**Section 115.430 Issuing a License and Period of Licensure**

a) Upon receipt of a completed application and verification of the agency's compliance with this Part, the Department shall issue a license which will authorize agencies to certify that programs provided in CILAs comply with the Mental Health and Developmental Disabilities Confidentiality Act and this Part.

b) The Department shall conduct surveys of licensed agencies and their certified programs and services. The Department shall review the records or premises, or both, as it deems appropriate for the purpose of determining compliance with the Community-Integrated Living Arrangements Licensure and Certification Act, the Mental Health and Developmental Disabilities Confidentiality Act, and this Part. For agencies that will be providing CILA services for individuals in the DDD Medicaid HCBS Waiver, the Department shall also determine compliance with 59 Ill. Adm. Code 120 and 42 CFR 441.301(c)(1) through (c)(4), as well as confirm the agencies do not have the characteristics described in 42 CFR 441.301(c)(5)(v). For CILAs that will be provider-owned or controlled, the Department shall review agency policies to confirm compliance with additional conditions set forth in 42 CFR 441.301(c)(4)(vi)(A) through (E).

1) The Department shall conduct unannounced surveys to determine compliance at the time of license renewal as well as to investigate complaints, health and safety inspections, and other concerns as deemed warranted by the Department.

2) Determination of compliance with the service requirements contained in Subpart B of this Part shall be based on a survey centered on the individual which samples services being provided.

3) Determination of compliance with the general agency requirements contained in Subpart C of this Part shall be based on a review of agency records and observation of individuals and staff.

c) Upon completion of the application process the Department may issue a provisional license to an applicant for up to one year and allow the holder of this license to operate one CILA site, serving up to eight individuals.

d) A license, other than the provisional license, shall be valid for the time period set in statute unless revoked in accordance with Section 4(e) of the Community-Integrated Living Arrangements Licensure and Certification Act.

e) CILA agencies found during a survey to be in substantial compliance with this Part shall be relicensed.

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