**Section 690.40 Contents of Application**

An application to operate a nurse agency shall be made on a form provided by the Department. The application and information submitted with an application are considered exempt from disclosure under Section 7(b)(iii) of the Freedom of Information Act (Ill. Rev. Stat. 1989, ch. 116, par. 207). The application shall contain but is not limited to the following:

a) *Name and address, of the person, partnership, corporation or other entity that is the* prospective licensee;

b) *If the* prospective licensee *is a corporation,* a copy of its articles of incorporation, *a copy of its current bylaws and the names and addresses of its officers and directors and the names and addresses of shareholders owning more than 5% of the corporation's stock* shall be provided for an initial license. Applications for license renewal shall contain any amendments to the articles of incorporation and bylaws.

c) *The name and locations of premises from which the* prospective licensee *will provide services;*

d) *The name and address of the person under whose management or supervision the nurse agency will be operated;*

e) If the applicant has ever been convicted of a felony;

f) The name of the supervising nurse, if not the same as the person who is responsible for management;

g) A statement of financial solvency declaring:

1) That the Nurse Agency or its owners have not been adjudged insolvent or bankrupt in a State or Federal court; and

2) That a court proceeding to make a judgment of bankruptcy or insolvency with respect to the Nurse Agency or its owners is not pending in a State or Federal court.

In addition, the Nurse Agency agrees to inform the Director of Labor prior to a court proceeding to make judgment of insolvency or bankruptcy which will be instituted with respect to the Nurse Agency or its owners.

h) *A statement detailing the experience and qualifications of the* prospective licensee *to operate a nurse agency;*

i) *Evidence of compliance or intent to comply with State or Federal law relating to employee compensation* (Illinois Minimum Wage Law, Ill. Rev. Stat. 1989, ch. 48, par. 1001 et seq.), *including but not limited to, social security taxes, State and Federal income taxes, workers' compensation* (Workers' Compensation Law, Ill. Rev. Stat. 1989, ch. 48, par. 138 et seq.), *unemployment taxes* (Illinois Unemployment Insurance Act, (Ill. Rev. Stat. 1989, ch. 48, par. 300 et seq.), *and state* (Illinois Minimum Wage Law, Ill. Rev. Stat. 1989, ch. 48, par. 1001 et seq.) *and federal overtime compensation laws.*

j) A certificate of insurance showing the prospective licensee has *professional liability insurance in the amounts of at least $500,000 per incident and $1,000,000 in aggregate;*

k) An application must be signed and notarized.