**Section 686.1230 Provider Standards**

a) The provider must be a legally constituted agency or organization, or an entity operated by a state or political subdivision of a state under an appropriate federal, state or local statute.

b) The provider's governing body shall:

1) establish in writing the organization's mission, policies, and necessary financial support;

2) employ a full-time Director and delegate to that person the authority and responsibility for the management of the provider agency in accordance with established policies;

3) meet with its executive committee and Director at least quarterly;

4) review and approve the provider agency budget and the independent, certified audit annually, and the income and expense reports at least quarterly;

5) identify a designated staff member or group that shall be responsible for making admission decisions;

6) include written policy that safeguards against possible conflicts of interest between its members and the operation of the provider agency as part of its constitution or bylaws; and

7) provide documentation of current liability insurance to protect assets and to ensure compensation for staff, individuals with disabilities, volunteers, and the public, in the event compensation would be required for occurrences for which the provider agency is liable.

c) The provider shall employ staff numbers and types to meet the needs of the individuals served in a manner consistent with the purposes and objectives of the organization. Provider employed staff shall receive training in accordance with the provider's policies and procedures.

d) The provider shall provide all services in a safe environment and establish an executive safety committee with clearly defined responsibilities, including the responsibility to:

1) develop a written emergency plan that details staff action and responsibilities in the event of fire, power failure, and natural disasters;

2) maintain an accident prevention program;

3) maintain an accident reporting system that includes a review of the incident reports made and the recommendations for corrective action;

4) ensure staff currently certified in first aid and cardiopulmonary resuscitation are available at all times in all locations where Customers are present in the provider's facilities;

5) ensure test drills are completed at least quarterly and the results of the drills are sent to the executive safety committee;

6) ensure that independent, comprehensive safety education is conducted at least every two years by qualified safety specialists; and

7) ensure that, at least annually, inspections are completed by local or state fire control agencies.

A) A satisfactory rating for each site operated by the provider is required.

B) If an unsatisfactory rating is given, the provider must take immediate corrective action to address the rating.

e) The provider shall have public information materials that identify:

1) the programs and services available;

2) the population to be served;

3) how programs and services can be obtained; and

4) its nondiscrimination policy.

f) The provider shall comply with applicable federal and State regulations.

1) The provider shall offer programs and services that are accessible to persons with disabilities in accordance with section 504 of the federal Rehabilitation Act of 1973, as amended (29 USC 794), the Americans With Disabilities Act (42 USC 12001), and the Illinois Accessibility Code (71 Ill. Adm. Code 400).

2) The provider shall engage in an Affirmative Action Program that provides documentation of its nondiscrimination policy and staff characteristics as required by section 504 of the federal Rehabilitation Act of 1973.

3) The provider shall show evidence of compliance with both federal and State Department of Labor rules and regulations governing wage reimbursement and the Workers' Compensation Act [820 ILCS 305].

4) The provider shall comply with Department of Human Services rules regarding Fiscal/Administrative Recordkeeping and Requirements (89 Ill. Adm. Code 509).

(Source: Added at 43 Ill. Reg. 2133, effective January 24, 2019)