**Section 245.225 Client Service Contracts – Home Nursing Placement Agency and Home Services Placement Agency**

A contract between a home nursing placement agency or home services placement agency and a client shall be in force, a copy of which is provided to the client and a copy of which is maintained in the client file at the agency. The document 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 referral services of a placed worker;

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 placement agency manager or other individual representing the placement agency who the consumer may contact if the contract terms are not performed;

d) A statement describing the agency license status;

e) The duration of the contract, not to exceed 12 months;

f) The placement fees to be paid by the client;

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

h) The billing and payment procedures and requirements;

i) The entity to whom the client can report abuse, neglect or financial exploitation, and the number of the Department's complaint hotline;

j) A notice, as developed and provided by the agency, indicating that the client is the employer of the home services worker or nurse and that the client is responsible for the following:

1) Liability for the in-home/licensed worker or nurse;

2) Paying wages to the in-home/licensed worker or nurse;

3) Paying employment taxes, unemployment insurance, and workers' compensation for the in-home/licensed worker or nurse;

4) Paying Social Security taxes for the in-home/licensed worker or nurse;

5) Day-to-day supervision of the in-home/licensed worker or nurse;

6) Assigning duties to the in-home/licensed worker or nurse;

7) Hiring, firing and disciplining the in-home/licensed worker or nurse; and

8) Providing equipment or materials for the in-home/licensed worker's or nurse's use in providing services to the consumer.

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