**Section 350.110 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 for persons with developmental disabilities, pursuant to the terms and conditions of the ID/DD Community Care Act (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 6 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 2-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 of Public Health (the Department) have distinct parts classified according to levels of services. The distinct part shall satisfactorily meet the physical plant standards of this Part based on a level of service classification sought for that distinct part. If necessary to protect the health, welfare and safety of residents in a distinct part who require higher standards, the facility shall comply with whatever additional physical plant standards are necessary 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, if the total needs of the residents of the facility are met.

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 this Act, or willfully fail or refuse to file any required information* (Section 3-318(a)(6) of the Act); or

2) *Open or operate a facility without a license*. (Section 3-318(a)(7) 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 350.120(c) *as to submission of false or misleading information in a license application.* (Section 3-318(b) of the Act)

g) A facility shall not use in its title or description "Hospital", "Sanitarium", "Sanatorium", "Rehabilitation Center", or any other word or description in its title or advertisements that indicates that a type of service is provided by the facility that the facility is not licensed to provide or, in fact, does not provide.

h) *Any person establishing, constructing or modifying a health care facility or portion* of a health care facility *without obtaining* *the* *required permit* from the Health Facilities and Services Review Board *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) *Any owner of a facility licensed under* the *Act shall give 90 days' notice prior to voluntarily closing a facility or closing any part of 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 any resident who must be transferred or discharged, to the resident's representative, and to a member* *of the resident's family, where practicable. Notice shall state the proposed date of closing and the reason for closing. The facility shall offer to assist the resident in securing an alternative placement and shall advise the resident on available alternatives. Where 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. 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 under Section 3-419* of the Act*.* (Section 3-423 of the Act)

j) If a licensee wishes to designate a portion of its licensed beds as MC/DD, the licensed beds shall be located in a distinct part (as defined in Section 350.330) of the facility.

k) Each facility shall notify the Department electronically 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.

(Source: Amended at 48 Ill. Reg. 2546, effective January 30, 2024)