**Section 300.110 General Requirements**

a) This Part applies to the operator/licensee of facilities, or distinct parts of facilities, that are to be licensed and classified to provide intermediate care or skilled nursing care, pursuant to the terms and conditions of the Nursing Home Care Act.

b) The license issued to each operator/licensee shall designate the licensee's name, the facility name and address, the classification by level of service authorized for that facility, the number of beds authorized for each level, the date the license was issued and the expiration date. Licenses will be issued for a period of *not less than* six *months nor more than 18 months for facilities with annual licenses and not less than 18 months nor more than 30 months for facilities with* two-*year licenses*. The Department will set the period of the license based on the license expiration dates of the facilities in the geographical area surrounding the facility *in order to distribute the expiration dates* as evenly as possible *throughout the calendar year*. (Section 3-110 of the Act)

c) An applicant may request that the license issued by the Department have distinct parts classified according to levels of services. The distinct part must meet the applicable physical plant standards of this Part, based on the level of service classification sought for that distinct part. To protect the health, welfare, and safety of residents in a distinct part of the facility who require higher standards, the facility shall comply with whatever additional physical plant standards in any distinct part to achieve this protection as required by the highest level of care being licensed. Administrative, supervisory, and other personnel may be shared by the entire facility to meet the health, welfare, and safety needs of the residents of the facility.

d) *A facility shall admit only that number of residents for which it is licensed.* (Section 2-209 of the Act)

e) *No person shall:*

1) *Willfully file any false, incomplete or intentionally misleading information required to be filed under* the *Act, or willfully fail or refuse to file any required information;*

2) *Open or operate a facility without a license.* (Section 3-318(a) of the Act)

f) *A violation of* subsection (e) *is a business offense, punishable by a fine not to exceed $10,000, except as otherwise provided in* *subsection (2) of Section 3-103* of the Act and Section 300.120(e) *as to submission of false or misleading information in a license application.* (Section 3-318(b) of the Act)

g) An intermediate care facility shall not use in its title or description "Hospital", "Sanitarium", "Sanatorium", "Skilled Nursing Facility", or any other word or description in its title or advertisements that indicates that a type of service is provided by the facility for which the facility is not licensed to provide or does not provide. A skilled nursing facility may use in its title or advertisement the words or description "Nursing Home", "Intermediate Care", "Rehabilitation Center", or "Skilled Nursing Facility".

h) *Any person establishing, constructing, or modifying a health care facility or portion of a health care facility without obtaining a required permit* from the Health Facilities and Services Review Board, *or in violation of the terms of the required permit,* *shall not be eligible to apply for any necessary operating licenses or be eligible for payment by any State agency for services rendered in that facility until the required permit is obtained*. (Section 13.1 of the Illinois Health Facilities Planning Act)

i) *The administrator of a facility licensed under the Act* and this Part *shall give 60 days' notice prior to voluntarily closing a facility or prior to closing any part of a facility if closing* the *part will require the transfer or discharge of more than 10% of the residents. Notice shall be given to the Department, to the Office of State Long-Term Care Ombudsman, to any resident who must be transferred or discharged, to the resident's representative, and to a member of the resident's family, when practicable. If the Department suspends, revokes, or denies renewal of the facility's license, then notice* of the facility's closure *shall be given no later than the date specified by the Department. Notice shall state the proposed date of closing and the reason for closing. The facility shall submit a closure plan to the Department for approval*, *which shall address the process for the safe and orderly transfer of residents. The approved plan shall be included in the notice. The facility shall offer to assist the resident in securing an alternative placement and shall advise the resident on available alternatives. When the resident is unable to choose an alternate placement and is not under guardianship, the Department shall be notified of the need for relocation assistance. A facility closing in its entirety shall not admit any new residents on or after the date the written notice is submitted to the Department* as specified by the Act and this Part*. The facility shall comply with all applicable laws and regulations until the date of closing, including those related to transfer or discharge of residents. The Department may place a relocation team in the facility as provided* bySection 3-419 of the Act and Section 300.3300 of this Part*.* (Section 3-423 of the Act)

j) Licensure for More Than One Level of Care

1) A facility may be licensed for more than one level of care. Bedrooms of like-licensed levels of care must be contiguous to each other within each "nursing unit" as defined in Section 300.330. Each nursing unit may have up to two levels of care and must meet the construction standards for the highest licensed level of care in the nursing unit.

2) If a facility wishes to license a portion of its beds as an Intermediate Care for the Developmentally Disabled, Medically Complex for the Developmentally Disabled, or assisted living, licensed under the ID/DD Community Care Act, the MC/DD Act, and the Assisted Living and Shared Housing Act, respectively, the beds must be located in a distinct part (as defined in Section 300.330) of the facility.

k) Each facility shall notify the Department via e-mail at DPH.StrikePlan@illinois.gov within 24 hours after receiving a notice of impending strike of staff providing direct care. The facility shall submit a strike contingency plan to the Department no later than three calendar days prior to the impending strike.

l) Each facility shall provide the Department with a facility-specific email address. The facility shall not change the email address without prior notice to the Department.

m) *A facility licensed under the Nursing Home Care Act may not refer a patient or the family of a patient to* a home health agency, home nursing agency, or home services *agency unless the agency is licensed under the Home Health, Home Services, and Home Nursing Agency Licensing Act.* (Section 3.8 of the Home Health, Home Services, and Home Nursing Agency Licensing Act) A facility shall request a copy of an agency's license prior to making a referral to that agency.

n) A facility shall comply with the Alzheimer's Disease and Related Dementias Services Act and the Alzheimer's Disease and Related Dementias Services Code.

(Source: Amended at 46 Ill. Reg. 14237, effective July 27, 2022)