**Section 245.90 License Application**

a) Initial Application – All Agencies

1) Any person who desires to obtain a license to operate a home health, home nursing, home services, home nursing placement, or home service placement agency shall file a licensure application with the Department. Any person of interest, different from the licensee, who desires to conduct, maintain, or operate a home health, home nursing, home services, home nursing placement or home services placement agency shall also file an application for licensure with the Department.

2) The application shall be accompanied by a Certificate of Insurance documenting minimum liability coverage of $1 million per occurrence and $3 million in the aggregate.

3) Each initial application for licensure shall be on forms provided by the Department, and shall contain, at a minimum, the following information:

A) *Name, address, and location of the agency;*

B) Ownership, *organization and governing structure of the agency* including the alternate administrative staff required per Section 245.40(a)(11);

C) The names and addresses of all persons who own at least 5% of the agency and the type of ownership of the agency (for example individual, partnership or corporation). In addition, the corporation shall submit:

i) A list of the title, name and address of each of its corporate officers;

ii) A list of the name and address of each of its shareholders holding more than 5% of the shares; and

iii) Information for the applicant and its officers regarding any conviction of, or plea of guilty to, a felony, or two or more misdemeanors involving moral turpitude during the previous year;

D) A description of the services to be provided;

E) A list of the staff of the agency or a list of placement agency registry, including any applicable licensure, registration, or certification and any other *qualifications of the staff* of the agency, and a copy of the job description for all positions used by the agency as required per Section 245.30(c)(1)(D);

F) *Sources of financing of services* and any other sources of income of the agency;

G) A description or map of the geographic *service area* in which services are provided by the agency;

H) *Charges for services* by types of services provided by the agency;

I) Copies of policies and procedures for the following:

i) Complaint resolution as required per Section 245.30(b)(3);

ii) Employee health and safety as required per Section 245.30(c)(1)(H) and (I);

iii) Infection control as required per Section 245.75;

iv) Health care worker background check compliance as required per Section 245.72 and mandated reporting compliance as required per Section 245.250;

v) Supervisory visits of various disciplines as required per Section 245.40;

vi) Client records management, retention and release requirements as required per Section 245.200(h) for home health agencies, Section 245.205(g) for home nursing agencies, and Section 245.210(j) for home services agencies;

vii) Employee training as required per Sections 245.70, 245.71, and 245.211.

J) Documents demonstrating the agency is registered with the DPH Web Portal and granted access to the Health Care Worker Registry.

4) For home health agencies, copies of any *affiliation agreements with other health care providers*. (Section 5(a) of the Act)

5) For home services and home nursing agencies, copies of client service contracts as required per Section 245.220.

6) For home services placement and home nursing placement agencies, copies of client service contracts and worker contracts as required per Section 245.225.

7) Criteria for acceptance of patients and clients as required per Section 245.200(d) for home health agencies; 245.205(d) for home nursing agencies; and 245.210(d) home services agencies.

8) Sample forms to be utilized for service plans as required per Section 245.210(e) for home services agencies; and

9) Plans of treatment as required per Section 245.205(e) for home nursing agencies and Section 245.200(e) for home health agencies.

b) Renewal Application – All Agencies

1) Each licensee shall file a renewal application with the Department not less than 60 days, or more than 90 days, prior to the expiration date of the licensee's current license. If a licensee does not submit its renewal application and fee within 60 days prior to the expiration date, the licensee may be fined in accordance with Section 245.140.

2) Each renewal application shall be on forms provided by the Department and shall contain the information specified in subsection (a)(3).

3) Each licensee shall submit information for the licensee and its officers regarding any conviction of, or plea of guilty to, a felony, or two or more misdemeanors involving moral turpitude, during the previous year for the licensee and its officers.

c) Renewal Application – Home Health Agencies

Applications for renewal of home health agency licenses shall additionally contain the following information:

1) *Patient load* data for the preceding year, including the number of patients discharged, the total number of patients who received services, the number of patients over 65 years of age who received services, and the number of patients being served at the end of the year; and

2) *Agency utilization* data, including the number of patients receiving specific types of services and the number of visits by types of services provided. (Section 5(a) of the Act)

d) Renewal Application – Home Services, Home Nursing, Home Services Placement and Home Nursing Placement Agencies

Applications for renewal shall additionally contain the following information:

1) Client load data for home services and home nursing for the preceding year, including the number of clients admitted, the number of clients discharged, the number of patients over 65 years of age who received services, and the number of clients being served at the end of the year, with the exception of those clients being served through the Community Care Program of the Illinois Department on Aging, the Department of Human Services Office of Rehabilitation Services, or the United States Department of Veterans Affairs; and

2) Client data for home services placement and home nursing placement for the preceding year, including the number of placements, the number of placements for clients 65 or older, and the number of clients in process on the last day of the most recent fiscal period.

e) A home health agency shall be in operation and be able to demonstrate patient activity prior to the second renewal of the agency's license to verify compliance for a renewal of the agency's license. A home services, home nursing, home services placement and home nursing placement agency shall be in operation and be able to demonstrate client activity prior to the second renewal of the agency's license to verify compliance for a renewal of the agency's license.

f) *An entity that meets the requirements for licensure* under the Act and this Part *may obtain licensure singly or in any combination for the categories authorized under* the *Act* and this Part. (Section 4(d) of the Act)

g) The Department will review each application. The Department will approve the application and issue an initial or renewal license to the applicant for operation of an agency when it finds that the applicant meets all of the *requirements of the Act and* this Part. The Department may also issue a provisional license, as provided in Section 4 of the Act and Section 245.100, or deny an application, as provided in Sections 8 and 9 of the Act and Section 245.130. (Section 4(c) of the Act)

(Source: Amended at 48 Ill. Reg. 12368, effective August 5, 2024)