

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

ACTION TRANSMITTAL 2020.08

LICENSING UPDATE COVID-19 PHASE III: RESTORE ILLINOIS

DATE: June 15, 2020
TO: DCFS and Purchase of Service (POS) Licensing Staff
FROM: Marc D. Smith, Acting Director
EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Action Transmittal is to update DCFS and POS Foster Care licensing staff regarding licensing policy for Day Care, Agencies and Institutions, DCFS and POS Foster Home permits and licensing activities as the state approaches PHASE IV of the Recovery Plan for RESTORE ILLINOIS.

II. PRIMARY USERS

Primary users include DCFS licensing staff, POS Foster Home licensing staff, staff of licensed child care institutions, group homes and child welfare agencies, and current license holders or applicants of child care programs.

III. BACKGROUND AND SUMMARY

The following action transmittals and memos noted below were developed and instituted to more closely align with the Recovery Plan for RESTORE ILLINOIS.

PHASE I: Rapid Spread (began this phase as of March 17, 2020)

Memo, [Submission of Agency Action Plan: Coronavirus Disease 2019](#) (March 10, 2020)

Memo, [COVID-19 and Modifications to In-person Contact Requirements](#) (March 20, 2020)

[Action Transmittal 2020.03 – COVID-19 and Residential Monitoring Requirements](#) (March 24, 2020)

Action Transmittal 2020.02 Updated, Parent-Child and Sibling Visitation (March 25, 2020)

[Action Transmittal 2020.04 - Licensing Requirements During COVID-19 Health Emergency](#) (April 8, 2020)

PHASE II: Flattening (entered this phase as of May 1, 2020)



PHASE III & PHASE IV: Recovery

Addressed in this Action Transmittal.

There are five phases to the recovery plan of RESTORE ILLINOIS as outlined by the Governor's Office and Illinois Department of Public Health (IDPH), Illinois Emergency Management Agency (IEMA) and other state agencies equipped and experienced at responding to infectious disease outbreaks. For details of this plan, visit: <https://coronavirus.illinois.gov/s/restore-illinois-introduction> *

IV. INSTRUCTIONS

During the current health crisis and outbreak of COVID-19, DCFS is closely monitoring the information available and will continue to provide guidance. This Action Transmittal is effective immediately and outlines specific protocols regarding in-person contact requirements. *These protocols shall remain in effect until further notice is given.*

This guidance is not intended to address every potential scenario that may arise as circumstances evolve. All other DCFS policy guidelines shall be followed, except for in-person contacts that are eligible for a waiver based upon the circumstances. The use of phone, video and any other forms of technology is *strongly* encouraged to ensure continuity of services for our children and families.

- a) All licensing staff, licensees and permit holders shall follow the directions for COVID-19 detailed in RESTORE ILLINOIS.
 - 1) The following requirements are specific to all licensing staff per RESTORE ILLINOIS:
 - A) The provision and use of preventative personal equipment (PPE) with limitations of group sizes and social distancing as required, while at their headquarters, or any other location per IDPH recommendations.
 - B) Under supervisory consultation and approval, licensing staff shall schedule in-person contacts while conducting their job responsibilities.
 - C) In all cases, and at any location, licensing staff shall disinfect frequently touched surfaces, utilize face masks, social distancing, hand-washing, hand sanitizer and any other IDPH and DCFS authorized protocols in the COVID-19 PHASE plan for a specific building and field work.
 - D) Staff shall follow all Department adopted personal and social safety measures.

- 2) With supervisory consultation and approval, licensing staff may conduct on-site licensing visits for all facility types with frequency determined by visit type.
 - A) When feasible and with supervisor consultation as well as supervisor approval, an unannounced web viewing may supplement on-site observation of a facility.
 - B) On an interim basis, phone contact may occur and be incorporated into the licensing plan for various types of facility visits.

- 3) Before entering and conducting an in-person visit with a licensed facility, licensing staff shall contact the facility and ask the person(s) with whom the visit is scheduled the following screening questions:
 - A) Within the past 14 days, have you traveled to an area with widespread Coronavirus according to the CDC?
 - B) Within the past 14 days, have you been in close contact with a person who tested positive for COVID-19?
 - C) Within the past 14 days, have you been at a large gathering of 10 or more persons where face masks and social distancing were not utilized?
 - D) Do you currently feel unwell, or otherwise have a temperature and/or experiencing a consistent cough or difficulty breathing?
 - E) Any employee or family member on isolation or quarantine due to COVID-19 illness or exposure?
 - F) Is the facility prepared and ready for visitors including DCFS licensing staff?

LICENSED AGENCIES AND INSTITUTIONS, DAYCARE FACILITIES and FOSTER FAMILY HOMES

** Reference above IDPH link to access Restore Illinois Phases for Licensing Guidance*

b) Licensing Activities

- 1) Initial Inquiries for a Permit or License (Daycare/ Foster Care/ A & D): Licensing staff are to receive and respond to initial inquiries for issuance of a permit or license, with one scheduled in-person contact at the facility. The in-person contact shall be scheduled when all required participants can be present to minimize the need for a follow up in-person visit. At supervisory discretion, all other types of communication required to facilitate the initial inquiry process should be conducted virtually, electronically, or by mail.

DCFS websites shall be shared with initial inquirers as a resource to access licensing rules and related policies. When the inquirer does not have access to the web, a hard copy of the respective Rule shall be mailed to the them. Any need for an additional in-person visit shall not occur without documentation of supervisory consultation and approval.

- 2) Initial/Pending Applications that are accepted by Central Office of Licensing will remain pending, until all components of the licensing study have been completed and documentation of required compliance with the respective rules have been received. Communication during this phase of licensing maybe conducted virtually, electronically, or by mail with supervisory approval. If an on-site visit has been done within the last 90 days.
- 3) Pre-Permit or Pre-Licensure: There shall be an in-person contact at the facility within 30-days of sending a recommendation to Central Office of Licensing to issue a permit or license to the facility with supervisory consultation and approval. To minimize the need for a follow up contact, the in-person contact shall be scheduled at a time and date where all persons who are required to be present can assure their attendance. When warranted, an additional in-person visit shall not occur without documentation of supervisory consultation and approval.
- 4) Licensing Permits:
 - A) A six-month permit issued for a daycare center, agencies or institutions expires when a license is not issued before, or on its expiration date. Licensing staff shall make a recommendation regarding full-licensure of a daycare facility, agency or institution within 30-days prior to the expiration of the permit. During the permit period, monthly in-person visits shall be conducted with supervisory consultation and approval. In lieu of the monthly in-person visits, virtual, electronic emails and mail can be used for receipt of documentation to show compliance with licensing standards.

Note: *Virtual visits may be accepted if at least three of the permit visits have been made in person, along with supporting correspondence such as electronic emails and mail that document compliance with licensing standards.*
 - B) A two-month permit issued for a foster family home expires when a license is not issued before, or on its expiration date. A recommendation by licensing staff regarding full licensure of a foster family home shall occur within three weeks before the expiration of the foster home permit. On-site visits that have not occurred 30 days prior to making a recommendation for full-licensure shall be completed using virtual web viewing with supervisory consultation and approval.

C) When virtual viewing is not possible, one scheduled on-site visit may occur when following recommendations outlined in this Action Transmittal.

- 5) Change of address application shall be submitted in accordance with applicable licensing rules. All change of address applications shall be data entered timely. Before licensure of the new address can occur, a minimum of one in-person visit shall be scheduled to ensure the new residence meets licensing standards. With supervisory approval, a virtual visit may be conducted. This may occur when licensing staff recommends licensure of the new address after an on-site visit and receipt of compliance documentation but have not completed the licensing process over the previous 30 days.
- 6) Licensing Amendments, generally, include changes in age range, capacity, and use of area within the facility. Virtual visits for a facility in need of an amendment to their existing license may be used in lieu of an in-person contact when licensing staff has been to the licensed facility within the last 90 days. When this has occurred, photo documentation dated and certified by the licensee may serve as the documentation necessary to process an amendment.

Supervisory consultation and approval are needed when virtual visits or photographic documentation is used to amend the license and more than 90 days has passed since licensing staff have been on-site.

In-person contacts at the facility are required to amend a license when there is a recent history, or continuing pattern of licensing standards violations that are related to health, safety and well-being.

- 7) Renewal Applications shall be mailed to applicants in accordance with applicable licensing standards. Renewal applications for all facility types shall be data entered in accordance with licensing procedure. Licensing staff shall have a scheduled in-person visit at the facility to confirm compliance with standards no later than 30 days prior to making a recommendation to issue a renewed license. When possible, efforts shall be made to obtain required paperwork via scan/ email; conduct virtual visits when appropriate but not limited to interviews with applicant(s), household members, children, etc.
- 8) Monitoring visits:
- A) Sixty (60) Day, Quarterly, Annual and Semi-Annual monitoring visits can resume with in-person contacts scheduled at the licensed facility with supervisory consultation and approval.
- B) Contacts may be made through electronic means of communication, including web conferencing for Agencies and virtual visits for

facilities and home settings as approved by supervisor. When virtual means are utilized e-mail and written correspondence, or notices sent through the U.S.P.S. will serve as supporting documentation.

- C) In-person contact is required when a licensing representative has not been to the facility for more than 6 months for foster homes and last 12 months for other facility types.

9) Licensing Complaint Investigation:

A) Concurrent Investigations - Licensing Investigations shall be led by child protection staff. Upon initial notice to licensing staff of a child protection investigation, licensing shall coordinate their response with child protection via e-mail and/or phone. At least weekly contact shall be made to further coordinate and assess the response licensing needs to take on the investigation. Licensing staff shall consult and gain supervisory approval to schedule an in-person contact when there is a need to monitor an approved protective action plan.

B) Stand-alone Investigations - may not require an in-person contact by licensing staff. Virtual visits and other electronic means may possibly be used to address violations that *are not* determined to be a risk to children's health, safety or well-being. When the alleged violation is related to health, safety and well-being of a child, licensing staff shall plan an in-person contact at the facility to ensure the safety and well-being of said children.

10) Unlicensed Complaints shall be conducted in-person to determine if the facility is operating without a valid license. All-follow up contact shall be conducted via telephone follow up.

11) Supervisory Review shall be offered upon request of the licensee or holder of a permit when there is a question related to the rationale for substantiating a violation and/or for any subsequent action related to the substantiated violation in accordance with rule 383. The Supervisory review may be conducted in-person and/ or via teleconference with consultation and approval of the supervisor.

12) Informal Reviews shall be offered to a licensee or holder of a permit who has a substantiated violation and the supervising agency's licensing administrator, or manager has made a determination that reasonable progress in correcting the violation(s) has not been made as documented by the licensing representative and supervisor. The Informal Review may be conducted in-person and/or by teleconference with consultation and approval of the Manager or Associate Deputy of Licensing.

- 13) Corrective Action Plan Monitoring visits shall be conducted in-person for direct observations due to violations that impact the health, safety and welfare of children. With supervisory approval, staff may utilize virtual viewing depending on the observation needed at the site. Licensing violations pertaining to paperwork that are subject to a corrective action plan; may be addressed via teleconference and email/scan of documents with supervisory consultation and approval.

AGENCIES & INSTITUTIONS LICENSING

- c) Consistent with the Memo of March 10, 2020 entitled “[Submission of Agency Action Plan: Coronavirus Disease 2019](#)” each licensed residential facility must ensure development of a Continuity of Operations Plan (COOP). If your facility has not done so already, ensure that a copy of your COOP is sent to your Agencies and Institutions (A&I) licensing representative and DCFS residential monitor as soon as possible. In addition, you must ensure and document that all facility child care staff and child care supervisors are familiar with the measures outlined in your facility’s COOP to minimize the spread of COVID-19.
- d) Consistent with Action Transmittal 2020.07, (dated June 15, 2020), for coordinating and conducting Parent-Child and Sibling Visitation.

V. QUESTIONS

Licensees may direct questions to their assigned licensing representative. Initial inquiries regarding a license or permit may be directed to the local DCFS office serving that area. Licensing staff should direct questions to their supervisory chain-of-command.

All other questions may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at DCFS.Policy. Non-Outlook users may e-mail questions to DCFS.Policy@illinois.gov. During the Department’s response to COVID-19 the listed phone number is being checked remotely, but we do ask that if you need immediate assistance Monday – Friday (8:30 – 5:00) please utilize the email address provided.

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