**Section 120.65 Conflict of interest-free case management**

a) The Department shall contract ISC agencies to provide conflict of interest-free case management, as described in 42 CFR 441.301(c)(1)(vi).

b) Case management shall include, but not be limited to:

1) Determination of eligibility. In accordance with Section 120.140, the Department has the responsibility to oversee the accuracy, quality, and appropriateness of functions provided by ISC agencies and reserves the right to review and approve or reject determinations of eligibility made by ISC agencies.

2) Development and annual update of the Personal Plan as described in 42 CFR 441.301(c)(1)(vi) and Section 120.160(b).

3) Enrolling and maintaining Individuals in PUNS.

4) Ensuring the provision of informed choice of all services (including State Plan, entitlement services, unpaid, and natural supports) and providers.

5) Collaboration with service providers to ensure Individual's health, safety, welfare, well-being, and satisfaction with services funded by DDD, and as such, addressing problems related to outcomes and quality.

6) Supporting Individuals, including but not limited to, advocacy, exercising rights, and securing and maintaining services.

c) Conflict of interest occurs when the entity providing case management is:

1) A provider agency or a person who has an interest in, or who is employed by, a provider.

2) A person who is related by blood or marriage to the Individual or to any paid caregiver of the Individual.

3) A person who is financially responsible for the Individual.

4) A person who is empowered to make financial or health-related decisions for the Individual.

(Source: Added at 48 Ill. Reg. 5279, effective March 21, 2024)