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OF GOVERNMENTAL
AGENCIES



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111 East Monroe Street
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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Code of Regulations
- 2) Code Citation: 74 Ill. Adm. Code 420
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
420.130	Amend
420.140	Amend
420.310	Amend
420.320	Amend
420.410	Amend
420.420	Amend
420.430	Amend
420.630	Amend
420.640	Amend
420.710	Amend
420.720	Amend
- 4) Statutory Authority: Subpart B implementing and authorized by Section 3-7 of the Illinois State Auditing Act [30 ILCS 5/3-7]; Subpart D implementing and authorized by Section 3-6 of the Illinois State Auditing Act [30 ILCS 5/3-6]; Subpart E implementing and authorized by Section 3-8 of the Illinois State Auditing Act [30 ILCS 5/3-8]; Subpart G implementing and authorized by Section 3-7, 3-8(a), and 3-11 of the Illinois State Auditing Act [30 ILCS 5/3-7, 5/3-8(a) and 5/3-11]; Subpart H implementing and authorized by Section 3-7, 3-8(c) and 3-8(d) of the Illinois State Auditing Act [30 ILCS 5/3-7, 5/3-8(c) and 5/3-8(d)].
- 5) A Complete Description of the Subjects and Issues Involved: The Code of Regulations is being updated to conform to recent changes in Government Auditing Standards and corresponding changes in the Illinois State Auditing Act made by Public Act 93-630. Additionally, Public Act 92-544 transferred responsibility for the conduct of financial audits of regional offices of education and certain educational service centers from the State Board of Education to the Auditor General and this rulemaking provides standards for the conduct of those audits. Other changes as necessary or desirable for the efficient operation of the Office.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rulemaking contain incorporations by reference? Yes

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- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not create, enlarge or modify a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Pursuant to Section 3-7 of the Illinois State Auditing Act, written comments may be submitted within 60 days after publication of this notice to:

Rebecca Patton
Office of the Auditor General
740 E. Ash Street
Springfield, IL 62703

Phone: (217) 782-6698
TTY: (888) 261-2887
Facsimile: (217) 785-8222

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: This rulemaking updates auditing and attestation standards and policies followed by accounting firms under contract with the Auditor General's Office to conform to recent changes in generally accepted government auditing standards. This rulemaking also implements standards for maintenance of, and access to, books and records of regional offices of education and certain educational service centers to facilitate the Auditor General's annual financial audit of such entities. These standards are the same as those imposed by the State Board of Education when such audits were under that agency's jurisdiction.
- B) Reporting, bookkeeping or other procedures required for compliance: Each regional office of education and educational service center subject to audit by the Auditor General must maintain its books and records for a period of at least five years.
- C) Types of professional skills necessary for compliance: Knowledge and application of generally accepted government auditing standards.
- 13) Regulatory Agenda on which this rulemaking was summarized: July 2004

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The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 74: PUBLIC FINANCE
CHAPTER III: AUDITOR GENERAL

PART 420
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420.20	General Provisions

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AND ATTESTATION ENGAGEMENTS CONDUCTED BY STATE
AGENCIES OF LOCAL AND PRIVATE AGENCIES

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420.310	Introduction
420.320	General Provisions
420.330	Examination and Evaluation Standards (Repealed)
420.340	Reporting Standards (Repealed)

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SUBPART E: FREQUENCY OF MANDATORY FINANCIAL ~~AUDITS, OR~~ COMPLIANCE
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420.420	General Provisions
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SUBPART F: REVIEW OF RECEIPT OR COLLECTION
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Section	
420.510	Introduction (Repealed)
420.520	Review of Receipt or Collection of State Revenues by State Agencies (Repealed)
420.530	Miscellaneous Provisions (Repealed)

SUBPART G: MAINTENANCE OF INFORMATION

Section	
420.610	Introduction
420.620	General Provisions
420.630	Confidential Information
420.640	Disclosure and Dissemination of Information

SUBPART H: CONSULTATIONS AND RESPONSES TO FINDINGS

Section	
420.710	Introduction
420.720	Consultations with Heads of Agencies and Individuals

AUTHORITY: Subparts A and B implementing and authorized by Section 3-7 of the Illinois State Auditing Act [30 ILCS 5/3-7]; Subpart C implementing and authorized by Sections 3-8(b), 3-8(c), and 3-8(d) of the Illinois State Auditing Act [30 ILCS 5/3-8(b), 3-8(c), and 3-8(d)]; Subpart D implementing and authorized by Section 3-6 of the Illinois State Auditing Act [30 ILCS 5/3-6]; Subpart E implementing and authorized by Section 3-8 of the Illinois State Auditing Act [30 ILCS 5/3-8]; Subpart G implementing and authorized by Sections 3-7, 3-8(a), and 3-11 of the Illinois State Auditing Act [30 ILCS 5/3-7, 3-8(a) and 3-11]; Subpart H implementing and authorized by Sections 3-7, 3-8(c), and 3-8(d) of the Illinois State Auditing Act [30 ILCS 5/3-7, 3-8(c) and 3-8(d)].

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SOURCE: Rules and Regulations of the Auditor General filed March 8, 1976, effective March 18, 1976, and amended: effective April 15, 1976; effective September 1, 1976; amended at 3 Ill. Reg. 5, p. 865, effective January 27, 1979; amended at 3 Ill. Reg. 5, p. 868, effective January 27, 1979; amended at 3 Ill. Reg. 15, p. 107, effective April 12, 1979; amended at 3 Ill. Reg. 34, p. 99, effective August 20, 1979; amended at 3 Ill. Reg. 48, p. 138, effective November 29, 1979; amended at 4 Ill. Reg. 40, p. 49, effective September 19, 1980; codified at 5 Ill. Reg. 10575; amended at 6 Ill. Reg. 2587, effective March 10, 1982; amended at 7 Ill. Reg. 1216, effective February 5, 1983; amended at 7 Ill. Reg. 6475, effective May 15, 1983; amended at 7 Ill. Reg. 6481, effective May 15, 1983; amended at 8 Ill. Reg. 7214, effective May 25, 1984; amended at 8 Ill. Reg. 17244, effective September 15, 1984; amended at 14 Ill. Reg. 15327, effective September 10, 1990; amended at 15 Ill. Reg. 3429, effective March 1, 1991; amended at 20 Ill. Reg. 701, effective January 31, 1996; amended at 29 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS

Section 420.130 Abbreviations

- a) C.RG. C.RG means Code of Regulations (74 Ill. Adm. Code 420).
- b) C.RL. C.RL means Code of Rules (74 Ill. Adm. Code 440).
- ~~e) IPA. IPA means the Illinois Purchasing Act [30 ILCS 505].~~
- ~~c)d) ISAA. ISAA means the Illinois State Auditing Act [30 ILCS 5].~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 420.140 Specific Definitions

- a) CODE OF REGULATIONS. Code of Regulations means the official compilation of Regulations promulgated by the Auditor General and currently in effect (74 Ill. Adm. Code 420).
- b) CODE OF RULES. Code of Rules means the official compilation of Rules promulgated by the Auditor General and currently in effect (74 Ill. Adm. Code 440).
- c) OFFICER OF THE OFFICE OF THE AUDITOR GENERAL. Officer of the Office of the Auditor General means any individual designated as a State Auditor;

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or any Special Assistant Auditor, Deputy Auditor, or other individual empowered by the Auditor General to act with respect to the performance of a specific audit, study, or investigation.

- d) **RULEMAKING.** Rulemaking means separately or in combination any processes, procedures, or activities intended to or which results in a Rule or Regulation. Rulemaking includes the adoption, amendment, modification, update, suspension, repeal, recession, or termination of a rule or regulation.
- e) **STATE AUDITOR.** State Auditor means a State payroll employee of the Office of the Auditor General who has been authorized to conduct audits, [attestation engagements](#), investigations, and studies by the Auditor General, and who has otherwise been appointed State Auditor in accordance with the personnel rules of the Office of the Auditor General.
- f) **WORD.** Word includes terms, phrases, and abbreviations.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART D: STANDARDS APPLICABLE TO AUDITS [AND ATTESTATION ENGAGEMENTS](#) OF ILLINOIS STATE GOVERNMENTAL ORGANIZATIONS AND PROGRAMS AND TO ~~COMPLIANCE~~-AUDITS [AND ATTESTATION ENGAGEMENTS](#) CONDUCTED BY STATE AGENCIES OF LOCAL AND PRIVATE AGENCIES

Section 420.310 Introduction

- a) **SUBJECT.**
 - 1) This Subpart establishes the [professional audit](#) standards applicable to:
 - A) audits [and attestation engagements](#) conducted pursuant to the authority of the Auditor General; and
 - B) ~~compliance~~-audits [and attestation engagements](#) conducted by State agencies of local government agencies or private agencies ~~that~~[which](#) are grantees or recipients of public funds of the State or of federal funds through projects administered by a State agency.
 - 2) The standards established in this Subpart concern the scope and quality of the [engagement audit work](#) and prescribe the contents and attributes of an

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acceptable ~~audit~~-report.

b) AUTHORITY. This regulation is promulgated pursuant to the authority of Section 3-6 ISAA [30 ILCS 5/3-6].

c) ~~INCORPORATIONS. The following materials are incorporated by reference and made a part of this regulation: 1) Standards of Construction for Regulations (Subpart A of this Part). 2) Definitions (Subpart B of this Part). d) REFERENCED STATUTES. REFERENCES.~~

Section 3-7 ISAA. ~~30 ILCS 5/3-7.~~

Section 2-12(c) ISAA. ~~30 ILCS 5/2-12(c)~~

~~de~~) EFFECTIVE DATE. This Subpart becomes effective on September 19, 1980.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 420.320 General Provisions

General Standards.

a) SCOPE.

1) The full scope of an audit and/or attestation engagement conducted by the Auditor General may encompass:

A) An examination of financial transactions, accounts and reports;

B) An examination evaluation of compliance with applicable laws and regulations and conformity with applicable fiscal and business practices;

C) A review of efficiency and economy in the use of resources and soundness of managerial and other operational aspects;

D) A review to determine whether intended program results are effectively achieved; and

E) A review of the controls and integrity associated with

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computerized information systems.

- 2) The scope for a particular audit and/or attestation engagement conducted by the Auditor General shall includebe:
- A) That prescribed by Section 1-13 of the Illinois State Auditing Act ~~and by the Rules of the Office of the Auditor General (74 Ill. Adm. Code 440. Subpart C)~~ for compliance audits and other attestation engagementsaudits conducted pursuant to the provisions of Sections 3-1 and 3-2 of the Illinois State Auditing Act;
 - B) That prescribed by Section ~~1-13.51-13~~ of the Illinois State Auditing Act for financial audits conducted pursuant to the provisions of Sections 3-1 and 3-2 of the Illinois State Auditing Act~~Regulations of the Office of the Auditor General (Section 420.420(b) of this Part)~~;
 - ~~C)~~ That specified by the ~~Regulations of the Office of the Auditor General (Section 420.420(c)(2) of this Part)~~ for audits conducted pursuant to ~~Section 420.420(c)(1) of such Regulations~~;
 - ~~CD)~~ That specified by an authorizing resolution approved by the Legislative Audit Commission or by either ~~house~~House of the General Assembly for engagementsaudits conducted pursuant to the provisions of Sections 3-2 and 3-4 of the Illinois State Auditing Act;
 - ~~D)E)~~ That specified by the terms of the agreement for reimbursable federal audits conducted pursuant to the provisions of Section 3-3A of the Illinois State Auditing Act;
 - ~~E)F)~~ That specified by the Auditor General in a notice provided to the Legislative Audit Commission for engagementsaudits conducted pursuant to Section 3-3 of the Illinois State Auditing Act; ~~and~~
 - F) That prescribed by Section 1-13.5 of the Illinois State Auditing Act for engagements conducted pursuant to Section 2-3.17a of the School Code [105 ILCS 5/2-3.17a]; and
 - G) That specified by the terms of the engagement for change-over engagementsaudits conducted pursuant to Section 3-2.1 of the

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Illinois State Auditing Act.

- 3) The scope for a particular audit or attestation engagement conducted by a State agency (other than the Office of the Auditor General) of a local or private agency shall be that specified by the terms of the agreement making the grant or award of funds to the local or private recipient agency. However, all such audits or attestation engagements shall, at a minimum, comply with the requirements of subsection (b) of this Section below.
- b) GENERAL, FIELDWORK AND REPORTING STANDARDS. All audits and attestation engagements subject to the provisions of the Illinois State Auditing Act and regulations issued under that Act thereunder shall be conducted in accordance with standards applicable to the audit engagement, which may include: generally accepted auditing standards (GAAS) issued by the American Institute of Certified Public Accountants, Inc. (AICPA) and other relevant Statements on Auditing Standards (SAS) issued by the Auditing Standards Executive Committee; Statements on Standards for Attestation Engagements (SSAE) issued by senior technical bodies of the AICPA; generally accepted government auditing standards, as embodied in Government Auditing Standards (2003 Revision): 1994 Revision (GAS) issued by the Comptroller General of the United States (effective for financial audits of periods ending on or after January 1, 1995, and for performance audits beginning on or after January 1, 1995); and the federal Single Audit Act Amendments of 1996 of 1984, codified at (31 USCU.S.C. 7501-7507), and circulars implementing that Act issued by the Office of Management and Budget (OMB), including Circulars A-128 and A-133 establishing requirements for audits of States, Local Governments and Non-Profit Organizations, respectively, single audits of governments and of non-profit and educational institutions. Copies of GAAS, SSAE and SAS may be ordered on the internet at www.cpa2biz.com or by calling 1-888-777-7077 obtained from the AICPA Circulation Department, P.O. Box 2208, Jersey City, NJ 07303-9948. Copies of GAS may be downloaded obtained from the internet at www.gao.gov/govaud/yb2003.pdf. Print copies may be obtained by contacting the Superintendent of Documents, U.S. Government Printing Office at 202-512-1800 or by visiting the GPO website at http://bookstore.gpo.gov, Washington, D.C. 20401 (stock number 020-000-00284-1020-000-00-265-4). Copies of OMB circulars may be obtained from the Office of Federal Financial Management Financial Management Division, Office of Management and Budget, Washington, D.C. 20503 or downloaded from the internet at www.whitehouse.gov/omb/circulars. These incorporations This incorporation by reference do does not include any later amendments or editions.

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- c) Specific standards for audits of regional offices of education and educational service centers conducted pursuant to Section 2-3.17a of the School Code [105 ILCS 5/2-3.17a]. By statute, this Section does not apply to an educational service center serving a school district in a city having a population exceeding 500,000.
- 1) "Books and records" as used in this subsection (c) means all financial statements, fiscal documents, vouchers for distributions, records of cash receipts, records of obligation and expenditure of funds, records of accounts and funds, journals, ledgers and subsidiary records of the ledgers, computer programs and data files integral to records of funds and accounts in the care, custody or control of the regional superintendent of schools or educational service center, and required for the purpose of enabling the Auditor General to perform the audits required by Section 2-3.17a of the School Code. The regional office of education and educational service center shall maintain records in accordance with this subsection (c), as applicable. Financial records shall be maintained on either a cash or accrual basis of accounting. However, supporting information must be maintained to allow preparation of an accrual statement as required by subsection (c)(2).
- 2) For audit purposes, each regional office of education and educational service center subject to audit by the Auditor General shall make available to the Auditor General or its designee all books and records during regular business hours on such days in each fiscal year as the Auditor General or its designee shall deem necessary to make and complete the required audits. Such records shall be completed in auditable form by August 15 of the succeeding fiscal year. Financial reports are to be available no later than August 31 in order that the annual audit may be done by an independent auditor selected by the Auditor General. Annual financial statements are to be prepared on an accrual basis of accounting in accordance with generally accepted accounting principles.
- 3) Each regional office of education and educational service center subject to audit by the Auditor General shall make available the books and records necessary to make the required audit by providing to the Auditor General or its designee full, complete and unrestricted access to those books and records and to those persons who may have prepared, reviewed, reported on or otherwise have knowledge of them.

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- 4) Each regional office of education and educational service center subject to audit by the Auditor General shall retain all books and records for a period of five years or until each required audit is resolved. This provision shall not be construed to shorten any record retention requirement otherwise applicable to such records.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART E: FREQUENCY OF MANDATORY FINANCIAL AUDITS, OR COMPLIANCE AUDITS OR OTHER ATTESTATION ENGAGEMENTS

Section 420.410 Introduction

- a) SUBJECT. This Subpart designates the frequency with which specific agencies will be subject to financial audits, or compliance audits or other attestation engagements by the Office of the Auditor General.
- b) AUTHORITY. Section 3-8, ISAA [30 ILCS 5/3-8].
- c) ~~INCORPORATIONS. The following materials are incorporated by reference and made a part of this Subpart: 1) Standards of Construction for Regulations (Subpart A of this Part). 2) Definitions (Subpart B of this Part).~~ REFERENCED STATUTES REFERENCES. Section 3-2 ISAA, Mandatory and Directed Post Audits [30 ILCS 5/3-2].
- de) EFFECTIVE DATE. This Subpart becomes effective on March 18, 1976.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 420.420 General Provisions

- a) STANDARD AUDIT OR EXAMINATION PERIOD. Except as established in this Subpart all agencies for which the Auditor General is required to conduct a financial audit, and compliance audit, or other attestation engagement will be so reviewed/audited at least once every two years.
- b) AGENCIES TO BE AUDITED OR EXAMINED YEARLY. The Auditor General shall annually file a list with the Legislative Audit Commission of all agencies for which a mandatory financial audit and compliance attestation examination/audit shall be conducted yearly.

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- c) FINANCIAL ~~STATEMENT~~ AUDITS.
- 1) The Auditor General shall annually file a list with the Legislative Audit Commission of all agencies subject to a yearly financial ~~statement~~ audit.
 - 2) A financial ~~statement~~ audit shall have the meaning prescribed in Section 1-13.5 of the ISAA~~mean an audit of the financial statements conducted in accordance with generally accepted government auditing standards. Generally accepted government auditing standards are contained in Government Auditing Standards: 1994 Revision issued by the Comptroller General of the United States and for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401 (stock number 020-000-00-265-4).~~
- d) ADMINISTRATION. In order to adjust workloads, respond to future audit needs and priorities, comply with federal or State laws and regulations, assist in rendering an opinion on the statewide financial statements, or maintain an audit firm rotation program, the Auditor General, if necessary, may adjust the audit frequency of any program. The Auditor General shall quarterly notify the Legislative Audit Commission of any changes to the audit or examination frequency of any agency program.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 420.430 Miscellaneous Provisions

NONLIMITATION. Nothing in this subpart shall limit the power of the Auditor General to initiate or conduct any audit, attestation engagement, study, investigation, or inquiry which the Auditor General would otherwise be authorized to conduct under any law or the Illinois Constitution.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART G: MAINTENANCE OF INFORMATION

Section 420.630 Confidential Information

- a) STATUTORY. All information maintained by the office which was confidential by or pursuant to law when secured by the Auditor General shall be maintained in

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accordance with Section 6-1 of the Illinois State Auditing Act [30 ILCS 5/6-1] and other applicable law.

b) INFORMATION RELATED TO CURRENT WORK.

- 1) Information not otherwise confidential, but acquired or developed as part of an ongoing audit, [attestation engagement](#), investigation, study, or inquiry shall be classified confidential until the conclusion of the audit, [attestation engagement](#), investigation, study, or inquiry to which the information pertains. The Auditor General may release such information only to:
 - A) persons or entities named in the audit, [attestation engagement](#), investigation, study, or inquiry to which the information pertains;
 - B) governmental agencies with whom the Auditor General is jointly conducting or co-operating on an audit [or attestation engagement](#), to the extent necessary for the conduct of the audit [or attestation engagement](#);
 - C) prosecutorial offices and sworn law enforcement agencies if approved by the Auditor General but subject to subsection (b)(3) of this Section; and
 - D) current or potential contractors, but only on a need to know basis, for specific audit [or engagement](#) purposes.
- 2) The issuance of the final report shall establish the conclusion of the audit, [attestation engagement](#), investigation, study, or inquiry which is the subject of the report, and all information acquired or developed as part of such audit, [attestation engagement](#), investigation, study, or inquiry and classified confidential by operation of this subsection shall at that time become public information, unless the Auditor General provides otherwise pursuant to subsection (c) ~~below~~ or Section 420.640(h) of this Part.
- 3) Prosecutorial office and law enforcement agencies shall not obtain through, or in conjunction with, the Office of the Auditor General, data, information, or evidence which the prosecutorial office or law enforcement agency could not lawfully obtain through its own authorities.

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- c) INVESTIGATION. All information and documents pertaining to an investigation conducted pursuant to Section 3-4 ISAA may be classified as confidential and, if classified as confidential, may not be disclosed outside the office except as provided in Section 420. Subpart C of this Part or as declared in the resolution authorizing the investigation.
- d) PERSONNEL INFORMATION. All personnel information of the Office of the Auditor General matchable to an individual concerning job performance evaluations, personal conduct, disclosure statements, personal characteristics and health shall be confidential, and may be released only as authorized by law or with the consent of the individual affected.
- e) SPECIAL ASSISTANT AUDITOR EVALUATIONS. Trade, business, and proprietary information concerning special assistant auditors and the performance evaluations of special assistant auditors shall be maintained confidential and may be disclosed to persons outside the office only as necessary to an authorized audit or inquiry concerning expenditures of our office. An audit or inquiry is authorized if it is required by law, by formal action of the General Assembly or the Legislative Audit Commission, or by request of a designated peer review committee reviewing the Office of the Auditor General's audit [or attestation](#) process.
- f) AUDIT [AND/OR ATTESTATION ENGAGEMENT](#) SELECTION CRITERIA.
- 1) Any test, standard, or specification intended for use in an audit [or attestation engagement](#) may be maintained confidential if:
- A) the test, standard, or specification under consideration is necessary or applicable to a future audit [or attestation engagement](#); and ~~B) disclosure would impair the validity or reliability of the test, standard, [procedure](#) or specification for future application; ~~or-~~~~
- ~~B) [disclosure might impair auditor techniques or methods or procedures designed to detect fraud, abuse, or other illegal activity.](#)~~
- 2) Any information declared confidential under this subsection shall be disclosed jointly to the Chair and Co-Chair of the Legislative Audit Commission at the joint request of the Chair and Co-Chair.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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Section 420.640 Disclosure and Dissemination of Information

- a) **INFORMATION CONFIDENTIAL WHEN ACQUIRED.** Information maintained in the office of the Auditor General which was confidential by or pursuant to law when acquired may not be disseminated outside the office for any reason except by court order or as provided in Section 420.620(b) of this Part.
- b) **INFORMATION ESTABLISHED CONFIDENTIAL BY THE OFFICE OF THE AUDITOR GENERAL.** Information maintained by the Office of the Auditor General which the office of the Auditor General has established confidential by authority of the Illinois State Auditing Act or these regulations may be released to persons outside the Office of the Auditor General only by order of the Legislative Audit Commission pursuant to Section 3-11 ISAA, by court order, or as specifically provided in this Subpart.
- c) **DISSEMINATION OF OTHER STATE AGENCY INFORMATION.**
 - 1) The Office of the Auditor General may decline to make available records or information which is available or currently controlled by the originating or controlling State agency.
 - 2) Records and information are considered "available" even if the agency or agent refuses to disseminate them, such as information which may be withheld as an exception to the Illinois Freedom of Information Act [5 ILCS 140].
- d) **DISSEMINATION PROCEDURES AND COPIES (PUBLIC RECORDS).**
 - 1) All public records of the Office of the Auditor General stored in the Springfield or Chicago offices shall be available for inspection and copying at their respective office during regular working hours.
 - 2) All public records of the Office of the Auditor General stored at locations other than the Springfield or Chicago offices shall be available for inspection and copying, but only by request and appointment through the office librarian or his or her designee.
 - 3) Any person requesting inspection or copying of public records stored at locations other than the Springfield or Chicago office may require that the

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records be made available at the Springfield office.

- 4) The Auditor General may establish reasonable charges to defray the cost of any copies requested.
- e) **PURGING OF ACQUIRED CONFIDENTIAL INFORMATION – MEMORANDUM.**
- 1) Records supplied to the Office of the Auditor General which are confidential by or pursuant to law shall be destroyed or returned to the agency from which they were obtained no later than the time of the issuance of the final report for which the information constitutes work papers, unless the Auditor General provides otherwise pursuant to subsection (h) of this Section.
 - 2) However, if the records are confidential because they contain personally sensitive information which is matchable to individuals, such records need not be destroyed if all means of matching such information to its corresponding individuals has been destroyed. In such cases, the destruction of the means of matching the information to its corresponding individuals shall occur no later than the time of the issuance of the final report for which the information constitutes work papers.
 - 3) The person destroying work papers pursuant to this Section shall place among the work papers a list of the number and type of records destroyed, identification of the source from which the records came, and an affidavit certifying how and when the records were destroyed and the fact that they were so destroyed. The affidavit shall be signed by the person destroying the workpapers and countersigned by an auditor who witnessed the destruction. Each affidavit shall be submitted to an Audit Manager for review.
- f) **PURGING OF RECORDS GENERALLY.** The Auditor General may destroy any records five years after the release of the audit to which the records pertain unless a longer retention period is required by law. The Auditor General may establish schedules for the destruction and type of storage for all records relating to the Office of the Auditor General.
- g) **MAINTENANCE AND REPRODUCTION OF PERMANENT RECORDS.** Permanent records of the Office of the Auditor General may be kept on

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microform, optical image, or other reliable media. The Auditor General shall maintain suitable devices for reading and copying all permanent records.

- h) **EXCEPTIONS TO PURGING AND DISCLOSURE OF WORKPAPERS.** If the Auditor General or Deputy Auditor General determines, in a written document certified by the Auditor General or Deputy Auditor General, that the establishment of the working papers of a particular audit as public records or the purging of confidential information contained in the work papers of a particular audit would:
- 1) impair the reporting or defending of the audit;
 - 2) impair future or follow-up audit work;
 - 3) compromise the integrity of the audit process; or
 - 4) disclose confidential information, because of the postponement of the purging of confidential information pursuant to the Auditor General's authority under this subsection,

then the Auditor General may postpone the implementation of the requirements of Section 420.630(b)(2) of this Part or subsection (e) ~~above~~ for up to five years following release of the audit to which the information pertains ~~twelve months~~. After that time period, ~~twelve months~~ the postponement shall lapse and may be renewed, for up to 12 ~~twelve~~ months at a time, only if the Legislative Audit Commission shall specifically approve such renewal.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART H: CONSULTATIONS AND RESPONSES TO FINDINGS

Section 420.710 Introduction

- a) **SUBJECT.** This Subpart covers consultations with heads of agencies concerning findings and recommendations in audit-reports before the issuance of such reports; and the opportunity for persons who are identified by name in a recommendation contained in a post audit report to respond to findings or recommendations in the report which pertain to them.
- b) **AUTHORITY.** Sections 3-7, 3-8(c), 3-8(d), ISAA [30 ILCS 5/3-7, 3-8(c) and 3-

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8(d)].

- e) ~~INCORPORATIONS. The following materials are incorporated by reference and made a part of this Subpart:~~
- 1) ~~Standards of Construction for Regulations (Subpart A of this Part).~~
 - 2) ~~Definitions (Subpart B of this Part).~~
- cd) EFFECTIVE DATE. This regulation becomes effective on November 29, 1979 (This regulation is subject to Section 3-7 of the ISAA requiring approval by the Legislative Audit Commission within 90 days of its submission to the Commission).
- de) DEFINITIONS. ~~Report~~ Audit report means the document issued by the Auditor General upon the completion of a post audit or attestation engagement by the Auditor General, which report may include any or all of the following: financial statements, statements of facts, findings, conclusions, recommendations, responses to ~~audit~~ findings by agencies or individuals; and shall include a "Report Digest" signed by the Auditor General.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 420.720 Consultations with Heads of Agencies and Individuals

- a) RESPONSES TO PROPOSED FINDINGS BY AGENCIES.
- 1) When the Office of the Auditor General has determined the proposed findings and recommendations to be included in an audit report, a copy shall be forwarded to the head of each agency covered by the engagement audit. Upon receiving a copy of the proposed findings and recommendations, an agency head (or his or her designee) shall have:
 - A) 7 days from receipt of the proposed findings and recommendations in which to request a conference (if the agency head desires one) with the Office of the Auditor General concerning the proposed findings and recommendations. All requested conferences shall be completed within 14 days from the agency's receipt of the proposed findings and recommendations. If no conference was held, the reason therefore shall be included in the audit

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workpapers.

- B) 21 days from receipt of the proposed findings and recommendations in which to deliver to the Auditor General any written comments the agency may have concerning the findings and recommendations involving the agency.
- 2) A copy of the agency's written comments will be included in the final version of the ~~audit~~ report if the comments are received in the Springfield office of the Auditor General on or before the 21st day after the agency's receipt of the proposed findings and recommendations.
- 3) In the absence of a written response from the agency, within 21 days from the receipt by the agency of the proposed findings and recommendations, the ~~audit~~ report may be issued without response. Written comments received after 21 days will be placed in the ~~engagementaudit~~ file.
- 4) Where size of the agency or the complexity of the ~~engagementaudit~~ would require additional response time, the Division director assigned to the ~~engagementaudit~~ by the Auditor General, upon request from the agency head, may extend any time period or deadline specified by this Section.
- b) RESPONSES TO PROPOSED FINDINGS BY INDIVIDUALS.
- 1) When the audit manager has determined the proposed findings and recommendations to be included in ~~aan-audit~~ report, the audit manager shall forward to each individual who is identified by name in a recommendation contained in the ~~audit~~ report those proposed findings and recommendations which relate to that individual. After the receipt of these materials, the individual shall have 21 days in which to deliver to the Auditor General any written comments the individual may have concerning the findings or recommendations involving him or her. Copies of an individual's written comments will be included in the final version of the ~~audit~~ report if they are received in the Springfield office of the Auditor General on or before the 21st day after the proposed findings and recommendations were received by the individual. Comments received after 21 days will be placed in the ~~engagementaudit~~ file.
- 2) When an individual who is the subject of ~~aan-audit~~ report demonstrates an inability because of personal hardship to meet the deadlines specified in

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this Section, the Division director may extend the specified time period or deadline.

- c) **RESPONSES TO NEW MATTER IN REPORT DIGEST.** When a Report Digest contains findings and recommendations not previously submitted with the proposed report text, a copy of the Report Digest shall be forwarded to the agency and/or individual covered by the [engagementaudit](#) for comment. The agency and/or individual covered by the new material will have 7 days from receipt of the Report Digest in which to make written comment.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Code of Rules
- 2) Code Citation: 74 Ill. Adm. Code 440
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
440.130	Amend
440.140	Amend
440.210	Amend
440.220	Amend
440.520	Amend
- 4) Statutory Authority: Subpart B implementing and authorized by Section 2-12(a) of the Illinois State Auditing Act [30 ILCS 5/2-12(a)]; Subpart C implementing and authorized by Section 2-12 of the Illinois State Auditing Act [30 ILCS 5/2-12]; Subpart F implementing and authorized by Section 2-12 (c) (3) of the Illinois State Auditing Act [30 ILCS 5/2-12 (c) (3)].
- 5) A Complete Description of the Subjects and Issues Involved: The Code of Rules is being amended to provide general updates to text and to conform to recent changes in Government Auditing Standards and corresponding changes in the Illinois State Auditing Act made by Public Act 93-630.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not create, enlarge or modify a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed amendment: Written comments may be submitted within 45 days after publication after this notice to:

Rebecca Patton
Office of the Auditor General
740 E. Ash Street

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Springfield, IL 62703

Phone: (217) 782-6698

TTY: (888) 261-2887

Facsimile: (217) 785-8222

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: This rulemaking updates auditing and attestation standards and policies followed by accounting firms under contract with the Auditor General's Office to conform to recent changes in generally accepted government auditing standards
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: Knowledge and application of generally accepted government auditing standards

13) Regulatory Agenda on which this rulemaking was summarized: January 2005

The full text of the Proposed Amendments begins on the next page:

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TITLE 74: PUBLIC FINANCE
CHAPTER III: AUDITOR GENERAL

PART 440
CODE OF RULES

SUBPART A: STANDARDS OF CONSTRUCTION FOR RULES

Section	
440.10	Introduction
440.20	General Provisions

SUBPART B: DEFINITIONS

Section	
440.110	Introduction
440.120	General Provisions
440.130	Abbreviations
440.140	Specific Definitions

SUBPART C: CLARIFICATIONS CONCERNING THE DEFINITION OF
FINANCIAL AUDIT OR COMPLIANCE AUDIT

Section	
440.210	Introduction
440.220	Clarification

SUBPART D: PUBLIC PETITIONS REQUESTING RULEMAKING ACTIONS
BY THE OFFICE OF THE AUDITOR GENERAL

Section	
440.310	Introduction
440.320	General Provisions
440.330	Procedures

SUBPART E: CONTRACTUAL PERSONAL SERVICES

Section	
440.410	Introduction
440.420	General Provisions

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SUBPART F: OATHS

Section	
440.510	Introduction
440.520	General Provisions

SUBPART G: SUBPOENAS

Section	
440.610	Introduction
440.620	General Provisions

SUBPART H: DEPOSITIONS

Section	
440.710	Introduction
440.720	General Provisions
440.730	Procedure

SUBPART I: FINANCIAL ADMINISTRATION OF THE
STATE AUDIT ADVISORY BOARD

Section	
440.810	Introduction (Repealed)
440.820	Financial Provisions (Repealed)

AUTHORITY: Subparts A and B implementing and authorized by Section 2-12(a) of the Illinois State Auditing Act [30 ILCS 5/2-12(a)]; Subpart C implementing and authorized by Section 2-12 of the Illinois State Auditing Act [30 ILCS 5/2-12]; Subpart D implementing and authorized by Section 2-12 of the Illinois State Auditing Act [30 ILCS 5/2-12] and Section 5-145 of the Illinois Administrative Procedure Act [5 ILCS 100/5-145]; Subpart E implementing and authorized by Section 2-12(c)(2) of the Illinois State Auditing Act [30 ILCS 5/2-12(c)(2)]; Subpart F implementing and authorized by Section 2-12(c)(3) of the Illinois State Auditing Act [30 ILCS 5/2-12(c)(3)]; Subpart G implementing and authorized by Section 2-12(c)(4) of the Illinois State Auditing Act [30 ILCS 5/2-12(c)(4)]; Subpart H implementing and authorized by Sections 2-12(c)(1) and (3) of the Illinois State Auditing Act [30 ILCS 5/2-12(c)(1) and (3)].

SOURCE: Rules and Regulations of the Auditor General filed and effective February 1, 1976; amended at 2 Ill. Reg. 46, p. 17, effective November 17, 1978; amended at 3 Ill. Reg. 5, p. 860,

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effective February 2, 1979; amended at 3 Ill. Reg. 50, p. 195, effective December 13, 1979; amended at 4 Ill. Reg. 49, p. 91, effective November 21, 1980; codified at 5 Ill. Reg. 10584; amended at 6 Ill. Reg. 12253, effective September 24, 1982; amended at 20 Ill. Reg. 730, effective January 31, 1996; amended at 24 Ill. Reg. 2321, effective February 7, 2000; amended at 29 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS

Section 440.130 Abbreviations

- a) C.RG. C.RG means Code of Regulations (74 Ill. Adm. Code 420).
- b) C.RL. C.RL means Code of Rules (74 Ill. Adm. Code 440).
- e) ~~IPA. IPA means the Illinois Purchasing Act [30 ILCS 505].~~
- c)d) ISAA. ISAA means the Illinois State Auditing Act [30 ILCS 5].

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 440.140 Specific Definitions

- a) CODE OF REGULATIONS. Code of Regulations means the official compilation of regulations promulgated by the Auditor General and currently in effect (74 Ill. Adm. Code 420).
- b) CODE OF RULES. Code of Rules means the official compilation of rules promulgated by the Auditor General and currently in effect (74 Ill. Adm. Code 440).
- c) OFFICER OF THE OFFICE OF THE AUDITOR GENERAL. Officer of the Office of the Auditor General means any individual designated as a State Auditor, or any Deputy Auditor or other individual empowered by the Auditor General to act with respect to the performance of a specific audit, attestation engagement, study, or investigation.
- d) RULEMAKING. Rulemaking means separately or in combination any processes, procedures, or activities intended to result in, or which result in, a rule or regulation. Rulemaking includes the adoption, amendment, modification, update, suspension, repeal, rescission, or termination of a rule or regulation.

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- e) STATE AUDITOR. State Auditor means a State payroll employee of the Office of the Auditor General who has been authorized to conduct audits, attestation engagements, investigations, and studies by the Auditor General, and who has otherwise been appointed State Auditor in accordance with the personnel rules of the Office of the Auditor General.
- f) WORD. Word includes terms, phrases, and abbreviations.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART C: CLARIFICATIONS CONCERNING THE DEFINITION
OF FINANCIAL AUDIT OR COMPLIANCE AUDIT

Section 440.210 Introduction

- a) SUBJECT. This subpart establishes clarifications and working interpretations concerning the meaning and requirements of a "financial audit" or "compliance audit."
- b) AUTHORITY. Section 2-12 ISAA [30 ILCS 5/2-12]. This rule is necessary to effectively accomplish the requirements mandated by Sections 3-2, ~~and~~ 1-13 and 1-13.5 of ISAA [30 ILCS 5/3-2, ~~and~~ 1-13 and 1-13.5].
- e) ~~INCORPORATIONS. The following materials are incorporated by reference and made a part of this Subpart:~~
- 1) ~~Standards of Construction for Rules (Subpart A of this Part).~~
 - 2) ~~Definitions (Subpart B of this Part).~~
- c) ~~d)~~ EFFECTIVE DATE. This Subpart becomes effective on March 1, 1977.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

Section 440.220 Clarification

- a) AUDITING OF GRANTEES. The scope of any compliance audit conducted by the Auditor General of a State agency that made grants during the audit period will include testing to determine whether the audited agency is~~The requirements~~

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~~of Section 1-13 ISAA establish the following determination which will be included in all financial and compliance audits performed by this Office where the agency being audited has made grants: In the case of a State agency, whether the audited agency is~~ auditing the grantees of funds granted by the audited agency for compliance with the terms of the grants and other applicable laws, regulations, and rules and whether the frequency and quality of such audits is generally adequate.

- b) **SELF AUDITING OF GRANTS.** ~~The scope of any compliance audit conducted by the Auditor General of a State agency that received grants during the audit period will include testing to determine whether the audited agency is reviewing~~ The requirements of Section 1-13 ISAA establish the following determination which will be included in all financial and compliance audits performed by the Office of the Auditor General where the agency being audited has been the recipient of grants: In the case of a State agency, whether the audited agency is ~~auditing~~ grants received by the agency to determine that the grant funds are being used in accordance with grant requirements and applicable state and federal laws, regulations and rules, and whether the frequency and quality of such ~~reviews~~audits is generally adequate.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

SUBPART F: OATHS

Section 440.520 General Provisions

- a) **AUDITOR GENERAL'S DELEGATION.**
- 1) The authority of the Auditor General to administer oaths is delegated to all State Auditors and this fact is stated in their identification credentials.
 - 2) The authority of the Auditor General to administer oaths when delegated to persons who are not State Auditors shall be accomplished only in writing and shall be limited to a specific audit, attestation engagement or investigation.
- b) **ADMINISTRATION OF OATHS.** Oaths when administered by the Office of the Auditor General shall be administered in the same manner as customarily used or accepted in courts of law.

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- c) FORM OF OATH FOR ORAL TESTIMONY. A verbal oath administered by persons associated with the Office of the Auditor General shall be in substantially the following form:

I, _____ (NAME) _____ do solemnly swear that the testimony I am about to give in this proceeding will be the truth, the whole truth and nothing but the truth so help me God.

- d) FORM OF AFFIRMATION FOR ORAL TESTIMONY. A verbal affirmation administered by persons associated with the Office of the Auditor General shall be in substantially the following form:

I, _____ (NAME) _____ do solemnly, sincerely, and truly declare and affirm that the testimony I am about to give in this proceeding will be the truth, the whole truth and nothing but the truth.

- e) FORM OF OATH OR AFFIRMATION FOR WRITTEN STATEMENT. The following form of oath (affirmation) may be used on written statements:

State of Illinois)
 County of _____) SS.

I, _____ (NAME) _____, have read the foregoing statement, know and understand the contents thereof, and do solemnly (swear) (affirm) that the same is true and complete.

Subscribed and (sworn to) (affirmed) before me this _____ day of _____, _____.

 (Title)

- f) FORM OF OATH OR AFFIRMATION FOR AFFIDAVIT. The following language will be used in an affidavit taken by persons associated with the Office of the Auditor General:

State of Illinois)
 County of _____) SS.

I, _____ (NAME) _____, being duly sworn, solemnly (swear) (affirm)

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that:

Affiant

Subscribed and (sworn to) (affirmed) before me this _____ day of _____, _____.

- g) VARIATIONS TO FORMS OF OATHS AND AFFIRMATIONS. Additions to or modification of the forms of an oath and affirmation provided in this rule may be made, in the discretion of the administering officer, where necessary for accuracy, preciseness or clarity or because of special circumstances.

(Source: Amended at 29 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Assessment for Determining Eligibility and Rehabilitation Needs
- 2) Code Citation: 89 Ill. Adm. Code 553
- 3) Section Number: 553.35 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].
- 5) A Complete Description of the Subjects and Issues involved: This rulemaking updates the name of the Immigration and Naturalization Services (INS) to the federal Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS). Also, Rehabilitation Services Administration (RSA) has recommended the removal of Section 553.35(c) because restrictions cannot be placed on the length of time a customer has to remain in the United States.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
553.20	Amendment	29 Ill. Reg. 2142; 2/14/05
553.140	Amendment	29 Ill. Reg. 2142; 2/14/05
553.140	Corrected Amendment	29 Ill. Reg. 4423; 3/18/05

- 10) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.
- 11) Time, Place, And Manner In Which Interested Persons May Comment on This Proposed Rulemaking: Interested persons may present their comments concerning these rules within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures

DEPARTMENT OF HUMAN SERVICES

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Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762

(217) 785-9772

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: No change – affected individuals will still have to show proof of visa or certification from the USCIS.
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: The Department did not anticipate this rulemaking when the last 2 regulatory agendas were published.

The full text of the Proposed Amendment begins on the next page.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATIONPART 553
ASSESSMENT FOR DETERMINING ELIGIBILITY AND
REHABILITATION NEEDS

Section	
553.10	General Applicability (Repealed)
553.20	Basis for Eligibility
553.25	Disability Documentation
553.30	Presumption of Benefit from Vocational Rehabilitation Services
553.31	Trial Work Experiences
553.32	Outcome of Trial Work Experiences
553.35	Services to Non-United States Citizens
553.40	Eligibility Determination Time Frames
553.50	Eligibility Determination
553.60	Documentation of Eligibility Factors/Preliminary Assessment (Repealed)
553.70	Certification of Eligibility (Repealed)
553.75	Trial Work (Repealed)
553.76	Outcome of Trial Work (Repealed)
553.80	Extended Evaluation (Repealed)
553.90	Outcome of Extended Evaluation (Repealed)
553.100	Assessment
553.105	Assistance in Attaining Necessary Financial Support (Repealed)
553.110	Outcome of the Assessment of Rehabilitation Needs (Repealed)
553.120	Change in Eligibility Status (Repealed)
553.130	Order of Selection
553.140	Criteria for Significant Disability and Most Significant Disability
553.150	Determination of Serious Limitation to Functional Capacities

AUTHORITY: Implementing and authorized by Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Emergency rules adopted at 17 Ill. Reg. 11657, effective July 1, 1993, for a maximum of 150 days; adopted at 17 Ill. Reg. 20346, effective November 15, 1993; amended at 19 Ill. Reg. 1834, effective February 6, 1995; amended at 19 Ill. Reg. 10149, effective June 29, 1995; amended at 19 Ill. Reg. 15730, effective November 7, 1995; emergency amendment at 20 Ill. Reg. 10385, effective July 19, 1996, for a maximum of 150 days; emergency expired on

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENT

December 15, 1996; emergency amendment at 20 Ill. Reg. 11974, effective August 16, 1996, for a maximum of 150 days; emergency expired on January 13, 1997; amended at 21 Ill. Reg. 1386, effective January 17, 1997; amended at 21 Ill. Reg. 2669, effective February 10, 1997; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 23 Ill. Reg. 1368, effective January 14, 1999; emergency amendment at 23 Ill. Reg. 6544, effective May 17, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 12440, effective September 28, 1999; amended at 23 Ill. Reg. 13222, effective October 18, 1999; amended at 25 Ill. Reg. 11842, effective August 31, 2001; amended at 29 Ill. Reg. _____, effective _____.

Section 553.35 Services to Non-United States Citizens

DHS-~~DRSORS~~ will provide services through its VR Program to an individual who is not a citizen of the United States provided that:

- a) the individual holds a proper visa or certification from the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) Immigration and Naturalization Service to allow him/her to be employed while in the United States; and
- b) all other eligibility criteria described in this Part are met; ~~and~~
- e) ~~the individual is expected to remain in the United States for a period of not less than 90 days after the completion of services listed on the customer's IPE (89 Ill. Adm. Code 572) and can be expected to be employed during this period.~~

(Source: Amended at 29 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Number: 140.455 Proposed Action: Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Act 93-0841 and Senate Bill 0998.
- 5) Complete Description of the Subjects and Issues Involved: This proposed rulemaking pertains to the Screening, Assessment and Support Services (SASS) system that is designed to serve children and adolescents who are experiencing a mental health crisis and whose care requires public funding. SASS was implemented on a Statewide basis under a partnership between the Department, the Department of Human Services and the Department of Children and Family Services.

Since the introduction of SASS, most providers have experienced difficulties in successfully submitting billing claims and some providers are facing agency cash flow issues that may endanger the Statewide SASS network of care. The Department is responding to the concerns of these providers through the development of the Service Accessibility Assurance Payment. This payment will supplement the current billing efforts of providers. The methodology has been designed around a proportionate equation and divided into two allotments. The first allotment (June 2005) will include adjudicated claims through the end of May and the second allotment (August 2005) will include claims through the end of July. These proposed changes are expected to result in an increase in expenditures of \$2.75 million.

The proposed amendments also delineate future Advance and Reconciliation Payments to providers, detailing eligibility, payment and reconciliation. This methodology, which will be used for fiscal year 2006, will allocate eleven payments over the last eleven months of the State fiscal year.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.3	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.470	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.471	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.472	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.473	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.474	Amendment	April 1, 2005 (29 Ill. Reg. 4679)

- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place, and Manner in Which Interested Persons May Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Scattoloni
Office of the General Counsel, Rules Section
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002

(217)524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Any interested persons may review these proposed amendments on the Internet at <http://www.dpaininois.com/publicnotice/>. Access to the Internet is available through any local public library. In addition, the amendments may be reviewed at the Illinois Department of Human Services' local offices (except in Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 100 West Randolph Street, Suite 10-300, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 a.m. until 5:00 p.m. This notice is being provided in accordance with federal requirements at 42 CFR 447.205.

- 12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF PUBLIC AID

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- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Providers of community mental health services will be affected
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on Which this Rulemaking Was Summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: This rulemaking was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendment is identical to the text of the Emergency Amendment that appears in this issue of the *Illinois Register* on page 8509:

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Access to Information of the State Board of Education Under the Freedom of Information Act
- 2) Code Citation: 2 Ill. Adm. Code 5001
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
5001.110	Amendment
5001.210	Amendment
5001.500	Amendment
5001.600	New Section
- 4) Statutory Authority: 5 ILCS 104/3(g) and 5 ILCS 100/5-15
- 5) Effective Date of Amendments: June 2, 2005
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? This rulemaking does not contain an incorporation by reference pursuant to Section 5-75 of the Illinois Administrative Procedure Act.
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: Not applicable
- 10) Has JCAR issued a Statement of Objection to this rulemaking? Not applicable. However, these changes are being made in response to JCAR's objection of May 17, 2005, issued with respect to amendments adopted by ISBE at 29 Ill. Reg. 3900.
- 11) Differences between proposal and final version: Not applicable
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Not applicable
- 13) Will this rulemaking replace any emergency amendments currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:

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Several months ago we amended Part 5001 to delete unnecessary or redundant provisions. While those amendments streamlined ISBE's FOIA rules, they were not meant to represent any substantive change in ISBE's FOIA procedures. However, we have been advised that the consolidation of two existing provisions has created an unintended discrepancy with respect to the Illinois Administrative Procedure Act (IAPA).

Section 5-15(a)(2) of the IAPA provides that a request for copies of agency rules is not a FOIA request unless the requester designates it as such. In our recent amendments, however, we repealed Section 5001.600 dealing with the inspection of documents that are incorporated by reference into ISBE's rules and amplified Section 5001.500 (Inspection of Records) to include those materials. That change needs to be reversed so that the rules will conform to both applicable Acts by treating the incorporated materials separately.

This rulemaking also includes minor technical revisions in Sections 5001.110 and 5001.210 that were overlooked in the previous amendments.

16) Information and questions regarding these adopted amendments shall be directed to:

Jonathan Furr
General Counsel
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

(217) 782-5270

The full text of the Adopted Amendments begins on the next page:

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE F: EDUCATIONAL AGENCIES
CHAPTER I: STATE BOARD OF EDUCATION

PART 5001

ACCESS TO INFORMATION OF THE STATE BOARD OF EDUCATION
UNDER THE FREEDOM OF INFORMATION ACT

SUBPART A: INTRODUCTION

- Section
5001.100 Summary and Purpose
5001.110 Definitions

SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

- Section
5001.200 Office to Which Requests are Submitted
5001.210 Form and Content of Requests

SUBPART C: PROCEDURES FOR AGENCY RESPONSE
TO REQUESTS FOR PUBLIC RECORDS

- Section
5001.300 Agency Response
5001.310 Types of Responses (Repealed)

SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

- Section
5001.400 Appeal of a Denial
5001.410 Superintendent's Response to Appeal (Repealed)

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTERS

- Section
5001.500 Inspection of Records [and Materials Incorporated by Reference in ISBE's Administrative Rules](#)
5001.510 Copies of Public Records
5001.520 General Materials Available from the Freedom of Information Office (Repealed)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

SUBPART F: ACCESS TO MATERIALS INCORPORATED
BY REFERENCE IN ADMINISTRATIVE RULES

Section

| 5001.600 Inspection of Materials (~~Repealed~~)

AUTHORITY: Implementing and authorized by Section 3(g) of the Freedom of Information Act [5 ILCS 140/3(g)] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Adopted and codified at 8 Ill. Reg. 15443, effective August 8, 1984; amended at 17 Ill. Reg. 14913, effective September 2, 1993; amended at 29 Ill. Reg. 3900, effective February 22, 2005; amended at 29 Ill. Reg. 8503, effective June 2, 2005.

SUBPART A: INTRODUCTION

Section 5001.110 Definitions

- a) Terms used in ~~this Part~~~~these rules~~ shall have the same meaning as in the Freedom of Information Act.
- b) "FOIA" means the Freedom of Information Act.
- c) "Freedom of Information Office" ("FIO") means the unit within the Agency ~~that agency which~~ is responsible for receiving and responding to requests for public records.
- d) "Requester" means a person who submits a request for public records in accordance with ~~this Part~~~~these rules~~.
- e) "Agency" means the State Board of Education.

(Source: Amended at 29 Ill. Reg. 8503, effective June 2, 2005)

SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

Section 5001.210 Form and Content of Requests

- a) Requests in accordance with the FOIA and this Part shall be made in writing.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- b) Forms will be available in the Agency's~~agency's~~ offices (Springfield and Chicago) for requests for records.
- c) The requester shall provide the following information in a request for public records:
 - 1) The requester's full name, address and phone number.
 - 2) A brief description of the public records sought, being as specific as possible.
 - 3) Whether the request is for inspection of public records, copies of public records, or both.

(Source: Amended at 29 Ill. Reg. 8503, effective June 2, 2005)

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTERS

Section 5001.500 Inspection of Records ~~and Materials Incorporated by Reference in ISBE's Administrative Rules~~

- a) For purposes of this Subpart E, "records" includes public records other than~~and all~~ materials incorporated by reference in the administrative rules of the State Board of Education.
- b) Unless otherwise approved by the Agency, records will be made available for inspection~~inspections~~ during normal working hours of the Agency.
- c) Documents that the requester wishes to have copied shall be segregated during the course of the inspection. Unless otherwise approved by the Agency, all copying shall be done by Agency employees.
- d) The inspection of records shall take place at the location within the office designated by the FIO.
- e) An employee of the Agency may be present throughout the inspection. A requester may be prohibited from bringing bags, brief cases or other containers into the inspection room.

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(Source: Amended at 29 Ill. Reg. 8503, effective June 2, 2005)

SUBPART F: ACCESS TO MATERIALS INCORPORATED
BY REFERENCE IN ADMINISTRATIVE RULES

Section 5001.600 Inspection of Materials ~~(Repealed)~~

- a) All materials incorporated by reference in administrative rules of the State Board of Education shall be available for inspection at the office of the Agency Rules Coordinator, 100 North First Street, Springfield, Illinois (telephone 217/782-5270).
- b) Inspection and copying of incorporated materials shall be governed by the procedures applicable to inspection of other public records pursuant to Subpart E of this Part.

(Source: Section repealed at 29 Ill. Reg. 3900, effective February 22, 2005; new Section added at 29 Ill. Reg. 8503, effective June 2, 2005)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Number: 140.455 Emergency Action: Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Act 93-0841 and Senate Bill 0998.
- 5) Effective Date: June 1, 2005
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: No
- 7) Date Filed with the Index Department: June 1, 2005
- 8) A copy of the emergency amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: These emergency amendments are being filed to ensure service accessibility to the Screening, Assessment and Support Services (SASS) system for children and adolescents who are experiencing a mental health crisis and whose care requires public funding. Since the introduction of SASS, most providers have experienced difficulties in successfully submitting billing claims and some providers are facing agency cash flow issues that may endanger the Statewide SASS network of care. These emergency changes are necessary to maintain access to services through a Service Accessibility Assurance Payment for providers. Emergency rulemaking is specifically authorized for the implementation of these changes for fiscal year 2005 by Section 5-45 of Public Act 93-0841, and for fiscal year 2006 by Section 5-45 of Senate Bill 0998.
- 10) Complete Description of the Subjects and Issues Involved: This emergency rulemaking pertains to the Screening, Assessment and Support Services (SASS) system that is designed to serve children and adolescents who are experiencing a mental health crisis and whose care requires public funding. SASS was implemented on a Statewide basis under a partnership between the Department, the Department of Human Services and the Department of Children and Family Services.

Since the introduction of SASS, most providers have experienced difficulties in successfully submitting billing claims and some providers are facing agency cash flow

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

issues that may endanger the Statewide SASS network of care. The Department is responding to the concerns of these providers through the development of the Service Accessibility Assurance Payment. This payment will supplement the current billing equation and divided into two allotments. The first allotment (June 2005) will include efforts of providers. The methodology has been designed around a proportionate adjudicated claims through the end of May and the second allotment (August 2005) will include claims through the end of July. These changes are expected to result in an increase in expenditures of \$2.75 million.

The emergency amendments also delineate future Advance and Reconciliation Payments to providers, detailing eligibility, payment and reconciliation. This methodology, which will be used for fiscal year 2006, will allocate eleven payments over the last eleven months of the State fiscal year.

- 11) Are there any other amendments pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
140.3	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.470	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.471	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.472	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.473	Amendment	April 1, 2005 (29 Ill. Reg. 4679)
140.474	Amendment	April 1, 2005 (29 Ill. Reg. 4679)

- 12) Statement of Statewide Policy Objectives: These emergency amendments neither create nor expand any State mandate affecting units of local government.

- 13) Information and questions regarding this amendment shall be directed to:

Joanne Scattoloni
Office of the General Counsel, Rules Section
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002

(217) 524-0081

The full text of the Emergency Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under Medical Assistance Programs
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under General Assistance
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Recovery of Money
- 140.16 Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.18 Effect of Termination on Individuals Associated with Vendor
- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring

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140.20	Submittal of Claims
140.21	Reimbursement for QMB Eligible Medical Assistance Recipients and QMB Eligible Only Recipients and Individuals Who Are Entitled to Medicare Part A or Part B and Are Eligible for Some Form of Medicaid Benefits
140.22	Magnetic Tape Billings (Repealed)
140.23	Payment of Claims
140.24	Payment Procedures
140.25	Overpayment or Underpayment of Claims
140.26	Payment to Factors Prohibited
140.27	Assignment of Vendor Payments
140.28	Record Requirements for Medical Providers
140.30	Audits
140.31	Emergency Services Audits
140.32	Prohibition on Participation, and Special Permission for Participation
140.33	Publication of List of Terminated, Suspended or Barred Entities
140.35	False Reporting and Other Fraudulent Activities
140.40	Prior Approval for Medical Services or Items
140.41	Prior Approval in Cases of Emergency
140.42	Limitation on Prior Approval
140.43	Post Approval for Items or Services When Prior Approval Cannot Be Obtained
140.55	Recipient Eligibility Verification (REV) System
140.71	Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments
140.72	Drug Manual (Recodified)
140.73	Drug Manual Updates (Recodified)

SUBPART C: PROVIDER ASSESSMENTS

Section	
140.80	Hospital Provider Fund
140.82	Developmentally Disabled Care Provider Fund
140.84	Long Term Care Provider Fund
140.94	Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
140.95	Hospital Services Trust Fund
140.96	General Requirements (Recodified)
140.97	Special Requirements (Recodified)
140.98	Covered Hospital Services (Recodified)
140.99	Hospital Services Not Covered (Recodified)
140.100	Limitation On Hospital Services (Recodified)

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NOTICE OF EMERGENCY AMENDMENT

- 140.101 Transplants (Recodified)
- 140.102 Heart Transplants (Recodified)
- 140.103 Liver Transplants (Recodified)
- 140.104 Bone Marrow Transplants (Recodified)
- 140.110 Disproportionate Share Hospital Adjustments (Recodified)
- 140.116 Payment for Inpatient Services for GA (Recodified)
- 140.117 Hospital Outpatient and Clinic Services (Recodified)
- 140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
- 140.201 Payment for Hospital Services After June 30, 1982 (Repealed)
- 140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)
- 140.203 Limits on Length of Stay by Diagnosis (Recodified)
- 140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
- 140.350 Copayments (Recodified)
- 140.360 Payment Methodology (Recodified)
- 140.361 Non-Participating Hospitals (Recodified)
- 140.362 Pre July 1, 1989 Services (Recodified)
- 140.363 Post June 30, 1989 Services (Recodified)
- 140.364 Prepayment Review (Recodified)
- 140.365 Base Year Costs (Recodified)
- 140.366 Restructuring Adjustment (Recodified)
- 140.367 Inflation Adjustment (Recodified)
- 140.368 Volume Adjustment (Repealed)
- 140.369 Groupings (Recodified)
- 140.370 Rate Calculation (Recodified)
- 140.371 Payment (Recodified)
- 140.372 Review Procedure (Recodified)
- 140.373 Utilization (Repealed)
- 140.374 Alternatives (Recodified)
- 140.375 Exemptions (Recodified)
- 140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)
- 140.390 Subacute Alcoholism and Substance Abuse Services (Recodified)
- 140.391 Definitions (Recodified)
- 140.392 Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
- 140.394 Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
- 140.396 Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
- 140.398 Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENT

Section

140.400	Payment to Practitioners
140.402	Copayments for Noninstitutional Medical Services
140.405	SeniorCare Pharmaceutical Benefit
140.410	Physicians' Services
140.411	Covered Services By Physicians
140.412	Services Not Covered By Physicians
140.413	Limitation on Physician Services
140.414	Requirements for Prescriptions and Dispensing of Pharmacy Items – Physicians
140.416	Optometric Services and Materials
140.417	Limitations on Optometric Services
140.418	Department of Corrections Laboratory
140.420	Dental Services
140.421	Limitations on Dental Services
140.422	Requirements for Prescriptions and Dispensing Items of Pharmacy Items – Dentists
140.425	Podiatry Services
140.426	Limitations on Podiatry Services
140.427	Requirement for Prescriptions and Dispensing of Pharmacy Items – Podiatry
140.428	Chiropractic Services
140.429	Limitations on Chiropractic Services (Repealed)
140.430	Independent Clinical Laboratory Services
140.431	Services Not Covered by Independent Clinical Laboratories
140.432	Limitations on Independent Clinical Laboratory Services
140.433	Payment for Clinical Laboratory Services
140.434	Record Requirements for Independent Clinical Laboratories
140.435	Advanced Practice Nurse Services
140.436	Limitations on Advanced Practice Nurse Services
140.438	Imaging Centers
140.440	Pharmacy Services
140.441	Pharmacy Services Not Covered
140.442	Prior Approval of Prescriptions
140.443	Filling of Prescriptions
140.444	Compounded Prescriptions
140.445	Legend Prescription Items (Not Compounded)
140.446	Over-the-Counter Items
140.447	Reimbursement
140.448	Returned Pharmacy Items
140.449	Payment of Pharmacy Items

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NOTICE OF EMERGENCY AMENDMENT

- 140.450 Record Requirements for Pharmacies
- 140.451 Prospective Drug Review and Patient Counseling
- 140.452 Mental Health Services
- 140.453 Definitions
- 140.454 Types of Mental Health Services
- 140.455 Payment for Mental Health Services
- EMERGENCY
- 140.456 Hearings
- 140.457 Therapy Services
- 140.458 Prior Approval for Therapy Services
- 140.459 Payment for Therapy Services
- 140.460 Clinic Services
- 140.461 Clinic Participation, Data and Certification Requirements
- 140.462 Covered Services in Clinics
- 140.463 Clinic Service Payment
- 140.464 Hospital-Based and Encounter Rate Clinic Payments
- 140.465 Speech and Hearing Clinics (Repealed)
- 140.466 Rural Health Clinics (Repealed)
- 140.467 Independent Clinics
- 140.469 Hospice
- 140.470 Home Health Services
- 140.471 Home Health Covered Services
- 140.472 Types of Home Health Services
- 140.473 Prior Approval for Home Health Services
- 140.474 Payment for Home Health Services
- 140.475 Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices
- 140.476 Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices for Which Payment Will Not Be Made
- 140.477 Limitations on Equipment, Prosthetic Devices and Orthotic Devices
- 140.478 Prior Approval for Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices
- 140.479 Limitations, Medical Supplies
- 140.480 Equipment Rental Limitations
- 140.481 Payment for Medical Equipment, Supplies, Prosthetic Devices and Hearing Aids
- 140.482 Family Planning Services
- 140.483 Limitations on Family Planning Services
- 140.484 Payment for Family Planning Services
- 140.485 Healthy Kids Program
- 140.486 Illinois Healthy Women
- 140.487 Healthy Kids Program Timeliness Standards

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NOTICE OF EMERGENCY AMENDMENT

140.488	Periodicity Schedules, Immunizations and Diagnostic Laboratory Procedures
140.490	Medical Transportation
140.491	Limitations on Medical Transportation
140.492	Payment for Medical Transportation
140.493	Payment for Helicopter Transportation
140.494	Record Requirements for Medical Transportation Services
140.495	Psychological Services
140.496	Payment for Psychological Services
140.497	Hearing Aids
140.498	Fingerprint-Based Criminal Background Checks

SUBPART E: GROUP CARE

Section	
140.500	Long Term Care Services
140.502	Cessation of Payment at Federal Direction
140.503	Cessation of Payment for Improper Level of Care
140.504	Cessation of Payment Because of Termination of Facility
140.505	Informal Hearing Process for Denial of Payment for New ICF/MR
140.506	Provider Voluntary Withdrawal
140.507	Continuation of Provider Agreement
140.510	Determination of Need for Group Care
140.511	Long Term Care Services Covered By Department Payment
140.512	Utilization Control
140.513	Notification of Change in Resident Status
140.514	Certifications and Recertifications of Care (Repealed)
140.515	Management of Recipient Funds – Personal Allowance Funds
140.516	Recipient Management of Funds
140.517	Correspondent Management of Funds
140.518	Facility Management of Funds
140.519	Use or Accumulation of Funds
140.520	Management of Recipient Funds – Local Office Responsibility
140.521	Room and Board Accounts
140.522	Reconciliation of Recipient Funds
140.523	Bed Reserves
140.524	Cessation of Payment Due to Loss of License
140.525	Quality Incentive Program (QUIP) Payment Levels
140.526	Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP) (Repealed)
140.527	Quality Incentive Survey (Repealed)

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NOTICE OF EMERGENCY AMENDMENT

140.528	Payment of Quality Incentive (Repealed)
140.529	Reviews (Repealed)
140.530	Basis of Payment for Long Term Care Services
140.531	General Service Costs
140.532	Health Care Costs
140.533	General Administration Costs
140.534	Ownership Costs
140.535	Costs for Interest, Taxes and Rent
140.536	Organization and Pre-Operating Costs
140.537	Payments to Related Organizations
140.538	Special Costs
140.539	Reimbursement for Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care Aide and Habilitation Aide Training and Nursing Assistant Competency Evaluation
140.540	Costs Associated With Nursing Home Care Reform Act and Implementing Regulations
140.541	Salaries Paid to Owners or Related Parties
140.542	Cost Reports – Filing Requirements
140.543	Time Standards for Filing Cost Reports
140.544	Access to Cost Reports (Repealed)
140.545	Penalty for Failure to File Cost Reports
140.550	Update of Operating Costs
140.551	General Service Costs Updates
140.552	Nursing and Program Costs
140.553	General Administrative Costs Updates
140.554	Component Inflation Index (Repealed)
140.555	Minimum Wage
140.560	Components of the Base Rate Determination
140.561	Support Costs Components
140.562	Nursing Costs
140.563	Capital Costs
140.565	Kosher Kitchen Reimbursement
140.566	Out-of-State Placement
140.567	Level II Incentive Payments (Repealed)
140.568	Duration of Incentive Payments (Repealed)
140.569	Clients With Exceptional Care Needs
140.570	Capital Rate Component Determination
140.571	Capital Rate Calculation
140.572	Total Capital Rate
140.573	Other Capital Provisions

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140.574	Capital Rates for Rented Facilities
140.575	Newly Constructed Facilities (Repealed)
140.576	Renovations (Repealed)
140.577	Capital Costs for Rented Facilities (Renumbered)
140.578	Property Taxes
140.579	Specialized Living Centers
140.580	Mandated Capital Improvements (Repealed)
140.581	Qualifying as Mandated Capital Improvement (Repealed)
140.582	Cost Adjustments
140.583	Campus Facilities
140.584	Illinois Municipal Retirement Fund (IMRF)
140.590	Audit and Record Requirements
140.642	Screening Assessment for Nursing Facility and Alternative Residential Settings and Services
140.643	In-Home Care Program
140.645	Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons Under Age 21 (Repealed)
140.646	Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities
140.647	Description of Developmental Training (DT) Services
140.648	Determination of the Amount of Reimbursement for Developmental Training (DT) Programs
140.649	Effective Dates of Reimbursement for Developmental Training (DT) Programs
140.650	Certification of Developmental Training (DT) Programs
140.651	Decertification of Day Programs
140.652	Terms of Assurances and Contracts
140.680	Effective Date Of Payment Rate
140.700	Discharge of Long Term Care Residents
140.830	Appeals of Rate Determinations
140.835	Determination of Cap on Payments for Long Term Care (Repealed)

SUBPART F: FEDERAL CLAIMING FOR STATE AND LOCAL GOVERNMENTAL ENTITIES

Section	
140.850	Reimbursement of Administrative Expenditures
140.855	Administrative Claim Review and Reconsideration Procedure
140.860	County Owned or Operated Nursing Facilities
140.865	Sponsor Qualifications (Repealed)

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140.870	Sponsor Responsibilities (Repealed)
140.875	Department Responsibilities (Repealed)
140.880	Provider Qualifications (Repealed)
140.885	Provider Responsibilities (Repealed)
140.890	Payment Methodology (Repealed)
140.895	Contract Monitoring (Repealed)
140.896	Reimbursement For Program Costs (Active Treatment) For Clients in Long Term Care Facilities For the Developmentally Disabled (Recodified)
140.900	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Recodified)
140.901	Functional Areas of Needs (Recodified)
140.902	Service Needs (Recodified)
140.903	Definitions (Recodified)
140.904	Times and Staff Levels (Repealed)
140.905	Statewide Rates (Repealed)
140.906	Reconsiderations (Recodified)
140.907	Midnight Census Report (Recodified)
140.908	Times and Staff Levels (Recodified)
140.909	Statewide Rates (Recodified)
140.910	Referrals (Recodified)
140.911	Basic Rehabilitation Aide Training Program (Recodified)
140.912	Interim Nursing Rates (Recodified)

SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

Section	
140.920	General Description
140.922	Covered Services
140.924	Maternal and Child Health Provider Participation Requirements
140.926	Client Eligibility (Repealed)
140.928	Client Enrollment and Program Components (Repealed)
140.930	Reimbursement
140.932	Payment Authorization for Referrals (Repealed)

SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section	
140.940	Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)

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140.942	Definition of Terms (Recodified)
140.944	Notification of Negotiations (Recodified)
140.946	Hospital Participation in ICARE Program Negotiations (Recodified)
140.948	Negotiation Procedures (Recodified)
140.950	Factors Considered in Awarding ICARE Contracts (Recodified)
140.952	Closing an ICARE Area (Recodified)
140.954	Administrative Review (Recodified)
140.956	Payments to Contracting Hospitals (Recodified)
140.958	Admitting and Clinical Privileges (Recodified)
140.960	Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)
140.962	Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)
140.964	Contract Monitoring (Recodified)
140.966	Transfer of Recipients (Recodified)
140.968	Validity of Contracts (Recodified)
140.970	Termination of ICARE Contracts (Recodified)
140.972	Hospital Services Procurement Advisory Board (Recodified)
140.980	Elimination Of Aid To The Medically Indigent (AMI) Program (Emergency Expired)
140.982	Elimination Of Hospital Services For Persons Age Eighteen (18) And Older And Persons Married And Living With Spouse, Regardless Of Age (Emergency Expired)
140.TABLE A	Medichek Recommended Screening Procedures (Repealed)
140.TABLE B	Geographic Areas
140.TABLE C	Capital Cost Areas
140.TABLE D	Schedule of Dental Procedures
140.TABLE E	Time Limits for Processing of Prior Approval Requests
140.TABLE F	Podiatry Service Schedule
140.TABLE G	Travel Distance Standards
140.TABLE H	Areas of Major Life Activity
140.TABLE I	Staff Time and Allocation for Training Programs (Recodified)
140.TABLE J	HSA Grouping (Repealed)
140.TABLE K	Services Qualifying for 10% Add-On (Repealed)
140.TABLE L	Services Qualifying for 10% Add-On to Surgical Incentive Add-On (Repealed)
140.TABLE M	Enhanced Rates for Maternal and Child Health Provider Services

AUTHORITY: Implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the

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Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a

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maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill.

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Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; Notice of Corrections to Adopted Amendment at 15 Ill. Reg. 1174; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919,

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effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended at 17 Ill. Reg. 18902, effective October 12, 1993; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended at 18 Ill. Reg. 17286, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1,

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1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days; emergency expired April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective October 1, 1999; amended at 23 Ill. Reg. 13646, effective November 1, 1999; amended at 23 Ill. Reg. 14567, effective December 1, 1999; amended at 24 Ill. Reg. 661, effective January 3, 2000; amended at 24 Ill. Reg. 10277, effective July 1, 2000; emergency amendment at 24 Ill. Reg. 10436, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15086, effective October 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3897, effective March 1, 2001; amended at 25 Ill. Reg. 6665, effective May 11, 2001; amended at 25 Ill. Reg. 8793, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 8850, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11880, effective September 1,

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2001; amended at 25 Ill. Reg. 12820, effective October 8, 2001; amended at 25 Ill. Reg. 14957, effective November 1, 2001; emergency amendment at 25 Ill. Reg. 16127, effective November 28, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 16292, effective December 3, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 514, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 663, effective January 7, 2002; amended at 26 Ill. Reg. 4781, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 5984, effective April 15, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 7285, effective April 29, 2002; emergency amendment at 26 Ill. Reg. 8594, effective June 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 11259, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 12461, effective July 29, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16593, effective October 22, 2002; emergency amendment at 26 Ill. Reg. 12772, effective August 12, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13641, effective September 3, 2002; amended at 26 Ill. Reg. 14789, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 15076, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16303, effective October 25, 2002; amended at 26 Ill. Reg. 17751, effective November 27, 2002; amended at 27 Ill. Reg. 768, effective January 3, 2003; amended at 27 Ill. Reg. 3041, effective February 10, 2003; amended at 27 Ill. Reg. 4364, effective February 24, 2003; amended at 27 Ill. Reg. 7823, effective May 1, 2003; amended at 27 Ill. Reg. 9157, effective June 2, 2003; emergency amendment at 27 Ill. Reg. 10813, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 13784, effective August 1, 2003; amended at 27 Ill. Reg. 14799, effective September 5, 2003; emergency amendment at 27 Ill. Reg. 15584, effective September 20, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16161, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18629, effective November 26, 2003; amended at 28 Ill. Reg. 2744, effective February 1, 2004; amended at 28 Ill. Reg. 4958, effective March 3, 2004; emergency amendment at 28 Ill. Reg. 6622, effective April 19, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7081, effective May 3, 2004; emergency amendment at 28 Ill. Reg. 8108, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9640, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10135, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11161, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12198, effective August 11, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13775, effective October 1, 2004; amended at 28 Ill. Reg. 14804, effective October 27, 2004; amended at 28 Ill. Reg. 15513, effective November 24, 2004; amended at 29 Ill. Reg. 831, effective January 1, 2005; amended at 29 Ill. Reg. 6945, effective May 1, 2005; emergency amendment at 29 Ill. Reg. 8509, effective June 1, 2005, for a maximum of 150 days.

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.455 Payment for Mental Health Services

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NOTICE OF EMERGENCY AMENDMENT

EMERGENCY

- a) The amount approved for payment for mental health services described in Section 140.454 shall be based on the type and amount of service required by and actually delivered to a client.
- b) The payment amount for a service described in subsections (a) through (c) of Section 140.454 is determined in accordance with the rate methodologies outlined in 59 Ill. Adm. Code 132.60.
- c) Advance and Reconciliation of Payments
- 1) Eligibility. Community mental health providers eligible for this payment are those that during the payment month:
- A) have entered into an agreement with the Department, DCFS and DHS to provide SASS; and
- B) have entered into an advance and reconciliation agreement with the Department.
- 2) Payment. Payments under this subsection (c)(2) shall be made in each month of the last eleven months of State fiscal year 2006. Each payment shall be one-eleventh of the calculated annual amount, rounded to the nearest whole dollar. The annual amount for each eligible provider shall be one-half of the payable amount of all claims for a service reimbursable under subsection (b) of this Section, provided to a SASS-enrolled child or adolescent during State fiscal year 2005 by the provider (including, in the instance of a partnership arrangement that is formally acknowledged through agreements with the Department, provided by partnering providers), as tabulated by the Department from claims adjudicated through the end of July 2005. Except:
- A) In the instance that the geographic area assigned to the provider changes from that served during State fiscal year 2005, the Department may adjust the amount of the annual or monthly payments in a manner to reflect the change in service area; and

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- B) In the instance of a new provider, the Department may base the amount of the annual or monthly payments on the claim experience of the provider that served the area previously.
- 3) Reconciliation. Reconciliation of the advanced payment shall be effected through recoupment against payable amounts due the provider by the Department, DCFS or DHS, as specified in the advance and reconciliation agreement.
- 4) Effective Date. This payment methodology will cease on June 30, 2006.
- d) Service Accessibility Assurance Payment
- 1) Eligibility. Community mental health providers that, on June 1, 2005, had entered into an agreement with the Department, DCFS and DHS to provide SASS are eligible for this payment.
- 2) Payment. Payments under subsection (d)(1) shall be made during the months of June and August 2005. The amount of the payment to an eligible provider shall be determined as the sum of:
- A) The product of:
- i) \$250,000, and
- ii) the quotient resulting from the number of children in families that have incomes under 200 percent of the federal poverty income guideline, as reported by the U.S. Department of Commerce from the 2000 census, within the geographic area assigned to the provider, divided by the number of children in families that have incomes under 200 percent of the federal poverty income guideline, as reported by the U.S. Department of Commerce from the 2000 census, within Illinois.
- B) The product of:
- i) \$375,000, and

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICE RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 1, 2005 through June 6, 2005 and have been scheduled for review by the Committee at its July 12, 2005 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
7/15/05	<u>Department of Transportation</u> , Airport Hazard Zoning (92 Ill. Adm. Code 16)	4/15/05 29 Ill. Reg. 5295	7/12/05
7/16/05	<u>Department of Revenue</u> , Income Tax (86 Ill. Adm. Code 100)	4/15/05 29 Ill. Reg. 5283	7/12/05

STATE BOARD OF EDUCATION

NOTICE OF MODIFICATION TO MEET THE OBJECTION OF THE JOINT COMMITTEE
ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Access to Information of the State Board of Education
Under the Freedom of Information Act
- 2) Code Citation: 2 Ill. Adm. Code 5001
- 3) Section Numbers: Action:
5001.100 Modification
5001.210 Modification
5001.500 Modification
5001.600 Modification
- 4) Date Notice of Adopted Rules Published in the Register: March 11, 2005; 29 Ill. Reg.
3900
- 5) Date JCAR Statement of Objection Published in the Register: June 3, 2005; 29 Ill. Reg.
8240
- 6) Summary of Action Taken by the Agency:

The State Board of Education has agreed to re-amend Part 5001 to meet the Joint Committee's objection and has adopted the necessary amendments, which are ready for filing with the Secretary of State.

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

JULY 2005 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citation): The Administration and Operation of the Teachers' Retirement System, 80 Ill. Adm. Code 1650
- 1) Rulemaking:
- A) Description: The Teachers' Retirement System ("System") anticipates the following rulemakings:
- Rules to clarify SB 27 and SB 1660 which deal with sick leave creditable service, early retirement without discount and return to teaching service while on disability.
 - Amendment to the rules governing Qualified Illinois Domestic Relations Orders (QILDRO's) based upon passage of SB 1446.
It is anticipated the SB27, 1660 and 1446 will be signed into law, and this regulatory agenda anticipates the enactment of these bills.
 - Repeal of the impermissible refund rule, 1650.240 c) and d) due to lack of statutory support.
- B) Statutory Authority: Implementing and authorized by Article 16 of the Illinois Pension Code [40 ILCS 5/Art. 16].
- C) Scheduled meeting/hearing dates: There is no proposed schedule of dates for meetings/hearings at this time.
- D) Date agency anticipates First Notice: Unknown
- E) Affect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
Name: Thomas Gray, General Counsel
Address: Teachers' Retirement System
2815 West Washington, P.O. Box 19253
Springfield, Illinois 62794-9253
Telephone: (217) 753-0375
- G) Related rulemakings and other pertinent information: None

PROCLAMATIONS

2005-206**EXTENDED CARE AND LONG-TERM RECOVERY DAY**

- WHEREAS, substance abuse is a major public health problem that affects millions of Americans of all ages, races, and ethnic backgrounds and in all communities; and
- WHEREAS, substance abuse is a treatable disease, and research has shown that recovery programs are an effective way of treating alcohol and drug abuse and improving the health of individuals both during and after care; and
- WHEREAS, alcohol and other drug treatment programs provide financial benefits to citizens through reduced crime, emergency health care and social services; and
- WHEREAS, state-sponsored prevention, treatment, counseling, and recovery services have helped hundreds of thousands of Illinoisans live productive and sober lives; and
- WHEREAS, recovery from addiction is possible thanks to the efforts of local and statewide organizations such as the National Association of Halfway House Alcoholism Programs of North America, Inc:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 3, 2005 as EXTENDED CARE AND LONG-TERM RECOVERY DAY in Illinois, and encourage all citizens to be supportive of those individuals who have undergone successful alcohol and drug treatment, and to honor those individuals who have dedicated their lives to helping people recover from addiction.

Issued by the Governor June 2, 2005.
Filed by the Secretary of State June 2, 2005.

2005-207**BLACK CAUCUS OF THE AMERICAN LIBRARY ASSOCIATION DAY**

- WHEREAS, the Black Caucus of the American Library Association (BCALA) was organized in 1970 to address issues of racial imparity in libraries as well as in the American Library Association. In addition, the BCALA was formed to address the effects of institutional racism, poverty, and limited education, employment, and promotional opportunities for African-Americans and other people of color; and

PROCLAMATIONS

- WHEREAS, there are more than 1,000 members of the Black Caucus of the American Library Association, serving library users and local communities, in both public and private institutions throughout the United States of America and in countries abroad; and
- WHEREAS, the membership, consisting of librarians and information professionals, recognizes that equitable access to information and technology plays a vital roll in the economic, political, and social well-being of our nation and world. Therefore, members advocate fair access for everyone, regardless of race, ethnicity, gender, or socio-economic status; and
- WHEREAS, the Black Caucus of the American Library Association has endorsed resolutions in support of racial and sexual parity in library staffing (1971); African American representation on library governing boards (1971); fair employment practices by libraries in hiring suppliers and purchasing goods and services (1971); and has been the primary initiator, developer, and supporter for the Equity at Issue policy (1986) and the ALA Minority Concerns Policy (1988); and
- WHEREAS, the Black Caucus of the American Library Association recognizes outstanding contributions by African American librarians through the Trailblazers' Award (1990-) and DEMCO/ALA Black Caucus Award for Excellence in Librarianship (1994-). Since 1994, through its Literary Awards program, the BCALA has promoted an awareness of African-American literature by recognizing excellence in adult fiction and nonfiction written by African-American authors. In addition, they promote the development of public and school library programs featuring African American children's literature through the work of its Committee on Services to Children and Families of African Descent:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 24, 2005 as BLACK CAUCUS OF THE AMERICAN LIBRARY ASSOCIATION DAY in Illinois, and encourage all citizens to join in celebrating this association's 35th anniversary.

Issued by the Governor June 2, 2005.

Filed by the Secretary of State June 2, 2005.

2005-208**NATIONAL WATER SAFETY WEEK**

- WHEREAS, water safety education plays a vital role in preventing drownings and recreational water-related injuries; and

PROCLAMATIONS

- WHEREAS, by taking proactive steps learned through water-safety education, people can ensure healthy practices when enjoying water recreation. These healthy practices, for example, can prevent water-borne illnesses; and
- WHEREAS, trained and certified aquatics professionals who develop water-safety rules allow for water recreation activities to be both fun and safe at the same time; and
- WHEREAS, the safest aquatic recreational activities are in treated-water facilities; and
- WHEREAS, effective water-safety programs are one of the best ways to prevent water-related injuries and drownings:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 6 – 12, 2005 as NATIONAL WATER SAFETY WEEK in Illinois, and encourage all citizens to support and promote the importance of practicing safety in water recreation.

Issued by the Governor June 2, 2005.

Filed by the Secretary of State June 2, 2005.

2005-209**DANICA PATRICK DAY**

- WHEREAS, on Sunday, May 29, 2005, former Roscoe, Illinois resident, Danica Patrick, became the first woman to ever lead in the Indianapolis 500, and is now the highest-finishing woman in the history of the race; and
- WHEREAS, Danica led the 2005 Indianapolis 500 at three different times during the race, for a total of 19 laps. She was ahead as late as Lap 193 of the 200 lap race, but was passed on Lap 194 by winner, Dan Wheldon; and
- WHEREAS, Danica's history-making performance at the Indianapolis 500 extended even further, as she also achieved the all-time highest finish by an Indy rookie driver at fourth place overall; and
- WHEREAS, thus far in her professional endeavors, Danica Patrick's accomplishments have been impressive, highlighted by, among other things, her third-place finish in the 2004 Toyota Atlantic Championship final season standings. Her stellar performance in this year's Indianapolis 500 is another indication of what promises to be a truly outstanding career; and

PROCLAMATIONS

WHEREAS, as a woman of only 23 years of age, Danica Patrick has already made her mark on history with her sparkling achievements as a professional driver. Illinois, being the state where Danica was raised, is extremely proud of her recent success, and is pleased to join in honoring her on this occasion:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim Sunday, June 5, 2005 as DANICA PATRICK DAY in Illinois, and encourage all citizens to join in recognition of Danica's fourth place finish in the 2005 Indianapolis 500, and look forward to a bright future for this highly-talented young driver.

Issued by the Governor June 3, 2005.

Filed by the Secretary of State June 3, 2005.

2005-210**WAUKEGAN SWEDISH GLEE CLUB DAY**

WHEREAS, on December 8, 2005, the Waukegan Swedish Glee Club will mark its 100th year as an organization; and

WHEREAS, this chorus of male singers has been true to its purpose, which is to: maintain a male chorus, promote Swedish song, foster and disseminate Scandinavian culture, and sponsor social activities; and

WHEREAS, over the course of these 100 years, the Swedish Glee Club has, on occasion, brought fame to the great city of Waukegan, has provided for its citizens who love to sing an opportunity to do so, has performed countless concerts at places like churches and nursing homes, and has held special celebrations for numerous citizens who love to hear choral music; and

WHEREAS, today, the Swedish Glee Club continues to offer the opportunity for any man, regardless of race or origin, to sing in the chorus:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim December 8, 2005 as WAUKEGAN SWEDISH GLEE CLUB DAY in Illinois, and encourage all citizens to join in recognition of the 100th anniversary of this terrific organization.

Issued by the Governor June 3, 2005.

Filed by the Secretary of State June 3, 2005.

2005-211**ACCESS LIVING DAY**

PROCLAMATIONS

WHEREAS, since it's founding in 1980, Access Living has admirably served Chicago's more than 500,000 disabled citizens, ensuring their civil rights and advocating for supportive policies and programs; and

WHEREAS, Access Living fosters the dignity, pride and self-esteem of people with disabilities by offering peer-oriented independent living services, public education programs and individual systemic advocacy; and

WHEREAS, on June 20, 2005, elected officials, corporate leaders, representatives from the disabled community and citizens from throughout Chicago will celebrate Access Living's 25th Anniversary 2005 Annual Gala; and

WHEREAS, the 25th Anniversary Annual Gala aims to involve Chicago's corporate community in disability issues, promote public understanding and awareness of people with disabilities and reinforce positive and accurate images of the disabled community:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 20, 2005 as ACCESS LIVING DAY in Illinois, and encourage all citizens to recognize Access Living for all of their wonderful contributions to the community as they celebrate their 25th anniversary.

Issued by the Governor June 3, 2005.

Filed by the Secretary of State June 3, 2005.

2005-212**NATIONAL PEER HELPERS ASSOCIATION DAY**

WHEREAS, The National Peer Helpers Association is an organization of adults who have joined together to encourage, promote and improve peer helping programs; and

WHEREAS, peer helpers help young people in Illinois and throughout the world mobilize to address the academic and social needs of fellow students and have emerged as a recognized and dynamic force in the ever-changing field of peer helping; and

WHEREAS, the National Peer Helpers Association devotes much effort to promoting peer helpers internationally and is committed to establishing and disseminating a collection of materials to encourage and improve all peer helping programs; and

PROCLAMATIONS

WHEREAS, the National Peer Helpers Association remains dedicated to being recognized as a leading authority on peer helping and is an active advocate of change in how youth relate and interact in their most formative years within the formal structures of society; and

WHEREAS, the National Peer Helpers Association is an example of how service to others is a foundation for creating a culture of people helping people; and

WHEREAS, the nineteenth annual conference of the National Peer Helpers Association is being held in Chicago, Illinois from June 24 to June 26, 2005:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 25, 2005 as NATIONAL PEER HELPERS ASSOCIATION DAY in Illinois, and encourage all citizens to recognize the National Peer Helpers Association for their dedicated service upon the occasion of their nineteenth annual conference.

Issued by the Governor June 3, 2005.

Filed by the Secretary of State June 3, 2005.

2005-213**SMALL BUSINESS WEEK**

WHEREAS, small businesses make tremendous contributions to the economic makeup of our nation, accounting for 75 percent of the new jobs added to the economy; and

WHEREAS, Illinois agencies play a significant role in the development of small businesses within the state. The Illinois Secretary of State's office is responsible for incorporating such businesses, while the Illinois Department of Commerce and Economic Opportunity assists new and existing small businesses with various matters including: providing business counseling, assisting with the development of business plans, and providing business education and training opportunities; and

WHEREAS, the State of Illinois Department of Commerce and Economic Opportunity (DCEO) has continued a long term partnership with the U.S. Small Business Administration (SBA) supporting the Illinois Small Business Development Center and the newly created Illinois Entrepreneurship Network (IEN); and

WHEREAS, the DCEO and SBA partnership has resulted in assistance being provided to over 516,000 entrepreneurs and small businesses; and

PROCLAMATIONS

WHEREAS, the State of Illinois is proud to recognize that there are 589,000 small businesses in Illinois, and they employ nearly 3 million people:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim June 12 – 18, 2005 as SMALL BUSINESS WEEK in Illinois and encourage all citizens to recognize the contributions these businesses make to our society.

Issued by the Governor June 3, 2005.

Filed by the Secretary of State June 3, 2005.

ILLINOIS ADMINISTRATIVE CODE Issue Index - With Effective Dates

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