

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Community-Integrated Living Arrangements  
5 Licensure and Certification Act is amended by changing Section  
6 4 as follows:

7 (210 ILCS 135/4) (from Ch. 91 1/2, par. 1704)

8 Sec. 4. (a) Any community developmental services agency  
9 who wishes to develop and support a variety of  
10 community-integrated living arrangements may do so pursuant to  
11 a license issued by the Department under this Act. However,  
12 programs established under or otherwise subject to the Child  
13 Care Act of 1969, the Nursing Home Care Act, the Specialized  
14 Mental Health Rehabilitation Act of 2013, the ID/DD Community  
15 Care Act, or the MC/DD Act, as now or hereafter amended, shall  
16 remain subject thereto, and this Act shall not be construed to  
17 limit the application of those Acts.

18 (b) The system of licensure established under this Act  
19 shall be for the purposes of:

20 (1) ensuring that all recipients residing in  
21 community-integrated living arrangements are receiving  
22 appropriate community-based services, including  
23 treatment, training and habilitation or rehabilitation;

1           (2) ensuring that recipients' rights are protected and  
2           that all programs provided to and placements arranged for  
3           recipients comply with this Act, the Mental Health and  
4           Developmental Disabilities Code, and applicable Department  
5           rules and regulations;

6           (3) maintaining the integrity of communities by  
7           requiring regular monitoring and inspection of placements  
8           and other services provided in community-integrated living  
9           arrangements.

10          The licensure system shall be administered by a quality  
11          assurance unit within the Department which shall be  
12          administratively independent of units responsible for funding  
13          of agencies or community services.

14          (c) As a condition of being licensed by the Department as a  
15          community developmental services agency under this Act, the  
16          agency shall certify to the Department that:

17               (1) all recipients residing in community-integrated  
18               living arrangements are receiving appropriate  
19               community-based services, including treatment, training  
20               and habilitation or rehabilitation;

21               (2) all programs provided to and placements arranged  
22               for recipients are supervised by the agency; and

23               (3) all programs provided to and placements arranged  
24               for recipients comply with this Act, the Mental Health and  
25               Developmental Disabilities Code, and applicable Department  
26               rules and regulations.

1           (c-5) Each developmental services agency licensed under  
2 this Act shall submit an annual report to the Department, as a  
3 contractual requirement between the Department and the  
4 developmental services agency, certifying that all  
5 legislatively or administratively mandated wage increases to  
6 benefit workers are passed through in accordance with the  
7 legislative or administrative mandate. The Department shall  
8 determine the manner and form of the annual report.

9           (d) An applicant for licensure as a community  
10 developmental services agency under this Act shall submit an  
11 application pursuant to the application process established by  
12 the Department by rule and shall pay an application fee in an  
13 amount established by the Department, which amount shall not  
14 be more than \$200.

15           (e) If an applicant meets the requirements established by  
16 the Department to be licensed as a community developmental  
17 services agency under this Act, after payment of the licensing  
18 fee, the Department shall issue a license valid for 2 ~~3~~ years  
19 from the date thereof unless suspended or revoked by the  
20 Department or voluntarily surrendered by the agency.

21           (f) Upon application to the Department, the Department may  
22 issue a temporary permit to an applicant for up to a 2-year  
23 period to allow the holder of such permit reasonable time to  
24 become eligible for a license under this Act.

25           (g) (1) The Department may conduct site visits to an agency  
26 licensed under this Act, or to any program or placement

1 certified by the agency, and inspect the records or premises,  
2 or both, of such agency, program or placement as it deems  
3 appropriate, for the purpose of determining compliance with  
4 this Act, the Mental Health and Developmental Disabilities  
5 Code, and applicable Department rules and regulations. The  
6 Department shall conduct inspections of the records and  
7 premises of each community-integrated living arrangement  
8 certified under this Act at least once every 2 years.

9 (2) If the Department determines that an agency licensed  
10 under this Act is not in compliance with this Act or the rules  
11 and regulations promulgated under this Act, the Department  
12 shall serve a notice of violation upon the licensee. Each  
13 notice of violation shall be prepared in writing and shall  
14 specify the nature of the violation, the statutory provision  
15 or rule alleged to have been violated, and that the licensee  
16 submit a plan of correction to the Department if required. The  
17 notice shall also inform the licensee of any other action  
18 which the Department might take pursuant to this Act and of the  
19 right to a hearing.

20 (g-5) As determined by the Department, a disproportionate  
21 number or percentage of licensure complaints; a  
22 disproportionate number or percentage of substantiated cases  
23 of abuse, neglect, or exploitation involving an agency; an  
24 apparent unnatural death of an individual served by an agency;  
25 any egregious or life-threatening abuse or neglect within an  
26 agency; or any other significant event as determined by the

1 Department shall initiate a review of the agency's license by  
2 the Department, as well as a review of its service agreement  
3 for funding. The Department shall adopt rules to establish the  
4 process by which the determination to initiate a review shall  
5 be made and the timeframe to initiate a review upon the making  
6 of such determination.

7 (h) Upon the expiration of any license issued under this  
8 Act, a license renewal application shall be required of and a  
9 license renewal fee in an amount established by the Department  
10 shall be charged to a community developmental services agency,  
11 provided that such fee shall not be more than \$200.

12 (i) A public or private agency, association, partnership,  
13 corporation, or organization that has had a license revoked  
14 under subsection (b) of Section 6 of this Act may not apply for  
15 or possess a license under a different name.

16 (Source: P.A. 104-270, eff. 8-15-25.)