



Long-Term Care Facility - Licensure Information

I. LICENSURE PROCEDURES FOR INITIAL LICENSURE

All facilities required to be licensed under the Nursing Home Care Act, as amended, and the Community Living Facilities Licensing Act, as amended, must follow the following procedures to obtain an initial license. Facilities qualifying for licenses as skilled care, intermediate care, intermediate care for the developmentally disabled or care for persons under age 22 may elect to participate in Medicaid certification program. Skilled facilities may elect to participate in the Medicare certification program.

II. PRIOR TO INITIAL LICENSURE

1. The proposed operator determines the type and number of residents for whom care will be provided and obtains the appropriate standards from the Index Office at the Secretary of State at 217-782-7017 or at this Department's Web site, www.idph.state.il.us. Buildings which have not been previously licensed as a long-term care facility must meet the design and construction standards for a new facility. Long-term care facilities which have been closed and are not currently operating as a long-term care facility must also meet the design and construction standards for a new facility.
 2. All facilities (except sheltered care facilities and community living facilities) require a permit issued by the Illinois Health Facilities Planning Board 217-782-3516. The permit must be issued in the name of the entity to be listed as the operator/licensee of the facility. The exact name of the entity must be listed on the permit, the license application (see item 5) and supporting documents (i.e. Certificate of Incorporation, Partnership Agreements, etc...)
 3. Sealed drawings and specifications for the proposed facility must be submitted by a state of Illinois licensed architect with a completed Project Submission Form, the required supporting documents and fee prior to the plan review commencing.
 4. After a permit has been issued, a set of application documents are forwarded to the proposed operator by the Licensure Section. Information must be submitted on the forms provided by this Department. No alternatives will be accepted. In addition to completing the forms, all supporting documents must be submitted. These documents include a statement from the local authority with jurisdiction over zoning that the proposed facility will not be in violation of zoning laws by its use as a long-term care or community living facility. This letter or documents should be specific in detailing what type (level of care) of facility is being planned.
 5. When all application forms and supporting documents are complete, a copy of the necessary forms and information are forwarded by the Licensure Section to the Regional Public Health Office.
 6. A survey will be conducted by the Licensure Section review architect and clearance, in writing, from this architect will be sent to the Regional Public Health Office prior to the health survey being performed.
 7. At the time the health survey is performed, the facility administrator received an exit interview. To facilitate the licensure process, the administrator may elect to provide a detailed plan of correction indicating the plan to correct and findings of noncompliance with regulations, the date on which the correction will be made, what specific action will be taken to prevent recurrence and the person responsible for maintaining compliance. (A report of correction may be submitted in place of a plan of correction.) The administrator also may elect to waive the 10 day comment period. This must be done in writing and may be in the form of a letter. If the comment period is not waived, a delay in licensing may result.
 8. Regional staff will submit a report for evaluation by the Licensure Program Administrator. After a review of the report, a decision will be made regarding occupancy. The administrator will be contacted when a license date is established. Occupancy is not permitted prior to this date, and only private pay residents may be admitted. The probationary license will be issued by the Licensure Section.
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III. AFTER LICENSURE

1. Department staff will perform a probationary license survey within the last (30) days of the probationary period to assess the operation of the facility. The results of this survey determine the future licensure status of the facility. This survey may result in the following actions:
 - * Issuance of an unrestricted license for the balance of the licensure year.
 - * Issuance of a second probationary license.
 - * Issuance of a conditional license.
 - * Recommendation for license revocation.
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III. AFTER LICENSURE CONTINUED

2. Department staff will perform a probationary license survey within the last (30) days of the probationary period to assess the operation of the facility. The results of this survey determine the future licensure status of the facility. This survey may result in the following actions:
 - * Issuance of an unrestricted license for the balance of the licensure year.
 - * Issuance of a conditional license.
 - * Recommendation for license revocation.
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IV. LICENSURE CHANGE OF OWNERSHIP

All facilities required to be licensed under the Nursing Home Care Act, as amended, and the Community Living Facilities Licensing Act, as amended, must follow the following procedures to obtain an initial license.

1. Upon request to this office, a set of application documents is forwarded to the proposed operator/licensee. In addition to completing the forms, all supporting documents must be submitted. No documents submitted by a previous applicant can be reproduced from department files. All information must be submitted on the forms provided by this Department. No alternatives will be accepted.
 2. Any fines owed by the current or proposed operator/licensee must be paid in full before a license will be issued.
 3. When all application forms and supporting documents are complete, a license will be issued effective with the date of the change of ownership or the date the application is complete, whichever is later. Any facility currently under a conditional license is subject to the conditions contained in that license and the imposed plan of correction.
 4. Facilities that participate in the Medicare and/or Medicaid programs must submit a copy of the executed Purchase Agreement, Bill of Sale, or other document used to execute the change of ownership.
 5. Facilities are required to submit an application fee of \$995.00 in the form of a check or money order made payable to the "Illinois Department of Public Health".
 6. No change to the number of beds or the level of care can be made during the change of ownership process. The new entity will be licensed in the same manner as the prior entity.
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V. OPERATOR/LICENSEE SUPPORTING DOCUMENTS

This section applies to the legal entity responsible for maintaining the license and meeting the regulations at the facility. Specific supporting documents are needed for each type of entity that applies for a license. Additional information needed to evaluate the prospective licensee's ability to operate the facility is also required.

Corporations (both for-profit and non-profit entities) - must submit a copy of a current signed, sealed Certificate of Good Standing issued from the Illinois Secretary of State, the Certificates of Incorporation, Articles, By-Laws, Constitution and Amendments, Certificate of Authority to Transact Business in Illinois (for out-of-state corporations) and all Statements of Change containing the receipt/file stamps from the Illinois Secretary of State and the county in which the corporations operates.

Limited Liability Companies - must submit a copy of a current, signed, sealed Certificate of Good Standing issued by the Illinois Secretary of State, the Certificate of Organization, Articles of Organization, Operating Agreement, Certificate of Admission to Transact Business in Illinois (for out-of-state limited liability companies) and all Statements of Change containing the receipt/file stamp from the Illinois Secretary of State.

Limited Partnerships - must submit a copy of the signed, sealed Certificate of Limited Partnership, Statements of Change, executed partnership agreement (all limited partnership agreements must be copies of the agreement with verification of recording with the county clerk's office) and copies of all executed amendments.

General Partnerships - must submit a copy of the executed partnership agreement with copies of all executed assignments/acceptances.

Trusts - must submit copies of the executed trust agreements with copies of all executed assignments/acceptances. Copies of letters of direction also are needed if the trustee enters into any agreements on behalf of the beneficiaries.

Endowments - must submit copies of the document creating the endowment.



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VI. SITE/BUILDING SUPPORTING DOCUMENTS

This section applies to the legal entity that owns the site and building. Supporting documents are needed for this entity if it is different than the entity applying for the license.

Corporations (both for-profit and non-profit entities) - must submit a copy of a current signed, sealed Certificate of Good Standing issued from the Illinois Secretary of State, the Certificates of Incorporation, Articles, By-Laws, Constitution and Amendments, Certificate of Authority to Transact Business in Illinois (for out-of-state corporations) and all Statements of Change containing the receipt/file stamps from the Illinois Secretary of State and the county in which the corporations operates.

Limited Liability Companies - must submit a copy of a current, signed, sealed Certificate of Good Standing issued by the Illinois Secretary of State, the Certificate of Organization, articles of Organization, Operating Agreement, Certificate of Admission to Transact Business in Illinois (for out-of-state limited liability companies) and all Statements of Change containing the receipt/file stamp from the Illinois Secretary of State.

Limited Partnerships - must submit a copy of the signed, sealed Certificate of Limited Partnership, Statements of Change, executed partnership agreement (all limited partnership agreements must be copies of the agreement with verification of recording with the county clerk's office) and copies of all executed amendments.

General Partnerships - must submit a copy of the executed partnership agreement with copies of all executed assignments/acceptances.

Trusts - must submit copies of the executed trust agreements with copies of all executed assignments/acceptances. Copies of letters of direction also are needed if the trustee enters into any agreements on behalf of the beneficiaries.

Endowments - must submit copies of the document creating the endowment.

If the entity that owns the site/building is different from the entity seeking to operate the facility, an executed Lease Agreement must be provided. The lease must have a "date certain" for the start of the lease, no exceptions.

If the site/building will change ownership during the change of ownership, a filed/recorded warranty deed must be provided.

VII. PERSONAL DATA SHEET

Ownership disclosure entries must be completed for individuals with direct or indirect interest of 5 percent or more in the legal entity applying for licensure. Completed, signed, dated Personal Data Sheets are required for:

- * All individual owners.
 - * Stockholders of 10 percent or more direct or indirect interest in for-profit corporations.
 - * Officers of for-profit corporations and limited liability companies.
 - * Board officers for non-profit corporations (President, Vice President, Secretary, & Treasurer).
 - * General partners for general partnerships and limited partnerships.
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VIII. MANAGEMENT AGREEMENT

If the operator/licensee will employ a Management Company to run the operation for the licensee, a copy of the executed management agreement must be provided.

IX. ADMINISTRATOR FORM

A completed and signed administrator form must be provided to include a photocopy of the current license.

X. BUDGETED FINANCIAL STATEMENT

An completed and executed Budgeted Financial Statement must be provided. The department will provide the spreadsheet.



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XI. DETERMINING LEVELS OF CARE

The following definitions and illustrative examples are excerpted from the licensing codes for long-term care facilities licensed under the Nursing Home Care Act and from the licensing codes for community living facilities.

Definitions of Level of Care

Skilled Nursing - A skilled nursing facility provides skilled nursing care, continuous skilled nursing observations, restorative nursing, and other services under professional direction with frequent medical supervision. Such facilities are provided for patients who need the type of care and treatment required during the post acute phase of illness or during recurrences of symptoms in long-term illness.

Intermediate - An intermediate care facility provides basic nursing care and other restorative services under periodic medical direction. Many of these services may require skill in administration. Such facilities are for residents who have long-term illnesses or disabilities, which may have reached a relatively stable plateau.

Sheltered Care - This is a facility that provides maintenance and personal care. Maintenance means food, shelter and laundry services. Personal care means assistance with meals, dressing, movement, bathing or other personal needs or maintenance, or general supervision and oversight of the physical and mental well-being of an individual, who is incapable of maintaining a private, independent residence or who is incapable of managing his person whether or not a guardian has been appointed for such individual.

Intermediate Care for the Developmentally Disabled - A facility of three or more persons or a distinct part serving residents of which more than 50 percent are developmentally disabled.

Long-Term Care for Residents Under 22 Years of Age - A facility for residents under 22 years of age, that provides total rehabilitative health care to residents who require specialized treatment, training and continuous nursing care because of medical or developmental disabilities.

Community Living Facility - A facility licensed under the Community Living Facilities Licensing Act that is a transitional residential setting which provides guidance, supervision, training and other assistance to ambulatory, mildly and moderately developmentally disabled adults with the goal of eventually moving these persons to more independent living arrangements. Residents are required to participate in day activities, such as vocational training, sheltered workshops or regular employment. A community living facility shall not be a nursing or medical facility and shall house no more than 20 residents, excluding staff.

Components of Skilled Nursing Facilities

In addition to the need for frequent medical supervision and continuous skilled nursing observations, other important components of skilled nursing facilities are:

A restorative approach to all aspects of the resident care program so that services are directed to maintaining or restoring the highest level of functioning.

Complete or nearly complete assistance for most physical or hygienic activities. (Some ambulatory residents can require nearly complete assistance.)

Occasional or limited special tests.

Frequent and occasionally continuous emotional support in connection with moderately severe or periodic emotional disturbances as guided by a care plan that reflects meaningful follow-through on consultant recommendations.

Necessary teaching and continuous supervision, as a part of restorative care and in preparation for discharge or transfer.



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Components of Intermediate Facilities

Observations of a routine that can be accomplished on general nursing grounds or while procedures, such as temperature, pulse and respiration are being done.

Relatively simple routine medications and/or simple treatments and/or occasional PRN medications or treatments.

Necessary physical care, such as giving baths or assisting with or supervising baths, oral hygiene, etc.. This care should be restorative in nature with the goal of fostering independence in activities of daily living.

Limited or occasional special tests.

Frequent and occasionally continuous emotional support in connection with moderately severe or periodic emotional disturbances as guided by a care plan that reflects meaningful follow-through on consultant recommendations.

Teaching and/or supervised practice, as a necessary part of restorative care.

XII. WEB SITE RESOURCES

The department has many resources for the public to access. What follows are directions to points of interest for the general public and Long-Term Care professionals.

Illinois Department of Public Health Web site: www.idph.state.il.us

* Left hand side of the web page there are blue radio buttons.

* Click the A-Z Topics List. On the next page, click the "N" at the top of the screen. Here you can find information on:

- Who Regulates Nursing Homes
- A Listing of Illinois Nursing Homes
- How to Select a Nursing Home
- Centers for Medicare and Medicaid Services Nursing Home Database
- Quarterly Reports on Nursing Home Violations
- Illinois Law on Advance Directives
- Nursing Homes with No Certification Deficiencies
- Nursing Home Care Act
- Illinois Nurse Aide Registry
- Centers for Medicare and Medicaid Services Nursing Home Quality Initiative

For Information on regulations for long-term care facilities:

* [Laws and Rules > Current Laws and Rules > Health Care Facilities > Nursing Home Licensure](#)

You may print the rules and regulations from the Department's web site or contact the Illinois Secretary of State, or call the Index Office at 217-782-7017 for a copy of the Long-Term Care Nursing Home Rules.

IDPH LTC-QA (Licensure)
525 W. Jefferson, Fifth Floor
Springfield, IL 62761
217-782-5180
