**Section 270.215 Organizational Standards and Responsibilities: Department on Aging**

Contingent upon adequate funding, *the Department shall establish, design and manage a protective services program of response and services for eligible adults who have been, or are alleged to be, victims of abuse, neglect, financial exploitation, or self-neglect. The Department shall contract with or fund, or contract with and fund, regional administrative agencies, APS provider agencies, or both, for the provision of those functions, and, contingent on adequate funding, with attorneys or legal services provider agencies for the provision of legal assistance pursuant to the Act.* *For self-neglect, the program shall include,* but is not limited to, *the following services for eligible adults who have been removed from their residences for the purpose of cleanup or repairs: temporary housing; counseling; and caseworker services to try to ensure that the conditions necessitating the removal do not reoccur.* [320 ILCS 20/3(a)] The Department will have the overall responsibility for designing, managing and monitoring the Adult Protective Services Program in accordance with the following:

a) *The Department shall designate an Area Agency on Aging as the regional administrative agency.*

1) *In the event the Area Agency on Aging in that planning and service area is deemed by the Department to be unwilling or unable to provide those functions, the Department may serve as the regional administrative agency; or*

2) *The Department may designate another qualified entity to serve as the regional administrative agency; any such designation shall be subject to terms set forth by the Department.* [320 ILCS 20/2(i)]

b) The Department will approve the designation and withdrawal of designation recommendations of the regional administrative agencies for APS provider agencies.

1) The Department reserves the right to provide recommendations, reject recommendations, or direct action of a regional administrative agency in the designation of APS provider agencies; however, the Department will not do so unreasonably. Any such action by the Department will be authorized in circumstances where there is a State or federal contracting prohibition with the proposed provider agency, an actual or unmitigated conflict of interest, a provider agency does not meet minimum qualifications, or any similar circumstances which would prevent the Department from entering into or continuing a contractual agreement with the provider agency.

2) The Department will enter into the contract with the designated APS provider agency.

3) A designation is deemed withdrawn in the event of a contract termination.

c) The Department will maintain a list of all APS provider agency and regional administrative agency staff who have successfully completed Department sponsored certification training and are employed in the program.

d) The Department's Adult Protective Services Hotline will receive reports of abuse, neglect, financial exploitation, or self-neglect and relay those reports to the appropriate APS provider agency within the timelines established in Section 270.240(f).

e) *The Department shall also be responsible for coordination of efforts and promotion activities to increase awareness of, response to, and prevention of abuse, neglect, financial exploitation, or self-neglect with other agencies, councils, and like entities*. [320 ILCS 20/3.5(b) and (c)]

1) The Department will provide technical assistance, policy clarifications and/or interpretations to regional administrative agencies on adherence to the rules, standards, and procedures established for the program.

2) *The Department shall establish and coordinate a training program on the unique nature of APS cases with other agencies and councils, including the Office of the Attorney General, the State Police, the State Triad, the Illinois Criminal Justice Information Authority, Department of Healthcare and Family Services, Department of Public Health, Department of Human Services, the Family Violence Coordinating Council, and other similar violence and law enforcement agencies.* [320 ILCS 20/3.5(f)]

3) The Department will provide training to APS provider agency staff who will assess reports of abuse, neglect, financial exploitation, or self-neglect, or who will supervise staff performing the assessment function. Regional administrative agency staff working in the program will also be trained by the Department.

4) The Department will develop and implement public awareness efforts designed to publicize the purposes and mode of operation of the program through public service announcements, posters, and brochures.

f) *The Department shall file with the Governor and the General Assembly, within 270 days after the end of each fiscal year, a report concerning its implementation of the Act during such fiscal year, together with any recommendations for future implementation.* [320 ILCS 20/11]

g) The Department will reimburse APS provider agencies under contract at a uniform rate established by the Department. A separate rate will be established for each of the following case activities completed by the APS provider agency: assessment, case work, and follow-up.

h) If a designated APS provider agency terminates its contract to provide services, the Department, in coordination with the regional administrative agency, will use best efforts to ensure that services are available without interruption to eligible adults within the terminated APS provider agency's service area.

i) The Department will solicit *financial institutions for the purpose of making information available to the general public warning of financial exploitation of eligible adults and related financial fraud or abuse, including such information and warning available through signage or other written materials provided by the Department on the premises of such financial institutions, provided that the manner of displaying or distributing such information is subject to the sole discretion of each financial institution.* [320 ILCS 20/3.5(g)]

j) The Department will coordinate *efforts with utility and electric companies to send notices in utility bills to explain to persons 60 years of age or older their rights regarding telemarketing and home repair fraud.* [320 ILCS 20/3.5(h)]

k) Designated regional administrative agencies and APS provider agencies are agents of the Illinois Department on Aging.

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