

AN ACT concerning civil law.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Illinois Power of Attorney Act is amended by changing Section 2-7.5 as follows:

(755 ILCS 45/2-7.5)

Sec. 2-7.5. Incapacitated principal.

(a) This Section shall apply only to an agent acting for a principal who is incapacitated. A principal shall be considered incapacitated if that individual is under a legal disability as defined in Section 11a-2 of the Probate Act of 1975. A principal shall also be considered incapacitated if: (i) a physician licensed to practice medicine in all its branches has examined the principal and has determined that the principal lacks decision making capacity; and (ii) that physician has made a written record of this determination and has signed the written record within 90 days after the examination; and (iii) the written record has been delivered to the agent. The agent may rely conclusively on that written record.

(b) An agent shall provide a record of all receipts, disbursements, and significant actions taken under the authority of the agency when requested to do so: (i) by a representative of a provider agency, as defined in Section 2 of the Elder Abuse and Neglect Act, acting in the course of an assessment of a complaint of elder abuse or neglect under that Act; ~~or~~ (ii) by a representative of the Office of the State Long Term Care Ombudsman acting in the course of an investigation of a complaint of financial exploitation of a nursing home resident under Section 4.04 of the Illinois Act on the Aging; or (iii) by a representative of the Office of Inspector General for the Department of Human Services acting in the course of an assessment of a complaint of financial

exploitation of an adult with disabilities pursuant to Section 35 of the Abuse of Adults with Disabilities Intervention Act.

(Source: P.A. 91-790, eff. 6-9-00.)

Section 99. Effective date. This Act takes effect upon becoming law.