**Section 280.1020 Licensure Procedures**

a) *An application for* an initial *license or* a *renewal* license *to operate as a comprehensive or volunteer hospice program shall be* in writing on *forms provided by* the Department. (Section 5 of the Act) The application shall be made under oath and shall contain the following information:

1) The name, address, and telephone number of the hospice program location.

2) The type of hospice licensure sought by the program, either volunteer or comprehensive. If the program is a volunteer hospice, a complete listing of the hospice services to be provided during the term of the license shall be included.

3) If multiple hospice locations are used, the address and phone number of the central office and the address and phone number of each multiple hospice location.

4) A statement of ownership in accordance with Section 280.1030.

5) The name and address of the registered agent or other individual authorized to receive Service of Process for the hospice program.

6) The name of the person under whose management or supervision the program will be operated.

7) A listing of professional staff, including their names, titles, license or registration numbers, whether they are full or part time, and whether they are paid or volunteer employees.

8) Number of volunteers and (approximate) total combined volunteer hours of care and service per week.

9) Source of income.

10) A designation of the proposed geographic area to be served by the hospice.

11) Hospice census report for the fiscal year (for renewals only).

12) A listing of outside contractors.

13) A copy of the annual hospice service plan.

14) A copy of the current annual budget and financial audit for the current fiscal year.

15) If the central office is used by patients and the public, a certification from the local fire authority or State Fire Marshal that the location meets fire and safety ordinances and laws.

b) An application for licensure as a comprehensive hospice shall be accompanied by a fee of $500. An application for a volunteer hospice shall be accompanied by a fee of $250.

c) An applicant will have 90 days following notification by the Department that the Department has completed its initial review of an application to submit additional revisions or supporting documentation to the Department.

d) Upon receipt and review of a complete application for initial licensure, the Department will conduct an inspection to determine compliance with the Act and this Part. Incomplete applications will be denied by the Department in accordance with Section 280.1060(a).

e) If the hospice program is found to be in substantial compliance with the Act and this Part, the Department will issue a license for a period of one year.

f) An application for license renewal shall be filed annually with the Department, 60 days prior to the expiration of the license, on forms provided by the Department.

1) The renewal application shall comply with the requirements of subsections (a)(1) through (6), (a)(10) and (a)(11) and subsection (b). The fee shall be $500.

2) Pursuant to Section 10-65 of the Illinois Administrative Procedure Act, licensees who are individuals are subject to denial of renewal of licensure if the individual is more than 30 days delinquent in complying with a child support order.

3) Upon receipt and review of a complete application for license renewal, the Department may conduct a survey. The Department's decision to conduct a survey will be based on, but not be limited to, compliance history, changes in key personnel, complaints, and the length of time since the last survey. The Department will renew the license in accordance with subsection (e).

g) The licensee shall report changes in the information on the application to the Department within 10 days after the change. The following changes need not be reported: number of volunteers and total hours; sources of income for the fiscal year; hospice census report numbers; staff changes for other than program supervisors.

h) *The* hospice program *license shall be displayed in a conspicuous place inside the hospice program office*. (Section 4(e) of the Act)

i) *The license shall be valid only in the possession of the hospice* and licensure applicant *to which it was originally issued and shall not be transferred or assigned to any other person, agency, or corporation.* (Section 4(c) of the Act) This subsection does not prohibit the use of workstations throughout the geographic service areas.

j) Change of Ownership or Sale

1) Each license is valid only for the specific licensee and hospice named in the application and shall not be transferred or assigned to any other person, hospice or corporation.

2) Sale, assignment, lease or other transfer of a hospice, whether voluntary or involuntary, requires the new owner/licensee to obtain a new license from the Department prior to maintaining, operating or conducting a hospice.

3) In the case of hospices operating under a franchise arrangement, each unique business entity shall obtain and maintain a distinct license and shall not share licensure based on franchised name status.

4) A licensee shall notify the Department in writing, at least 30 days in advance, of any intention to:

A) Change ownership; or

B) Sell its hospice.

5) A change of ownership happens when one of the following transactions occurs:

A) In an unincorporated sole proprietorship, when the property is transferred to another party;

B) A material change in a partnership that is caused by the removal, addition or substitution of a partner;

C) In a corporation, when the provider corporation merges into another corporation, or the consolidation of two or more corporations, one of which is the licensee, resulting in the creation of a new corporation;

D) The transfer of any corporation stock that results in a change of the person or persons who control the agency; or

E) The transfer of any stock in excess of 75% of the outstanding stock.

6) Pursuant to subsection (j)(5)(C), the transfer of corporate stock or the merger of another corporation into the licensee corporation does not constitute a change of ownership if the licensee corporation remains in existence. In these transactions, the name of the corporation, its officers, its independent subsidiaries, and any other relevant information that the Department may require shall be made available to the Department upon request.

7) Whenever ownership of a hospice is proposed to be transferred from the person or organization named on the license to another person or organization, or the hospice will be undergoing any other change of ownership described in subsection (j)(5), the new owner shall apply for a new license. The new owner shall submit a hospice license application to the Department at least 30 days prior to the sale or change of ownership.

8) The Department will issue a new license to a new owner who meets the requirements for licensure under this Part. The transactions described in this Section shall not be complete until the Department issues a new license to the new person, legal entity or partnership.

9) Upon the completion of the sale or change of ownership, the former licensee shall return its license to the Department by certified mail.

(Source: Amended at 48 Ill. Reg. 2531, effective January 30, 2024)