**Section 402.4 Application for License**

a) Application for license as a foster family home shall be completed, signed by the foster parent applicants, and filed with the Department of Children and Family Services by the supervising agency on forms prescribed by the Department. Applications submitted to the Department after July 1, 1995 shall be a complete application for a foster family home license, as defined in Section 402.2. Any relative who receives a child or children for placement on a full-time basis may apply for a license to operate a foster family home as defined in Section 2.17 of the Child Care Act of 1969 [225 ILCS 10/2.17].

b) When a contractor with the Department or an employee of the State of Illinois seeks to become licensed as a foster family home, the study to determine compliance with licensing standards shall be provided by a licensed child welfare agency other than the Department and by persons who have no significant working relationship or personal relationship with the contractor or State employee. If the license is granted, the contractor or State employee may continue his or her contract or employment while operating the foster family home. The contractor's or employee's foster family home shall be supervised, monitored, licensed and evaluated by a licensed child welfare agency other than the Department and by individuals who have no significant working relationship or personal relationship with the employee. The contractor or employee shall consult with appropriate contract monitors and/or supervisors to make sure his or her official duties do not involve any interaction with the licensed child welfare agency responsible for supervising, monitoring, licensing, or evaluating the foster family home of the contractor or employee. When a foster parent contracted by the Department to provide support services to other foster parents chooses not to be supervised and monitored by a private agency, the foster parent may be licensed by the Department only when licensing and supervision is provided from Department staff in a region outside the contracted foster parent's region of residence and service provision.

c) As part of the application, each foster family home applicant and adult member of the household shall authorize background checks in accordance with 89 Ill. Adm. Code 385 (Background Checks) and shall submit to fingerprinting to determine if the individual has ever been charged with a crime, and if so, the disposition of the charges. In addition, members of the household ages 13 through 17 must authorize a check of CANTS and the Child Sex Offender Registry.

d) The child welfare agency shall conduct a home study for each initial application for foster home licensure under its supervision. The home study shall be conducted by a qualified licensing representative and shall be reviewed and approved by a qualified licensing supervisor. (Supervisor requirements can be found in 89 Ill. Adm. Code 401, Licensing Standards for Child Welfare Agencies.) The home study shall require the licensing representative to have one scheduled initial on-site visit to determine if the home meets licensing standards. The licensing representative shall provide in writing how the applicants can meet standards, or why they cannot meet standards, for foster home licensure at that time.

1) When more than 30 days have passed since the licensing representative has been to the home, prior to the recommendation to issue a foster home license, the licensing representative shall go to the home a second time to ensure the home continues to meet the requirements of this Part.

2) The licensing representative shall make a scheduled visit to the home when all household members are present to observe and assess family dynamics. The licensing representative, with supervisory approval, shall have discretion on whether to interview or observe each household member based on his or her age and development.

3) The licensing representative shall assess the applicant and the applicant's ability to communicate and effectively work with youth in care in conjunction with the youth's health care providers and other service providers.

4) Before a final recommendation for licensure is made, applicants shall provide specific and signed assurances they understand and shall adhere to provisions of this Part that include, but are not limited to, corporal punishment, smoking, alcohol and/or drug use, and reasonable and prudent parenting standards.

e) A new application shall be filed when any of the following occurs:

1) when an application for license has been withdrawn, and the licensee or agency seeks to reapply; or

2) when there is a change in the name of the licensee, the address of the foster home or the supervising agency; or

3) when there is a change in the status of joint licensees, such as marriage, entering into a civil union, separation, divorce, dissolving a civil union, or death; or

4) not sooner than 12 months after the Department has revoked or refused to renew a license, and a new license is sought.

f) A new application may be submitted at any time, including following the denial of an application for license, except that when a license has been revoked or the Department has refused to renew a license, the licensee may not reapply for licensure as a foster family home for a period of one year after revocation or refusal to renew.

(Source: Amended at 44 Ill. Reg. 6019, effective April 1, 2020)