



REPORTING AND INVESTIGATING ABUSE AND NEGLECT IN ILLINOIS

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Reporting and Investigating Abuse and Neglect in Illinois

Understanding and navigating the investigatory system in Illinois that is designed to respond to the abuse or neglect of people with disabilities is often difficult and confusing. There is no central hotline to direct a complainant to the appropriate investigatory agency. This handbook was developed by Equip for Equality's Abuse Investigation Unit in an effort to identify provider settings and the corresponding state investigatory agencies to prevent the risk of multiple, and often circular, referrals.

Relevant statutory references have also been provided. However, where more than one agency has the authority to investigate, interagency agreements may dictate which agency has primary responsibility. For example, the Illinois Department of Children and Family Services investigates allegations of child abuse or neglect, yet other agencies might investigate such allegations related to a child in certain settings, such as in a pediatric nursing facility where the Department of Public Health has primary investigative responsibility.

Similarly, the Illinois Department on Aging investigates allegations of domestic abuse, neglect or financial exploitation of individuals 60 years of age or older in a private home, while other state agencies will have jurisdiction over certain residential facilities, such as nursing homes, where senior citizens may also reside.

Additional information is available at:

Illinois Department of Human Services (DHS)
www.dhs.state.il.us

DHS Division of Alcoholism and Substance Abuse
www.dhs.state.il.us/oasa

Illinois Department of Healthcare and Family Services
www.hfs.illinois.gov

Illinois Department of Public Health
www.idph.state.il.us

Illinois Department of Children and Family Services
www.state.il.us/dcfs

Illinois Department on Aging
www.state.il.us/aging

Phone numbers

**Office of Inspector General
Department of Human Services**
Voice/TTY 800.368.1463

Department of Public Health
Voice 800.252.4343
TTY 800.547.0466

**Department of Healthcare and Family Services
(formerly Department of Public Aid)**
(For Supportive Living Facilities)
Voice 800.226.0768
TTY 877.204.1012

Department of Children and Family Services
Voice 800.252.2873
TTY 800.358.5117

Department on Aging
Voice 866.800.1409
TTY 800.544.5304

ADULTS

(age 18 and older)

Facilities under the jurisdiction of the **Department of Human Services**

State-Operated Developmental Disability Centers

[210 ILCS 30; 59 Illinois Administrative Code CH. I. Sec. 50].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 30/6] and/or Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Agency that investigates abuse & neglect

Department of Public Health [210 ILCS 30/6] and/or Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

State-Operated Mental Health Centers

[210 ILCS 30; 59 Illinois Administrative Code CH. I. Sec. 50].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 30/6] and/or Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Agency that investigates abuse & neglect

Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Community-Integrated Living Arrangements (CILAs)

Living arrangements certified by a community mental health or developmental disability services agency where eight or fewer individuals with mental illness or individuals with a developmental disability reside under the supervision of the agency [210 ILCS 135; 20 ILCS 1705; 59 Illinois Administrative Code CH. I. Sec. 115].

Agency to which you report abuse & neglect

Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Agency that investigates abuse & neglect

Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Other Residential Settings

Allegations of abuse and neglect in the following community residential settings for individuals with developmental disabilities should be reported to and will be investigated by the Department of Human Services, Office of Inspector General:

Supported Living Arrangements: Residential programs approved by the Department of Human Services that provide minimum support and training to enhance an individual's skill to achieve independence. Individuals may live in their own homes, shared homes, apartment complexes, boarding homes or group homes. The Department of Human Services continues to support these programs and fill vacancies although the programs are not being expanded.

Special Home Placements and Home Individual Placements: "Foster care" models in which an individual with a developmental disability resides with a host family. This program is not being expanded nor are vacancies being filled.

Specialized Living Centers (405 ILCS 25): Intermediate care facilities for individuals with developmental disabilities that serve more than 50 but fewer than 100 individuals.

Developmental Training Facilities

State-funded developmental training programs that serve adults with developmental disabilities to promote independence in daily living and economic self-sufficiency [20 ILCS 1705; 59 Illinois Administrative Code CH. I. Sec. 119].

Agency to which you report abuse & neglect

Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Agency that investigates abuse & neglect

Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Other Day Services

Allegations of abuse and neglect in the following community day and vocational services and programs for individuals with developmental disabilities should be reported to and will be investigated by the Department of Human Services, Office of Inspector General:

Sheltered Employment Programs: Serve individuals who have minimal or no need for developmental training. Services are provided in a setting not integrated into the general community.

Supported Employment Programs: Serve eligible individuals who have a basic level of work skill and require a job coach to work in an integrated environment.

Adult Day Care Programs: Provide direct support and supervision of adults 60 years of age and older.

At-Home Day Programs: Serve individuals who are residents of CILAs and who are unable to participate in out-of-home day programs due to medical or behavioral issues or who are age 60 or over and choose not to participate in an out-of-home day program.

Other Day Programs: Serve residents of CILAs for whom the traditional day program is not appropriate; provide a variety of alternative day activities.

Community Mental Health Services

Programs for individuals with mental illness who require mental health services, including, but not limited to, crisis intervention, psychotropic medication services, counseling, skills training, day treatment services and case management services. [20 ILCS 1705; 405 ILCS 30; 59 Illinois Administrative Code CH. I. Sec. 132].

Agency to which you report abuse & neglect

Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Agency that investigates abuse & neglect

Department of Human Services, Office of Inspector General [59 Illinois Administrative Code CH. I. Sec. 50].

Domestic Living Situations

Residences where adults with disabilities live alone or with family or household members, a care giver or others at a board and care home or other community-based unlicensed facility [20 ILCS 2435; 59 Illinois Administrative Code CH. I. Sec. 51]. (A domestic living situation is not a licensed facility as defined in the Nursing Home Care Act; a home, institution or other place operated by the federal government, a federal agency, or the State; a hospital licensed under the Hospital Licensing Act; a community living facility as defined in the Community Living Facilities Licensing Act or a community-integrated living arrangement as defined in the Community-Integrated Living Arrangement Act.)

Agency to which you report abuse & neglect

Department of Human Services, Office of Inspector General [20 ILCS 2435/25; 59 Illinois Administrative Code CH. I. Sec. 51].

Agency that investigates abuse & neglect

Department of Human Services, Office of Inspector General [20 ILCS 2435/35; 59 Illinois Administrative Code CH. I. Sec. 51].

Services for individuals diagnosed with alcohol and other drug abuse

Individuals attending substance abuse treatment and intervention programs as defined in Section 301/15-5 of the Illinois Alcoholism and Other Drug Abuse Act (AODA). [20 ILCS 301; 77 Illinois Administrative Code CH. X. Sec. 2060].

Agency to which you report abuse & neglect

Department of Human Services, Division of Alcohol and Substance Abuse [20 ILCS 301/30-5; 77 Illinois Administrative Code CH. X. Sec. 2060.333]. Call 312.814.3840 or TTY 866.843.7344. **Note:** This is not a hotline and is staffed during normal business hours only.

Agency that investigates abuse & neglect

Department of Human Services, Division of Alcohol and Substance Abuse [20 ILCS 301/45-10; 77 Illinois Administrative Code CH. X. Sec. 2060.337].

Facilities under the jurisdiction of the Department of Public Health

Long-Term Care Facilities

Facilities funded, licensed or certified by the Department of Public Health, that provide personal care, sheltered care or nursing for three or more individuals, such as **skilled nursing facilities** and **intermediate care facilities** [210 ILCS 45; 77 Illinois Administrative Code CH. I. Sec. 300; 77 Illinois Administrative Code CH. I. Sec. 350].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 30/6; 77 Illinois Administrative Code CH. I. Sec. 300.3310; 77 Illinois Administrative Code CH. I. Sec. 350.3310].

Agency that investigates abuse & neglect

Department of Public Health [210 ILCS 30/6; 77 Illinois Administrative Code CH. I. Sec. 300.3310; 77 Illinois Administrative Code CH. I. Sec. 350.3310].

Hospitals

Any institutions, places, buildings or agencies, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of two or more unrelated individuals admitted for overnight stay or longer in order to obtain medical care, including obstetric, psychiatric and nursing care [210 ILCS 85; 77 Illinois Administrative Code CH. I. Sec. 250].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 85/9].

Agency that investigates abuse & neglect

Department of Public Health shall make or cause to be made such inspections and investigations as it deems necessary [210 ILCS 85/9].*

** These investigations are limited to any incident or occurrence that could be considered a catastrophe, creates an immediate jeopardy (incident has caused or is likely to cause serious injury, harm, impairment or death to a resident) or is a dangerous threat that requires the transfer to other parts of the facility or another facility (such as fire, flood or power failure).*

Community Living Facilities

Transitional settings that provide guidance, supervision, training and other assistance to ambulatory or mobile adults with a mild or moderate developmental disability with the goal of eventually moving these individuals to more independent living arrangements [210 ILCS 35; 77 Illinois Administrative Code CH. I. Sec. 370].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 35/10; 77 Illinois Administrative Code CH. I. Sec. 370.3090].

Agency that investigates abuse & neglect

Department of Public Health [210 ILCS 35/8;10; 77 Illinois Administrative Code CH. I. Sec. 370.3090].

Assisted Living Facilities

Homes, buildings, residences or any other places where sleeping accommodations are provided for at least three unrelated adults, 80 percent of whom are 55 years or older and who need assistance with activities of daily living [210 ILCS 9; 77 Illinois Administrative Code CH. I. Sec. 295].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 9/110; 77 Illinois Administrative Code CH. I. Sec. 295.1090].

Agency that investigates abuse & neglect

Department of Public Health [210 ILCS 9/110; 77 Illinois Administrative Code CH. I. Sec. 250.1090].

Supportive residences for people living with HIV

Private homes, institutions, building residences or any other places that provide a homelike atmosphere as well as a continuum of care that takes into account the special needs of individuals with HIV [210 ILCS 65; 77 Illinois Administrative Code CH. I. Sec. 385].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 65/45].

Agency that investigates abuse & neglect

Department of Public Health [210 ILCS 65/45].

Sheltered Care Facilities

Facilities that provide maintenance (food, shelter and laundry services) and personal care (assistance with meals, dressing, bathing and movement) [210 ILCS 45; 77 Illinois Administrative Code CH. I. Sec. 330].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 30/6; 77 Illinois Administrative Code CH. I. Sec. 330.4310].

Agency that investigates abuse & neglect

Department of Public Health [210 ILCS 30/6; 77 Illinois Administrative Code CH. I. Sec. 330.4310].

Home Health Care Programs

Two or more services provided to an individual at his/her residence according to a plan of treatment for illness prescribed by a physician. Services may include part-time and intermittent nursing services, other therapeutic services or services provided by a home health aide [210 ILCS 55; 77 Illinois Administrative Code CH. I. Sec. 245].

Agency to which you report abuse & neglect

Department of Public Health [210 ILCS 55/9.01; 77 Illinois Administrative Code CH. I. Sec. 245.110].

Agency that investigates abuse & neglect

Department of Public Health [210 ILCS 55/9.01; 77 Illinois Administrative Code CH. I. Sec. 245.110].

Facilities under the jurisdiction of the
**Department of Healthcare & Family
Services**

Supportive Living Facilities

Residential settings that provide or coordinate personal care services, 24-hour supervision, activities and health-related services to individuals with disabilities who are 22 to 64 years of age and whose primary or secondary diagnosis is **not** a developmental disability or persistent mental illness or to individuals who are 65 years of age and over [305 ILCS 5; 89 Illinois Administrative Code CH. I. Sec.146].

Agency to which you report abuse & neglect

Department of Healthcare and Family Services (formerly Department of Public Aid) [89 Illinois Administrative Code CH. I. Sec. 146.275].

Agency that investigates abuse & neglect

Department of Healthcare and Family Services (formerly Department of Public Aid) [89 Illinois Administrative Code CH. I. Sec. 146.275].

CHILDREN
(age 17 and younger)

Settings under the jurisdiction of the
**Department of Children & Family
Services**

All situations in which a child is vulnerable to abuse or neglect, including home/family environment; in public or private residential agencies or institutions, including state-operated developmental disability or mental health facilities; in day care centers; in schools; or in situations where children are in contact with adults who are responsible for their welfare [325 ILCS 5; 89 Illinois Administrative Code CH. III. Sec. 300].

Agency to which you report abuse & neglect

Department of Children and Family Services [325 ILCS 5/4; 89 Illinois Administrative Code CH. III. Sec. 300.30].

Agency that investigates abuse & neglect

Department of Children and Family Services [325 ILCS 5/4; 89 Illinois Administrative Code CH. III Sec. 300.50-170].

