**Section 270.500 Fatality Review Team Advisory Council**

a) *The Fatality Review Team Advisory Council* (Council) is the *coordinating and oversight body for* the *activities* of Regional Interagency Fatality *Review Teams* (Teams) *in Illinois*. [320 ILCS 20/15(c-5)]

b) Composition

1) The Director of the Department on Aging will solicit information about individuals interested in being named as a member to serve on the Council from each of the Teams.

A) Each member will be appointed for a 3-year term and will be eligible for reappointment upon the expiration of the term.

B) Appointments to fill unexpired vacancies will be made in the same manner as original appointments. The Council may declare a vacancy for a member when it determines that a member has resigned, no longer resides within the State of Illinois, failed to maintain the professional position outlined in subsection (b)(1), or has become incapacitated and rendered incapable of serving or performing duties as a member. A vacancy will be filled as soon as practicable.

C) Members of the Council will be automatically reappointed unless the Director and the member are notified at least 30 days before the term ends that the respective Team will recommend another person or a resignation is received from the member. All successive appointments will be for a term of 3 years.  No member will be reappointed if his or her reappointment would cause any conflict of interest.

D) The Director may terminate the appointment of any member prior to the end of a term based on the recommendation of the Chairperson for good cause, which includes, but is not limited to, unjustified absences, failure to meet Council responsibilities, or failure to maintain the professional position outlined in subsection (b)(1).

2) *The Council shall select from its members a Chairperson and a Vice-chairperson.*

A) Each position will be for a 2-year term.

B) *The Chairperson and Vice-chairperson may be selected to serve additional, subsequent terms.*

C) The Chairperson of the Council will perform the duties ordinarily ascribed to this position, preside at all meetings of the Council, and make reports on behalf of the Council as may be required.

D) In the event of the Chairperson's inability to act, the Vice-chairperson will act in his or her stead.

3) *The Director may also appoint any ex-officio members deemed necessary to this Council*, including a staff member of the Department to maintain records, prepare notices and agendas for each meeting, provide technical assistance, and otherwise assist in carrying out the administrative functions of the Council. [320 ILCS 20/15(c-5)]

4) A member will serve at his or her own expense and is to abide by all applicable ethics laws. All licensed professionals are to be in good standing within their profession.

c) Meetings

1) *The Council shall meet at least 4 times during each calendar year.* [320 ILCS 20/15(c-5)]

2) An agenda of scheduled business for deliberation will be developed in coordination with the Department and the Chairperson.

3) The meetings will take place at locations, dates and times determined by the Chairperson of the Council after consultation with members of the Council and the Director or the designated Department staff member.

4) It will be the responsibility of the designated Department staff member, at the direction of the Chairperson, to give notices of the locations, dates and time of meetings to each member of the Council and to the Director at least 30 days prior to each meeting.

5) A majority of the currently appointed and serving Council members will constitute a quorum.  A vacancy in the membership of the Council will not impair the right of a quorum to perform all of the duties of the Council. All deliberations of the Council and its subcommittees will be governed by Robert's Rules of Order.

6) A majority of the Council may allow a member to attend any meeting by video or audio conference in accordance with the Open Meetings Act [5 ILCS 120], provided adequate equipment can reasonably be made available and that participation is audible to all other members.

7) *Meetings of the Council may be closed to the public under the Open Meetings Act.* [320 ILCS 20/15(d-5)]

d) Duties

1) *The Council has, but is not limited to, the following duties:*

A) *serve as the voice of* the *Teams in Illinois.*

B) *oversee the* *Teams in order to ensure that work is coordinated and in compliance with State statutes and operating protocols.*

C) *ensure that the data, results, findings and recommendations of the* *Teams are adequately used in a timely manner to make any necessary changes to the policies, procedures and State statutes in order to protect at-risk adults.*

D) *collaborate with the Department in order to develop any legislation needed to prevent unnecessary deaths of at-risk adults.*

E) *ensure that* the Teams use standardized *processes in order to convey data, findings and recommendations in a usable format.*

F) *serve as a link with* the *Teams throughout the country and to participate in national* fatality *review team activities.*

G) *provide the* *Teams with the most current information and practices concerning at-risk adult death review and related topics.*

H) *perform any other functions necessary to enhance the capability of the* *Teams to reduce and prevent at-risk adult fatalities.* [320 ILCS 20/15(c-5)(1) through (8)]

2) Upon request by the Director, review the death of an at-risk adult that *occurs in a planning and service area where a Team has not yet been established*. [320 ILCS 20/15(c)]

3) All papers, issues, recommendations, reports and meeting memoranda will be advisory only.  The Director, or designee, will make a written response/report, as requested, regarding issues before the Council.

4) The Director retains full decision making authority for the Adult Protective Services Program regarding any recommendations presented by the Council.

e) Confidentiality

1) *Members of the Council are not subject to examination, in any civil or criminal proceeding, concerning information presented to members of the Council or opinions formed by members of the Council based on that information. A person may, however, be examined concerning information provided to the Council.* [320 ILCS 20/15(d)]

2) *Records and information provided to the Council, and records maintained by the Council, are exempt from release under the Freedom of Information Act* [5 ILCS 140]*.* [320 ILCS 20/15(d-5)]

f) Use of Aggregate Data

1) *The Council may prepare an annual report, in consultation with the Department, using aggregate data gathered by* and recommendations from the *Teams to develop education, prevention, prosecution or other strategies designed to improve the coordination of services for at-risk adults and their families.* [320 ILCS 20/15(c-5)]

2) *The Department, in consultation with coroners, medical examiners and law enforcement agencies, shall use aggregate data gathered by, and recommendations from, the Council to create an annual report.*

3) *The Department, in consultation with coroners, medical examiners and law enforcement agencies, may use aggregate data gathered by, and recommendations from, the Council to develop education, prevention, prosecution, or other strategies designed to improve the coordination of services for at-risk adults and their families.* [320 ILCS 20/15(f)]

g) Indemnification

1) Members of the Council will have no individual liability in an action based upon a disciplinary proceeding or other activity performed in good faith as a member of the Council.

2) *The State shall indemnify and hold harmless members of the Council for all their acts, omissions, decisions, or other conduct arising out of the scope of their service, except those involving willful or wanton misconduct.*

3) *The method of providing indemnification shall be as provided in the State Employee Indemnification Act* [5 ILCS 350]. [320 ILCS 20/15(e-5)]

(Source: Added at 42 Ill. Reg. 6659, effective April 12, 2018)