**Section 290.305 Criminal Background Checks**

a) The Department will make appropriate arrangements with the Illinois State Police and other law enforcement agencies to conduct random criminal background checks on the owners and managers of board and care homes. The ratio of applications for registration checked will be determined by the Department based on the availability of funds generated by the application fee. Each application for registration will include the appropriate waivers of confidentiality to be signed by the owners and managers of the board and care home.

b) The Department shall refuse or suspend the registration of any board and care home in which the owners or managers have been convicted of committing or attempting to commit one or more of the offenses defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, 9-3.3, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-7, 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-4, 12-4.2, 12-4.3, 12-4.4, 12-4.6, 12-4.7, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-21, 16-1, 16-1.3, 16A-3, 18-1, 18-2, 19-1, 19-3, 19-4, 20-1, 20-1.1, 24-1, or 24-1.2 of the Criminal Code of 1961 [720 ILCS 5]; those defined in Sections 5, 5.1 or 9 of the Cannabis Control Act [720 ILCS 550]; or those defined in Sections 401, 401.1, 404, 405, 405.1, 407, 407.1 of the Illinois Controlled Substances Act [720 ILCS 570].

c) The Department shall provide a right to appeal determinations of a refusal or suspension of registration in accordance with Departmental appeal procedures.

d) In addition to the offenses set out in subsection (b) of this Section, effective January 1, 1998, the Department shall refuse or suspend the registration of any board and care home in which the owners or managers have been convicted of committing or attempting to commit one or more of the offenses defined in Sections 8-1.1, 8-1.2, 11-6, 11-9.1, 11-9.2, 11-20.1, 12-4.1, 12-4.5, 12-7.4, 12-11, 12-21.6, 12-32, 12-33, 17-3, 18-3, 18-4, 18-5, 24-1.5, 33A-2 of the Criminal Code of 1961; those defined in Sections 5.2 and 7 of the Cannabis Control Act; and those provided in Section 4 of the Wrongs to Children Act [720 ILCS 150].