

September 2021

Including Qualified Residential Treatment Programs (QRTP),
Child Care Institutions (CCI), Group Homes (GH),
ILO/TLP Programs and Child Welfare Agencies (CWA)



Background and Purpose

On March 9, 2020, Governor Pritzker declared all counties in Illinois a disaster area in response to the COVID-19 pandemic. On September 3, 2021, Governor Pritzker issued Executive Order 2021-22. The Department has received many questions regarding this Executive Order. It is the goal of this guidance to explain Executive Order 2021-22 and the implications for DCFS licensed child care facilities. This guidance will provide a Frequently asked questions. *Executive Order 2021.22* provides:

Section 1 requires:

Beginning on Monday, August 30, 2021, all individuals in Illinois who are age two or older and able to medically tolerate a face covering (a mask or cloth face covering) shall be required to cover their nose and mouth with a face covering when in an indoor public place. All employers must ensure that employees wear face coverings in indoor workplaces. Illinoisans should also consider wearing a mask in crowded outdoor settings and for activities that involve close contact with others who are not fully vaccinated.

Face coverings may be removed temporarily while actively eating or drinking (including in bars or restaurants), and may be removed by employees at

workplaces when they can consistently maintain six feet of distance (such as when employees are in their office or cubicle space).

All individuals, including those who are fully vaccinated, shall continue to be required to wear a face covering (1) on planes, buses, trains, and other forms of public transportation and in transportation hubs such as airports and train and bus stations; (2) in congregate facilities such as correctional facilities and homeless shelters; and (3) in healthcare settings.

Section 2:

“Health Care Facility” means any institution, building, or agency, or portion of an institution, building or agency, whether public or private (for-profit or nonprofit), that is used, operated or designed to provide health services, medical treatment or nursing, or rehabilitative or preventive care to any person or persons. This does not apply to DCFS licensed child care facilities.

“Health Care Worker” means any person who (1) is employed by, volunteers for, or is contracted to provide services for a Health Care Facility, or is employed by an entity that is contracted to provide services to a Health Care Facility, and (2) is in close contact (fewer than 6 feet) with other persons in the facility for more than

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15 minutes at least once a week on a regular basis as determined by the Health Care Facility. Health care workers as defined in Executive Order 2021-22 are not applicable DCFS licensed child care facilities listed in this guidance.

Section 3:

This Section of Executive Order 2021-22 pertains to Vaccination and Testing Requirements for School Personnel. Therefore, this Section is not applicable to DCFS licensed child care facilities.

Section 4:

This Section of Executive Order 2021-22 pertains to Vaccination and Testing Requirements for Higher Education. Therefore, this Section is not applicable to DCFS licensed child care facilities.

Section 5:

This Section of Executive Order 2021-22 pertains to Vaccination Requirements at State-Owned or Operated Congregate Facilities. This Section defines “State-owned or operated congregate facilities” as:

“State-owned or operated congregate facilities” means congregate facilities operated by the Illinois Department of Veterans’ Affairs, the Illinois Department of Human Services, the Illinois Department of Corrections, and the Illinois Department of Juvenile Justice.

Therefore, this Section is not applicable to DCFS licensed child care facilities.

Section 6:

While this Section does not pertain to licensed child care facilities it does contain current vaccination and testing resources for COVID-19. This information may be helpful for DCFS licensed child care facilities considering implementing their own vaccination or testing requirements.

Frequently Asked Questions

Are DCFS Licensed Child Care Institutions required to mandate staff be vaccinated or tested for COVID-19 under this Executive Order?

Answer: DCFS licensed Child Care Institutions are not mandated to apply vaccination or testing requirements under the current Executive Order. However, nothing in the Executive Order precludes institutions from implementing mandatory vaccination for their staff. All entities are encouraged to implement robust vaccination and testing programs to reduce the spread of COVID-19.

Can DCFS assist agencies with obtaining and paying for the testing materials?

Answer: DCFS is currently providing and has been providing private agencies with Abbott Labs BinaxNOW™ COVID-19 Lateral Flow Test Kits from the Illinois Department of Public Health (IDPH) and will continue to do so as long as they are available and needed. At this time, only test kits are provided through DCFS. Please see IDPH’s COVID-19 website for more information on PPE: <https://www.dph.illinois.gov/covid19>.

To receive test from DCFS, testing agencies must first apply for and receive their CLIA Certificate or Waiver from IDPH and then apply for their IDPH RedCap Portal Login ID. More information on testing requirements can be found on IDPH’s website at: Health Care Providers & Facilities | IDPH (illinois.gov). See “Point of Care (POC) Testing: Results Reporting”.

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Once an agency has received approval from IDPH, they may request test kits from DCFS by emailing the following information to DCFS.PPERequests@Illinois.Gov

- Agency Name:
- Agency CLIA (Waiver) #:
- Agency Contact:
- Agency Contact Phone:
- Agency Contact Email:
- Shipping Address (No PO Boxes):
- Quantity of Test Kits Required (In multiples of 40, please order for 3 months of usage):

Test kits are typically shipped within 1-3 days and will be received by the requesting agency within 1-2 days.

Are child welfare counselors and DCFS contracted service providers subject to Executive Order 2021-22 (if paid for via a mix of DCFS contract admin dollars and billing YouthCare from a Medicaid certified site)?

Answer: Certain provisions of the Executive Order, especially face coverings, apply to all employees at DCFS licensed facilities, such as full-time, part-time, intermittent and or visitors at a child care facility licensed by DCFS. Vaccination requirements per Executive Order 2021-22 does not apply to the employees of DCFS licensed facilities.

If part of the organization is a mental health facility, is it considered a Health Care Facility? If so, does that mean that the whole organization is a part of the health care facility?

Answer: DCFS licenses Child Welfare Agencies and Child Care Institutions according to the provisions in the Child Care Act, and standards prescribed in Rules 401, Licensing Standards for Child Welfare Agencies; Rules 403, Licensing Standards for Group Homes and Rules 404 Licensing Standards for Child Care Institutions and Maternity Centers.

DCFS does not license or monitor health care or mental health facilities and the DCFS standards on staff credentials does not require mental health and or health related educational credentials. Rather, DCFS standards require educational credentials in Social work or Human services related field. Providers engaged in health care services may want to contact their licensing and or funding agencies for guidance.

If you are also licensed under the Nursing Home Care Act [210 ILCS 45], the ID/DD Community Care Act [210 ILCS 47] or the MC/DD Act [210 ILCS 46], you may come under the provisions of the vaccination requirements of those Acts.

Will DCFS be mandating COVID-19 Vaccination and Testing under future Executive Orders?

Answer: DCFS sent a survey to all child welfare providers in Illinois asking for their input on COVID-19 vaccinations for their staff. The results from the survey, along with ongoing conversations with the provider community, will inform any future decisions related to mandating COVID-19 vaccination and testing.

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Another state agency has informed a provider that they must abide by all requirements of Executive Order 2021-22.

Does the guidance from DCFS override the direction from another agency?

Answer: A DCFS licensed Child Welfare Agencies or Child Care Institutions may be simultaneously certified, approved, contracted and or funded by another state agency. Based on their guidance, the current Executive Order may apply to your staff and the population you serve under their license, certification, approval or monitoring authority. The guidance provided by DCFS related to the current Executive Order is based on the licensing authority of DCFS. The guidance and FAQs provided by DCFS are not intended to supersede the guidance or FAQs from another state agency.

Resources

The Illinois Department of Commerce and Economic Opportunity has developed a *Frequently Asked Questions* document that provides further detail on the requirements of the order.

To the extent there are any discrepancies between this guidance/the FAQs and the Executive Order, the Executive Order governs.