**Section 390.2910 Applicability**

a) This Subpart N shall apply to all existing facilities and all minor alterations or remodeling changes to existing facilities. See Subpart M for requirements for new construction and major additions and alterations.

b) Minor alterations or remodeling changes less than $100,000 do not require a plan review fee; however, these projects are required to be reviewed and approved by the Department and must meet requirements of the Health Facilities and Services Review Board Operational Rules at 77 Ill. Adm. Code 1130.310. For the purposes of this subsection, minor alterations include:

1) Projects that do not affect the structural integrity of the building;

2) Projects that do not change the functional operation;

3) Projects that do not affect fire or life safety; and

4) Projects that do not add beds or facilities beyond those for which the facility is licensed.

c) All facilities having architectural drawings and specifications, first approved by the Department for licensure after October l, 1974, must meet the applicable requirements of Subpart M to convert to an MC/DD facility.

d) Descriptions and specifications for emergency repairs or equipment replacements shall be submitted to and approved by the Department prior to commencement as follows:

1) A facility shall submit a detailed description of the emergency repair or equipment replacement project that includes the following:

A) The equipment or system that has failed;

B) An explanation of why the failure of the equipment or system should be considered as an emergency repair or replacement;

C) A detailed description of the proposed corrective action; and

D) A formal request to begin corrective action prior to a plan review.

2) The Department will review the facility's submission within one working day and issue a determination on whether a project submission is required. The Department will consider factors including, but not limited to, facility occupant safety, complexity of the emergency repair or replacement request, location of the emergency repair or replacement in the facility, and anticipated timeframe for completion of emergency repairs and replacements when making a determination.

A) If a project submission is not required, the facility will be notified in writing and the repair or replacement work can proceed.

B) If a project submission is required, the Department will notify the facility and the following shall apply:

i) The Department will issue a letter to the facility indicating the emergency repair or replacement work can begin prior to the completion of a plan review.

ii) Once the work is substantially completed, a facility shall submit the project to the Department within 14 days for review and comment.

iii) If the plan review identifies noncompliance with requirements of the Act or this Part, the facility will be required to take the necessary corrective actions.

iv) Upon completion of the plan review process, the Department will issue either a temporary or permanent occupancy permit for the facility or schedule an onsite inspection of the work to verify compliance.

(Source: Amended at 46 Ill. Reg. 8192, effective May 6, 2022)