

1 AN ACT concerning regulation.

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

4 Section 5. The Community-Integrated Living Arrangements
5 Licensure and Certification Act is amended by changing Section
6 4 as follows:

7 (210 ILCS 135/4) (from Ch. 91 1/2, par. 1704)

8 Sec. 4. (a) Any community developmental services agency
9 who wishes to develop and support a variety of
10 community-integrated living arrangements may do so pursuant to
11 a license issued by the Department under this Act. However,
12 programs established under or otherwise subject to the Child
13 Care Act of 1969, the Nursing Home Care Act, the Specialized
14 Mental Health Rehabilitation Act of 2013, the ID/DD Community
15 Care Act, or the MC/DD Act, as now or hereafter amended, shall
16 remain subject thereto, and this Act shall not be construed to
17 limit the application of those Acts.

18 (b) The system of licensure established under this Act
19 shall be for the purposes of:

20 (1) ensuring that all recipients residing in
21 community-integrated living arrangements are receiving
22 appropriate community-based services, including
23 treatment, training and habilitation or rehabilitation;

1 (2) ensuring that recipients' rights are protected and
2 that all programs provided to and placements arranged for
3 recipients comply with this Act, the Mental Health and
4 Developmental Disabilities Code, and applicable Department
5 rules and regulations;

6 (3) maintaining the integrity of communities by
7 requiring regular monitoring and inspection of placements
8 and other services provided in community-integrated living
9 arrangements.

10 The licensure system shall be administered by a quality
11 assurance unit within the Department which shall be
12 administratively independent of units responsible for funding
13 of agencies or community services.

14 (c) As a condition of being licensed by the Department as a
15 community developmental services agency under this Act, the
16 agency shall certify to the Department that:

17 (1) all recipients residing in community-integrated
18 living arrangements are receiving appropriate
19 community-based services, including treatment, training
20 and habilitation or rehabilitation;

21 (2) all programs provided to and placements arranged
22 for recipients are supervised by the agency; and

23 (3) all programs provided to and placements arranged
24 for recipients comply with this Act, the Mental Health and
25 Developmental Disabilities Code, and applicable Department
26 rules and regulations.

1 (c-5) Each developmental services agency licensed under
2 this Act shall submit an annual report to the Department, as a
3 contractual requirement between the Department and the
4 developmental services agency, certifying that all
5 legislatively or administratively mandated wage increases to
6 benefit workers are passed through in accordance with the
7 legislative or administrative mandate. The Department shall
8 determine the manner and form of the annual report.

9 (d) An applicant for licensure as a community
10 developmental services agency under this Act shall submit an
11 application pursuant to the application process established by
12 the Department by rule and shall pay an application fee in an
13 amount established by the Department, which amount shall not
14 be more than \$200.

15 (e) If an applicant meets the requirements established by
16 the Department to be licensed as a community developmental
17 services agency under this Act, after payment of the licensing
18 fee, the Department shall issue a license valid for 2 ~~3~~ years
19 from the date thereof unless suspended or revoked by the
20 Department or voluntarily surrendered by the agency.

21 (f) Upon application to the Department, the Department may
22 issue a temporary permit to an applicant for up to a 2-year
23 period to allow the holder of such permit reasonable time to
24 become eligible for a license under this Act.

25 (g) (1) The Department may conduct site visits to an agency
26 licensed under this Act, or to any program or placement

1 certified by the agency, and inspect the records or premises,
2 or both, of such agency, program or placement as it deems
3 appropriate, for the purpose of determining compliance with
4 this Act, the Mental Health and Developmental Disabilities
5 Code, and applicable Department rules and regulations. The
6 Department shall conduct inspections of the records and
7 premises of each community-integrated living arrangement
8 certified under this Act at least once every 2 years.

9 (2) If the Department determines that an agency licensed
10 under this Act is not in compliance with this Act or the rules
11 and regulations promulgated under this Act, the Department
12 shall serve a notice of violation upon the licensee. Each
13 notice of violation shall be prepared in writing and shall
14 specify the nature of the violation, the statutory provision
15 or rule alleged to have been violated, and that the licensee
16 submit a plan of correction to the Department if required. The
17 notice shall also inform the licensee of any other action
18 which the Department might take pursuant to this Act and of the
19 right to a hearing.

20 (g-5) As determined by the Department, a disproportionate
21 number or percentage of licensure complaints; a
22 disproportionate number or percentage of substantiated cases
23 of abuse, neglect, or exploitation involving an agency; an
24 apparent unnatural death of an individual served by an agency;
25 any egregious or life-threatening abuse or neglect within an
26 agency; or any other significant event as determined by the

1 Department shall initiate a review of the agency's license by
2 the Department, as well as a review of its service agreement
3 for funding. The Department shall adopt rules to establish the
4 process by which the determination to initiate a review shall
5 be made and the timeframe to initiate a review upon the making
6 of such determination.

7 (h) Upon the expiration of any license issued under this
8 Act, a license renewal application shall be required of and a
9 license renewal fee in an amount established by the Department
10 shall be charged to a community developmental services agency,
11 provided that such fee shall not be more than \$200.

12 (i) A public or private agency, association, partnership,
13 corporation, or organization that has had a license revoked
14 under subsection (b) of Section 6 of this Act may not apply for
15 or possess a license under a different name.

16 (Source: P.A. 104-270, eff. 8-15-25.)