**Section 509.80 Administrative Requirements**

The Department requires that all providers of services be able to demonstrate compliance with the following administrative activities. In those instances where these requirements are not appropriate due to the size of the agency or its legal status (e.g., not-for-profit, for-profit) the Department will consider written requests for a waiver of the specified requirement. A request for a waiver shall be written and addressed to the Secretary. It should identify the portion of the rule from which a waiver is being sought and state the reason for this request. The Department shall have 30 days after the receipt of any request for a waiver to respond. The Department's response shall be in writing.

a) The organization's bylaws, policies and procedures should be current. These should be reviewed and approved by the governing body of the provider and should address issues related to good business practice. Other information that should be available includes, but is not limited to, the following:

1) A current organization chart.

2) A list of board members and their term of office. Employees of the provider and immediate family members of provider employees may not serve as members of the board unless written permission is received from the Department. Vacancies on the board should be filled in a timely fashion. Individuals serving on the board must be able to objectively discharge their duties and may not engage in activities that could create a conflict of interest.

3) Minutes of the board meetings. The board should meet at least quarterly.

4) Specific written policies on:

A) Conflict of interest, including staff, administration and Board member disclosures;

B) Fee policies and fee schedules;

C) Unusual incidents (i.e., sexual assault, sexual harassment, abuse, neglect, death, physical injury, missing person, theft, assault, criminal conduct).

b) Proof of incorporation status.

c) Copies of the following reports, if applicable:

1) Annual Report to the Internal Revenue Service (Return of Organization Exempt from Income Tax Form 990 or 990-EZ);

2) Annual Report to the Attorney General (Charitable Organization − Form AG 990-IL).

d) A comprehensive, written set of personnel policies that at a minimum address the following:

1) Policies concerning the hiring, evaluating, and discipline of staff (including termination);

2) Policies on nondiscrimination in hiring or employment on the basis of race, color, age, national origin, gender, religion, or handicap;

3) Requirements for license, registration or certification by the State, if required;

4) Requirements for a written job description listing duties and responsibilities;

5) Requirements for an annual written evaluation;

6) Method of performing background checks for paid staff as required by local, State or federal law or regulation;

7) Policies on sexual harassment that identify employee's rights and the procedure used to file a complaint; and

8) Policies concerning approval of bonuses and/or deferred compensation for staff and administration, including the need for Board approval of such personnel transactions.

e) Maintenance of a property control inventory that includes a description of each item, identifying number of the item, date the item was purchased, the cost of the item, location of the item, and the source of funds used to purchase the item, if available.

f) Full disclosure of all management and subcontractor arrangements, including all supporting documents.

(Source: Amended at 26 Ill. Reg. 8547, effective May 31, 2002)