**Section 402.7 Provisions Pertaining to the License**

a) A foster family home license is valid for four years unless revoked by the Department or voluntarily given up by the licensee.

b) The number of children cared for in the foster family home shall not exceed the license capacity and must conform with the requirements for the number and ages of children specified on the license.

c) The foster parents' biological and adopted children under 18 years of age and all other children under 18 years of age receiving full-time care shall be counted when determining license capacity.

d) The license shall not be transferred to another person or other legal entity.

e) The license shall not be valid for a name or an address other than the name and address on the license.

f) A current license shall be available in the foster home at all times.

g) There shall be no fee or charge for the license.

h) The foster family shall adhere to the provisions or restrictions specified on the license.

i) Non-active License Status

1) The Department may place a foster family home license in non-active status when the licensee agrees in writing:

A) that the home has no foster placements and will not accept foster placements while in non-active status;

B) to maintain compliance with current and ongoing licensing standards as they are put into effect; and

C) to have the license moved to non-active status.

2) A home in non-active status shall continue to be subject to Department and supervising agency involvement. The foster family home may be returned to active status upon any occurrence that may make the home inappropriate for non-active status, including but not limited to:

A) a licensing complaint;

B) a child abuse or neglect report;

C) SACWIS or criminal activity.

3) The foster family may request that the Department move its license back to active status by written notification to the home's licensing representative. Before the foster family home is returned to active status, the licensing representative shall complete an onsite monitoring visit, reassess the household composition to determine if any adult or child has moved into or out of the residence, update background checks for new household members, reassess the physical structure of the residence, reassess the medical and physical capacity of each foster parent, and reassess the licensed capacity of the home.

4) A non-active status foster family home license is valid and may remain in non-active status until its renewal date; however, the licensee must submit a complete renewal application, and complete the renewal study process, within the timeframes and guidelines of Section 402.5 (Application for Renewal of License) for the license to be renewed. Upon the foster family home's request, the Department may move the license back into non-active status anytime after renewal, if it meets the aforementioned conditions for non-active status.

(Source: Amended at 33 Ill. Reg. 11441, effective August 1, 2009)