JB Pritzker, *Governor*

IDHS
ILLINOIS DEPARTMENT OF HUMAN SERVICES

Dulce M. Quintero, *Secretary*

Office of the Inspector General
401 S. Clinton, 3rd Floor • Chicago, Illinois 60607

Date: October 10, 2025

To: Developmental Disability Community Agencies
Behavioral Health and Recovery Community Agencies

From: C Thor Martin
Acting Inspector General

Subject: Removal of Accused Employees When Credible Evidence Is Present

OIG has recently encountered several cases where accused employees were not removed from working with individuals when credible evidence of abuse and neglect were present. Per Rule 50.30(f)(2), the authorized representative of the involved community agency or facility or their designee shall:

"*Remove accused employees from having contact with individuals at the facility or agency when there is credible evidence supporting the allegation of abuse, pending the outcome of any further investigation, prosecution, or disciplinary action against the employee or until OIG independently determines that the allegation against the employee will be unsubstantiated or unfounded in OIG's final investigative report (see 405 ILCS 5/3-210).*"

This includes allegations of physical abuse, sexual abuse, mental abuse, neglect, financial exploitation, and material obstruction of an investigation.

Credible evidence is defined as: "Any evidence that relates to the allegation or incident and is considered believable and reliable." 59 Ill.Admin.Code 50.10

Some examples of credible evidence include:

- An injury consistent with the allegation,
- Witness testimony consistent with the allegation,
- An admission of guilt from the accused (even if cursory or minimized),
- Documentary evidence consistent with the allegation, and
- Any other evidence supportive of the allegation.

If it is determined that credible evidence is present, the accused employee can no longer work with the individuals *until otherwise notified by OIG.*

The following actions are not sufficient:

- Moving the employee to a different area of the agency where individuals are located (e.g., moving the employee to work in a different home or CILA with other individuals),

- Assigning another employee (or supervisor) to “shadow” the accused employee while continuing to work with other individuals, and
- Telling an accused employee, “not to interact” with the involved individual(s), but allowing the employee to continue to work within the same group of individuals.

If you have any questions regarding the removal of an employee, credible evidence, or any other 50.30(f) related responsibilities, please reach out to the Investigative Bureau Chief assigned to your area.

Thank you for your continued efforts to prevent abuse and neglect of persons with mental illness and developmental disabilities.

Sincerely,

C Thor Martin
Acting Inspector General