**Section 390.120 Application for License**

a) *Application* for a license to establish or *operate a* Medically Complex for the Developmentally Disabled (MC/DD) *facility shall be made* in writing and submitted *to the Department on forms furnished by the Department*. (Section 3-103(1) of the Act) The facility shall provide a written description of the proposed program and other information that the Department may require to determine the appropriate level of licensure. The application form and other required information shall be submitted and approved prior to surveys of the physical plant or review of building plans and specifications.

b) An application for a new facility shall be accompanied by a permit as required by the Illinois Health Facilities Planning Act.

c) *The application shall be under oath and the submission of false or misleading information shall be a Class A misdemeanor. The application shall contain the following information:*

1) *The name and address of the applicant if an individual, and if a firm, partnership, or association,* the name and address *of every member thereof, and in the case of a corporation, the name and address thereof and of its officers and its registered agent, and in the case of a unit of local government, the name and address of its chief executive officer;*

2) *The name and location of the facility for which a license is sought;*

3) *The name of the person or persons under whose management or supervision the facility will be conducted;*

4) *The number and type of residents for which maintenance, personal care, or nursing is to be provided; and*

5) The *information relating to the number, experience, and training of the employees of the facility, any management agreements for the operation of the facility, and of the moral character of the applicant and employees as the Department may deem necessary.* (Section 3-103(2) of the Act)

d) Ownership Change or Discontinuation

1) The license is not transferable. It is issued to a specific licensee and for a specific location. The license and the valid current renewal certificate immediately become void and shall be returned to the Department when the facility is sold or leased; when operation is discontinued; when operation is moved to a new location; when the licensee (if an individual) dies; when the licensee (if a corporation or partnership) dissolves or terminates; or when the licensee (whatever the entity) ceases to be.

2) A license issued to a corporation shall become null, void and of no further effect upon the dissolution of the corporation. The license shall not be revived if the corporation is subsequently reinstated. A new license shall be obtained.

e) *Each initial application shall be accompanied by a financial statement setting forth the financial condition of the applicant and by a statement from the unit of local government having zoning jurisdiction over the facility's location stating that the location of the facility is not in violation of a zoning ordinance. An initial application for a new facility shall be accompanied by a permit as required by the Illinois Health Facilities Planning Act. After the application is approved, the applicant shall advise the Department every 6 months of any changes in the information originally provided in the application.* (Section 3-103(3) of the Act)

f) *The Director* *may issue licenses or renewals for periods of not less than 6 months nor more than 18 months* *for facilities with annual licenses and not less than 18 months for facilities with 2-year licenses* *in order for the Department to distribute the expiration dates of* *such* *licenses throughout the calendar year, and fees for* *such* *licenses* *shall be* *pro-rated on the basis of the portion of the year for which they are issued.* (Section 3-110 of the Act)

(Source: Amended at 43 Ill. Reg. 3564, effective February 26, 2019)