**Section 270.408 Notice to the Caregiver's Employer**

a) Imminent Risk

1) If there is an imminent risk of danger to a participant or an imminent risk of misuse of his or her personal, medical or financial information, the APS provider agency will notify the Department within 24 hours that there is a verified and substantiated finding of abuse, neglect or financial exploitation against the caregiver. The Department will use reasonable efforts to promptly notify the direct care agency employing the caregiver of the finding. The direct care agency shall immediately bar the caregiver from providing direct care to any participants pending the outcome of any challenge, review, appeal, criminal prosecution, or other type of collateral action.

2) The bar to providing direct care to a participant is not a basis for appeal to the Department.

3) The Department will use reasonable efforts to promptly notify the employer if a determination is made on appeal that the caregiver's identity will not be placed on the Registry.

b) Final Administrative Decision

Within 45 calendar days after a final administrative decision on appeal under this Subpart, the Department will notify the employer of the caregiver's placement on the Registry. The employer cannot thereafter retain, hire, compensate either directly or on behalf of a participant, or utilize the services of a caregiver in a position that involves direct care if that individual has been placed on the Registry.

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