DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Children's Community-Based Health Care Center Code

2) Code Citation: 77 Ill. Adm. Code 260

3) Section Number:	Adopted Action:
260.1200	Amend

4) Statutory Authority: Alternative Health Care Delivery Act [210 ILCS 3]

5) Effective Date of Rulemaking: June 30, 2010

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the Department's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: January 15, 2010; 34 Ill. Reg. 754

10) Has JCAR issued a Statement of Objection to this rulemaking? No

11) Differences between proposal and final version: The following change was made in response to comments and suggestions of JCAR:

The word "PROGRAM" in the title of the rule was stricken.

In addition, various typographical, grammatical and form changes were made in response to the comments from JCAR.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace any emergency rulemaking currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of the Rulemaking: Part 260 establishes minimum standards for children's community-based health care centers, including the requirements for licensure.

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This rulemaking implements Public Act 96-129, which exempts centers from the requirement to obtain a Certificate of Need from the Health Facilities Planning Board prior to applying for licensure.

16) Information and questions regarding this adopted amendment shall be directed to:

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761

217/782-2043
e-mail: dph.rules@illinois.gov

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 260
CHILDREN'S COMMUNITY-BASED HEALTH CARE CENTER ~~PROGRAM~~ CODE

Section
260.1000 Definitions
260.1050 Incorporated and Referenced Materials
260.1100 Demonstration Program Elements
260.1200 Application for and Issuance of a License to Operate a Children's Community-Based Health Care Center Model
260.1300 Obligations and Privileges of Children's Community-Based Health Care Center Models
260.1400 Inspections and Investigations
260.1500 Notice of Violation and Plan of Correction
260.1600 Adverse Licensure Action
260.1700 Policies and Procedures
260.1750 Health Care Worker Background Check
260.1800 Admission and Participation Practices
260.1900 Child's Rights
260.2000 Child Care Services
260.2100 Medication Administration
260.2200 Personnel
260.2300 Food Service
260.2400 Physical Plant
260.2500 Quality Assessment and Improvement

AUTHORITY: Implementing and authorized by the Alternative Health Care Delivery Act [210 ILCS 3].

SOURCE: Adopted at 22 Ill. Reg. 3899, effective February 20, 1998; amended at 24 Ill. Reg. 14016, effective August 31, 2000; amended at 26 Ill. Reg. 11974, effective July 31, 2002; emergency amendment at 27 Ill. Reg. 7937, effective April 30, 2003, for a maximum of 150 days; emergency expired September 26, 2003; amended at 27 Ill. Reg. 18070, effective November 12, 2003; amended at 30 Ill. Reg. 883, effective January 9, 2006; amended at 31 Ill. Reg. 3008, effective February 2, 2007; amended at 34 Ill. Reg. 10162, effective June 30, 2010.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

Section 260.1200 Application for and Issuance of a License to Operate a Children's Community-Based Health Care Center Model

a) Applications for a license to operate a Children's Community-Based Health Care Center Model shall be in writing on forms provided by the Department. The application shall be made under oath and shall contain the following:

~~1) Proof of a Certificate of Need to establish and operate a Children's Community-Based Health Care Center Model issued by the Health Facilities Planning Board under the Illinois Health Facilities Planning Act [20 ILCS 3960];~~

1)~~2)~~ The name of the proposed Model;

2)~~3)~~ The address of the proposed Model;

3)~~4)~~ A precise description of the site of the proposed Model;

4)~~5)~~ The maximum occupancy of the Model;

5)~~6)~~ The name and address of the registered agent or other individual authorized to receive Service of Process for the Model licensee;

6)~~7)~~ The name of the person or persons under whose management or supervision the center will be operated;

7)~~8)~~ Documentation of compliance with Section 260.2300 of this Part; and

8)~~9)~~ The Model's admission policies and procedures in accordance with Section 260.1800 of this Part.

b) An application for initial licensure shall be accompanied by an application fee of $500 plus $100 for each bed.

c) Upon receipt and review of a complete application for licensure, the Department shall conduct an inspection to determine compliance with the Act and this Part.

d) If the proposed Model is found to be in substantial compliance with the Act and this Part, the Department shall issue a license for a period of one year. The

license shall not be transferable; it is issued to the licensee and for the specific location and number of beds identified in the application.

e) An application for license renewal shall be filed with the Department 90 to 120 days prior to the expiration of the license, on forms provided by the Department.

1) The renewal application shall comply with the requirements of subsections (a) and (b) of this Section; and

2) Upon receipt and review of a complete application for license renewal, the Department may conduct a survey. The Department shall renew the license in accordance with subsection (d) of this Section.

f) *The Department may issue a provisional license to any* Children's Community-Based Health Care Center *Model that does not substantially comply with the provisions of the Act* and this Part:

1) A provisional license may be issued only *if the Department finds that*:

A) *The Model has undertaken changes and corrections which upon completion will render the Model in substantial compliance with the Act; and*

B) *The health and safety of the patients* in the Model *will be protected during the period for which the provisional license is issued.* (Section 30(c) of the Act)

2) *The Department shall advise the applicant or licensee of the conditions under which the provisional license is issued, including:*

A) *The manner in which the Model fails to comply with the provisions of the Act;*

B) The changes and corrections that shall be completed;

C) *The time within which the necessary changes and corrections shall be completed* (Section 30(c) of the Act); and

D) The interim actions that are necessary to protect the health and

safety of the patients.

g) The Children's Community-Based Health Care Center Model license or provisional license shall be prominently displayed in an area accessible to the public.

(Source: Amended at 34 Ill. Reg. 10162, effective June 30, 2010)