

2009

ILLINOIS

REGISTER

RULES
OF GOVERNMENTAL
AGENCIES



Volume 33, Issue 1
January 2, 2009
Pages 1-202

Index Department
Administrative Code Division
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017
<http://www.cyberdriveillinois.com>

Printed on recycled paper

PUBLISHED BY JESSE WHITE • SECRETARY OF STATE

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2009

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 22, 2008	January 2, 2009
2	December 29, 2008	January 9, 2009
3	January 5, 2009	January 16, 2009
4	January 12, 2009	January 23, 2009
5	January 20, 2009	January 30, 2009
6	January 26, 2009	February 6, 2009
7	February 2, 2009	February 13, 2009
8	February 9, 2009	February 20, 2009
9	February 17, 2009	February 27, 2009
10	February 23, 2009	March 6, 2009
11	March 2, 2009	March 13, 2009
12	March 9, 2009	March 20, 2009
13	March 16, 2009	March 27, 2009
14	March 23, 2009	April 3, 2009
15	March 30, 2009	April 10, 2009
16	April 6, 2009	April 17, 2009
17	April 13, 2009	April 24, 2009
18	April 20, 2009	May 1, 2009
19	April 27, 2009	May 8, 2009
20	May 4, 2009	May 15, 2009
21	May 11, 2009	May 22, 2009
22	May 18, 2009	May 29, 2009

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
23	May 26, 2009	June 5, 2009
24	June 1, 2009	June 12, 2009
25	June 8, 2009	June 19, 2009
26	June 15, 2009	June 26, 2009
27	June 22, 2009	July 6, 2009
28	June 29, 2009	July 10, 2009
29	July 6, 2009	July 17, 2009
30	July 13, 2009	July 24, 2009
31	July 20, 2009	July 31, 2009
32	July 27, 2009	August 7, 2009
33	August 3, 2009	August 14, 2009
34	August 10, 2009	August 21, 2009
35	August 17, 2009	August 28, 2009
36	August 24, 2009	September 4, 2009
37	August 31, 2009	September 11, 2009
38	September 8, 2009	September 18, 2009
39	September 14, 2009	September 25, 2009
40	September 21, 2009	October 2, 2009
41	September 28, 2009	October 9, 2009
42	October 5, 2009	October 16, 2009
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46	November 2, 2009	November 13, 2009
47	November 9, 2009	November 20, 2009
48	November 16, 2009	November 30, 2009
49	November 23, 2009	December 4, 2009
50	November 30, 2009	December 11, 2009
51	December 7, 2009	December 18, 2009
52	December 14, 2009	December 28, 2009

Editor's Note: This is a reminder that January 2, 2009 is the final day to submit your Agency's Regulatory Agenda for the January 2, 2009 filing period.

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Compensation of Local Governments for Emergency Planning and Participation in Nuclear Emergency Response Exercises
- 2) Code Citation: 32 Ill. Adm. Code 501
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
501.10	Amendment
501.20	Amendment
501.30	Amendment
501.40	Amendment
501.50	Amendment
501.60	Amendment
501.70	Amendment
501.80	Amendment
501.90	Amendment
501.APPENDIX A	Repealed
- 4) Statutory Authority: Implementing and authorized by the Illinois Nuclear Safety Preparedness Act [420 ILCS 5/4]
- 5) A Complete Description of the Subjects and Issues Involved: IEMA is authorized to make grants available to local governmental entities for costs associated with the implementation of the Illinois Nuclear Safety Preparedness Act [420 ILCS 5/4]. The Agency is proposing these amendments to update the regulation to reflect the merger between IEMA and the former IDNS, clarify permissible uses of grant funds, clarify deadlines for grant applications and claims, and eliminate unnecessary grant agreement language.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when composing this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF PROPOSED AMENDMENTS

- 11) Statement of Statewide Policy Objective: To encourage grantee participation in preparing and implementing plans to deal with the effects of nuclear accidents and to provide guidance in determining necessary activities and expenditures.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice. The Agency will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

Kevin T. McClain
Chief Legal Counsel
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, Illinois 62704

217/524-0770 (voice)

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Small municipalities within the vicinity of a nuclear facility in Illinois are eligible to receive grants in accordance with this Rule.
- B) Reporting, bookkeeping or other procedures required for compliance: Section 501.80 outlines requirements for auditing and record retention.
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2008

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

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF PROPOSED AMENDMENTS

TITLE 32: ENERGY

CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER c: NUCLEAR FACILITY SAFETY

PART 501

COMPENSATION OF LOCAL GOVERNMENTS FOR EMERGENCY PLANNING AND
PARTICIPATION IN NUCLEAR EMERGENCY RESPONSE EXERCISES

Section

501.10	Purpose and Scope
501.20	Definitions
501.30	Incorporations by Reference
501.40	Policies and Procedures
501.50	Determination Establishment of Grant Awards Initial Block Grants
501.60	Procedures for Awarding Future Block -Grants
501.70	Contents of Grant Agreement and Disbursement Dispersement of Block -Grant Funds
501.80	Claims , Audit, Expenditure Record Requirements and Block -Grant Fund Recovery Procedures
501.90	Standards for the Determination of Permissible Uses of Block -Grant Funds
501.APPENDIX A	Wording of the Block Grant Agreement (Repealed)

AUTHORITY: Implementing and authorized by Section 4 of the Illinois Nuclear Safety Preparedness Act [420 ILCS 5/4].

SOURCE: Emergency rule adopted at 5 Ill. Reg. 14862, effective November 22, 1982, for a maximum of 150 days; adopted at 7 Ill. Reg. 5877, effective April 23, 1983; codified at 8 Ill. Reg. 1599; amended at 9 Ill. Reg. 2283, effective January 30, 1985; amended at 14 Ill. Reg. 16923, effective October 2, 1990; emergency rule adopted at 20 Ill. Reg. 8341, effective June 4, 1996, for a maximum of 150 days; Part repealed, new Part adopted at 20 Ill. Reg. 14805, effective October 29, 1996; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 33 Ill. Reg. _____, effective _____.

Section 501.10 Purpose and Scope

The purpose of ~~this Part~~ is to establish the policies and procedures necessary to compensate ~~grantees~~~~local governments~~ for costs associated with implementation of Section 4 of the Illinois Nuclear Safety Preparedness Act (the Act) [420 ILCS 5]. The policies and procedures contained

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF PROPOSED AMENDMENTS

in this Part are intended to further the following objectives:

- a) to encourage ~~grantees to prepare local government participation in preparing and implementing plans~~ to deal with the effects of nuclear ~~incidents~~ accidents;
- b) to reduce the encumbrance of public funds obligated by ~~grantees local governments~~ in implementation of the Act by establishment of a ~~block grant~~ system of compensation, whereby grant monies are paid to the ~~grantee local government~~ in advance of actual expenditures, ~~when possible~~; and
- c) to provide guidance to ~~grantees local governments~~ and ~~Agency~~ Department staff in determining necessary activities and expenses payable pursuant to the Act.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 501.20 Definitions

"Agency" means the Illinois Emergency Management Agency.

"Authorized Expenses" means the actual expenditures of public funds by a ~~grantee local government~~ attributable to implementation of the Act as determined necessary by ~~the Director of the Illinois Emergency Management Agency Department of Nuclear Safety (Department)~~.

~~"Director" means the Director of the Department of Nuclear Safety or his designee.~~

"Drill" means the test or trial of a particular emergency preparedness system, function or operation, such as communications.

"Employee" means an individual actually paid wages or allowances by a ~~grantee local government~~ for work performed on a full-time, part-time or intermittent basis.

"Exercise" means the testing of emergency response plans for nuclear facilities, including, but not limited to, the biennial testing and evaluation of off-site radiological emergency response plans and preparedness in support of nuclear generating stations, as required by the U.S. Nuclear Regulatory Commission, 10 CFR 50, Appendix E, current as of January 1, 1996.

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"Grantee" means a local governmental entity ~~receiving to which~~ a grant ~~is made~~.

"Local Government" means a political subdivision below the State Government level, such as a county, municipality, township, village or district, with authority to expend public funds.

"Volunteer" means an individual paid an allowance, set forth by resolution, for work performed on an intermittent basis.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 501.30 Incorporations by Reference

All rules, standards and guidelines of agencies of the United States or nationally recognized organizations or associations that are incorporated by reference in this Part are incorporated as of the date specified in the reference and do not include any later amendments or editions. Copies of these rules, standards and guidelines that have been incorporated by reference are available for public inspection at the Illinois Emergency Management Agency~~Department of Nuclear Safety~~, 1035 Outer Park Drive, Springfield, Illinois.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 501.40 Policies and Procedures

- a) The ~~Agency~~Department shall ~~provide compensation to grantees~~compensate local governments from fees collected pursuant to Section 4 of the Act.
- b) The ~~Agency~~Director shall provide ~~block~~ grants to ~~grantees~~local governments for expenses relating to implementation of emergency ~~preparedness~~planning and response activities conducted ~~by the Department~~ to deal with the possibility of nuclear accidents at nuclear power stations.
- c) All grants made under this Part providing for payment of funds in advance of anticipated expenditures shall be made in accordance with a grant agreement to be executed by both the ~~Agency~~Director of the Department and the head of the local governmental entity to whom the grant is awarded.
- d) The Illinois Emergency Management Agency, Bureau of Disaster Assistance and

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~~Preparedness, Division of Planning and Analysis (DPA), Office of Nuclear Facility Safety,~~ shall be responsible for implementation ~~of this Part~~ and shall be the point of contact for ~~grantees~~~~local governments~~ relative to the provisions contained ~~in this Part~~~~herein~~.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 501.50 ~~Determination~~~~Establishment~~ of ~~Grant Awards~~~~Initial Block Grants~~

~~The initial amount of the block grants shall be based on the following criteria:~~

- a) ~~The base amount of each grant, excluding special requirement and request amounts, shall be based on the grantee's recurring costs plus the grantee's expected participation in activities during the grant period (e.g., training and biennial exercises). The block grant shall be based on the amount determined by the Department to be an average of actual expenses approved by the Department over the most recent three-year period, plus any additional recurring costs, as determined to be necessary or required by the Department.~~
- b) Special requirement amounts shall be based on a ~~grantee's~~~~local government's~~ preparation for or participation in an exercise or drill ~~required outside of the biennial~~~~that occurs outside of the annual~~ exercise cycle. Such requests shall be made to the ~~Agency~~~~Department~~ in writing, and will be subject to approval based upon available funds. Amounts ~~disbursed~~~~dispersed~~ and approved by the ~~Agency~~~~Department~~ as special requirements will not be considered in calculating future ~~base~~ grant awards.
- c) Special request amounts shall be based on requirements identified by a ~~grantee~~~~local government~~ for ~~specialty~~ items ~~to enhance the capability to implement nuclear emergency response plans~~~~such as special equipment needs~~. ~~The~~~~Such~~ requests shall be made to the ~~Agency~~~~Department~~ in writing, and will be subject to approval based upon available funds. Amounts ~~disbursed~~~~dispersed~~ and approved by the ~~Agency~~~~Department~~ as special requests will not be considered in calculating future ~~base~~ grant awards.
- d) Special requirements and special requests approved by the ~~Agency~~~~Department~~ after the ~~initial disbursement~~~~dispersment~~ of the ~~initial block~~ grant funds shall be incorporated into an amendment to the grant agreement, ~~if necessary~~, before ~~disbursement~~~~dispersment~~ of the additional ~~block~~ grant funds.

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(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 501.60 Procedures for Awarding Future ~~Block~~ Grants

- a) Participating ~~applicants~~local governments shall submit to the ~~Agency~~Department by ~~March 15~~April 30 of each year a grant application for the purpose of determining the amount of the ~~block~~ grant award. ~~The grant application shall be submitted on forms provided by the Agency. The application shall contain a brief description of the purpose for which the grant is being sought, the proposed term of the grant and an annual estimated spend plan covering the project expenses of the participating local government. The grant application shall also include the name, title, business address and phone number of the person designated to authenticate documents submitted on behalf of the local government and to act as point of contact for questions arising under the grant.~~ The application shall be signed by the head of the local government ~~organization~~and submitted on forms provided by the Department. ~~Failure to meet the grant application submittal deadline may result in denial of the application.~~
- b) Special request ~~applications shall be submitted to the Department by January 1~~ and special requirement applications may be submitted any time throughout the year.
- c) Local governmental applicants who have not participated in the local compensation ~~program~~plan may be eligible to receive ~~block~~ grant funds pursuant to Section 501.90 ~~of this Part~~ and subject to ~~Agency~~Department approval based upon available funds. Applicants shall contact the ~~Agency~~Department for the necessary application forms.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 501.70 Contents of Grant Agreement and ~~Disbursement~~Dispersement of ~~Block~~ Grant Funds

- a) The ~~Agency~~Director shall execute a grant agreement with each ~~grantee~~local government to whom a grant is awarded. The grant agreement shall specify the parties to the grant, the term of the grant, the amount of the grant, method of payment of the ~~block~~ grant funds, permissible uses of the ~~block~~ grant funds, that documentation of expenditures be maintained by the grantee, that unspent ~~block~~

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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grant funds shall be returned to the State as required by the Illinois Grant Funds Recovery Act [30 ILCS 705], that the ~~Agency~~Department may audit records required to be maintained to verify that grant monies were used for permissible uses under the grant, and that the grant agreement shall cease if funds for the grant are not appropriated by the General Assembly, and any other standard provisions required by the Comptroller to be included in grant agreements entered into by the State.

- b) ~~Upon execution of the grant agreement, the Department shall allocate funds to a grant account established for the participating local government in an amount equal to the grant award.~~ On July 1 of each year, or as soon thereafter as is practicable, the ~~Agency~~Department shall disburse to the ~~grantee~~local government ~~an the grant~~ amount ~~determined by the Agency for that fiscal year~~equal to the approved grant expenses.

AGENCY NOTE: It is the ~~Agency's~~Department's intent that ~~block~~ grant funds will be disbursed on July 1 of each year. However, such disbursement might be delayed for reasons beyond the ~~Agency's~~Department's control (e.g., failure of the General Assembly to make appropriations before July 1).

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 501.80 ~~Claims~~, Audit, Expenditure Record Requirements and ~~Block~~ Grant Fund Recovery Procedures

- a) Grantees shall submit signed claim forms and a copy of the related receipts that verify expenditures of grant funds to the Agency for review by mail or fax to the following address or fax number:

IEMA
Attention: DA&P IPRA Grants
1035 Outer Park Drive
Springfield, IL 62704
Fax: 217/524-0026

- 1) Claims are due as follows:

A) County grantee claim forms are due on a quarterly basis in accordance with the following schedule:

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1st Quarter (July-September): due October 31

2nd Quarter (October-December): due January 31

3rd Quarter (January-March): due April 30

4th Quarter (April-June): due July 31

B) Claims from grantees from political subdivisions other than counties are due on a biannual basis in accordance with the following schedule:

1st and 2nd Quarter (July-December): due January 31

3rd and 4th Quarter (January-June): due July 31

C) Grantees who receive a grant for a special request or special requirement only shall submit the claim based on the quarter when the expenditure was made.

2) After claims are received and reviewed by the Agency to ensure that expenditures are in accordance with approved spending plans, receipt of the claim and results of the review will be confirmed by return correspondence to the grantee.

3) Failure to meet the claim submittal deadlines outlined in this Section may result in denial of the claim and may jeopardize future grant awards.

ba) Participating ~~grantees~~~~local governments~~ shall maintain, in separate files, documentation of expenditures under the grant that is readily accessible during ~~an Agency~~~~Department~~ audit for a minimum of 5 years. ~~The~~~~Such~~ documentation shall be on forms provided by the ~~Agency~~~~Department~~.

cb) The ~~Agency~~~~Department~~ shall have the right to audit and obtain copies of the books, records, and any other recorded information of the grantee related to grantee expenses for which grantee received compensation under this Part.

de) If, through ~~an Agency~~~~Department~~ audit, the ~~Agency~~~~Department~~ finds that the ~~grantee~~~~local government~~ has misspent or improperly held any ~~block~~ grant funds, the ~~Agency~~~~Department~~ shall have the right of recovery of ~~the~~~~such~~ ~~block~~ grant funds in accordance with the provisions and procedures of the Illinois Grant Funds Recovery Act ~~[30 ILCS 705]~~.

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ed) The Agency~~Department~~ shall inform the grantee~~local government~~ on whether future disbursements of the grant award are subject to adjustment in accordance with the provisions and procedures of the Illinois Grant Funds Recovery Act ~~[30 ILCS 705]~~.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 501.90 ~~Standards for the~~ Determination of Permissible Uses of ~~Block~~ Grant Funds

- a) The following categories~~standards~~ are used by the Agency~~Department~~ staff as a guide in determining necessary activities and authorized expenses payable under the provisions of this Part. These categories~~standards~~ are designed to achieve equality among known prospective grantees while taking into account the limitations imposed by the availability of appropriated funds.
- b) Necessary Activities:
- 1) Plan development and maintenance.~~Response planning, preparation, radiological training and drills.~~
 - 2) Preparation for and participation in training.~~Participation in the exercising of transportation and fixed facility nuclear response plans.~~
 - 3) Preparation for and participation in exercises and drills.~~Internal post exercise critique and corrective action.~~
 - 4) Maintenance of a specific capability to implement nuclear emergency response plans.
- c) Authorized Expenses:
- 1) Personnel Services
 - A) Wages, plus fringe benefits, actually paid to local governmental employees of the grantee for participation in necessary activities as described in subsection (b) of this Section.
 - B) Compensation shall be based on hourly rates for the number of

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hours of actual participation in necessary activities as described in subsection (b) of this Section. For personnel not normally paid at an hourly rate, an hourly rate shall be determined by dividing the periodic salary or contract amount by the number of hours required to be worked (or if there is no such requirement, the hours typically worked) within the period.

- C) Compensation for volunteers of the grantee shall be a set hourly rate documented by local government resolution. The rate per hour shall not exceed the usual and customary amount paid to volunteers assisting the grantee in local government functions.~~"matching funds" type employees shall be limited to wages actually paid from the local government's share of total funds contributed.~~
- 2) ~~Individual~~ Travel
 - A) Travel allowances actually paid to ~~grantee local government~~ employees or volunteers for travel performed in connection with their participation in necessary activities as described in subsection (b) of this Section.
 - B) Compensation for transportation, lodging, and per diem or meal expenses shall not exceed the rate in the State of Illinois Travel Regulations, 80 Ill. Adm. Code 3000, in effect at the time the expenditure was incurred, unless a ~~grantee local government~~ ordinance, rule or regulation applicable to all employees of the ~~grantee local government~~ specifies a higher rate.
- 3) Equipment Use
 - A) Costs actually paid, incurred or obligated for ~~grantee local government~~ owned or leased equipment used during or in connection with a necessary activity as specified in subsection (b) of this Section.
 - B) Compensation for equipment use shall not exceed the current State of Illinois rate. Expenses for use of motorized equipment shall be fully documented. Documentation shall include the date of use,

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type of equipment, entity that used the equipment, miles or hours that the equipment was in use, and cost per mile for equipment use, rates indicated in the following table without complete documentation:

<u>Type Equipment</u>	<u>Rate</u>	<u>Optional Rate</u>
Automobile	\$0.31 per mile	\$3.20 per hour of actual operation
Bus	\$0.60 per mile	\$8.80 per hour of actual operation
Emergency Vehicle (ambulance, fire truck, rescue vehicle)	Base rate, fee or service charge customary to the area of operation	None

~~C) Expenses for use of motorized equipment not listed in the table above shall be fully documented. Such documentation shall include the date of use, type of equipment, entity that used the equipment, miles or hours that the equipment was used, and cost per mile or hour for equipment use.~~

4) Telecommunications~~Miscellaneous Expenses~~

A) Emergency Operations Center (EOC) telecommunications costs include installation, service and maintenance charges for those telecommunication lines, circuits and equipment used to maintain the capability to implement nuclear emergency response plans.~~Telecommunications~~

~~i) Installation, service and maintenance charges for those telecommunication lines, circuits and equipment used exclusively for exercising nuclear emergency response plans.~~

~~ii) Telecommunication lines or circuit usage charges relating exclusively to the exercising of nuclear emergency response plans.~~

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B) Monthly usage charges for EOC to include telecommunication lines and the circuit usage charges relating exclusively to maintaining the capability to implement nuclear emergency response plans.~~EOC Operational Materials: costs of maps, charts, plexiglass, status boards and similar materials relating exclusively to the exercising of nuclear emergency response plans.~~

5) Miscellaneous expenses include maintenance agreements, office supplies, postage or similar expenses related to maintaining the capability to implement nuclear emergency response plans.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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Section 501.APPENDIX A Wording of the Block Grant Agreement (Repealed)

~~The wording of a block grant agreement, which is entered into by the Department and local governments for the payment of funds in advance of anticipated expenditures to be incurred by local governments for their participation in the planning and response activities as specified in Section 501.90 of this Part, shall contain the following provisions except that the instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:~~

~~STATE OF ILLINOIS
DEPARTMENT OF NUCLEAR SAFETY
INTERGOVERNMENTAL GRANT AGREEMENT~~

~~NO.~~ _____

~~This Agreement is made and entered into by and between the Illinois Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, IL 62704, hereinafter referred to as DEPARTMENT, and the _____ (name and address of the local governmental entity) ; hereinafter referred to as _____ (VILLAGE, THE DISTRICT, ETC) .~~

Introductory Statement

~~The Illinois Nuclear Safety Preparedness Act [420 ILCS 5] (the Act) authorizes DEPARTMENT to compensate local governments from fees collected pursuant to Section 4 of the Act for expenses incurred in activities defined as necessary by the Director of the DEPARTMENT to implement and maintain the plans and programs authorized by the Act. The Intergovernmental Cooperation Act [5 ILCS 220] authorizes the creation of intergovernmental agreements and contracts between public agencies of this State. Both DEPARTMENT and (NAME AS SHOWN IN THE REFERENCE CLAUSE, i.e., VILLAGE, THE DISTRICT, ETC) are public agencies of this State. The Grant Funds Recovery Act [30 ILCS 705] provides for the recovery by DEPARTMENT of unused block grant funds.~~

Terms of Agreement

~~DEPARTMENT and _____ (VILLAGE, THE DISTRICT, ETC) hereby agree as follows:~~

- ~~1) Purpose: The purpose of this grant is to encourage participation by _____ (VILLAGE, THE DISTRICT, ETC) in the emergency planning and Response activities conducted by DEPARTMENT pursuant to the Act. Under~~

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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~~this grant, DEPARTMENT hereby agrees to compensate (VILLAGE, THE DISTRICT, ETC) for expenses incurred in implementing plans and programs to deal with the possibility of a nuclear accident, as authorized by the Act.~~

2) ~~Term: This grant shall provide for compensation of funds expended between July 1, _____, through June 30, _____.~~

3) ~~Use: Permissible expenditures by (VILLAGE, THE DISTRICT, ETC) for which compensation will be made under this Agreement shall be those expenditures which are in accordance with the terms of the Act and with the standards set forth in 32 Ill. Adm. Code 501.90.~~

4) ~~Method of Payment: As soon as practicable after execution of this Agreement, DEPARTMENT shall disburse to (VILLAGE, THE DISTRICT, ETC) (SPELL OUT DOLLAR AMOUNT) (\$ _____), an amount equal to the DEPARTMENTALLY approved grant expenses that are anticipated to be incurred by (VILLAGE, THE DISTRICT, ETC) in State fiscal year _____. Payments under this Agreement shall be directed to:~~

~~(name and address of the Village, Village, District, etc)~~

5) ~~(VILLAGE, THE DISTRICT, ETC) shall maintain documentation of actual compensable expenditures made in accordance with Article 3 above. Such documentation shall be on forms provided by DEPARTMENT and subject to the provisions of 32 Ill. Adm. Code 501.80.~~

6) ~~Amount of Grant: The maximum amount payable to (VILLAGE, THE DISTRICT, ETC) under this Agreement shall be (SPELL OUT DOLLAR AMOUNT) (\$ _____):~~

7) ~~Recovery of Funds: As required by Section 4 of the Illinois Grant Funds Recovery Act [30 ILCS 705], all funds remaining at the end of this Agreement shall be returned to DEPARTMENT within 45 days. In the event that (VILLAGE, THE DISTRICT, ETC) is compensated by DEPARTMENT in excess of expenditures actually and legitimately compensable under this Agreement, (VILLAGE, THE DISTRICT, ETC) shall return said~~

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NOTICE OF PROPOSED AMENDMENTS

~~excess compensation to DEPARTMENT within 45 days after the date that DEPARTMENT makes such a request for payment. In addition, DEPARTMENT may pursue other recovery actions as specified in Section 6 of the Illinois Grant Funds Recovery Act [30 ILCS 705].~~

- 8) ~~Audit: DEPARTMENT may audit records required to be maintained under 32 Ill. Adm. Code 501.80 to verify that grant monies are being spent for permissible uses as specified in Article 3 of this grant agreement.~~
- 9) ~~Records and Reports: _____ (VILLAGE, THE DISTRICT, ETC) shall maintain, for a minimum of 5 years after the completion of this Agreement, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements passing in conjunction with this Agreement. _____ (VILLAGE, THE DISTRICT, ETC) shall make available, on request, all books, records, and supporting documents related to this Agreement for review and audit by the Auditor General and/or the DEPARTMENT. _____ (VILLAGE, THE DISTRICT, ETC) agrees to cooperate fully with any audit conducted by the Auditor General or the DEPARTMENT and to provide full access to all relevant materials.~~
- 10) ~~Independence of _____ (VILLAGE, THE DISTRICT, ETC) :- Any personnel, including contractors, who may be employed by _____ (VILLAGE, THE DISTRICT, ETC) in connection with this Agreement shall not be considered for any purpose to be agents or employees of DEPARTMENT. Nothing in this Agreement shall be construed to render _____ (VILLAGE, THE DISTRICT, ETC) an agent or employee of DEPARTMENT.~~
- 11) ~~Assignment: This Agreement shall not be assigned.~~
- 12) ~~Modification: No modification of this Agreement may be made unless agreed to in writing by both parties.~~
- 13) ~~Illinois Law: This Agreement shall be interpreted in accordance with Illinois law.~~
- 14) ~~Non-appropriation of Funds: This Agreement will cease immediately and without further liability, if in any fiscal year the Illinois General Assembly fails to appropriate or otherwise make available sufficient funds for this Agreement. In this event, _____ (VILLAGE, THE DISTRICT, ETC) will be paid for expenditures made during the period for which funds were available.~~

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- 15) ~~Termination: Each party reserves the right to terminate this Agreement upon 30 days written notice.~~
- 16) ~~International Anti-Boycott Certification: _____ (VILLAGE, THE DISTRICT, ETC) certifies that neither _____ (VILLAGE, THE DISTRICT, ETC) nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act (see 30 ILCS 582).~~
- 17) ~~Taxpayer Identification Number and Legal Status Disclosure: _____ (VILLAGE, THE DISTRICT, ETC) shall complete the form entitled "CONTRACTOR'S FEDERAL TAXPAYER IDENTIFICATION NUMBER AND LEGAL STATUS DISCLOSURE CERTIFICATION FORM," which shall be provided by DEPARTMENT and made a part of this grant agreement.~~
- 18) ~~Contact persons and notices: DEPARTMENT's contact person for matters related to this Agreement is:~~

Illinois Department of Nuclear Safety
 Division of Planning & Analysis
 Head of Emergency Preparedness and Local Government Support
 Section
 1035 Outer Park Drive
 Springfield, IL 62704
 217/785-9863

_____ (VILLAGE, THE DISTRICT, ETC) 's contact person is:

 (NAME OF PERSON)

 (NAME OF ENTITY)

 (ADDRESS)

 (PHONE NUMBER)

DEPARTMENT and _____ (VILLAGE, THE DISTRICT, ETC) may, from time to time, designate in writing different contact persons or addresses. Unless otherwise specifically provided herein, all notices or submittals required or permitted pursuant to this Agreement shall be

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~~deemed given when personally delivered or upon three (3) days after being posted by certified or registered mail, return receipt requested, postage prepaid, to the designated contact person at the designated address.~~

~~IN WITNESS HEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.~~

~~STATE OF ILLINOIS
DEPARTMENT OF NUCLEAR SAFETY
1035 Outer Park Drive
Springfield, IL 62704~~

~~(NAME OF ENTITY)
(ADDRESS)~~

~~BY: _____~~

~~BY: _____~~

~~TITLE: _____~~

~~TITLE: _____~~

~~DATE: _____~~

~~DATE: _____~~

~~FEIN: _____~~

(Source: Repealed at 33 Ill. Reg. _____, effective _____)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED
PERMANENT REPEAL OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
140.414	Amendment
140.422	Amendment
140.427	Amendment
140.443	Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Original Peremptory Amendments: April 1, 2008
- 6) Date filed with the Index Department: March 28, 2008
- 7) A copy of this permanent repeal of peremptory amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 8) Reason for the Original Peremptory Rulemaking? The amendments were originally filed due to a change in federal law requiring all non-electronic prescriptions to be written on tamper-resistant prescription pads, effective April 1, 2008, in order to be eligible for reimbursement under Medicaid.
- 9) Complete Description of the Subjects and Issues Involved: At its May 20, 2008 meeting, JCAR objected to and suspended the peremptory amendments on these Sections on the grounds it was an unauthorized use of peremptory rulemaking. The Objection and Suspension appeared at 32 Ill. Reg. 8449 and took effect on May 21, 2008. At its November 12th meeting, JCAR voted to withdraw the Suspension (see 32 Ill. Reg. 18323) contingent upon HFS filing an emergency repeal of the peremptory amendments. The emergency repeal appeared at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; this rulemaking makes permanent that emergency repeal.
- 10) Are there any proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Action:</u>	<u>Illinois Register Citation:</u>
140.6	Amendment	32 Ill. Reg. 13570; October 5, 2007

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED
PERMANENT REPEAL OF PEREMPTORY AMENDMENTS

140.80	Amendment	32 Ill. Reg. 9786; July 11, 2008
140.454	Amendment	32 Ill. Reg. 10782; July 18, 2008
140.455	Amendment	32 Ill. Reg. 10782; July 18, 2008
140.413	Amendment	32 Ill. Reg. 13761; August 22, 2008
140.435	Amendment	32 Ill. Reg. 13761; August 22, 2008
140.436	Amendment	32 Ill. Reg. 13761; August 22, 2008
140.14	Amendment	32 Ill. Reg. 14003; August 29, 2008
140.16	Amendment	32 Ill. Reg. 14003; August 29, 2008
140.44	Amendment	32 Ill. Reg. 14003; August 29, 2008
140.414	Amendment	32 Ill. Reg. 18121; December 1, 2008
140.422	Repeal	32 Ill. Reg. 18121; December 1, 2008
140.427	Repeal	32 Ill. Reg. 18121; December 1, 2008
140.443	Amendment	32 Ill. Reg. 18121; December 1, 2008

- 11) Statement of Statewide Policy Objectives: This repeal of preemptory amendments does not affect units of local government.
- 12) Information and questions regarding this repealer shall be directed to:

Tamara Tanzillo Hoffman
Chief of Staff
Illinois Department of Healthcare and Family Services
201 South Grand Avenue E., 3rd Floor
Springfield IL 62763-0002

217/557-7157

The full text of the Repeal of Preemptory Amendments begins on the next page:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED
PERMANENT REPEAL OF PEREMPTORY AMENDMENTSTITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES
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 or Revocation on Persons Associated with Vendor

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED
PERMANENT REPEAL OF PEREMPTORY AMENDMENTS

- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
- 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 Sanctioned 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)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED
PERMANENT REPEAL OF PEREMPTORY AMENDMENTS

- 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)
- 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)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED
PERMANENT REPEAL OF PEREMPTORY AMENDMENTS

- 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

Section

- 140.400 Payment to Practitioners
140.402 Copayments for Noninstitutional Medical Services
140.405 SeniorCare Pharmaceutical Benefit (Repealed)
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 Prescribers](#)
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
([Repealed](#))
140.425 Podiatry Services
140.426 Limitations on Podiatry Services
140.427 Requirement for Prescriptions and Dispensing of Pharmacy Items – Podiatry ([Repealed](#))
140.428 Chiropractic Services
140.429 Limitations on Chiropractic Services (Repealed)
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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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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- 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
- 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
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- 140.456 Hearings
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- 140.459 Payment for Therapy Services
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- 140.462 Covered Services in Clinics
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- 140.464 Hospital-Based and Encounter Rate Clinic Payments
- 140.465 Speech and Hearing Clinics (Repealed)
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- 140.467 Independent Clinics
- 140.469 Hospice
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- 140.471 Description of Home Health Services
- 140.472 Types of Home Health Services
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- 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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED
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140.487	Healthy Kids Program Timeliness Standards
140.488	Periodicity Schedules, Immunizations and Diagnostic Laboratory Procedures
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140.494	Record Requirements for Medical Transportation Services
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140.511	Long Term Care Services Covered By Department Payment
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140.514	Certifications and Recertifications of Care (Repealed)
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140.527	Quality Incentive Survey (Repealed)
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140.529	Reviews (Repealed)
140.530	Basis of Payment for Long Term Care Services
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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
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140.539	Reimbursement for Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care Aide and Habilitation Aide Training and Nursing Assistant Competency Evaluation
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- 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
- 140.574 Capital Rates for Rented Facilities
- 140.575 Newly Constructed Facilities (Repealed)
- 140.576 Renovations (Repealed)
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- 140.580 Mandated Capital Improvements (Repealed)
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- 140.582 Cost Adjustments
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- 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
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DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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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

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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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)
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)
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140.968	Validity of Contracts (Recodified)
140.970	Termination of ICARE Contracts (Recodified)
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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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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Persons Married And Living With Spouse, Regardless Of Age (Emergency Expired)

SUBPART I: PRIMARY CARE CASE MANAGEMENT PROGRAM

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140.990	Primary Care Case Management Program
140.991	Primary Care Provider Participation Requirements
140.992	Populations Eligible to Participate in the Primary Care Case Management Program
140.993	Care Management Fees
140.994	Panel Size and Affiliated Providers
140.995	Mandatory Enrollment
140.996	Access to Health Care Services
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SUBPART J: ALTERNATE PAYEE PARTICIPATION

Section

140.1001	Registration Conditions for Alternate Payees
140.1002	Participation Requirements for Alternate Payees
140.1003	Recovery of Money for Alternate Payees
140.1004	Conditional Registration for Alternate Payees
140.1005	Revocation of an Alternate Payee
140.TABLE A	Medicare Recommended Screening Procedures (Repealed)
140.TABLE B	Geographic Areas
140.TABLE C	Capital Cost Areas
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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 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.

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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 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

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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. 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;

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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, 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

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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, 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;

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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, 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.

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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; emergency amendment at 29 Ill. Reg. 12534, effective August 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 14957, effective September 30, 2005; emergency amendment at 29 Ill. Reg. 15064, effective October 1, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 15985, effective October 5, 2005, for the remainder of the maximum 150 days; emergency amendment at 29 Ill. Reg. 15610, effective October 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 16515, effective October 5, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 349, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 573, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 796, effective January 1, 2006; amended at 30 Ill. Reg. 2802, effective February 24, 2006; amended at 30 Ill. Reg. 10370, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 13909, effective August 2, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 14280, effective August 18, 2006; expedited correction at 31 Ill. Reg. 1745, effective August 18, 2006; emergency amendment at 30 Ill. Reg. 17970, effective November 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18648, effective November 27, 2006; emergency amendment at 30 Ill. Reg. 19400, effective December 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 388, effective December 29, 2006; emergency amendment at 31 Ill. Reg. 1580, effective January 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 2413, effective January 19, 2007; amended at 31 Ill. Reg. 5561, effective March 30, 2007; amended at 31 Ill. Reg. 6930, effective April 29, 2007; amended at 31 Ill. Reg. 8485, effective May 30, 2007; emergency amendment at 31 Ill. Reg. 10115, effective June 30, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14749, effective October 22, 2007; emergency amendment at 32 Ill. Reg. 383, effective January 1, 2008, for a maximum of 150 days; preemptory amendment at 32 Ill. Reg. 6743, effective April 1, 2008; preemptory amendment suspended at 32 Ill. Reg. 8449, effective May 21, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 32 Ill. Reg. 18323, effective November 12, 2008; preemptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days;

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peremptory amendment repealed at 33 Ill. Reg. _____, effective _____; amended at 32 Ill. Reg. 7727, effective May 5, 2008; emergency amendment at 32 Ill. Reg. 10480, effective July 1, 2008, for a maximum of 150 days; emergency expired November 27, 2008; amended at 32 Ill. Reg. 17133, effective October 15, 2008.

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

**Section 140.414 Requirements for Prescriptions and Dispensing of Pharmacy Items –
PhysiciansPrescribers**

~~For the purpose of this section, "prescriber" shall mean any person who within the scope of their professional licensing requirements may prescribe or dispense drugs.~~

a) Prescriptions

- 1) A ~~physicianprescriber~~ may prescribe any pharmacy item not otherwise excluded which, in the ~~physician'sprescriber's of any drug except as outlined in 140.442(a)(9)~~ professional judgment, is essential for the diagnosis or accepted treatment of a recipient's present symptoms. The Department ~~shall~~may require prior approval for the prescription of any items not excluded and not listed, or in excess of the quantities listed, in its Drug Manual (Section 140.72)of any drug except as outlined in 140.442(a)(9).
- 2) ~~The physician~~A prescriber shall:
 - A) Use ~~his own~~a tamper-resistant prescription form ~~as defined at 140.443(b)(2), for non-electronic prescriptions. Non-electronic prescriptions are defined at 140.443(b)(1). In addition, the prescriber shall ensure the prescription form is compliant with all federal and state laws and regulations regarding prescriptions for control substances(or the official form required by law for the prescription of controlled substances);~~ and
 - B) Enter on the form the following information at a minimumall data elements required under federal and state laws and regulations, as well as one of the following data elements identifying the prescriber:

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- i) Recipient's name
 - ii) Date.
 - iii) Name of pharmacy item prescribed.
 - iv) Form and strength or potency of drug (or size of non-drug items).
 - v) Quantity.
 - vi) Directions for use.
 - vii) Refill directions.
 - viii) Legible signature in ink, and
 - ix) Drug Enforcement Administration (DEA) Number or Social Security Number (for physicians who do not have a DEA number)
 - ~~i) Drug Enforcement Administration (DEA) Number; or~~
 - ~~ii) National Provider Identifier (NPI); or~~
 - ~~iii) Medical Assistance Program Provider Number; or~~
 - ~~iv) Illinois State License Number.~~
- 3) The Physicianprescriber shall not charge for writing a prescription and shall not write prescriptions for injectables which are given in the physician's office.
 - 4) Items whichthat shall not be prescribed are listed in Sections 140.440 through 140.450 as pharmaceutical services which are not covered by the Department:140.441.

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- A) Anorectic drugs or combinations including such drugs;
- B) Biologicals and drugs available without charge from the Illinois Department of Public Health or other agencies;
- C) Any vaccine, drug, or serum which is provided primarily for preventive purposes; e.g. influenza vaccine;
- D) Vitamin B12 or liver extract except for patients with macrocytic anemia, e.g. pernicious anemia, the diagnosis of which is established on the basis of hemotological studies;
- E) Injectable drugs, when equally effective oral preparations are available;
- F) Items such as dental products, hair products, facial tissues, infant disposable diapers, sanitary pads, tampons, soap or other personal hygiene products, articles of clothing or cosmetics of any type, proprietary food supplements or substitutes, sugar or salt substitutes, or household products; and
- G) Infant formula, except for infant requiring a non-milk base product because of an allergic reaction to the usual infant products; and
- H) Drugs that are classified by the Food and Drug Administration as ineffective or unsafe in a final order.

b) Dispensed Items

1) A participating ~~physician~~prescriber may dispense pharmacy items listed in the Drug Manual (Section 140.72). They physicianssubject to the Department's ~~coverage policies. The prescriber~~ shall not charge for any samples dispensed or anesthesia agents administered for office surgical procedures. 2) The Department shall pay for items dispensed in an emergency or when not readily available from a pharmacy at the rate of the cost to the ~~physician~~prescriber for the item, plus 20% of the cost when itemized. The Department will pay a maximum of \$1.00 for unitemized items.

(Source: Amended by peremptory rulemaking at 32 Ill. Reg. 6743, effective April 1,

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2008; peremptory amendment suspended at 32 Ill. Reg. 8449, effective May 21, 2008; suspension withdrawn at 32 Ill. Reg. 18323, effective November 12, 2008; peremptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; peremptory amendment repealed at 33 Ill. Reg. _____, effective _____)

Section 140.422 Requirements for Prescriptions and Dispensing Items of Pharmacy Items – Dentists (~~Repealed~~)**a) Prescriptions**

- 1) A dentist may prescribe within the scope of the practice of dentistry, any pharmacy item not otherwise excluded, which in the dentist's professional judgment, is essential for the diagnosis or accepted treatment of a recipient's presenting symptoms. The Department shall require prior approval for the prescription of any items not excluded and not listed, or in excess of the quantities listed, in its Drug Manual. Approval will be given if the item or quantity is determined appropriate for the condition to be treated in the judgment of a consulting dentist of the Department. Drugs shall be added to or removed from the Drug Manual (Section 140.72) on the basis of the Department's evaluation of changes in the listing of drugs recommended by the Committee on Drugs and Therapeutics of the Illinois State Medical Society. The Department evaluation shall include an assessment of the therapeutic value and cost impact. (See Sections 140.440 through 140.450 for covered pharmacy items).
- 2) The dentist shall:
 - A) Use his own prescription form (or the official form required by law for the prescription of controlled substances); and
 - B) Enter on the form the following information at a minimum:
 - i) Recipient's name,
 - ii) Date,
 - iii) Name of pharmacy item prescribed,

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- iv) Form and strength or potency of drug (or size of non-drug item).
- v) Quantity.
- vi) Directions for use.
- vii) Refill directions.
- viii) Legible signature in ink, and
- ix) Drug Enforcement Administration (DEA) Number or Social Security Number (for dentists who do not have DEA Number).

3) The dentist shall not charge for writing a prescription and shall not write prescriptions for injectables which are given in the dentist's office.

b) Dispensed Items

A dentist may dispense pharmacy items listed in the Drug Manual (Section 140.72). The dentist shall not charge for any samples dispensed or local anesthesia agents administered for office surgical procedures. The Department shall pay for items dispensed in an emergency or when not readily available from a pharmacy at the rate of the cost to the dentist for the item, plus 20% of the cost, when itemized. The Department will pay a maximum of \$1.00 for unitemized items.

(Source: Amended by peremptory rulemaking at 32 Ill. Reg. 6743, effective April 1, 2008; peremptory amendment suspended at 32 Ill. Reg. 8449, effective May 21, 2008; suspension withdrawn at 32 Ill. Reg. 18323, effective November 12, 2008; peremptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; peremptory amendment repealed at 33 Ill. Reg. _____, effective _____)

Section 140.427 Requirements for Prescriptions and Dispensing Of Pharmacy Items – Podiatry ~~(Repealed)~~

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- 1) A podiatrist may prescribe within the scope of the practice of podiatry, any pharmacy item not otherwise excluded, which in the podiatrist's professional judgement, is essential for the diagnosis or accepted treatment of a recipient's presenting symptoms. The Department shall require prior approval for the prescription of any items not excluded and not listed, or in excess of the quantities listed, in the Department Drug Manual (Section 140.72). (See Sections 140.440 through 140.450 for covered pharmacy items.)
- 2) The podiatrist shall:
 - A) Use his own prescription form (or the official form required by law for the prescription of controlled substances); and
 - B) Enter on the for the following information at a minimum:
 - i) Recipient's name,
 - ii) Date,
 - iii) Name of pharmacy item prescribed,
 - iv) Form and strength or potency of drug (or size of non-drug item),
 - v) Quantity,
 - vi) Directions for use,
 - vii) Refill directions,
 - viii) Legible signature in ink, and
 - ix) Drug Enforcement Administration (DEA) Number or Social Security Number (for podiatrists who do not have DEA Number).

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3) The podiatrist shall not charge for writing a prescription and shall not write prescriptions for injectables which are given in the podiatrist's office.

b) Dispensed Items

Dispensed items A podiatrist may dispense pharmacy items listed in the Drug Manual (Section 140.72). The podiatrist shall not charge for any samples dispensed or local anesthesia agents administered for office surgical procedures. The Department shall pay for items dispensed in an emergency or when not readily available from a pharmacy at the rate of the cost to the podiatrist for the item, plus 20% of the cost, when itemized. When not itemized, payment shall be made in the amount of \$1.00.

(Source: Amended by peremptory rulemaking at 32 Ill. Reg. 6743, effective April 1, 2008; peremptory amendment suspended at 32 Ill. Reg. 8449, effective May 21, 2008; suspension withdrawn at 32 Ill. Reg. 18323, effective November 12, 2008; peremptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; peremptory amendment repealed at 33 Ill. Reg. _____, effective _____)

Section 140.443 Filling of Prescriptions

a) The prescription form (or the official form required by law for the prescribing of controlled substances) must contain the following information at a minimum required under federal and state laws and regulations, and also contain the prescriber's:

- 1) Recipient's name;
- 2) Date;
- 3) Name of pharmacy item being prescribed;
- 4) Form and strength or potency of drug (or size of non-drug item);
- 5) Quantity;
- 6) Directions for use;

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- 7) Refill directions;
 - 8) Legible signature of practitioner in ink; and
 - 9) Drug Enforcement Administration (DEA) Number or the Social Security Number (for those practitioners who do not have a DEA Number).
 - ~~1) Drug Enforcement Administration (DEA) Number; or~~
 - ~~2) National Provider Identifier (NPI); or~~
 - ~~3) Medical Assistance Program Provider Number; or~~
 - ~~4) Illinois State License Number.~~
- b) ~~To the extent required by federal law, effective with new prescriptions executed on or after April 1, 2008, for clients covered under Title XIX of the Social Security Act, a non-electronic prescription must be written on tamper-resistant prescription pad to be eligible for reimbursement. This requirement applies to all prescriptions regardless of whether the Department is the primary payor.~~
- ~~1) Non-electronic prescriptions are prescriptions that are not transmitted from the prescriber to the pharmacy via telephone, telefax, electronic prescribing (e-prescribing) mechanism, or other means of electronic transmission.~~
 - ~~2) Effective April 1, 2008, a prescription form is considered tamper-resistant when it contains any of the following characteristics and, effective October 1, 2008, to be considered tamper-resistant, a prescription form must contain all of the following characteristics:~~
 - ~~A) one or more industry-recognized features designed to prevent unauthorized copying of a completed or blank form;~~
 - ~~B) one or more industry-recognized features to prevent the erasure or modification of information written on the prescription by the prescriber;~~

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- ~~C) one or more industry-recognized features designed to prevent the use of counterfeit prescription forms.~~
- 3) ~~If a patient presents at a pharmacy with a prescription written on a prescription pad that is not tamper-resistant, and the pharmacist contacts the prescriber via telephone, telefax, or other electronic communication device, and the prescriber verifies the validity of the prescription, the prescription is then considered "electronic" and, therefore, exempt from the requirement that the prescription be written on a tamper-resistant pad. In such cases, the pharmacist shall note on the original prescription that the prescriber was contacted and the prescriber verified the validity of the prescription.~~
- 4) ~~If a patient presents at a pharmacy with a non-electronic prescription written on a pad that is not tamper-resistant and the pharmacist is unable to contact the prescriber to verify the validity of the prescription and the pharmacist, in using his or her professional judgment, determines that not filling the prescription poses a health risk to the patient, the pharmacist may fill the prescription and the Department will reimburse for the prescription, provided that the patient is eligible for coverage of the drug and provided that the drug is covered by the Department. The pharmacist must obtain from the prescriber a verbal, faxed, electronic, or compliant written prescription within 72 hours after the date on which the prescription was filled.~~
- b)e) Pharmacies shall not accept blank, presigned prescription forms.
- c)d) If a drug is available by generic name and the identical drug is prescribed by trade name, payment will be based on cost of the generic product unless prior authorization has been obtained for reimbursement based upon the innovator product, ~~or unless the Department determines that the innovator product, reimbursed at the brand-name pricing methodology, is more cost-effective than the generic equivalent.~~
- d)e) The Department shall not pay for dispensed items in excess of the maximum quantity established by the Department, unless prior approval has been granted to dispense an amount in excess of the maximum. The Department shall pay for no

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more than one month's supply of the item dispensed.

e)† The Department shall pay for refills only if the prescribing practitioner authorized refills on the original prescription in accordance with State law.

f)g Pharmacies may use a unit dose system in the dispensing of drugs when such a system is in compliance with all applicable State and Federal laws. The total quantity dispensed on one prescription cannot exceed the quantity prescribed or the maximum allowable quantity.

(Source: Amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended by peremptory rulemaking at 32 Ill. Reg. 6743, effective April 1, 2008; peremptory amendment suspended at 32 Ill. Reg. 8449, effective May 21, 2008; suspension withdrawn at 32 Ill. Reg. 18323, effective November 12, 2008; peremptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; peremptory amendment repealed at 33 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Program Review (Private Colleges and Universities)
- 2) Code Citation: 23 Ill. Adm. Code 1030
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1030.10	Amendment
1030.20	Amendment
1030.30	Amendment
1030.60	Amendment
1030.70	Amendment
1030.80	Amendment
1030.ILLUSTRATION A	New
- 4) Statutory Authority: Implementing and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205]
- 5) Effective Date of Amendments: December 23, 2008
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? The rulemaking does not include incorporations 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 Board of Higher Education's office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: August 29, 2008; 32 Ill. Reg. 13911
- 10) Has JCAR issued a Statement of Objection to these rulemakings? No
- 11) Differences between proposal and final version:
 - a) In Sections 1030.10(a) and (b), changed the text to clarify that institutions offering online instruction are required to receive approval when providing core academic support services in the State. Added an effective date of December 23, 2008.

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- b) In Section 1030.10(c)(5), removed the paragraph because the exemption did not align with the proposed amendment to the definition of degree.
 - c) In Section 1030.20, added the definitions of asynchronous and synchronous and removed the substantive amendment to the definition of degree.
 - d) In Section 1030.30(c), changed to "shall instruct staff to conduct a review" in the fifth year. Required the review of all programs rather than making the review optional without specific triggers.
 - e) In Section 1030.60(b), changed text to "The Board shall approve all new degree programs in institutions described in Section 1030.10(b) that are not otherwise exempted in Section 1030.10(c)."
 - f) In Section 1030.80(b) Inserted "governs the Maintenance of" to clarify that this section only addresses maintenance of approval, not the initial Board approval.
 - g) In Section 1030.80(b)(2), clarified the program standard. During the review in the fifth year, the student pass rates for programs in which State licensure is required for employment in the field, must be "maintained as specified in the objectives of the unit of instruction." The objectives are agreed-upon standards for the new program.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemakings replace any emergency rulemaking currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The existing rules guide the IBHE staff in reviewing (a) applications to establish new colleges and universities in the State and (b) applications for new degree programs, including out-of-state public, out-of-state private, and in-state private institutions. The new rulemaking will clarify requirements and exemptions for institutional approval; requirements and exemptions for program approval; procedures for obtaining approvals, and requirements for reviews of existing programs.
- 16) Information and questions regarding these adopted amendments shall be directed to:

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Richard Pearce, Associate Director
Academic Affairs
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield, Illinois 62701-1404

217/557-7356

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER II: BOARD OF HIGHER EDUCATIONPART 1030
PROGRAM REVIEW (PRIVATE COLLEGES AND UNIVERSITIES)

Section

1030.10	Institutions Required to Receive Approval
1030.20	Definitions
1030.30	Institutional Approval
1030.40	Institutional Approval under the 1945 Act Only
1030.50	Institutional Authorization under the 1961 Act Only
1030.60	Degree Authorization under the 1961 Act
1030.70	Maintenance of Approval under the 1945 Act
1030.80	Maintenance of Authorization to Operate and/or Grant Degrees under the 1961 Act

[1030.ILLUSTRATION A](#) [Map of Regions](#)

AUTHORITY: Implementing, and authorized by Section 9.05 of, the Board of Higher Education Act [110 ILCS 205].

SOURCE: Amended and effective August 9, 1977; Emergency rules adopted at 3 Ill. Reg. 26, p. 297, effective June 13, 1979, for a maximum of 150 days; adopted at 3 Ill. Reg. 38, p. 222, effective September 22, 1979; amended at 4 Ill. Reg. 48, p. 200, effective November 19, 1980; codified at 8 Ill. Reg. 1454; amended at 33 Ill. Reg. 49, effective December 23, 2008.

Section 1030.10 Institutions Required to Receive Approval

- a) ~~Institutions Required to Receive Approval under the 1945 Act-~~
Any private or public person, group of persons, partnership or corporation ~~that~~which is or contemplates offering degrees ~~and~~ instruction in Illinois above the high school level, either in residence or correspondence, or in the case of an institution offering online instruction where the core academic support services, including but not limited to admission, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support, are located in Illinois must be approved pursuant to this Part. After December 23, 2008 ~~Upon the effective date of these rules, these~~such institutions shall be limited to:

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- 1) Institutions ~~that~~which were not established and offering degrees in Illinois prior to July 17, 1945; or
 - 2) Institutions ~~that~~which result from a merger of other institutions, whether or not the merged institutions were in existence prior to July 17, 1945; or
 - 3) Institutions ~~that~~which offer ~~ten percent or more~~a majority of course work, as measured by academic credits, for a degree program in a new geographic location, whether or not the institution was in existence prior to July 17, 1945; or
 - 4) Institutions ~~that~~which have terminated operation and subsequently wish to resume operations as degree granting institutions, whether or not the former institution was in existence prior to July 17, 1945.
- b) Institutions Required to Receive Approval under the 1961 Act:
Any private or public person, group of persons, partnership or corporation ~~that~~which is or contemplates offering degrees ~~or~~and instruction in Illinois above the high school level, either in residence or correspondence, or in the case of an institution offering online instruction where the core academic support services, including but not limited to admission, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support, are located in Illinois, provided ~~thesueh~~ institution is not an Illinois public tax supported higher education institution, ~~a nursing school~~, a labor union training program or a business trade or other corporate in-service training program, must be approved pursuant to this Part. After December 23, 2008~~Upon the effective date of these rules~~, ~~thesueh~~ institutions shall be limited to:
- 1) Institutions ~~that~~which were not operating or authorized to operate in Illinois on August 14, 1961; or
 - 2) Institutions ~~that~~which result from a merger of other institutions, whether or not the merged institutions were authorized to operate on August 14, 1961; or
 - 3) Institutions ~~that~~which offer ~~ten percent or more~~a majority of course work, as measured by academic credits, for a degree program in a new geographic location, whether or not the institution was authorized to operate on August 14, 1961; or

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- 4) Institutions ~~that~~^{which} have terminated operation and subsequently wish to resume operation as degree-granting institutions, whether or not the former institution was authorized to operate on August 14, 1961.

c) Exemption from Approval Requirements

- 1) Institutions offering degree programs at the University Center of Lake County and the Quad-Cities Graduate Center shall not be required to apply for Board approval when offering degree programs authorized for their home campus. For these institutions, center approval is required and the center shall be treated as part of the institution's home campus, provided the center has notified the Board of its approval of the new degree program.
- 2) Institutions with Limited Physical Presence in Illinois
Any public or private person, group of persons, partnership or corporation that is located outside of the State of Illinois that is or contemplates offering instruction in Illinois above the high school level is not required under either the 1945 Act or the 1961 Act to obtain a certificate of approval or operating or degree authorization if the institution has a limited physical presence in the State. No such institution shall be considered to have limited physical presence for any geographic location and program in Illinois unless it has received a written finding from the Board that it has such a limited physical presence. In determining whether an institution has a limited physical presence, the Board shall require the following:
- A) Evidence of authorization to operate in at least one other state; and
- B) Evidence of accreditation by a body recognized by the U.S. Department of Education and/or the Council for Higher Education Accreditation; and
- C) Evidence that the institution will offer ten percent or less of coursework, as measured by academic credits, for a degree program in the State of Illinois, or evidence that the institution is offering degrees through one hundred percent asynchronous versus

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synchronous on-line instruction from an out-of-state site or sites;
and

D) Evidence that the institution is not providing core academic support services, including but not limited to admissions, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support in the State of Illinois.

3) Institutions exempted under the 1945 and/or 1961 Acts offering one hundred percent asynchronous versus synchronous on-line instruction do not require additional Board approval.

4) Approved institutions under the jurisdiction of the 1945 or 1961 Acts offering one hundred percent asynchronous versus synchronous on-line instruction of a Board approved degree program do not require additional Board approval.

(Source: Amended at 33 Ill. Reg. 49, effective December 23, 2008)

Section 1030.20 Definitions

Unless otherwise stated, all definitions apply to all terms used in this Part~~these rules~~ in conjunction with both the 1945 Act and the 1961 Act.

"The 1945 Act" means the Private College Act [110 ILCS 1005].

"The 1961 Act" means the Academic Degree Act [110 ILCS 1010].

"Asynchronous" means instruction in which the teacher and students do not meet at the same time. On-line instruction is more likely to be asynchronous, allowing students to access and participate in the course when they choose to do so.

"Authorization to Grant Degrees" means the letter from the Board giving an institution authorization to grant specific degrees under the 1961 Act.

"Authorization to Operate" means the letter from the Board authorizing an institution to operate under the 1961 Act.

"Board" means the ~~Illinois~~ Board of Higher Education. In those cases in

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~~which~~where the term is used to refer to prior approval or lack of prior approval for either an institution or a degree program, the term "Board" shall mean either the Board of Higher Education or one of the two previous administrative agencies ~~that~~which administered ~~higher education in Illinois~~this Act (the Board of Education or the Superintendent of Public Instruction), as appropriate.

"Certificate of Approval" means the letter from the Board giving an institution approval to operate under the 1945 Act.

"Degree" means any designation, appellation, series of letters or words, or other symbol ~~that~~which signifies or purports to signify that the recipient ~~thereof~~ has satisfactorily completed an organized academic program of study beyond the secondary school level. For the purposes of ~~this Part~~these rules, an "organized academic program of study beyond the secondary school level" shall be defined as:

Any academic program, regardless of duration, ~~that~~which offers any designation, appellation, series of letters or words or other symbol known as or labeled as an associate degree, a bachelor's degree, a master's degree, a doctor's degree, a professional degree or a certificate of advanced study;
or

Any academic program of more than 12 months in duration, except for:
~~a~~Any program ~~that~~which is devoted entirely to religion or theology, or
~~a~~Any program ~~which is~~ offered by any institution operating under the authority of ~~the Private Business and Vocational Schools Act [105 ILCS 425]"An Act in regulation of business and vocational schools (Ill. Rev. Stat. 1981, ch. 144, pars. 136-162).~~

"Degree program" means the standard required course of study, or its equivalent, leading to a degree.

"Home campus" is also known as "in-region". Both "home campus" and "in-region" are defined as the approval region within which an institution's original operating authority was granted.

"New degree program" means one or more of the following:

A degree program offered at a different educational level from a degree

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program already approved at a given institution.

A degree program in a different six-digit CIP (Classification of Instructional Programs taxonomy)~~two-digit HEGIS (Higher Education General Information Survey~~ developed by the National Center for Educational Statistics and used in the Integrated Postsecondary Education Data System) code ~~category~~ from that already authorized.

A new professional or specialist degree or certificate.

"New geographic location" is also known as "out-of-region". Both "new geographic location" and "out-of-region" are those sites located outside of the region within which an institution's original operating authority was granted.

"Region" refers to a geographical area within which an institution may operate a unit of instruction and is not limited to the site within the region where the institution initially applied. A region consists of one or more coterminous community college districts. The community college districts are also property taxing districts established as provided in 110 ILCS 805/Art. III. The ten regions, described by community college district and community college district numbers, are as follows (see also Illustration A):

"North Suburban Region (1)" consists of the Lake County (532), Oakton (535), and William R. Harper (512) community college districts;

"Fox Valley Region (2)" consists of the Elgin (509), Kishwaukee (523), McHenry (528), Rock Valley (511), and Waubensee (516) community college districts;

"West Suburban Region (3)" consists of the DuPage (502), Morton (527), and Triton (504) community college districts;

"Western Region (4)" consists of the Black Hawk (503), Carl Sandburg (518), Highland (519), John Wood (539), Sauk Valley (506), and Spoon River (534) community college districts;

"Central Region (5)" consists of the Heartland (540), Illinois Central District (514), Illinois Valley (513), and Lincoln Land (526) community college districts;

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"South Metro Region (6)" consists of the Joliet (525), Kankakee (520), Moraine Valley (524), Prairie State (515), and South Suburban (510) community college districts;

"Prairie Region (7)" consists of the Danville (507), Lake Land (517), Parkland (505), and Richland (537) community college districts;

"Southwestern Region (8)" consists of the Illinois Eastern (529), Kaskaskia (501), Lewis and Clark (536), and Southwestern Illinois (522) community college districts;

"Southern Region (9)" consists of the John A. Logan (530), Rend Lake (521), Shawnee (531), and Southeastern (533) community college districts; and

"Chicago Region (10)" consists of the City Colleges of Chicago (508) community college district.

"Synchronous" means instruction in which the teacher and students are required to meet at the same time or the students are required to meet at the same time. In face to face instruction, this means that everyone is in the same room at the same time. In on-line instruction, synchronous instruction occurs through the use of technologies such as chat, two-way video conferencing or audio conferencing.

"The 1945 Act" means "An Act providing for the regulation of privately-operated colleges, junior colleges and universities" (Ill. Rev. Stat. 1981, ch. 144, pars. 121-135).

"The 1961 Act" means "An Act to regulate the granting and academic degrees, diplomas and certificates by certain educational institutions, to provide penalties for the violation thereof and to make an appropriation therefore" (Ill. Rev. Stat. 1981, ch. 144, pars. 231-240).

(Source: Amended at 33 Ill. Reg. 49, effective December 23, 2008)

Section 1030.30 Institutional Approval

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The following general rules apply to institutions seeking a "Certificate of Approval" under the 1945 Act and an "Authorization to Operate" under the 1961 Act. Section 1030.40 identifies exceptions to these rules for those institutions covered by only the 1945 Act. Section 1030.50 identifies exceptions to the general rules for the institutions covered by only the 1961 Act.

- a) Criteria for Evaluation of the Application for a Certificate of Approval and/or Authorization to Operate-
- The following criteria are designed to measure the appropriateness of the stated educational objectives to the name and degree programs of a given institution and the extent to which suitable and proper processes have been developed for meeting those objectives:
- 1) The objectives for the institution and its degree programs must be consistent with what the institutional name and degree program titles imply.
 - 2) The caliber and content of each course or program of instruction, training, or study shall be reasonable and adequate for achieving the stated degree objectives for which the course or program is offered.
 - 3) The institution shall have adequate and suitable space, equipment, and instructional materials to provide education of suitable quality.
 - 4) The education, experience, and other qualifications of faculty, staff and instructors shall reasonably ensure that the students will receive education consistent with the objectives of the course or program of study.
 - 5) Program Information
 - A) The institution shall be prepared to provide students and other interested persons with a catalog or brochure containing the following information:
 - i) Descriptions of~~describing~~ the degree programs offered, program objectives, length of program and institutional calendars with degree program start and end dates;
 - ii) Schedule~~schedule~~ of tuition, fees, and all other charges and expenses necessary for completion of the course of study,

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- and cancellation and refund policies;
- iii) A statement regarding the transferability of college credits, including the fact that the decision to accept transfer credits is currently made by receiving institutions;
 - iv) A statement as to how the institution will advise students on the nature of the transfer process, including the importance of consulting with institutions to which the student may seek to transfer;
 - v) Evidence of articulation arrangements with institutional counterparts, when these arrangements exist;
 - vi) A statement of the institution's most recent graduation rates as provided by the institution to the Integrated Postsecondary Education Data System (IPEDS); and
 - vii) Othersuch other material facts concerning the institution and the program or course of instruction as are likely to affect the decision of the student to enroll, together with any other information specified by the Board and~~or~~ defined in this Partits rules and standards.
- B) TheSuch information listed in subsection (a)(5)(A) shall be available to prospective students prior to enrollment.
- 6) Upon satisfactory completion of the degree program, the student shall be given the appropriate degree by the institution, indicating that a specifically approved course of instruction or study has been satisfactorily completed by the student.
 - 7) Adequate records shall be maintained by the institution to show attendance, progress, or grades, and consistent standards should be enforced relating to attendance, progress, and performance.
 - 8) The institution shall be maintained and operated in compliance with all pertinent local, Statestate, and national ordinances and laws.

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- 9) The institution should be financially stable and capable of assuring the revenues needed for meeting stated objectives and fulfilling commitments to students.
 - 10) Neither the institution nor its agents should engage in advertising, sales, collection, credit, or other practices of any type ~~that~~^{which} are false, deceptive, misleading, or unfair.
 - 11) The institution should have a fair and equitable cancellation and refund policy.
 - 12) The faculty, staff and instructors of the institution shall be of good professional reputation and character.
 - 13) If the institution requires the student to sign an enrollment agreement or a similar agreement, the agreement shall provide consumer information including, but not limited to: an explanation of all criteria and requirements for retention, progress towards degree, and graduation of the student; the institution's tuition, cancellation and refund policies; and a statement of the purpose and amount of any fees assessed.
 - 14) Any institution applying for a certificate of approval or authorization to operate in the State of Illinois must specify its accreditation status. New institutions without accreditation from an accrediting authority recognized by the U.S. Department of Education or the Council for Higher Education Accreditation shall provide a clearly defined plan to move from candidate to affiliate status. The plan should include the name of the accrediting organization, the basic outline of the accreditation process, and the projected time line for obtaining affiliate status within five years after the date of Board approval, unless the Board waives the original time line because it is found to be an unrealistic expectation.
- b) Procedures for Obtaining a Certificate of Approval and/or Authorization to Operate-
- Following is a description of the steps in the approval process:
- 1) Letter of Intent
The Chief Executive Officer of the institution seeking a Certificate of Approval and/or Authorization to Operate a degree-granting

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postsecondary institution in the State of Illinois should make this intention known by writing to the Board. Following receipt of this letter, the Board staff ~~may~~ will arrange a preliminary conference with institutional representatives.

- 2) Preliminary Conference
The agenda will include a discussion of criteria to be met by the institution and procedures used in applying for a Certificate of Approval and/or Authorization to Operate.
- 3) Letter of Application and Documentation
Following the preliminary conference, the institutional representatives shall complete the application supplied by the Board. The application requests information and supporting evidence to demonstrate that the institution meets the criteria established.
- 4) Staff Analysis
Following the receipt of the formal application and accompanying documentation, staff will review and analyze all materials.
- 5) Site Visit
 - A) Following completion of documentation and staff analysis of the application, a site visit may be arranged in order to verify and supplement the information provided about the proposed institution. Site visits may be scheduled if:
 - i) the Board is not familiar with the physical facilities;
 - ii) the institution asks for a site visit;
 - iii) questions have been raised about the veracity of the application; or
 - iv) for other reasons the proposed institution/program does not lend itself to an in-office analysis.
 - B) The site visit may include interviews with prospective administrators, students, faculty and/or board members and

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observations of facilities, record systems, financial data, and/or curricular resources.

6) Outside Consultants

The Executive Director of the Board, at his [or her](#) discretion, may utilize the services of outside consultants to assist the staff in the verification and/or evaluation of the documentation submitted or obtained through the site visit.

7) Staff Report

A) Following the site visit, Board staff will prepare an analysis of the findings and develop a recommendation to the Board regarding the institutional application. This recommendation will be shared with the applicant.

B) The recommendation will be one of the following:

i) That the institution be issued a Certificate of Approval and/or Authorization to Operate, subject to annual reporting [and the implementation](#) and maintenance of the conditions under which approval/authorization has been granted; or

ii) That the institution be denied a Certificate of Approval and/or Authorization to Operate.

8) Staff Recommendations to [the](#) Board

The Executive Director of the Board will submit the staff recommendation to the Board for action at a regular meeting. The Chief Executive Officer of the applicant institution or [ahis](#) designee will be invited to attend the meeting and comment on the recommendation. In the event the staff recommendation is negative, the applicant shall be given an opportunity to respond in writing. This response shall be transmitted to the Board at the same time as the staff recommendation.

9) Board Action

Following the Board's decision to issue a Certificate of Approval and/or Authorization [to Operate](#) or to deny a Certificate of Approval and/or Authorization to Operate, a letter signifying the action will be sent from

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the Executive Director of the Board to the Chief Executive Officer of the institution. A letter of approval will serve as the official Certificate of Approval/Authorization to Operate for the institution in the State of Illinois.

- c) Initial authorization to operate in Illinois for institutions new to the State shall be for five years. In the fifth year of operation, the Executive Director of the Board shall instruct staff to conduct a review. The Board may deny a continuation of the initial approval or offer a limited extension if the institution:
- 1) Has failed to implement and maintain the conditions that were presented in its application and that formed the basis upon which authorizations were granted;
 - 2) Has failed to maintain sound fiscal status; or
 - 3) Has failed to achieve affiliation status from an accreditation agency within the institution's proposed time line for obtaining accreditation, unless the Board waives the original time line because it is found to be an unrealistic expectation.
- d) Nothing in this Section shall be construed to prevent the Board from withdrawing Certification of Approval or Authorization to Operate at any time, including during the first five years of operation, if an institution has failed to implement and maintain the conditions that were presented in its applications and that form the basis upon which its certificate or authorization was granted.
- e)e) Publications and Information
- 1) An institution may state that it is approved or authorized to operate in the State of Illinois only after ~~such~~ approval has been officially granted and received in writing from the Board.
 - 2) An institution shall not advertise or state in any manner that it is "accredited" by the Board. ~~Granting Certificates of Approval to Operate, Authorizations to Operate and Authorizations to Award Specific Degrees is the function of the Board rather than accreditation.~~
 - 3) No institution shall publish or otherwise communicate to prospective

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students, faculty, staff, or the public misleading or erroneous information about the operating or degree-granting status of a given institution.

- 4) Recruitment and informational materials of an institution ~~that~~^{which} has received only ~~approval~~^{Approval} and/or ~~authorization~~^{Authorization} from the Board to ~~operate~~^{Operate} shall indicate that the institution is not yet authorized to award degrees.

(Source: Amended at 33 Ill. Reg. 49, effective December 23, 2008)

Section 1030.60 Degree Authorization under the 1961 Act

- a) **Criteria for New Degree Programs**

The Board requires that a non-public ~~or out-of-state public~~ institution demonstrate that it can maintain and operate a new degree program ~~that~~^{which} meets the standard criteria for ~~those~~^{such} degree programs. The following standard criteria are designed to measure the appropriateness of the stated educational objectives to the degree programs of a given institution and the extent to which suitable and proper processes have been developed for meeting those objectives:

 - 1) The objectives of the degree ~~program~~^{program(s)} must be consistent with what the degree program ~~title implies~~^{title(s) simply}.
 - 2) The requested degree program shall be congruent with the purpose, goals, objectives and mission of the institution.
 - 3) The caliber and content of the curriculum shall assure that the stated degree objectives for which the program is offered will be achieved.
 - 4) The institution shall have adequate and suitable space, equipment and instructional materials to provide education of suitable quality.
 - 5) The education, ~~experience,~~ and other qualifications of directors, administrators, supervisors, and instructors shall ensure that the students will receive education consistent with the objectives of the program.
 - 6) The information ~~which~~ the institution provides for students and the public shall accurately describe the degree programs offered, program objectives, length of program, schedule of tuition, fees, and all other charges and

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expenses necessary for completion of the course of study, cancellation and refund policies, and such other material facts concerning the institution and the program or course of instruction as are likely to affect the decision of the student to enroll. ThisSuch information, including any enrollment agreements or similar agreements, shall be available to prospective students prior to enrollment.

7) Fiscal and personnel resources shall be sufficient to permit the institution to meet obligations to continuing programs while assuming additional resource responsibilities for the new degree program.

8) The faculty, staff and instructors of the institution shall be of good professional reputation and character.

b) Procedures for Obtaining Authority to Award One or Moremore New Degrees
The Board shall approve all new degree programs in institutions described in Section 1030.10(b) that are not otherwise exempted in Section 1030.10(c). Institutions authorized to offer a degree program at a site within a region are not required to obtain additional approval to offer the same degree at a different site within the same region. Following is a description of the steps in the approval process:

1) New Degree Program Request

A) The Chief Executive Officer of the institution seeking approval of a new degree program in the State of Illinois should make this intention known by completing a notice of intent on the form provided by the Board prior to submission of the request for approval. The notice of intent shall include the degree and program name, region where located, description of the program, demographics of the intended students, estimated enrollment, and contact person. Notices of Intent shall be publicly posted by the Board for no less than 30 days before Board action on the application.

BA) The institution requesting permission to offer a new degree program will complete an application provided by the Board.

CB) Information to be provided by the institution shall include:

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- i) program titles and descriptions;
 - ii) program objectives;
 - iii) curriculum;
 - iv) relationship of new programs to existing programs;
 - v) faculty;
 - vi) recommendation of internal governance bodies;
 - vii) facilities;
 - viii) finances; and
 - ix) program publicity information.
- 2) Governing Board Approval
The application shall be approved by the institution's governing board prior to submission to the Board.
 - 3) Submission of the Application
Applications ~~may~~ shall be submitted to the Board ~~at any time prior to December 1 of the year preceding the academic year in which the institution plans to start the new program.~~
 - 4) Board Staff ~~Analysis~~Analyses
Following receipt of the application, Board staff will review and analyze the application and documentation submitted.
 - 5) Additional Documentation and Site Visit
In the case of a proposed new degree program ~~for which~~where Board staff determines it is necessary to verify or supplement the information supplied in the application, the staff may request additional written documentation and/or arrange for a site visit, ~~or both.~~
 - 6) Outside Consultants

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The Executive Director of the Board, at his or her discretion, may utilize the services of outside consultants to assist the staff in a site visit and in the evaluation of the documentation submitted.

- 7) **Staff Report**

Following the staff analysis, Board staff will summarize its findings and develop a recommendation to the Board regarding the new degree program request. This recommendation will be shared with the applicant. This recommendation will be one of the following:

 - A) That the degree ~~program~~program(s) be approved to admit students, ~~withat the beginning of the next term and~~ the appropriate degrees ~~being~~degree(s) be awarded upon program completion, ~~or B) but for~~ ~~institutions applying after July 1, 1979, that the appropriate~~ degree(s) be awarded no sooner than one year after the approval date; or
 - BE) That the degree authority requested not be granted.
- 8) **Staff Recommendations to the Board**

The Executive Director of the Board will submit the staff recommendation for action to the Board at a regular meeting. The Chief Executive Officer of the institution, or ahis designee, will be invited to attend and comment on the recommendation. In the event the staff recommendation is negative, the applicant shall be given an opportunity to respond in writing. This response shall be transmitted to the Board at the same time as the staff recommendation.
- 9) **Board Action**

Following the Board's decision to approve or deny the degree-granting request, a letter signifying the action will be sent from the Executive Director of the Board to the Chief Executive Officer of the institution. A letter of approval will serve as official authorization for the institution to award the stated ~~degrees~~degree(s).
- 10) **Awarding Degrees**

Institutions ~~applying after July 1, 1979~~ shall not award new degrees until one year after authorization by the Board to do so.

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- 11) New Application
Any institution denied approval to award a new degree must file a new application in order to be given subsequent consideration for approval.
- 12) Advertising of Degree Programs
- A) An institution may state that it is approved or authorized to award a degree in the State of Illinois only after that approval has been officially granted and received in writing from the Board.
- B) An institution shall not advertise or state in any manner that it is "accredited" by the Board to award degrees.
- C) No institution shall publish or otherwise communicate to prospective students, faculty, staff or the public misleading or erroneous information about the degree-granting status of a given institution. Recruitment and informational materials for institutions with developing degree programs should either refer only to those degree programs for which the Board has granted authority or clearly distinguish between authorized degrees and pending degrees.
- 13) No Program Changes for the First Year
Institutions applying after December 23, 2008 shall not deviate from the approved plan for one year after the date of the letter of approval.
- 14) Institutions Exempt from Approval
Institutions offering a previously authorized degree program at another site within the same region shall not be required to apply for additional Board approval.

(Source: Amended at 33 Ill. Reg. 49, effective December 23, 2008)

Section 1030.70 Maintenance of Approval under the 1945 Act

- a) Most institutions are approved to operate under both the 1945 Act and the 1961 Act. Institutions under only the 1945 Act shall comply with Section 1030.70; Rules for Maintenance of Approval. Institutions under only the 1961 Act shall comply with Section 1030.80, Rules for Maintenance of Authorization.

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Institutions under both Acts shall comply with ~~the rules under~~ both Sections 1030.70 and 1030.80. ~~When~~Where the ~~two Sections~~rules are identical ~~under both Acts~~, the institution will be considered in compliance with the 1945 Act by complying with ~~the same rules under~~ Section 1030.80~~the 1961 Act~~ and vice versa.

- b) The following rules govern maintenance of the Certification of Approval under the 1945 Act:
- 1) Annual Report
Each approved institution shall file annually with the Board its current catalogs.
 - 2) Reviews
The staff of the Board may conduct reviews and/or visitations of approved institutions as necessary for the implementation of the statute and this Part~~Statute~~.
 - 3) Complaints Concerning Institutions
 - A) The staff of the Board shall initiate an investigation upon receipt of a verified written complaint and may initiate an investigation in response to oral or written information concerning any of the following:
 - iA) Alleged violation of any of the conditions governing issuance of the Certificate of Approval;
 - iiB) Alleged failure to comply with this Part~~any of the rules adopted by the Board~~;
 - iiiC) Alleged fraudulent conduct on the part of any person operating~~conducting~~ the institution or of any person, acting within the scope of his/her employment; by the institution, on account of which ~~conduct~~any student ever enrolled in the institution has been injured or has suffered financial loss.
 - B) During the investigation there may be a temporary hold placed on any of the institution's pending applications to the Board. The hold

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will be for a specified period of time not to exceed six months, unless the Board begins the process for revocation as provided in subsection (b)(4), at which time the hold will continue until the Board decision is made.

4) Revocation of the Certificate of Approval

A) Grounds for ~~revocation include~~Revocation Include:

- i) Violation of any of the conditions governing issuance of the Certificate of Approval;
- ii) Failure to comply with ~~this Part~~any of the rules adopted by the Board;
- iii) Fraudulent conduct on the part of any person ~~operating~~conducting the institution or of any person, acting within the scope of his/her employment; by the institution, on account of which ~~conduct~~any student ever enrolled in the institution has been injured or has suffered financial loss;-
- iv) Failure to offer degrees or instruction for one continuous 12-month period;
- v) Abandonment of the institution.

B) Procedures for Revocation

- i) Before revoking any certificate to operate, the Board shall designate a Hearing Officer who shall schedule and conduct a hearing, as prescribed in Section 6-9 of the 1945 Act. The Board shall not be required to schedule a hearing and has the option to waive a hearing if the institution has not operated for one continuous 12-month period or the institution has been abandoned; even in these cases, however, the Board shall be required to revoke the certificate at a public meeting at which any opponent who is injured or impacted by the revocation must be given the

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opportunity to be heard.

- ii) If the Board decides to grant a rehearing pursuant to Section 10 of the 1945 Act, it shall appoint another Hearing Officer, different from the first, who shall conduct a hearing upon only those grounds for which the rehearing was granted. The second Hearing Officer shall submit a written report of ~~his~~ findings and recommendations to the Board, which shall make a final determination.
- iii) Upon revocation of the Certificate to Operate, the Certificate of Approval shall be rendered invalid.
- iv) At any time after revocation of a Certificate of Approval, the Board may restore it to the institution.
- v) A closed institution shall arrange for its student records to be maintained in a safe and suitable place as determined by the Board (such as another like kind of institution or the Board).

(Source: Amended at 33 Ill. Reg. 49, effective December 23, 2008)

Section 1030.80 Maintenance of Authorization to Operate and/or Grant Degrees under the 1961 Act

- a) Most institutions are approved to operate under both the 1945 Act and the 1961 Act. Institutions under only the 1945 Act shall comply with Section 1030.70 Rules for Maintenance of Approval. Institutions under only the 1961 Act shall comply with Section 1030.80 Rules for Maintenance of Authorization. Institutions under both Acts shall comply with ~~the rules under~~ both Sections 1030.70 and 1030.80. When~~Where~~ the two Sections rules are identical ~~under both Acts~~, the institution will be considered in compliance with the 1945 Act by complying with Section 1030.80~~the same rules under the 1961 Act~~ and vice versa.
- b) This subsection (b) governs the Maintenance of ~~The following rules govern both maintenance of~~ the Authorization to Operate~~authorization to operate~~ and/or Award Specific Degrees procedure~~grant degrees~~ under the 1961 Act.:

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- 1) **Annual Report**
Each authorized institution shall file annually with the Board its current catalogs.
- 2) **Reviews**
The staff of the Board may conduct reviews and/or visitations of authorized institutions and/or their degree programs as necessary for the implementation of the ~~statute~~Statute. This may include a review in the fifth year of a new degree program's existence. Board staff may review the degree program, in cooperation with institutional staff, to verify the institution's implementation and maintenance of the conditions that were presented in its applications and that formed the basis upon which the authorizations were granted. The fifth year review may also include information on improvements in the institution's capacity to efficiently and effectively deliver degree programs using technological innovation and comprehensive data systems. In the case of a program in which State licensure is required for employment in the field, a program can be found to be in good standing if the institution is able to provide evidence that program graduates are eligible to take the appropriate licensure examination and pass rates are maintained as specified in the objectives of the unit of instruction. If there is no such evidence, approval of the program may be withdrawn by the Board.
- 3) **Complaints Concerning Institutional Degree Practices**
The staff of the Board may initiate an investigation in response to written or oral information suggesting that changes have occurred in the conditions under which ~~Authorization to Operate~~authorization to operate and/or ~~Award Specific Degree~~to grant a specific degree was given. During the investigation, there may be a temporary hold placed on the institution's applications to the Board for new program approvals and other programs. The hold will be for a specified period of time not to exceed six months, unless the Board begins the process for revocation as provided in subsection (b)(5), at which time the hold will continue until the Board decision is made.
- 4) **Temporary Suspension of Program**
An institution may place any approved program on temporary suspension after receiving Board approval. The institution shall provide an annual status report to the Board on any program under temporary suspension

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status. The Board will consider a program placed on temporary suspension status to be terminated if an annual status report is not received or if no reinstatement request is received within the first five years after the program was placed on temporary suspension. An institution may petition for reinstatement during the five-year period.

5)4) Revocation of Operating and/or Degree-Granting Authority

A) Grounds for ~~revocation include~~Revocation Include:

- i) Failure to permit any duly authorized representative of the Board to enter upon the premises of the institution and to inspect or otherwise examine the institution and its books, papers, or other records.
- ii) Failure to maintain the conditions under which the institution and/or its ~~degrees~~degree(s) were authorized.
- iii) Failure to offer degrees or instruction for one continuous 12-month period. receive Approval to Grant Degrees within three years of the issuance of Authority to Operate.
- iv) Abandonment of the institution.

B) Procedures for Revocation

- i) Following the Board staff investigation of the institutional degree practices, the staff may recommend to the Board revocation of the Authorization to Operate and/or Award Specific Degrees.
- ii) If the Board votes to revoke the Authorization to Operate and/or Award Specific Degrees, the institution may request a hearing. The Board shall not be required to schedule a hearing and has the option to waive a hearing if the institution has not operated for one continuous 12-month period or the institution has been abandoned; even in these cases, however, the Board shall be required to revoke the authority at a public hearing at which any opponent who is

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injured or impacted by the revocation must be given the opportunity to be heard.

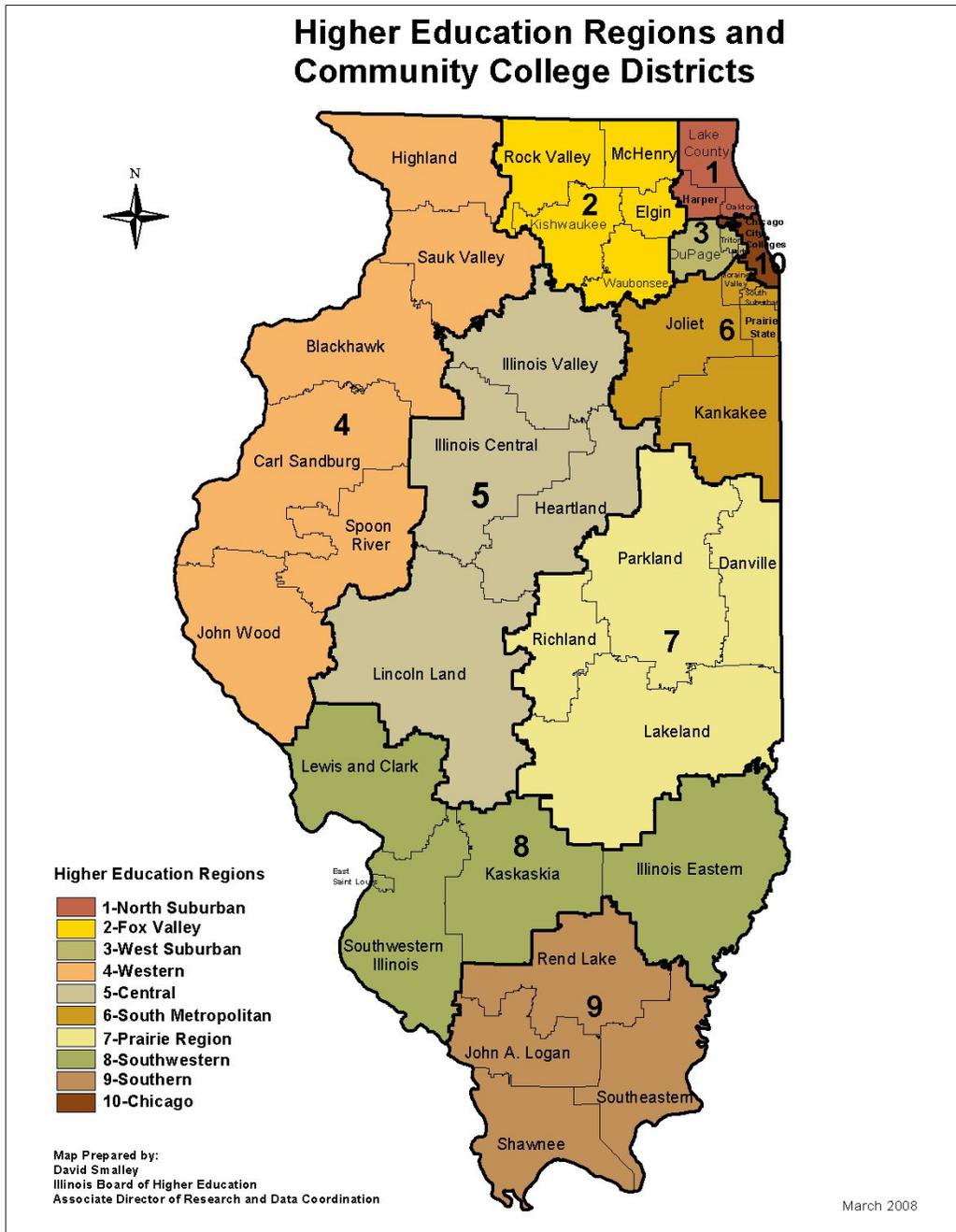
- iii) The Board shall designate a Hearing Officer who shall schedule and conduct a hearing.
- iv) The Hearing Officer shall make a written report of ~~his~~ findings and recommendation to the Board, which shall make a final determination and shall notify the institution of its decision.
- v) Following a Board decision to revoke the Authorization to Operate and/or Award Specific Degrees, the ~~letter~~Letter of ~~authorization~~Authorization shall be rendered invalid.
- vi) At any time after revocation, the Board may restore an Authority to Operate and/or ~~Authority to~~ Award ~~Specific~~Designated Degrees.
- vii) A closed institution shall arrange for its student records to be maintained in a safe and suitable place as determined by the Board (such as another like kind of institution or the Board).

(Source: Amended at 33 Ill. Reg. 49, effective December 23, 2008)

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Section 1030.ILLUSTRATION A Map of Regions



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(Source: Added at 33 Ill. Reg. 49, effective December 23, 2008)

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- 1) Heading of the Part: Approval of New Units of Instruction, Research and Public Service at Public Institutions
- 2) Code Citation: 23 Ill. Adm. Code 1050
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1050.10	Amendment
1050.20	Amendment
1050.30	Amendment
1050.40	Amendment
1050.50	New
1050.ILLUSTRATION A	New
- 4) Statutory Authority: Implementing Section 7 and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205/7 and 9.05]
- 5) Effective Date of Amendments: December 23, 2008
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? The rulemaking does not include 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 Board of Higher Education's office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: August 29, 2008; 32 Ill. Reg. 13941
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:
 - a) In Section 1050.20, added the definitions of asynchronous and synchronous.
 - b) In Section 1050.50(a)(2)(C), clarified the program standard. During the review in the third year, the student pass rates for programs in which State licensure is required for employment in the field, must be "maintained as specified in the

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objectives of the unit of instruction.” The objectives are agreed-upon standards for the new program.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The existing rules guide the IBHE staff in reviewing (a) applications for new degree programs at public universities and community colleges and (b) proposals from public universities to establish new research and public service centers. The new rulemaking will clarify requirements for program approval, procedures for obtaining approval, and requirements for reviews of existing programs.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Richard Pearce, Associate Director
Academic Affairs
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield, Illinois 62701-1404

217/557-7356

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1050

APPROVAL OF NEW UNITS OF INSTRUCTION, RESEARCH
AND PUBLIC SERVICE AT PUBLIC INSTITUTIONS

Section

1050.10 Institutions Required to Receive Approval

1050.20 Definitions

1050.30 Criteria for Approval

1050.40 Procedures of Obtaining Approval

[1050.50 Review of Existing Units of Instruction, Research and Public Service](#)[1050.ILLUSTRATION A Map of Regions](#)

AUTHORITY: Implementing Section 7 and authorized by Section 9.05 of the Board of Higher Education Act [110 ILCS 205/7 and 9.05].

SOURCE: Amended and effective April 15, 1976; rules repealed and new rules adopted and codified at 8 Ill. Reg. 16907, effective September 4, 1984; amended at 23 Ill. Reg. 13074, effective October 13, 1999; amended at 33 Ill. Reg. 78, effective December 23, 2008.

Section 1050.10 Institutions Required to Receive Approval

~~*The Any campus under the governance or supervision of the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the Illinois Community College Board, and the campuses under their governance or supervision shall not hereafter undertake*~~*must receive Illinois Board of Higher Education approval prior to the establishment of any new unit of instruction, research or public service* [without the approval of the Board.](#)

(Source: Amended at 33 Ill. Reg. 78, effective December 23, 2008)

Section 1050.20 Definitions

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"Asynchronous" means instruction in which the teacher and students do not meet at the same time. Online instruction is more likely to be asynchronous, allowing students to access and participate in the course when they choose to do so.

"Board" refers to the Board of Higher Education.

"Board of Control" means one of the following:

The Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, ~~or the Illinois~~ Community College Board, or the campuses under their governance or supervision.

"Degree" means any designation, appellation, series of letters or words, or other symbol which signifies or purports to signify that the recipient has satisfactorily completed an organized program of study of at least one year beyond the secondary school level. It shall include, but not be limited to, the following: certificate, associate, bachelor, post-baccalaureate certificate, master, post-master certificate, ~~doctorate – professional practice~~first professional (degree required for entry into specific profession such as law or medicine), and doctorate – research and scholarship~~doctor~~.

"Home campus" is also known as "in-region". Both "home campus" and "in-region" are defined as the Board approved region within which the institution's original campus would have been located had the regions existed at that time.

"New geographical location" is also known as "out-of-region". Both "new geographical location" and "out-of-region" sites are those sites located outside of the region within which the institution's original campus would have been located had the regions existed at that time.

"New Unit of Instruction" means one or more of the following:

Any new organized program of study beyond the secondary school level

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[thatwhich](#) results in the formal award of a degree to a student.

Any organized program of study beyond the secondary school level [thatwhich](#) is offered at a new geographical location and results in the award to a student of an existing degree (i.e., one [thatwhich](#) is currently granted by the institution).

Any new formally organized administrative entity [thatwhich](#) would have a continuing instructional mission, including but not limited to a campus, branch, college, school, department or division.

"New Unit of Public Service" means any new formally organized administrative entity that would have a continuing public service mission, including but not limited to a school, department, division, institute or center.

"New Unit of Research" means any new formally organized administrative entity that would have a continuing research mission, including but not limited to a school, department, division, institute or center.

"Reasonable and Moderate Extension" means one or more of the following:

An addition to or modification of an existing unit of instruction [thatwhich](#) has a direct relationship to the existing unit and [thatwhich](#) does not result in a significant change in curriculum, objectives or resources for the unit of instruction.

An addition to or modification of an existing unit of research or public service [thatwhich](#) has a direct relationship to an existing unit of instruction, research or public service; is consistent with the existing research or public service mission of the campus; and will be concluded within a well defined time frame.

A change in classification, title, or degree designation of an existing unit of instruction, research or public service that more accurately reflects the content, objectives, and programmatic activities for the unit.

An addition of a certificate program from one or more existing units of instruction.

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"Region" refers to a geographical area within which an institution may operate a unit of instruction, research and public service and is not limited to the site within the region where the institution initially applied. A region consists of one or more coterminous community college districts. The community college districts are also property taxing districts established as provided in 110 ILCS 805/Art. III. The ten regions, described by community college district and community college district numbers, are as follows (see also Illustration A):

"North Suburban Region (1)" consists of the Lake County (532), Oakton (535), and William R. Harper (512) community college districts;

"Fox Valley Region (2)" consists of the Elgin (509), Kishwaukee (523), McHenry (528), Rock Valley (511), and Waubensee (516) community college districts;

"West Suburban Region (3)" consists of the DuPage (502), Morton (527), and Triton (504) community college districts;

"Western Region (4)" consists of the Black Hawk (503), Carl Sandburg (518), Highland (519), John Wood (539), Sauk Valley (506), and Spoon River (534) community college districts;

"Central Region (5)" consists of the Heartland (540), Illinois Central District (514), Illinois Valley (513), and Lincoln Land (526) community college districts;

"South Metro Region (6)" consists of the Joliet (525), Kankakee (520), Moraine Valley (524), Prairie State (515), and South Suburban (510) community college districts;

"Prairie Region (7)" consists of the Danville (507), Lake Land (517), Parkland (505), and Richland (537) community college districts;

"Southwestern Region (8)" consists of the Illinois Eastern (529), Kaskaskia (501), Lewis and Clark (536), and Southwestern Illinois (522) community college districts;

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"Southern Region (9)" consists of the John A. Logan (530), Rend Lake (521), Shawnee (531), and Southeastern (533) community college districts; and

"Chicago Region (10)" consists of the City Colleges of Chicago (508) community college district.

"Synchronous" means instruction in which the teacher and students are required to meet at the same time or the students are required to meet at the same time. In face to face instruction, this means that everyone is in the same room at the same time. In online instruction, synchronous instruction occurs through the use of technologies such as chat, two-way video conferencing or audio conferencing.

(Source: Amended at 33 Ill. Reg. 78, effective December 23, 2008)

Section 1050.30 Criteria for Approval

The ~~Illinois~~ Board of Higher Education will evaluate new units of instruction, research or public service by applying the following criteria:

- a) Criteria ~~Applicable~~which are applicable to All ~~Units~~units of ~~Instruction~~instruction, ~~Research~~research and ~~Public Service~~public service
 - 1) Mission and Objectives
 - A) The objectives of the unit of instruction, research or public service are consistent with the mission of the college or university.
 - B) The objectives of the unit of instruction, research or public service are consistent with what the unit title implies.
 - 2) Academic Control
The design, conduct, and evaluation of the unit of instruction, research or public service are under the direct and continuous control of the sponsoring institution's established processes for academic planning and quality maintenance.
 - 3) Faculty and Staff

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- A) The academic preparation and experience of faculty and staff ensure that the objectives of the unit of instruction, research or public service are met.
 - B) The academic preparation and experience of the faculty and staff, as evidenced by level of degrees held, professional experience in the field of study and demonstrated knowledge of the field, ensure that they are able to fulfill their academic responsibilities.
 - C) The involvement of faculty in the unit of instruction, research or public service is sufficient to cover the various fields of knowledge encompassed by the unit, to sustain scholarship appropriate to the unit, and to assure curricular continuity and consistency in student evaluation.
 - D) Support personnel, including but not limited to counselors, administrators, clinical supervisors, and technical staff, which are directly assigned to the unit of instruction, research or public service, have the educational background and experience necessary to carry out their assigned responsibilities.
- 4) Support Services
- A) Facilities, equipment and instructional resources (e.g., laboratory supplies and equipment, instructional materials, computational equipment) necessary to support high quality academic work in the unit of instruction, research or public service are available and maintained.
 - B) Clinical sites necessary to meet the objectives of the unit of instruction, research or public service.
 - C) Library holdings and acquisitions, owned or contracted for by the institution, that are necessary to support high quality instruction and scholarship in the unit of instruction, research and public service, are conveniently available and accessible, and can be maintained.

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- 5) Financial
 - A) The financial commitments to support the unit of instruction, research or public service are sufficient to ensure that the faculty and staff and support services necessary to offer the unit of instruction, research or public service can be acquired and maintained.
 - B) Projections of revenues necessary to support the unit of instruction, research or public service are based upon supportable estimates of state appropriations, local tax support, student tuition and fees, private gifts, and/or governmental grants and contracts.
 - 6) Statewide Needs and Priorities
 - A) The unit of instruction, research or public service is educationally and economically justified based on the educational priorities and needs of the citizens of Illinois.
 - B) The unit of instruction, research or public service meets a need that is not currently met by existing institutions and units of instruction, research or public service.
- b) Criteria ~~Applicable Only~~ which are applicable only to ~~Units~~units of ~~Instruction~~instruction:
- 1) Curriculum
 - A) The caliber and content of the curriculum assure that the objectives of the unit of instruction will be achieved.
 - B) The breadth and depth of the curriculum are consistent with what the title of the unit of instruction implies.
 - C) The admission and graduation requirements for the unit of instruction are consistent with the stated objectives of the unit of instruction.
 - D) Provision is made for guidance and counseling of students,

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evaluations of student performance, continuous monitoring of progress of students toward their degree objectives and appropriate academic record keeping.

2) Program Information

- A) The information ~~which~~ the institution provides for students and the public shall include the following:
- i) An accurate description of~~accurately describes~~ the unit of instruction, including its objectives, length and, residency requirements if any;⁵
 - ii) Schedule~~schedule~~ of tuition, fees, and all other charges and expenses necessary for completion of the unit of instruction, and cancellation and refund policies;⁵
 - iii) Student~~student~~ rights and responsibilities;⁵
 - iv) A statement regarding the transferability of college credits, including the fact that the decision to accept transfer credits is determined by the receiving institutions;
 - v) A statement as to how the institution will advise students on the nature of the transfer process, including the importance of consulting with institutions to which the student may seek to transfer;
 - vi) Evidence of arrangements for the transfer of courses or credits or both to institutional counterparts, when these arrangements exist; these arrangements are also known as articulation agreements;
 - vii) A statement of the institution's most recent graduation rates as provided by the institution to the Integrated Postsecondary Education Data System (IPEDS); and

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viii) ~~Othersuch other~~ material facts concerning the institution and the unit of instruction as are likely to affect the decision of the student to enroll.

B) ~~TheSuch~~ information listed in subsection (b)(2)(A) shall be available to prospective students prior to enrollment and shall be included in the institution's catalog of programs.

- 3) Accreditation and Licensure
Appropriate steps ~~shall behave been~~ taken to assure that professional accreditation needed for licensure or entry into a profession as specified in the objectives of the unit of instruction is maintained or will be granted in a reasonable period of time.

c) Institutions Exempt from Approval

- 1) Institutions offering a Board approved degree program at another site within the same region shall not be required to apply for additional Board approval.
- 2) Institutions offering a degree program at the University Center of Lake County or the Quad-Cities Graduate Center shall not be required to apply for additional Board approval when offering degree programs approved for their home campus. For these institutions, center approval is required and the center shall be treated as part of their home campus, provided the center has notified the Board of its approval of the new degree program.
- 3) Institutions offering one hundred percent asynchronous versus synchronous on-line instruction of a Board approved degree program shall not be required to apply for additional Board approval.
- 4) Institutions offering temporary programs meeting the following criteria shall not be required to apply for Board approval:~~e)Criteria that are applicable only to units of instruction to be offered temporarily off-campus:~~
- A+) The unit of instruction is approved for offering ~~in-regionon campus~~, and the academic standards of the ~~in-regionon-campus~~ unit are maintained at the ~~out-of-regionoff-campus~~ site; and

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- B2) The out-of-region~~off-campus~~ unit of instruction is offered under contract to a single business, service organization, or government agency and enrollment is restricted to employees of the contracting business, organization or agency; and
- C3) The contractual arrangement assures that the out-of-region~~off-campus~~ unit of instruction is self-supporting; that is, no State resources are required to support it; and
- D4) The out-of-region~~off-campus~~ unit of instruction is offered to a single group of entering students for a single cycle not to exceed three years. Should the institution wish to continue the unit of instruction at the out-of-region~~off-campus~~ site beyond the single cycle, the institution must submit an application for Board of Higher Education approval.

(Source: Amended at 33 Ill. Reg. 78, effective December 23, 2008)

Section 1050.40 Procedures of Obtaining Approval

- a) Approval of the Board of Control
- 1) Applications for new units of instruction, research and public service will be reviewed by the appropriate board of control. Upon approval by~~of~~ the appropriate board of control, the institution shall submit to the Board a completed notice of intent on the form provided by the Board~~the application requesting approval of the new unit of instruction, research or public service will be transmitted to the Illinois Board of Higher Education. The notice of intent shall include the degree and program name, region located, description of the program, demographics of the intended students, estimated enrollment and contact person. The notice of intent may be submitted prior to or simultaneously with the request for approval. Notices of Intent shall be publicly posted by the Board for no less than 30 days prior to any Board action on the application.~~
 - 2) The institution requesting permission to offer new units of instruction, research or public service will complete the application as provided by the Board and submit the completed form to the Board~~Before submitting an~~

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~~application for a new off-campus unit of instruction, the institution shall submit to the Board of Higher Education a Notice of Intent for publication for comment.~~

- 3) If the appropriate board of control determines that the proposed unit is a reasonable and moderate extension rather than a new unit, the institution# will so inform the ~~Illinois Board of Higher Education~~. If the ~~Illinois Board of Higher Education~~ does not concur in this determination, the institution shall submit an application requesting approval of the new unit of instruction, research or public service ~~will be transmitted~~ to the ~~Illinois Board of Higher Education~~.
 - 4) Community colleges may be deemed compliant with subsections (a)(1), (2) and (3) by participating in a comparable approval process required by the Illinois Community College Board.
- b) Approval by the Illinois Board of Higher Education
Upon determining that the Criteria for Approval are met, the ~~Illinois Board of Higher Education~~ will approve the establishment of the new unit of instruction, research or public service, and will so inform the appropriate board of control by letter from its executive director. This letter shall constitute formal authority to establish the new unit of instruction, research or public service.

(Source: Amended at 33 Ill. Reg. 78, effective December 23, 2008)

Section 1050.50 Review of Existing Units of Instruction, Research and Public Service

The Board of Higher Education is authorized to review, periodically, all existing programs of instruction, research and public service at the State universities and colleges and to advise the appropriate board of control if the contribution of each program is not educationally and economically justified. [110 ILCS 205/7]

- a) Units of Instruction Approved after December 23, 2008
 - 1) Third Year Progress Report
Three years after approval of a new program, the institution shall provide a program progress report to the Board as part of the institution's annual report. The third year progress report shall describe the institution's performance in meeting program objectives and show where any

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improvements are necessary. The placement of a program in voluntary temporary suspension will not negate the requirement of submitting a third year progress report.

2) Third Year Status as Determined by the Institution

A) Program in Good Standing: The institution is meeting the program objectives as outlined in the original application that was submitted during the program approval process.

B) Program Flagged for Review: The institution is not meeting the program objectives as outlined in the original application that was submitted during the program approval process. In that event, the institution shall flag the program for review and shall submit a plan for improvement. The plan will outline the steps to be taken, benchmarks indicating adequate progress, and a timeline indicating step completion and/or benchmark achievement points.

C) Additional Requirement for Programs in which State Licensure is Required for Employment in the Field: In the case of a program in which State licensure is required for employment in the field, a program can be found to be in good standing if the institution is able to provide evidence that program graduates are eligible to take the appropriate licensure examination and pass rates are maintained as specified in the objectives of the unit of instruction. If there is no such evidence, the institution shall report the program as flagged for review.

3) Upon completion of the third year progress report or the annual interim report required for programs flagged for review:

A) If the program is in good standing, the institution will add the program to the eight-year program review cycle as provided in subsection (b).

B) If the program has been flagged for review, the institution shall submit annual interim reports until the status of good standing is achieved. A flagged program will no longer be considered a Board approved program beyond the fifth anniversary of its original

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approval. If no required annual interim report is submitted for a flagged program, the Board will interpret the absence of an annual interim report as an indication that the institution has terminated the program and the program will no longer be considered a Board approved program.

C) Annual interim reports on flagged programs shall:

- i) Delineate actions taken to resolve the issues or improve the program;
- ii) Identify areas for further action or improvement; and
- iii) Describe how the program will be monitored to ensure continued improvement until the next review.

D) An institution may request approval to place a program in voluntary temporary suspension. That status does not negate the requirement for submitting annual interim reports and does not negate the limitation of five years duration as a program flagged for review.

4) Community Colleges

Community colleges may be deemed compliant with the program review process by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.

b) Existing and newly approved units of instruction that have been identified as being in good standing will be reviewed on an eight-year cycle.

1) Eight-year Program Review Process

Programs deemed to be in good standing will be reviewed by the institution on a staggered eight-year cycle, with the institution determining the schedule for individual programs, but requiring that each program be reviewed at least once every eight years. Each institution will implement a program review process that best meets its unique needs and that is consistent with Board requirements as contained in this subsection (b) for the eight-year cycle. Institutions have the discretion to use findings from

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specialized program accreditations and other reviews as the basis of the program review as long as the findings are not more than two years old. When an existing report or review is to be used, the institutions will inform the Board of the process prior to the review. While the institution is responsible for developing its unique program review procedures, it shall include, at a minimum, the following components:

- A) A statement of program goals and intended learning outcomes;
- B) An end- or near-end-of-program assessment of student learning, in addition to course-by-course assessments;
- C) Multiple performance measures, if necessary, that reflect the uniqueness of academic programs and disciplines;
- D) Feedback from key stakeholders (e.g., current students, alumni, employers and graduate schools);
- E) Evidence of a formal feedback or improvement mechanism (i.e., a regular review process in place) and that the results are used to improve curriculum, instruction and learning;
- F) Improvements to its capacity to efficiently and effectively deliver programs using technological innovation and comprehensive data systems; and
- G) Findings and recommendations for improvement, suspension or closure.

2) Status Report

- A) Upon the conclusion of the eight-year review, the institution shall provide to the Board a summary report that contains, at a minimum, the following:
 - i) Description and assessment of any major changes in the program, including changes in the discipline or field, student demand, societal needs, institutional context for

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- offering the degree, and other elements appropriate to the discipline;
- ii) Major findings and recommendations, including evidence of student learning outcomes and identification of opportunities for program improvement;
 - iii) Actions taken since the last review, including instructional resources and practices, and curricular changes; and
 - iv) Actions to be taken as a result of this review, including changes in instructional resources and practices, curriculum and assessment of student learning.
- B) The institution shall determine the status of the program. A program may be in one of three categories: in good standing; flagged for review; or under temporary suspension.
- 3) Community Colleges
Community colleges may be deemed compliant with the eight-year program review cycle by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.
- c) Units of instruction that have been reviewed as part of an eight-year review process and are not considered to be in good standing will be reviewed annually beginning December 23, 2008.
- 1) Programs Flagged for Review
If the program has been flagged for review, the institution shall submit annual interim reports until the status of good standing is achieved, but the program will no longer be considered a Board approved program beyond the fifth anniversary of the year the program was flagged for review. If no required annual interim report is submitted for a flagged program, the Board will interpret the absence of an annual interim report as an indication that the institution has terminated the program and the program will no longer be considered a Board approved program. Annual interim reports on flagged programs shall:

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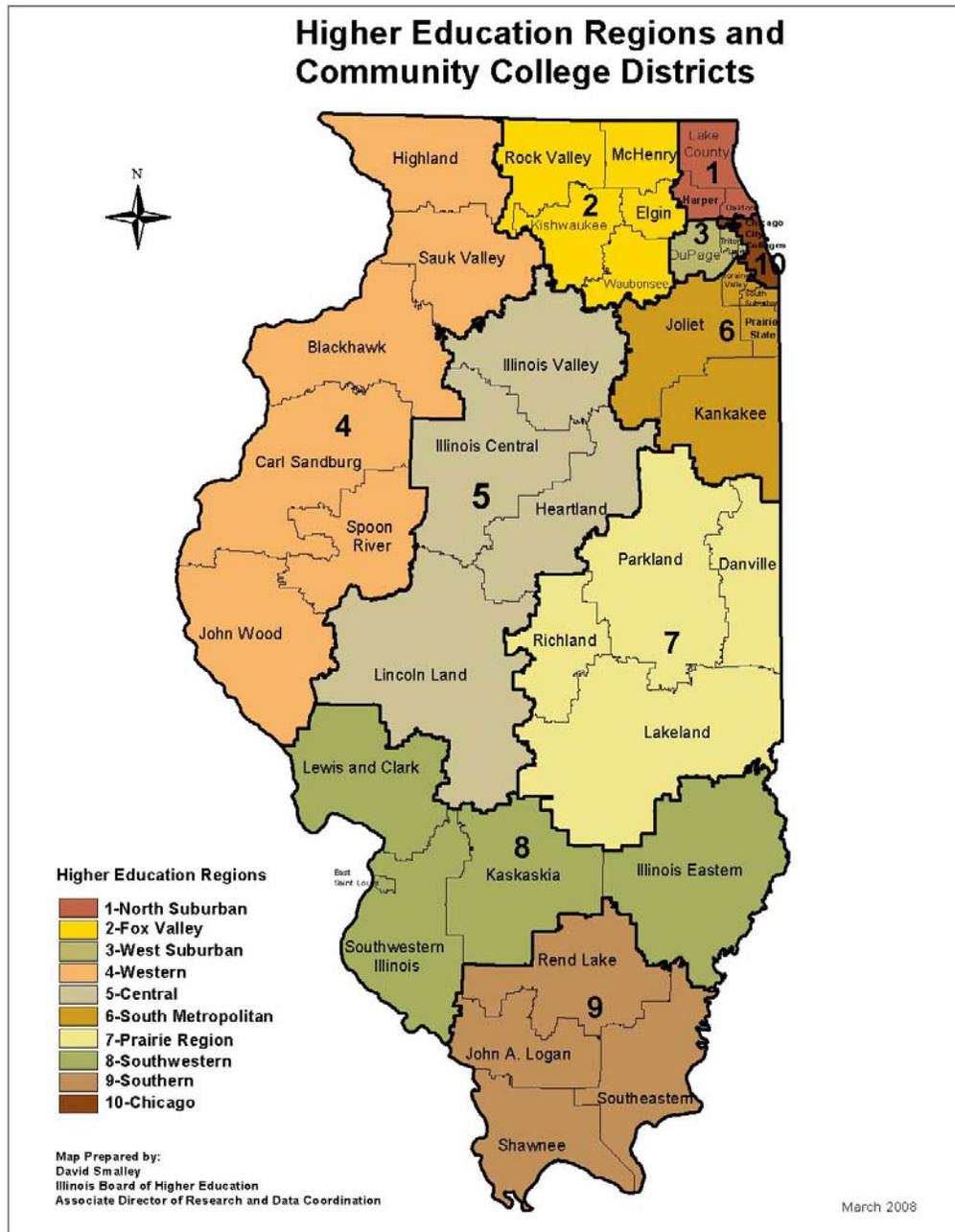
- A) Delineate actions taken to resolve the issues or improve the program;
 - B) Identify areas for further action or improvement; and
 - C) Describe how the program will be monitored to ensure continued improvement until the next review.
- 2) Programs Placed in Temporary Suspension Status
An institution may place any approved program on temporary suspension after receiving Board approval. The institution shall provide an annual status report to the Board on any program under temporary suspension status. The Board will consider a program placed on temporary suspension status to be terminated if an annual status report is not received or if no reinstatement request is received within the first five years after the program was placed on temporary suspension. An institution may petition for reinstatement during the five-year period.
- 3) Community Colleges
Community colleges may be deemed compliant with the review process by participating in a comparable review required by the Illinois Community College Board. This will not abrogate the Board of Higher Education's authority to request reviews of community college programs.

(Source: Added at 33 Ill. Reg. 78, effective December 23, 2008)

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Section 1050.ILLUSTRATION A Map of Regions



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|
(Source: Added at 32 Ill. Reg. 78, effective December 23, 2008)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3)

<u>Section Numbers:</u>	<u>Peremptory Action:</u>
310.APPENDIX A TABLE N	Amendment
310.APPENDIX A TABLE W	Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Section 310.Appendix A Table N to reflect the Memorandum of Understanding (MOU) between CMS and the American Federation of State, County and Municipal Employees (AFSCME) that was signed November 19, 2008. The MOU assigns the Public Service Administrator title, Option 8L positions in the Department of Public Health to the RC-010 bargaining unit and pay grade RC-010-24 effective October 2, 2008.

CMS is amending Section 310.Appendix A Table W to reflect the MOU between CMS and AFSCME that was signed November 19, 2008. The MOU assigns the Internal Security Investigator I and II titles' positions not in the Department of Corrections to the RC-062 bargaining unit and pay grades RC-062-18 and RC-062-21, respectively, effective July 23, 2008.
- 5) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a].
- 6) Effective Date: December 19, 2008
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A Table N, Public Service Administrator, Option 8L Department of Public Health, title code 37015 and pay grade RC-010-24 are added to the title table.

In Section 310.Appendix A Table W, the Internal Security Investigator I and II not Department of Corrections, title codes 21731 and 21732, respectively, and pay grades RC-062-18 and RC-062-21, respectively, are added to the title table.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: December 19, 2008

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.

11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?
Yes

12) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
310.47	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.50	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.80	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.220	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.260	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.280	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.410	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.415	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.APPENDIX A TABLE V	Amendment	32 Ill. Reg. 15147; September 26, 2008
310.APPENDIX A TABLEX	Amendment	32 Ill. Reg. 15147; September 26, 2008

13) Statement of Statewide Policy Objectives: These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.

14) Information and questions regarding these peremptory amendments shall be directed to:

Mr. Jason Doggett
 Manager
 Compensation Section
 Division of Technical Services and Agency Training and Development
 Bureau of Personnel
 Department of Central Management Services
 504 William G. Stratton Building
 Springfield IL 62706

217/782-7964
 Fax: 217/524-4570
 CMS.PayPlan@Illinois.gov

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.45	Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.47	In-Hiring Rate
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate (Repealed)
310.240	Daily or Hourly Rate Conversion
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate

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310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State Rate (Repealed)
310.295	Foreign Service Rate (Repealed)
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections (Repealed)
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section	
310.410	Jurisdiction
310.415	Merit Compensation Salary Range Assignments
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases and Bonuses
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units (Repealed)
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase and Bonus Guidechart
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

310.APPENDIX A Negotiated Rates of Pay

310.TABLE A RC-104 (Conservation Police Supervisors, Laborers' – ISEA Local #2002)

310.TABLE B VR-706 (Assistant Automotive Shop Supervisors, Automotive Shop Supervisors and Meat and Poultry Inspector Supervisors, Laborers' –

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	ISEA Local #2002)
310.TABLE C	RC-056 (Site Superintendents and Natural Resource, Historic Preservation and Agriculture Managers, IFPE)
310.TABLE D	HR-001 (Teamsters Local #726)
310.TABLE E	RC-020 (Teamsters Local #330)
310.TABLE F	RC-019 (Teamsters Local #25)
310.TABLE G	RC-045 (Automotive Mechanics, IFPE)
310.TABLE H	RC-006 (Corrections Employees, AFSCME)
310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	VR-704 (Corrections, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
310.TABLE AB	VR-007 (Plant Maintenance Engineers, Operating Engineers) (Repealed)
310.APPENDIX B	Schedule of Salary Grade Pay Grades – Monthly Rates of Pay
310.APPENDIX C	Medical Administrator Rates (Repealed)
310.APPENDIX D	Merit Compensation System Salary Schedule
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November

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19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective

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February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended

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at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27,

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2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2684, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a

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maximum of 150 days; emergency expired March 13, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8418, effective June 1, 2005; amended at 29 Ill. Reg. 9319, effective July 1, 2005; preemptory amendment at 29 Ill. Reg. 12076, effective July 15, 2005; preemptory amendment at 29 Ill. Reg. 13265, effective August 11, 2005; amended at 29 Ill. Reg. 13540, effective August 22, 2005; preemptory amendment at 29 Ill. Reg. 14098, effective September 2, 2005; amended at 29 Ill. Reg. 14166, effective September 9, 2005; amended at 29 Ill. Reg. 19551, effective November 21, 2005; emergency amendment at 29 Ill. Reg. 20554, effective December 2, 2005, for a maximum of 150 days; preemptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; preemptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; preemptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; preemptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill.

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Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; preemptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21, 2007; preemptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; preemptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; preemptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; preemptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; preemptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; preemptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; preemptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; preemptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; preemptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; preemptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; preemptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; preemptory amendment at 33 Ill. Reg. 98, effective December 19, 2008.

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE N RC-010 (Professional Legal Unit, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Hearings Referee	18300	RC-010	23
Hearings Referee – Intermittent	18301	RC-010	23H
Public Service Administrator, Option 8L			
Department of Public Health	37015	RC-010	24
Technical Advisor Advanced Program Specialist	45256	RC-010	24
Technical Advisor I	45251	RC-010	18
Technical Advisor II	45252	RC-010	20
Technical Advisor III	45253	RC-010	23

Effective January 1, 2008
Bargaining Unit: RC-010

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
18	B	3645	3750	3858	3973	4165	4360	4558	4743	4934	5228	5437
18	Q	3806	3915	4031	4152	4357	4557	4765	4959	5156	5465	5684
20	B	4052	4174	4298	4425	4648	4865	5096	5318	5538	5874	6109
20	Q	4236	4362	4491	4625	4857	5086	5327	5556	5788	6141	6386
23	B	4798	4940	5087	5239	5517	5800	6076	6356	6632	7048	7331
23	Q	5013	5161	5317	5479	5768	6064	6349	6642	6931	7365	7659
23H	B	29.53	30.40	31.30	32.24	33.95	35.69	37.39	39.11	40.81	43.37	45.11
24	B	5104	5257	5414	5576	5873	6181	6477	6776	7082	7526	7827

Effective January 1, 2009
Bargaining Unit: RC-010

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Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
18	B	3700	3806	3916	4033	4227	4425	4626	4814	5008	5306	5519
18	Q	3863	3974	4091	4214	4422	4625	4836	5033	5233	5547	5769
20	B	4113	4237	4362	4491	4718	4938	5172	5398	5621	5962	6201
20	Q	4300	4427	4558	4694	4930	5162	5407	5639	5875	6233	6482
23	B	4870	5014	5163	5318	5600	5887	6167	6451	6731	7154	7441
23	Q	5088	5238	5397	5561	5855	6155	6444	6742	7035	7475	7774
23H	B	29.97	30.86	31.77	32.73	34.46	36.23	37.95	39.70	41.42	44.02	45.79
24	B	5181	5336	5495	5660	5961	6274	6574	6878	7188	7639	7944

(Source: Amended by preemptory rulemaking at 33 Ill. Reg. 98, effective December 19, 2008)

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE W RC-062 (Technical Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Accountant	00130	RC-062	14
Accountant Advanced	00133	RC-062	16
Accountant Supervisor	00135	RC-062	18
Accounting and Fiscal Administration Career Trainee	00140	RC-062	12
Activity Therapist	00157	RC-062	15
Activity Therapist Coordinator	00160	RC-062	17
Actuarial Assistant	00187	RC-062	16
Actuarial Examiner	00195	RC-062	16
Actuarial Examiner Trainee	00196	RC-062	13
Actuarial Senior Examiner	00197	RC-062	19
Actuary I	00201	RC-062	20
Actuary II	00202	RC-062	24
Agricultural Market News Assistant	00804	RC-062	12
Agricultural Marketing Generalist	00805	RC-062	14
Agricultural Marketing Reporter	00807	RC-062	18
Agricultural Marketing Representative	00810	RC-062	18
Agriculture Land and Water Resource Specialist I	00831	RC-062	14
Agriculture Land and Water Resource Specialist II	00832	RC-062	17
Agriculture Land and Water Resource Specialist III	00833	RC-062	20
Aircraft Pilot I	00955	RC-062	19
Aircraft Pilot II	00956	RC-062	22
Aircraft Pilot II – Dual Rating	00957	RC-062	23
Appraisal Specialist I	01251	RC-062	14
Appraisal Specialist II	01252	RC-062	16
Appraisal Specialist III	01253	RC-062	18
Arts Council Associate	01523	RC-062	12
Arts Council Program Coordinator	01526	RC-062	18
Arts Council Program Representative	01527	RC-062	15
Assignment Coordinator	01530	RC-062	20
Bank Examiner I	04131	RC-062	16
Bank Examiner II	04132	RC-062	19
Bank Examiner III	04133	RC-062	22
Behavioral Analyst Associate	04355	RC-062	15

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Behavioral Analyst I	04351	RC-062	17
Behavioral Analyst II	04352	RC-062	19
Business Administrative Specialist	05810	RC-062	16
Business Manager	05815	RC-062	18
Buyer	05900	RC-062	18
Capital Development Board Account Technician	06515	RC-062	11
Capital Development Board Art in Architecture Technician	06533	RC-062	12
Capital Development Board Construction Support Analyst	06520	RC-062	11
Capital Development Board Project Technician	06530	RC-062	12
Chemist I	06941	RC-062	16
Chemist II	06942	RC-062	19
Chemist III	06943	RC-062	21
Child Protection Advanced Specialist	07161	RC-062	19
Child Protection Associate Specialist	07162	RC-062	16
Child Protection Specialist	07163	RC-062	18
Child Support Specialist I	07198	RC-062	16
Child Support Specialist II	07199	RC-062	17
Child Support Specialist Trainee	07200	RC-062	12
Child Welfare Associate Specialist	07216	RC-062	16
Child Welfare Staff Development Coordinator I	07201	RC-062	17
Child Welfare Staff Development Coordinator II	07202	RC-062	19
Child Welfare Staff Development Coordinator III	07203	RC-062	20
Child Welfare Staff Development Coordinator IV	07204	RC-062	22
Children and Family Service Intern – Option I	07241	RC-062	12
Children and Family Service Intern – Option II	07242	RC-062	15
Clinical Laboratory Technologist I	08220	RC-062	18
Clinical Laboratory Technologist II	08221	RC-062	19
Clinical Laboratory Technologist Trainee	08229	RC-062	14
Communications Systems Specialist	08860	RC-062	23
Community Management Specialist I	08891	RC-062	15
Community Management Specialist II	08892	RC-062	17
Community Management Specialist III	08893	RC-062	19
Community Planner I	08901	RC-062	15
Community Planner II	08902	RC-062	17
Community Planner III	08903	RC-062	19
Conservation Education Representative	09300	RC-062	12
Conservation Grant Administrator I	09311	RC-062	18
Conservation Grant Administrator II	09312	RC-062	20
Conservation Grant Administrator III	09313	RC-062	22

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Construction Program Assistant	09525	RC-062	12
Correctional Counselor I	09661	RC-062	15
Correctional Counselor II	09662	RC-062	17
Correctional Counselor III	09663	RC-062	19
Corrections Apprehension Specialist	09750	RC-062	19
Corrections Industries Marketing Representative	09803	RC-062	17
Corrections Leisure Activities Specialist I	09811	RC-062	15
Corrections Leisure Activities Specialist II	09812	RC-062	17
Corrections Leisure Activities Specialist III	09813	RC-062	19
Corrections Parole Agent	09842	RC-062	17
Corrections Senior Parole Agent	09844	RC-062	19
Criminal Intelligence Analyst I	10161	RC-062	18
Criminal Intelligence Analyst II	10162	RC-062	20
Criminal Intelligence Analyst Specialist	10165	RC-062	22
Criminal Justice Specialist I	10231	RC-062	16
Criminal Justice Specialist II	10232	RC-062	20
Criminal Justice Specialist Trainee	10236	RC-062	13
Curator of the Lincoln Collection	10750	RC-062	16
Day Care Licensing Representative I	11471	RC-062	16
Developmental Disabilities Council Program Planner I	12361	RC-062	12
Developmental Disabilities Council Program Planner II	12362	RC-062	16
Developmental Disabilities Council Program Planner III	12363	RC-062	18
Dietitian	12510	RC-062	15
Disability Appeals Officer	12530	RC-062	22
Disability Claims Adjudicator I	12537	RC-062	16
Disability Claims Adjudicator II	12538	RC-062	18
Disability Claims Adjudicator Trainee	12539	RC-062	13
Disability Claims Analyst	12540	RC-062	21
Disability Claims Specialist	12558	RC-062	19
Disaster Services Planner	12585	RC-062	19
Document Examiner	12640	RC-062	22
Economic Development Representative I	12931	RC-062	17
Economic Development Representative II	12932	RC-062	19
Educator – Provisional	13105	RC-062	12
Employment Security Manpower Representative I	13621	RC-062	12
Employment Security Manpower Representative II	13622	RC-062	14
Employment Security Program Representative	13650	RC-062	14
Employment Security Program Representative – Intermittent	13651	RC-062	14H
Employment Security Service Representative	13667	RC-062	16

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Employment Security Specialist I	13671	RC-062	14
Employment Security Specialist II	13672	RC-062	16
Employment Security Specialist III	13673	RC-062	19
Employment Security Tax Auditor I	13681	RC-062	17
Employment Security Tax Auditor II	13682	RC-062	19
Energy and Natural Resources Specialist I	13711	RC-062	15
Energy and Natural Resources Specialist II	13712	RC-062	17
Energy and Natural Resources Specialist III	13713	RC-062	19
Energy and Natural Resources Specialist Trainee	13715	RC-062	12
Environmental Health Specialist I	13768	RC-062	14
Environmental Health Specialist II	13769	RC-062	16
Environmental Health Specialist III	13770	RC-062	18
Environmental Protection Associate	13785	RC-062	12
Environmental Protection Specialist I	13821	RC-062	14
Environmental Protection Specialist II	13822	RC-062	16
Environmental Protection Specialist III	13823	RC-062	18
Environmental Protection Specialist IV	13824	RC-062	22
Equal Pay Specialist	13837	RC-062	17
Executive I	13851	RC-062	18
Executive II	13852	RC-062	20
Financial Institutions Examiner I	14971	RC-062	16
Financial Institutions Examiner II	14972	RC-062	19
Financial Institutions Examiner III	14973	RC-062	22
Financial Institutions Examiner Trainee	14978	RC-062	13
Flight Safety Coordinator	15640	RC-062	22
Forensic Scientist I	15891	RC-062	18
Forensic Scientist II	15892	RC-062	20
Forensic Scientist III	15893	RC-062	22
Forensic Scientist Trainee	15897	RC-062	15
Guardianship Representative	17710	RC-062	17
Habilitation Program Coordinator	17960	RC-062	17
Handicapped Services Representative I	17981	RC-062	11
Health Facilities Surveyor I	18011	RC-062	16
Health Facilities Surveyor II	18012	RC-062	19
Health Facilities Surveyor III	18013	RC-062	20
Health Services Investigator I – Opt. A	18181	RC-062	19
Health Services Investigator I – Opt. B	18182	RC-062	20
Health Services Investigator II – Opt. A	18185	RC-062	22
Health Services Investigator II – Opt. B	18186	RC-062	22

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Health Services Investigator II – Opt. C	18187	RC-062	25
Health Services Investigator II – Opt. D	18188	RC-062	25
Historical Documents Conservator I	18981	RC-062	13
Historical Exhibits Designer	18985	RC-062	15
Historical Research Editor II	19002	RC-062	14
Human Relations Representative	19670	RC-062	16
Human Resources Representative	19692	RC-062	17
Human Rights Investigator I	19774	RC-062	16
Human Rights Investigator II	19775	RC-062	18
Human Rights Investigator III	19776	RC-062	19
Human Rights Specialist I	19778	RC-062	14
Human Rights Specialist II	19779	RC-062	16
Human Rights Specialist III	19780	RC-062	18
Human Services Caseworker	19785	RC-062	16
Human Services Grants Coordinator I	19791	RC-062	14
Human Services Grants Coordinator II	19792	RC-062	17
Human Services Grants Coordinator III	19793	RC-062	20
Human Services Grants Coordinator Trainee	19796	RC-062	12
Human Services Sign Language Interpreter	19810	RC-062	16
Iconographer	19880	RC-062	12
Industrial and Community Development Representative I	21051	RC-062	17
Industrial and Community Development Representative II	21052	RC-062	19
Industrial Services Consultant I	21121	RC-062	14
Industrial Services Consultant II	21122	RC-062	16
Industrial Services Consultant Trainee	21125	RC-062	11
Industrial Services Hygienist	21127	RC-062	19
Industrial Services Hygienist Technician	21130	RC-062	16
Industrial Services Hygienist Trainee	21133	RC-062	12
Information Technology/Communication Systems Specialist I	21216	RC-062	19
Information Technology/Communication Systems Specialist II	21217	RC-062	24
Instrument Designer	21500	RC-062	18
Insurance Analyst III	21563	RC-062	14
Insurance Analyst IV	21564	RC-062	16
Insurance Company Claims Examiner II	21602	RC-062	19
Insurance Company Field Staff Examiner	21608	RC-062	16
Insurance Company Financial Examiner Trainee	21610	RC-062	13
Insurance Performance Examiner I	21671	RC-062	14
Insurance Performance Examiner II	21672	RC-062	17
Insurance Performance Examiner III	21673	RC-062	20

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Intermittent Unemployment Insurance Representative	21689	RC-062	12H
Internal Auditor I	21721	RC-062	17
Internal Security Investigator I, not Department of Corrections	21731	RC-062	18
Internal Security Investigator II, not Department of Corrections	21732	RC-062	21
Labor Conciliator	22750	RC-062	20
Laboratory Equipment Specialist	22990	RC-062	18
Laboratory Quality Specialist I	23021	RC-062	19
Laboratory Quality Specialist II	23022	RC-062	21
Laboratory Research Specialist I	23027	RC-062	19
Laboratory Research Specialist II	23028	RC-062	21
Land Acquisition Agent I	23091	RC-062	15
Land Acquisition Agent II	23092	RC-062	18
Land Acquisition Agent III	23093	RC-062	21
Land Reclamation Specialist I	23131	RC-062	14
Land Reclamation Specialist II	23132	RC-062	17
Liability Claims Adjuster I	23371	RC-062	14
Liability Claims Adjuster II	23372	RC-062	18
Library Associate	23430	RC-062	12
Life Sciences Career Trainee	23600	RC-062	12
Liquor Control Special Agent II	23752	RC-062	15
Local Historical Services Representative	24000	RC-062	17
Local Housing Advisor I	24031	RC-062	14
Local Housing Advisor II	24032	RC-062	16
Local Housing Advisor III	24033	RC-062	18
Local Revenue and Fiscal Advisor I	24101	RC-062	15
Local Revenue and Fiscal Advisor II	24102	RC-062	17
Local Revenue and Fiscal Advisor III	24103	RC-062	19
Lottery Regional Coordinator	24504	RC-062	19
Lottery Sales Representative	24515	RC-062	16
Management Operations Analyst I	25541	RC-062	18
Management Operations Analyst II	25542	RC-062	20
Manpower Planner I	25591	RC-062	14
Manpower Planner II	25592	RC-062	17
Manpower Planner III	25593	RC-062	20
Manpower Planner Trainee	25597	RC-062	12
Medical Assistance Consultant I	26501	RC-062	13
Medical Assistance Consultant II	26502	RC-062	16
Medical Assistance Consultant III	26503	RC-062	19
Mental Health Specialist I	26924	RC-062	12

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Mental Health Specialist II	26925	RC-062	14
Mental Health Specialist III	26926	RC-062	16
Mental Health Specialist Trainee	26928	RC-062	11
Meteorologist	27120	RC-062	18
Methods and Procedures Advisor I	27131	RC-062	14
Methods and Procedures Advisor II	27132	RC-062	16
Methods and Procedures Advisor III	27133	RC-062	20
Methods and Procedures Career Associate I	27135	RC-062	11
Methods and Procedures Career Associate II	27136	RC-062	12
Methods and Procedures Career Associate Trainee	27137	RC-062	09
Metrologist Associate	27146	RC-062	15
Microbiologist I	27151	RC-062	16
Microbiologist II	27152	RC-062	19
Natural Resources Advanced Specialist	28833	RC-062	20
Natural Resources Coordinator	28831	RC-062	15
Natural Resources Specialist	28832	RC-062	18
Oral Health Consultant	30317	RC-062	18
Paralegal Assistant	30860	RC-062	14
Pension and Death Benefits Technician II	30962	RC-062	19
Police Training Specialist	32990	RC-062	17
Program Integrity Auditor I	34631	RC-062	16
Program Integrity Auditor II	34632	RC-062	19
Program Integrity Auditor Trainee	34635	RC-062	12
Property Consultant	34900	RC-062	15
Public Aid Appeals Advisor	35750	RC-062	18
Public Aid Family Support Specialist I	35841	RC-062	17
Public Aid Investigator	35870	RC-062	19
Public Aid Investigator Trainee	35874	RC-062	14
Public Aid Lead Casework Specialist	35880	RC-062	17
Public Aid Program Quality Analyst	35890	RC-062	19
Public Aid Quality Control Reviewer	35892	RC-062	17
Public Aid Quality Control Supervisor	35900	RC-062	19
Public Aid Staff Development Specialist I	36071	RC-062	15
Public Aid Staff Development Specialist II	36072	RC-062	17
Public Health Educator Associate	36434	RC-062	14
Public Health Program Specialist I	36611	RC-062	14
Public Health Program Specialist II	36612	RC-062	16
Public Health Program Specialist III	36613	RC-062	19
Public Health Program Specialist Trainee	36615	RC-062	12

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Public Information Coordinator	36750	RC-062	18
Public Information Officer I	37001	RC-062	12
Public Information Officer II	37002	RC-062	14
Public Information Officer III	37003	RC-062	19
Public Information Officer IV	37004	RC-062	21
Public Safety Inspector	37007	RC-062	16
Public Safety Inspector Trainee	37010	RC-062	10
Public Service Administrator, Options 8B and 8Y	37015	RC-062	23
Railroad Safety Specialist I	37601	RC-062	19
Railroad Safety Specialist II	37602	RC-062	21
Railroad Safety Specialist III	37603	RC-062	23
Railroad Safety Specialist IV	37604	RC-062	25
Real Estate Investigator	37730	RC-062	19
Real Estate Professions Examiner	37760	RC-062	22
Recreation Worker I	38001	RC-062	12
Recreation Worker II	38002	RC-062	14
Rehabilitation Counselor	38145	RC-062	17
Rehabilitation Counselor Senior	38158	RC-062	19
Rehabilitation Counselor Trainee	38159	RC-062	15
Rehabilitation Services Advisor I	38176	RC-062	20
Rehabilitation Workshop Supervisor I	38194	RC-062	12
Rehabilitation Workshop Supervisor II	38195	RC-062	14
Reimbursement Officer I	38199	RC-062	14
Reimbursement Officer II	38200	RC-062	16
Research Economist I	38207	RC-062	18
Research Scientist I	38231	RC-062	13
Research Scientist II	38232	RC-062	16
Research Scientist III	38233	RC-062	20
Resource Planner I	38281	RC-062	17
Resource Planner II	38282	RC-062	19
Resource Planner III	38283	RC-062	22
Retirement System Disability Specialist	38310	RC-062	19
Revenue Audit Supervisor (IL)	38369	RC-062	25
Revenue Audit Supervisor (states other than IL, CA or NJ)	38369	RC-062	27
Revenue Audit Supervisor (CA or NJ)	38369	RC-062	29
Revenue Auditor I (IL)	38371	RC-062	16
Revenue Auditor I (states other than IL, CA or NJ)	38371	RC-062	19
Revenue Auditor I (CA or NJ)	38371	RC-062	21

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Revenue Auditor II (IL)	38372	RC-062	19
Revenue Auditor II (states other than IL, CA or NJ)	38372	RC-062	22
Revenue Auditor II (CA or NJ)	38372	RC-062	24
Revenue Auditor III (IL)	38373	RC-062	22
Revenue Auditor III (states other than IL, CA or NJ)	38373	RC-062	24
Revenue Auditor III (CA or NJ)	38373	RC-062	26
Revenue Auditor Trainee (IL)	38375	RC-062	12
Revenue Auditor Trainee (states other than IL, CA or NJ)	38375	RC-062	13
Revenue Auditor Trainee (CA or NJ)	38375	RC-062	15
Revenue Collection Officer I	38401	RC-062	15
Revenue Collection Officer II	38402	RC-062	17
Revenue Collection Officer III	38403	RC-062	19
Revenue Collection Officer Trainee	38405	RC-062	12
Revenue Computer Audit Specialist (IL)	38425	RC-062	23
Revenue Computer Audit Specialist (states other than IL, CA or NJ)	38425	RC-062	25
Revenue Computer Audit Specialist (CA or NJ)	38425	RC-062	27
Revenue Senior Special Agent	38557	RC-062	23
Revenue Special Agent	38558	RC-062	19
Revenue Special Agent Trainee	38565	RC-062	14
Revenue Tax Specialist I	38571	RC-062	12
Revenue Tax Specialist II (IL)	38572	RC-062	14
Revenue Tax Specialist II (states other than IL, CA or NJ)	38572	RC-062	17
Revenue Tax Specialist II (CA or NJ)	38572	RC-062	19
Revenue Tax Specialist III	38573	RC-062	17
Revenue Tax Specialist Trainee	38575	RC-062	10
Site Assistant Superintendent I	41071	RC-062	15
Site Assistant Superintendent II	41072	RC-062	17
Site Interpretive Coordinator	41093	RC-062	13
Site Services Specialist I	41117	RC-062	15
Site Services Specialist II	41118	RC-062	17
Social Service Consultant I	41301	RC-062	18
Social Service Consultant II	41302	RC-062	19
Social Service Program Planner I	41311	RC-062	15
Social Service Program Planner II	41312	RC-062	17
Social Service Program Planner III	41313	RC-062	20
Social Service Program Planner IV	41314	RC-062	22
Social Services Career Trainee	41320	RC-062	12

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Social Worker I	41411	RC-062	16
Staff Development Specialist I	41771	RC-062	18
Staff Development Technician I	41781	RC-062	12
Staff Development Technician II	41782	RC-062	15
State Mine Inspector	42230	RC-062	19
State Police Field Specialist I	42001	RC-062	18
State Police Field Specialist II	42002	RC-062	20
Statistical Research Specialist I	42741	RC-062	12
Statistical Research Specialist II	42742	RC-062	14
Statistical Research Specialist III	42743	RC-062	17
Storage Tank Safety Specialist	43005	RC-062	18
Telecommunications Specialist	45295	RC-062	15
Telecommunications Systems Analyst	45308	RC-062	17
Telecommunications Systems Technician I	45312	RC-062	10
Telecommunications Systems Technician II	45313	RC-062	13
Terrorism Research Specialist I	45371	RC-062	18
Terrorism Research Specialist II	45372	RC-062	20
Terrorism Research Specialist III	45373	RC-062	22
Terrorism Research Specialist Trainee	45375	RC-062	14
Unemployment Insurance Adjudicator I	47001	RC-062	11
Unemployment Insurance Adjudicator II	47002	RC-062	13
Unemployment Insurance Adjudicator III	47003	RC-062	15
Unemployment Insurance Revenue Analyst I	47081	RC-062	15
Unemployment Insurance Revenue Analyst II	47082	RC-062	17
Unemployment Insurance Revenue Specialist	47087	RC-062	13
Unemployment Insurance Special Agent	47096	RC-062	18
Veterans Educational Specialist I	47681	RC-062	15
Veterans Educational Specialist II	47682	RC-062	17
Veterans Educational Specialist III	47683	RC-062	21
Veterans Employment Representative I	47701	RC-062	14
Veterans Employment Representative II	47702	RC-062	16
Volunteer Services Coordinator I	48481	RC-062	13
Volunteer Services Coordinator II	48482	RC-062	16
Volunteer Services Coordinator III	48483	RC-062	18
Wage Claims Specialist	48770	RC-062	09
Weatherization Specialist I	49101	RC-062	14
Weatherization Specialist II	49102	RC-062	17
Weatherization Specialist III	49103	RC-062	20
Weatherization Specialist Trainee	49105	RC-062	12

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Workers Compensation Insurance Compliance Investigator 49640 RC-062 20

NOTE: For the Revenue Audit Supervisor, Revenue Auditor I, II and III and Revenue Auditor Trainee, Revenue Computer Audit Specialist and Revenue Tax Specialist II position classification titles only – The pay grade assigned to the employee is based on the location of the position and the residence held by the employee. In the same position classification, the employee holding a position and residence outside the boundaries of the State of Illinois is assigned to a different pay grade than the pay grade assigned to the employee holding a position within the boundaries of the State of Illinois. The pay grade assigned to the employee holding a position located within the boundaries of the State of Illinois is the pay grade with the (IL) indication next to the position classification. The pay grade assigned to the employee holding the position located outside the boundaries of the State of Illinois is determined by the location of the employee's residence (e.g., IL, CA or NJ or a state other than IL, CA or NJ). If the employee's residence moves to another state while the employee is in the same position located outside the boundaries of the State of Illinois, or moves into another position located outside the boundaries of the State of Illinois in the same position classification, the base salary may change depending on the location of the employee's new residence. If the employee remains in the position located outside the boundaries of the State of Illinois and moves residence from or into the boundaries of the State of Illinois, the base salary will change. In all cases, change in base salary shall be on a step for step basis (e.g., if the original base salary was on Step 5 in one pay grade, the new base salary will also be on Step 5 of the newly appropriate pay grade).

Effective January 1, 2008
Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
09	B	2554	2617	2682	2749	2834	2925	3015	3112	3204	3355	3489
09	Q	2657	2721	2789	2860	2948	3044	3137	3239	3336	3496	3636
09	S	2718	2785	2851	2920	3010	3105	3202	3304	3401	3563	3705
10	B	2638	2701	2769	2837	2941	3028	3128	3227	3327	3497	3637
10	Q	2743	2808	2878	2952	3058	3152	3258	3361	3466	3650	3797
10	S	2802	2871	2940	3013	3120	3216	3322	3425	3535	3719	3868

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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11	B	2731	2799	2871	2942	3042	3140	3253	3361	3465	3648	3795
11	Q	2841	2911	2984	3060	3169	3273	3390	3503	3614	3810	3962
11	S	2904	2974	3046	3121	3232	3335	3454	3569	3683	3877	4032
12	B	2838	2909	2982	3060	3172	3277	3399	3510	3640	3835	3988
12	Q	2954	3026	3103	3186	3303	3413	3544	3665	3798	4005	4165
12	S	3015	3088	3167	3248	3367	3478	3612	3734	3869	4077	4239
12H	B	17.46	17.90	18.35	18.83	19.52	20.17	20.92	21.60	22.40	23.60	24.54
12H	Q	18.18	18.62	19.10	19.61	20.33	21.00	21.81	22.55	23.37	24.65	25.63
12H	S	18.55	19.00	19.49	19.99	20.72	21.40	22.23	22.98	23.81	25.09	26.09
13	B	2942	3016	3093	3175	3292	3418	3545	3675	3813	4024	4185
13	Q	3060	3139	3221	3307	3429	3564	3703	3838	3979	4205	4373
13	S	3121	3203	3286	3370	3495	3632	3773	3906	4052	4278	4449
14	B	3062	3140	3226	3311	3437	3571	3727	3864	4010	4244	4414
14	Q	3188	3273	3360	3451	3583	3729	3891	4038	4192	4435	4612
14	S	3250	3335	3424	3516	3654	3797	3962	4108	4264	4505	4685
14H	B	18.84	19.32	19.85	20.38	21.15	21.98	22.94	23.78	24.68	26.12	27.16
14H	Q	19.62	20.14	20.68	21.24	22.05	22.95	23.94	24.85	25.80	27.29	28.38
14H	S	20.00	20.52	21.07	21.64	22.49	23.37	24.38	25.28	26.24	27.72	28.83
15	B	3180	3263	3352	3442	3595	3743	3889	4048	4198	4451	4629
15	Q	3312	3400	3494	3592	3750	3906	4063	4233	4388	4649	4836
15	S	3376	3463	3561	3659	3820	3974	4136	4303	4458	4723	4911
16	B	3321	3410	3503	3604	3765	3932	4095	4267	4436	4699	4886
16	Q	3459	3556	3657	3762	3932	4109	4281	4457	4636	4912	5109
16	S	3528	3626	3726	3833	4003	4182	4355	4529	4709	4980	5179
17	B	3468	3566	3669	3776	3950	4132	4307	4482	4664	4941	5139
17	Q	3618	3722	3831	3940	4129	4318	4499	4682	4873	5163	5370
17	S	3685	3791	3900	4011	4201	4392	4573	4754	4944	5238	5447
18	B	3645	3750	3858	3973	4165	4360	4558	4743	4934	5228	5437

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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18	Q	3806	3915	4031	4152	4357	4557	4765	4959	5156	5465	5684
18	S	3874	3983	4104	4221	4426	4629	4835	5031	5230	5535	5757
19	B	3836	3948	4064	4188	4401	4609	4823	5026	5235	5554	5776
19	J	3836	3948	4064	4188	4401	4609	4823	5026	5235	5554	5776
19	Q	4006	4126	4250	4376	4600	4814	5043	5253	5473	5803	6035
19	S	4078	4199	4323	4450	4673	4888	5114	5326	5547	5875	6110
20	B	4052	4174	4298	4425	4648	4865	5096	5318	5538	5874	6109
20	Q	4236	4362	4491	4625	4857	5086	5327	5556	5788	6141	6386
20	S	4305	4433	4563	4698	4929	5156	5398	5628	5859	6210	6458
21	B	4277	4406	4537	4672	4913	5150	5390	5636	5871	6237	6486
21	U	4277	4406	4537	4672	4913	5150	5390	5636	5871	6237	6486
21	Q	4470	4605	4740	4883	5136	5380	5634	5891	6137	6518	6778
21	S	4541	4676	4812	4956	5205	5453	5706	5963	6207	6590	6854
22	B	4520	4657	4798	4940	5197	5451	5708	5973	6221	6608	6873
22	Q	4725	4867	5013	5161	5432	5699	5966	6241	6503	6905	7181
22	S	4797	4938	5085	5235	5501	5770	6035	6314	6577	6979	7258
23	B	4798	4940	5087	5239	5517	5800	6076	6356	6632	7048	7331
23	Q	5013	5161	5317	5479	5768	6064	6349	6642	6931	7365	7659
23	S	5085	5235	5390	5550	5838	6134	6421	6714	7001	7436	7733
24	B	5104	5257	5414	5576	5873	6181	6477	6776	7082	7526	7827
24	J	5104	5257	5414	5576	5873	6181	6477	6776	7082	7526	7827
24	Q	5333	5492	5659	5830	6140	6459	6769	7080	7401	7866	8180
24	S	5405	5564	5730	5901	6209	6529	6840	7153	7474	7937	8254
25	B	5440	5602	5771	5944	6269	6600	6929	7258	7588	8075	8399
25	J	5440	5602	5771	5944	6269	6600	6929	7258	7588	8075	8399
25	Q	5685	5856	6029	6210	6552	6895	7242	7587	7931	8439	8777
25	S	5760	5926	6105	6284	6624	6966	7312	7657	8000	8511	8852
26	B	5749	5920	6101	6343	6690	7044	7402	7747	8096	8618	8963
26	U	5749	5920	6101	6343	6690	7044	7402	7747	8096	8618	8963

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

27	B	6077	6258	6447	6770	7139	7516	7898	8267	8638	9197	9565
27	J	6077	6258	6447	6770	7139	7516	7898	8267	8638	9197	9565
27	U	6077	6258	6447	6770	7139	7516	7898	8267	8638	9197	9565
28	B	6377	6567	6765	7105	7491	7887	8288	8675	9064	9651	10037
29	U	6692	6892	7100	7456	7861	8276	8698	9103	9512	10127	10532

Effective January 1, 2009
Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
9	B	2592	2656	2722	2790	2877	2969	3060	3159	3252	3405	3541
9	Q	2697	2762	2831	2903	2992	3090	3184	3288	3386	3548	3691
9	S	2759	2827	2894	2964	3055	3152	3250	3354	3452	3616	3761
10	B	2678	2742	2811	2880	2985	3073	3175	3275	3377	3549	3692
10	Q	2784	2850	2921	2996	3104	3199	3307	3411	3518	3705	3854
10	S	2844	2914	2984	3058	3167	3264	3372	3476	3588	3775	3926
11	B	2772	2841	2914	2986	3088	3187	3302	3411	3517	3703	3852
11	Q	2884	2955	3029	3106	3217	3322	3441	3556	3668	3867	4021
11	S	2948	3019	3092	3168	3280	3385	3506	3623	3738	3935	4092
12	B	2881	2953	3027	3106	3220	3326	3450	3563	3695	3893	4048
12	Q	2998	3071	3150	3234	3353	3464	3597	3720	3855	4065	4227
12	S	3060	3134	3215	3297	3418	3530	3666	3790	3927	4138	4303
12H	B	17.73	18.17	18.63	19.11	19.82	20.47	21.23	21.93	22.74	23.96	24.91
12H	Q	18.45	18.90	19.38	19.90	20.63	21.32	22.14	22.89	23.72	25.02	26.01
12H	S	18.83	19.29	19.78	20.29	21.03	21.72	22.56	23.32	24.17	25.46	26.48
13	B	2986	3061	3139	3223	3341	3469	3598	3730	3870	4084	4248

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

13	Q	3106	3186	3269	3357	3480	3617	3759	3896	4039	4268	4439
13	S	3168	3251	3335	3421	3547	3686	3830	3965	4113	4342	4516
14	B	3108	3187	3274	3361	3489	3625	3783	3922	4070	4308	4480
14	Q	3236	3322	3410	3503	3637	3785	3949	4099	4255	4502	4681
14	S	3299	3385	3475	3569	3709	3854	4021	4170	4328	4573	4755
14H	B	19.13	19.61	20.15	20.68	21.47	22.31	23.28	24.14	25.05	26.51	27.57
14H	Q	19.91	20.44	20.98	21.56	22.38	23.29	24.30	25.22	26.18	27.70	28.81
14H	S	20.30	20.83	21.38	21.96	22.82	23.72	24.74	25.66	26.63	28.14	29.26
15	B	3228	3312	3402	3494	3649	3799	3947	4109	4261	4518	4698
15	Q	3362	3451	3546	3646	3806	3965	4124	4296	4454	4719	4909
15	S	3427	3515	3614	3714	3877	4034	4198	4368	4525	4794	4985
16	B	3371	3461	3556	3658	3821	3991	4156	4331	4503	4769	4959
16	Q	3511	3609	3712	3818	3991	4171	4345	4524	4706	4986	5186
16	S	3581	3680	3782	3890	4063	4245	4420	4597	4780	5055	5257
17	B	3520	3619	3724	3833	4009	4194	4372	4549	4734	5015	5216
17	Q	3672	3778	3888	3999	4191	4383	4566	4752	4946	5240	5451
17	S	3740	3848	3959	4071	4264	4458	4642	4825	5018	5317	5529
18	B	3700	3806	3916	4033	4227	4425	4626	4814	5008	5306	5519
18	Q	3863	3974	4091	4214	4422	4625	4836	5033	5233	5547	5769
18	S	3932	4043	4166	4284	4492	4698	4908	5106	5308	5618	5843
19	B	3894	4007	4125	4251	4467	4678	4895	5101	5314	5637	5863
19	J	3894	4007	4125	4251	4467	4678	4895	5101	5314	5637	5863
19	Q	4066	4188	4314	4442	4669	4886	5119	5332	5555	5890	6126
19	S	4139	4262	4388	4517	4743	4961	5191	5406	5630	5963	6202
20	B	4113	4237	4362	4491	4718	4938	5172	5398	5621	5962	6201
20	Q	4300	4427	4558	4694	4930	5162	5407	5639	5875	6233	6482
20	S	4370	4499	4631	4768	5003	5233	5479	5712	5947	6303	6555
21	B	4341	4472	4605	4742	4987	5227	5471	5721	5959	6331	6583

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

21	U	4341	4472	4605	4742	4987	5227	5471	5721	5959	6331	6583
21	Q	4537	4674	4811	4956	5213	5461	5719	5979	6229	6616	6880
21	S	4609	4746	4884	5030	5283	5535	5792	6052	6300	6689	6957
22	B	4588	4727	4870	5014	5275	5533	5794	6063	6314	6707	6976
22	Q	4796	4940	5088	5238	5513	5784	6055	6335	6601	7009	7289
22	S	4869	5012	5161	5314	5584	5857	6126	6409	6676	7084	7367
23	B	4870	5014	5163	5318	5600	5887	6167	6451	6731	7154	7441
23	Q	5088	5238	5397	5561	5855	6155	6444	6742	7035	7475	7774
23	S	5161	5314	5471	5633	5926	6226	6517	6815	7106	7548	7849
24	B	5181	5336	5495	5660	5961	6274	6574	6878	7188	7639	7944
24	J	5181	5336	5495	5660	5961	6274	6574	6878	7188	7639	7944
24	Q	5413	5574	5744	5917	6232	6556	6871	7186	7512	7984	8303
24	S	5486	5647	5816	5990	6302	6627	6943	7260	7586	8056	8378
25	B	5522	5686	5858	6033	6363	6699	7033	7367	7702	8196	8525
25	J	5522	5686	5858	6033	6363	6699	7033	7367	7702	8196	8525
25	Q	5770	5944	6119	6303	6650	6998	7351	7701	8050	8566	8909
25	S	5846	6015	6197	6378	6723	7070	7422	7772	8120	8639	8985
26	B	5835	6009	6193	6438	6790	7150	7513	7863	8217	8747	9097
26	U	5835	6009	6193	6438	6790	7150	7513	7863	8217	8747	9097
27	B	6168	6352	6544	6872	7246	7629	8016	8391	8768	9335	9708
27	J	6168	6352	6544	6872	7246	7629	8016	8391	8768	9335	9708
27	U	6168	6352	6544	6872	7246	7629	8016	8391	8768	9335	9708
28	B	6473	6666	6866	7212	7603	8005	8412	8805	9200	9796	10188
29	U	6792	6995	7207	7568	7979	8400	8828	9240	9655	10279	10690

(Source: Amended by peremptory amendment at 33 Ill. Reg. 98, effective December 19, 2008)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Eligibility
- 2) Code Citation: 89 Ill. Adm. Code 682
- 3) Register Citation to Notice of Proposed Amendments: 32 Ill. Reg. 17296, November 7, 2008
- 4) Date, Time and Location of Public Hearings:

Friday, January 16, 2009
1:00 p.m. – 3:00 p.m.
McFarland Mental Health Center Auditorium
901 Southwind Rd.
Springfield, IL 62703
- 5) Other Pertinent Information: The hearings will be held for the sole purpose of gathering public comments on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Illinois Department of Human Services will adhere to the following procedures in the conduct of the hearing:

No oral testimony shall exceed an aggregate of ten (10) minutes.

Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.

No person will be recognized to speak for a second time until all persons wishing to testify have done so.

In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedures, including the order of call of witnesses, as he or she deems necessary.

Persons requiring reasonable accommodation due to disability must contact the DHS - Bureau of Administrative Rules by January 8, 2009

Name and address of Agency Contact Person: Questions regarding the public hearing shall be directed to:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762

217/785-9772

DEPARTMENT OF CORRECTIONS

JANUARY 2009 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citation): Rights and Privileges, 20 Ill. Adm. Code 525.
- 1) Rulemaking:
- A) Description: This amendment is necessary to add the State's Attorney to the list of entities covered by the term "legal mail" as there are documents in which the offender must submit to the State's Attorney for progression of the legal process.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 3-7-1, 3-7-2, 3-8-7, 3-8-8, 3-10-8, and 3-10-9.
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None.
- F) Agency contact person for information:
- Beth Kiel, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277

217/558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None
- b) Part(s) (Heading and Code Citation): Records of Committed Persons, 20 Ill. Adm. Code 107.
- 1) Rulemaking:

DEPARTMENT OF CORRECTIONS

JANUARY 2009 REGULATORY AGENDA

- A) Description: This amendment is necessary to update sentencing requirements.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 3-3-2, 3-5-1, 3-5-2, 3-6-3, 3-8-1, 3-10-1, 5-4-1, 5-8-6, and 5-8-7.
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None.
- F) Agency contact person for information:
- Beth Kiel, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
217/558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None.
- c) Part(s) (Heading and Code Citation): Moms and Babies Program, 20 Ill. Adm. Code 475.
- 1) Rulemaking:
- A) Description: This new rulemaking is necessary to provide information regarding the newly incorporated Moms and Babies Program.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 3-6-2.
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or

DEPARTMENT OF CORRECTIONS

JANUARY 2009 REGULATORY AGENDA

during the First Notice Period per instructions that will be indicated on the Notice.

- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None.
- F) Agency contact person for information:

Beth Kiel, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
217/558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

JANUARY 2009 REGULATORY AGENDA

I. DIVISION OF BANKING

- a) Part(s) (Heading and Code Citation): Residential Mortgage License Act of 1987 (38 Ill. Adm. Code 1050)
- 1) Rulemaking:
- A) Description: Revisions to the rules for the licensing of mortgage loan originators through the Nationwide Mortgage Licensing System & Registry (NMLS & R) will be made in order to comply with The Safe and Fair Enforcement Mortgage Licensing Act (S.A.F.E. Act) of the federal Housing and Economic Recovery Act of 2008 (Public Law 110-289) which was signed into law on July 30, 2008 and requires all states to have in place a system of licensing through the NMLS & R and meet minimum standards for mortgage loan originators by July 31, 2009. The Division of Banking currently has a mortgage loan originator registration system in place, but revisions needed to comply with the S.A.F.E. Act would include increasing mortgage company surety bond minimum amounts to cover mortgage loan originators and providing for a graduated scale (the minimum surety bond amount required for an Illinois residential mortgage licensee to maintain) based upon the number of mortgage loan originators or loan volume. A new provision will be proposed to add 20 hours of pre-licensing education, and continuing education will be increased from 6 hours to 8 hours annually. Evaluation standards will be changed to specifically prohibit licensing of mortgage loan originators with prior financially-related felonies, and to prohibit licensing for seven years any individual with a felony conviction. Transition issues will be addressed to achieve compliance for registered mortgage loan originators with fingerprinting and testing requirements of the NMLS & R.
- B) Statutory Authority: [815 ILCS 635/4-1(g) and 7-1]
- C) Scheduled meeting/hearing date: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: January 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: Small businesses and not-for-profit corporations that are

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

JANUARY 2009 REGULATORY AGENDA

Illinois residential mortgage licensees will have increased costs for additional surety bond coverage of their mortgage loan originators to comply with federal law. There will also be some cost increases for individual mortgage loan originators to comply with new or additional licensing requirements involving the NMLS & R above costs incurred for the current registration system. The increased costs are for the purposes of funding the implementation of enhanced consumer protections for activities of mortgage loan originators.

F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: Noneb) Part(s) (Heading and Code Citation): Savings Bank Act (38 Ill. Adm. Code 1075)1) Rulemaking:

A) Description: Key provisions of the Savings Bank Act including those related to fiduciary duties of savings bank directors and officers, transactions between a savings bank and its directors, officers and principal shareholders, permissible investments, lending limits, books and records, bonds, and audits, will be reviewed. Subpart A related to fees will be amended as required or otherwise warranted in response to any Acts from the current session of the Illinois General Assembly dealing with fees (see, Senate Bill 2513). Section 1075.310 will be considered for repeal. Section 1075.430 (f) will be revised to correct the reference to Subsection (g) which should refer to Subsection (e) and Sections 1075.505, 1075.540, and 1075.555 will be reviewed to consider changes to authority granted therein.

B) Statutory Authority: [205 ILCS 205/2001.35, 6002, 6003, 8015 and 9002]

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

JANUARY 2009 REGULATORY AGENDA

- C) Scheduled meeting/hearing date: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: February 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: Rulemaking will affect Illinois state-chartered savings banks.
- F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None

II. DIVISION OF INSURANCE

- a) Part(s) (Heading and Code Citation): Unearned Premium Reserve Computation (50 Ill. Adm. Code 911)
- 1) Rulemaking:
- A) Description: The Division intends to repeal this entire Part. The current accounting practice as detailed in SSAP 53 of the NAIC Accounting Practices and Procedures Manual provides more detail and includes the opportunity for a company to use a more up to date methodology than the one mandated by this Part. Furthermore, Section 136 of the Code requires adherence to the NAIC Manual, thus the rule should be repealed.
- B) Statutory Authority: Implementing Sections 379.1 and 393.1 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/379.1, 393.1 and 401]
- C) Scheduled meeting/hearing dates: None have been scheduled.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

JANUARY 2009 REGULATORY AGENDA

- D) Date agency anticipates First Notice: March 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: This proposal will not affect small businesses, small municipalities or not for profit organizations.
- F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

- G) Related rulemakings and other pertinent information: None

b) Part(s) (Heading and Code Citation): Life Reinsurance Agreements (50 Ill. Adm. Code 1103)

1) Rulemaking:

- A) Description: Section 1103.50 was repealed effective in April of 2006; however, during the Division's recent NAIC Accreditation review a deficiency was noted because Section 1103.50 had been repealed from our regulation causing the Illinois reinsurance standards to be inconsistent with those of the NAIC. To correct this deficiency the Division will reinstate Section 1103.50.
- B) Statutory Authority: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date agency anticipates First Notice: January 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: This proposal will not affect small businesses, small municipalities or not for profit organizations.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

JANUARY 2009 REGULATORY AGENDA

F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: Nonec) Part(s) (Heading and Code Citation): Medicare Standards for Individual and Group Medicare Supplement Insurance (50 Ill. Adm. Code 2008)1) Rulemaking:

- A) Description: The amendments to Part 2008 will incorporate required federal changes from the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) and the Genetic Information nondiscrimination Act of 2008. The changes relating to the Genetic Information Nondiscrimination Act need to be adopted by June 1, 2009 as dictated by federal law. The MIPPA changes cannot be adopted prior to June 1, 2010 and this effective date will be written into appropriate rule provisions.
- B) Statutory Authority: Implementing Sections 363 and 363a and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/363, 363a and 401]
- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date agency anticipates First Notice: January 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: This proposal will not affect small businesses, small municipalities or not for profit organizations.
- F) Agency contact person for information:

Department of Financial and Professional Regulation

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

JANUARY 2009 REGULATORY AGENDA

Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

- G) Related rulemakings and other pertinent information: None
- d) Part(s) (Heading and Code Citation): Producer Felony Review (50 Ill. Adm. Code 2403)
- 1) Rulemaking:
- A) Description: This existing rule provides standards for the Director's consideration when determining the effect of a felony conviction on an applicant or producer's desire to obtain or retain an insurance license in Illinois, as well as whether a waiver should be issued under the federal guidelines (See 18 U.S.C. 1033 and 1034.). New language will be added to the Part 2403 that will address Federal Section 1033- Petitions seeking authority to do an Insurance Business in Illinois, filed with the Division by Illinois residents.
- B) Statutory Authority: Implementing Section 500-70 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/500-70 and 401]
- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date agency anticipates First Notice: February 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: This proposal will not affect small businesses, small municipalities or not for profit organizations.
- F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

JANUARY 2009 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: None
- e) Part(s) (Heading and Code Citation): Administrative Dissolutions or Withdrawal of Statutory Deposit (50 Ill. Adm. Code 2410)
- 1) Rulemaking:
- A) Description: The Division will make housekeeping changes to the definition Section of this Part to accurately reflect the consolidation of our agency under IDFPR.
- B) Statutory Authority: Implementing PA 92-0075, effective July 12, 2001; which amends Sections 26, 53, 74, 278, 327 and 341 of the Insurance Code [215 ILCS 5/26, 53, 74, 278, 327 and 341]; Section 2-6 of the Health Maintenance Organization Act [215 ILCS 125/2-6]; Section 2006 of the Limited Health Service Organization Act [215 ILCS 130/2006]; and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date agency anticipates First Notice: April 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: This proposal will not affect small businesses, small municipalities or not for profit organizations.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
- G) Related rulemakings and other pertinent information: See Part 2510, 2515 and 2520
- f) Part(s) (Heading and Code Citation): Annual Privilege Tax (50 Ill. Adm. Code 2510)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

JANUARY 2009 REGULATORY AGENDA

- 1) Rulemaking:
 - A) Description: The Division will replace the tax forms used in the Illustrations as they refer to calendar year 1998 and have not incorporated the changes made in subsequent years.
 - B) Statutory Authority: Implementing Section 409 and authorized by Sections 401 and 409(5) of the Illinois Insurance Code [215 ILCS 5/401, 409 and 409(5)]
 - C) Scheduled meeting/hearing dates: None have been scheduled.
 - D) Date agency anticipates First Notice: April 2009
 - E) Effect on small businesses, small municipalities or not for profit corporations: This proposal will not affect small businesses, small municipalities or not for profit organizations.
 - F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
 - G) Related rulemakings and other pertinent information: See Part 2410, 2515 and 2520
- g) Part(s) (Heading and Code Citation): Annual Retaliatory Tax (50 Ill. Adm. Code 2515)
 - 1) Rulemaking:
 - A) Description: The Division will replace the tax forms used in the Illustrations as they refer to calendar year 1998 and have not incorporated the changes made in subsequent years.

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- B) Statutory Authority: Implementing Sections 444 and 444.1 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401, 444 and 444.1]
- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date agency anticipates First Notice: April 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: This proposal will not affect small businesses, small municipalities or not for profit organizations.
- F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
- G) Related rulemakings and other pertinent information: See 2410, 2510 and 2520
- h) Part(s) (Heading and Code Citation): Annual State Fire Marshal Tax (50 Ill. Adm. Code 2520)
- 1) Rulemaking:
- A) Description: The Division will replace the tax forms used in the Illustrations as they refer to calendar year 1998 and have not incorporated the changes made in subsequent years.
- B) Statutory Authority: Implementing Section 12 of the Fire Investigation Act [425 ILCS 25/12] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date agency anticipates First Notice: April 2009

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- E) Effect on small businesses, small municipalities or not for profit corporations: This proposal will not affect small businesses, small municipalities or not for profit organizations.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
- G) Related rulemakings and other pertinent information: See Part 2410, 2510, and 2515
- i) Part(s) (Heading and Code Citation): IRS Qualification Status Requirements for Article 3 Police Pension Funds and Article 4 Firefighter Pension Funds (New Part)
- 1) Rulemaking:
- A) Description: By promulgating this new rule the State of Illinois will maintain the "Qualified" status, under the IRS regulations, for 638 municipal police and firefighter pension funds in the State. This will maintain the preferential tax treatment granted the pension funds and their participants in areas such as federally non-taxed duty related disability benefits, pre-taxed employee contributions, the ability to transfer monies between qualified plans or funds without adverse tax consequences, among others issues.
- By promulgating this rule to cover all pension funds in aggregate, Illinois will prevent the need for each individual fund to expend resources and monies to meet the IRS regulations on an individual basis. For 638 municipal police and firefighter pension funds the taxpayer dollars saved will be tremendous.
- B) Statutory Authority: Implementing Section 1A-103 of the Illinois Pension Code [40 ILCS 5/1A-103 and 1A-113]

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- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date agency anticipates First Notice: February 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: The economic effect will be to prevent excessive expense on the 638 municipal Article 3 and Article 4 police and firefighter pension funds to achieve IRS Qualification status, indirectly saving taxpayer dollars in the respective communities whose taxpayer dollars fund these pension funds. This administrative rule will also avoid potential adverse affects of the disqualifying of the preferential federal tax treatment granted to the qualified plans and their participants.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None

III. DIVISION OF PROFESSIONAL REGULATION

- a) Part(s) (Heading and Code Citation): Acupuncture Practice Act (68 Ill. Adm. Code 1140)
- 1) Rulemaking:
- A) Description: Clarification of the examination requirements for endorsement applicants will be addressed.
- B) Statutory Authority: [225 ILCS 2]
- C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
- D) Date agency anticipates First Notice: Unknown

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E) Effect on small businesses, small municipalities or not for profit corporations: Licensed acupuncturists may be affected.

F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: None

b) Part(s) (Heading and Code Citation): Illinois Architecture Practice Act of 1989 (68 Ill. Adm. Code 1150)

1) Rulemaking:

A) Description: Technical clean-up changes will be made.

B) Statutory Authority: [225 ILCS 305]

C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.

D) Date agency anticipates First Notice: Unknown

E) Effect on small businesses, small municipalities or not for profit corporations: Licensed architects may be affected.

F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: None

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- c) Part(s) (Heading and Code Citation): Detection of Deception Examiners Act (68 Ill. Adm. Code 1230)
- 1) Rulemaking:
- A) Description: Revisions may be made to training, instructor qualifications and examination requirements.
- B) Statutory Authority: [225 ILCS 430]
- C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
- D) Date agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not for profit corporations: Licensed examiners within the scope of this act may be affected.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None
- d) Part(s) (Heading and Code Citation): Electrologist Licensing Act (68 Ill. Adm. Code 1246)
- 1) Rulemaking:
- A) Description: Technical clean-up changes may be made.
- B) Statutory Authority: [225 ILCS 412]

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- C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
- D) Date agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not for profit corporations: Licensed electrologists may be affected.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None
- e) Part(s) (Heading and Code Citation): Professional Geologist Licensing Act (68 Ill. Adm. Code 1252)
- 1) Rulemaking:
- A) Description: Technical clean up language including changes reflecting the consolidation of the Department of Financial and Professional Regulation.
- B) Statutory Authority: [225 ILCS 745]
- C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
- D) Date agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not for profit corporations: Licensed geologists may be affected.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation

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Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: None

f) Part(s) (Heading and Code Citation): Interior Design Title Act (68 Ill. Adm. Code 1255)

1) Rulemaking:

A) Description: Technical clean up language including changes reflecting the consolidation of the Department of Financial and Professional Regulation.

B) Statutory Authority: [225 ILCS 310]

C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.

D) Date agency anticipates First Notice: Unknown

E) Effect on small businesses, small municipalities or not for profit corporations: Licensed interior design professionals may be affected.

F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: None

g) Part(s) (Heading and Code Citation): Professional Land Surveyor Act (68 Ill. Adm. Code 1270)

1) Rulemaking:

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- A) Description: Technical clean up language including changes reflecting the consolidation of the Department of Financial and Professional Regulation.
- B) Statutory Authority: [225 ILCS 330]
- C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
- D) Date agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not for profit corporations: Licensed professional land surveyors may be affected.
- F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

- G) Related rulemakings and other pertinent information: None
- h) Part(s) (Heading and Code Citation): Medical Practice Act of 1987 (68 Ill. Adm. Code 1255)
- 1) Rulemaking:
 - A) Description: Part IV will be added to the chiropractic exam requirements. Technical clean up changes may also be made.
 - B) Statutory Authority: [225 ILCS 60]
 - C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
 - D) Date agency anticipates First Notice: Unknown.

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E) Effect on small businesses, small municipalities or not for profit corporations: Licensed chiropractors may be affected.

F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: None.

i) Part(s) (Heading and Code Citation): Occupational Therapy Practice Act (68 Ill. Adm. Code 1315)

1) Rulemaking:

A) Description: Additional continuing education sponsors will be added, as well as technical clean up language including changes reflecting the consolidation of the Department of Financial and Professional Regulation.

B) Statutory Authority: [225 ILCS 75]

C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled

D) Date agency anticipates First Notice: Unknown

E) Effect on small businesses, small municipalities or not for profit corporations: Licensed occupational therapists (OTs) may be affected.

F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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- G) Related rulemakings and other pertinent information: None
- j) Part(s) (Heading and Code Citation): Optometry Practice Act of 1987 (68 Ill. Adm. Code 1320)
- 1) Rulemaking:
- A) Description: Various technical revisions may be made.
- B) Statutory Authority: [225 ILCS 80]
- C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
- D) Date agency anticipates First Notice: Unknown.
- E) Effect on small businesses, small municipalities or not for profit corporations: Licensed optometrists may be affected.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None.
- k) Part(s) (Heading and Code Citation): Physical Therapy Practice Act of 1987 (68 Ill. Adm. Code 1340)
- 1) Rulemaking:
- A) Description: Technical clean up language including changes reflecting the consolidation of the Department of Financial and Professional Regulation.
- B) Statutory Authority: [225 ILCS 90]

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- C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
- D) Date agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not for profit corporations: Licensed physical therapists (PTs) may be affected.
- F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

- G) Related rulemakings and other pertinent information: None

- l) Part(s) (Heading and Code Citation): Professional Counselor and Clinical Professional Counselor Licensing Act (68 Ill. Adm. Code 1375)

- 1) Rulemaking:

- A) Description: Technical clean-up changes may be made.
- B) Statutory Authority: [225 ILCS 2]
- C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
- D) Date agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not for profit corporations: Licensed professional counselors may be affected.
- F) Agency contact person for information:

Department of Financial and Professional Regulation

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: None

m) Part(s) (Heading and Code Citation): Professional Engineering Practice Act of 1989 (68 Ill. Adm. Code 1380)

1) Rulemaking:

A) Description: Technical clean up language including changes reflecting the consolidation of the Department of Financial and Professional Regulation.

B) Statutory Authority: [225 ILCS 325]

C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.

D) Date agency anticipates First Notice: Unknown

E) Effect on small businesses, small municipalities or not for profit corporations: Licensed professional engineers may be affected.

F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: None

n) Part(s) (Heading and Code Citation): Respiratory Care Practice Act (68 Ill. Adm. Code 1456)

1) Rulemaking:

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- A) Description: Clarification may be added pertaining to scope of practice; technical clean-up changes may be made.
 - B) Statutory Authority: [225 ILCS 106]
 - C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
 - D) Date agency anticipates First Notice: Unknown
 - E) Effect on small businesses, small municipalities or not for profit corporations: Licensees covered within the scope of this act may be affected.
 - F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0813 Fax: 217/557-4451
 - G) Related rulemakings and other pertinent information: None
- o) Part(s) (Heading and Code Citation): Structural Engineering Practice Act of 1989 (68 Ill. Adm. Code 1480)
- 1) Rulemaking:
 - A) Description: Various technical revisions may be made.
 - B) Statutory Authority: [225 ILCS 340]
 - C) Scheduled meeting/hearing date: No hearings or meetings have been scheduled.
 - D) Date agency anticipates First Notice: Unknown

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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E) Effect on small businesses, small municipalities or not for profit corporations: Licensed structural engineers may be affected.

F) Agency contact person for information:

Department of Financial and Professional Regulation

Attention: Craig Cellini

320 West Washington, 3rd Floor

Springfield, IL 62786

217/785-0813 Fax: 217/557-4451

G) Related rulemakings and other pertinent information: None

ILLINOIS GAMING BOARD

JANUARY 2009 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Riverboat Gambling, 86 Ill. Adm. Code 3000

Rulemaking:

- A) The purpose of the proposed rulemaking will be to amend Section 3000.615, Payout Percentage for Electronic Gaming Devices, to provide that the sign currently posted on all Electronic Gaming Devices shall indicate the actual payout percentage over a moving period of time, rather than the theoretical aggregate payout percentage, and provides standards for signage related to the payout percentage.
- B) Statutory Authority: Section 5 (c) (2), (3), and (7) of the Riverboat Gambling Act [230 ILCS 10/5 (c) (2), (3), and (7) (West 2006)].
- C) Scheduled meeting/hearing dates: None
- D) Date agency anticipates First Notice: Within 6 months.
- E) Effect on small business, small municipalities or not-for-profit corporations:
None
- F) Agency contact person for information:

Michael Fries
Illinois Gaming Board
160 North LaSalle, Suite S-300
Chicago, Illinois 60601-3274
(312) 814-4700
- G) Related rulemaking and other pertinent information: None.

- b) Part (Heading and Code Citation): Riverboat Gambling, 86 Ill. Adm. Code 3000

Rulemaking:

- A) The purpose of the proposed rulemaking will be to amend Section 3000.220, Applications, by providing that an application for approval as a Key Person under Section 3000.222, Identification and Requirements of Key Persons, may be withdrawn without leave of the Illinois Gaming Board, if written notification of withdrawal is received prior to Board action on the application, and unless the

ILLINOIS GAMING BOARD

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intended withdrawal is objected to by the Administrator, in which case leave of the Board is required.

- B) Statutory Authority: Section 5 (c) (2) (3), and (6) of the Riverboat Gambling Act [230 ILCS 10/5 (c) (2), (3), and (6) (West 2006)].
- C) Scheduled meeting/hearing dates: None
- D) Date agency anticipates First Notice: Within 6 months.
- E) Effect on small business, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Michael Fries
Illinois Gaming Board
160 North LaSalle, Suite S-300
Chicago, Illinois 60601-3274
(312) 814-4700
- G) Related rulemaking and other pertinent information: None.
- c) Part (Heading and Code Citation): Riverboat Gambling, 86 Ill. Adm. Code 3000

Rulemaking:

- A) The purpose of the proposed rulemaking will be to amend Section 3000.660, Minimum Standards for Gaming Devices, by providing that an Electronic Gaming Device (EGD) is acceptable for use in a tournament only if a tournament EPROM has been installed which is in tournament mode. Section 3000.660 c) 4) currently requires EGDs used in tournament play to have tournament EPROMs installed, but it does *not* require these EPROMs to be in tournament mode. The current language is inadequate with respect to today's EPROM technology, which allows an EPROM's tournament mode to be switched on and off after the EPROM has been installed.

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B) Statutory Authority: Section 5 (c) (2), (3), and (7) of the Riverboat Gambling Act [230 ILCS 10/5 (c) (2), (3), and (7) (West 2006)].

C) Scheduled meeting/hearing dates: None

D) Date agency anticipates First Notice: Within 6 months.

E) Effect on small business, small municipalities or not-for-profit corporations:
None

F) Agency contact person for information:

Michael Fries
Illinois Gaming Board
160 North LaSalle, Suite S-300
Chicago, Illinois 60601-3274
(312) 814-4700

G) Related rulemaking and other pertinent information: No

DEPARTMENT OF JUVENILE JUSTICE

JANUARY 2009 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation): Public Information, Rulemaking, and Organization, 2 Ill. Adm. Code 6100.

1) Rulemaking:

A) Description: This rulemaking is being promulgated to provide information regarding public information, rulemaking, and the Agency's organization.

B) Statutory Authority: 730 ILCS 5/3-2-2 and 5/3-2.5.

C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.

D) Date agency anticipates First Notice: On or before July 1, 2009.

E) Effect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

Name: Beth Kiel, Rules Coordinator
Illinois Department of Juvenile Justice
Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
Telephone: (217) 558-2200, extension 6507

G) Related rulemakings and other pertinent information: None

b) Part(s) (Heading and Code Citation): Freedom of Information, 2 Ill. Adm. Code 6110.

1) Rulemaking:

A) Description: This rulemaking is being promulgated to provide information regarding obtaining access to public records in the possession of the Department.

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- B) Statutory Authority: 730 ILCS 5/3-2-2 and 5/3-2.5.
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Name: Beth Kiel, Rules Coordinator
Illinois Department of Juvenile Justice
- Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
- Telephone: (217) 558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None.
- c) Part(s) (Heading and Code Citation): Americans with Disabilities Act Grievance Procedures, 4 Ill. Adm. Code 1750.
- 1) Rulemaking:
- A) Description: This rulemaking is being promulgated to provide the general public, applicants, employees, and youth with the Americans with Disabilities Act grievance procedures.
- B) Statutory Authority: 730 ILCS 5/3-2-2 and 5/3-2.5.
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.

DEPARTMENT OF JUVENILE JUSTICE

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- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Name: Beth Kiel, Rules Coordinator
Illinois Department of Juvenile Justice
- Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
- Telephone: (217) 558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None.

d) Part(s) (Heading and Code Citation): Public Relations, 20 Ill. Adm. Code 2103.

1) Rulemaking:

- A) Description: This rulemaking is being promulgated to provide information regarding public relations for the Department.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 5/3-7-1, and 5/3-2.5-20.
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Name: Beth Kiel, Rules Coordinator

DEPARTMENT OF JUVENILE JUSTICE

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Illinois Department of Juvenile Justice
Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
Telephone: (217) 558-2200, extension 6507

- G) Related rulemakings and other pertinent information: None.
- e) Part(s) (Heading and Code Citation): Research and Evaluation, 20 Ill. Adm. Code 2106.
- 1) Rulemaking:
- A) Description: This rulemaking is being promulgated to provide information regarding the conducting of research and evaluation studies.
- B) Statutory Authority: 730 ILCS 5/3-2-8, 3-2.5-20, and 3-7-1.
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Name: Beth Kiel, Rules Coordinator
Illinois Department of Juvenile Justice
Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
Telephone: (217) 558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None.

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f) Part(s) (Heading and Code Citation): Reimbursement for Expenses, 20 Ill. Adm. Code 2110.

1) Rulemaking:

A) Description: This rulemaking is being promulgated to provide information regarding the reimbursement of expenses.

B) Statutory Authority: 730 ILCS 5/3-7-6 and 3-2.5-20.

C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.

D) Date agency anticipates First Notice: On or before July 1, 2009.

E) Effect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

Name: Beth Kiel, Rules Coordinator
Illinois Department of Juvenile Justice
Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
Telephone: (217) 558-2200, extension 6507

G) Related rulemakings and other pertinent information: None.

g) Part(s) (Heading and Code Citation): Internal Investigations, 20 Ill. Adm. Code 2112.

1) Rulemaking:

A) Description: This rulemaking is being promulgated to provide information regarding internal investigations.

B) Statutory Authority: 730 ILCS 5/3-2.2-20 and 3-7-1.

DEPARTMENT OF JUVENILE JUSTICE

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- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Name: Beth Kiel, Rules Coordinator
Illinois Department of Juvenile Justice
- Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
- Telephone: (217) 558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None.
- h) Part(s) (Heading and Code Citation): Rules of Conduct, 20 Ill. Adm. Code 2120.
- 1) Rulemaking:
- A) Description: This rulemaking is being promulgated to provide information regarding the rules of conduct for all persons who provide personal services or delivery of services, including Department of Juvenile Justice employees, contractual employees, and volunteers.
- B) Statutory Authority: 730 ILCS 5/3-2.5-20, 3-7-1; 5 ILCS 430/5-15, 10-10, 10-15; 20-70 and 18 USC 922; and 720 ILCS 5/24-3.1(4).
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.

DEPARTMENT OF JUVENILE JUSTICE

JANUARY 2009 REGULATORY AGENDA

- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Name: Beth Kiel, Rules Coordinator
Illinois Department of Juvenile Justice
- Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
- Telephone: (217) 558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None.
- i) Part(s) (Heading and Code Citation): Funds of Youth, 20 Ill. Adm. Code 2205.
- 1) Rulemaking:
- A) Description: This rulemaking is being promulgated to provide information regarding the funds of youth.
- B) Statutory Authority: ILCS 5/3-4-3, 3-7-1, and 3-2.5-20.
- C) Scheduled meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date agency anticipates First Notice: On or before July 1, 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Name: Beth Kiel, Rules Coordinator
Illinois Department of Juvenile Justice

DEPARTMENT OF JUVENILE JUSTICE

JANUARY 2009 REGULATORY AGENDA

Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
Telephone: (217) 558-2200, extension 6507

- G) Related rulemakings and other pertinent information: None.

DEPARTMENT OF LABOR

JANUARY 2009 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citation): Equal Pay in Employment; 56 Ill. Adm. Code 320
- 1) Rulemaking:
- A) Description: Amendments will be made to increase the time period in which complaints can be filed with the Department, streamline the administrative process and add confidentiality provisions for those individuals filing complaints.
- B) Statutory Authority: 820 ILCS 112/15
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date agency anticipates First Notice: The Department anticipates filing this amendment in the first six months of 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None anticipated
- F) Agency contact person for information:
- Name: Doris Moy
Division Manager
- Address: Illinois Department of Labor
160 N. LaSalle Street, C-1300
Chicago, IL 60601
- Telephone: (312) 793-1813
- G) Related rulemakings and other pertinent information: None
- b) Part(s) (Heading and Code Citation): Health and Safety; 56 Ill. Adm. Code 350
- 1) Rulemaking:
- A) Description: Amendments will be made to comply with statutory changes to the Health and Safety Act and the Safety Inspection and Education Act, as well as to adopt standards at least as effective as Federal OSHA

DEPARTMENT OF LABOR

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standards, in anticipation of the Department becoming an OSHA State Plan.

- B) Statutory Authority: 820 ILCS 225/4.1 and 820 ILCS 225/7
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date agency anticipates First Notice: The Department anticipates filing this amendment in the first six months of 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None anticipated
- F) Agency contact person for information:
 - Name: Cheryl Neff
 - Address: Illinois Department of Labor
One West Old Capitol Plaza
3rd Floor
Springfield, IL 62701
 - Telephone: (217) 782-9386
- G) Related rulemakings and other pertinent information: None

c) Part(s) (Heading and Code Citation): Access to Information; 2 Ill. Adm. Code 1400

- 1) Rulemaking:
 - A) Description: Amendments are needed to allow requests for public information to be received by facsimile.
 - B) Statutory Authority: 5 ILCS 140
 - C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.

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- D) Date agency anticipates First Notice: The Department anticipates filing this amendment in the first six months of 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None anticipated.
- F) Agency contact person for information:
- Name: Valerie A. Puccini
Address: Illinois Department of Labor
160 N. LaSalle Street, C-1300
Chicago, IL 60601
Telephone: (312) 793-7838
- G) Related rulemakings and other pertinent information: None
- d) Part(s) (Heading and Code Citation): Payment and Collection of Wages or Final Compensation; 56 Ill. Adm. Code 300
- 1) Rulemaking:
- A) Description: Recent statutory changes require an amendment to increase the period for filing claims with the Department. In addition, amendments will be made to streamline the Department's administrative process and to update definitions of terms.
- B) Statutory Authority: 820 ILCS 115
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date agency anticipates First Notice: The Department anticipates filing this amendment in the first six months of 2009.
- E) Effect on small businesses, small municipalities or not for profit corporations: None anticipated
- F) Agency contact person for information:

DEPARTMENT OF LABOR

JANUARY 2009 REGULATORY AGENDA

Name: Carmela Gonzalez
Executive Assistant to the Director
Address: Illinois Department of Labor
160 N. LaSalle Street, C-1300
Chicago, IL 60601
Telephone: (312) 793-1808

G) Related rulemakings and other pertinent information: None

e) Part(s) (Heading and Code Citation): Carnival and Amusement Ride Safety; 56 Ill. Adm. Code 6000

1) Rulemaking:

A) Description: Amendments will be made to update incorporations by reference, provide for inspector qualifications and add other provisions to comply with PA 95-0397 and 95-0687.

B) Statutory Authority: 430 ILCS 85/2-1 *et seq.*

C) Scheduled meeting/hearing dates: No meetings are scheduled at this time.

D) Date agency anticipates First Notice: The Department anticipates filing this amendment in the first six months of 2009.

E) Effect on small businesses, small municipalities or not for profit corporations: None anticipated

F) Agency contact person for information:

Name: Doug Rathbun
Carnival Manager
Address: Illinois Department of Labor
One West Old State Capitol Plaza
Springfield, IL 62701
Telephone: (217) 558-7194

G) Related rulemakings and other pertinent information: None

PROPERTY TAX APPEAL BOARD

JANUARY 2009 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Practice and Procedure for Hearings Before the Property Tax Appeal Board, 86 Ill. Adm. Code 1910.

1) Rulemaking

- A) Description: The Property Tax Appeal Board anticipates adding a rule to institute filing fees and further anticipates amending the following rules:

Section 1910.40(a) & (c) – To allow the county board of review 90 days to submit the Board of Review Notes on Appeal and evidence.
- B) Statutory Authority: 35 ILCS 200/Art.7 and 35 ILCS 200/16-160 through 16-195.
- C) Scheduled meeting/hearing date: There is no proposed scheduled of dates for meetings/hearings at this time.
- D) Date agency anticipates First Notice: January 2009
- E) Effect on small businesses, small municipalities or not for profit corporations: There will be additional costs in the form of filing fees associated with filing an appeal contesting an assessment with the Property Tax Appeal Board.
- F) Agency contact person for information:

Louis G. Apostol, Executive Director
Property Tax Appeal Board
Rm. 402, Stratton Office Bldg.
401 S. Spring St.
Springfield, IL 62706
217/782-6076
- G) Related rulemaking and other pertinent information: None

STATE BOARD OF EDUCATION

JANUARY 2009 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citation): Public Schools Evaluation, Recognition and Supervision; 23 Ill. Adm. Code 1
- 1) Rulemaking:
- A) Description:
Part 1 will be amended in a number of respects, chiefly to incorporate technical corrections and other updates that will reflect changes made in the Vehicle Code by P.A. 95-756 and in the School Code by P.A. 95-863 and 95-869. In addition, some revisions may be needed to support the differentiated accountability initiative being undertaken with the approval of the U.S. Department of Education.
- B) Statutory Authority: 105 ILCS 5/2-3.6.
- C) Scheduled meeting/hearing date: To be announced.
- D) Date agency anticipates First Notice: April 3, 2009.
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270
- G) Related rulemakings and other pertinent information:
- b) Part(s) (Heading and Code Citation): Certification; 23 Ill. Adm. Code 25
- 1) Rulemaking:
- A) Description:

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Part 25 will be amended in response to P.A. 95-996, which affects the Illinois Teaching Excellence Program established under Section 21-27 of the School Code. Additional revisions will be made in response to P.A. 95-793 with regard to eliminating “continuing education units” in the context of certificate renewal. A number of other, unrelated provisions will be updated or clarified.

- B) Statutory Authority: 105 ILCS 5/2-3.6, 14C-8, and Art. 21.
- C) Scheduled meeting/hearing date: To be announced.
- D) Date agency anticipates First Notice: April 3, 2008.
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270

- G) Related rulemakings and other pertinent information:

c) Part(s) (Heading and Code Citation): Requirements for Accounting, Budgeting, Financial Reporting, and Auditing; 23 Ill. Adm. Code 100

- 1) Rulemaking:

- A) Description:
Part 100 will be amended in response to P.A. 95-876, which renumbered the recent statutory provision establishing the School Facility Occupation Tax and thus affects a citation within this set of rules. Other updates will be included if needed.

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- B) Statutory Authority: 105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1.
- C) Scheduled meeting/hearing date: To be announced.
- D) Date agency anticipates First Notice: July 3, 2008.
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:
- Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
- 217/782-5270
- G) Related rulemakings and other pertinent information:
- d) Part(s) (Heading and Code Citation): Pupil Transportation Reimbursement; 23 Ill. Adm. Code 120
- 1) Rulemaking:
- A) Description: Cross-references within Part 120 will be updated to reflect the repeal of 23 Ill. Adm. Code 110 (Program Accounting Manual) and 23 Ill. Adm. Code 275 (Pupil Transportation).
- B) Statutory Authority: 105 ILCS 5/Art. 29.
- C) Scheduled meeting/hearing date: To be announced.
- D) Date agency anticipates First Notice: March 6, 2009.
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None

STATE BOARD OF EDUCATION

JANUARY 2009 REGULATORY AGENDA

F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270

G) Related rulemakings and other pertinent information:e) Part(s) (Heading and Code Citation): Calculation of Excess Cost Under Section 18-3 of the School Code; 23 Ill. Adm. Code 1401) Rulemaking:

A) Description: Part 140 will be revised in response to P.A. 95-793, which changed the deadlines for filing claims under Section 18-3 of the School Code.

B) Statutory Authority: 105 ILCS 5/18-3.

C) Scheduled meeting/hearing date: To be announced.

D) Date agency anticipates First Notice: May 1, 2009.

E) Effect on small businesses, small municipalities, or not-for-profit corporations: None

F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

STATE BOARD OF EDUCATION

JANUARY 2009 REGULATORY AGENDA

217/782-5270

G) Related rulemakings and other pertinent information:f) Part(s) (Heading and Code Citation): Temporary Relocation Expenses; 23 Ill. Adm. Code 1451) Rulemaking:A) Description:

Part 145 contains an outdated cross-reference to the Program Accounting Manual (23 Ill. Adm. Code 110) that needs to be updated because Part 110 is being repealed.

B) Statutory Authority: 105 ILCS 5/2-3.77.C) Scheduled meeting/hearing date: To be announced.D) Date agency anticipates First Notice: January 30, 2009.E) Effect on small businesses, small municipalities, or not-for-profit corporations: NoneF) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270

G) Related rulemakings and other pertinent information:g) Part(s) (Heading and Code Citation): School Construction Program; 23 Ill. Adm. Code 1511) Rulemaking:

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- A) Description:
Part 151 contains outdated cross-references to the Program Accounting Manual (23 Ill. Adm. Code 110) and the Fall Enrollment and Housing Report that will be updated.
- B) Statutory Authority: 105 ILCS 230/5-55.
- C) Scheduled meeting/hearing date: To be announced.
- D) Date agency anticipates First Notice: January 30, 2009.
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270
- G) Related rulemakings and other pertinent information:
- h) Part(s) (Heading and Code Citation): Early Childhood Block Grant; 23 Ill. Adm. Code 235
- 1) Rulemaking:
- A) Description: Provisions will be added to Part 235 to establish requirements for the qualifications of staff in programs serving children from birth through three years of age.
- B) Statutory Authority: 105 ILCS 5/1C-2.
- C) Scheduled meeting/hearing date: To be announced.

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JANUARY 2009 REGULATORY AGENDA

- D) Date agency anticipates First Notice: January 30, 2009.
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270

- G) Related rulemakings and other pertinent information:

i) Part(s) (Heading and Code Citation): Alternative Learning Opportunities Program; 23 Ill. Adm. Code 240

1) Rulemaking:

- A) Description:
Outdated cross-references to the Program Accounting Manual (23 Ill. Adm. Code 110) will be updated.
- B) Statutory Authority: 105 ILCS 5/Art. 13B.
- C) Scheduled meeting/hearing date: To be announced.
- D) Date agency anticipates First Notice: March 6, 2009.
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:

Sally Vogl

STATE BOARD OF EDUCATION

JANUARY 2009 REGULATORY AGENDA

Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270

G) Related rulemakings and other pertinent information:

j) Part(s) (Heading and Code Citation): Vocational Education; 23 Ill. Adm. Code 254

1) Rulemaking:

A) Description: This Part will be comprehensively rewritten to include necessary updates and eliminate outdated provisions.

B) Statutory Authority: 105 ILCS 435/2.

C) Scheduled meeting/hearing date: To be announced.

D) Date agency anticipates First Notice: July 3, 2009.

E) Effect on small businesses, small municipalities, or not-for-profit corporations: None

F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270

G) Related rulemakings and other pertinent information:

k) Part(s) (Heading and Code Citation): Payments to Certain Facilities Under Section 14-7.05 of the School Code; 23 Ill. Adm. Code 405 (New)

STATE BOARD OF EDUCATION

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1) Rulemaking:A) Description:

Section 14-7.05 of the School Code, as recently amended by P.A. 95-938, requires certain students' districts of residence to pay residential facilities for the costs of educating certain children, provided that any such facility that is not approved by the State Board of Education under the rules at 23 Ill. Adm. Code 401 provides the Board with proof of meeting certain requirements. New Part 405 will describe the information that will be considered satisfactory proof for this purpose and will set forth the timelines that relate to the submission of the information and the flow of the funds.

B) Statutory Authority: 105 ILCS 5/2-3.6.C) Scheduled meeting/hearing date: To be announced.D) Date agency anticipates First Notice: January 30, 2009.E) Effect on small businesses, small municipalities, or not-for-profit corporations: Some of the facilities affected by this new Part may be small businesses and, if so, they will be affected in the same way as other facilities that are not small businesses.F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270

G) Related rulemakings and other pertinent information:l) Part(s) (Heading and Code Citation): School Technology Program; 23 Ill. Adm. Code 575

STATE BOARD OF EDUCATION

JANUARY 2009 REGULATORY AGENDA

- 1) Rulemaking:
 - A) Description:
This Part will be updated to eliminate out-dated cross-references to the Program Accounting Manual (23 Ill. Adm. Code 110) and the Fall Enrollment and Housing Report.
 - B) Statutory Authority: 105 ILCS 5/2-3.117a.
 - C) Scheduled meeting/hearing date: To be announced.
 - D) Date agency anticipates First Notice: March 6, 2009.
 - E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
 - F) Agency contact person for information:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/782-5270
 - G) Related rulemakings and other pertinent information:
- m) Part(s) (Heading and Code Citation): Providers of Supplemental Educational Services; 23 Ill. Adm. Code 675
 - 1) Rulemaking:
 - A) Description: Further enhancements will be made to the code of ethics for providers, and revisions will be made in the approach to evaluating providers' effectiveness. Other needed updates and clarifications will be included.

STATE BOARD OF EDUCATION

JANUARY 2009 REGULATORY AGENDA

- B) Statutory Authority: 105 ILCS 5/2-3.6.
- C) Scheduled meeting/hearing date: To be announced.
- D) Date agency anticipates First Notice: March 6, 2009.
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: Some of the providers affected by Part 675 may be small businesses and will be affected in the same way as other providers.
- F) Agency contact person for information:
- Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
- 217/782-5270
- G) Related rulemakings and other pertinent information:

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Intergovernmental Drug Enforcement Act; 20 Ill. Adm. Code 1220
- 1) Rulemaking:
- A) Description: The rule will be amended in order to revise and update the auditing procedures associated with the Department's Metropolitan Enforcement Groups.
- B) Statutory Authority: 20 ILCS 2605/2605-135
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: The rule will have no affect on small businesses, small municipalities or not for profit corporations.
- F) Agency contact person for information:
- Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Drug Asset Forfeiture Procedure Act; 20 Ill. Adm. Code 1225
- 1) Rulemaking:

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

- A) Description: The rule will be amended in order to revise and update the procedures associated with the seizure and forfeiture of property under the Drug Asset Forfeiture Procedures Act.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 725 ILCS 150
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: The rule will have no affect on small businesses, small municipalities or not for profit corporations.
- F) Agency contact person for information:
- Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658
- G) Related rulemakings and other pertinent information: None
- c) Part (Heading and Code Citation): Firearm Owner's Identification Card Act; 20 Ill. Adm. Code 1230
- 1) Rulemaking:
- A) Description: The rule will be amended to revise and update procedures associated with applying for, or the review of applications, as well as granting, denying, and revoking the Firearm Owner's Identification Card and related activities.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 430 ILCS 65/11

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: The amendment will have no effect on small businesses, small municipalities or not for profit corporations.
- F) Agency contact person for information:
- Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seven Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658
- G) Related rulemakings and other pertinent information: None
- d) Part (Heading and Code Citation): Firearm Transfer Inquiry Program; 20 Ill. Adm. Code 1235
- 1) Rulemaking:
- A) Description: The rule will be amended to revise and update procedures associated with the Firearm Transfer Inquiry Program and related activities.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 430 ILCS 65/3.1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not for profit corporations: The amendment may affect small businesses, small municipalities and/or not for profit corporations.
- F) Agency contact person for information:
- Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658
- G) Related rulemakings and other pertinent information: None
- e) Part (Heading and Code Citation): Sex Offender Registration Act; 20 Ill. Adm. Code 1280
- 1) Rulemaking:
- A) Description: The rule will be amended to revise and update procedures and policies relating to the implementation of the Sex Offender Registration Act.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 730 ILCS 150/4
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: The amendment may affect small businesses, small municipalities and/or not for profit corporations.
- F) Agency contact person for information:

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658

G) Related rulemakings and other pertinent information: None

f) Part (Heading and Code Citation): Sex Offender and Child Murderer Community Notification Law; 20 Ill. Adm. Code 1282

1) Rulemaking:

A) Description: The rule will be amended to revise and update procedures and policies relating to the implementation of the Sex Offender Community Notification Law.

B) Statutory Authority: 20 ILCS 2605/2605-15 and 730 ILCS 152

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: No date has been determined at this time.

E) Effect on small businesses, small municipalities or not for profit corporations: The amendment may affect small businesses, small municipalities and/or not for profit corporations.

F) Agency contact person for information:

Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

Springfield, Illinois 62794-9461

Telephone: 217/782-7658

G) Related rulemakings and other pertinent information: Noneg) Part (Heading and Code Citation): Child Murderer and Violent Offender Against Youth Registration Act; 20 Ill. Adm. Code 12831) Rulemaking:A) Description: The rule will establish policies and procedures for the implementation of the Child Murderer and Violent Offender Against Youth Registration Act.B) Statutory Authority: 20 ILCS 2605/2605-15 and 730 ILCS 154C) Scheduled meeting/hearing dates: No schedule has been established at this time.D) Date agency anticipates First Notice: No date has been determined at this time.E) Effect on small businesses, small municipalities or not for profit corporations: The rule may affect small businesses, small municipalities and/or not for profit corporations.F) Agency contact person for information:

Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658

G) Related rulemakings and other pertinent information: None

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

- h) Part (Heading and Code Citation): Sample Collection for Genetic Marker Indexing; 20 Ill. Adm. Code 1285
- 1) Rulemaking:
- A) Description: The rule will be amended to revise and update procedures and policies relating to Sample Collection for Genetic Marker Indexing.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 730 ILCS 5/5-4-3
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: The amendment will have no affect on small businesses, small municipalities or not for profit corporations.
- F) Agency contact person for information:
- Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658
- G) Related rulemakings and other pertinent information: None
- i) Part (Heading and Code Citation): Testing of Breath, Blood and Urine for Alcohol, Other Drugs, and Intoxicating Compounds; 20 Ill. Adm. Code 1286
- 1) Rulemaking:

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

- A) Description: The rule will be amended to revise and update procedures and policies relating to the testing of breath, blood and urine for alcohol, drugs, and intoxicating compounds.
- B) Statutory Authority: 20 ILCS 2605/2605-15, 625 ILCS 5/6-106.1A, 625 ILCS 5/11-501.2, 625 ILCS 5/11-501.5, 625 ILCS 5/11-501.6, 625 ILCS 5/11-501.8, 625 ILCS 40/5-7.5, 625 ILCS 45/5-16b, and 625 ILCS 45/6-1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: The amendment may affect small businesses, small municipalities and/or not for profit corporations.
- F) Agency contact person for information:

Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seven Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658

- G) Related rulemakings and other pertinent information: None

j) Part (Heading and Code Citation): Bait Car Procedures; 20 Ill. Adm. Code 1297

1) Rulemaking:

- A) Description: The proposed amendments will implement SB 97 which provides for an exemption to Illinois eavesdropping statute for bait cars. The amendments will delineate regulations concerning the use of devices in the recording of transmissions from a microphone placed by a person under the authority of a law enforcement agency inside a bait car

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

surveillance vehicle and to adopt measures regarding the retention of any such recorded evidence.

- B) Statutory Authority: 20 ILCS 2605/2605-15 and 720 ILCS 5/14-3(g)
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: Municipal police agencies may be affected.
- F) Agency contact person for information:

Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658

- G) Related rulemakings and other pertinent information: None

k) Part (Heading and Code Citation): Imaging Products; Ill. Adm. Code 1298

1) Rulemaking:

- A) Description: The rules will be amended in order to update the fees incurred to acquire, maintain, and reproduce the particular imaging products by the Illinois State Police.
- B) Statutory Authority: 20 ILCS 2605/2605-15
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: Small municipalities may be affected.
- F) Agency contact person for information:

Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658

- G) Related rulemakings and other pertinent information: None

l) Part (Heading and Code Citation): Arsonist Registration Act

1) Rulemaking:

- A) Description: The rules will be established in order to establish procedures to extend for 10 years the registration period of any arsonist who fails to comply with the provisions of 730 ILCS 148 and to establish procedures regarding the administration of the Arsonist Registration Fund.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 730 ILCS 148
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not for profit corporations: Small municipalities may be affected.
- F) Agency contact person for information:

DEPARTMENT OF STATE POLICE

JANUARY 2009 REGULATORY AGENDA

Mr. John Hosteny
Interim Chief Legal Counsel
Illinois State Police
801 South Seventh Street, Suite 1000-S
Post Office Box 19461
Springfield, Illinois 62794-9461
Telephone: 217/782-7658

- G) Related rulemakings and other pertinent information: None

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO
PEREMPTORY RULEMAKING

DEPARTMENT OF HUMAN SERVICES

Heading of the Part: Temporary Assistance For Needy Families

Code Citation: 89 Ill. Adm. Code 112

Section Numbers: 112.10

Date Originally Published in the Illinois Register: 11/21/08
32 Ill. Reg. 18051

At its meeting on 12/16/08, the Joint Committee on Administrative Rules objected to the Department of Human Services use of peremptory rulemaking to adopt rules titled (89 Ill. Adm. Code 112; 32 Ill. Reg. 18051) because the 11/10/08 filing of peremptory rules implemented federal law effective 12/26/07 and 1/28/08. This violates the IAPA Section 5-50 requirement that adoption of federal changes by peremptory rule occur within 30 days after the federal action.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO
PEREMPTORY RULEMAKING

DEPARTMENT OF HUMAN SERVICES

Heading of the Part: Aid to the Aged, Blind or Disabled

Code Citation: 89 Ill. Adm. Code 113

Section Numbers: 113.10

Date Originally Published in the Illinois Register: 11/21/08
32 Ill. Reg. 18065

At its meeting on 12/16/08, the Joint Committee on Administrative Rules objected to the Department of Human Services use of peremptory rulemaking to adopt rules titled (89 Ill. Adm. Code 113; 32 Ill. Reg. 18065) because the 11/10/08 filing of peremptory rules implemented federal law effective 12/26/07 and 1/28/08. This violates the IAPA Section 5-50 requirement that adoption of federal changes by peremptory rule occur within 30 days after the federal action.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO
PEREMPTORY RULEMAKING

DEPARTMENT OF HUMAN SERVICES

Heading of the Part: General Assistance

Code Citation: 89 Ill. Adm. Code 114

Section Numbers: 114.10

Date Originally Published in the Illinois Register: 11/21/08
32 Ill. Reg. 18076

At its meeting on 12/16/08, the Joint Committee on Administrative Rules objected to the Department of Human Services use of peremptory rulemaking to adopt rules titled (89 Ill. Adm. Code 114; 32 Ill. Reg. 18076) because the 11/10/08 filing of peremptory rules implemented federal law effective 12/26/07 and 1/28/08. This violates the IAPA Section 5-50 requirement that adoption of federal changes by peremptory rule occur within 30 days after the federal action.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO
PEREMPTORY RULEMAKING

DEPARTMENT OF HUMAN SERVICES

Heading of the Part: Refugee/Repatriate Program

Code Citation: 89 Ill. Adm. Code 115

Section Numbers: 115.30

Date Originally Published in the Illinois Register: 11/21/08
32 Ill. Reg. 18088

At its meeting on 12/16/08, the Joint Committee on Administrative Rules objected to the Department of Human Services use of peremptory rulemaking to adopt rules titled (89 Ill. Adm. Code 115; 32 Ill. Reg. 18088) because the 11/10/08 filing of peremptory rules implemented federal law effective 12/26/07 and 1/28/08. This violates the IAPA Section 5-50 requirement that adoption of federal changes by peremptory rule occur within 30 days after the federal action.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO
PEREMPTORY RULEMAKING

DEPARTMENT OF HUMAN SERVICES

Heading of the Part: Food Stamps

Code Citation: 89 Ill. Adm. Code 121

Section Numbers: 121.20

Date Originally Published in the Illinois Register: 11/21/08
32 Ill. Reg. 18092

At its meeting on 12/16/08, the Joint Committee on Administrative Rules objected to the Department of Human Services use of pemptory rulemaking to adopt rules titled (89 Ill. Adm. Code 121; 32 Ill. Reg. 18092) because the 11/10/08 filing of peremptory rules implemented federal law effective 12/26/07 and 1/28/08. This violates the IAPA Section 5-50 requirement that adoption of federal changes by peremptory rule occur within 30 days after the federal action.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall be deemed a refusal. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notice was received by the Joint Committee on Administrative Rules during the period of December 16, 2008 through December 22, 2008 and has been scheduled for review by the Committee at its January 13, 2009 meeting. 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>
1/30/09	<u>Department of Revenue</u> , Income Tax (86 Ill. Adm. Code 100)	10/31/08 32 Ill. Reg. 17105	1/13/09

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

WITHDRAWAL OF SUSPENSION OF PEREMPTORY RULE

Heading of the Part: Food Stamps

Code Citation: 89 Ill Adm Code 121

Section Numbers: 121.94(c) 121.96(d)(2) 121.150(b)

Date Originally Published in Illinois Register: 10/17/08
32 Ill. Reg. 16905

Date Suspension Published in Illinois Register: 12/5/08
32 Ill. Reg. 18908

Date Suspension Became Effective: 11/19/08

Date Suspension Withdrawn: 12/16/08

The Joint Committee on Administrative Rules certifies that, pursuant to Section 5-125 of the Illinois Administrative Procedure Act, at its meeting on 12/16/08, the Committee withdrew its Suspension of the Department of Human Services peremptory amendments in Sections 121.94(c), 121.96(d)(2) and 121.150(b) in Food Stamps (89 Ill. Adm. Code 121; 32 Ill. Reg. 16905). The Committee originally issued this Suspension at its 11/19/08 meeting. JCAR withdraws its Suspension contingent upon the Department's filing an emergency repeal of the peremptory amendments to 89 Ill. Adm. Code 121.94(c), 121.96(d)(2) and 121.150(b) with the Secretary of State. JCAR's withdrawal of its Suspension will be effective when the emergency repeal of peremptory amendments is filed with the Secretary of State.

PROCLAMATIONS

2008-453**Crime Stoppers of Lake County Month**

WHEREAS, Crime Stoppers of Lake County was formed in 1983 and is a community program comprised of concerned citizens who work closely with police authorities, the news media, and the public in the fight against crime in Lake County and surrounding communities; and

WHEREAS, Crime Stoppers does that by offering cash rewards to anyone who provides information that leads to the arrest of felony crime offenders or the capture of felony fugitives. Informants always remain anonymous, and cash rewards are funded primarily by private contributions; and

WHEREAS, thanks to Crime Stoppers, there have been more than 5,300 criminal arrests throughout Lake County, Northern Illinois, and Wisconsin since the program's inception in 1983. Altogether, more than \$21 million worth of contraband and stolen property has been seized; and

WHEREAS, the success of Crime Stoppers would not be possible without the support of everyone in the community. Consequently, Crime Stoppers also promotes the importance of reporting suspicious behavior and criminal activity; and

WHEREAS, to support their wonderful mission, Crime Stoppers of Lake County will raise money and sponsor events designed to raise awareness during the month of January:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 2009 as **CRIME STOPPERS OF LAKE COUNTY MONTH** in Illinois in recognition of their terrific program, and encourage all citizens to help keep their communities safe and free of crime.

Issued by the Governor December 16, 2008

Filed by the Secretary of State December 19, 2008

2008-454**Opticians Month**

WHEREAS, healthy vision and good eyesight are important elements in the overall quality of life for everyone; and

PROCLAMATIONS

WHEREAS, the pace of technological improvements in vision aids continues to accelerate, necessitating expert guidance to assure correct and effective choices in eyewear for overcoming vision deficiencies and safeguarding sight; and

WHEREAS, Illinois' opticians provide that expertise by assuring that the prescriptions written by eye doctors for corrective vision aids are filled accurately and effectively; and

WHEREAS, Illinois' opticians are important members of our small business community, providing the competitive balance that keeps eyewear within the reach of everyone, regardless of financial means; and

WHEREAS, during the month of January, the Opticians Association of Illinois and their national organization, the Opticians Association of America, will promote the importance of good vision health and safety:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 2009 as **OPTICIANS MONTH** in Illinois in recognition of opticians for their contributions to good vision health and safety.

Issued by the Governor December 16, 2008

Filed by the Secretary of State December 19, 2008

ILLINOIS ADMINISTRATIVE CODE

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JOINT COMMITTEE ON ADMINISTRATIVE RULES

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