

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

POLICY GUIDE 2015.09

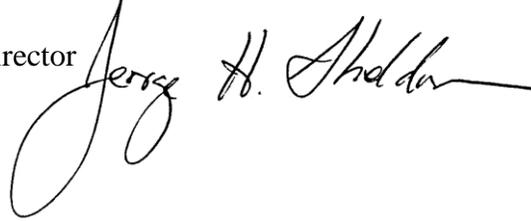
MEDICAL MARIJUANA AND LICENSED CHILD CARE FACILITIES

DATE: June 18, 2015

TO: DCFS and Private Agency Licensing Staff

FROM: George H. Sheldon, Acting Director

EFFECTIVE: Immediately



I. PURPOSE

The purpose of this Policy Guide is to inform Department and Purchase of Services (POS) licensing staff of new requirements, which are consistent with the Compassionate Use of Medical Cannabis Pilot Program Act, regarding the restrictions on the use of medical marijuana in or near licensed child care facilities.

II. PRIMARY USERS

The primary users of this Policy Guide are Department and POS licensing staff.

III. BACKGROUND

Public Act 98-0122, the Compassionate Use of Medical Cannabis Pilot Program Act, effective January 1, 2014, places restrictions on the use, cultivation, and dispensing of medical marijuana in or near licensed child care facilities.

This Policy Guide summarizes the Department's guidelines for ensuring that these restrictions are followed by licensed child care providers.

IV. SUMMARY

Marijuana prescribed for medical purposes shall not be possessed:

- in or on the premises of a licensed foster home, day care home, group day care home or part-day facility;
- in or on the premises of a licensed child welfare agency and/or child care facility;
- in any vehicle that is operated for the purpose of transporting children served through a licensed child care facility;
- in any employee vehicle parked on the grounds of a licensed child welfare agency or child care facility;
- where a child being served by a licensed facility can observe or smell marijuana; or
- in or on the premises where smoking is banned through the Smoke Free Illinois Act.



Zoning Restrictions

Cultivation centers may not be located within 2,500 feet of the property line of an existing day care center, day care home, group day care home, part day child care facility, or any area zoned for residential use.

Medical marijuana dispensary may not be located within 1,000 feet of the property line of an existing day care center, day care home, group day care home, or part day child care facility.

The Department will propose amendments to rules affected by this statute to ensure consistency with this Policy Guide.

Licensing staff shall immediately implement the new standards.

V. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at OCFP – Mailbox. Non Outlook users may e-mail questions to cfpolicy@idcfs.state.il.us.

VI. FILING INSTRUCTIONS

File this Policy Guide immediately following Rules

Rules 401, Licensing Standards for Child Welfare Agencies;
Rules 402, Licensing Standards for Foster Family Homes;
Rules 403, Licensing Standards for Group Homes;
Rules 404, Licensing Standards for Child Care Institutions and Maternity Centers;
Rules 406, Licensing Standards for Day Care Homes;
Rules 407, Licensing Standards for Day Care Homes;
Rules 408, Licensing Standards for Group Day Care Homes;
Rules 409, Licensing Standards for Youth Transitional Living Programs;
Rules 410, Licensing Standards for youth Emergency Shelters; and
Rules 411, Licensing Standards for Secure Child Care Facilities.