**Section 245.220 Client Service Contracts – Home Nursing and Home Services Agencies**

A contract shall be in force between a home nursing or home services agency and a client. A copy of the contract shall be provided to the client and a copy shall be maintained in the client file at the agency. If the agency has both a home services license and a home nursing license, the agency shall maintain two separate client contracts, one for skilled medical care and one for non-medical services. The contracts shall be printed in no less than 12-point type, and shall include at least the following elements in the body or through supporting documents or attachments:

a) Client consent to receive services;

b) The name, street address, mailing address and telephone number of the agency;

c) The name, mailing address and telephone number of the persons designated as the agency manager and/or other individual beyond the in-home worker to contact in regard to questions, problems, needs or concerns;

d) A statement describing the agency license status;

e) Indication and assurance of compliance by the agency with the requirements of the Act, including compliance with the Health Care Worker Background Check Act;

f) The duration of the contract;

g) The rate to be paid by the client and a detailed description of services to be provided as a part of the rate;

h) A description of the process through which the contract may be modified, amended or terminated;

i) A description of the agency complaint resolution process;

j) The billing and payment procedures and requirements;

k) A statement regarding the agency's policy on notification of a relative or other individual in case of an emergency;

l) A notice as developed and provided by the agency, indicating the responsible party for the following:

1) Employer of the in-home/licensed worker;

2) Liability for the in-home/licensed worker;

3) Payment of wages to the in-home/licensed worker;

4) Payment of employment taxes, unemployment insurance, and worker's compensation for the in-home/licensed worker;

5) Payment of Social Security taxes for the in-home/licensed worker;

6) Day-to-day supervision of the in-home/licensed worker;

7) Assignment of duties to the in-home/licensed worker;

8) Responsibility for hiring, firing and disciplining the in-home/licensed worker; and

9) Provision of equipment or materials for the in-home/licensed worker's use in providing services to the consumer.

(Source: Amended at 39 Ill. Reg. 16406, effective December 10, 2015)