**Section 115.210 Criteria for Participation of Individuals**

a) An individual receiving services in a CILA shall be at least 18 years of age (unless the age waiver exception in subsections (b) and (c) applies), have a developmental disability and be in need of CILA services and a supervised living arrangement. If a CILA agency does not have the capacity to accommodate the individual's particular type or level of disability, this does not render the individual ineligible for CILA services.

b) CILA agencies can request an age waiver to allow individuals who are at least 17.5, but not yet 18 years of age, to receive services in a CILA. If a CILA agency requests an age waiver the CILA agency shall present in writing to the Department its rationale for the waiver request and describe the following:

1) the individual's level of functioning;

2) behavioral, medical, and/or mental health needs of the individual;

3) the profiles of the other people currently residing in the proposed setting (i.e., gender, ages, interests, peer group dynamics, level of functioning, etc.);

4) other residential options that have been explored;

5) the education plan of the individual (i.e., will the individual continue school);

6) crisis (homeless, abuse, neglect) status, if applicable; and

7) problems in the individual’s current placement, if applicable.

c) The Department will provide a written response to the waiver request indicating approval or denial of the request. The provision of a waiver does not constitute authorization of services.

d) The individual or guardian shall give informed consent to participate in a CILA, which shall be documented in the individual's record.

e) The individual or guardian shall agree to participate in the development of the Individual's Personal Plan as well as the development and provision of an Implementation Strategy that corresponds with their Personal Plan.

(Source: Amended at 47 Ill. Reg. 8485, effective May 31, 2023)