**Section 350.3710 Applicability of Other Provisions of this Part**

a) An Intermediate Care Facility for the Developmentally Disabled of 16 Beds or Less - is a facility licensed as an intermediate care facility for the developmentally disabled (ICF/DD) for 16 or fewer residents.

b) The standards and regulations stated in other divisions of this publication shall apply to this type of facility unless indicated otherwise in this Subpart P, by substitutions or additions.

c) An Intermediate Care Facility for the Developmentally Disabled of 16 Beds or Less shall consist of no more than one building housing a maximum of 16 residents.

1) Housing for developmentally disabled persons shall be located on non-adjacent sites and shall be similar in design and construction as other buildings and dwellings within the area. An ICF/DD-16 Bed or Less Facility shall not be physically part of another facility or residential program licensed or funded by the state. A distance of at least 300 feet must separate an ICF/DD-16 Bed or Less facility from other state licensed or state funded residential facilities. (A, B)

2) Any facility which is already licensed as an ICF/DD of 16 Beds or Less, and which does not meet the criteria listed in subsection (c)(1) of this Section, may continue to operate as it was prior to the effective date of this Subpart P, as long as it remains continuously licensed. However, the criteria listed in subsection (c)(1) of this Section shall apply on any date the license terminates by operation of law, such as a change of ownership, voluntary closing of the facility by the licensee, or the license being revoked by the Department.

3) Any facility having submitted an application for a permit or having been issued a permit from the Illinois Health Facilities Planning Board to establish an ICF/DD of 16 Beds or Less which does not meet the criteria listed in subsection (c)(1) of this Section may establish and operate such a facility, if it is licensed no later than six months after the effective date of the permit. However, the criteria listed in subsection (c)(1) of this Section shall apply if the facility fails to obtain a license within six months after the effective date of the permit, or on any date the license of such facility terminates by operation of law, such as a change of ownership, voluntary closing of the facility by the licensee, or the license being revoked by the Department.

d) Every facility applying for licensure as ICF/DD of 16 Beds or Less, after the effective date of this Subpart P, shall meet all the requirements contained in this Subpart P. This is required both for newly constructed buildings and existing buildings converting to this type of licensure.

e) Any person wishing to establish an ICF/DD of 16 Beds or Less facility must obtain a permit from the Illinois Health Facilities Planning Board. See Section 350.110(f).

(Source: Amended at 15 Ill. Reg. 466, effective January 1, 1991)