

## **Illinois Dependent Adult Abuse Reporting**

Illinois has reporting regulations on suspected abuse, abandonment, neglect, self-neglect, and financial exploitation of adults with disabilities and adults age 60 or older.

### **Who do I contact to report an incident in Illinois?**

Illinois Adult Protective Services, administered by the Illinois Department on Aging, takes reports of abuse, neglect, financial exploitation, and self-neglect involving adults 60 or older and adults with disabilities.

To report suspected abuse, neglect, financial exploitation, or self-neglect in Illinois, call the statewide Adult Protective Services Abuse Hotline at 866-800-1409, 24 hours a day, 7 days a week.

### **How much time do I have to report an incident?**

Illinois law permits any person to report suspected abuse, abandonment, neglect, financial exploitation, or self-neglect of a dependent adult at any time. Mandated reporters who have reason to believe a dependent adult who is unable to seek assistance because of disability or another condition has, within the previous 12 months, been abused, abandoned, neglected, or financially exploited must make a report to a designated agency or to the Department on Aging within 24 hours after forming this belief. Reports go in by telephone. **320 ILCS 20/4(a), 4(a-5)**

### **What is an “dependent adult” in Illinois?**

A dependent adult is a person 60 or older, or an adult 18 through 59 with a disability. A disability here means a physical, mental, or developmental condition limiting daily activities such as walking, dressing, bathing, preparing meals, using the toilet, managing medicines, handling money, understanding information, remembering, or making safe choices. **320 ILCS 20/2(e), 20/2(a-6)**

### **What is “abuse,” “abandonment,” “neglect,” “self-neglect,” and “financial exploitation” of a dependent adult in Illinois?**

“Abuse” means causing any physical, mental, or sexual injury to a dependent adult, including exploitation of the adult’s financial resources, abandonment, or placement in an environment likely to harm health, physical or emotional well-being, or welfare. **320 ILCS 20/2(a-1)**

“Abandonment” means the desertion or willful forsaking of a dependent adult by an individual responsible for care and custody under circumstances in which a reasonable person would continue to provide care and custody. **320 ILCS 20/2(a)**

“Neglect” means another individual’s failure to provide a dependent adult with, or willful withholding from a dependent adult, the necessities of life including food, clothing, shelter, or health care. **320 ILCS 20/2(g)**

“Self-neglect” means a condition resulting from a dependent adult’s inability, due to physical or mental impairments or diminished capacity, to perform essential self-care tasks such as providing essential food, clothing, shelter, and health care or obtaining goods and services needed to maintain physical health, mental health, emotional well-being, and general safety. **320 ILCS 20/2(i-5)**

“Financial exploitation” means the use of a dependent adult’s resources by another person to the disadvantage of the dependent adult or for the profit or advantage of a person other than the dependent adult. **320 ILCS 20/2(f-1)**

### **Who is a mandatory reporter in Illinois?**

In Illinois, many workers must report concerns about abuse, abandonment, neglect, self-neglect, or financial exploitation of dependent adults when they learn about these problems through their job.

Mandatory reporters include:

- Professionals and their staff who work in social services, law enforcement, education, or direct care for older adults or adults with disabilities. This group includes workers such as social workers, case managers, police officers, sheriff’s deputies, probation officers, teachers, school administrators, school counselors, home care workers, and staff who help with daily living tasks.
- Licensed health and mental health professionals. Examples are doctors, physician assistants, advanced practice nurses, registered nurses, licensed practical nurses, dentists, dental hygienists, psychologists, clinical social workers, professional counselors, marriage and family therapists, dietitians and nutritionists, occupational therapists, physical therapists, respiratory therapists, pharmacists, optometrists, speech-language pathologists, audiologists, behavior analysts, nursing home administrators, veterinarians, and certified public accountants.
- Employees of agencies that provide developmental disability services or service coordination with funding from the Illinois Department of Human Services.
- Employees of vocational rehabilitation programs prescribed or supervised by the Illinois Department of Human Services, such as programs that help adults with disabilities prepare for work and find jobs.
- Administrators, employees, and people who provide services in or through unlicensed community-based programs, such as group homes, day programs, or other community settings that serve adults with disabilities or older adults.
- Religious practitioners who provide treatment through prayer or spiritual means alone, following the practices of a recognized church or religious group, except for information shared in a private confession or sacred communication that their faith requires them to keep confidential. **320 ILCS 20/2(f-5), 20/4**

### **Are Clergy mandatory reporters in Illinois?**

Yes. **320 ILCS 20/2(f-5)**

### **Is there an exception for confidential “confession or sacred communication” in Illinois?**

Yes. When a mandated reporter is a religious practitioner, information received in any confession or sacred communication, where church discipline requires confidentiality, is not subject to Adult Protective Services reporting requirements. **320 ILCS 20/2(f-5), 20/4(a-5)**

### **If there is a confidential “confession or sacred communication” in Illinois, how is this communication defined?**

A “confession or sacred communication” in this context means a communication made to a religious practitioner who provides treatment by prayer or spiritual means alone, where the discipline of the religious denomination orders the practitioner to keep the communication confidential. **320 ILCS 20/2(f-5)**

Additionally, Illinois defines a sacred communication as a confession or admission made to him or her in his or her professional character or as a spiritual advisor in the course of the discipline enjoined by the rules or practices of such religious body or of the religion which he or she professes. **735 ILCS 5/8-803**

**Where can I find Illinois law on elder and dependent adult abuse?**

Illinois Adult Protective Services law appears in the Adult Protective Services Act, 320 ILCS 20.