**Section 955.260 Application for Waiver**

a) *Any student, applicant, individual receiving services from a workforce intermediary or organization providing pro bono legal services, or employee listed on the Health Care Worker Registry may request a waiver of the prohibition against employment by*:

1) *Completing a waiver application on a form prescribed by the Department* *of Public Health*:

A) If the individual has previously been employed, the individual shall provide a work history or attach a resumé covering the most recent five-year period;

B) If the individual has been convicted in another state, the individual shall provide information concerning those convictions or attach the complete results of a criminal history records check from the other state; and

C) If the individual has a federal conviction, the individual shall provide information concerning that conviction or attach the complete results of a criminal history records check from the Federal Bureau of Investigation.

2) *Providing a written explanation of each conviction, to include:*

A) *what happened;*

B) *how many years have passed since the offense;*

C) *the individuals involved;*

D) *the age of the individual at the time of the offense; and*

E) *any other circumstances surrounding the offense* (Section 40(a) of the Act);

3) Providing proof of completion of a rehabilitation program, if the use of alcohol or other drugs was involved in the offense, and the individual was ordered to participate in a rehabilitation program as part of the judgment;

4) *Providing official documentation showing that all fines have been paid,* *if applicable,* except in the instance of payment of court-imposed fines or restitutions in which the individual is adhering to a payment schedule, *and the date probation* (or mandatory supervised release) *or parole was satisfactorily completed, if applicable* (Section 40(a) of the Act); and

5) Submitting the results of a fingerprint-based criminal history records check.

b) *The individual may, but is not required to, submit employment and character references and any other evidence demonstrating the ability of the individual or employee to perform the employment responsibilities competently and evidence that the individual does not pose a threat to the health or safety of residents, patients, or clients.* (Section 40(b) of the Act)

c) A request for a waiver will automatically be denied unless the individual has met the time periods in Section 955.270(d).

d) Each request for waiver consideration shall be accompanied by a fully completed waiver application. The waiver application will not be deemed complete until the Department has received all of the information required by this Section.

(Source: Amended at 46 Ill. Reg. 6104, effective April 4, 2022)