of an  
16 eligible adult who is unable to seek assistance for himself or  
17 herself and where there are allegations against a caregiver who  
18 has assumed responsibilities in exchange for compensation. If,  
19 after the assessment, the provider agency determines that the  
20 case is substantiated it shall develop a service care plan for  
21 the eligible adult and may report its findings at any time  
22 during the case to the appropriate law enforcement agency in  
23 accord with established law and Department protocols,  
24 procedures, and policies. In developing a case plan, the  
25 provider agency may consult with any other appropriate provider  
26 of services, and such providers shall be immune from civil or

1 criminal liability on account of such acts. The plan shall  
2 include alternative suggested or recommended services which  
3 are appropriate to the needs of the eligible adult and which  
4 involve the least restriction of the eligible adult's  
5 activities commensurate with his or her needs. Only those  
6 services to which consent is provided in accordance with  
7 Section 9 of this Act shall be provided, contingent upon the  
8 availability of such services.

9 (b) A provider agency shall refer evidence of crimes  
10 against an eligible adult to the appropriate law enforcement  
11 agency according to Department policies. A referral to law  
12 enforcement may be made at intake or any time during the case.  
13 Where a provider agency has reason to believe the death of an  
14 eligible adult may be the result of abuse or neglect, the  
15 agency shall immediately report the matter to the coroner or  
16 medical examiner and shall cooperate fully with any subsequent  
17 investigation.

18 (c) If any person other than the alleged victim refuses to  
19 allow the provider agency to begin an investigation, interferes  
20 with the provider agency's ability to conduct an investigation,  
21 or refuses to give access to an eligible adult, the appropriate  
22 law enforcement agency must be consulted regarding the  
23 investigation.

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