**Section 115.300 Environmental Management of Living Arrangements**

a) For individuals who receive intermittent supervision and supports and choose to reside with their families or in living arrangements owned or leased by the individuals living there, the licensed CILA agency shall assist individuals in obtaining and maintaining CILAs which afford safety and basic comfort. This assistance shall include, but is not limited to:

1) Performing visual inspections;

2) Purchasing and maintaining in working order safety devices (e.g., smoke and carbon monoxide detectors, first aid kits, door locks), when needed;

3) Encouraging landlords to comply with applicable building and safety codes; and

4) Providing education and information on fire safety and disaster preparedness procedures.

b) For individuals who choose to reside in a provider-owned or controlled CILA, the licensed CILA agency shall ensure that buildings containing owned or leased living arrangements shall comply with locally adopted building codes (including those for attic spaces and impractical evacuation capability) as enforced by local authorities; the applicable editions and chapters of the NFPA 101, Life Safety Code (National Fire Protection Association, 2015), as cited in the rules of the Office of the State Fire Marshal (OSFM) at 41 Ill. Adm. Code 100; and any local fire codes that are more stringent than the NFPA as enforced by local authorities or OSFM. A CILA agency shall make available the report of an inspection by the local authorities or OSFM prior to providing services to any individual in any CILA site. Non-compliance may be shown by evidence of administrative or judicial action taken against the owners of a building for violations of the applicable housing code within the previous two months, or a letter indicating non-compliance with NFPA requirements from the local authorities or OSFM.

c) Each living arrangement shall meet the most current standards as identified in local life/safety and building codes. Living arrangements specified in subsection (b) shall also meet the following additional standards:

1) Each living arrangement shall have a smoke detection system which complies with the Smoke Detector Act [425 ILCS 60].

2) Each living arrangement shall have a carbon monoxide alarm which complies with the Carbon Monoxide Alarm Detector Act [430 ILCS 135].

3) No more than eight individuals shall be served in any site.

4) There shall be documentation completed and maintained at the CILA agency, verifying that living arrangements are inspected quarterly by the licensed CILA agency to ensure safety, basic comfort, and compliance with this Part.

5) Bath and toilet rooms

A) At least one bathroom shall be provided for each four individuals. A bathroom shall include a toilet, lavatory, and tub or shower.

B) Bathrooms shall be located and equipped to facilitate independence. When needed by the individual, special assistance or devices shall be provided.

C) Bathing and toilet facilities shall provide privacy.

6) Bedrooms

A) Each single individual bedroom shall have at least 75 square feet of net floor area, not including space for closets, wardrobes, bathrooms, and clearly definable entryway areas.

B) Each multiple bedroom shall accommodate no more than two individuals and each bedroom for two individuals shall have at least 55 square feet of net floor area per individual, not including space for closets, wardrobes, bathrooms, and clearly definable entryway areas.

C) Storage space for clothing and other personal belongings shall be provided for each individual.

D) Each bedroom shall have:

i) Walls that extend from floor to ceiling;

ii) A mattress and box spring that is suitable to the size of the individual which provides support and comfort, if beds are provided by the CILA agency;

iii) At least one outside window; and

iv) Electrical light sufficient for reading.

E) Bedrooms shall maintain a dry and comfortable environment.

F) In living arrangements where more than one individual resides, traffic to and from any room shall not be through an individual's bedroom.

G) In a provider-owned or controlled CILA, in addition to the qualities at 42 CFR 441.301(c)(4)(i) through (iv), the following additional conditions must be met concerning an individual's bedroom:

i) Each individual has privacy in their bedroom;

ii) Bedrooms have entrance doors that are lockable by the individual from inside the room, with only the individual and appropriate staff having keys to doors;

iii) Individuals sharing bedrooms have a choice of whom to share a bedroom with;

iv) Individuals have the freedom to furnish and decorate their bedroom within the lease or other agreement; and

v) The bedroom is physically accessible to the individual.

H) Any modification of the additional conditions, under subsection (c)(6)(G), must be addressed according to Section 115.200(c)(7)(F)(i) through (viii).

I) Pursuant to 210 ILCS 165, and as outlined by DDD, a CILA provider shall permit individuals who reside in a CILA *to conduct authorized electronic monitoring of* their bedroom *through the use of electronic monitoring devices placed in the room*.

i) CILA agencies *shall* not *intentionally retaliate or discriminate against* an individual *for consenting to authorized electronic monitoring under the Authorized Electronic Monitoring in Community Integrated Living Arrangements and Developmental Disability Facilities Act* [210 ILCS 135/14.5(b)(1)].

ii) CILA agencies *shall* not *prevent the installation or use of an electronic monitoring device by* an individual *who* resides in a developmental disability CILA and *has provided the staff of the CILA with notice and consent as required by* 210 ILCS 165/20 [210 ILCS 135/14.5(b)(2)].

7) The CILA agency shall ensure that:

A) Each living arrangement will be physically accessible and accommodate other forms of accessibility if required by the needs of any individual served in the setting.

B) Each living arrangement shall be safe and clean.

C) Each living arrangement shall be free from vermin.

D) Waste and garbage shall be stored with a proper fitting lid, transferred, and disposed of (both interior and exterior) in a manner that does not permit the transmission of diseases.

E) Following a snowfall, freezing rain, or sleet, snow and ice must be cleared from sidewalks, ramps, and driveways of the living arrangement to provide safe and accessible passage.

F) Each living arrangement must maintain vegetative growth (including grass, bushes, trees) on the premises, not allowing it or weeds to become overgrown and/or hazardous.

G) Private water systems shall comply with 77 Ill. Adm. Code 900 (Drinking Water Systems Code).

H) Each living arrangement shall evaluate the quality of the food prior to its consumption. Manufacturers provide dating to help consumers and retailers decide when food is of best quality. Each CILA site should have a written policy on fresh, frozen, and pantry foods with acceptable dates. Food should be dated when frozen, opened, etc. to determine whether it is safe to consume.

I) Copies of inspections when performed by local and State inspectors in regard to health, sanitation and environment shall be maintained.

8) The CILA agency shall develop, implement, and maintain a disaster preparedness plan which shall include disasters and/or public health crises, be reviewed annually and revised as necessary, and ensure that:

A) Records and reports of fire and disaster training are made available to DDD and BALC while at the CILA site;

B) A record of actions taken to correct noted deficiencies in disaster drills or inspections is maintained;

C) Employees and any other person, compensated or in a volunteer capacity, with responsibility for individuals served know how to react to fire, severe weather, missing persons, psychiatric and medical emergencies, poison control and deaths;

D) Individuals know how to react to situations identified in subsection (c)(8)(C) of this Section or are receiving training;

E) Employees and any other person, compensated or in a volunteer capacity, with responsibility for individuals served are trained in the location of fire-extinguishers, first aid kits, evacuation routes and procedures; and

F) An operational telephone that is accessible to individuals and staff, is available with a list stating the telephone number of the CILA site, the nearest poison control center, the local police, the local fire department, the Department's Office of Inspector General (OIG), and emergency medical personnel or an indication that 911 is the appropriate number to call.

9) The CILA agency shall implement procedures for evacuation which ensure that:

A) Drills are conducted at a frequency determined by the CILA agency to be appropriate, based on the needs and abilities of individuals served by the particular living arrangement, but no less than annually on each shift, including overnight. Individuals who are new to the home must be trained within 30 days of moving into the home. One of these drills shall be during sleeping hours.

B) Evacuation drills must be conducted in a safe manner. Using windows as a second means of egress is prohibited above the first floor unless using a semi-permanent fixture.

C) Special provisions shall be made for those individuals who cannot evacuate the building without assistance, including those with physical disabilities and individuals who are deaf and/or blind.

D) All employees are trained to carry out and properly document their assigned evacuation tasks.

E) Inefficiency or problems identified during an evacuation drill shall result in specific corrective action.

F) Evacuation drills shall include actual evacuation of individuals to designated safe areas.

10) At least one approved fire extinguisher shall be available in the residence, with tags verifying annual inspection and recharged when necessary.

11) First aid kits that meet the basic American Red Cross standards shall be available in the CILA home. First aid kits shall be monitored quarterly and replenished as needed by the CILA agency.

d) For individuals who receive continuous supervision and support and choose to reside with their families or in living arrangements owned or leased by the individuals living there, the licensed CILA agency shall ensure that the living arrangements comply with all the requirements of subsection (c) except subsections (c)(5)(A) and (C), (c)(6)(A), (C), and (D), and (c)(8)(B) and (E). Employees and any other persons compensated or in a volunteer capacity who have responsibility for individuals served shall be trained in the location of a fire extinguisher, first aid supplies, evacuation routes, and procedures. CILA agencies shall support the individual to ensure the residence is maintained and complies with local building codes as enforced by local authorities.

e) Prior to a new site owned or leased by the CILA agency being occupied and prior to a host family site accepting individuals receiving services, the site must be inspected by BALC and determined to be in compliance with this Part. Site inspections will be completed within 15 working days after all necessary documentation has been received, e.g., current fire clearances. All sites as described in this subsection will be inspected at least once during the two year period of licensure to determine on-going compliance with this Part.

f) The CILA provider shall cooperate with BALC to visit and inspect any home in which individuals enrolled in the CILA program are residing, regardless of whether it provides continuous or intermittent supervision or is individual or provider-owned or leased.

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