



Instructions for Request for Appeal of Placement on the Adult Protective Services (APS) Registry

The sole issue on appeal is whether placement of the caregiver's identity on the Adult Protective Services (APS) Registry is in the public interest. For purposes of the appeal, the caregiver will also be known as the Appellant.

1. Use the enclosed; or online [Request for Appeal](#) form to submit a written and signed request for appeal **within thirty (30) calendar days after the date on the Notice to Caregiver** letter from the Illinois Department on Aging (IDoA) Office of APS. The form should be filled out as completely as possible providing the complete name (including the middle name and maiden/previous names) of the caregiver, complete social security number, date of birth, and the signature of the caregiver.
2. The mailing address, e-mail, and fax number for the IDoA Office of General Counsel are on the form and on the IDoA website: <https://www2.illinois.gov/aging/ProtectionAdvocacy/Pages/abuse.aspx>.
3. On appeal, the burden of proof belongs to the caregiver/Appellant to establish by a preponderance of evidence that placement of his/her identity from the APS Registry is not in the public interest (see 89 Ill. Admin. Code 270, Subpart E). Accordingly, the Appellant/caregiver must provide evidence or other supporting documentation that placement of his/her identity on the APS Registry is not in the public interest as based on the following applicable factors:
 - Length of time the caregiver has been providing care to the victim;
 - Relationship between the caregiver and the victim;
 - Whether placement of caregiver's identity on the APS Registry is in the best interest or of the victim or that of other participants;
 - Whether additional training for the caregiver has been completed that could remediate the abuse, neglect, or financial exploitation (attach proof of training);
 - In the case of financial exploitation, the value of the asset(s) at issue and whether restitution was made;
 - Whether criminal charges were filed against the caregiver and any related outcome; and/or
 - Other.
4. Evidence related to the above factors should be enclosed with the Request for Appeal form but may be produced or supplemented prior to the hearing. If Appellant/caregiver anticipates he/she will only present oral testimony, please submit a brief written statement of that evidence with the Request for Appeal form. All questions concerning APS Registry appeals should be sent to Aging.APSQuestions@illinois.gov
5. The Notice to Caregiver includes the statement of allegations in the abuse report and the substantiation decision from the final investigative report Which will be admitted into evidence without further proof from the IDoA.
6. The Appellant/caregiver may represent him/herself or be represented by an attorney authorized to practice law in Illinois or other representative.