

2010

ILLINOIS

REGISTER

RULES
OF GOVERNMENTAL
AGENCIES



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August 13, 2010
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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 preemptory 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 2010

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 21, 2009	January 4, 2010
2	December 28, 2009	January 8, 2010
3	January 4, 2010	January 15, 2010
4	January 11, 2010	January 22, 2010
5	January 19, 2010	January 29, 2010
6	January 25, 2010	February 5, 2010
7	February 1, 2010	February 16, 2010
8	February 8, 2010	February 19, 2010
9	February 16, 2010	February 26, 2010
10	February 22, 2010	March 5, 2010
11	March 1, 2010	March 12, 2010
12	March 8, 2010	March 19, 2010
13	March 15, 2010	March 26, 2010
14	March 22, 2010	April 2, 2010
15	March 29, 2010	April 9, 2010
16	April 5, 2010	April 16, 2010
17	April 12, 2010	April 23, 2010
18	April 19, 2010	April 30, 2010
19	April 26, 2010	May 7, 2010
20	May 3, 2010	May 14, 2010
21	May 10, 2010	May 21, 2010
22	May 17, 2010	May 28, 2010
23	May 24, 2010	June 4, 2010

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
24	June 1, 2010	June 11, 2010
25	June 7, 2010	June 18, 2010
26	June 14, 2010	June 25, 2010
27	June 21, 2010	July 2, 2010
28	June 28, 2010	July 9, 2010
29	July 6, 2010	July 16, 2010
30	July 12, 2010	July 23, 2010
31	July 19, 2010	July 30, 2010
32	July 26, 2010	August 6, 2010
33	August 2, 2010	August 13, 2010
34	August 9, 2010	August 20, 2010
35	August 16, 2010	August 27, 2010
36	August 23, 2010	September 3, 2010
37	August 30, 2010	September 10, 2010
38	September 7, 2010	September 17, 2010
39	September 13, 2010	September 24, 2010
40	September 20, 2010	October 1, 2010
41	September 27, 2010	October 8, 2010
42	October 4, 2010	October 15, 2010
43	October 12, 2010	October 22, 2010
44	October 18, 2010	October 29, 2010
45	October 25, 2010	November 5, 2010
46	November 1, 2010	November 12, 2010
47	November 8, 2010	November 19, 2010
48	November 15, 2010	November 29, 2010
49	November 22, 2010	December 3, 2010
50	November 29, 2010	December 10, 2010
51	December 6, 2010	December 17, 2010
52	December 13, 2010	December 27, 2010
53	December 20, 2010	January 3, 2011

Editor's Note: The Regulatory Agenda submission period will end July.1, 2010. The Division will no longer accept Regulatory Agendas after that time. The filing period for January 2011 will start October 1, 2010 with the last day to file being January 3, 2011.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED RULES

- 1) Heading of Part: Procedures for Operation of the Clean Construction or Demolition Debris Fill Operation Fee System
- 2) Code Citation: 35 Ill. Adm. Code 1150
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1150.100	New Section
1150.105	New Section
1150.110	New Section
1150.115	New Section
1150.120	New Section
1150.200	New Section
1150.205	New Section
1150.210	New Section
1150.215	New Section
1150.220	New Section
1150.300	New Section
1150.305	New Section
- 4) Statutory Authority: Section 22.51b of the Environmental Protection Act (415 ILCS 5/22.51b)
- 5) A Complete Description of the Subjects and Issues Involved: Section 22.51b(b) of the Environmental Protection Act (415 ILCS 5/22.51b(b)) requires the Illinois EPA to establish rules relating to the collection of the fees authorized by Section 22.51b(a) of the Environmental Protection Act (415 ILCS 5/22.51b(a)). The proposed rules will set forth the procedures for the collection of fees from the owner or operator of a clean construction or demolition debris fill operation, including recordkeeping requirements, submittals to the Agency, and time and manner of payment.
- 6) Proposed Studies, and sources of underlying data, used to compose this rulemaking:
None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain an incorporation by reference? No

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED RULES

- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The proposed rules do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on these proposed rules may submit them in writing by no later than 45 days after publication of this Notice to:
- Stephanie Flowers, Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-92762
- 217/782-5544
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Any small business, small municipality, or not-for-profit corporation that operates a clean construction or demolition debris fill operation permitted, or required to be permitted, by the Agency will be subject to the procedures set forth in this new rule.
- B) Reporting, bookkeeping or other proposed procedures required for compliance: The proposed rules require that the owner or operator of a clean construction or demolition debris fill operation calculate fees, maintain records, and submit reports and fees to the Agency.
- C) Types of professional skills necessary for compliance: No specific professional skills are required for compliance with the proposed rules.
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2010

The full text of the Proposed Rules is identical to that of the Emergency Rules found in this issue of the *Illinois Register*, which begins on page 11854:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Rights and Responsibilities
- 2) Code Citation: 89 Ill. Adm. Code 102
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
102.80	Amendment
102.210	Amendment
- 4) Statutory Authority: Authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and implementing the federal Deficit Reduction Act of 2005 (PL 109-171)
- 5) Complete Description of the Subjects and Issues Involved: In conjunction with the rulemaking affecting 89 Ill. Adm. Code 120 that also appears in this issue of the *Illinois Register*, these amendments implement the provisions of the Deficit Reduction Act of 2005 (PL 109-171, 2006 S 1932) (DRA).

Because of the complexity of the policy represented here, the Department encourages all interested parties to review these rules carefully. Furthermore, in the spirit of open communication and transparency, the Department has scheduled an open public hearing to receive, ideas, questions and concerns on the topic. See number 12 below for details.
- 6) Published studies or reports, and sources of underlying data, used to compose 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
- 11) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 12) Time, Place, and manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Jeanette Badrov
General Counsel
Illinois Department of Healthcare and Family Services
201 South Grand Avenue E., 3rd Floor
Springfield IL 62763-0002

217/782-1233

The Department requests the submission of written comments within 45 days after the publication of this Notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

In addition, the Department is scheduling a public hearing to receive ideas, questions and concerns on the subject of this proposed rule (and those changes proposed for Part 120). The public hearing will be for the sole purpose of gathering public comments on the proposed amendments. The Department may, at its discretion, respond to questions as time permits. If any person requires special accommodations, please notify Jeanette Badrov (see above for contact information) at least five business days in advance of the hearing, if possible.

Date, Time and Location of Public Hearing:

Monday, September 13, 2010
9:00 AM to 12:00 PM
Michael A. Bilandic Building, RM 500
160 North LaSalle Street
Chicago, Illinois

Persons interested in presenting testimony at this hearing are advised that the Illinois Department of Healthcare and Family Services will adhere to the following procedures in the conduct of the hearing:

- a) No oral testimony shall exceed an aggregate of 5 minutes.
- b) Each person presenting oral testimony shall provide to the hearing officer a written, legible (preferably typed) copy of such testimony at the time the oral testimony is presented.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- c) No oral testimony will be accepted without a written copy of the testimony being provided.
 - d) No person will be recognized to speak for a second time until all persons wishing to testify have done so.
 - e) 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 she/he deems necessary.
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2010

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

| CHAPTER I: DEPARTMENT OF ~~HEALTHCARE AND FAMILY SERVICES~~~~PUBLIC AID~~
SUBCHAPTER a: GENERAL PROVISIONS

PART 102

RIGHTS AND RESPONSIBILITIES

Section

102.1	Incorporation by Reference
102.10	Rights of Clients
102.20	Nondiscrimination
102.21	Voter Registration
102.25	Grievance Rights of Clients
102.30	Confidentiality of Case Information
102.35	Case Records
102.40	Freedom of Choice
102.50	Reporting Change of Circumstances
102.60	Referral Requirements
102.63	Reporting Child Abuse/Neglect
102.66	Suitability of Home
102.70	Notice to Client
102.80	Right to Appeal
102.81	Continuation of Assistance Pending Appeal
102.82	Time Limit for Filing an Appeal
102.83	Examining Department Records
102.84	Child Care
102.90	Voluntary Repayment of Assistance
102.100	Excess Assistance (Recodified)
102.110	Recoupment of Overpayments (Recodified)
102.120	Correction of Underpayments
102.200	Recovery of Assistance
102.210	Estate Claims
102.220	Real Property Liens
102.230	Filing and Renewal of Liens
102.235	Liens on Property of Institutionalized Recipients
102.240	Foreclosure of Liens
102.250	Release of Liens
102.260	Personal Injury Claims
102.270	Convictions of Fraud – Eligibility

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

102.280 Single Conviction of Fraud – Administrative Review Board

AUTHORITY: Implementing Article XI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. XI and 12-13] and implementing the federal Deficit Reduction Act of 2005.

SOURCE: Filed and effective December 31, 1977; preemptory rule at 2 Ill. Reg. 52, p. 449, effective December 13, 1978; amended at 2 Ill. Reg. 52, p. 462, December 23, 1978; preemptory amendment at 3 Ill. Reg. 11, p. 39, effective March 1, 1979; amended at 3 Ill. Reg. 41, p. 167, effective October 1, 1979; amended at 3 Ill. Reg. 43, p. 196, effective October 15, 1979; amended at 5 Ill. Reg. 8035, effective July 27, 1981; amended at 5 Ill. Reg. 10775, effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 7 Ill. Reg. 8350, effective July 1, 1983; amended at 8 Ill. Reg. 18910, effective September 26, 1984; amended at 9 Ill. Reg. 327, effective December 31, 1984; amended at 9 Ill. Reg. 3730, effective March 13, 1985; amended at 9 Ill. Reg. 6812, effective April 26, 1985; amended at 9 Ill. Reg. 7162, effective May 1, 1985; amended at 9 Ill. Reg. 13091, effective August 16, 1985; amended at 9 Ill. Reg. 14704, effective September 13, 1985; amended at 9 Ill. Reg. 15912, effective October 4, 1985; amended at 10 Ill. Reg. 3981, effective February 22, 1986; amended at 10 Ill. Reg. 14795, effective August 29, 1986; amended at 10 Ill. Reg. 19088, effective October 24, 1986; Sections 102.100 and 102.110 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; amended at 11 Ill. Reg. 14067, effective August 10, 1987; amended at 11 Ill. Reg. 18239, effective October 30, 1987; amended at 12 Ill. Reg. 3735, effective February 5, 1988; amended at 13 Ill. Reg. 3940, effective March 10, 1989; amended at 14 Ill. Reg. 13279, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 20078, effective December 3, 1990, for a maximum of 150 days; amended at 15 Ill. Reg. 7202, effective April 30, 1991; amended at 18 Ill. Reg. 273, effective December 28, 1993; amended at 18 Ill. Reg. 8938, effective June 3, 1994; amended at 19 Ill. Reg. 1108, effective January 26, 1995; emergency amendment at 19 Ill. Reg. 12320, effective August 14, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 883, effective December 29, 1995; amended at 21 Ill. Reg. 619, effective January 1, 1997; emergency amendment at 21 Ill. Reg. 4037, effective March 14, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7438, effective June 1, 1997; amended at 21 Ill. Reg. 11955, effective August 13, 1997; amended at 24 Ill. Reg. 10294, effective July 1, 2000; amended at 25 Ill. Reg. 16111, effective December 1, 2001; amended at 34 Ill. Reg. _____, effective _____.

Section 102.80 Right to Appeal

- a) Any individual who applies for or receives financial or medical assistance, social services or food stamps benefits shall have the right to appeal any of the

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

following:

- 1) Refusal to accept an application or reapplication;
 - 2) Failure to act on an application within the mandated time period;
 - 3) A decision to deny an application;
 - 4) A decision to reduce, suspend, terminate or in any way change the amount of assistance/food stamps or manner in which it is provided;
 - 5) Failure to make a decision or take appropriate action on any request which the client makes;
 - 6) A decision affecting the basis of issuance of food stamps with which the client disagrees;
 - 7) A decision to deny the payment for a medical service or item that requires prior approval;
 - 8) A decision granting prior approval request for a lesser or different medical service or item than was originally requested;
 - 9) An issue of Department policy, if the client is aggrieved by its application;
~~or~~
 - 10) The determination of the amount of a premium that may be charged to a client under any medical assistance program. The Department's determination of the amount of a premium shall remain in force during the appeal process; ~~or~~
 - 11) [A denial of a request for a hardship waiver under Sections 120.379\(i\), 120.385\(c\)\(3\) and 120.388\(r\) of this Part.](#)
- b) The appeal may be filed by the client or the client's authorized representative. For food stamp clients, the request for a hearing may be made orally or in writing, and the appeal process is initiated effective with the date of the request.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 102.210 Estate Claims

- a) Definitions in this Section are as follows:
- 1) "Estate" – all real and personal property within an individual's estate as provided in Illinois probate law. For a decedent who received benefits under a [qualified](#) long term care insurance policy in connection with which assets were disregarded ([see subsection \(f\)](#)), the term "estate" includes all real and personal property in which the individual had legal title or interest at the time of death (to the extent of such interest), including assets conveyed to a survivor, heir or assignee of the deceased person through joint tenancy, tenancy in common, survivorship, life estate, living trust or other arrangement.
 - 2) "Beneficiary" – any person nominated in a will to receive an interest in property other than in a fiduciary capacity.
 - 3) "Heir" – any person entitled under the statutes to an interest in property of a decedent.
- b) The Department's claim against the estate of a deceased recipient or against the estate of the recipient's deceased spouse, regardless of the order of death, shall encompass:
- 1) All income maintenance assistance paid out at any time; and
 - 2) All medical assistance paid out:
 - A) at any time for a permanently institutionalized recipient whose real property is subject to the Department's lien; or
 - B) except the costs of Community Care Program (CCP) services, prior to October 1, 1993, for a recipient while 65 years of age or older; or
 - C) on or after October 1, 1993, for a recipient while 55 years of age or older; or

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

D) for Medicare cost sharing expenses of a Qualified Medicare Beneficiary (QMB).

c) The claim shall apply to assistance provided to or in behalf of a recipient on or after the following dates:

Assistance Program	Effective Date
1) AABD (Aged) (AABD(A))	1) 1963
2) AABD (Blind) and (Disabled) (AABD(B) and (D))	2) November 1963
3) MANG (Aged), (Blind), and (Disabled) (MANG(A),(B), and (D))	3) January 1, 1966

d) The Department shall not enforce a claim for medical assistance against any property, real or personal, of a deceased recipient while one or more of the following relatives survives: spouse of decedent, child under 21, or child over 21 who is blind or permanently and totally disabled.

e) The Department shall not enforce a claim for income maintenance assistance against homestead property of a deceased recipient while the homestead is occupied by one or more of the surviving relatives previously specified.

[f\) The Department shall not enforce a claim against the estate of a decedent to the extent assets were disregarded because the person was covered under a qualified long term care policy as provided under Section 120.382\(c\) of this Part.](#)

[gf\)](#) To avoid undue hardship, the Department will waive its right to recover from a decedent's estate if pursuing recovery would cause an heir or beneficiary of the estate to become or remain eligible for a public benefit program, such as SSI, TANF or Food Stamps. The Department may limit the scope of its waiver to that portion of the estate that the heir or beneficiary would receive and pursue recovery against the balance of the estate, if any. The Department will not waive recovery despite undue hardship if payment of the claims of other estate creditors that are equal or inferior in priority to the Department's claim will exhaust the estate and defeat the purpose of the waiver. The Department will provide written notice to heirs and beneficiaries known to the Department of the opportunity, time

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

frame and method to request a waiver of estate recovery based on undue hardship.

[hg](#)) The Department may defer or waive enforcement of its claim for income maintenance assistance if it determines that:

- 1) The deceased recipient is survived by a dependent spouse and minor child or children; or
- 2) Rehabilitative training for employment or other means of self-support for the surviving spouse or children is feasible, and deferment or waiver will facilitate achievement of self-support status and prevent or reduce the likelihood of return to dependency on public assistance of the spouse or children.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Medical Assistance Programs
- 2) Code Citation: 89 Ill. Adm. Code 120
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
120.10	Amendment
120.20	Amendment
120.40	Repeal
120.60	Amendment
120.61	Amendment
120.62	Repeal
120.63	Repeal
120.65	Repeal
120.308	Amendment
120.347	Amendment
120.379	Amendment
120.380	Amendment
120.381	Amendment
120.382	Amendment
120.384	Amendment
120.385	Amendment
120.387	Amendment
120.388	New Section
120.TABLE B	Repeal
- 4) Statutory Authority: Authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and implementing the federal Deficit Reduction Act of 2005 (PL 109-171)
- 5) Complete Description of the Subjects and Issues Involved: In conjunction with the rulemaking affecting 89 Ill. Adm. Code 102 that also appears in this issue of the *Illinois Register*, these amendments implement the provisions of the Deficit Reduction Act of 2005 (PL 109-171, 2006 S 1932) (DRA) and other provisions of federal law relating to the medical assistance programs, financial eligibility for long term care and transfers of assets. The rulemaking also clarifies existing rules and cleans up outdated and redundant rules in Part 120.

In a separate, companion rulemaking to follow, the Department will clarify that the cost of community care services funded by the Department on Aging may be used to meet spenddown for Medicaid eligibility.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

In preparing this rule filing, the Department is mindful of its statutory mandate that the medical assistance program, funded with taxpayer dollars, is the payer of last resort for those individuals who have no other means to pay for the cost of their long term care services. Consequently and taking into account allowances to prevent spousal impoverishment and other specific exceptions, these proposed rules are predicated on the principle that individuals should use their own income and assets to pay for their care before turning to the State for that support.

Because of the complexity of the policy represented here, the Department encourages all interested parties to review these rules carefully. Furthermore, in the interests of open communication and transparency, the Department has scheduled an open public hearing to receive ideas, questions and concerns on the topic. See item 12 below for details.

- 6) Published studies or reports, and sources of underlying data, used to compose 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? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
120.318	Amendment	34 Ill. Reg. 2631; February 19, 2010
120.400	Amendment	34 Ill. Reg. 2631; February 19, 2010

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

Jeanette Badrov
 Illinois Department of Healthcare and Family Services
 201 South Grand Avenue E., 3rd Floor

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Springfield IL 62763-0002

217/782-1233

The Department requests the submission of written comments within 45 days after the publication of this Notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

In addition, the Department is scheduling a public hearing to receive ideas, questions and concerns on the subject of this proposed rule (and those changes proposed for Part 102). The public hearing will be for the sole purpose of gathering public comments on the proposed amendments. The Department may, at its discretion, respond to questions as time permits. If any person requires special accommodations, please notify Jeanette Badrov (see above for contact information) at least five business days in advance of the hearing, if possible.

Date, Time and Location of Public Hearing:

Monday, September 13, 2010
9:00 AM to 12:00 PM
Michael A. Bilandic Building, RM 500
160 North LaSalle Street
Chicago, Illinois

Persons interested in presenting testimony at this hearing are advised that the Illinois Department of Healthcare and Family Services will adhere to the following procedures in the conduct of the hearing:

- a) No oral testimony shall exceed an aggregate of 5 minutes.
- b) Each person presenting oral testimony shall provide to the hearing officer a written, legible (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.
- c) No person will be recognized to speak for a second time until all persons wishing to testify have done so.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- d) 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 she/he deems necessary.
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this Rulemaking was Summarized: January 2010

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

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- Section
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120.217 Supplemental Payments (Repealed)
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120.225	Social Security Numbers (Repealed)
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120.236	Education Benefits (Repealed)
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120.271	Income From Work/Study/Training Program (Repealed)
120.272	Earned Income From Self-Employment (Repealed)
120.273	Earned Income From Roomer and Boarder (Repealed)
120.275	Earned Income In-Kind (Repealed)
120.276	Payments from the Illinois Department of Children and Family Services (Repealed)
120.280	Assets (Repealed)
120.281	Exempt Assets (Repealed)
120.282	Asset Disregards (Repealed)
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120.284	Spend-down of Assets (AMI) (Repealed)
120.285	Property Transfers (Repealed)
120.290	Persons Who May Be Included in the Assistance Unit (Repealed)
120.295	Payment Levels for AMI (Repealed)

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120.308	Client Cooperation
120.309	Caretaker Relative
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120.373	Earned Income From Roomer and Boarder
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120.386	Property Transfers Occurring On or Before August 10, 1993
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120.390	Persons Who May Be Included In the Assistance Unit
120.391	Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Born October 1, 1983, or Later
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120.395	Payment Levels for MANG (Repealed)
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SUBPART I: SPECIAL PROGRAMS

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120.500	Health Benefits for Persons with Breast or Cervical Cancer
120.510	Health Benefits for Workers with Disabilities
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120.530	Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons Under Age 21
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120.TABLE A Value of a Life Estate and Remainder Interest

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| 120.TABLE B Life Expectancy ([Repealed](#))

AUTHORITY: Implementing Articles III, IV, V and VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V and VI and 12-13] and implementing the federal Deficit Reduction Act of 2005.

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days;

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peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg.

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13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective September 11, 1991; amended at 15 Ill. Reg. 14240, effective September 23, 1991; amended at 16 Ill. Reg. 139, effective December 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. 10034, effective June 15, 1992; amended at 16 Ill. Reg. 11582, effective July 15, 1992; amended at 16 Ill. Reg. 17290, effective November 3, 1992; amended at 17 Ill. Reg. 1102, effective January 15, 1993; amended at 17 Ill. Reg. 6827, effective April 21, 1993; amended at 17 Ill. Reg. 10402, effective June 28, 1993; amended at 18 Ill. Reg. 2051, effective January 21, 1994; amended at 18 Ill. Reg. 5934, effective April 1, 1994; amended at 18 Ill. Reg. 8718, effective June 1, 1994; amended at 18 Ill. Reg. 11231, effective July 1, 1994; amended at 19 Ill. Reg. 2905, effective February 27, 1995; emergency amendment at 19 Ill. Reg. 9280, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 11931, effective August 11, 1995; amended at 19 Ill. Reg. 15079, effective October 17, 1995; amended at 20 Ill. Reg. 5068, effective March 20, 1996; amended at 20 Ill. Reg. 15993, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 692, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7423, effective May 31, 1997; amended at 21 Ill. Reg. 7748, effective June 9, 1997; amended at 21 Ill. Reg. 11555, effective August 1, 1997; amended at 21 Ill. Reg. 13638, effective October 1, 1997; emergency amendment at 22 Ill. Reg. 1576, effective January 5, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 7003,

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effective April 1, 1998; amended at 22 Ill. Reg. 8503, effective May 1, 1998; amended at 22 Ill. Reg. 16291, effective August 28, 1998; emergency amendment at 22 Ill. Reg. 16640, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19875, effective October 30, 1998; amended at 23 Ill. Reg. 2381, effective January 22, 1999; amended at 23 Ill. Reg. 11301, effective August 27, 1999; amended at 24 Ill. Reg. 7361, effective May 1, 2000; emergency amendment at 24 Ill. Reg. 10425, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15075, effective October 1, 2000; amended at 24 Ill. Reg. 18309, effective December 1, 2000; amended at 25 Ill. Reg. 8783, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 10533, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16098, effective December 1, 2001; amended at 26 Ill. Reg. 409, effective December 28, 2001; emergency amendment at 26 Ill. Reg. 8583, effective June 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 9843, effective June 26, 2002; emergency amendment at 26 Ill. Reg. 11029, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 15051, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16288, effective October 25, 2002; amended at 27 Ill. Reg. 4708, effective February 25, 2003; emergency amendment at 27 Ill. Reg. 10793, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18609, effective November 26, 2003; amended at 28 Ill. Reg. 4701, effective March 3, 2004; amended at 28 Ill. Reg. 6139, effective April 1, 2004; emergency amendment at 28 Ill. Reg. 6610, effective April 19, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 7152, effective May 3, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11149, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12921, effective September 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13621, effective September 28, 2004; amended at 28 Ill. Reg. 13760, effective October 1, 2004; amended at 28 Ill. Reg. 14541, effective November 1, 2004; amended at 29 Ill. Reg. 820, effective January 1, 2005; amended at 29 Ill. Reg. 10195, effective June 30, 2005; amended at 29 Ill. Reg. 14939, effective September 30, 2005; emergency amendment at 30 Ill. Reg. 521, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 10314, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 15029, effective September 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 2629, effective January 28, 2007; emergency amendment at 31 Ill. Reg. 7323, effective May 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 11667, effective August 1, 2007; amended at 31 Ill. Reg. 12756, effective August 27, 2007; emergency amendment at 31 Ill. Reg. 15854, effective November 7, 2007, for a maximum of 150 days; emergency rule suspended at 31 Ill. Reg. 16060, effective November 13, 2007; emergency rule repealed, effective May 10, 2008; peremptory amendment at 32 Ill. Reg. 7212, effective April 21, 2008; peremptory amendment suspended at 32 Ill. Reg. 8450, effective May 21, 2008; peremptory amendment repealed under Section 5-125 of the Illinois Administrative Procedure Act, effective November 16, 2008; amended at 32 Ill. Reg. 17428, effective November 1, 2008; peremptory amendment at 32 Ill. Reg. 18889, effective November 18, 2008; peremptory amendment suspended at 32 Ill. Reg. 18906, effective

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November 19, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 33 Ill. Reg. 6551, effective April 28, 2009; peremptory amendment repealed by emergency rulemaking at 33 Ill. Reg. 6712, effective April 28, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 1681, effective February 1, 2009; amended at 33 Ill. Reg. 2289, effective March 1, 2009; emergency amendment at 33 Ill. Reg. 5802, effective April 2, 2009, for a maximum of 150 days; emergency expired August 29, 2009; emergency amendment at 33 Ill. Reg. 10785, effective June 30, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 12703, effective September 7, 2009; amended at 33 Ill. Reg. 15707, effective November 2, 2009; amended at 33 Ill. Reg. 17070, effective December 2, 2009; amended at 34 Ill. Reg. 889, effective December 30, 2009; amended at 34 Ill. Reg. _____, effective _____.

SUBPART B: ASSISTANCE STANDARDS

Section 120.10 Eligibility ~~for~~ For Medical Assistance

- a) Eligibility for medical assistance exists when a ~~person~~client meets the non-financial requirements of the program and the ~~person's~~client's countable nonexempt income (Sections 120.330 and 120.360) is equal to or less than the applicable Medical Assistance – No Grant (MANG) standard and, for AABD MANG, countable nonexempt ~~resources~~assets are not in excess of the applicable ~~resource~~asset disregards (Section ~~120.382~~120.380). Persons receiving basic maintenance grants under Article III or IV of the Public Aid Code are eligible for medical assistance. Financial eligibility for medical assistance for other persons living in the community is determined according to Section 120.60 of this Part, unless otherwise specified. Financial eligibility for medical assistance for persons receiving long-term care services, as defined in Section 120.61(a) of this Part, is determined according to that Section, unless otherwise specified.
- b) For AABD MANG, ~~a person's~~the client's countable income and ~~resources~~assets include the ~~person's~~client's countable ~~nonexempt~~income and ~~resources~~assets and the ~~countable~~nonexempt income and ~~resources~~assets of all persons included in the Medical Assistance standard. The ~~person's~~client's responsible ~~relatives~~relative(s) living with the child must be included in the standard. The ~~person~~client has the option to request that a dependent child under age 18 in the home who is not included in the MANG unit be included in the MANG standard.
- c) For TANF (Temporary Assistance for Needy Families) MANG, ~~a person's~~the client's countable income includes the ~~person's~~client's nonexempt income and the nonexempt income of all persons included in the Medical Assistance standard.

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The ~~person's~~client's responsible ~~relatives~~relative(s) living with the child must be included in the standard. The ~~person~~client has the option to request that a dependent child under age 18 in the home who is not included in the MANG unit be included in the MANG standard.

- d) For AABD MANG, if ~~a person's~~the client's countable nonexempt income is greater than the applicable MANG standard and/or countable nonexempt ~~resources~~assets are over the applicable ~~resource~~asset disregard, the ~~person~~client must meet the spenddown obligation determined for the applicable time period before becoming eligible to receive medical assistance.
- e) For TANF MANG, if ~~a person's~~the client's countable nonexempt income is greater than the applicable MANG standard, the ~~person~~client must meet the spenddown obligation determined for the applicable time period before becoming eligible to receive medical assistance.
- f) A one month eligibility period is used for ~~persons~~clients receiving long-term care services (as defined in Section 120.61(a) of this Part)~~in an intermediate care facility (ICF) or skilled nursing facility (SNF) or in a Department of Human Services facility~~. Nonexempt income and nonexempt ~~resources~~assets over the ~~resource~~asset disregard are applied toward the cost of care on a monthly basis, as provided in Section 120.61 of this Part.
- g) Newborns
- 1) When the Department becomes aware of the birth of a child to a recipient of a TANF or AABD grant or related medical assistance or medical assistance due to the mother's pregnancy, the child shall be deemed to have applied for medical assistance only, without written request, if the mother had been receiving TANF or AABD related medical assistance or medical assistance due to her pregnancy on the date of birth of the child.
 - 2) The newborn shall be eligible to receive medical assistance for a period of time as determined in Section 120.400.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.20 MANG(AABD) Income Standard

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- a) The monthly countable income standard is 100 percent of the Federal Poverty Level Income Guidelines, as published annually in the Federal Register, for the appropriate family size.
- b) ~~A client receiving care in a public tuberculosis hospital is not considered to be receiving long term care. Such a client's financial eligibility for MANG is determined by use of the Aid to the Aged, Blind or Disabled MANG(AABD) Income Standard.~~
- c) ~~The MANG(AABD) Income Standard is used in the determination of financial eligibility for MANG of a client living in a residential home or facility which is not licensed as a medical care facility or as a sheltered care facility. The cost of maintenance and/or care in such a facility is not an allowable medical expense. Regardless of the amount the client may be paying for care and/or maintenance in the facility, the client's nonexempt income and assets in excess of the MANG(AABD) Standard are considered available for payment for medical care not provided in the facility.~~
- d) MANG
- 1) ~~A recipient residing in a Department of Human Services (DHS) State psychiatric hospital or developmental center is allowed \$30 per month in lieu of any other MANG standard.~~
 - 2) ~~As soon as MANG(AABD) clients become residents of a DHS facility (see subsection (d)(1) of this Section), a skilled nursing facility, an intermediate care facility, or other facility, their eligibility for MANG is determined separately from persons remaining in the home.~~
 - 3) ~~When eligibility is based on being temporarily discharged from a DHS facility (see subsection (d)(1) of this Section) for the purpose of obtaining medical care in a general hospital, the amount which the recipient is obligated to pay DHS for care and maintenance is to be allowed in addition to the \$30.~~
 - 4) ~~Clients in a long term facility are allowed deductions from their non-SSI income to meet the needs of their community spouse, dependent family members and dependent children under the age of 21 years who do not reside with the community spouse. Family members include dependent children under the age of 21 years, dependent adult children, dependent~~

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~~parents or dependent siblings of either spouse who reside with the spouse in the community. To calculate the amount of non-SSI income to be deducted, use the:~~

- ~~A) Community Spouse Maintenance Needs Allowance (as described at Ill. Adm. Code 120.61) if the deduction is for a spouse in the community;~~
- ~~B) Family Maintenance Needs Allowance (as described in Ill. Adm. Code 120.61), if the deduction is for dependent family members residing with the community spouse; and~~
- ~~C) Temporary Assistance for Needy Families (TANF) cash grant standard if the deduction is for dependent children under the age of 21 years who do not reside with the community spouse.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.40 Exceptions To Use Of MANG Income Standard MANG(AABD) (Repealed)

- ~~a) An individual receiving long term care in a licensed group care facility is allowed \$30 per month in lieu of the MANG standard.~~
- ~~b) Spouses sharing a room in a long term care facility, including a DMHDD facility or other medical care facility are considered residing together, if it is to their advantage when determining eligibility. For spouses considered residing together allow sixty dollars (\$60) per month for each individual in lieu of the MANG standard.~~
- ~~e) A client 65 years of age and over receiving care in a State mental hospital is considered to be receiving long term care.~~
- ~~d) Children under age 21 are considered to be receiving long term care if they are residing in one of the following settings:
 - ~~1) Skilled nursing and intermediate care facilities approved for participation.~~
 - ~~2) Psychiatric hospitals approved for participation.~~~~

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(Source: Repealed at 34 Ill. Reg. _____, effective _____)

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section 120.60 Community Cases ~~Other Than Long Term Care, Pregnant Women and Certain Children~~

The following subsections apply to persons or family units who reside in the community or community-based residential facilities or settings (such as a Community Living Facility, Special Home Placement, Home Individual Program or Community and Residential Alternatives (59 Ill. Adm. Code 120.10)) ~~all cases other than those receiving care in licensed intermediate care facilities, licensed skilled nursing facilities, Department of Human Services (DHS) facilities, or DHS approved community-based residential settings under 89 Ill. Adm. Code 140.643, or pregnant women and children under age 19 who do not qualify as mandatory categorically needy.~~

- a) The eligibility period shall begin with:
 - 1) the first day of the month of application;
 - 2) the first day of any month, prior to the month of application, in which the person/ient meets financial and non-financial eligibility requirements up to three months prior to the month of application, if the person/ient so desires; or
 - 3) the first day of a month, after the month of application, in which the person/ient meets non-financial eligibility requirements.
- b) Eligibility Without Spenddown for MANG
 - 1) For MANG AABD-MANG, if the person's countable/ient's nonexempt income available during the eligibility period is equal to or below the applicable MANG AABD income standard (SectionSections 120.20 and 120.30) and nonexempt resourcesassets are not in excess of the applicable resourceasset disregard (Section 120.382), the person/ient is eligible for medical assistance from the first day of the eligibility period. The Department will pay for covered services received during the entire eligibility period.

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- 2) For TANF MANG, if the ~~person's countable~~~~client's nonexempt~~ income available during the eligibility period is equal to or below the applicable MANG standard (Sections 120.20 and 120.30), the ~~person~~~~client~~ is eligible for medical assistance from the first day of the eligibility period. The Department will pay for covered services received during the entire eligibility period.
 - 3) The ~~person~~~~client~~ is responsible for reporting any changes that occur during the eligibility period ~~that~~~~which~~ might affect eligibility for medical assistance. If changes occur, appropriate action shall be taken by the Department, including termination of eligibility for medical assistance. If changes in income, ~~resources~~~~assets~~ or family composition occur that would make the ~~person~~~~client~~ a spenddown case, a spenddown obligation will be determined and subsection (c) of this Section will apply.
 - 4) A redetermination of eligibility will be made at least every 12 months.
- c) Eligibility with Spenddown for MANG
- 1) For ~~AABD-MANG~~ AABD community cases, if the ~~person's countable~~~~client's nonexempt~~ income available during the applicable eligibility period is greater than the applicable MANG AABD income standard and/or nonexempt ~~resources~~~~assets~~ are over the applicable ~~resource~~~~asset~~ disregard, the ~~person~~~~client~~ must meet the spenddown obligation determined for the eligibility period before becoming eligible to receive medical assistance. The spenddown obligation is the ~~sum of the~~ amount by which the ~~person's countable~~~~client's nonexempt~~ income exceeds the MANG AABD income standard ~~and/or~~~~and~~ the amount of nonexempt ~~resources~~~~assets~~ in excess of the applicable ~~resource~~~~asset~~ disregard (see Section 120.384).
 - 2) For TANF MANG, if a person's countable~~the client's nonexempt~~ income available during the applicable eligibility period is greater than the applicable MANG standard (see Sections 120.20 and 120.30 of this Part), the ~~person~~~~client~~ must meet the spenddown obligation determined for the eligibility period before becoming eligible to receive medical assistance. The spenddown obligation is the amount by which the ~~person's countable~~~~client's nonexempt~~ income exceeds the MANG standard.

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- 3) ~~A person~~~~The client~~ meets the spenddown obligation by incurring or paying for medical expenses in an amount equal to the spenddown obligation. ~~Persons~~~~AABD-MANG clients~~ also have the option of meeting their income or resource spenddown by paying or having a third-party pay the amount of their spenddown obligation to the Department.

A) Incurred expenses are expenses for medical or remedial services:

- i) recognized under State law;
- ii) rendered to the person, the person's family, or a financially responsible relative;
- iii) for which the person is liable in the current month for which eligibility is being sought or was liable in any of the 3-month retroactive eligibility period described in subsection (a) of this Section; and
- iv) for which no third party is liable in whole or in part unless the third party is a State program.

B)A) Incurred medical~~Medical~~ expenses shall be applied to the spenddown obligation in the following order:

- i) Expenses for necessary medical or remedial services, as funded by DHS from sources other than federal funds. ~~The~~~~Such~~ expenses shall be based on the service provider's usual and customary charges to the public. ~~The~~~~Such~~ expenses shall not be based on any nominal amount the provider may assess the ~~person~~~~client~~. These charges are considered incurred the first day of the month, regardless of the day the services are actually provided.
- ii) Payments made for medical expenses within the previous six months. Payments are considered incurred the first day of the month of payment.
- iii) Unpaid medical expenses. These are considered as of the date of service and are applied in chronological order.

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- C)B) If multiple medical expenses are incurred on the same day, the expenses shall be applied in the following order:
- i) Health insurance deductibles (including Medicare and other co-insurance charges).
 - ii) All copayment charges incurred or paid on spenddown met day.
 - iii) Expenses for medical services and/or items not covered by the Department's Medical Assistance Program.
 - iv) Cost share amounts incurred for in-home care services by individuals receiving services through the Department on Aging (DonA).
 - v) Expenses incurred for in-home care services by individuals receiving or purchasing services from private providers.
 - vi) Expenses incurred for medical services or items covered by the Department's Medical Assistance Program. If more than one covered service is received on the day, the charges will be considered in order of amount. The bill for the smallest amount will be considered first.
- D)E) If a service is provided during the eligibility period but payment may be made by a third party, such as an insurance company, the medical expense will not be considered towards spenddown until the bill is adjudicated. When adjudicated, that part determined to be the responsibility of the personelient shall be considered as incurred on the date of service.
- E)D) AABD MANG spenddown personselients may choose to pay or to have a third-party pay the amount of their spenddown obligation to the Department to meet spenddown. The following rules will govern when personselients or third parties choose to pay the spenddown:

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- i) Payments to the Department will be applied to the spenddown obligation after all other medical expenses have been applied per subsections (c)(3)(A), ~~and~~ (B) ~~and (C)~~ of this Section.
 - ii) Excess payments will be credited forward to meet the spenddown obligation of a subsequent month for which the ~~person~~~~ient~~ chooses to meet spenddown.
 - iii) The spenddown obligation may be met using a combination of medical expenses and amounts paid.
- 4) After application for medical assistance for cases eligible with a spenddown obligation ~~that who~~ do not have a QMB or MANG(P) member, an additional eligibility determination will be made.
- A) For TANF MANG, if countable income is greater than the income standard (Section 120.30), and for AABD MANG, if countable income is greater than the income standard or countable ~~resources~~~~assets~~ are greater than the ~~resource~~~~asset~~ disregard (Section 120.382(d)), a person will not be enrolled in spenddown unless:
 - i) the person does not have a spenddown obligation for any month of the 12-month enrollment period;
 - ii) medical expenses equal the spenddown obligation for at least one month of the 12-month enrollment period; or
 - iii) the person is on a waiting list or would be on a waiting list to receive a transplant if he or she had a source of payment.
 - B) Cases that meet any of these conditions will be notified, in writing, of the spenddown obligation. The ~~person~~~~ient~~ will also be notified that his or her case will be reviewed beginning in the sixth month of the 12-month enrollment period. If the ~~person~~~~ient~~ has not had medical eligibility in one of the last three months at the time of review (including the month of review), the case will terminate unless the case contains a person who is on a waiting list

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or who would be on a waiting list to receive a transplant if he or she had a source of payment. A new application will be required if the [person/lient](#) wishes continued medical assistance.

- C) When proof of incurred medical expenses equal to the spenddown obligation is provided to the local office, eligibility for medical assistance shall begin effective the first day that the spenddown obligation is met. The Department will pay for covered services received from that date until the end of the eligibility period. The [person/lient](#) shall be responsible, directly to the provider, for payment for services provided prior to the time the [person/lient](#) meets the spenddown obligation.
- 5) Cases with a spenddown obligation that do not have a QMB, a MANG(P) member or a person on a waiting list or who would be on a waiting list to receive a transplant if he or she had a source of payment, will be reviewed beginning in the sixth month of enrollment to determine if they have had medical eligibility within the last three months, including the month of review. If so, enrollment will continue. If not, enrollment will be terminated and the [person/lient](#) will be advised that if he or she wishes continued medical assistance, a reapplication must be filed. Upon reapplication, a new 12-month enrollment period will be established (assuming non-financial factors of eligibility are met). If appropriate, a new spenddown obligation will be created.
- A) If the [person/lient](#) files a reapplication prior to four months after the end of the period of enrollment, the [person/lient](#) will be sent through a special abbreviated intake procedure making use of current case record material to verify factors of eligibility not subject to change.
- B) Cases that remain eligible in the tenth month of the enrollment period or that have a QMB, a MANG(P) member or a person on a waiting list or who would be on a waiting list to receive a transplant if he or she had a source of payment, will remain enrolled and will be redetermined once every 12 months.
- 6) The [person/lient](#) is responsible for reporting any changes that occur during the enrollment period that might affect eligibility for medical assistance.

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If changes occur, appropriate action shall be taken by the Department, including termination of eligibility for medical assistance.

- 7) For ~~AABD~~-MANG AABD, if changes in income, resourcesassets or family composition occur, appropriate adjustments to the spenddown obligation and date of eligibility for medical assistance shall be made by the Department. The personelient will be notified, in writing, of the new spenddown obligation.
 - A) If income decreases, or resourcesassets fall below the applicable resourceasset disregard and, as a result, the personelient has already met the new spenddown obligation, eligibility for medical assistance shall be backdated to the appropriate date.
 - B) If income or resourcesassets increase and, as a result, the personelient has not produced proof of incurred medical expenses equal to the new spenddown obligation, the written notification of the new spenddown amount will also inform the personelient that eligibility for medical assistance will be interrupted until proof of medical expenses equal to the new spenddown obligation is produced.
- 8) For TANF MANG, if changes in income or family composition occur, appropriate adjustments to the spenddown obligation and date of eligibility for medical assistance shall be made by the Department. The personelient will be notified, in writing, of the new spenddown obligation.
 - A) If income decreases and, as a result, the personelient has already met the new spenddown obligation, eligibility for medical assistance shall be backdated to the appropriate date.
 - B) If income increases and, as a result, the personelient has not produced proof of incurred medical expenses equal to the new spenddown obligation, the written notification of the new spenddown amount will also inform the personelient that eligibility for medical assistance will be interrupted until proof of medical expenses equal to the new spenddown obligation is produced.
- 9) Reconciliation of Amounts Paid-in to Meet Spenddown

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- A) The Department will reconcile payments received to meet an income spenddown obligation for a given month against the amount of claims paid for services received in that month and refund any excess spenddown paid to the [personelient](#). Excess amounts paid for a calendar month will be determined and refunded to the [personelient](#) six calendar quarters later. Refund payments will be made once per quarter.
- B) The Department will reconcile payments received to meet a [resourcean-asset](#) spenddown obligation against the amount of all claims paid during the individual's period of enrollment for medical assistance. Excess amounts paid will be determined and refunded to the individual six calendar quarters after the individual's enrollment for medical assistance ends.
- C) When payments are received to meet both a [resourcean-asset](#) and an income spenddown obligation, the Department will first reconcile the amount of claims paid to amounts paid toward the [resourceasset](#) spenddown. If the total amount of claims paid have not met or exceeded the amount paid to meet the [resourceasset](#) spenddown by the time the individual's enrollment ends, the excess [resourceasset](#) payments shall be handled per subsection (c)(3)(~~C~~)(~~B~~) of this Section. Once the amount of claims paid equals or exceeds the amount paid toward the [resourceasset](#) spenddown, the remaining amount of claims paid will be compared against the amount paid to meet the income spenddown per subsection (c)(3)(~~B~~)(~~A~~) of this Section.
- 10) The Department will refund payment amounts received for any months in which the [personelient](#) is no longer in spenddown status and the payment cannot be used to meet a spenddown obligation. These payment amounts shall not be subject to reconciliation under subsection (c)(9) of this Section. Refunds shall be processed within six months after the case status changed.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.61 [Long Term Care](#)~~Cases in Intermediate Care, Skilled Nursing Care and~~

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~~**DMHDD-MANG (AABD) and All Other Licensed Medical Facilities**~~

This Section applies to persons residing in long term care facilities or State-certified, State-licensed, or State-contracted residential care programs who, as a condition of eligibility for medical assistance, are required to pay all of their income, less certain protected amounts, for the cost of their own care.

- a) The term "long term care facility" refers to:
- 1) an institution (or a distinct part of an institution) that meets the definition of a "nursing facility" as that term is defined in 42 USC 1396r;
 - 2) licensed Intermediate Care Facilities (ICF and ICF/DD), licensed Skilled Nursing Facilities (SNF and SNF/Ped) and licensed hospital-based long term care facilities (see 89 Ill. Adm. Code 148.50(c)); and
 - 3) Supportive Living Facilities (SLF) and Community Integrated Living Facilities (CILA). The policy set forth in subsections (b), (c), (d) and (e) below applies to cases receiving care in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, or Department of Mental Health and Developmental Disabilities (DMHDD) Facilities. The policy set forth in subsection (f) below applies to cases receiving care in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, DMHDD Facilities and all other Licensed Medical Facilities (see 89 Ill. Adm. Code 140.642).
- b) The eligibility period shall begin with: ~~Treatment of Resources~~
- 1) the first day of the month of application;
 - 2) up to three months prior to the month of application for any month in which the person meets both financial and non-financial eligibility requirements. Eligibility will be effective the first day of a retroactive month if the person meets eligibility requirements at any time during that month; or
 - 3) the first day of a month, after the month of application, in which the person meets non-financial and financial eligibility requirements.

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c) Eligibility Without Spenddown

- 1) A one-month eligibility period will be used. If a person's nonexempt income available during the eligibility period is equal to or below the applicable income standard and nonexempt resources are not in excess of the applicable resource disregard (see Section 120.382 of this Part), the person is eligible for medical assistance from the first day of the eligibility period without a spenddown. All nonexempt income and non-exempt assets over the applicable asset disregard (Section 120.382) shall be applied towards the cost of care on a monthly basis. Non-exempt income (see Section 120.360) and assets (see 120.381) are applied towards the cost of care beginning with the first full calendar month of anticipated stay in the facility. Non-exempt income shall be applied toward the cost of care first. If insufficient to meet the cost of care at the private pay rate, then non-exempt assets over the applicable asset disregard shall be used.

- 2) A person eligible under this subsection (c) is responsible for reporting any changes that occur during the eligibility period that might affect eligibility for medical assistance. If changes occur, appropriate action shall be taken by the Department, including termination of eligibility for medical assistance. If changes in income, resources or family composition occur that would make the person a spenddown case, a spenddown obligation will be determined and subsection (d) of this Section will apply. When a client transfers between non-DMHDD facilities or transfers to a DMHDD facility, non-exempt income and/or excess assets are applied first toward the cost of care at the first facility and any balance is applied toward the cost of care at the second facility. If the client transfers from a DMHDD facility to a non-DMHDD facility, non-exempt income and/or excess assets are not applied toward the cost of care at the non-DMHDD facility for the month the transfer occurs. If the client is discharged from a DMHDD facility or non-DMHDD facility to his/her residence in the community or to a community based residential setting (such as Community Living Facility, Special Home Placement, Supported Living Arrangement, Home Individual Program, Community Residential Alternatives as defined at 59 Ill. Adm. Code 120.10), the MANG Community Income Standard is used (see Section 120.20) beginning with the month of discharge from the DMHDD facility or non-DMHDD. 3) If non-exempt income and non-exempt assets over the applicable asset disregard are greater than the Department's rate for cost of care, no

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~~payment will be made to the facility. However, the client may become eligible for Medical Assistance for other medical expenses by incurring medical expenses equal to the spend-down obligation. The private rate of the facility may be applied to the spend-down obligation in this instance. A full redetermination of eligibility shall be made at least every 12 twelve (12) months.~~

- ~~d)e) Eligibility with Spenddown Allow a deduction from the MANG client's income to meet the needs of dependent children under age 21 who do not reside with the community spouse, who do not have enough income to meet their needs and whose assets do not exceed the asset limit. To determine needs and asset limits:~~
- ~~1) If countable income available during the eligibility period exceeds the applicable income standard and/or nonexempt resources exceed the applicable resource disregard, a person has a spenddown obligation that must be met before financial eligibility for medical assistance can be established. The spenddown obligation is the amount by which the person's countable income exceeds the applicable income standard or nonexempt resources exceed the applicable resource disregard. for dependent children, use AFDC MAG standard and asset disregard (see Sections 120.30 and 120.382).~~
 - ~~2) A person meets the spenddown obligation by incurring or paying for medical expenses in an amount equal to the spenddown obligation. Medical expenses shall be applied to the spenddown obligation as provided in Section 120.60(c) of this Part. allow any payments made on medical bills for the children.~~
 - ~~3) Projected expenses for services provided by a long term care facility that have not yet been incurred, but are reasonably expected to be, may also be used to meet a spenddown obligation. The amount of the projected expenses is based on the private pay rate of the long term care facility at which the person resides or is seeking admission.~~
 - ~~4) A person who has both an income spenddown and a resource spenddown cannot apply the same incurred medical benefits to both. Incurred medical expenses are first applied to an income spenddown.~~
- ~~e)d) Post-eligibility Treatment of Income. If non-financial and financial eligibility is~~

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~~established, a person's total income, including income exempt and disregarded in determining eligibility, must be applied to the cost of the person's care, minus any applicable deductions provided under subsection (f) of this Section. Allow deductions from the MANG clients non-SSI income for a Community Spouse Maintenance Needs Allowance and a Family Maintenance Needs Allowance for each dependent family member who does not have enough income to meet his/her needs. Family members include dependent children under age 21, dependent adult children, dependent parents or dependent siblings of either spouse who are living with the community spouse. To determine the amount of the deduction:~~

- ~~1) The deduction for the Community Spouse Maintenance Needs Allowance, as of October 1, 1989, is equal to the community spouse maintenance needs standard (\$1,500) less any non-exempt monthly income of the community spouse. The amount established as the community spouse maintenance needs standard shall be increased for calendar years after 1989 by the same percentage as the percentage increase in the consumer price index for all urban consumers. The deduction is allowed only to the extent income of the institutionalized spouse is contributed to the community spouse. However, the deduction for the Community Spouse Maintenance Needs Allowance shall not be less than the amount ordered by the court for support of the community spouse or the amount determined as the result of the fair hearing.~~
- ~~2) The deduction for the Family Maintenance Needs Allowance for each dependent family member is equal to one-third of the difference between the family maintenance needs standard (122% of the Federal Poverty Level for two persons as of September 30, 1989, 133% as of July 1, 1991, and 150% as of July 1, 1992) and any non-exempt income of the family member.~~

f)e) Post-eligibility Income Deductions. From a person's total income that is payable for a person's care, certain deductions are allowed. Allowed deductions shall increase the amount paid by the Department for residential services on behalf of the person, up to the Department's payment rate for the facility. Deductions shall be allowed for the following amounts in the following order:

- 1) SSI benefits paid under 42 USC 1382(e)(1)(E) or (G) and, for residents of Supportive Living Facilities, the minimum current SSI payment standard for an individual (or a couple, if spouses reside together), less the personal

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needs allowance specified in subsection (f)(2)(C) of this Section, shall be deducted for room and board charges (see 89 Ill. Adm. Code 146.225(c) and (d));

- 2) a personal needs allowance:
 - A) for persons other than those specified in subsections (f)(2)(B) through (E), \$30 per month;
 - B) for spouses residing together, \$60 per couple per month (\$30 per spouse);
 - C) for persons or spouses residing in Supportive Living Facilities, \$90;
 - D) for persons residing in Community Integrated Living Arrangements (see 59 Ill. Adm. Code 115), \$50; or
 - E) for veterans who have neither a spouse nor dependent child, or surviving spouses of veterans who do not have a dependent child, and whose monthly veterans' benefits are reduced to \$90, a \$90 income disregard is allowed in lieu of a personal allowance deduction. Persons allowed the \$90 per month income disregard are not also permitted the \$30 per month personal allowance;
- 3) a community spouse income allowance pursuant to Section 120.379(e) of this Part;
- 4) a family allowance pursuant to Section 120.379(e)(2) of this Part;
- 5) an amount to meet the needs of qualifying children (as defined in 26 USC 152) under age 21 who do not reside with either parent, who do not have enough income to meet their needs and whose resources do not exceed the resource limit. To determine needs and resource limits:
 - A) the MANG(C) and applicable resource disregard are used (see Sections 120.30 and 120.382 of this Part); and

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- B) any payments made on medical bills for the children can be deducted from the person's income;
- 6) amounts for incurred expenses for certain Medicare and health insurance cost sharing that are not subject to payment by a third party, limited to:
- A) Medicare premiums, deductibles, or coinsurance charges not paid by Medicaid or another third party payor;
 - B) Other health insurance premiums, deductibles or coinsurance (cost sharing) charges provided the insurance meets the definition of a "health benefit plan" and is approved for providing that insurance in Illinois by the Illinois Department of Insurance.
 - i) "Health benefit plan" means any accident and health insurance policy or certificate, health services plan contract, health maintenance organization subscriber contract, plan provided by a MEWA (Multiple Employer Welfare Arrangement) or plan provided by another benefit arrangement.
 - ii) Health benefit plan does not mean accident only, credit, or disability insurance; long-term care insurance (except for the month of admission to a long term care facility); dental only or vision only insurance; specified disease insurance; hospital confinement indemnity coverage; limited benefit health coverage; coverage issued as a supplement to liability insurance; insurance arising out of a workers' compensation or similar law; automobile medical payment insurance; or insurance under which benefits are payable with or without regard to fault and that is statutorily required to be contained in any liability insurance policy or equivalent self-insurance;
- 7) Expenses Not Subject to Third Party Payment for Necessary Medical Care Recognized under State Law, but Not a Covered Service under the Medical Assistance Program. "Necessary medical care" has the meaning described in 215 ILCS 105/2 and must be proved as such by a prescription, referral or statement from the patient's doctor or dentist. The

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following are allowable deductions from a person's post-eligibility income for medically necessary services:

- A) expenses incurred within the six months prior to the month of an application, provided those expenses remain a current liability to the person and were not used to meet a spenddown. Medical expenses incurred during a period of ineligibility resulting from a penalty imposed under Section 120.387 or 120.388 of this Part are not an allowable deduction;
 - B) expenses incurred for necessary medical services from a medical provider (subject to reasonable dollar limits on specific services) so long as the provider was not terminated, barred or suspended from participation in the Medical Assistance Program (pursuant to 89 Ill. Adm. Code 140.16, 140.17 or 140.18) at the time the medical services were provided; and
 - C) expenses for long term care services, subject to the limitations of this subsection (f)(7) and provided that the services were not provided by a facility to a person admitted during a time the facility was subject to the sanction of non-payment for new admissions (see 305 ILCS 5/12-4.25(I)(3));
- 8) Amounts to maintain a residence in the community for up to six months when:
- A) the person does not have a spouse and/or dependent children in the home;
 - B) a physician has certified that the stay in the facility is temporary and the individual is expected to return home within six months;
 - C) the amount of the deduction is based on:
 - i) the rent or property expense allowed under the AABD MAG standard if the person was at home (see 89 Ill. Adm. Code 113.248); and

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- ii) the utility expenses that would be allowed under the AABD MAG standard if the person was at home (see 89 Ill. Adm. Code 113.249).

~~Allow a \$90.00 per month income disregard for veterans, who have neither spouse nor dependent child, or surviving spouses, who do not have a dependent child, who reside in long term care facilities who receive reduced monthly veterans benefits in the amount of \$90.00. Persons allowed the \$90.00 per month income disregard are not also permitted the \$30.00 per month personal allowance (see Section 120.40).~~

- f) ~~Deduction from MANG program~~
- 1) ~~A deduction from the MANG program participant's income shall be permitted for up to six months to maintain a residence in the community when:~~
- A) ~~the individual does not have a spouse and/or dependent children in the home; and~~
- B) ~~a physician has certified that the stay in the facility is temporary and the individual is expected to return home within six months.~~
- 2) ~~To determine the amount of the deduction include:~~
- A) ~~rent or property expense that would be allowed in the AABD MAG standard if the individual was at home; and~~
- B) ~~utility expenses that would be allowed in the AABD MAG standard if the individual was at home.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

**Section 120.62 Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code
140.643 (Repealed)**

- a) ~~Community-based Residential Settings~~

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- 1) ~~The following rule applies to individuals receiving in-home care services through the Department of Mental Health and Developmental Disabilities (DMHDD) in accord with 89 Ill. Adm. Code 140.643. The in-home care services are provided in the following community based residential settings:~~
 - A) ~~Community Living Facilities (CLF)~~
 - B) ~~Special Home Placements (SHP)~~
 - C) ~~Supported Living Arrangement (SLA)~~
 - D) ~~Home Individual Program (HIP)~~
 - E) ~~Community Residential Alternatives (CRA)~~
- 2) ~~A definition of the above quoted Home and Community based residential settings as well as a description of the Title XIX waiver services can be found at 59 Ill. Adm. Code 120.~~
 - b) ~~A one-month eligibility period will be used. Eligibility begins the first day of the eligibility period or the day during the month that spend-down is met.~~
 - e) ~~A one-person MANG Community Income Standard will be used (see Section 120.20).~~
 - d) ~~The client shall be allowed an asset disregard in the amount for one client in accord with Section 120.382. Assets are considered in accord with 89 Ill. Adm. Code 113.140, 113.141, 113.142 and 113.154.~~
 - e) ~~If the client has SSI income, the SSI income will be applied by DMHDD toward the cost of room and board. However, no payment will be made by the Department for the cost of room and board. The client shall be responsible directly to DMHDD for payment of room and board costs.~~
 - f) ~~If the client's non-exempt income is greater than the MANG standard and/or non-exempt assets are over the applicable asset disregard, the client must meet the spend-down obligation determined for the eligibility period before becoming eligible to receive Medical Assistance. The spend-down obligation is the sum of~~

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~~the amount by which the client's non-exempt income exceeds the MANG standard and the amount of non-exempt assets in excess of the applicable asset disregard.~~

- ~~g) The client may meet the spend-down by incurring Title XIX waiver (in-home care) services. Waiver services are considered incurred in total for the month on the first day of the month or the first day of stay for a month that the client resides in the approved residential setting if for less than an entire month. If the cost of waiver services equals or exceeds the spend-down amount, the spend-down obligation is met. DMHDD will provide the local office a statement of expected monthly charges for waiver services to ensure that the spend-down obligation is met.~~
- ~~h) If the client's non-exempt income is equal to or less than the MANG Standard and non-exempt assets are not in excess of the applicable asset disregard, the client is eligible for medical assistance from the first day of the eligibility period.~~
- ~~i) If the client's non-exempt income exceeds the MANG Standard and/or non-exempt assets are over the applicable asset disregard, eligibility for medical assistance shall begin effective the first day that the spend-down obligation is met. The Department will pay for covered services less the client's liability (excluding Title XIX waiver services) received from the date the spend-down obligation is met date until the end of the eligibility period. The client shall be responsible directly to the provider for payment for services provided prior to the time client meets the spend-down obligation.~~
- ~~j) A new application and/or a redetermination of eligibility will not be required for eligible clients who move from an institutional setting to an approved Home and Community based residential setting.~~
- ~~k) A case review is required for eligible cases placed in an approved residential setting.~~
- ~~l) A full redetermination of eligibility shall be made every twelve months.~~

(Source: Repealed at 34 Ill. Reg. _____, effective _____)

**Section 120.63 Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings (Repealed)**

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- a) ~~In-Home-Care Services~~
- 1) ~~This Section applies to individuals receiving remedial care services through the Department of Mental Health and Developmental Disabilities (DMHDD) in Home and Community Based Residential Settings approved by DMHDD. Remedial care services are those services (except for room and board) provided by DMHDD that are directed toward meeting the needs of disabled clients who are not receiving services through the Department's In-Home Care Program (see Section 120.62). The remedial care services are provided in the following Home and Community Based Residential Settings:~~
- A) ~~Community Living Facilities (CLF)~~
- B) ~~Special Home Placements (SHP)~~
- C) ~~Supported Living Arrangement (SLA)~~
- D) ~~Home Individual Program (HIP)~~
- E) ~~Community Residential Alternatives (CRA)~~
- 2) ~~A definition of the Home and Community Based Residential Settings can be found at 59 Ill. Adm. Code 120.~~
- b) ~~A one-month eligibility period will be used. Eligibility begins the first day of the eligibility period or the day during the month that spend-down is met.~~
- c) ~~A one-person MANG Community Income Standard will be used (see Section 120.20).~~
- d) ~~The client shall be allowed an asset disregard in the amount for one client in accord with Section 120.382. Assets are considered in accord with 89 Ill. Adm. Code 113.140, 113.141, 113.142 and 113.154.~~
- e) ~~If the client has SSI income, the SSI income will be applied by DMHDD toward the cost of room and board. The client shall be responsible directly to DMHDD for payment of room and board costs. No payment will be made by the Department for the cost of room and board.~~

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- f) ~~If the client's non-exempt income is greater than the MANG Standard and/or non-exempt assets are over the applicable asset disregard, the client must meet the spend-down obligation determined for the eligibility period before becoming eligible to receive medical assistance. The spend-down obligation is the sum of amount by which the client's non-exempt income exceeds the MANG Standard and the amount on non-exempt assets in excess of the applicable asset disregard.~~
- g) ~~The client may meet the spend-down by incurring costs for remedial care services. Remedial care costs are the cost of all services reported by DMHDD that exceed the MANG Community Income Standard and the Income Disregard amount. Remedial care services are considered incurred in total for the month on the first day of the month or the first day of stay for a month that the client resides in the approved residential setting if for less than an entire month. If the cost of remedial care services equal or exceeds the spend-down amount, the spend-down obligation is met. DMHDD will provide the local office a statement of expected monthly charges for remedial care services to ensure that the spend-down obligation is met.~~
- h) ~~If the client's non-exempt income is equal to or less than the MANG Standard and non-exempt assets are not in excess of the applicable asset disregard, the client is eligible for medical assistance from the first day of the eligibility period.~~
- i) ~~If the client's non-exempt income exceeds the MANG Standard and/or non-exempt assets are over the applicable asset disregard, eligibility for medical assistance shall begin effective the first day that the spend-down obligation is met. Covered services, less the client's liability, received from the spend-down met date until the end of the eligibility period will be paid for by the Department. The client shall be responsible directly to the provider for payment for services provided prior to the time client meets the spend-down obligation.~~
- j) ~~A new application and/or a redetermination of eligibility will not be required for eligible clients who move from an institutional setting to an approved Home and Community Based Residential Setting.~~
- k) ~~A case review is required for eligible cases placed in an approved Home and Community Based Residential Setting.~~
- l) ~~A full redetermination of eligibility shall be made every twelve months.~~

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(Source: Repealed at 34 Ill. Reg. _____, effective _____)

**Section 120.65 Department of Mental Health and Developmental Disabilities (DMHDD)
Licensed Community-Integrated Living Arrangements (Repealed)**

- a) ~~Community Integrated Living Arrangement (CILA) Services~~
- 1) ~~This Section applies to individuals receiving CILA services through an agency licensed by DMHDD. CILA services are provided in approved settings where eight or fewer individuals with mental retardation (MR) or mental illness (MI) reside under the supervision of the agency licensed by DMHDD. Individuals actively participate in choosing services designed to provide treatment, habilitation, training, rehabilitation and other community integrative supports and in choosing a home from among those living arrangements available to the general public and/or housing owned or leased by an agency licensed by DMHDD.~~
 - 2) ~~The standards and licensure requirements for community integrated living arrangements are found at 59 Ill. Adm. Code 115.~~
- b) ~~A one-month eligibility period will be used. Eligibility begins the first day of the eligibility period or the day during the month that spend-down is met.~~
- e) ~~The appropriate MANG Community Income Standard will be used (see Section 120.20).~~
- d) ~~The individual shall be allowed an asset disregard in accordance with Section 120.382. Assets are considered in accordance with 89 Ill. Adm. Code 113.140, 113.141 and 113.142.~~
- e) ~~No payment will be made by the Department for the cost of room and board. The individual shall be responsible directly to the agency licensed by DMHDD for payment of any room and board costs.~~
- f) ~~If non-exempt income is greater than the MANG Standard and/or non-exempt assets are over the applicable asset disregard, the client must meet the spend-down determined for the eligibility period before becoming eligible to receive medical assistance. The spend-down is the sum of the amount by which the~~

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~~client's non-exempt income exceeds the MANG standard and the amount of non-exempt assets in excess of the applicable asset disregard.~~

- ~~g) The client may meet the spend-down by incurring costs for CILA services. CILA services are considered incurred in total for the month on the first day of the month or the first day services are received if for less than an entire month. If the cost of CILA services equals or exceeds the spend-down amount, the spend-down is met. DMHDD will provide the local office with a statement of expected monthly charges for CILA services to ensure that the spend-down obligation is met.~~
- ~~h) If non-exempt income is equal to or less than the MANG Standard and non-exempt assets are not in excess of the applicable asset disregard, the client is eligible for medical assistance from the first day of the eligibility period.~~
- ~~i) If non-exempt income exceeds the MANG Standard and/or non-exempt assets are over the applicable asset disregard, eligibility for medical assistance shall begin effective the first day that the spend-down obligation is met. Covered services, less the client's liability, received from the spend-down met date until the end of the eligibility period will be paid for by the Department. The client shall be responsible directly to the provider for payment for services provided prior to the time the client meets spend-down.~~
- ~~j) A new application and/or a redetermination of eligibility will not be required for eligible clients who move from an institutional setting to an approved setting in which CILA services are received.~~
- ~~k) A full redetermination of eligibility shall be made every twelve months.~~

(Source: Repealed at 34 Ill. Reg. _____, effective _____)

SUBPART H: MEDICAL ASSISTANCE – NO GRANT (MANG) ELIGIBILITY FACTORS**Section 120.308 Client Cooperation**

- a) As a condition of eligibility, clients must cooperate:
 - 1) in the determination of eligibility;

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- 2) with Department programs conducted for the purposes of acquisition or verification of information upon which eligibility may depend; and
 - 3) in applying for all financial benefits for which they may qualify and to avail themselves of thosesuch benefits at the earliest possible date.
- b) Clients are required to avail themselves of all potential income and resources and to take appropriate action to receive such resources, including those described under Section 120.388(d)(2) of this Part.
 - c) When eligibility cannot be conclusively determined because the individual is unwilling or fails to provide essential information or to consent to verification, the client is ineligible.
 - d) At screening, applicants shall be informed, in writing, of any information they are to provide at the eligibility interview.
 - e) At the eligibility interview or at any time during the application process, when the applicant is requested to provide information in his or her possession, the Department will allow 10ten (10) days for the return of the requested information. The first day of the 10ten (10) day period is the calendar day following the date the information request form is sent or given to the applicant. The last day of the 10ten (10) day period shall be a work day and is to be indicated on the information request form. If the applicant does not provide the information by the date on the information request form, the application shall be denied on the following work day.
 - f) At the eligibility interview or at any time during the application process, when the applicant is requested to provide third party information, the Department shall allow 10 calendarten (10) days for the return of the requested information or for verification that the third party information has been requested. The first day of the 10ten (10) day period is the calendar day following the date the information request form is sent or given to the applicant. The last day of the 10ten (10) day period shall be a work day and willis to be indicated on the information request form. It is to be indicated on the information request form that the applicant shall provide written verification of the request for the third party information. If the applicant does not provide the information or the verification that the information was requested by the date on the information request form, the application shall be denied on the following work day.

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- 1) Third party information is defined as information ~~that~~^{which} must be provided by someone other than the applicant. An authorized representative or person applying on another's behalf is not a third party, but is treated as if he ~~or she~~ were the applicant.
 - 2) The Department shall advise clients of the need to provide written verification of third party information requests and the consequences of failing to provide ~~that~~^{such} verification.
 - 3) If the applicant requests an extension either verbally or in writing in order to obtain third party information and provides written verification of the request for the third party information, such as a copy of the request that was sent to the third party, an extension of ~~forty-five (45)~~ days from the date of application shall be granted. The first day of the ~~forty-five (45)~~ day period is the calendar day following the date of application. The 45th day must be a work day.
 - 4) If an applicant's attempt to obtain third party information is unsuccessful, upon the applicant's request, the Department will assist in securing evidence to support the client's eligibility for assistance.
- g) Any information or verifications requested under this Section must be returned to the Department's or its agent's office in the manner indicated on the information request form. Information mailed or otherwise delivered to an address not indicated on the form will not toll the timeframes for providing information under this Section.
- h) Failure to cooperate in the determination of eligibility under this Section, including failure to provide requested information or verifications, is a basis for the denial of an application for benefits. A person has the right to appeal such a denial under 89 Ill. Adm. Code 102.80. The Department shall not deny an application if third party information cannot be timely obtained when the delay is beyond the control of the person and a timely request was made to the third party for the information. The Department shall not deny an application for failure to timely provide information in the applicant's possession if the person has made a good faith attempt to retrieve the information and is unable, due to incapacity, illness, family emergency or other just cause, to do so.

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(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.347 Treatment of Trusts and Annuities

- a) This Section applies to trusts established on or after August 11, 1993.
- b) A trust is any arrangement in which a grantor transfers property to a trustee or trustees with the intention that it be held, managed or administered by the trustee or trustees for the benefit of the grantor or designated beneficiaries. A trust also includes any legal instrument or device that is similar to a trust, including an annuity.
- c) A person shall be considered to have established a trust if resourcesassets of the person were used to form all or part of the principal of the trust and the trust is established (other than by will) by any of the following:
 - 1) the person;
 - 2) the person's spouse; or
 - 3) any other person, including a court or administrative body, with legal authority to act on behalf of or at the direction of the person or the person's spouse.
- d) This Section does not apply to the following trusts:
 - 1) an irrevocable trust containing the resourcesassets of a ~~disabled~~ person who is determined disabled (as ~~provideddescribed~~ in Section 120.314) and under age 65 that is established by a parent, grandparent, legal guardian or court for the sole benefit (as defined in Section 120.388(m)(2)) of the ~~disabled~~ person, if language contained in the trust stipulates that any amount remaining in the trust (up to the amount expended by the Department on medical assistance) shall be paid to the Department upon the death of the person. This exclusion continues after the person reaches age 65 as long as the person continues to be disabled but any additions made by the person to the trust after age 65 will be treated as a transfer of resourcesassets under ~~SectionsSection~~ 120.387 and 120.388. If the trust contains proceeds from a personal injury settlement, any Department charge (as described at 89 Ill. Adm. Code 102.260) must be satisfied in

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order for the trust to be excluded under this subsection; or

- 2) an irrevocable trust containing the resources/assets of a ~~disabled~~ person who is determined disabled (as ~~provided~~~~described~~ in Section 120.314) that is established and managed by a non-profit association that pools funds but maintains a separate account for each beneficiary that is established by the disabled person, a parent, grandparent, legal guardian or court for the sole benefit of the disabled person, if language contained in the trust stipulates that any amount remaining in the trust (up to the amount expended by the Department on medical assistance) that is not retained by the trust for reasonable administrative costs related to wrapping up the affairs of the subaccount shall be paid to the Department upon the death of the person. This exclusion continues after the person reaches age 65 as long as the person continues to meet the definition of disabled (to the extent permitted under federal law). Any funding of a subaccount in a pooled trust by a person over age 64 will be treated as a transfer for fair market value under Section 120.388 so long as the person meets the definition of disabled. If the trust contains proceeds from a personal injury settlement, any Department charge (as described at 89 Ill. Adm. Code 102.260) must be satisfied in order for the trust to be excluded under this subsection (d). A non-profit association under this subsection (d)(2) shall mean an entity that is:

A) organized and operated exclusively for other than profitmaking purposes and distributes no part of the entity's income to its members; and

B) qualified to receive charitable donations for which a taxpayer may lawfully claim a deduction under the provisions of section 501(a) of the Internal Revenue Code (26 USC 501(a)).

- e) Subsections (f) and (g) of this Section apply to the portion of the trust attributable to the person and without regard to:
- 1) the purpose for establishment of the trust;
 - 2) whether the trustee has or exercises any discretion under the trust; or
 - 3) whether there are any restrictions on distributions or use of distributions

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from the trust.

- f) For revocable trusts, the Department shall:
- 1) treat the principal as an available [resourceasset](#);
 - 2) treat as income payments from the trust that are made to or for the benefit of the person; and
 - 3) treat any other payments from the trust as transfers of [resourcesassets](#) by the person (subject to the provisions of [and depending on the date of the payment](#), Section 120.387 [or 120.388](#)).
- g) For irrevocable trusts, the Department shall:
- 1) treat as an available [resourceasset](#) the amount of the trust from which payment to or for the benefit of the person could be made;
 - 2) treat as income payments from the trust that are made to or for the benefit of the person;
 - 3) treat any other payments from the trust as transfers of [resourcesassets](#) by the person (subject to the provisions of Section 120.387 [or 120.388, as applicable](#)); and
 - 4) treat as a transfer of [resourcesassets](#) by the person the amount of the trust from which no payment could be made to the person under any circumstances (subject to the provisions of Section 120.387 [or 120.388, as applicable](#)). The date of the transfer is the date the trust was established or, if later, the date that payment to the person was foreclosed. The amount of the trust is determined by including any payments made from the trust after the date that payment to the person was foreclosed.
- [h\) Trust Income. For married couples, income from trusts shall be attributed to each spouse as provided in the trust, unless:](#)
- 1) [payment of income is made solely to one spouse, in which case the income shall be attributed to that spouse;](#)

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- 2) payment of income is made to both spouses, in which case one-half of the income shall be attributed to each spouse; or
 - 3) payment of income is made to either spouse, or both, and to another person or persons, in which case the income shall be attributed to each spouse in proportion to the spouse's interest, or, if payment is made to both spouses and no such interest is specified, one-half of the joint interest shall be attributed to each spouse.
- i) Annuities.
- 1) Revocable and assignable annuities are considered available resources.
 - 2) Income received from an annuity by an institutionalized person is considered non-exempt income. Income received by the community spouse of an institutionalized person is treated as available to the community spouse for the purpose of determining the community spouse income allowance under Section 120.379(e).
 - 3) An annuity owned by an institutionalized person or the community spouse of an institutionalized person that can be purchased by a willing and arm's length buyer shall be treated as an available resource, subject to the following:
 - A) Language in an annuity prohibiting transfer, assignment or revocation of the annuity shall not preclude the Department from treating the annuity as an available resource unless an assignment would materially change the duty of the issuer of the annuity (e.g., the financial institution or insurance carrier), or materially increase the burden or risk imposed on it under the annuity contract. A prohibition of assignment of an annuity is construed as barring only the delegation of duties of performance under the contract and not assignment of rights. (See UCC 810 ILCS 5/2-210(3).) Assignment of an annuitant's rights to payment under an annuity shall not be considered a material change to the duty of, or risk to, the issuer. To the extent they cannot be assigned, annuities with retirement tax status (26 USC 401 through 409A), including those described in Section 120.388(o)(1) and (2), are not subject to this subsection (i)(3)(A).

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- B) The Department presumes that the value of an available annuity shall be based on the present value of its future payments, using a term of years based on life expectancy (as determined under current actuarial tables published by the Office of the Chief Actuary of the Social Security Administration at <http://www.ssa.gov/OACT/STATS/table4c6.html>) and an interest rate based on IRC section 7520 interest rates (26 USC 7520), published monthly by the IRS. This presumption may be rebutted by documented evidence of quotes of viatical or other structured settlements showing that only a lesser value for an annuity can be obtained. To determine the credibility of a rebutted value, the Department may obtain its own valuations of an annuity based on quotes received from private entities. If the Department determines that an annuity cannot be sold for its present value, then the greatest value that can be obtained in an arm's length transaction on the open marketplace shall be the amount treated as an available resource.
- 4) The fact that a transaction involving an annuity is determined an allowable transfer under Section 120.388 does not exempt the annuity from the provisions of this subsection (i). An annuity considered an available resource under this subsection (i) shall not also be subject to penalty under Section 120.388. The appropriate treatment of an annuity, whether under this subsection (i) or Section 120.388, shall be based on the terms of the annuity, facts related to any transactions involving the annuity (as described in Section 120.388(e)(2)), and application and choice of law under the particular circumstances.
- 5) Only annuities purchased on or after the effective date of this rulemaking may be considered available resources under this Section.
- j) The principal of a trust fund established under the Self Sufficiency Trust Fund Program (see 20 ILCS 1705/21.1) is an exempt resource.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.379 Provisions for the Prevention of Spousal Impoverishment

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- a) ~~The provisions for the prevention of spousal impoverishment apply only to an institutionalized person (as defined in Section 120.388(c)) whose spouse resides in the community. For purposes of this Section, those persons shall be referred to as the institutionalized spouse and the community spouse, a resident of a long term care facility whose spouse resides in the community and to a person who but for the provision of home and community-based services under Section 4.02 of the Illinois Act on the Aging would require the level of care provided in a long term care facility and whose spouse resides in the community.~~
- b) Income. In determining the financial eligibility of an institutionalized spouse, only non-exempt income attributed to the institutionalized spouse shall be considered available. The following rebuttable presumptions shall apply in determining the income attributed to each spouse.~~An assessment is completed to determine the total combined amount of nonexempt assets of the individual and his or her community spouse:~~
- 1) if payment of income is made solely in the name of one spouse, the income will be considered available only to that spouse;~~when residence begins in a long term care facility or when home and community-based services begin; and~~
 - 2) if payment of income is made in the names of both spouses, one-half of the income shall be considered available to each spouse;~~when requested by either spouse or a representative acting on behalf of either spouse, even if an application for assistance has not been filed.~~
 - 3) if payment of income is made in the names of either spouse, or both, and to another person or persons, the income shall be considered available to each spouse in proportion to the spouse's interest (or, if payment is made to both spouses and no other interest is specified, one-half of the joint interest shall be considered available to each spouse);
 - 4) if payment of income is made from a trust, the income shall be considered available to each spouse as provided under Section 120.347(h); and
 - 5) if there is no trust or instrument establishing ownership, one-half of the income shall be considered available to the institutionalized spouse and one-half to the community spouse.

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- c) Resources. In determining the financial eligibility of an institutionalized spouse, the following shall apply.~~A re-assessment is not required if:~~
- 1) At the beginning of a continuous period of institutionalization, the total value of resources owned by either or both spouses shall be computed. ~~a resident of a long term care facility is discharged for a period of less than 30 days and then reenters the facility;~~
 - 2) Assessment. Upon the request of an institutionalized spouse, community spouse, or a representative of either, at the beginning of a continuous period of institutionalization, the Department shall conduct an assessment of the couple's resources for the purpose of determining the combined amount of nonexempt resources in which either spouse has an ownership interest. The person requesting the assessment shall be responsible for providing documentation and verification necessary for the Department to complete the assessment. ~~a resident of a long term care facility enters a hospital and then returns to the facility from the hospital;~~
 - 3) For purposes of this subsection (c), a continuous period of institutionalization is defined as at least 30 days of continuous institutional care. An initial assessment remains effective during that period if: ~~an individual discontinues receiving home and community-based services for a period of less than 30 days; or~~
 - A) a resident of a long term care facility is discharged for a period of less than 30 days and then reenters the facility;
 - B) a resident of a long term care facility enters a hospital and then returns to the facility from the hospital;
 - C) a person discontinues receiving home and community-based services for a period of less than 30 days; or
 - D) a person discontinues receiving home and community-based services due to hospitalization and then is discharged and begins to receive home and community-based services.
 - 4) At the time of an institutionalized spouse's application for medical assistance, all nonexempt resources held by either the institutionalized

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~~person, the community spouse, or both shall be considered available to the institutionalized spouse. From this amount may be deducted and transferred to the community spouse the Community Spouse Resource Allowance (CSRA), as provided under subsection (d) of this Section. The remaining amount shall be the total amount of resources considered available to the institutionalized spouse. an individual discontinues receiving home and community based services due to hospitalization and then is discharged and begins to receive home and community based services.~~

- d) ~~Transfer of Resources to the Community Spouse. From the amount of nonexempt resources considered available to the institutionalized spouse, as described in subsection (c)(4) of this Section, a~~ Transfer of Resources to the Community Spouse. From the amount of nonexempt resources considered available to the institutionalized spouse, as described in subsection (c)(4) of this Section, a ~~The transfer of resources~~ property is allowed, as determined in subsection (b) of this Section, by the institutionalized spouse ~~client~~ to the community spouse or to another individual for the sole benefit (as defined in Section 120.388(m)(2)(D)) of the community spouse in an amount that does not exceed the CSRA ~~Community Spouse Asset Allowance (CSAA). The CSRA is the difference between the amount of resources otherwise available to the community spouse and the greatest of: CSAA, as of October 1, 1989, is an amount up to but not greater than \$60,000 that the individual may transfer, without affecting eligibility, to the community spouse or to another individual for the sole benefit of the community spouse. As of October 1, 1989, the amount of assets an individual may transfer to his or her community spouse is \$60,000 minus any nonexempt assets of the community spouse. The amount established as the CSAA shall be provided for calendar years after 1989 by the Department of Health and Human Services. The CSAA may exceed the standard annual figure established by the U.S. Department of Health and Human Services only in one of the following circumstances:~~
- 1) ~~the amount established annually by the US Department of Health and Human Services (DHHS) (as of January 1, 2009, \$109,560); in a legal proceeding, a court approves the transfer of income-producing assets to the community spouse in an amount greater than the standard CSAA; or~~
 - 2) ~~the amount established through a fair hearing under subsection (f)(3) of this Section; or as the result of an appeal hearing (described in 89 Ill. Adm. Code 104.1), the Department determines that the transfer of income-producing assets to the community spouse in an amount greater than the standard CSAA is necessary to raise the community spouse's income to,~~

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~~but not more than, the Community Spouse Maintenance Needs Allowance (described in subsection (f) of this Section).~~

3) the amount transferred under a court order against an institutionalized spouse for the support of the community spouse.

A) ~~The Department will measure the amount of an allowable increase in the CSAA by the cost to purchase an actuarially sound single premium life annuity producing monthly payments that, when added to the community spouse's income, will be sufficient to raise the community spouse's income to, but not more than, the Community Spouse Maintenance Needs Allowance. If assets are insufficient to purchase such an annuity, the Department will measure the amount of an allowable increase in the CSAA by the cost to purchase an actuarially sound single premium life annuity producing monthly payments using available assets.~~

B) ~~It is the appellant's responsibility to provide the Department with an estimate from a reputable company of the cost to purchase the annuity.~~

C) ~~The Department may compare the estimate with available information on the cost of other single premium life annuities.~~

D) ~~In calculating the amount of the community spouse's income after approval of an increased CSAA, the Department shall deem the amount of the annuity payments as being available to the community spouse, although it will not require the actual purchase of an annuity.~~

e) ~~The appeal hearing, described in subsection (d)(2) of this Section, shall be held within 30 days after the date the appeal is filed.~~

e)f) Deductions are allowed from an institutionalized spouse's post-eligibility the MANG client's non-SSI income (pursuant to Section 120.61(d) and (e)) for a community spouse income allowance and a family allowance for a Community Spouse Maintenance Needs Allowance and a Family Maintenance Needs Allowance for each dependent family member who is living with the community spouse and who does not have enough income to meet his or her needs. Family

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~~members include dependent children under age 21, dependent adult children, dependent parents or dependent siblings of either spouse.~~ The deductions ~~are~~amount of the deduction is determined as follows:

- 1) ~~The deduction for the~~ Community Spouse Maintenance Allowance. ~~Spouse Maintenance Needs Allowance, as of October 1, 1989, is equal to the community spouse maintenance needs standard (\$1,500) less any nonexempt monthly income of the community spouse.~~
 - A) The amount of monthly income that may be deducted from the institutionalized spouse's post-eligibility income for the benefit of the community spouse is equal to the minimum monthly maintenance needs allowance (MMMNA) less the amount of monthly income otherwise available to the community spouse (as determined under subsection (b) of this Section. ~~The amount established as the MMMNA (as of January 1, 2009, \$2,739 per month) community spouse maintenance needs standard shall be provided for calendar years after 2009-1989 by DHHS the Department of Health and Human Services.~~
 - B) The deduction is allowed only to the extent the income of the person individual is in fact contributed to the community spouse. However, the deduction for the community spouse income allowance ~~Community Spouse Maintenance Needs Allowance shall not be less than the amount ordered by the court for support of the community spouse or the amount determined as the result of the fair hearing provided for under subsection (f) of this Section.~~
 - C) For purposes of this Section, all income of the institutionalized spouse that can be made available to the community spouse shall be made available before resources may be transferred in excess of the CSRA specified under subsection (d)(1) of this Section that will generate income to make up the difference between the MMMNA and the amount of income available to the community spouse.
- 2) Family Allowance. The amount of monthly income that may be deducted from the institutionalized spouse's post-eligibility income for the benefit of ~~The deduction for the Family Maintenance Needs Allowance for each~~

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~~dependent~~ family member is equal to one-third of the difference between the family maintenance needs standard (~~150%~~~~122%~~ of the annual Federal Poverty Level for two persons ~~as of September 30, 1989, 133% as of July 1, 1991 and 150% as of July 1, 1992~~) and any nonexempt income of the family member. Family members only include dependent children under age 21, dependent adult children, dependent parents or dependent siblings of either spouse who reside with the community spouse.

3) A deduction is also allowed from the institutionalized spouse's post-eligibility income for dependent children under age 21 who do not reside with the community spouse pursuant to Section 120.61(e)(5).

4) The term "dependent" has the meaning ascribed to a "qualified" person under 26 USC 152.

f) Fair Hearings. Either the institutionalized spouse or the community spouse may request a hearing (as described in 89 Ill. Adm. Code 104.1) under this Section for the following reasons:

1) either spouse is dissatisfied with a determination of:

A) the community spouse income allowance under subsection (e)(1) of this Section;

B) the amount of the monthly income treated as otherwise available to the community spouse (as applied under subsection (e)(1) of this Section);

C) the attribution of resources under subsection (c)(4) of this Section;
or

D) the determination of the CSRA under subsection (d) of this Section.

2) Either spouse may request an increase in the MMMNA under subsection (e)(1). If either spouse establishes that, due to exceptional circumstances resulting in significant financial duress, the community spouse needs income above the level provided by the MMMNA, an amount adequate to provide that additional income shall be substituted. For purposes of this

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subsection (f)(2), significant financial distress means expenses that the community spouse incurs in excess of the income standard, including:

- A) recurring or extraordinary medical expenses of the community spouse that are not covered by any third party resource, including insurance or the Medical Assistance Program;
- B) amounts necessary to preserve, maintain or make major repairs to homestead property; or
- C) amounts necessary to preserve an income producing resource, subject to the limitations on that property under Section 120.381(a)(3) and as long as the expense is reasonable in relation to the income produced by the resource.

3) Either spouse may request that an alternative CSRA be substituted for the standard CSRA calculated under subsection (d) of this Section if it can be established that the standard CSRA (in relation to the amount of income it generates) is inadequate to raise the community spouse's income to the MMMNA.

- A) Before a substitute CSRA may be allocated under this subsection (f)(3), the amount of income attributed to the institutionalized spouse that may be transferred to the community spouse under subsection (e) of this Section shall first be considered available to raise the community spouse's income to the MMMNA.
- B) If the sum of income otherwise available to the community spouse and income that may be transferred from the institutionalized spouse is insufficient to raise the community spouse's income to the MMMNA, then a substitute CSRA may be allowed. The amount the substitute CSRA may exceed the CSRA provided for under subsection (d) of this Section is limited to the amount of resources necessary to generate income to raise the community spouse's total income to the MMMNA.
- C) In determining the amount of income that a substitute CSRA under this subsection (f)(3) may generate, the Department will use, for purposes of comparison, the cost to purchase an actuarially sound

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- single premium life annuity producing monthly payments that, when added to the community spouse's total income, will be sufficient to raise the community spouse's income to, but not more than, the MMMNA. If resources are insufficient to purchase an annuity that will raise the community spouse's income to the MMMNA, the Department will measure the amount of an allowable increase in the CSRA by the cost to purchase an actuarially sound single premium life annuity producing monthly payments using available resources.
- D) It is the requesting person's responsibility to provide the Department with an estimate from a reputable company of the cost to purchase the annuity described in subsection (f)(3)(C).
- E) The Department may compare the estimate with available information on the cost of other single premium life annuities.
- F) In calculating the amount of the community spouse's income after approval of a substitute CSRA, the Department shall deem the amount of the monthly annuity payments as being available to the community spouse, although it will not require the actual purchase of an annuity.
- g) The appeal hearing described in subsection (d)(2) of this Section shall be held within 30 days after the date the appeal is filed.
- h) A transfer of resources under subsection (d) of this Section from the institutionalized spouse to the community spouse shall be made as soon as practicable after the date of initial determination of eligibility and before the first regularly scheduled redetermination of eligibility, taking into account such time as may be necessary to obtain a court order under subsection (d)(3) of this Section. If a transfer of resources to a community spouse has not been made by the first scheduled redetermination and no petition for an order of spousal support is pending judicial review, the resources shall be considered available to the institutionalized spouse.
- i) If a community spouse refuses or fails to cooperate in providing information about available income or resources, the institutionalized spouse shall be ineligible for medical assistance unless the institutionalized spouse can

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demonstrate undue hardship or assigns to the Department any rights to support he or she may have from the community spouse. If the Department grants a hardship waiver under this subsection (i) or the institutionalized spouse has assigned any rights to support to the Department, eligibility for medical assistance may be approved if the institutionalized spouse is otherwise eligible. The transfers of resources or income from the institutionalized spouse to the community spouse provided for under this Section shall not be permitted if the institutionalized spouse is found eligible under this subsection. A hardship waiver may be granted under this subsection if:

- 1) the community spouse fails or refuses to cooperate in, or, due to illness or mental incapacity, is incapable of cooperating in, providing necessary financial information required under this Section, or the institutionalized spouse is unable, due to illness or incapacity, to execute an assignment of support rights; and
 - 2) the institutionalized spouse is otherwise eligible for medical assistance but for the information withheld by the community spouse; and
 - 3) the institutionalized spouse is unable to obtain appropriate medical care without the provision of medical assistance or the institutionalized spouse needs protection from actual or threatened harm, neglect or hazardous conditions if he or she were discharged from a facility providing long term care services.
- j) If an institutionalized person is found eligible as provided in subsection (i) of this Section, the Department may pursue any available legal process to enforce its right of assignment to support against the community spouse or any other responsible person pursuant to Section 120.319. These processes may include, but shall not be limited to, the administrative support procedures provided under 89 Ill. Adm. Code 103.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.380 ResourcesAssets

- a) Unless otherwise specified and for purposes of this Part, the term "resource" (as defined in 42 USC 382b, except subsection (a)(1) of that section, which excludes the home as a resource) means cash or any other personal or real property that a

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~~person owns and has the right, authority or power to liquidate. The value of nonexempt assets shall be considered in determining eligibility for AABD MANG. Assets do not affect eligibility for TANF MANG.~~

- b) ~~A resource is considered available to pay for a person's own care when at the disposal of that person; when the person has a legal interest in a liquidated sum and has the legal ability to make the sum available for support, maintenance or medical care; or when the person has the lawful power to make the resource available or to cause the resource to be made available. Jointly held assets for AABD MANG shall be treated in the same manner as described in 89 Ill. Adm. Code 113.140.~~
- c) ~~The value of nonexempt resources shall be considered in determining eligibility for any means-tested public benefit program administered by the Department, the Department of Human Services or the Department on Aging if eligibility is determined, in part, on the basis of resources as provided under this Section. Potential payments from a Medicaid qualifying trust for AABD MANG and MANG(C) shall be treated in the same manner as described in Section 120.346.~~
- d) ~~Determination of Resources. Trusts established on or after August 11, 1993, shall be treated in the manner described in Section 120.347.~~
- 1) ~~In determining initial financial eligibility for medical assistance, the Department considers nonexempt verified resources available to a person as of the date of decision on the application for medical assistance. The date of verification (see Section 120.308(f)) may be prior to the date of decision. Money considered as income for a month is not considered a resource for that same month. If income for a month is added to a bank account that month, the Department will subtract the amount of income from the bank balance to determine the resource level. Any income remaining in the following months is considered a resource.~~
 - 2) ~~In determining financial eligibility for retroactive months (see Section 120.61(b)), the Department will consider the amount of income and resources available to a person as of the first day of each of the backdated months for which eligibility is sought.~~

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- 3) In determining a person's spenddown obligation (see Section 120.384), the Department considers the amount of nonexempt resources available as of the date of decision, in the case of initial eligibility, and the first day of the month, in the case of retroactive eligibility, that are in excess of the applicable resource disregard (see Section 120.382).
- e) Subject to subsection (c) of this Section and 89 Ill. Adm. Code 113.140, the entire equity value of jointly held resources shall be considered available in determining a person's eligibility for assistance, unless:
- 1) The resource is a joint income tax refund, in which case one-half of the refund is considered owned by each person; or
 - 2) The person documents that he or she does not have access to the resource. Appropriate documents may include, but are not limited to, bank documents, signature cards, trust documents, divorce papers, and papers from court proceedings that show the person is legally unable to access the resource; or
 - 3) The resource is held jointly with an individual eligible under any means-tested public health benefit program (other than the Supplemental Nutrition Assistance Program) administered by the Department, the Department of Human Services, or the Department on Aging; or
 - 4) The person can document the amount of his or her legal interest in the resource and that such amount is less than the entire value of the resource, then the documented amount shall be considered. Appropriate documentation may include, but is not limited to, bank documents, trust documents, signature cards, divorce papers, or court orders that show the person's legal interest is less than the entire value of the resource; or
 - 5) The person documents that the resource or a portion of the resource is not owned by the person and the person's accessibility to the resource is changed (see subsections (b)(2) and (4) of this Section for documentation examples).
- f) In determining the eligibility of a person for long term care services whose spouse resides in the community, all nonexempt resources owned by the institutionalized spouse, the community spouse, or both shall be considered available to the

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institutionalized spouse in determining his or her eligibility for medical assistance. From the total amount of such resources may be deducted a Community Spouse Resource Allowance as provided under Section 120.379.

- g) Trusts established prior to August 11, 1993 shall be treated in the manner described in Section 120.346.
- h) Trusts established on or after August 11, 1993 shall be treated in the manner described in Section 120.347.
- i) The value of a life estate shall be determined at the time the life estate in the property is established and at the time the property (for example, resourcesassets) is liquidated. In determining the value of a life estate and remainder interest based on the value of the property at the time the life estate is established or of the amount received when the property is liquidated, the Department shall apply the values described in Section 120.Table A. The life estate and remainder interest are based on the age of the person at the time the life estate in the property is established and at the time the property is liquidated and the corresponding values described in Section 120.Table A.
- j) A person's entrance fee in a continuing care retirement community or life care community (as those entities are described in 42 USC 1396r(c)(5)(B)) shall be considered an available resource to the extent that:
- 1) the person has the ability to use the entrance fee, or the contract provides that the entrance fee may be used to pay for care should other resources or income of the person be insufficient to pay for the care;
 - 2) the person is eligible for a refund of any remaining entrance fee when the person dies or terminates the continuing care retirement community or life care community contract and leaves the community; and
 - 3) the entrance fee does not confer an ownership interest in the continuing care retirement community or life care community.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.381 Exempt ResourcesAssets

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~~AABD MANG assets exempt from consideration for AABD MANG shall be as follows:~~

- a) The following ~~resources~~assets are exempt from consideration in determining eligibility for medical assistance ~~and the amount of the assistance payment~~:
 - 1) Homestead ~~Property~~property
 - A) Homestead property is any property in which a person (and spouse, if any) has an ownership interest and that serves as the person's principal place of residence. This property includes the shelter in which a person resides, the adjoining land on which the shelter is located and related outbuildings.
 - B) If a person (and spouse, if any) moves out of his or her home without the intent to return, the home is no longer exempt because it is no longer the person's principal place of residence. If a person leaves his or her home to live in a long term care facility, the property is considered exempt, irrespective of the person's intent to return, as long as a spouse or dependent relative of the eligible person continues to live there. The person's equity in the former home is treated as an available resource effective with the first day of the month following the month it is no longer his or her principal place of residence.
 - 2) Personal effects and household goods are exempt to the extent they are excluded under 20 CFR 416.1216~~Property~~
 - A) ~~Personal effects and household goods of reasonable value (reasonable value means the client's equity value in such property does not exceed \$2,000). Wedding and engagement rings and items required due to medical or physical condition.~~
 - B) Regardless of the value, personal effects and household goods are exempt in determining the amount allowed as the Community Spouse Asset Allowance (as described in Section 120.386).
 - 3) Resources (for example, land, buildings, equipment and supplies or tools) necessary for self-support up to \$6,000 of the person's individual's equity in the income producing property provided the property produces a net

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annual income of at least six percent of the excluded equity value of the property. The equity value in excess of \$6,000 is ~~not excluded~~~~applied toward the asset disregard~~. If the activity produces income that is less than six percent of the exempt equity due to reasons beyond the ~~person's~~~~individual's~~ control (for example, the ~~person's~~~~individual's~~ illness or crop failure) and there is a reasonable expectation that the ~~property will again~~~~individual's activity will increase to~~ produce income equal to six percent of the equity value (for example, a medical prognosis that the ~~person~~~~individual~~ is expected to respond to treatment or that drought resistant corn will be planted), the ~~equity value in the~~ property ~~up to~~ \$6,000 is exempt. If the ~~person~~~~individual~~ owns more than one piece of property and each produces income, each is looked at to determine if the six percent rule is met and then the amounts of the ~~person's~~~~individual's~~ equity in all of those properties are totaled to see if the total equity is \$6,000 or less. ~~The total equity value of all properties that is exempt is limited to \$6,000.~~

- 4) Automobile.
 - A) Exclude one automobile, regardless of value, used by the client, spouse or other dependent if:
 - i) it is necessary for employment;
 - ii) it is necessary for the medical treatment of a specific or regular medical problem;
 - iii) it is modified for operation by, or transportation of, a handicapped person;
 - iv) it is necessary because of factors such as climate, terrain or distance to provide necessary transportation to perform essential daily activities; or
 - v) one vehicle for each spouse is exempt in determining the amount allowed as the Community Spouse Asset Allowance (as described in Section ~~120.379(d)~~~~120.386~~).
 - B) If not excluded in subsection (a)(4)(A) of this Section, ~~exclude~~ one

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automobile ~~is excluded~~ to the extent ~~its equity value~~ the fair market value does not exceed \$4500. ~~Any~~ Apply the excess equity value is applied ~~fair market value~~ toward the applicable resource ~~asset~~ disregard (see Section 120.382 ~~89 Ill. Adm. Code 113.142~~). ~~The Department will determine fair market value in accordance with 89 Ill. Adm. Code 121.57(b)(2)(D)(iv).~~

C) For all other automobiles, apply the equity value ~~(fair market value minus any encumbrance)~~ toward the resource ~~asset~~ disregard (see 89 Ill. Adm. Code 113.142).

5) Life insurance policies with a total face value of \$1,500 or less and all term life insurance policies. If the total face value exceeds \$1,500, the cash surrender value must be counted as a resource.

6) For purposes of this Section, the term "equity value" refers to:

A) in the case of real property, the value described in Section 120.385(c); and

B) in the case of personal property, the price that an item can reasonably be expected to sell for on the open market in the particular geographic area involved, minus any encumbrances (as described in Section 120.385(c)(1)(C)).

b) ~~Burial spaces and funds are exempt as follows:~~ 1) Burial spaces that are intended for the use of the person ~~individual~~, his or her spouse, or any other member of his or her immediate family are exempt. Immediate family is defined as a person's ~~an individual's~~ minor and adult children, including adopted children and stepchildren, a person's ~~an individual's~~ brothers, sisters, parents and; adoptive parents, and the spouses of these individuals.

2) ~~Funds set aside for the burial expenses of the individual and his or her spouse, subject to a limit of \$1,500 each. This limit will be reduced by the face value of any excluded life insurance policy and the amount of any funds held in an irrevocable trust or other irrevocable arrangement that is available for burial expenses.~~

3) ~~Interest earned on excluded burial funds and appreciation in the value of~~

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~~excluded burial arrangements which occurred the earlier of the date of first SSI eligibility or the date of AABD eligibility, but no earlier than November 1, 1982 (see 20 CFR 416.1231(b)(5) (1992)).~~

- 4) ~~Funds specifically and irrevocably set aside for the professional funeral services and burial expenses of the individual and his or her spouse, subject to a limit of \$4,000 each, including prepaid funeral and burial plans. This limit will be increased annually by three percent.~~
- c) Funds that are set aside for the burial expenses of a person and his or her spouse in a bank account owned by the person that is clearly identified as a burial fund is exempt up to \$1500. This amount is reduced by the face value of any excluded life insurance on the person and the amount of any funds held in an irrevocable trust or other irrevocable arrangement that is available for burial expenses.
- d) Prepaid Funeral/Burial Contracts. Prepaid funeral/burial contracts that comply with the provisions of the Illinois Funeral or Burial Funds Act [225 ILCS 45] are exempt to the following extent:
- 1) Funds in a revocable prepaid funeral/burial contract are exempt up to \$1500.
- 2) Effective September 1, 2009, funds in an irrevocable prepaid funeral/burial contract are exempt up to \$5,537. This amount shall be increased annually each September 1 by 3%.
- 3) A prepaid, guaranteed price funeral/burial contract funded by an irrevocable assignment of a person's life insurance policy to the seller of a pre-need contract or the provider of the funeral or the burial services is exempt if the seller's or provider's nominal ownership in the policy is immediately transferred into a trust as provided under 225 ILCS 45/2a(d). The trust is responsible for ensuring that the provider of funeral services under contract receives the proceeds of the policy when it provides the funeral goods and services specified under the contract (see 225 ILCS 45/1a-1(a). The irrevocable assignment of ownership of the insurance policy must be acknowledged by the insurance company.
- e)e) ResourcesAssets necessary for fulfillment of an approved plan for achieving self-support under 42 CFR 416.1220.

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- d) ~~Trust funds are exempt as follows:~~
- 1) ~~The principal of a trust fund only when the instrument establishing the trust specifically states the principal cannot be impaired.~~
 - 2) ~~The principal of a trust fund established under the Self Sufficiency Trust Fund Program [20 ILCS 1705/21.1].~~
- f)e) ResourcesAssets excluded by express provision of 20 CFR 416.1236 (~~20051997~~).
- g)f) *Donations or benefits from fund raisers held for a seriously ill client provided the client or a responsible relative of the client does not have control (for example, not available to the client or the responsible relative) over the donations or benefits or the disbursement of donations or benefits [305 ILCS 5/5-2].*
- h)g) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one-time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under Public Law 101-201.
- i)h) Money received from the Social Security Administration under a Plan to Achieve Self-Support (PASS) and held in a separate account.
- j)i) Disaster relief payments provided by federal, State or local government or a disaster assistance organization.
- k)j) The amount of earned income tax credit that the client receives as advance payment or as a refund of federal income tax.
- l)k) For disabled persons who have lost eligibility under Section 120.510 and who are only requesting services other than those described in 89 Ill. Adm. Code 120.61(a), the following additional exemptions shall apply:
- 1) Retirement accounts that a person with a disability cannot access without penalty before the age of 59½ and medical savings accounts established pursuant to 26 USC 220; and
 - 2) Up to \$25,000 if the person owned assets of equal value when his or her

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eligibility under Section 120.510 ended.

m)† Certain payments received under the American Recovery and Reinvestment Act of 2009.

- 1) Payments to World War II veterans who served in the Philippines and spouses of those veterans under Div. A, Title X, Sec. 1002 of P.L. 111-5.
- 2) Payments or reimbursements for Premium Assistance for COBRA Continuous Coverage under Div. B, Title III, Sec. 3001 of P.L. 111-5.

n)‡ Certain payments received under the American Recovery and Reinvestment Act of 2009 are exempt as an asset the month of receipt and two months thereafter.

- 1) Making Work Pay Credit under Div. B, Title I, Sec. 1001 of P.L. 111-5.
- 2) Tax Credit for Certain Government Retirees under Div. B, Title II, Sec. 2202 of P.L. 111-5.

o)‡ Economic Recovery Payments under the American Recovery and Reinvestment Act of 2009 under Div B, Title II, Sec. 2201 of P.L. 111-5 are exempt as an asset the month of receipt and nine months thereafter.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.382 ResourceAsset Disregard

In addition to the exempt resourcesassets listed in Section 120.381, the cash value of resourcesassets shall be disregarded for AABD MANG as follows:

- a) \$2,000 for a personelient and \$3,000 for a personelient and one dependent residing together. A dependent means a "qualifying" person as that term is described in 26 USC 152.
- b) \$50 for each additional dependent residing in the same household.
- c) Resources equal in amount to the benefits paid on behalf of a person under a qualified long term care insurance policy as provided under 42 USC 1396p(b)(1)(C) and (b)(5). Policies written in Illinois are approved by the

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Director of the Illinois Department of Insurance under the Qualified Long Term Care Insurance Partnership (QLTCIP) program (50 Ill. Adm. Code 2012). The dollar value of the amount paid for QLTCIP benefits is disregarded; the extent to which the disregard is applied to a resource will depend and may vary with the underlying equity value (see Section 120.381(a)(6)) the person holds in the resource. The amount equal to the sum of qualifying insurance benefit payments made as a result of coverage under a Long Term Care Partnership Insurance Policy, as described in 50 Ill. Adm. Code 2018, provided that the person has received all of the qualifying insurance benefit payments that are payable under the policy.

- d) All assets of a person who purchases a Long Term Care Partnership Insurance Policy, as described in 50 Ill. Adm. Code 2018, with coverage equal to the average cost of four years of long term care services in a nursing facility, provided that the person has received all of the qualifying insurance benefit payments that are payable under the policy.
- d)e) Eligibility for medical assistance or the benefits described in Sections 120.72 and 120.73AABD-MANG does not exist when nonexempt resourcesassets exceed allowable disregardthe above-disregard.
- ef) For Qualified Medicare BeneficiariesBeneficiary (QMB)
- 1) \$4,000 for a single person and \$6,000 for a person with one or more dependents.
 - 2) Eligibility for QMB status does not exist when countable assets exceed the above-disregard described in this Section.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.384 Spenddown of ResourcesAssets (~~AABD-MANG~~)

In determining a person's resource spenddown obligation, the Department compares nonexempt resources available to the person to the appropriate resource disregard. The amount of resources in excess of the disregard determines the amount of the spenddown.

- a) If a person presents verification that excess resources are no longer available, the Department will make the appropriate changes the month following the month the

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person disposed of the resources.~~Determination of Assets~~

- b) Persons enrolled in spenddown are not eligible for payment of covered medical services until spenddown is met. A resource spenddown is met by presenting allowable medical bills or receipts to the Department that equal the amount of the person's nonexempt excess resources. See Sections 120.60(c) and 120.61(c) for specific requirements related to spenddown, including the option to pay in spenddown to the Department by enrolling in the Pay-in Spenddown Program.
- c) Once an excess resource has been used to meet spenddown, whether or not the excess amount has actually been reduced, it is no longer considered. However, at reapplication/redetermination, the Department will consider any excess nonexempt resources remaining as currently available. A spenddown cannot be eliminated by a non-allowable transfer made to qualify for or increase the need for medical assistance.
- 1) ~~For individuals residing in the community, the Department determines the amount of non-exempt assets using the verified amount on the date of decision on the application for medical assistance. The date of verification may be prior to the date of decision. Money considered as income for a month is not considered as an asset for that same month. If income for a month is added to a bank account that month, the Department will subtract the amount of income from the bank balance to determine the asset level. Any income remaining the following months is considered as an asset.~~
- 2) ~~The amount of non-exempt assets verified during the application process is used on the date of decision. If medical eligibility includes backdated months, for the backdated months the Department will consider the amount of assets available to apply to the cost of medical care. The Department will not determine the value of assets for backdated months of eligibility. However, the amount of the excess assets verified during the application process is used to determine spenddown status in each backdated month of eligibility.~~
- 3) ~~Once the excess asset has been used to meet spenddown, whether or not the excess amount has actually been reduced, it is no longer considered. However, at reapplication/redetermination, the Department will consider any excess non-exempt assets remaining as currently available.~~

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b) ~~Community Cases (AABD-MANG)~~

~~For AABD-MANG, to determine the spenddown obligation for clients in the community, the Department will compare monthly countable income to the appropriate MANG standard and add any non-exempt assets in excess of the appropriate asset disregard to non-exempt monthly income in excess of the appropriate MANG Standard.~~

1) ~~Regular AABD-MANG—Community Residents~~

~~When an individual residing in the community, has countable monthly income of not more than 99 cents over the appropriate MANG Standard and has non-exempt excess assets of not more than 99 cents over the appropriate asset disregard, the case is referred to as a Regular MANG case. Payment for covered services is made for each month eligibility exists.~~

2) ~~Spenddown AABD-MANG~~

A) ~~When an individual resides in the community and has countable monthly income of at least \$1.00 over the MANG Standard and/or non-exempt assets of at least \$1.00 in excess of the asset disregard for the appropriate size household, the case is referred to as a community spenddown case. The spenddown amount is the sum of the amount of income in excess of the MANG Standard plus non-exempt assets in excess of the appropriate asset disregard. The Department will disregard any excess income and/or asset amounts that are not at least \$1.00 over the appropriate standard or disregard.~~

B) ~~If the individual presents verification that the excess amount is no longer available, the Department will make the appropriate changes the month following the month the assets were transferred.~~

C) ~~Individuals enrolled in spenddown are not eligible for payment of covered medical services until spenddown is met. Spenddown is met by presenting allowable medical bills or receipts to the Department that equal the amount of the individual's excess countable income and/or non-exempt excess assets. Individuals may also pay in the amount of the income or asset spenddown to the Department by enrolling in the Pay in Spenddown Program~~

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~~(see Section 120.60). Excess assets do not have to be reduced prior to the authorization of medical assistance.~~

e) ~~Group Care Cases~~

~~To determine the spenddown obligation for AABD-MANG clients in group care, the Department will compare monthly countable income and non-exempt assets in excess of the appropriate asset disregard to the cost of long term care at the private pay rate or the Department rate, whichever is greater. When an individual has non-exempt excess assets, the excess amount is applied to the monthly long term care charges after the monthly countable income has been applied.~~

1) ~~Regular Group Care~~

~~When an individual in group care has countable monthly income plus non-exempt assets in excess of the applicable asset disregard of not more than 99 cents over the private pay rate or the Department rate, whichever is greater, the case is referred to as a Regular Group Care case. If monthly countable income plus excess non-exempt assets are less than the long term care charges at the Department rate, the Department will pay the difference.~~

2) ~~Group Care Spenddown~~

A) ~~When an individual in group care has countable monthly income plus non-exempt assets in excess of the applicable asset disregard of at least \$1.00 over the cost of long term care at the private pay rate or the Department rate, whichever is greater, the case is referred to as a Group Care Spenddown case. The spenddown amount is the sum of the monthly countable income plus non-exempt assets over the applicable asset disregard.~~

B) ~~The transfer of asset policy set forth in Section 120.385 still applies. Once the client has been determined to have a resource spenddown because of excess non-exempt assets, the spenddown cannot be eliminated by a non-allowable transfer made to qualify for or increase the need for medical assistance.~~

C) ~~If the individual presents verification that the excess amount is no longer available and the transfer of assets is allowable according to Section 120.385, the Department will make the appropriate~~

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~~changes the month following the month the assets were transferred. If spenddown has been met, the policy set forth in Section 120.385 regarding transfer of assets does not apply. The client may dispose of the asset as he/she wishes as it has been applied to a met spenddown.~~

- ~~D) Individuals enrolled in spenddown are not eligible for payment of covered medical services until spenddown is met. Spenddown is met by presenting allowable medical bills or receipts to the Department that equal the amount of the individual's excess countable income and/or non-exempt assets. Excess assets do not have to be reduced prior to the authorization of medical assistance.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.385 Factors Affecting Eligibility for Long Term Care Services ~~Property Transfer for Applications Filed Prior to October 1, 1989 (Repealed)~~

- a) For purposes of this Section, the terms "institutionalized persons" and "long term care services" shall have the meanings described in Section 120.388 of this Part. The terms "institutionalized spouse" and "community spouse" shall have the meanings described in Section 120.379(a) of this Part.
- b) Disclosure of annuity and naming the State as remainder beneficiary:
- 1) Effective on the date of this rulemaking, an application (or redetermination related to an application) for long term care services shall include a disclosure by an institutionalized person or his or her community spouse of any interest either or both may have in any annuity or similar financial instrument purchased, regardless of whether the annuity is irrevocable or is treated as an asset. The application or recertification form shall also include a statement that the State of Illinois becomes a remainder beneficiary under such an annuity or similar financial instrument to the extent that the State has provided medical assistance to the institutionalized person.
 - 2) Failure of an institutionalized person, his or her community spouse, or his or her representative to disclose information or to name the State as a remainder beneficiary as provided for in subsection (b)(1) of this Section,

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or to disclose sufficient information regarding an annuity in order to establish eligibility for long term care services, shall result in denial or termination of the eligibility. Failure of an institutionalized person, his or her community spouse or his or her representative to disclose the information provided for in subsection (b)(1) of this Section, or to disclose sufficient information regarding an annuity in order to establish eligibility for medical assistance, may also result in denial or termination of eligibility for failure to cooperate under Section 120.308.

c) Home Equity Interest.

1) Effective on the date of this rulemaking, a person shall not be eligible for long term care services if the person's equity interest in his or her homestead exceeds \$500,000. This amount shall be increased, beginning with 2011, from year to year based on the percentage increase in the consumer price index for all urban consumers (all items: United States city average), rounded to the nearest \$1000. A person's equity interest in his or her homestead shall be determined as follows:

A) The current market value (CMV) of the property is the going price for which it can reasonably be expected to sell on the open market in the particular geographic area involved. The CMV of the property may be established by:

- i) an appraisal report, no more than six months old at the time of the application for long term care services, completed by an appraiser who is licensed or otherwise meets the requirements under the Real Estate Appraiser Licensing Act [225 ILCS 458]; or
- ii) a county real estate assessor's current estimate of the market value or fair cash value of the property used in determining the assessed value of a property; or
- iii) any other reliable and verifiable indicia of the price that a property would bring in a sale between a willing buyer and seller under arms-length conditions unaffected by undue pressures;

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- B) Equity value (EV) is the CMV of the property minus any encumbrance on it;
 - C) An encumbrance is a legally binding debt against a specific property. Such a debt reduces the value of the encumbered property but does not necessarily prevent the property owner from transferring ownership (selling) to a third party. However, if the owner of encumbered property does sell, the creditor will nearly always require debt satisfaction from the proceeds of sale. Examples of encumbrances include mortgages, reverse mortgages, home equity loans or other debt that is secured by the property;
 - D) If property is held in any form of shared ownership (e.g., joint tenancy, tenancy in common or other similar arrangement) only the fractional interest in the property shall be considered in determining the person's equity in that property.
- 2) The eligibility of a person for long term care services shall not be affected under this subsection (c)(2) if any of the following are lawfully residing in the person's home:
- A) the person's spouse;
 - B) the person's child who is under age 21; or
 - C) the person's adult child who is blind (as described in Section 120.313 of this Part) or disabled (as described in Section 120.314 of this Part).
- 3) A person whose eligibility for long term care services is affected under this subsection (c) may request a hardship waiver. The process and basis for requesting such a waiver shall be the same as described in Section 120.388(r) of this Part. In determining whether a waiver should be granted, the Department shall also take into account:
- A) the amount of time the person has resided in and owned the home;
 - B) whether a substantial increase in property values in the home's geographic area occurred after the person purchased the home;

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- C) whether the home comprises a substantial portion of the person's assets (as defined in Section 120.388(d)); and
 - D) whether the person intends to return to the home after a period of institutionalization or, if the person does not intend to return, whether the home can be sold after being listed for sale or, if it cannot be sold, can produce income commensurate with similar income producing properties in the geographic area.
- 4) For purposes of this Section the words, "homestead" and "home" have the same meaning as the term "homestead" in Section 120.381(a)(1)(A) of this Part.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.387 Property Transfers Occurring On or After August 11, 1993 and Before February 8, 2006

- a) The provisions for the transfer of property (~~e.g., for example~~, assets) listed in subsection (e) below only apply to institutionalized persons when the transfer occurs on or after August 11, 1993 and before February 8, 2006. An institutionalized person is defined as a resident of a long term care facility, including a resident who was living in the community at the time of the transfer, and to individuals who but for the ~~provision~~provisions of home and community-based services under Section 4.02 of the Illinois Act on the Aging would require the level of care in a long term care facility. An institutionalized person also includes an individual receiving home and community-based services under Section 4.02 of the Illinois Act on the Aging who was not receiving these services at the time of the transfer.
- b) The provisions for the transfer of property (~~e.g., for example~~, assets) listed in subsection (e) below apply to the transfer of property by the institutionalized person's spouse in the same manner as if the institutionalized person transferred the property.
- c) Transfers of property disregarded as a result of payments made by a Long Term Care Partnership Insurance Policy (as described in 50 Ill. Adm. Code 2018) are not subject to the provisions of this Section.

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- d) A transfer of assets occurs when an institutionalized person or an institutionalized person's spouse buys, sells or gives away real or personal property or changes (for example, change from joint tenancy to tenancy in common) the way property is held. Changing ownership of property to a life estate interest is an asset transfer (the value of the life estate and remainder interest is determined as described at Section 120.380 and 89 Ill. Adm. Code 113.140). For assets held in joint tenancy, tenancy in common or similar arrangement, a transfer occurs when an action by any person reduces or eliminates the person's ownership or control of the asset. A transfer occurs when an action or actions are taken ~~that~~^{which} would cause an asset or assets not to be received (~~e.g. for example~~, waiving the right to receive an inheritance).
- e) A transfer is allowable if:
- 1) depending on the property transferred, the transfer occurred more than either 60 or 36 months before the date of application, or more than either 60 or 36 months before entry into a long term care facility or more than either 60 or 36 months before receipt of services provided by the Illinois Department on Aging under the In-Home Care Program (as described in ~~89 Ill. Adm. Code~~^{Section} 140.643);
 - A) the 60 month period applies to payments from a revocable trust that are not treated as income (as described in Section 120.347) and to portions of an irrevocable trust from which no payments could be made (as described in Section 120.347);
 - B) the 36 month period applies to payments from an irrevocable trust that are not treated as income (as described in Section 120.347) and to any other property transfers not identified in this subsection;
 - 2) a fair market value was received. Fair market value is the price that an article or piece of property might be expected to bring if offered for sale in a fair market. Fair market value is determined by statements obtained from institutions, community members, etc. (~~e.g. for example~~, bankers, jewelers, reputable realtors, etc.) recognized as having knowledge of property values;
 - 3) homestead property was transferred to:

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- A) a spouse;
 - B) the person's child who is under age 21;
 - C) the person's child who is blind (as described in Section 120.313) or disabled (as described in Section 120.314);
 - D) the person's brother or sister who has an equity interest in the homestead property and who was residing in the home for at least one year immediately prior to the date the person became institutionalized; or
 - E) the person's child who provided care for the person and who was residing in the homestead property for two years immediately prior to the date the person became institutionalized;
- 4) the transfer by the institutionalized person was to the community spouse or to another person for the sole benefit of the community spouse ~~and the amount transferred does not exceed the Community Spouse Asset Allowance (as described in Section 120.379)~~;
- 5) the transfer from the community spouse was to another person for the sole benefit of the community spouse;
- 6) the transfer was to the person's child or to a trust established solely for the benefit of the person's child who is blind (as described in Section 120.313) or disabled (as described in Section 120.314) or to another person for the sole benefit of the person's child;
- 7) the transfer was to a trust established solely for the benefit of a person under age 65 who is disabled (as described in Section 120.314);
- 8) the person intended to transfer the assets for fair market value;
- 9) it is determined that denial of assistance would create an undue hardship. Examples of undue hardship include, but are not limited to, situations in which:

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- A) the individual is mentally unable to explain how the assets were transferred;
 - B) the denial of assistance would force the resident to move from the long term care facility; or
 - C) the individual would be prohibited from joining a spouse in a facility or would prohibit the individual from entering a facility that is within close proximity to his or her family;
- 10) the transfer was made exclusively for a reason other than to qualify for assistance. A transfer for less than fair market value is presumed to have been made to qualify for assistance unless a satisfactory showing is made to the Department that the client or spouse transferred the asset exclusively for a reason other than to qualify for assistance;
- 11) the transfer by the client was to the community spouse and was the result of a court order;
- 12) the assets transferred for less than fair market value have been returned to the person; or
- 13) the transfer was to an annuity, the expected return on the annuity is commensurate with the estimated life expectancy of the person, and the annuity pays benefits in approximately equal periodic payments. In determining the estimated life expectancy of the person, the Department shall use the [current actuarial tables published by the Office of the Chief Actuary of the Social Security Administration](http://www.ssa.gov/OACT/STATS/table4c6.html) <http://www.ssa.gov/OACT/STATS/table4c6.html> ~~life expectancy table described in Section 120. Table B.~~
- f) If a transfer or transfers do not meet the provisions of subsection (e), the client is subject to a period of ineligibility for long term care services and for services provided by the Illinois Department on Aging under the In-Home Care Program (as described in Section 140.643). The penalty period is determined in accordance with subsection (g) of this Section. If otherwise eligible, clients remain entitled to other covered medical services.
- g) A separate penalty period is determined for each month in which a transfer or

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transfers do not meet the provisions of subsection (e) of this Section. Each penalty period is the number of months equal to the total uncompensated amount of assets transferred during a month divided by the monthly cost of long term care at the private rate.

- h) The penalty period begins with the month of the transfer or transfers unless the transfer or transfers occurred during a previous penalty period. If so, the penalty period begins with the month following the month the previous penalty period ends.
- i) For transfers by the community spouse that result in a penalty period as described in subsection (g) of this Section and the community spouse becomes an institutionalized person and is otherwise eligible for assistance, the Department shall divide any remaining penalty period equally between the spouses.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 120.388 Property Transfers Occurring On or After February 8, 2006

The provisions in this Section are intended to comport with federal requirements related to transfers of assets, in particular, requirements under 42 USC 1396p and guidance from the US Department of Health and Human Services related to those statutory requirements. Interpretation and application of this Section shall be made in light of those requirements.

- a) General. A transfer of assets for less than fair market value made on or after February 8, 2006 by an institutionalized person or the spouse of that person 60 months before the later of applying for medical assistance or transferring an asset shall result in a period of ineligibility for long term care services for that person.
- b) Long term care services are defined as:
 - 1) services provided in a long term care facility as that institution is defined in Section 120.61(a); and
 - 2) services provided under a home and community based waiver authorized under 42 USC 1396n(c) or (d) and specified in 42 CFR 441 Subpart G or H.
- c) Institutionalized individuals or persons are defined as:

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- 1) persons residing in long term care facilities, including those who were residing in the community at the time a transfer of assets was made; or
 - 2) persons who, but for the provision of home and community based waiver services (42 USC 1396a(a)(10)(A)(ii)(VI)), would require the level of care in a long term care facility, including those persons receiving home and community based waiver services who were not receiving the services at the time a transfer of assets was made.
- d) Assets.
- 1) For purposes of this Section, the term "assets" or "property" includes all income (as defined in 42 USC 1382a) and resources (as defined in 42 USC 1382b, except subsection (a)(1) of that section, which excludes the home as a resource) of an institutionalized person and that person's spouse, including, but not limited to: cash; savings certificates; stocks; bonds; interests in real property, including mineral rights; rights to inherited real or personal property or income; and accounts and debts receivable.
 - 2) Assets also include any income or resources that the person or the person's spouse is entitled to but does not receive because of action or inaction by:
 - A) the person or the person's spouse;
 - B) a person, including a court or administrative body, with legal authority to act in place of or on behalf of the person or the person's spouse;
 - C) any person, including any court or administrative body, acting at the direction or upon the request of the person or the person's spouse; or
 - D) any person who acted (or failed to act) to avoid receiving assets to which the person was entitled.
 - 3) Examples of actions that would cause assets not to be received include:
 - A) Irrevocably waiving pension income;

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- B) Waiving the right to receive an inheritance;
 - C) Not accepting or accessing injury settlements;
 - D) Arranging for a defendant in a civil action to divert a settlement amount into a trust or similar device for the benefit of the person, who is a plaintiff in the case;
 - E) Refusing to take legal action to obtain a court-ordered payment that is partially or wholly unpaid, such as alimony; or
 - F) Receiving an inheritance under a will when renouncing the will and taking a statutory share (see 755 ILCS 5/2-8) is more advantageous. Alternately, renouncing a will and taking a spousal share when taking the inheritance is more advantageous.
- 4) Failure to take action to receive an asset is not considered a transfer for less than fair market value when evidence is submitted showing the cost of obtaining an asset exceeds the value of the asset.
- e) Transfer. A transfer of assets occurs when an institutionalized person or an institutionalized person's spouse buys, sells or gives away real or personal property or changes (e.g., a change from joint tenancy to tenancy in common) the way property is held.
- 1) Changing ownership of property to a life estate interest is an asset transfer (the value of the life estate and remainder interest is determined as described in Section 120.380 and 89 Ill. Adm. Code 113.140).
 - 2) Transactions involving annuities, including the purchase of an annuity or any action by a person that changes the course of payments to be made by the annuity or the treatment of income or principal of the annuity, are considered transfers under this Section. Such actions include, but are not limited to, additions of principal, elective withdrawals, requests to change the distribution of the annuity, elections to annuitize the contract and any action intended to make an annuity irrevocable or nonassignable.

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- 3) For property held in joint tenancy, tenancy in common or similar arrangement, a transfer occurs when an action by any person reduces or eliminates the person's ownership or control of the property.
 - 4) A transfer of income in the month it is received is considered a transfer of assets if the income would have been considered an asset in the following month as provided under Section 120.380(c)(1). A transfer of the proceeds of a loan in the month received is considered a transfer of assets.
- f) Fair market value (FMV) is an estimate of the value of an asset if sold at the prevailing price at the time it was actually transferred. Prevailing price is what property would sell for on the open market between a willing buyer and a willing seller, with neither being required to act and both having reasonable knowledge of the relevant facts.
- 1) In determining if FMV has been received for an asset, the Department shall use all reasonable means available and consider all relevant facts and circumstances relating to the asset and the transaction, including, but not limited to: the cost or price paid for the asset, whether the transaction was at arm's length, comparable sales, replacement cost, and expert opinion. In determining the FMV of farmland in Illinois, the Department may take into account market values determined under tables developed by the University of Illinois Farm Bureau.
 - 2) For an asset to be considered transferred for FMV, the compensation received for the asset must be in a tangible form with intrinsic value that is roughly equivalent to or greater than the value of the transferred asset.
 - 3) Transfers of assets for "love and affection" are not considered transfers for FMV. A transfer to a friend, family member or relative for care provided for free in the past is a transfer of assets for less than FMV. The Department presumes that services, care or accommodations rendered to a person by a friend or family member are gratuitous and without expectation of compensation. This presumption may be rebutted by credible documentary evidence that preexists the delivery of the care, services or accommodations showing the type and terms of compensation and contemporaneous receipts, logs or other credible documentation showing actual delivery of the care or services claimed. Compensation paid in excess of prevailing rates for similar care, services or

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accommodations in the community shall be treated as a transfer for less than FMV.

- 4) "Compensation received" is the amount of money or value of any property or services received in return for the institutionalized person's assets. The compensation received may be in the form of:
- A) Cash;
 - B) Other assets such as promissory notes, stocks, bonds, and both real estate contracts and life estates that are evaluated over an extended time period;
 - C) Discharge of a debt;
 - D) Prepayment of a bona fide and irrevocable contract, such as a mortgage, shelter lease, loan or prepayment of taxes;
 - E) Services; and
 - F) Any other act, object, service or other benefit that has tangible or intrinsic economic value to the person.
- 5) The term "uncompensated value" means the difference between the FMV of a transferred asset (less any outstanding loans, mortgages, or other encumbrances on the asset) and the actual compensation received. Only the uncompensated value of a transferred asset is subject to the penalty provisions described in this Section.
- g) Look Back Period. The provisions of this Section apply to any asset transfers (occurring on or after February 8, 2006) made 60 months before the date on which the person is both an institutionalized person (as defined in subsection (c) of this Section) and has applied for medical assistance.
- h) Penalty. If a person transfers assets for less than fair market value, the person is subject to a period of ineligibility for long term care services. The penalty period is determined in accordance with subsection (j) of this Section. If otherwise eligible, persons subject to a penalty remain eligible for all covered medical services except long term care services.

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- i) Penalty Period. A penalty period under this Section:
- 1) begins with the later of:
- A) the first day of a month during which a transfer for less than FMV is made; or
- B) the date on which the person is eligible for medical assistance and would otherwise be receiving long term care services (based on an approved application for those services) were it not for the imposition of the penalty period. A person is not considered eligible and services are not considered capable of being received under this subsection (i) until any spenddown is met; and
- 2) does not occur during any other period of ineligibility under this Section.
- j) Penalty Calculation. A penalty period is determined based on the uncompensated value of transfers. The penalty period is calculated by dividing the total uncompensated value of assets transferred by the average monthly cost of long-term care services at the private rate in the community in which the person is institutionalized at the time of application. The result is the penalty period in number of months, days and portion of a day (e.g., $\$65,000/\$4000 = 16.25 = 16$ months and 7.5 days). The Department will not round down or otherwise disregard any period of ineligibility calculated under this subsection.
- k) Multiple Transfers. Multiple, non-allowable transfers made during the look-back period shall be cumulated and treated as a single transfer. A single period of ineligibility shall be calculated based on the total uncompensated value of the transfers. Once a penalty period is imposed, it continues to run without regard to whether the person continues receiving long term care services.
- l) When transfers by a community spouse result in a penalty period for the institutionalized spouse and the community spouse subsequently becomes institutionalized and is otherwise eligible for medical assistance, the Department shall divide any remaining penalty period equally between the spouses. If one spouse predeceases the other before the penalty period has ended, the remaining penalty period will be added to the surviving spouse's penalty.

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m) Penalty Exceptions.

1) A person shall not be subject to a penalty period under this Section to the extent that:

A) homestead property was transferred to:

i) the person's spouse;

ii) the person's child who is under age 21;

iii) the person's child who is determined blind (as described in Section 120.313) or determined disabled (as described in Section 120.314);

iv) the person's brother or sister who has an equity interest in the homestead property and who was residing in the home for at least one year immediately prior to the date the person became institutionalized; or

v) the person's son or daughter who provided care for the person and who resided in the homestead property for the two years immediately prior to the date the person became institutionalized, provided:

- the institutionalized person provides a physician's statement that describes the person's physical and mental condition during the two years prior to institutionalization, explains why the person needed personal or home health services during those two years, and specifies the services appropriate to the person's needs;
- the son or daughter provides a statement showing: the specific services and care provided during the two years; the hours per day spent providing the services; if the son or daughter worked outside the home, how the person's needs were taken care of while working; and if the son or daughter paid a third party to provide the

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care, the amount of the payment, the specific services provided and the length of time the services were provided; and

- the person provides a statement from an unrelated third party with knowledge of the person's condition and living arrangements during the two years that corroborates the son's or daughter's statement.

B) the transfer by the institutionalized person was to:

- the person's spouse or to another person for the sole benefit of the person's spouse;
- the person's child or to a trust (including a trust described in Section 120.347(d)) established solely for the benefit of the person's child or to another person for the sole benefit of the institutionalized person's child. To qualify under this subsection (m)(1)(B), the child must be determined blind (as described in Section 120.313) or determined disabled (as described in Section 120.314);
- a trust (including trusts described in Section 120.347(d)(1) and (2)) established solely for the benefit of a person who is determined disabled (as described in Section 120.314).

C) the person intended to transfer the property for fair market value (FMV). When a transfer is made for less than FMV, a person is presumed to have done so intentionally. This presumption may be rebutted by objective tangible evidence showing:

- initial and continuing reasonable, good faith efforts to sell the property on the open market were made and that the compensation received was the best value offered;
- a legally binding contract was executed that provided for adequate compensation in a specified form (e.g., goods, services, cash) in exchange for the transferred asset;

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- iii) the person acted in good faith that he or she was receiving FMV or the best price for the item or property, and the item or property was transferred to a person other than a related party (e.g., a person related by blood, marriage or friendship);
 - iv) the person had other adequate means or plans for support, including medical care, at the time of the transfer; and
 - v) the transfer was made for reasons exclusive of qualifying or remaining eligible for medical assistance.
- D) the transfer was made exclusively for a reason other than to qualify or remain eligible for medical assistance. A transfer for less than FMV is presumed to have been made to qualify for assistance. This presumption may be rebutted by credible tangible evidence that the person or spouse had no reason to believe that Medicaid payment of long-term care services might be needed. The sudden loss of income or assets, the sudden onset of a disabling condition, or a personal injury may provide convincing evidence. A subjective statement of intent or claim of ignorance of the asset transfer provision is not sufficient. The person must provide evidence that other assets were available at the time of transfer to meet current and future expected needs of that person, including the cost of nursing home or other medical institutional care. Other examples of credible evidence showing a reason for transferring assets for reasons exclusively other than qualifying for medical assistance include, but are not limited to:
- i) police reports, other related law or regulatory enforcement, documentation from the Department on Aging, or like credible evidence that assets were misappropriated as a result of elder or other abuse and cannot be recovered;
 - ii) evidence that the transfer was made by a person lacking the mental capacity to make the transfer and who was not represented by a guardian, family member or other legal representative at the time of the transfer.

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- E) the person transfers property disregarded as a result of payments made by a qualified long term care insurance policy approved by the Director of the Illinois Department of Insurance under the Qualified Long Term Care Insurance Partnership (QLTCIP) program (50 Ill. Adm. Code 2012).
 - F) all of the assets transferred for less than FMV have been returned to the person. When all transferred assets are returned, the assets are treated as returned on the date the penalty was imposed; the penalty is erased and the returned assets are treated as available as of the date the penalty was imposed. For the time period between imposition of the penalty and return of the assets, the Department will treat the assets as available to meet the spenddown obligation for that time period only (see Section 120.384). At the point in time that assets are in fact returned, they are treated as available assets that may be reduced by a spenddown obligation or otherwise. Returned assets that are transferred for less than fair market value may be subject to penalty.
 - G) the Department determines that the denial of eligibility would cause an undue hardship as provided in subsection (r) of this Section.
- 2) For purposes of subsection (m)(1)(B), a transfer is considered to be for the "sole benefit of" a person if:
- A) The transfer is arranged in such a way that no individual or entity except the specified beneficiary can benefit from the property transferred in any way, whether at the time of the transfer or at any time in the future.
 - B) The transfer to a trust benefits no one but the person, whether at the time the trust is established or at any time in the future.
 - C) The transfer instrument or document provides for the spending of the funds involved for the benefit of the person on a basis that is actuarially sound, based on the life expectancy of the individual involved (as determined under current actuarial tables published by the Office of the Chief Actuary of the Social Security

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Administration at <http://www.ssa.gov/OACT/STATS/table4c6.html>). This subsection (m)(2)(C) does not apply to trusts described in Section 120.347(d) because those trusts provide for a "payback" to the State upon the death of the beneficiary.

- D) The transfer was accomplished via a written instrument of transfer (e.g., a trust document) that legally binds the parties to a specified course of action and clearly sets out the conditions under which the transfer was made, as well as who can benefit from the transfer. A transfer without such a document may not be said to have been made for the sole benefit of the person since there is no way to establish, without the document, that only the specified person will benefit from the transfer.
- n) The purchase of an annuity by or on behalf of an institutionalized person or the spouse of that person shall be treated as a transfer of assets for less than FMV unless:
- 1) the annuity names the State of Illinois as the remainder beneficiary in the first position for at least the total amount of medical assistance paid on behalf of the institutionalized person; or
 - 2) the annuity names the State of Illinois in the second position after the community spouse or minor child or child with a disability and is named in the first position if the spouse or a representative of the child disposes of any remainder for less than FMV.
- o) The purchase of an annuity by or on behalf of an institutionalized person shall be treated as a transfer of assets for less than FMV unless:
- 1) the annuity is considered either:
 - A) an individual retirement annuity described in section 408(b) of the Internal Revenue Code (26 USC 408(b)); or
 - B) a deemed individual retirement account (IRA) under a qualified employer plan described in section 408(q) of the Internal Revenue Code (26 USC 408(q)); or

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- 2) the annuity is directly purchased with proceeds from one of the following:
- A) a traditional IRA described in section 408(a) of the Internal Revenue Code (26 USC 408(a));
 - B) certain accounts or trusts treated as traditional IRAs under section 408(p) of the Internal Revenue Code (26 USC 408(p));
 - C) a simplified employee pension described in section 408(k) of the Internal Revenue Code (26 USC 408(k)); or
 - D) a Roth IRA described in section 408A of the Internal Revenue Code (26 USC 408A); or
- 3) the annuity meets all the following requirements:
- A) was purchased from a commercial financial institution or insurance company authorized under federal or State law to issue annuities;
 - B) is actuarially sound and based on the estimated life expectancy of the person (as determined under current actuarial tables published by the Office of the Chief Actuary of the Social Security Administration at <http://www.ssa.gov/OACT/STATS/table4c6.html>). An annuity that pays out over a period less than a person's estimated life expectancy is considered a transfer for less than FMV;
 - C) is irrevocable and nonassignable; and
 - D) pays benefits in approximately equal periodic payments no less than quarterly, with no deferred or balloon payments.
- p) The purchase of a life estate interest in another person's home shall be treated as a transfer for less than FMV unless the purchaser resided in the home for at least 12 consecutive months after the date of the transfer. If the purchaser resided in the home for less than 12 consecutive months, the entire purchase amount will be considered a transfer for less than FMV.

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- q) The purchase of a promissory note, loan or mortgage by a person shall be treated as a transfer of assets for less than FMV unless the following conditions are met (a promissory note, loan, or mortgage that does not satisfy these conditions shall be valued based on the outstanding balance due the person under the instrument as of the later of the date of application for medical assistance or the date of the transfer):
- 1) a written instrument recording the transaction is executed, signed and dated on the effective date of the transaction;
 - 2) the instrument provides for a repayment term that is actuarially sound (as determined under current actuarial tables published by the Office of the Chief Actuary of the Social Security Administration at <http://www.ssa.gov/OACT/STATS/table4c6.html>);
 - 3) the instrument provides for payments to be made in equal installments (no less than monthly) during the term of the loan with no deferral and no balloon payments;
 - 4) the instrument prohibits the cancellation of the balance upon the death of a lender; and
 - 5) a tangible, verifiable record of consistent, timely payments in the amounts provided under subsection (q)(2) demonstrates a good faith attempt to repay the instrument. Unpaid installments delinquent three months or more will result in the Department treating the amount remaining unpaid on the instrument as a non-allowable transfer.
- r) Hardship Waiver.
- 1) The Department may waive a penalty period or a portion of a penalty period if it determines that application of a penalty may create an undue hardship. An undue hardship exists when application of a penalty would deprive an institutionalized person:
 - A) of medical care, endangering the person's health or life; or
 - B) of food, clothing, shelter, or other necessities of life.

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- 2) An undue hardship does not exist when imposition of a penalty would merely cause a person or the person's family members inconvenience or might restrict the person or the person's family members' lifestyles but would not put him or her at risk of serious deprivation. Undue hardship does not exist when a person transfers assets to a community spouse (other than as allowed under Section 120.379(d)) and the community spouse refuses to cooperate in making the resources available to the person. Undue hardship does not exist when a person transfers or gives property away for the primary purpose of qualifying for long term care services (see subsection (m)(1)(D)), notwithstanding legal, financial or other professional advice the person may have received from third parties.
- 3) The Department shall issue a notice to any person who is subject to a penalty period not less than 10 days prior to imposition of the penalty. The notice shall inform the person of the period of ineligibility for long term care services and that a hardship waiver may be requested. The notice shall state that the person or the facility in which the person resides (pursuant to subsection (p)(4)) may submit in writing evidence that a hardship exists. The evidence may be submitted to the Department, which shall review the information and make a determination whether a hardship waiver should be granted.
- 4) The person requesting a hardship waiver shall have the burden of proof that actual, not just possible, hardship exists. The person must provide written evidence to substantiate the circumstances of the transfer, attempts to recover the uncompensated value of the transfer, reasons for the transfer and the impact of a period of ineligibility for long term care services. The following criteria shall be considered in determining whether a hardship waiver may be granted:
 - A) whether credible and convincing evidence is presented that the person has taken all equitable and legal means available to recover an asset or assets that have been transferred for less than fair market value. In cases involving alleged theft, fraud, elder abuse or other misappropriation of assets, evidence of referrals to the police or other law or regulatory enforcement agencies is required. In cases in which assets have been transferred for less than FMV as a result of legal, financial or other professional advice, evidence of

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- legal attempts to recover the value of the assets from the professional adviser may be required;
- B) whether the transfers were to family members, whether the transfers were made at arm's length, whether the transfers were made in close proximity in time to an application for long term care services, and evidence showing transfers were made for reasons other than qualifying for medical assistance;
- C) the medical condition, mental capacity, financial ability and other factors that may have affected the person at the time of the decision to transfer the assets for less than FMV and the person's ability to pursue recovery; and
- D) whether:
- i) the denial of assistance would force the person to move; or
- ii) subject to the availability of beds, the person would be prohibited from joining a spouse in a facility or from entering a facility that is in close proximity to his or her family.
- 5) A notice of a denial of waiver shall include a statement that the person may appeal pursuant to 89 Ill. Adm. Code 102.80.
- 6) A facility in which an institutionalized person is residing may request a hardship waiver on behalf of that person under this subsection (r) provided written consent has been obtained from the person who is legally competent to do so, or the person's personal representative, who has appropriate legal authority to provide the consent.
- s) Records Production. The Department or its agent may request any and all records necessary to determine the existence and extent of any transfers of property under this Section. Persons are required to cooperate in providing requested information and verifications in accordance with Section 120.308. The Department will provide any needed assistance requested by a person and will use reasonable measures requesting records, taking into account the age, significance, relevancy and difficulty of obtaining the records, the medical condition and mental capacity

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[of the person, and other factors that may affect the person's ability to retrieve records.](#)

(Source: Added at 34 Ill. Reg. _____, effective _____)

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Section 120.TABLE B Life Expectancy (Repealed)

MALE		FEMALE	
Age	Life Expectancy	Age	Life Expectancy
0	71.80	0	78.79
1	71.53	1	78.42
2	70.58	2	77.48
3	69.62	3	76.51
4	68.65	4	75.54
5	67.67	5	74.56
6	66.69	6	73.57
7	65.71	7	72.59
8	64.73	8	71.60
9	63.74	9	70.61
10	62.75	10	69.62
11	61.76	11	68.63
12	60.78	12	67.64
13	59.79	13	66.65
14	58.82	14	65.67
15	57.85	15	64.68
16	56.91	16	63.71
17	55.97	17	62.74
18	55.05	18	61.77
19	54.13	18	60.80
20	53.21	20	59.83
21	52.29	21	58.86
22	51.38	22	57.89
23	50.46	23	56.92
24	49.55	24	55.95
25	48.63	25	54.98
26	47.72	26	54.02
27	46.80	27	53.05
28	45.88	28	52.08
29	44.97	29	51.12
30	44.06	30	50.15
31	43.15	31	49.19
32	42.24	32	48.23
33	41.33	33	47.27

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34	40.23	34	46.31
35	39.52	35	45.35
36	38.62	36	44.40
37	37.73	37	43.45
38	36.83	38	42.50
39	35.94	39	41.55
40	35.05	40	40.60
41	34.15	41	39.66
42	33.26	42	38.72
43	32.37	43	37.78
44	31.49	44	36.85
45	30.61	45	35.92
46	29.74	46	35.00
47	28.88	47	34.08
48	28.02	48	33.17
49	27.17	49	32.27
50	26.32	50	31.37
51	25.48	51	30.48
52	24.65	52	29.60
53	23.82	53	28.72
54	23.01	54	27.85
55	22.21	55	27.00
56	21.43	56	26.15
57	20.66	57	25.31
58	19.90	58	24.48
59	19.15	59	23.67
60	18.42	60	22.86
61	17.70	61	22.06
62	16.99	62	21.27
63	16.30	63	20.49
64	15.62	64	19.72
65	14.96	65	18.96
66	14.32	66	18.21
67	13.70	67	17.48
68	13.09	68	16.76
69	12.50	69	16.04
70	11.92	70	15.35
71	11.35	71	14.65
72	10.80	72	13.99

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73	10.27	73	13.33
74	9.27	74	12.68
75	9.24	75	12.05
76	8.76	76	11.43
77	8.29	77	10.43
78	7.83	78	10.24
79	7.40	79	9.67
80	6.98	80	9.11
81	6.59	81	8.58
82	6.21	82	8.06
83	5.85	83	7.56
84	5.51	84	7.08
85	5.19	85	6.63
86	4.89	86	6.20
87	4.61	87	5.79
88	4.34	88	5.41
89	4.09	89	5.05
90	3.86	90	4.71
91	3.64	91	4.40
92	3.43	92	4.11
93	3.24	93	3.84
94	3.06	94	3.59
95	2.90	95	3.36
96	2.74	96	3.16
97	2.60	97	2.97
98	2.47	98	2.80
99	2.34	99	2.64
100	2.22	100	2.48
101	2.11	101	2.34
102	1.99	102	2.20
103	1.89	103	2.06
104	1.78	104	1.93
105	1.68	105	1.81
106	1.59	106	1.69
107	1.50	107	1.58
108	1.41	108	1.48
109	1.33	109	1.38
110	1.25	110	1.28
111	1.17	111	1.19

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112	1.10	112	1.10
113	1.02	113	1.02
114	0.96	114	0.96
115	0.89	115	0.89
116	0.83	116	0.83
117	0.77	117	0.77
118	0.71	118	0.71
119	0.66	119	0.66

(Source: Repealed at 34 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Acupuncture Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1140
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1140.20	Amendment
1140.30	Amendment
1140.35	Amendment
1140.50	Amendment
- 4) Statutory Authority: Acupuncture Practice Act [225 ILCS 2]
- 5) Effective Date of Amendments: July 28, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal Published in Illinois Register: March 26, 2010; 34 Ill. Reg. 3734
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Public Act 95-450 and Public Act 96-255 amended the Acupuncture Practice Act to streamline the utilization of acupuncture guest instructors in Illinois; this adopted rulemaking implements those provisions. Previously, anyone coming into Illinois as a guest instructor was required to apply for a permit, including payment of an application fee. These individuals will now be able to engage in

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professional education through clinics, lectures, or demonstrations as an invited guest of a professional acupuncture training program or continuing education provider provided that the guest is licensed in another state or country and his or her license is active with no disciplinary actions. They also need to be certified in good standing with the National Certification Commission for Acupuncture and Oriental Medicine. Obsolete language has also been removed.

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

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield, Illinois 62786

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

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

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TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1140

ACUPUNCTURE PRACTICE ACT

Section

1140.10	Definitions
1140.20	Fees
1140.30	Application for Licensure
1140.35	Application for Guest Instructor Permit
1140.40	Acupuncture Curriculum
1140.50	Endorsement
1140.60	Renewals
1140.70	Inactive Status
1140.80	Restoration
1140.90	Continuing Education
1140.100	Unprofessional Conduct
1140.110	Granting Variances

AUTHORITY: Implementing the Acupuncture Practice Act [225 ILCS 2] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Adopted at 23 Ill. Reg. 5705, effective April 30, 1999; amended at 25 Ill. Reg. 10893, effective August 13, 2001; amended at 26 Ill. Reg. 11938, effective July 18, 2002; amended at 27 Ill. Reg. 10103, effective June 20, 2003; amended at 30 Ill. Reg. 2512, effective February 8, 2006; amended at 34 Ill. Reg. 11759, effective July 28, 2010.

Section 1140.20 Fees

The following fees shall be paid to the Division and are not refundable:

- a) Application Fees-
 - 1) The fee for application for a license as an acupuncturist is \$500.
 - 2) ~~The fee for application for a guest instructor permit is \$150.~~3) The fee for application as a continuing education sponsor is \$250.

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b) ~~Renewal Fees-~~

- 1) The fee for the renewal of an acupuncturist license shall be calculated at the rate of \$250 per year.
- 2) The fee for the renewal of continuing education sponsor approval is \$250 for a 2 year license.

c) ~~General Fees-~~

- 1) The fee for the restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees, not to exceed \$1,000.
- 2) The fee for the issuance of a duplicate license, for the issuance of a replacement license, for a license that has been lost or destroyed or for the issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on Division records when no duplicate license is issued.
- 3) The fee for the certification of a license for any purpose is \$20.
- 4) The fee for a wall certificate showing licensure shall be the actual cost of producing such certificate.
- 5) The fee for a roster of persons licensed as acupuncturists in this State shall be the actual cost of producing such a roster.

(Source: Amended at 34 Ill. Reg. 11759, effective July 28, 2010)

Section 1140.30 Application for Licensure

- a) The Division shall issue a license to an applicant who submits with the application proof of the following:
 - 1) Education
 - A) Graduation from a school accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or

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a similar accrediting body approved by the Division; or

- B) Completion of a comprehensive educational program approved in accordance with Section 1140.40 by the Division; and
- 2) Passing the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) acupuncture examination or a substantially equivalent examination approved by the Division; [and](#)
 - 3) Proof of successful completion of the Clean Needle Technique (CNT) course offered by the Council of Colleges of Acupuncture and Oriental Medicine; [and](#)
 - 4) ~~A complete work history since completion of acupuncture education;~~
~~and~~ 5) The required fee specified in Section 1140.20.
- b) All documents shall be submitted to the Division in English.
- c) If the applicant has ever been licensed in another jurisdiction, he/she shall also submit a certification, on forms provided by the Division, from the jurisdiction in which the applicant was originally licensed and in which the applicant is currently licensed, stating:
- 1) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
 - 2) A description of the examination in that jurisdiction; and
 - 3) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- d) When the accuracy of any submitted documentation or experience is questioned by the Division or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or

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sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

(Source: Amended at 34 Ill. Reg. 11759, effective July 28, 2010)

Section 1140.35 ~~Application for Guest Instructor Permit~~

- a) Any person not licensed in this State to practice acupuncture who is an invited guest of a professional acupuncture association, scientific acupuncture foundation, ~~an~~ acupuncture training program or a Division approved continuing education provider ~~may provide who will be providing~~ professional education through lectures, clinics or demonstrations ~~as set forth in~~ ~~must be the holder of a Guest Instructor Permit issued by the Division pursuant to the provisions of~~ Section 20.1 of the Act.
- b) ~~Any individuals providing services pursuant to this Section shall, upon written request of the Division, provide the following. An application for a Guest Instructor Permit shall be made on forms provided by the Division. The application shall include:~~
 - 1) ~~One of the following~~ Either:
 - A) Current certification in good standing as an acupuncturist from the National Certification Commission for Acupuncture and Oriental Medicine; or
 - B) Current certification of licensure in another jurisdiction; or
 - C) Equivalent education and training set forth in this Part;
 - 2) Certification from ~~an~~ the acupuncture association, scientific acupuncture foundation, ~~an~~ acupuncture training program or ~~an~~ approved continuing education sponsor indicating:
 - A) That the person has received an invitation or appointment to teach acupuncture technique in conjunction with lecture, clinics or demonstrations;
 - B) The nature of the educational services to be provided by the

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applicant; and

C) The term of the invitation or contract;

3) A copy of the applicant's current curriculum vitae; ~~and~~

4) ~~The fee set forth in Section 1140.20.~~

c) ~~A Guest Instructor Permit shall be valid for 12 months.~~ d) A guest instructor may engage in the application of acupuncture techniques in conjunction with the lecture, clinics, or demonstration, but may not open an office, appoint a place to meet private patients, consult with private patients, or otherwise engage in the practice of acupuncture beyond what is required in conjunction with these lectures, clinics or demonstrations.

e) ~~When the holder of a Guest Instructor Permit has been discharged or terminated from an appointment, any permit issued in the name of the person shall be null and void as of the date of the discharge or termination.~~

d)f) ~~If an individual providing services under the provisions of this Section, at the conclusion of the term of the appointment for which the permit was issued, the holder of the permit~~ desires to remain in the State and practice or teach his/her profession, he/she must apply for and receive a license to practice acupuncture. g) ~~Nothing shall prohibit individuals providing services pursuant to this Section the holder of a Guest Instructor Permit from applying for and receiving a license to practice acupuncture in this State while providing services as allowed by this Section during the term of the appointment. In the event the holder of a permit is issued a license to practice in this State, upon receipt of the license, the permit shall become null and void and shall be returned to the Division.~~

(Source: Amended at 34 Ill. Reg. 11759, effective July 28, 2010)

Section 1140.50 Endorsement

a) An applicant who is licensed/registered under the laws of another state or territory of the United States who wishes to be licensed in Illinois as an acupuncturist shall file an application with the Division, on forms provided by the Division, that includes:

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- 1) One of the following:
 - A) Proof of passage of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) examination or another examination that has been approved by the Division for individuals licensed in another jurisdiction prior to January 1, 2002; or
 - B) Current certification from the National Certification Commission for Acupuncture and Oriental Medicine for individuals licensed in another jurisdiction prior to January 1, 2002; or
 - C) Verification of meeting examination, education, apprenticeship or experience requirements as set forth in Section 1140.30 [of this Part](#) for individuals licensed in another jurisdiction prior to January 1, 2000; or
 - D) For applicants licensed after January 1, 2002, proof of:
 - i) Graduation from a school accredited by the Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM) or a similar accrediting body approved by the Division; or
 - ii) Completion of a comprehensive educational program approved in accordance with Section 1140.40 by the Division and proof of passage of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) examination or another examination that has been approved by the Division;
- 2) Proof of successful completion of the Clean Needle Technique (CNT) Course offered by the Council of Colleges of Acupuncture and Oriental Medicine;
- 3) Certification from the jurisdiction of original licensure and the jurisdiction in which the applicant is currently licensed and practicing, if other than original, stating the time during which the applicant was licensed in that state, whether the file on the applicant contains any disciplinary actions

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taken or pending, and the applicant's license number; and

- 4) ~~Complete work history since completion of training and/or education;~~
~~and 5) The required fee specified in Section 1140.20 of this Part.~~

- b) The Division shall examine each endorsement application to determine whether the requirements and examination in the jurisdiction at the date of licensing were substantially equivalent to the requirements and examination of the Act or whether the applicant possesses individual qualifications that were substantially equivalent to the requirements of the Act.
- c) The Division shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reasons for the denial of the application.

(Source: Amended at 34 Ill. Reg. 11759, effective July 28, 2010)

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- 1) Heading of the Part: Practice and Procedure in Administrative Hearings
- 2) Code Citation: 77 Ill. Adm. Code 100
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
100.1	Amended
100.2	Amended
100.3	Amended
100.4	Amended
100.5	Amended
100.6	Amended
100.7	Amended
100.8	Amended
100.10	Amended
100.11	Amended
100.12	Amended
100.13	Amended
100.14	Amended
100.16	Amended
100.17	Amended
100.18	Amended
100.19	Amended
100.25	New
100.35	New
100.40	New
100.45	New
100.50	New
100.55	New
100.60	New
100.70	New
100.80	New
100.90	New
- 4) Statutory Authority: Implementing and authorized by Section 5-10(a)(i) of the Illinois Administrative Procedure Act [5 ILCS 100/5-10(a)(i)] and Sections 55 through 55.63 of the Civil Administrative Code of Illinois [20 ILCS 2310/55 through 55.63]
- 5) Effective Date of Rulemaking: July 30, 2010

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- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: September 4, 2009; 33 Ill. Reg. 12321
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:

The following changes were made in response to comments received during the first notice or public comment period:

1. In Section 100.1(b), "shall govern" was stricken and "governs" was added.
2. In Section 100.1(c), "does" was deleted, "applies" was added, and "apply" was stricken.
3. In Section 100.1(e), "and Services Review" was added and "Planning" was stricken.
4. In Section 100.2, definition of "Administrative Law Judge, "or 'hearing officer'" was added after "judge".
5. The following definitions were added in Section 100.2:

"Default" or "default judgment" shall mean a written order entered after due process requirements of adequate notice and opportunity for hearing have been provided and the respondent fails to either appear, defend, or answer; or a written order entered as an ultimate sanction for improper conduct. This order is considered a final order.

"Final order" or "final decision" shall mean a written order that disposes of a case or action, either with or without the imposition of a penalty, sanction, or other action."

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6. In Section 100.4(a), after "corporation", "including a certified local health department; a" was added; "an" was added after "or".
7. In Section 100.8(c), "do not" was added after "pleadings" and before "conform".
8. In Section 100.8, a new subsection (k) was added as follows (but later deleted):
 - k) All motions in cases brought under the Smoke Free Illinois Act, whether based on jurisdictional, constitutional, or any other grounds, except those based on unforeseen or emergency circumstances, shall be made in writing. An opposing party shall have 28 days after service of any motion in which to serve a written response. Reply briefs, if any, shall be served seven days after service of the written response. The administrative law judge will then rule based on the applicable law, pleadings, briefs, and other admissible evidence. Oral arguments on motions will not be permitted unless all parties stipulate, in which situation the administrative law judge shall have the discretion to hear oral arguments.
9. In Section 100.11(e), ", in his or her discretion," was stricken.
10. In Section 100.13(a), the following was added after the existing sentence, and two new subsections were added (but later deleted): "The administrative law judge will determine whether to conduct the hearing through telephonic or videoconference technology, based on travel distances for all parties and witnesses, the need to expedite the proceeding, or the availability of a location."
 - 1) For hearings under the Smoke Free Illinois Act, *the hearing shall be conducted at the nearest regional office of the Department, or in a location contracted by the Department in the county where the citation was issued.* (Section 40(d) of the Smoke Free Illinois Act) If the hearing is conducted electronically in accordance with subsection (a), unless otherwise agreed by all parties, at least one party or the administrative law judge shall attend the hearing at the nearest regional office or in a location contracted by the Department in the county where the citation was issued. All exhibits intended to be offered into evidence by both parties shall be received by the administrative law judge no later than 24

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hours prior to the hearing. Exhibits may be submitted to the administrative law judge through U.S. mail, electronic mail (e-mail), or fax.

- 2) For Involuntary Transfer or Discharge hearings under the Nursing Home Care Act, when the basis for involuntary transfer or discharge is other than action by the Department of Healthcare and Family Services (formerly Department of Public Aid) with respect to the Title XIX Medicaid recipient, the Department shall hold a hearing at the resident's facility. (Section 3-411 of the NHCA) While the resident and the facility's attorney shall attend the hearing at the facility, the administrative law judge or hearing officer may preside over the hearing electronically in accordance with subsection (a). All exhibits intended to be offered into evidence by both parties received by the administrative law judge no later than 24 hours prior to the hearing. Exhibits may be submitted to the administrative law judge through U.S. mail, electronic mail (e-mail), or fax."

11. In Section 100.20(g), "Planning" was changed to "and Services Review".

The following changes were made during the second notice period in response to comments and suggestions of JCAR:

1. In the Table of Contents and the text of the rules, three new Subpart headings were added:
"SUBPART A: APPLICABILITY AND DEFINITIONS"
"SUBPART B: GENERAL HEARINGS"
"SUBPART C: ADMINISTRATIVE HEARINGS UNDER THE SMOKE FREE ILLINOIS ACT".
2. In the Table of Contents, "and Referenced Materials" was added to the heading for Section 100.1 titled "Definitions", and the heading "100.20 Referenced Materials" was deleted.
3. In the Table of Contents, the following was added:
"SUBPART C: ADMINISTRATIVE HEARINGS UNDER
THE SMOKE FREE ILLINOIS ACT

Section

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<u>100.25</u>	<u>Initiation of a Hearing</u>
<u>100.35</u>	<u>Parties to Hearings</u>
<u>100.40</u>	<u>Right to Counsel</u>
<u>100.45</u>	<u>Prehearing Conference</u>
<u>100.50</u>	<u>Motions</u>
<u>100.55</u>	<u>Discovery</u>
<u>100.60</u>	<u>Hearings</u>
<u>100.70</u>	<u>Proposal for Decision</u>
<u>100.80</u>	<u>Final Order and Payment of Fines</u>
<u>100.90</u>	<u>Record of Hearing".</u>

4. In Section 100.1(a), the following was added: "Subpart B provides rules for the Department's general hearings. Subpart C provides rules specifically for hearings under the Smoke Free Illinois Act.".
5. In Section 100.1(e), the new text was deleted and the existing text was stricken.
6. In the heading for Section 100.2, "**and Referenced Materials**" was added.
7. In Section 100.2, "a Definitions" and "b Referenced Materials" were added.
8. In the definition of "Administrative Law Judge" in Section 100.2, "shall" in the last line was stricken and "may" was added.
9. In the definition of "Alleged violator" in Section 100.2, "or entity" was added after "person".
10. Text of Section 100.20 (**Referenced Materials**) was deleted and added to Section 100.2 as new subsection (b).
11. In Section 100.3(a), "and the Smoke Free Illinois Act." was deleted.
12. New text for subsection 100.3(c) was deleted.
13. In Section 100.4(a), "an" was stricken and "a private" was added; "at his or her own cost" was added after "Illinois"; the 4th sentence was changed to read: "A corporation, a limited liability company, partnership, or association or certified

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local health department shall appear and be represented only by an attorney authorized to practice law in the State of Illinois."

14. In Section 100.7(a)(3), "applicable" was added before "substantive"; "*involved*" was stricken.
15. In subsections 100.7(a)(6) and(d), "the Smoke Free Illinois Act" was deleted.
16. New text in subsections 100.7(b) and (d), 100.8(k), and 100.10(b), and 100.12(h) 100.13(j)(4) and (j)(5), the end of 100.13(m), 100.13(r), and 100.16(c) was deleted.
17. In Section 100.12(b), "Except for cases prosecuted under the Smoke Free Illinois Act, at" was deleted and "At" was reinstated; in subsection (d), "might" was stricken and "would" was added.
18. Amendments to Section 100.13(a) made during the First Notice period were deleted.
19. In Section 100.13(m), "Except for cases brought under the Smoke Free Illinois Act, the" was deleted and "The" was reinstated.
20. New Sections 100.25, 100.35, 100.40, 100.45, 100.50, 100.55, 100.60, 100.70, 100.80, and 100.90 were added.

In addition, various typographical, grammatical, and form changes were made in response to the comments from JCAR.

- 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 an emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Department's hearing rules are amended to update hearing procedures and referenced materials, to more accurately reflect statutory language, and to add provisions that simplify and streamline procedures for hearings conducted in regard to violations of the Smoke Free Illinois Act (SFIA) [410 ILCS 82].

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Public Act 95-1029 amended the Smoke Free Illinois Act to provide for the issuance of citations and to provide an opportunity for a violator to contest the citation in a hearing in accordance with the Illinois Administrative Procedure Act (IAPA) and the Department's rules established for conducting hearings under the IAPA. The Public Act also requires the hearings to be conducted at the nearest regional office of the Department or in a location contracted by the Department in the county where the citation was issued. Parties to the hearing are the enforcing agency (either the Department, a local health department, or a local law enforcement agency) and the violator. During the first notice period, the rules were amended to allow hearings under the SFIA to be conducted by telephone or video conference. During the second notice period, the Department, at the request of the Joint Committee on Administrative Rules (JCAR), placed all of the language concerning SFIA hearings in a separate Subpart.

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

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, 5th Floor
Springfield, Illinois 62761

e-mail: dph.rules@illinois.gov

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

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER a: GENERAL RULES

PART 100

~~RULES OF~~ PRACTICE AND PROCEDURE IN ADMINISTRATIVE HEARINGS

SUBPART A: APPLICABILITY AND DEFINITIONS

Section

- 100.1 Authority ~~and Applicability of these Rules~~
- 100.2 Definitions and Referenced Materials

SUBPART B: GENERAL HEARINGS

Section

- 100.3 Parties to Hearings
- 100.4 Appearance – Right to Counsel
- 100.5 Emergency Action
- 100.6 Hearings Requested by Complainants
- 100.7 Initiation of a Contested Case
- 100.8 Motions
- 100.9 Form of Papers
- 100.10 Service
- 100.11 Prehearing Conferences
- 100.12 Discovery
- 100.13 Hearings
- 100.14 Subpoenas
- 100.15 Administrative Law Judge's Report and Recommendations
- 100.16 Proposal for Decision
- 100.17 Final Orders
- 100.18 Records of Proceedings
- 100.19 Miscellaneous

SUBPART C: ADMINISTRATIVE HEARINGS UNDER
THE SMOKE FREE ILLINOIS ACT

Section

- 100.25 Initiation of a Hearing

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<u>100.35</u>	<u>Parties to Hearings</u>
<u>100.40</u>	<u>Right to Counsel</u>
<u>100.45</u>	<u>Prehearing Conference</u>
<u>100.50</u>	<u>Motions</u>
<u>100.55</u>	<u>Discovery</u>
<u>100.60</u>	<u>Hearings</u>
<u>100.70</u>	<u>Report and Recommendations</u>
<u>100.80</u>	<u>Final Order and Payment of Fines</u>
<u>100.90</u>	<u>Record of Hearing</u>

AUTHORITY: Implementing and authorized by Section 5-10(a)(i) of the Illinois Administrative Procedure Act [5 ILCS 100/5-10(a)(i)] and Sections 55 through 55.63 of the Civil Administrative Code of Illinois [20 ILCS 2310/55 through 55.63].

SOURCE: Adopted at 2 Ill. Reg. 38, p. 91, effective September 23, 1978; amended and codified at 4 Ill. Reg. 43, p. 127, effective October 14, 1980; amended at 5 Ill. Reg. 14167, effective December 9, 1981; amended at 6 Ill. Reg. 2235, effective February 2, 1982; amended at 11 Ill. Reg. 1937, effective January 9, 1987; amended at 18 Ill. Reg. 5980, effective April 1, 1994; amended at 21 Ill. Reg. 3208, effective March 3, 1997; amended at 34 Ill. Reg. 11768, effective July 30, 2010.

SUBPART A: APPLICABILITY AND DEFINITIONS**Section 100.1 Authority and Applicability ~~of these Rules~~**

- a) This Part ~~governing~~ practice and procedure for administrative hearings is promulgated pursuant to Section 5-10(a)(i) of the Illinois Administrative Procedure Act (IAPA) ~~[5 ILCS 100/5-10(a)(i)]~~. Subpart B provides rules for the Department's general hearings. Subpart C provides rules specifically for hearings under the Smoke Free Illinois Act.
- b) This Part ~~governs~~~~shall govern~~ all contested cases in the Department of Public Health, State of Illinois, except as noted in ~~subsections~~ subsections (d) and (e) of this Section. ~~If~~~~Where~~ a licensing statute prescribes certain procedures or requirements for licensure hearings, those procedures or requirements will be followed as though they were set forth in ~~this Part~~~~these rules~~. ~~If~~~~in the event~~ there is a conflict between the licensing statute and this Part, the licensing statute shall prevail.

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- c) This Part ~~shall~~ also ~~applies~~apply to contested cases resulting from the Department's administration of any program on behalf of the United States government. ~~If in the event~~ there is a conflict between federal regulations and ~~this Part~~these rules, federal regulations shall prevail.
- d) This Part ~~does~~shall not govern ~~the various~~ informal administrative procedures established by the Department to resolve licensing issues or conflicts prior to initiating any action requiring a formal hearing.
- e) ~~This Part shall not govern contested cases conducted pursuant to 77 Ill. Adm. Code 1180 (Practice and Procedure in Administrative Hearings) (Health Facilities Planning Board).~~

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.2 Definitions and Referenced Materials**a) Definitions**

"Administrative ~~law judge~~" or "~~hearing officer~~Law Judge" shall mean any attorney licensed to practice law in Illinois, appointed by the Director to preside at an administrative hearing. For the purpose of hearings conducted pursuant to Sections ~~2-110(d)2-100(d)~~ and 3-410 of the Nursing Home Care Act (NHCA), the Department's Regional Health Officer in the region in which the facility is located ~~may~~shall act as ~~administrative law judge~~Administrative Law Judge.

"Alleged violator" shall mean a person or entity issued a citation under the Smoke Free Illinois Act.

"Citation" shall mean a document alleging a violation of the Smoke Free Illinois Act.

"Contested case" shall have the meaning ascribed to it in Section 1-30 of the IAPA and shall include hearings pursuant to the Smoke Free Illinois Act.

"Default" or "default judgment" shall mean a written order entered after due process requirements of adequate notice and opportunity for hearing have been provided and the respondent fails to appear, defend, or answer; or a written order entered as an ultimate sanction for improper conduct. This order is considered a

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final order.

"Department" shall mean the Illinois Department of Public Health, ~~State of Illinois.~~

"Director" shall mean the Director or the designee of the Director of the Department of Public Health, ~~State of Illinois.~~

"Enforcing agency" shall be as described in Section 40 of the Smoke Free Illinois Act.

"Final order" or "final decision" shall mean a written order that disposes of a case or action, either with or without the imposition of a penalty, sanction, or other action.

~~"IAPA" shall mean the Illinois Administrative Procedure Act [5 ILCS 100].~~

"License" shall have the meaning ascribed to it in Section 1-35 of the IAPA.

"Licensing" shall have the meaning ascribed to it in Section 1-40 of the IAPA.

"NHCA" shall mean the Nursing Home Care Act [210 ILCS 45].

"Person" shall have the meaning ascribed to it in Section 1-60 of the IAPA.

b) Referenced Materials

The following federal laws, State laws and rules, and Illinois Supreme Court Rules are referenced in this Part:

- 1) Social Security Act (42 USC 1395 and 1396)
- 2) Illinois Administrative Procedure Act (IAPA) [5 ILCS 100]
- 3) Nursing Home Care Act [210 ILCS 45]
- 4) Smoke Free Illinois Act (SFIA) [410 ILCS 82]
- 5) Code of Civil Procedure [735 ILCS 5]

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- 6) Administrative Review Law [735 ILCS 5/Art. III]
- 7) Health Facilities and Services Review Board: Health Facilities Planning Procedural Rules (77 Ill. Adm. Code 1130)
- 8) Supreme Court Rule 216: Admission of Fact or of Genuineness of Documents

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

SUBPART B: GENERAL HEARINGS**Section 100.3 Parties to Hearings**

- a) Except for hearings conducted pursuant to the ~~NHCA, Nursing Home Care Act and the WIC Vendor Management Act~~, the parties to an administrative hearing before the Department are the Department (as Complainant) and the Respondent.
- b) For hearings conducted pursuant to the NHCA:
 - 1) In a Complainant's hearing (Section 3-702(g) of the NHCA), the parties are the Department and the Complainant. The facility ~~that~~~~which~~ was investigated may participate as a third party (see Section 100.6 of this Part).
 - 2) In a denial of access hearing (Section 2-110(d) of the NHCA), the parties are the person who requested a hearing based on denial of access to a facility and the facility.
 - 3) In an involuntary transfer/discharge hearing, the parties are the resident who is to be transferred/discharged and the facility.
 - 4) In all other NHCA hearings, the parties are the Department (as Complainant) and facility (as Respondent). If the action resulted from a complaint filed with the Department, the person who filed the complaint may participate as a third party.
 - 5) A third party ~~shall~~~~must~~ file an appearance with the administrative law judge~~Administrative Law Judge~~ on or before the date of the prehearing

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conference, if one is scheduled, or prior to the hearing date if no prehearing conference was scheduled.

- e) ~~For hearings conducted pursuant to the WIC Vendor Management Act [410 ILCS 255]:~~
- 1) ~~In denial of application cases, the parties are the entity whose application is being denied (as Applicant) and the Department (as Respondent).~~
 - 2) ~~In all other cases, the parties are the Department (as Complainant) and the authorized or unauthorized vendor (as Respondent).~~
- cd) A Respondent or alleged violator is a person or entity against whom a complaint or petition is filed or to whom a citation or notice of an opportunity for hearing is directed.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.4 Appearance – Right to Counsel

- a) Any party to a proceeding may appear and be represented by ~~a private~~an attorney authorized to practice law in the State of Illinois at his or her own cost. Any individual party may waive this right and ~~either~~ represent himself or herself. For hearings conducted pursuant to Sections 2-100(d) and 3-410 of the NHCA, a visitor or resident shall have the option of being represented by a non-attorney of his or her choosing. A corporation, a limited liability company, partnership, ~~or~~ association or certified local health department shall appear and be represented only by an attorney authorized to practice law in the State of Illinois. A shareholder, corporate officer, employee, or member of the board of directors may not appear or represent a corporation or association unless that individual is authorized to practice law in the State of Illinois.
- b) All persons appearing in proceedings before the Department, including a visitor's or resident's non-attorney representative, shall conform to the standards of ethical conduct required of attorneys before the courts of Illinois. If any person or attorney does not conform to ~~thosesuch~~ standards, the administrative law judge may decline to permit ~~thatsuch~~ person to appear in any proceeding.
- c) Any attorney or other person appearing before the Department as a representative

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of a visitor or resident shall file an Appearance form containing: the name of the party represented; the name, address and telephone number of the attorney or representative; an affirmative statement that the attorney is or is not duly licensed in the State of Illinois; and the written signature of the attorney or representative.

- d) Special appearances are not recognized. The initial appearance, regardless of form, is deemed a general appearance.
- e) An attorney may withdraw his or her appearance and/or representation only upon motion and appropriate ruling by the administrative law judge. However, attorneys may be substituted without motion upon notice to all parties and the administrative law judge if the substitution will not delay the proceedings, a statement to that effect is contained in the notice, and a substitute Appearance form is filed concurrently with the notice ~~Notice~~.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.5 Emergency Action

If the Director finds that the public interest, safety or welfare imperatively requires emergency action, and if the Director incorporates a finding to that effect in an order, summary suspension of a license or summary suspension of authorization to conduct a particular activity may be ordered, pending proceedings for revocation, termination or other action. ~~Those actions, which~~ proceedings shall be promptly instituted and determined. (Section 10-65 of the IAPA)

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.6 Hearings Requested by Complainants

Pursuant to Section 3-702(g) of the NHCA, *a complainant who is dissatisfied with the determination or investigation of his or her complaint by the Department ~~of his or her complaint~~ may request a hearing. (Section 3-702(g) of the NHCA) Any complainant requesting a hearing shall be deemed to have consented in writing to disclosure of his or her name.*

- a) The parties to administrative hearing pursuant to this Section are the Department and the Complainant. *The facility shall be given notice of any such hearing and may participate in the hearing as a third party (Section 3-702(g) of the NHCA). A request to participate as a third party must be filed in accordance with Section 100.3(b)(5) of this Part.*

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- b) For the purposes of this Section, a Complainant is an individual who has filed a complaint pursuant to the NHCA. If the individual filing the complaint indicates that she or he is acting as the agent of an organization or another individual, and so requests, ~~thesaid~~ organization or other individual will be the Complainant for the purposes of this Section. In that case, the individual who acted as agent for the organization or other individual will be a "referring agent". Unless objected to by the Complainant, the referring agent shall be entitled to receive Notice of Complaint Determination and any request for hearing made pursuant to this Part.
- c) In accordance with Sections 3-703 through 3-712 of the NHCA, the Director shall designate an administrative law judge to conduct hearings requested by dissatisfied Complainants. All hearings shall be conducted pursuant to the provisions of this Part.
- d) Dissatisfied Complainants pursuant to this Section shall have the opportunity to contest the adequacy of the Department's investigation and its determination as to whether the complaint was valid, invalid, or undetermined and also the Department's determination as to whether to issue any violation as a result of ~~thesaid~~ determination. Whenever "determination" is used in this Section, it shall include any investigation resulting in ~~thesaid~~ determination.
- e) Dissatisfied Complainants pursuant to this Section do not have the opportunity to contest any other determinations or decisions of the Department.
- f) Nothing contained ~~in this Section~~~~herein~~ shall be deemed to entitle a dissatisfied Complainant to additional hearings or to a rehearing of a case ~~that~~~~which~~ has already been the subject of a formal administrative hearing or a Final Order.
- g) Complainants pursuant to this Section shall carry the burden to prove, by a preponderance of the evidence, that the aforesaid determinations of the Department were improper.
- h) At the conclusion of the hearing, the administrative law judge shall prepare a report in accordance with Section 100.15, and make a recommendation to the Director specifying whether the complaint should be reinvestigated and/or any invalid or undetermined finding should be changed to a valid finding or the Department should reconsider the failure to cite a facility with any violation.

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(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.7 Initiation of a Contested Case

- a) In contested cases, except those held pursuant to Section 100.6, the Department shall serve on the Respondent a Notice of Opportunity for an Administrative Hearing, which shall contain:
- 1) a statement of the *time, place and nature* of the action;
 - 2) a statement of the legal authority and jurisdiction under which the *hearing is to be held*~~action is being initiated~~;
 - 3) a reference to the particular Sections of the *applicable substantive and procedural* statutes and rules ~~involved~~;
 - 4) allegations of noncompliance;
 - 5) a statement of the procedure for requesting an administrative hearing (*see* Section 10-25 of the IAPA), including a date by which the request must be received by the Department, which must be ~~sent~~*set* at least ~~10~~*ten* days after the Notice is mailed or personally served;
 - 6) ~~unless~~*Unless* the case is brought pursuant to Title XVIII (*health insurance for the aged and disabled*) or XIX (*medical assistance*) of the Social Security Act, ~~or~~ the NHCA ~~or the WIC Vendor Management Act~~, a statement setting forth the requirement of an Answer, pursuant to subsection (d) of this Section; and
 - 7) *except where a more detailed statement is otherwise provided for by law, a short and plain statement of the matters asserted, the consequences of a failure to respond, and the official file or reference number.* (Section 10-25 of the IAPA)
- b) A person who receives a Notice of an Opportunity for an Administrative Hearing must submit a written request for a hearing to the Department. The request is to be sent to the Department at the address stated in the Notice and must be received by the date set forth in the Notice. Failure to comply with this Section shall constitute a waiver of the person's right to an administrative hearing.

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- c) Upon receipt of a timely request for hearing, the Department shall issue a Notice of Hearing or Prehearing Conference. ~~The Notice of Hearing or Prehearing Conference~~ shall contain:
- 1) a statement of the time, place, and nature of the hearing;
 - ~~2) a statement of the time and place that the hearing or Prehearing Conference will be held;~~
 - ~~2)3) a statement of the legal authority and jurisdiction under which the hearing is to be held; and~~
 - ~~3)4) the names and mailing addresses of the administrative law judge, all parties, and all other persons to whom the agency gives notice of the hearing, unless otherwise confidential by law. (Section 10-25 of the IAPA)~~
- d) Unless the case is brought pursuant to Title XVIII or XIX of the Social Security Act, or the NHCA, ~~or the WIC Vendor Management Act~~, a written Answer to the Allegations of Noncompliance shall be filed by a Respondent. The Answer must be served on all parties within 20 days after receipt of the notice alleging noncompliance. If a Respondent fails to file an Answer, each alleged violation of a statute or Department rule by the Respondent shall be deemed to have been admitted. If the Respondent has insufficient knowledge of the facts to form a belief as to the truth of the allegation, the Respondent may so state with an affidavit of insufficient knowledge. If the Respondent wishes to raise defenses that~~which~~ are affirmative in nature or would be likely to take the Department by surprise, the Respondent must do so in the Answer. If Affirmative Defenses are filed within an Answer, the Department shall reply to ~~the~~such Affirmative Defenses within 20 days after receipt of the Answer.
- e) Amendments to the Allegations of Noncompliance and Answers may be allowed upon proper motion at any time during the pendency of the proceedings on such terms as shall be just and reasonable.
- f) All written documents provided for under this Section shall be liberally construed with a view toward doing substantial justice between the parties.

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- g) Venue shall be the location designated in the Notice of Administrative Hearing. Venue may be moved to another location upon stipulation by all parties or upon a showing to and a finding by the administrative law judge that exceptional circumstances ~~exist~~, including, but not limited to, age, infirmity or inability to travel, ~~that exist that~~ ~~which~~ make it desirable, in the interest of justice, to allow a change of venue.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.8 Motions

- a) Motions, unless made during a hearing, shall be made in writing and shall set forth the relief or order sought and the legal authority for the action requested. Except as otherwise provided in this Part or by a specific statute, motions may seek any relief or order recognized in the ~~Illinois~~ Code of Civil Procedure and Rules of the Illinois Supreme Court, and shall include a reference to the applicable Section of ~~the~~ Code or Rules. Motions based on a matter ~~that~~ ~~which~~ does not appear of record shall be supported by affidavit.
- b) Written motions shall be titled as to the party making the motion and the nature of the relief sought. ~~The~~ ~~Such~~ title shall be in capital letters and shall be placed either below the caption or to the right of the caption beneath the docket number. No motion shall be identically titled with any other motion. Examples of properly-titled motions: Respondent's Motion to Dismiss, Respondent's Second Motion to Dismiss.
- c) Motions to the pleadings if not raised at the earliest opportunity shall be deemed waived. Motions to the pleadings shall not be granted if the pleadings do not conform to ~~are in conformity with~~ Section 100.7.
- d) The administrative law judge shall not have the authority to dismiss, postpone, vacate, or overturn an Order or Notice issued by the Director, but may make a recommendation to the Director at any time that circumstances merit such a recommendation.
- e) Motions for a continuance shall be granted only for good cause shown. Motions for a continuance shall be in writing and filed at least ~~five~~ working days prior to the hearing. Motions for a continuance shall be made immediately when the party learns that a continuance is needed. Statements ~~and statements~~ as to when the

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party learned that a continuance was needed, steps that were taken to avoid the continuance, and the current reasons the continuance is needed shall be contained in the motion. After one continuance has been granted to a party, additional continuances may be granted to that party only if:

- 1) a hearing on the issue of whether ~~or not~~ to grant the continuance has been held and the administrative law judge finds that the moving party has presented sufficient evidence showing entitlement to another continuance;⁵ or
 - 2) there is an emergency;⁵ or
 - 3) all parties so stipulate.
- f) Whenever possible, as much of the hearing as possible shall be completed, and only those matters that must be continued shall be continued.
- g) If there is an unforeseen emergency, motions for a continuance may be made by telephone rather than in writing. Motions by telephone shall be made through a conference call involving the administrative law judge and all parties and shall be confirmed within ~~three~~³ business days by the filing of a written motion.
- h) Responses shall be in writing unless made at a prehearing conference or a hearing.
- i) On motion made by any party, the administrative law judge who is the subject of ~~the such~~ motion shall determine whether he or she should be disqualified on the basis of bias or conflict of interest, and shall remove himself or herself if a determination is made that bias or a conflict of interest exists. If the motion is granted, the Director shall appoint a new administrative law judge. *An adverse ruling, in and of itself, shall not constitute bias or conflict of interest.* (Section 10-30 of the IAPA)
- j) Demands for a Bill of Particulars shall not be allowed.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.10 Service

- a) Notices under Section 100.7(a) shall be served either personally or by certified

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mail upon all parties (including complainants under the NHCA, ~~when~~where applicable) or their agents appointed to receive service of process unless the applicable licensing statute requires a different form of service, in which case service shall conform to the statute.

- b) Service to the last official address of a party or agent provided to the Department by a party shall be considered in compliance with this Section. Notices ~~and~~and citations sent by certified mail ~~that~~which have been returned to the Department as unclaimed or refused by the addressee shall be considered served. For purposes of this Section, the "last official address" shall be: the address listed on the most recent application submitted to the Department, unless the Department has been subsequently notified in writing of a change of address. For certified nursing assistants and habilitation aides, the "most recent application" shall be the information submitted by the training program or testing entity ~~that~~which qualified the individual to be entered on the registry.
- c) Service of pleadings or motions under this Section, unless otherwise provided for in this Section, shall be made by delivering in person or by depositing in the United States Mail, properly addressed with postage prepaid, one copy to each party to the proceedings. When any party or parties have appeared by attorney, service upon the attorney shall be deemed service upon ~~the~~such party or parties. All pleading or motions under this Section shall also be served upon the administrative law judge.
- d) Proof of service under subsection (b) of this Section shall be by certificate of attorney, affidavit or acknowledgment.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.11 Prehearing Conferences

- a) A telephonic prehearing conference may be scheduled by the administrative law judge or Department ~~at their discretion~~ or as a result of a request pursuant to subsection (b) of this Section. This conference shall be held prior to the date of hearing and shall be for the purpose of considering:
- 1) the simplification of the issues;
 - 2) amendments to the pleadings;

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- 3) the possibility of obtaining admissions of fact and of documents ~~that~~which will avoid unnecessary proof;
 - 4) the limitation of the number of expert ~~witnesses~~witness; and
 - 5) any other matters ~~that~~which may aid in the disposition of the hearing.
- b) In any proceedings under this Section in which the Department has not scheduled a prehearing conference, any party to the proceedings may request the scheduling of a prehearing conference. ~~The~~Such request ~~shall~~must be made in writing and received by the administrative law judge at least ~~five~~5 days prior to the scheduled date of hearing. The requesting party shall serve all other parties to the proceedings with a copy of the request.
 - c) Upon the receipt of a request for a prehearing conference in accordance with subsection (b) of this Section, the administrative law judge shall schedule the prehearing conference and notify all parties of the date, time and place of the conference.
 - d) After a prehearing conference, the administrative law judge shall make a report ~~that~~which recites any action taken by the administrative law judge and any agreements made by the parties as to any of the matters considered.
 - e) Any party may request additional prehearing conferences. The administrative law judge, ~~in his or her discretion~~, may deny or grant such a request, based on the nature of the motion.
 - f) A certified stenographic reporter (court reporter) will not be present at a prehearing conference unless one of the parties to the proceeding requests the Department to make arrangements for a court reporter to be present. ~~The~~Such request ~~shall~~must be received by the Department at least two working days in advance of the scheduled prehearing conference. The party requesting the presence of the court report shall be billed directly for the attendance fee of the reporter.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.12 Discovery

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- a) Prior to or at the prehearing conference, the Department shall provide all parties with a copy of all of the Department's inspection or investigative reports relating to the Allegations of Noncompliance. If no pre-hearing conference is held, the Department shall provide copies of the investigative reports prior to the hearing.
- b) At least 21 days prior to the commencement of the hearing, each party shall provide all other parties with a copy of any document ~~thatwhich~~ it ~~mayintends to~~ offer into evidence. This subsection shall not require any party to again provide copies of those documents already provided by the Department under subsection (a) ~~above~~.
- c) At least 21 days prior to the commencement of the hearing, each party shall provide all other parties with a list containing the name and address of any witness who may be called to testify.
- d) All parties shall be entitled to any exculpatory evidence in the Department's possession ~~thatwhich~~ tends to support the Respondent's position or ~~thatwhich~~ wouldmight impeach the credibility of a Department witness.
- e) Upon a written request by the Department, at any time after a notice or hearing request is filed, or at any stage of the hearing, the Respondent shall be required to produce within seven~~7~~ days documents, books, records, or other evidence that ~~relateswhich relate~~ directly to conduct of the business entity or other subject of the administrative hearing.
- f) All parties shall be under a continuing obligation to promptly update requested discovery until the hearing is concluded without the necessity for further or additional requests.
- g) There shall be no depositions for discovery purposes or interrogatories allowed in any proceedings brought pursuant to this Part, except as agreed to by the parties.
- h) Requests to Admit Facts and Genuineness of Documents shall be allowed in accordance with Supreme Court Rule 216.
- i) Nothing contained in this Section~~herein~~ shall preclude the parties from agreeing to the voluntary exchange of more information than is required.

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(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.13 Hearings

- a) All hearings conducted in any proceedings shall be open to the public.
- b) Hearings will be conducted by the Director or by an administrative law judge appointed by the Director. If the Director conducts the hearings, any reference in this Section to the administrative law judge shall be read to refer to the Director.
- c) The administrative law judge shall conduct hearings; administer oaths; issue subpoenas; hold informal conferences for the settlement, ~~simplifications~~simplification, or definition of issues; dispose of procedural requests, motions, and similar matters; continue the hearing from time to time when necessary; examine witnesses; and rule upon the admissibility of evidence.
- d) The administrative law judge shall direct all parties to enter their appearances on the record.
- e) Written opening arguments and written closing arguments shall not be permitted unless all parties so stipulate.
- f) Parties may by stipulation agree upon any facts involved in the proceeding. The facts stipulated shall be considered as evidence in the proceeding. Unless precluded by law, disposition may be made of any contested case by stipulation, agreed settlement, consent order, default, or ~~by~~ motion.
- g) At any stage of the hearing or after all parties have completed the presentation of their evidence, the administrative law judge may call for further testimony, subject to cross-examination by the parties.
- h) *The rules of evidence and privilege as applied in civil cases in the circuit courts of this State shall be followed. ~~Evidence~~ ~~However, evidence~~ not admissible under ~~those~~ ~~such~~ rules of evidence may be admitted, ~~however~~, (except where precluded by statute) if it is of a type commonly relied upon by reasonably prudent ~~persons~~ persons in the conduct of their affairs. ~~Immaterial, irrelevant or unduly repetitious material shall be excluded~~ Immaterial, irrelevant, or unduly repetitious material shall be excluded. A copy of the whole or any part of an admissible book, record, paper, or memorandum of the Department ~~that~~ ~~which~~ is made by*

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photostatic or other method of accurate and permanent reproduction ~~shall~~may be admitted in evidence at the hearing without further proof of the accuracy of ~~the~~such copy. *Objections to evidentiary offers may be made and shall be noted in the record.* (Section 10-40~~(a)~~(a) of the IAPA)

- i) Official notice may be taken of matters of which ~~the~~ circuit courts of this State may take judicial notice. In addition, official notice may be taken of generally recognized technical or scientific facts within the ~~Department's~~Department's specialized knowledge. Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material noticed, including any staff memoranda or data, and they shall be afforded an opportunity to contest the material so noticed. The ~~Department's~~Department's experience, technical competence and specialized knowledge may be utilized in the evaluation of evidence. (Section 10-40~~(c)~~(c) of the IAPA)
- j) A party may offer into evidence any of the following documents without foundation or other proof, provided that a copy of the document has been timely provided to all other parties in accordance with Section 100.12(b):
- 1) records and reports of health care facilities, doctors, nurses, physical therapists, or other health care providers; however, ~~these~~such records and reports shall not include affidavits or other documents specifically prepared for litigation;
 - 2) investigation reports from ~~governmental~~government law enforcement agencies;
 - 3) the enforcing agency's inspection or investigative reports produced pursuant to Section 100.12(a).
- k) For good cause shown, including, but not limited to, age, infirmity, or inability to travel, evidentiary depositions shall be allowed.
- l) Absent a showing of good cause, no document shall be offered into evidence ~~that~~which was not disclosed in accordance with the requirements ~~of~~in Section 100.12(b), and no witness shall testify whose name was not provided pursuant to Section 100.12(c). For purposes of this subsection, a showing of good cause shall mean that a party, through no fault of its own, did not have knowledge of a document to be offered into evidence or the name of a witness within the

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timeframe necessary for compliance with Section 100.12(b) and (c).

- m) The Department will arrange for a certified stenographic reporter (court reporter) to make a stenographic record of the hearing in all administrative hearings under ~~this Part~~these rules. Any person may make arrangements to obtain a copy of the stenographic record from the reporter. The Department reserves the right to employ a certified stenographic reporter. A copy of any stenographic record made by a Department employee may be purchased from the Department at a cost of ~~one dollar per page~~half the actual cost to the Department. There shall be no audio or video taping apart from any made by the certified stenographic reporter employed for those purposes by the Department without the express consent of the administrative law judge and all parties to the hearing.
- n) Corrections to the transcript of the record may be made by the Director or administrative law judge.
- o) If a party, or any person at the instance of or in collusion with a party, violates any ruling of the administrative law judge, the administrative law judge, on motion, may enter such orders as are just, including, among others, the following:
- 1) that further proceedings be stayed until the order or rule is complied with;
 - 2) that the offending party be barred from filing any other pleadings relating to any issue to which the refusal or failure relates;
 - 3) that ~~the offending party~~he or she be barred from maintaining any particular claim or defense relating to that issue;
 - 4) that a witness be barred from testifying concerning that issue;
 - 5) that, as to claims or defenses asserted in any pleading to which that issue is material, an order of default be entered against the offending party or that his or her pleading be dismissed without prejudice; or
 - 6) that any portion of ~~the offending party's~~his or her pleadings relating to that issue be stricken and, if thereby made appropriate, judgment be entered as to the issue.
- p) At any time, the administrative law judge may order the removal of any person

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from the hearing room who is creating a disturbance, whether by physical actions, profanity or otherwise engaging in conduct ~~that~~^{which} disrupts the hearing.

- q) At the request of any party, the administrative law judge may exclude all ~~witnesses~~^{witness} from the hearing room, except that each party or a representative of a party, in addition to legal counsel, shall be allowed to remain.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.14 Subpoenas

- a) Subpoenas requiring the attendance and the giving of testimony by witnesses, and subpoenas duces tecum requiring the production of books, papers, records or memoranda, may be issued by the Director or the administrative law judge upon his or her own motion or upon the written request of any party upon a showing of the relevancy of the request to the issues in the hearing. For good cause shown, the Director or the administrative law judge may deny or modify the request for subpoenas.
- b) Subpoenas issued by the Director or the administrative law judge upon the request of a party to the proceeding shall be delivered to the requesting party, who shall be responsible for serving the subpoenas. Subpoenas shall be served personally or by certified mail at least seven days before the date on which appearance is required. Copies of the subpoenas and any documents obtained by subpoenas duces tecum shall be served on all other parties.
- c) The witness fee for attendance and travel shall be the same as the fee of witnesses before the circuit courts of this State. When a witness is subpoenaed by the Director, or by the administrative law judge upon his or her own motion or upon the request of the Department, the witness fee shall be paid in the same manner as other expenses of the agency.
- d) The appearance at the hearing of a party, or a person who at the time of the hearing is an officer, director, or employee of a party, may be required by serving the party with a notice designating the person who is required to appear at least ~~seven~~⁷ days before the date on which appearance is required.
- e) Subpoenas shall be enforced in the same manner as subpoenas issued by the circuit courts of this State.

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(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.16 Proposal for Decision

- a) When the Director has not heard the contested case or read the record and his or her final decision would be adverse to any party other than the Department, a proposal for decision shall be served upon all parties to the proceedings. The proposal for decision shall contain:
 - 1) *A statement of the reasons for the proposed decision;*
 - 2) *A statement of each issue of fact or law necessary to the proposed decision.* (Section 10-45 of the IAPA)
- b) The ~~proposal for proposed~~ decision shall be prepared by the persons who conducted the hearing or one who has read the record. (Section 10-45 of the IAPA)
- c) Any party adversely affected by the proposed decision shall have 20 days from the receipt of the proposal for decision in which to file written exceptions and a brief. Failure to file written exceptions and a brief in the time provided for in the proposal for decision shall be deemed a waiver of the right to file exceptions and a brief. The Department shall have ~~ten~~(10) days to respond to the exceptions or brief.
- d) The proposal for decision shall be served on all parties personally or by certified mail.
- e) The Director ~~in his or her discretion~~ may provide for oral arguments on the proposal for decision. If oral arguments are allowed, they shall be scheduled as convenient to the Director.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.17 Final Orders

- a) A written ~~final order~~Final Order shall be issued in every contested case. *A final order shall include findings of fact and conclusions of law, separately stated. All*

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final orders shall specify whether they are final and subject to the ~~Illinois~~ Administrative Review Law ~~[735 ILCS 5/Art. III]~~ and any applicable licensing statute. (Section 10-50 of the IAPA)

- b) A final ~~order~~ ~~orders~~ shall be served on parties or their agents appointed to receive service of process either personally or by registered or certified mail. (Section 10-50 of the IAPA)

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.18 Records of Proceedings

- a) A full and complete record shall be kept of all proceedings. *The record shall ~~include~~ ~~consist of~~ the following:*
- 1) *all pleadings (including all notices and responses thereto), motions, and rulings;*
 - 2) *~~an audio recording or stenographic~~ transcript of the hearing, if any, and all evidence received;*
 - 3) *a statement of matters officially noticed;*
 - 4) *any offers of proof, objections and rulings thereon;*
 - 5) *any proposed findings and exceptions;*
 - 6) *any decision, opinion, or report by the ~~administrative law judge~~ Administrative Law Judge;*
 - 7) *all staff memoranda or data submitted to the ~~administrative law judge~~ Administrative Law Judge or members of the Department in connection with their consideration of the case; and*
 - 8) *any communication prohibited by Section 10-60 ~~of the IAPA~~ of the IAPA. No such communication shall form the basis for any finding of fact. (Section 10-35 of the IAPA)*
- b) The record shall not contain the following unless a party requests that the

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document or documents be included in the record:

- 1) Subpoenas;
 - 2) Requests for Subpoenas;
 - 3) Cover letters;
 - 4) Notices of Filing;
 - 5) Certificates of Mailing for regular mail; and
 - 6) Discovery Requests.
- c) The Department shall be the official custodian of the records of administrative hearings held before the Department.

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.19 Miscellaneous

- a) Ex parte consultation. *Except in the disposition of matters that the Department is authorized by law to entertain or dispose of on an ex parte basis, the administrative law judge or Director shall not, after notice of hearing, communicate directly or indirectly, in connection with any other issue of fact, with any person or party, his or her representative, or any person interested in the outcome of the proceeding, except upon notice and opportunity for all parties to participate. However, a Department member may communicate with other members of the Department and ~~anor the~~ administrative law judge may have the aid and advice of one or more personal assistants.*
- 1) *An ex parte communication received by the Director, any Department employee, or the administrative law judge shall be made a part of the record of the pending matter, including all written communications, all written responses to the communications, and a memorandum stating the substance of all oral communications and all responses made and the identity of each person from whom the ex parte communication was received.*

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- 2) *Communications regarding matters of procedure and practice, such as the format of pleadings, number of copies required, manner of service, and status of proceedings, are not considered ex parte communications under this Section.* (Section 10-60 of the IAPA)
- b) Computation of Time. The time within which any act under this Section is to be done shall be computed by excluding the first day and including the last, unless the last day is a Saturday, Sunday or a holiday as defined or fixed by statute in force in this State, and then it shall also be excluded. If the day succeeding the last day is a Saturday, Sunday or a holiday as defined or fixed by statute in force in this State, that day shall also be excluded.
- c) Construction of Rules. In case of any conflict between this Part and the IAPA or a specific licensing statute, the terms of the latter shall control.
- d) If the hearing is being conducted pursuant to federal law and there is a conflict between this Part and federal procedural or evidentiary requirements, then the federal requirements shall control.
- e) *Waiver. Compliance with any or all provisions concerning contested cases may be waived by written stipulation of all parties.* (Section 10-70 of the IAPA)

(Source: Amended at 34 Ill. Reg. 11768, effective July 30, 2010)

SUBPART C: ADMINISTRATIVE HEARINGS UNDER
THE SMOKE FREE ILLINOIS ACT

Section 100.25 Initiation of a Hearing

- a) An alleged violator receiving a citation pursuant to the Smoke Free Illinois Act (SFIA) shall submit a request for hearing to the enforcing agency that issued the citation. The enforcing agency shall forward the request to the Department for scheduling. Failure to request a hearing within 10 calendar days after the citation is received (or failure to attend a hearing when scheduled) or failure to pay the total amount of the fine, without objection, within 28 calendar days after the citation is issued will result in a final decision and order being entered against the alleged violator.

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- b) The Department shall serve written notice to all parties of the time, place, nature, and location of the hearing, not less than 10 days prior to the hearing. (SFIA Section 40(d) and IAPA Section 10-25)
- c) The Notice of Hearing shall include the following:
- 1) A statement of the time, place, telephone number and nature of the hearing;
 - 2) A statement of legal authority and jurisdiction under which the hearing is to be held;
 - 3) The names and mailing addresses of the Administrative Law Judge, all parties, and all other persons who are given notice of the hearing (IAPA Section 10-25);
 - 4) Copies of the original citation and any documents to be introduced pursuant to Section 100.60(d); and
 - 5) Information as to how the alleged violator can access a copy of this Part and the SFIA on the Department's website.
- d) Notice shall be sufficient if served personally or if sent by certified mail to the alleged violator's address as it appears on the citation or as maintained with the Illinois Secretary of State as of the date of service.

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.35 Parties to Hearings

The parties to the hearing shall be the enforcing agency and the alleged violator, unless the Department issues the citation, in which case the Department shall be a party. (SFIA Section 40(d))

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.40 Right to Counsel

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An opportunity shall be afforded all parties to be represented by private legal counsel at the party's own cost and to respond and present evidence and argument. (IAPA Section 10-25) An individual may represent himself or herself. A corporation, limited liability company, partnership, association, certified local health department, municipality or county shall appear and be represented only by an attorney authorized to practice law in the State of Illinois. A shareholder, corporate officer, employee or member of the board of directors may not appear or represent a business entity, association or local health department unless that individual is authorized to practice law in the State of Illinois.

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.45 Prehearing Conference

A telephonic prehearing conference may be scheduled by the administrative law judge in accordance with Section 100.11.

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.50 Motions

- a) All motions in cases brought under the SFIA, except those based on unforeseen or emergency circumstances, shall be made in writing. An opposing party shall have 28 days after any motion is served in which to serve a written response. The administrative law judge shall then rule on the motion. Oral arguments on motions will not be permitted unless all parties stipulate, in which situation the administrative law judge shall have the discretion to hear oral arguments.
- b) Motions shall be served by delivery in person or by deposit in the United States Mail, properly addressed with postage prepaid, one copy to each party. Service upon the party's attorney shall be deemed service upon the party. Motions shall also be served upon the administrative law judge.
- c) The title of the written motion shall include the name of the party making the motion and the action. The title shall be in capital letters and shall be placed either below the caption or to the right of the caption beneath the docket number. No motion shall be identically titled with any other motion. Examples of properly-titled motions: Respondent's Motion to Dismiss, Respondent's Second Motion to Dismiss.

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- d) Motions or objections attacking the pleadings, jurisdiction or constitutionality, if not raised before the first pre-hearing conference, or if no pre-hearing conference is scheduled, no later than 10 days before the beginning of the hearing, shall be deemed waived. Motions to the pleadings shall not be granted unless the motion conforms to Section 100.7 of this Part.
- e) Motions for a continuance shall be made immediately when the party learns that a continuance is needed. Motions for a continuance shall be in writing, be filed more than five business days before the pre-hearing or hearing, and shall be granted only for good cause shown. Statements as to when the party learned that a continuance was needed, steps that were taken to avoid the continuance, and the current reasons the continuance is needed shall be contained in the motion. After one continuance has been granted to a party, additional continuances may be granted to that party only if:
- 1) The administrative law judge finds that the moving party has presented sufficient evidence showing entitlement to another continuance; or
 - 2) There is an emergency; or
 - 3) All parties agree.
- f) If there is an unforeseen emergency, motions for a continuance may be made by telephone rather than in writing. Motions by telephone shall be made through a conference call involving the administrative law judge and all parties and shall be confirmed within three business days by filing a written motion.
- g) Whenever possible, as much of the hearing as possible shall be completed, and only those matters that must be continued shall be continued.

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.55 Discovery

- a) General discovery (depositions, interrogatories, or requests to produce) shall not be permitted in SFIA cases.
- b) Disclosure of the following shall be required:

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- 1) At least 21 days prior to the commencement of the hearing, each party shall provide all other parties with a copy of any document that it may offer into evidence. This subsection (b)(1) shall not require any party to again provide copies of documents already provided.
- 2) At least 21 days prior to the commencement of the hearing, each party shall provide all other parties with a list containing the name and address of any witness who may be called to testify.
- 3) The alleged violator shall be entitled to any exculpatory evidence in the enforcing agency's possession that tends to support the alleged violator's position or that might impeach the credibility of an enforcing agency witness.

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.60 Hearings

- a) The administrative law judge shall be an attorney licensed to practice law in Illinois who is appointed by the Director to preside at an administrative hearing. The procedure for disqualification of an administrative law judge set out in Section 100.8(i) applies to this Subpart.
- b) All hearings shall be open to the public. The administrative law judge will determine whether to conduct the hearing through telephonic or videoconference technology, based on travel distances for all parties and witnesses, the need to expedite the proceeding, or the availability of a location.
 - 1) The hearing shall be conducted at the nearest regional office of the Department, or in a location contracted by the Department in the county where the citation was issued. (SFIA Section 40(d)) If the hearing is conducted electronically in accordance with subsection (b), unless otherwise agreed by all parties, at least one party or the administrative law judge shall attend the hearing at the nearest regional office or in a location contracted by the Department in the county where the citation was issued.
 - 2) All exhibits intended to be offered into evidence during a telephonic hearing shall be received by the administrative law judge no later than 24

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hours prior to the hearing. Exhibits may be submitted to the administrative law judge through U.S. Mail, electronic mail (e-mail) or fax.

- c) If no court reporter is present, the administrative law judge will make an audio recording of the proceedings and will maintain the recording until 90 days after the Director has entered a final order, unless a timely notice of civil administrative review is filed, in which case the administrative law judge will cause the audio recordings to be transcribed by a certified stenographic reporter and will cause the transcript to become part of the official record. A party requesting a copy of the transcription or initiating a legal review or appeal shall be billed directly for the copy.
- d) The rules of evidence and privilege as applied in civil cases in the circuit courts of this State shall be followed. Evidence not admissible under those rules of evidence may be admitted, however (except where precluded by statute), if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. Immaterial, irrelevant, or unduly repetitious material shall be excluded. Objections to evidentiary offers may be made and shall be noted in the record. (IAPA Section 10-40(a))
- e) A party may offer any of the following documents into evidence without further foundation:
- 1) Official police investigative reports and narratives, prepared by sworn Illinois police officers, sheriff's deputies and officers of the Illinois State and Secretary of State Police, prepared in the course of their official duty;
 - 2) The enforcing agency's inspection or investigative reports produced pursuant to Section 100.12(a);
 - 3) Copies of any official records maintained by a governmental agency.
- f) The failure of an alleged violator to appear, after receiving proper notice under Section 100.25, shall result in a default judgment being entered by the administrative law judge. A default judgment entered against a violator after a failure to appear may be vacated by the Director within 15 days after entry in cases in which the alleged violator can demonstrate good cause, as that term is construed under Illinois law, for the failure to appear. In cases in which an enforcing agency fails to have any witness appear, the administrative law judge

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shall dismiss the case against the alleged violator. An alleged violator's failure to appear or an enforcing agency's failure to have a witness appear in one particular case shall not have any effect on any other case.

- g) An alleged violator may request an expedited hearing by making a written request to the administrative law judge, who will then set the matter for hearing within 120 days after actual receipt of such a written request. However, no subsequent continuance shall deprive the Department of jurisdiction or compel a dismissal.

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.70 Report and Recommendations

The administrative law judge shall prepare a recommended decision, including findings of fact and conclusions of law, separately stated, in accordance with Section 100.15 of this Part.

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.80 Final Order and Payment of Fines

- a) The Director shall issue a final order, which shall either adopt or reject the findings of fact and conclusions of law, separately stated (IAPA Section 10-50).
- b) All fines shall be paid in full within 10 calendar days after the final order is served.
- c) Fines not paid in accordance with Section 100.80(b) may be collected by the Department through a private collection agency authorized to transact business in Illinois.

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

Section 100.90 Record of Hearing

A record of the hearing proceedings shall be kept in accordance with Sections 100.18 and 100.60(c).

(Source: Added at 34 Ill. Reg. 11768, effective July 30, 2010)

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- 1) Heading of the Part: Property Tax Code
- 2) Code Citation: 86 Ill. Adm. Code 110
- 3) Section Number: 110.160 Adopted Action: Amendment
- 4) Statutory Authority: 35 ILCS 200/2-10 and 2-15
- 5) Effective Date of Amendments: July 27, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 34 Ill. Reg. 5150; April 9, 2010
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This rulemaking updates newly formed, as well as previously omitted, multi-township assessment districts contained in Section 110.160. In addition, the revised language updates the effective dates for the multi-township assessment districts and makes slight grammatical changes to the language concerning the appointment of persons for open assessor positions.

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

Robin Gill
Associate Counsel
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794

217/524-4886

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

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NOTICE OF ADOPTED AMENDMENT

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 110
PROPERTY TAX CODE

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AUTHORITY: Implementing the Property Tax Code [35 ILCS 200] and authorized by Section

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2505-625 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-625].

SOURCE: Adopted June 1, 1940; amended at 5 Ill. Reg. 2999, effective March 11, 1981; amended at 5 Ill. Reg. 5888, effective May 26, 1981; amended at 6 Ill. Reg. 9707, effective July 27, 1982; amended at 6 Ill. Reg. 14564, effective November 5, 1982; codified at 7 Ill. Reg. 5886; amended at 8 Ill. Reg. 24285, effective December 5, 1984; amended at 9 Ill. Reg. 159, effective December 26, 1984; amended at 9 Ill. Reg. 12022, effective July 24, 1985; amended at 10 Ill. Reg. 11284, effective June 16, 1986; amended at 10 Ill. Reg. 15125, effective September 2, 1986; amended at 11 Ill. Reg. 19675, effective November 23, 1987; amended at 11 Ill. Reg. 20972, effective December 11, 1987; amended at 12 Ill. Reg. 14346, effective August 29, 1988; amended at 13 Ill. Reg. 6803, effective April 12, 1989; amended at 13 Ill. Reg. 7469, effective May 2, 1989; amended at 15 Ill. Reg. 3522, effective February 21, 1991; emergency rule added at 15 Ill. Reg. 14297, effective October 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 2624, effective February 4, 1992; emergency amendment at 17 Ill. Reg. 22584, effective January 1, 1994, for a maximum of 150 days; emergency expired May 30, 1994; amended at 18 Ill. Reg. 15618, effective October 11, 1994; emergency amendment at 19 Ill. Reg. 2476, effective February 17, 1995, for a maximum of 150 days; emergency expired July 16, 1995; emergency amendment at 19 Ill. Reg. 3555, effective March 1, 1995, for a maximum of 150 days; emergency expired July 28, 1995; emergency amendment at 20 Ill. Reg. 7540, effective May 21, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13611, effective October 3, 1996; amended at 20 Ill. Reg. 13993, effective October 3, 1996; emergency amendment at 20 Ill. Reg. 15613, effective November 22, 1996, for a maximum of 150 days; emergency expired on April 21, 1997; amended at 21 Ill. Reg. 6921, effective May 22, 1997; emergency amendment at 23 Ill. Reg. 9909, effective August 2, 1999, for a maximum of 150 days; emergency expired December 29, 1999; amended at 23 Ill. Reg. 14759, effective December 8, 1999; amended at 24 Ill. Reg. 2428, effective January 25, 2000; amended at 25 Ill. Reg. 191, effective December 26, 2000; amended at 25 Ill. Reg. 6396, effective May 1, 2001; amended at 26 Ill. Reg. 3727, effective February 26, 2002; emergency amendment at 27 Ill. Reg. 17094, effective October 24, 2003, for a maximum of 150 days; amended at 28 Ill. Reg. 1395, effective January 9, 2004; amended at 28 Ill. Reg. 2257, effective January 22, 2004; emergency amendment at 28 Ill. Reg. 9690, effective June 28, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14662, effective October 19, 2004; amended at 28 Ill. Reg. 15599, effective November 17, 2004; amended at 31 Ill. Reg. 12994, effective August 21, 2007; amended at 32 Ill. Reg. 13253, effective July 28, 2008; amended at 34 Ill. Reg. 6921, effective April 29, 2010; amended at 34 Ill. Reg. 11804, effective July 27, 2010.

Section 110.160 Multi-township Assessment Districts

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- a) The Department has promulgated the following list of multi-township assessment districts in accordance with Sections 2-10 and 2-15 of the Property Tax Code [35 ILCS 200/2-10 and 2-15] (Code), and this list will remain in effect subject only to the following:
- 1) for purposes of candidates for assessor with terms beginning January 1, 2006, the multi-township assessment districts will remain in effect until the Department certifies the pre-election requirements of the candidates as authorized under Sections 2-50 and 2-52 of the Code;
 - 2) for purposes of appointing assessors or contracting with qualified persons to fill assessor vacancies under Section 2-60 of the Code, the multi-township assessment districts will remain in effect from January 1, 2006 through December 31, 2009;
 - 3) for purposes of disbursements and distributions under Sections 2-10 and 2-25 of the Code, the multi-township assessment districts will remain in effect through November 30, 2009;
 - 4) for assessment purposes, the multi-township assessment districts will remain in effect from January 1, 2006 through December 31, 2009.

<u>County</u>	<u>Townships in District</u>
<u>Adams</u>	<ol style="list-style-type: none"> 1. <u>Liberty, Columbus</u> 2. <u>Burton, Gilmer, Honey Creek</u> 3. <u>Lima, Keene</u> 4. <u>Houston, Northeast</u> 5. <u>Concord, McKee, Beverly, Richfield</u> 6. <u>Fall Creek, Payson</u>
<u>Bond</u>	<ol style="list-style-type: none"> 1. <u>Mills, Tamalco</u> 2. <u>LaGrange, Old Ripley</u>
<u>Boone</u>	<ol style="list-style-type: none"> 1. <u>Manchester, LeRoy</u> 2. <u>Bonus, Spring, Poplar Groove</u>
<u>Brown</u>	<ol style="list-style-type: none"> 1. <u>Lee, Pea Ridge, Missouri, Ripley, Cooperstown</u> 2. <u>Buckhorn, Elkhorn, Versailles</u>

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<u>Bureau</u>	1.	<u>Bureau, Walnut</u>
	2.	<u>Berlin, Westfield</u>
	3.	<u>Leepertown, Selby</u>
	4.	<u>Fairfield, Gold, Mineral</u>
	5.	<u>Neponset, Macon</u>
	6.	<u>Greenville, Manlius</u>
	7.	<u>Indiantown, Arispie, Milo, Wheatland</u>
	8.	<u>Ohio, Dover</u>
	9.	<u>LaMoille, Clarion</u>
<u>Carroll</u>	1.	<u>Washington, Woodland, Freedom</u>
	2.	<u>Salem, Fairhaven</u>
	3.	<u>Elkhorn Grove, Wysox</u>
<u>Cass</u>	1.	<u>Sangamon Valley, Virginia</u>
	2.	<u>Ashland, Philadelphia</u>
	3.	<u>Panther Creek, Newmansville, Chandlerville</u>
	4.	<u>Bluff Springs, Arenzville, Hagener</u>
<u>Champaign</u>	1.	<u>East Bend, Newcomb, Condit, Hensley</u>
	2.	<u>Ludlow, Rantoul</u>
	3.	<u>Harwood, Kerr, Compromise</u>
	4.	<u>Stanton, Ogden</u>
	5.	<u>Colfax, Sadorus</u>
	6.	<u>Pesotum, Crittenden</u>
	7.	<u>Raymond, Ayers, South Homer</u>
<u>Christian</u>	1.	<u>Mt. Auburn, Mosquito</u>
	2.	<u>Stonington, Prairieton</u>
	3.	<u>King, Bear Creek, Johnson</u>
	4.	<u>Greenwood, Rosamond, Locust</u>
<u>Clark</u>	1.	<u>Westfield, Parker</u>
	2.	<u>Dolson, Auburn, Douglas, Anderson, Darwin</u>
	3.	<u>Johnson, Orange, Melrose, York</u>
<u>Clay</u>	1.	<u>Larkinsburg, Oskaloosa, Blair</u>
	2.	<u>Bible Grove, Hoosier, Pixley</u>

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	<u>3.</u>	<u>Stanford, Clay City</u>
	<u>4.</u>	<u>Songer, Xenia</u>
<u>Clinton</u>	<u>1.</u>	<u>St. Rose, Wheatfield, Irishtown</u>
	<u>2.</u>	<u>Santa Fe, Lake</u>
	<u>3.</u>	<u>Clement, Meridian, East Fork</u>
<u>Coles</u>	<u>1.</u>	<u>Seven Hickory, Charleston</u>
	<u>2.</u>	<u>Morgan, East Oakland</u>
	<u>3.</u>	<u>Ashmore, Hutton</u>
	<u>4.</u>	<u>North Okaw, Humboldt</u>
<u>Crawford</u>	<u>1.</u>	<u>Licking, Prairie</u>
	<u>2.</u>	<u>Lamotte, Hutsonville, Montgomery</u>
	<u>3.</u>	<u>Martin, Honey Creek, Southwest</u>
<u>Cumberland</u>	<u>1.</u>	<u>Cottonwood, Union, Crooked Creek</u>
	<u>2.</u>	<u>Spring Point, Woodbury</u>
<u>Dekalb</u>	<u>1.</u>	<u>South Grove, Mayfield</u>
	<u>2.</u>	<u>Malta, Milan</u>
	<u>3.</u>	<u>Afton, Pierce</u>
	<u>4.</u>	<u>Shabbona, Paw Paw</u>
	<u>5.</u>	<u>Victor, Somonauk</u>
<u>DeWitt</u>	<u>1.</u>	<u>Waynesville, Barnett</u>
	<u>2.</u>	<u>Wilson, Rutledge, Harp, DeWitt</u>
	<u>3.</u>	<u>Tunbridge, Texas</u>
	<u>4.</u>	<u>Nixon, Creek</u>
<u>Douglas</u>	<u>1.</u>	<u>Murdock, Newman</u>
	<u>2.</u>	<u>Bowdre, Sargent</u>
<u>Edgar</u>	<u>1.</u>	<u>Brouilletts Creek, Edgar, Prairie</u>
	<u>2.</u>	<u>Buck, Kansas, Grandview</u>
	<u>3.</u>	<u>Elbridge, Hunter, Stratton</u>
	<u>4.</u>	<u>Shiloh, Young America, Embarrass</u>
<u>Effingham</u>	<u>1.</u>	<u>Banner, Liberty, Moccasin</u>

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	<u>2.</u>	<u>Jackson, Mason, Mound, West</u>
	<u>3.</u>	<u>St. Francis, Teutopolis</u>
	<u>4.</u>	<u>Watson, Union</u>
	<u>5.</u>	<u>Bishop, Lucas</u>
<u>Fayette</u>	<u>1.</u>	<u>North Hurricane, South Hurricane, Shafter, Bear Grove</u>
	<u>2.</u>	<u>Seminary, Pope, Kaskaskia</u>
	<u>3.</u>	<u>Wilberton, Lone Grove, LaClede</u>
	<u>4.</u>	<u>Sefton, Otego, Wheatland</u>
	<u>5.</u>	<u>Loudon, Carson, Bowling Green</u>
<u>Ford</u>	<u>1.</u>	<u>Drummer, Dix</u>
	<u>2.</u>	<u>Patton, Button</u>
	<u>3.</u>	<u>Sullivant, Peach Orchard, Lyman, Wall</u>
	<u>4.</u>	<u>Brenton, Pella, Mona, Rogers</u>
<u>Franklin</u>	<u>1.</u>	<u>Goode, Barren</u>
	<u>2.</u>	<u>Ewing, Northern</u>
	<u>3.</u>	<u>Eastern, Cave</u>
<u>Fulton</u>	<u>1.</u>	<u>Ellisville, Young Hickory, Deerfield, Lee</u>
	<u>2.</u>	<u>Fairview, Joshua</u>
	<u>3.</u>	<u>Harris, Cass, Bernadotte, Farmers</u>
	<u>4.</u>	<u>Pleasant, Isabel, Woodland, Kerton, Waterford</u>
	<u>5.</u>	<u>Banner, Liverpool</u>
<u>Gallatin</u>	<u>1.</u>	<u>New Haven, Shawnee, Gold Hill</u>
	<u>2.</u>	<u>Omaha, Asbury, North Fork</u>
	<u>3.</u>	<u>Equality, Bowlesville, Eagle Creek</u>
<u>Greene</u>	<u>1.</u>	<u>Patterson, Roodhouse</u>
	<u>2.</u>	<u>Athensville, Rubicon, Wrights</u>
	<u>3.</u>	<u>Walkerville, Bluffdale, Woodville</u>
	<u>4.</u>	<u>Linder, Rockbridge</u>
<u>Grundy</u>	<u>1.</u>	<u>Norman, Wauponsee</u>
	<u>2.</u>	<u>Highland, Vienna, Mazon</u>
	<u>3.</u>	<u>Goodfarm, Garfield, Greenfield</u>

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	<u>4.</u>	<u>Maine, Braceville</u>
	<u>5.</u>	<u>Nettle Creek, Erienna</u>
<u>Hamilton</u>	<u>1.</u>	<u>Dahlgren, Knights Prairie</u>
	<u>2.</u>	<u>Flannigan, South Flannigan, Twigg, South Twigg, Mayberry</u>
	<u>3.</u>	<u>Crouch, South Crouch, Beaver Creek, Crook</u>
<u>Hancock</u>	<u>1.</u>	<u>Nauvoo, Appanoose, Sonora</u>
	<u>2.</u>	<u>Pontoosuc, Dallas City, Rock Creek</u>
	<u>3.</u>	<u>Prairie, Carthage</u>
	<u>4.</u>	<u>Warsaw, Wilcox, Rocky Run</u>
	<u>5.</u>	<u>Durham, Pilot Grove, Fountain Green, Hancock</u>
	<u>6.</u>	<u>Wythe, Walker, St. Albans, Bear Creek</u>
	<u>7.</u>	<u>Harmony, St. Mary, Chili, Augusta</u>
<u>Henderson</u>	<u>1.</u>	<u>Biggsville, Rozetta, Bald Bluff</u>
	<u>2.</u>	<u>Media, Raritan, Terre Haute, Lomax</u>
	<u>3.</u>	<u>Stronghurst, Carman</u>
<u>Henry</u>	<u>1.</u>	<u>Edford, Osco, Munson</u>
	<u>2.</u>	<u>Lynn, Andover</u>
	<u>3.</u>	<u>Burns, Weller, Galva</u>
	<u>4.</u>	<u>Loraine, Yorktown, Alba, Cornwall</u>
	<u>5.</u>	<u>Oxford, Clover</u>
<u>Iroquois</u>	<u>1.</u>	<u>Ridgeland, Onarga, Artesia</u>
	<u>2.</u>	<u>Pigeon Grove, Fountain Creek</u>
	<u>3.</u>	<u>Milford, Stockland, Lovejoy, Prairie Green</u>
	<u>4.</u>	<u>Crescent, Ash Grove</u>
	<u>5.</u>	<u>Milks Grove, Ashkum</u>
	<u>6.</u>	<u>Beaver, Concord</u>
	<u>7.</u>	<u>Papineau, Beaverville</u>
	<u>8.</u>	<u>Danforth, Iroquois</u>
<u>Jackson</u>	<u>1.</u>	<u>Ora, Vergennes</u>
	<u>2.</u>	<u>Degognia, Kinkaid, Fountain Bluff, Levan</u>
	<u>3.</u>	<u>Sand Ridge, Grand Tower, Pomona</u>

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<u>Jasper</u>	<u>1.</u>	<u>Crooked Creek, Grandville, Hunt City</u>
	<u>2.</u>	<u>Smallwood, Fox, Sainte Marie, Willow Hill</u>
	<u>3.</u>	<u>Grove, North Muddy, South Muddy</u>
<u>Jefferson</u>	<u>1.</u>	<u>Grand Prairie, Casner</u>
	<u>2.</u>	<u>Blissville, Bald Hill, Elk Prairie</u>
	<u>3.</u>	<u>Field, Farrington</u>
	<u>4.</u>	<u>Pendleton, Moores Prairie</u>
<u>Jersey</u>	<u>1.</u>	<u>Ruyle, Jersey, Fidelity</u>
	<u>2.</u>	<u>Richwood, English</u>
	<u>3.</u>	<u>Rosedale, Otter Creek</u>
<u>Jo Daviess</u>	<u>1.</u>	<u>Apple River, Thompson</u>
	<u>2.</u>	<u>Berreman, Derinda, Pleasant Valley, Wards</u>
		<u>Grove</u>
	<u>3.</u>	<u>Council Hill, Guilford, Scales Mound</u>
	<u>4.</u>	<u>Elizabeth, Woodbine</u>
	<u>5.</u>	<u>Hanover, Rice</u>
	<u>6.</u>	<u>Menominee, Rawlins, Vinegar Hill</u>
	<u>7.</u>	<u>Nora, Rush, Warren</u>
<u>Kankakee</u>	<u>1.</u>	<u>Rockville, Manteno</u>
	<u>2.</u>	<u>Sumner, Yellowhead</u>
	<u>3.</u>	<u>Essex, Salina</u>
<u>Kendall</u>	<u>1.</u>	<u>Lisbon, Seward, Na-au-say</u>
<u>Knox</u>	<u>1.</u>	<u>Galesburg, Knox, Cedar, Orange, Haw Creek,</u>
		<u>Elba, Indian Point, Chestnut, Maquon, Salem</u>
	<u>2.</u>	<u>Rio, Ontario, Walnut Grove, Lynn, Henderson,</u>
		<u>Sparta, Copley, Victoria, Persifer, Truro</u>
<u>LaSalle</u>	<u>1.</u>	<u>Meriden, Ophir, Troy Grove</u>
	<u>2.</u>	<u>Freedom, Serena</u>
	<u>3.</u>	<u>Mission, Miller</u>
	<u>4.</u>	<u>Dimmick, Waltham, Wallace</u>
	<u>5.</u>	<u>Fall River, Grand Rapids</u>
	<u>6.</u>	<u>Vermilion, Farm Ridge, Deer Park</u>

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	<u>7.</u>	<u>Hope, Richland, Osage, Groveland</u>
	<u>8.</u>	<u>Brookfield, Allen</u>
<u>Lawrence</u>	<u>1.</u>	<u>Allison, Denison</u>
	<u>2.</u>	<u>Christy, Lukin</u>
	<u>3.</u>	<u>Petty, Bond, Russell</u>
<u>Lee</u>	<u>1.</u>	<u>Nachusa, Franklin Grove</u>
	<u>2.</u>	<u>Nelson, Harmon</u>
	<u>3.</u>	<u>South Dixon, Marion, East Grove, Hamilton</u>
	<u>4.</u>	<u>Reynolds, Alto, Viola, Willow Creek</u>
	<u>5.</u>	<u>Brooklyn, Wyoming</u>
	<u>6.</u>	<u>Ashton, Bradford</u>
	<u>7.</u>	<u>Amboy, Lee Center</u>
	<u>8.</u>	<u>May, Sublette</u>
<u>Livingston</u>	<u>1.</u>	<u>Chatsworth, Germanville</u>
	<u>2.</u>	<u>Reading, Newton</u>
	<u>3.</u>	<u>Sunbury, Nevada, Esmen</u>
	<u>4.</u>	<u>Round Grove, Broughton, Sullivan</u>
	<u>5.</u>	<u>Long Point, Amity</u>
	<u>6.</u>	<u>Rooks Creek, Waldo, Pike</u>
	<u>7.</u>	<u>Owego, Eppards Point, Avoca</u>
	<u>8.</u>	<u>Saunemin, Pleasant Ridge, Charlotte, Union</u>
	<u>9.</u>	<u>Indian Grove, Belle Prairie</u>
	<u>10.</u>	<u>Forrest, Fayette</u>
<u>Logan</u>	<u>1.</u>	<u>Prairie Creek, Sheridan</u>
	<u>2.</u>	<u>Orvil, Eminence, West Lincoln</u>
	<u>3.</u>	<u>Atlanta, Oran</u>
	<u>4.</u>	<u>Chester, Mount Pulaski</u>
	<u>5.</u>	<u>Corwin, Broadwell, Elkhart, Hurlbut</u>
	<u>6.</u>	<u>Aetna, Laenna, Lake Fork</u>
<u>McDonough</u>	<u>1.</u>	<u>Blandinsville, Hire</u>
	<u>2.</u>	<u>Sciota, Walnut Grove</u>
	<u>3.</u>	<u>Bushnell, Prairie City, Macomb, Mound</u>
	<u>4.</u>	<u>Chalmers, New Salem, Scotland</u>
	<u>5.</u>	<u>Tennessee, Lamoine, Bethel</u>

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	<u>6.</u>	<u>Industry, Eldorado</u>
<u>McLean</u>	<u>1.</u>	<u>Allin, Dale</u>
	<u>2.</u>	<u>West, Bellflower, Cheneys Grove</u>
	<u>3.</u>	<u>Yates, Lawndale, Cropsey, Anchor</u>
	<u>4.</u>	<u>Blue Mound, Martin</u>
	<u>5.</u>	<u>Dawson, Arrowsmith</u>
	<u>6.</u>	<u>White Oak, Dry Grove</u>
	<u>7.</u>	<u>Mount Hope, Funk's Grove</u>
<u>Macon</u>	<u>1.</u>	<u>Austin, Illini</u>
	<u>2.</u>	<u>Oakley, Whitmore</u>
	<u>3.</u>	<u>Niantic, Harristown</u>
	<u>4.</u>	<u>Blue Mound, Pleasant View</u>
	<u>5.</u>	<u>Mount Zion, Milam</u>
<u>Macoupin</u>	<u>1.</u>	<u>Scottville, Barr, Western Mound, Chesterfield</u>
	<u>2.</u>	<u>North Palmyra, North Otter</u>
	<u>3.</u>	<u>South Palmyra, South Otter</u>
	<u>4.</u>	<u>Nilwood, Shaws Point, Honey Point</u>
	<u>5.</u>	<u>Bird, Polk, Hillyard, Brushy Mound</u>
<u>Madison</u>	<u>1.</u>	<u>New Douglas, Leef</u>
<u>Marion</u>	<u>1.</u>	<u>Patoka, Carrigan</u>
	<u>2.</u>	<u>Foster, Tonti</u>
	<u>3.</u>	<u>Kinmundy, Meacham</u>
	<u>4.</u>	<u>Alma, Omega</u>
	<u>5.</u>	<u>Stevenson, Haines</u>
	<u>6.</u>	<u>Iuka, Romine</u>
<u>Marshall</u>	<u>1.</u>	<u>Saratoga, Whitefield, La Prairie</u>
	<u>2.</u>	<u>Hopewell, Roberts, Bell Plain, Richland</u>
<u>Mason</u>	<u>1.</u>	<u>Forest City, Quiver</u>
	<u>2.</u>	<u>Allens Grove, Pennsylvania, Salt Creek</u>
	<u>3.</u>	<u>Crane Creek, Kilbourne, Sherman</u>
	<u>4.</u>	<u>Bath, Lynchburg</u>

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<u>Mercer</u>	1.	<u>Eliza, Duncan, Perryton</u>
	2.	<u>Keithsburg, Abington, Ohio Grove</u>
	3.	<u>Suez, North Henderson</u>
	4.	<u>New Boston, Millersburg</u>
<u>Montgomery</u>	1.	<u>Harvel, Pitman, Zanesville</u>
	2.	<u>Butler Grove, Irving, Rountree</u>
	3.	<u>Audubon, Nokomis</u>
	4.	<u>Witt, Fillmore, South Fillmore</u>
	5.	<u>Grisham, Walshville, East Fork</u>
<u>Moultrie</u>	1.	<u>Dora, Marrowbone</u>
	2.	<u>Lowe, Jonathan Creek</u>
	3.	<u>East Nelson, Whitley</u>
<u>Ogle</u>	1.	<u>Eagle Point, Buffalo, Woosung</u>
	2.	<u>Brookville, Forreston</u>
	3.	<u>Scott, White Rock</u>
	4.	<u>Maryland, Lincoln</u>
	5.	<u>Pine Creek, Grand Detour</u>
	6.	<u>Taylor, Lafayette, Pine Rock</u>
	7.	<u>Lynnville, Dement</u>
<u>Peoria</u>	1.	<u>Millbrook, Brimfield</u>
	2.	<u>Princeville, Akron</u>
	3.	<u>Logan, Trivoli</u>
<u>Piatt</u>	1.	<u>Goose Creek, Willow Branch</u>
<u>Pike</u>	1.	<u>Fairmount, Perry, Chambersburg</u>
	2.	<u>Hadley, New Salem, Pleasant Vale, Derry</u>
	3.	<u>Flint, Detroit, Montezuma, Pearl</u>
	4.	<u>Newburg, Hardin, Spring Creek</u>
	5.	<u>Atlas, Martinsburg</u>
	6.	<u>Pleasant Hill, Ross</u>
	7.	<u>Kinderhook, Levee, Cincinnati</u>
<u>Putnam</u>	1.	<u>Hennepin, Senachwine</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

<u>Richland</u>	<u>1.</u>	<u>Noble, Decker, Denver</u>
	<u>2.</u>	<u>German, Claremont</u>
	<u>3.</u>	<u>Madison, Bonpas</u>
<u>Rock Island</u>	<u>1.</u>	<u>Buffalo Prairie, Drury</u>
	<u>2.</u>	<u>Canoe Creek, Zuma</u>
	<u>3.</u>	<u>Cordova, Port Byron</u>
<u>St. Clair</u>	<u>1.</u>	<u>Mascoutah, Engelmann</u>
	<u>2.</u>	<u>East St. Louis, Stites</u>
<u>Saline</u>	<u>1.</u>	<u>Galatia, Long Branch, Tate</u>
	<u>2.</u>	<u>Brushy, Raleigh</u>
	<u>3.</u>	<u>Rector, East Eldorado, Cottage</u>
	<u>4.</u>	<u>Stonefort, Independence, Mountain</u>
<u>Sangamon</u>	<u>1.</u>	<u>Buffalo Hart, Mechanicsburg</u>
	<u>2.</u>	<u>Lanesville, Illiopolis</u>
	<u>3.</u>	<u>Maxwell, Loami, Talkington</u>
	<u>4.</u>	<u>Cooper, Cotton Hill</u>
	<u>5.</u>	<u>Island Grove, New Berlin</u>
<u>Schuyler</u>	<u>1.</u>	<u>Birmingham, Brooklyn, Littleton, Oakland, Huntsville, Camden</u>
	<u>2.</u>	<u>Browning, Hickory, Woodstock, Bainbridge, Frederick</u>
<u>Shelby</u>	<u>1.</u>	<u>Flat Branch, Ridge, Rural, Pickaway, Penn</u>
	<u>2.</u>	<u>Todds Point, Okaw</u>
	<u>3.</u>	<u>Richland, Ash Grove</u>
	<u>4.</u>	<u>Oconee, Cold Spring</u>
	<u>5.</u>	<u>Herrick, Dry Point</u>
	<u>6.</u>	<u>Lakewood, Holland, Clarksburg</u>
	<u>7.</u>	<u>Big Spring, Sigel</u>
<u>Stark</u>	<u>1.</u>	<u>Elmira, Osceola</u>
	<u>2.</u>	<u>Goshen, West Jersey</u>
	<u>3.</u>	<u>Essex, Valley, Penn</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

<u>Stephenson</u>	1.	<u>Winslow, Waddams</u>
	2.	<u>Erin, Kent</u>
	3.	<u>Jefferson, Loran</u>
	4.	<u>Dakota, Rock Grove</u>
	5.	<u>Florence, Silver Creek</u>
<u>Tazewell</u>	1.	<u>Dillon, Delavan, Sand Prairie, Malone</u>
	2.	<u>Hopedale, Boynton, Hittle, Little Mackinaw</u>
<u>Vermilion</u>	1.	<u>Pilot, Middlefork</u>
	2.	<u>Georgetown, Love, McKendree</u>
	3.	<u>Jamaica, Vance</u>
	4.	<u>Carroll, Elwood</u>
<u>Warren</u>	1.	<u>Kelly, Coldbrook, Floyd, Berwick</u>
	2.	<u>Lenox, Sumner, Hale</u>
	3.	<u>Greenbush, Swan, Point Pleasant</u>
	4.	<u>Tompkins, Ellison</u>
<u>Washington</u>	1.	<u>Venedy, Johannisburg, Lively Grove</u>
	2.	<u>Covington, Hoyleton</u>
	3.	<u>Beaucoup, Ashley, Richview</u>
	4.	<u>Plum Hill, Oakdale, Pilot Knob</u>
	5.	<u>Bolo, DuBois</u>
<u>Wayne</u>	1.	<u>Garden Hill, Orchard, Hickory Hill, Four Mile</u>
	2.	<u>Keith, Zif, Mt. Erie, Elm River</u>
	3.	<u>Indian Prairie, Berry, Arrington</u>
	4.	<u>Massilon, Barnhill, Leech</u>
<u>White</u>	1.	<u>Mill Shoals, Burnt Prairie</u>
	2.	<u>Heralds Prairie, Emma, Hawthorne</u>
<u>Whiteside</u>	1.	<u>Ustick, Clyde</u>
	2.	<u>Genesee, Jordan, Hopkins</u>
	3.	<u>Albany, Garden Plain</u>
	4.	<u>Newton, Fenton, Portland</u>
	5.	<u>Union Grove, Mt. Pleasant</u>
	6.	<u>Hume, Montmorency, Hahnaman</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

<u>Will</u>	1.	<u>Florence, Wilton</u>
<u>Winnebago</u>	1.	<u>Laona, Durand</u>
	2.	<u>Harrison, Burritt</u>
	3.	<u>Pecatonica, Seward</u>
<u>Woodford</u>	1.	<u>Partridge, Cazenovia</u>
	2.	<u>Linn, Clayton, Greene, Panola</u>
	3.	<u>Cruger, Olio</u>
	4.	<u>Palestine, Kansas</u>

b) The Department has promulgated the following list of multi-township assessment districts in accordance with Sections 2-10 and 2-15 of the Code, and this list will remain in effect subject only to the following:

- 1) for purposes of candidates for assessor with terms beginning January 1, 2010, the multi-township assessment districts will remain in effect until the Department certifies the pre-election requirements of the candidates as authorized under Sections 2-50 and 2-52 of the Code;
- 2) for purposes of appointing assessors or contracting with qualified persons to fill assessor vacancies under 2-60 of the Code, the multi-township assessment districts will remain in effect from January 1, 2010 through December 31, 2013;
- 3) for purposes of disbursements and distributions under Sections 2-10 and 2-25 of the Code, the multi-township assessment districts will remain in effect through November 30, 2013;
- 4) for assessment purposes, the multi-township assessment districts will remain in effect from January 1, 2010 through December 31, 2013.

<u>County</u>	<u>Townships in District</u>
<u>Adams</u>	1. <u>Liberty, Columbus</u>
	2. <u>Burton, Gilmer, Honey Creek</u>
	3. <u>Lima, Keene</u>
	4. <u>Houston, Northeast</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	<u>5.</u>	<u>Concord, McKee, Beverly, Richfield</u>
	<u>6.</u>	<u>Fall Creek, Payson</u>
<u>Bond</u>	<u>1.</u>	<u>Mills, Tamalco</u>
	<u>2.</u>	<u>LaGrange, Old Ripley</u>
<u>Boone</u>	<u>1.</u>	<u>Manchester, LeRoy</u>
	<u>2.</u>	<u>Bonus, Spring, Poplar Grove, Caledonia</u>
<u>Brown</u>	<u>1.</u>	<u>Lee, Pea Ridge, Missouri, Ripley, Cooperstown</u>
	<u>2.</u>	<u>Buckhorn, Elkhorn, Versailles</u>
<u>Bureau</u>	<u>1.</u>	<u>Bureau, Walnut</u>
	<u>2.</u>	<u>Berlin, Westfield</u>
	<u>3.</u>	<u>Leepertown, Selby</u>
	<u>4.</u>	<u>Fairfield, Gold, Mineral</u>
	<u>5.</u>	<u>Neponset, Macon</u>
	<u>6.</u>	<u>Greenville, Manlius</u>
	<u>7.</u>	<u>Indiantown, Arispie, Milo, Wheatland</u>
	<u>8.</u>	<u>Ohio, Dover</u>
	<u>9.</u>	<u>LaMoille, Clarion</u>
<u>Carroll</u>	<u>1.</u>	<u>Washington, Woodland, Freedom</u>
	<u>2.</u>	<u>Salem, Fairhaven</u>
	<u>3.</u>	<u>Elkhorn Grove, Wysox</u>
<u>Cass</u>	<u>1.</u>	<u>Sangamon Valley, Virginia</u>
	<u>2.</u>	<u>Ashland, Philadelphia</u>
	<u>3.</u>	<u>Panther Creek, Newmansville, Chandlerville</u>
	<u>4.</u>	<u>Bluff Springs, Arenzville, Hagener</u>
<u>Champaign</u>	<u>1.</u>	<u>East Bend, Newcomb, Condit, Hensley</u>
	<u>2.</u>	<u>Ludlow, Rantoul</u>
	<u>3.</u>	<u>Harwood, Kerr, Compromise</u>
	<u>4.</u>	<u>Stanton, Ogden</u>
	<u>5.</u>	<u>Colfax, Sadorus</u>
	<u>6.</u>	<u>Pesotum, Crittenden</u>
	<u>7.</u>	<u>Raymond, Ayers, South Homer</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

<u>Christian</u>	<u>1.</u>	<u>Mt. Auburn, Mosquito</u>
	<u>2.</u>	<u>Stonington, Prairieton</u>
	<u>3.</u>	<u>King, Bear Creek, Johnson</u>
	<u>4.</u>	<u>Greenwood, Rosamond, Locust</u>
<u>Clark</u>	<u>1.</u>	<u>Westfield, Parker</u>
	<u>2.</u>	<u>Dolson, Auburn, Douglas, Anderson, Darwin</u>
	<u>3.</u>	<u>Johnson, Orange, Melrose, York</u>
<u>Clay</u>	<u>1.</u>	<u>Larkinsburg, Oskaloosa, Blair</u>
	<u>2.</u>	<u>Bible Grove, Hoosier, Pixley</u>
	<u>3.</u>	<u>Stanford, Clay City</u>
	<u>4.</u>	<u>Songer, Xenia</u>
<u>Clinton</u>	<u>1.</u>	<u>St. Rose, Wheatfield, Irishtown</u>
	<u>2.</u>	<u>Santa Fe, Lake</u>
	<u>3.</u>	<u>Clement, Meridian, East Fork</u>
<u>Coles</u>	<u>1.</u>	<u>Seven Hickory, Charleston</u>
	<u>2.</u>	<u>Morgan, East Oakland</u>
	<u>3.</u>	<u>Ashmore, Hutton</u>
	<u>4.</u>	<u>North Okaw, Humboldt</u>
<u>Crawford</u>	<u>1.</u>	<u>Licking, Prairie</u>
	<u>2.</u>	<u>Lamotte, Hutsonville, Montgomery</u>
	<u>3.</u>	<u>Martin, Honey Creek, Southwest</u>
<u>Cumberland</u>	<u>1.</u>	<u>Cottonwood, Union, Crooked Creek</u>
	<u>2.</u>	<u>Spring Point, Woodbury</u>
<u>DeKalb</u>	<u>1.</u>	<u>South Grove, Mayfield</u>
	<u>2.</u>	<u>Malta, Milan</u>
	<u>3.</u>	<u>Afton, Pierce</u>
	<u>4.</u>	<u>Shabbona, Paw Paw</u>
	<u>5.</u>	<u>Victor, Somonauk</u>
<u>DeWitt</u>	<u>1.</u>	<u>Waynesville, Barnett</u>
	<u>2.</u>	<u>Wilson, Rutledge, Harp, DeWitt</u>
	<u>3.</u>	<u>Tunbridge, Texas</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	<u>4.</u>	<u>Nixon, Creek</u>
<u>Douglas</u>	<u>1.</u>	<u>Murdock, Newman</u>
	<u>2.</u>	<u>Bowdre, Sargent</u>
<u>Edgar</u>	<u>1.</u>	<u>Brouilletts Creek, Edgar, Prairie</u>
	<u>2.</u>	<u>Buck, Kansas, Grandview</u>
	<u>3.</u>	<u>Elbridge, Hunter, Stratton</u>
	<u>4.</u>	<u>Shiloh, Young America, Embarrass</u>
<u>Effingham</u>	<u>1.</u>	<u>Banner, Liberty, Moccasin</u>
	<u>2.</u>	<u>Jackson, Mason, Mound, West</u>
	<u>3.</u>	<u>St. Francis, Teutopolis</u>
	<u>4.</u>	<u>Watson, Union</u>
	<u>5.</u>	<u>Bishop, Lucas</u>
<u>Fayette</u>	<u>1.</u>	<u>North Hurricane, South Hurricane, Shafter, Bear Grove</u>
	<u>2.</u>	<u>Seminary, Pope, Kaskaskia</u>
	<u>3.</u>	<u>Wilberton, Lone Grove, LaClede</u>
	<u>4.</u>	<u>Sefton, Otego, Wheatland</u>
	<u>5.</u>	<u>Loudon, Carson, Bowling Green</u>
<u>Ford</u>	<u>1.</u>	<u>Drummer, Dix</u>
	<u>2.</u>	<u>Patton, Button</u>
	<u>3.</u>	<u>Sullivant, Peach Orchard, Lyman, Wall</u>
	<u>4.</u>	<u>Brenton, Pella, Mona, Rogers</u>
<u>Franklin</u>	<u>1.</u>	<u>Goode, Barren</u>
	<u>2.</u>	<u>Ewing, Northern</u>
	<u>3.</u>	<u>Eastern, Cave</u>
<u>Fulton</u>	<u>1.</u>	<u>Ellisville, Young Hickory, Deerfield, Lee</u>
	<u>2.</u>	<u>Fairview, Joshua</u>
	<u>3.</u>	<u>Harris, Cass, Bernadotte, Farmers</u>
	<u>4.</u>	<u>Pleasant, Isabel, Woodland, Kerton, Waterford</u>
	<u>5.</u>	<u>Banner, Liverpool</u>
<u>Gallatin</u>	<u>1.</u>	<u>New Haven, Shawnee, Gold Hill</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	<u>2.</u>	<u>Omaha, Asbury, North Fork</u>
	<u>3.</u>	<u>Equality, Bowlesville, Eagle Creek</u>
<u>Greene</u>	<u>1.</u>	<u>Patterson, Roodhouse</u>
	<u>2.</u>	<u>Athensville, Rubicon, Wrights</u>
	<u>3.</u>	<u>Walkerville, Bluffdale, Woodville</u>
	<u>4.</u>	<u>Linder, Rockbridge</u>
<u>Grundy</u>	<u>1.</u>	<u>Norman, Wauponsee</u>
	<u>2.</u>	<u>Highland, Vienna, Mazon</u>
	<u>3.</u>	<u>Goodfarm, Garfield, Greenfield</u>
	<u>4.</u>	<u>Maine, Braceville</u>
	<u>5.</u>	<u>Nettle Creek, Erienna</u>
<u>Hamilton</u>	<u>1.</u>	<u>Dahlgren, Knights Prairie</u>
	<u>2.</u>	<u>Flannigan, South Flannigan, Twigg, South Twigg, Mayberry</u>
	<u>3.</u>	<u>Crouch, South Crouch, Beaver Creek, Crook</u>
<u>Hancock</u>	<u>1.</u>	<u>Nauvoo, Appanoose, Sonora</u>
	<u>2.</u>	<u>Pontoosuc, Dallas City, Rock Creek</u>
	<u>3.</u>	<u>Prairie, Carthage</u>
	<u>4.</u>	<u>Warsaw, Wilcox, Rocky Run</u>
	<u>5.</u>	<u>Durham, Pilot Grove, Fountain Green, Hancock</u>
	<u>6.</u>	<u>Wythe, Walker, St. Albans, Bear Creek</u>
	<u>7.</u>	<u>Harmony, St. Mary, Chili, Augusta</u>
<u>Henderson</u>	<u>1.</u>	<u>Biggsville, Rozetta, Bald Bluff</u>
	<u>2.</u>	<u>Media, Raritan, Terre Haute, Lomax</u>
	<u>3.</u>	<u>Stronghurst, Carman</u>
<u>Henry</u>	<u>1.</u>	<u>Edford, Osco, Munson</u>
	<u>2.</u>	<u>Lynn, Andover</u>
	<u>3.</u>	<u>Burns, Weller, Galva</u>
	<u>4.</u>	<u>Loraine, Yorktown, Alba, Cornwall</u>
	<u>5.</u>	<u>Oxford, Clover</u>
<u>Iroquois</u>	<u>1.</u>	<u>Ridgeland, Onarga, Artesia</u>
	<u>2.</u>	<u>Pigeon Grove, Fountain Creek</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	<u>3.</u>	<u>Milford, Stockland, Lovejoy, Prairie Green</u>
	<u>4.</u>	<u>Crescent, Ash Grove</u>
	<u>5.</u>	<u>Milks Grove, Ashkum</u>
	<u>6.</u>	<u>Beaver, Concord</u>
	<u>7.</u>	<u>Papineau, Beaverville</u>
	<u>8.</u>	<u>Danforth, Iroquois</u>
<u>Jackson</u>	<u>1.</u>	<u>Ora, Vergennes</u>
	<u>2.</u>	<u>Degognia, Kinkaid, Fountain Bluff, Levan</u>
	<u>3.</u>	<u>Sand Ridge, Grand Tower, Pomona</u>
<u>Jasper</u>	<u>1.</u>	<u>Crooked Creek, Grandville, Hunt City</u>
	<u>2.</u>	<u>Smallwood, Fox, Sainte Marie, Willow Hill</u>
	<u>3.</u>	<u>Grove, North Muddy, South Muddy</u>
<u>Jefferson</u>	<u>1.</u>	<u>Grand Prairie, Casner</u>
	<u>2.</u>	<u>Blissville, Bald Hill, Elk Prairie</u>
	<u>3.</u>	<u>Field, Farrington</u>
	<u>4.</u>	<u>Pendleton, Moores Prairie</u>
<u>Jersey</u>	<u>1.</u>	<u>Ruyle, Jersey, Fidelity</u>
	<u>2.</u>	<u>Richwood, English</u>
	<u>3.</u>	<u>Rosedale, Otter Creek</u>
<u>Jo Daviess</u>	<u>1.</u>	<u>Apple River, Thompson</u>
	<u>2.</u>	<u>Berremans, Derinda, Pleasant Valley, Wards</u>
		<u>Grove</u>
	<u>3.</u>	<u>Council Hill, Guilford, Scales Mound</u>
	<u>4.</u>	<u>Elizabeth, Woodbine</u>
	<u>5.</u>	<u>Hanover, Rice</u>
	<u>6.</u>	<u>Menominee, Rawlins, Vinegar Hill</u>
	<u>7.</u>	<u>Nora, Rush, Warren</u>
<u>Kankakee</u>	<u>1.</u>	<u>Rockville, Manteno</u>
	<u>2.</u>	<u>Sumner, Yellowhead</u>
	<u>3.</u>	<u>Essex, Salina</u>
<u>Kendall</u>	<u>1.</u>	<u>Lisbon, Seward, Na-au-say</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

<u>Knox</u>	1.	<u>Galesburg, Knox, Cedar, Orange, Haw Creek, Elba, Indian Point, Chestnut, Maquon, Salem</u>
	2.	<u>Rio, Ontario, Walnut Grove, Lynn, Henderson, Sparta, Copley, Victoria, Persifer, Truro</u>
<u>LaSalle</u>	1.	<u>Meriden, Ophir, Troy Grove</u>
	2.	<u>Freedom, Serena</u>
	3.	<u>Mission, Miller</u>
	4.	<u>Dimmick, Waltham, Wallace</u>
	5.	<u>Fall River, Grand Rapids</u>
	6.	<u>Vermilion, Farm Ridge, Deer Park</u>
	7.	<u>Hope, Richland, Osage, Groveland</u>
	8.	<u>Brookfield, Allen</u>
<u>Lawrence</u>	1.	<u>Allison, Denison</u>
	2.	<u>Christy, Lukin</u>
	3.	<u>Petty, Bond, Russell</u>
<u>Lee</u>	1.	<u>Nachusa, Franklin Grove</u>
	2.	<u>Nelson, Harmon</u>
	3.	<u>South Dixon, Marion, East Grove, Hamilton</u>
	4.	<u>Reynolds, Alto, Viola, Willow Creek</u>
	5.	<u>Brooklyn, Wyoming</u>
	6.	<u>Ashton, Bradford</u>
	7.	<u>Amboy, Lee Center</u>
	8.	<u>May, Sublette</u>
<u>Livingston</u>	1.	<u>Chatsworth, Germanville</u>
	2.	<u>Reading, Newtown</u>
	3.	<u>Sunbury, Nevada, Esmen</u>
	4.	<u>Round Grove, Broughton, Sullivan</u>
	5.	<u>Long Point, Amity</u>
	6.	<u>Rooks Creek, Waldo, Pike</u>
	7.	<u>Owego, Eppards Point, Avoca</u>
	8.	<u>Saunemin, Pleasant Ridge, Charlotte, Union</u>
	9.	<u>Indian Grove, Belle Prairie</u>
	10.	<u>Forrest, Fayette</u>
<u>Logan</u>	1.	<u>Prairie Creek, Sheridan</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	<u>2.</u>	<u>Orvil, Eminence, West Lincoln</u>
	<u>3.</u>	<u>Atlanta, Oran</u>
	<u>4.</u>	<u>Chester, Mount Pulaski</u>
	<u>5.</u>	<u>Corwin, Broadwell, Elkhart, Hurlbut</u>
	<u>6.</u>	<u>Aetna, Laenna, Lake Fork</u>
<u>McDonough</u>	<u>1.</u>	<u>Blandinsville, Hire</u>
	<u>2.</u>	<u>Sciota, Walnut Grove</u>
	<u>3.</u>	<u>Bushnell, Prairie City, Macomb, Mound</u>
	<u>4.</u>	<u>Chalmers, New Salem, Scotland</u>
	<u>5.</u>	<u>Tennessee, Lamoine, Bethel</u>
	<u>6.</u>	<u>Industry, Eldorado</u>
<u>McLean</u>	<u>1.</u>	<u>Allin, Dale</u>
	<u>2.</u>	<u>West, Bellflower, Cheney's Grove</u>
	<u>3.</u>	<u>Yates, Lawndale, Cropsey, Anchor</u>
	<u>4.</u>	<u>Blue Mound, Martin</u>
	<u>5.</u>	<u>Dawson, Arrowsmith</u>
	<u>6.</u>	<u>White Oak, Dry Grove</u>
	<u>7.</u>	<u>Mount Hope, Funk's Grove</u>
<u>Macon</u>	<u>1.</u>	<u>Austin, Illini</u>
	<u>2.</u>	<u>Oakley, Whitmore</u>
	<u>3.</u>	<u>Niantic, Harristown</u>
	<u>4.</u>	<u>Blue Mound, Pleasant View</u>
<u>Macoupin</u>	<u>1.</u>	<u>Scottville, Barr, Western Mound, Chesterfield</u>
	<u>2.</u>	<u>North Palmyra, North Otter</u>
	<u>3.</u>	<u>South Palmyra, South Otter</u>
	<u>4.</u>	<u>Nilwood, Shaws Point, Honey Point</u>
	<u>5.</u>	<u>Bird, Polk, Hillyard, Brushy Mound</u>
<u>Madison</u>	<u>1.</u>	<u>New Douglas, Leef</u>
<u>Marion</u>	<u>1.</u>	<u>Patoka, Carrigan</u>
	<u>2.</u>	<u>Foster, Tonti</u>
	<u>3.</u>	<u>Kinmundy, Meacham</u>
	<u>4.</u>	<u>Alma, Omega</u>
	<u>5.</u>	<u>Stevenson, Haines</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	<u>6.</u>	<u>Iuka, Romaine</u>
<u>Marshall</u>	<u>1.</u>	<u>Saratoga, Whitefield, La Prairie</u>
	<u>2.</u>	<u>Hopewell, Roberts, Bell Plain, Richland</u>
<u>Mason</u>	<u>1.</u>	<u>Forest City, Quiver</u>
	<u>2.</u>	<u>Allens Grove, Pennsylvania, Salt Creek</u>
	<u>3.</u>	<u>Crane Creek, Kilbourne, Sherman</u>
	<u>4.</u>	<u>Bath, Lynchburg</u>
<u>Mercer</u>	<u>1.</u>	<u>Eliza, Duncan, Perryton</u>
	<u>2.</u>	<u>Keithsburg, Abington, Ohio Grove</u>
	<u>3.</u>	<u>Suez, North Henderson</u>
	<u>4.</u>	<u>New Boston, Millersburg</u>
<u>Montgomery</u>	<u>1.</u>	<u>Harvel, Pitman, Zanesville</u>
	<u>2.</u>	<u>Butler Grove, Irving, Rountree</u>
	<u>3.</u>	<u>Audubon, Nokomis</u>
	<u>4.</u>	<u>Witt, Fillmore, South Fillmore</u>
	<u>5.</u>	<u>Grisham, Walshville, East Fork</u>
<u>Moultrie</u>	<u>1.</u>	<u>Dora, Marrowbone</u>
	<u>2.</u>	<u>Lowe, Jonathan Creek</u>
	<u>3.</u>	<u>East Nelson, Whitley</u>
<u>Ogle</u>	<u>1.</u>	<u>Eagle Point, Buffalo, Woosung</u>
	<u>2.</u>	<u>Brookville, Forreton</u>
	<u>3.</u>	<u>Scott, White Rock</u>
	<u>4.</u>	<u>Maryland, Lincoln</u>
	<u>5.</u>	<u>Pine Creek, Grand Detour</u>
	<u>6.</u>	<u>Taylor, Lafayette, Pine Rock</u>
	<u>7.</u>	<u>Lynnville, Dement</u>
<u>Peoria</u>	<u>1.</u>	<u>Millbrook, Brimfield</u>
	<u>2.</u>	<u>Princeville, Akron</u>
	<u>3.</u>	<u>Logan, Trivoli</u>
<u>Piatt</u>	<u>1.</u>	<u>Goose Creek, Willow Branch</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

<u>Pike</u>	<u>1.</u>	<u>Fairmount, Perry, Chambersburg</u>
	<u>2.</u>	<u>Hadley, New Salem, Pleasant Vale, Derry</u>
	<u>3.</u>	<u>Flint, Detroit, Montezuma, Pearl</u>
	<u>4.</u>	<u>Newburg, Hardin, Spring Creek</u>
	<u>5.</u>	<u>Atlas, Martinsburg</u>
	<u>6.</u>	<u>Pleasant Hill, Ross</u>
	<u>7.</u>	<u>Kinderhook, Levee, Cincinnati</u>
<u>Putnam</u>	<u>1.</u>	<u>Hennepin, Senachwine</u>
<u>Richland</u>	<u>1.</u>	<u>Noble, Decker, Denver</u>
	<u>2.</u>	<u>German, Claremont</u>
	<u>3.</u>	<u>Madison, Bonpas</u>
<u>Rock Island</u>	<u>1.</u>	<u>Buffalo Prairie, Drury</u>
	<u>2.</u>	<u>Canoe Creek, Zuma</u>
	<u>3.</u>	<u>Cordova, Port Byron</u>
<u>St. Clair</u>	<u>1.</u>	<u>Mascoutah, Engelmann</u>
	<u>2.</u>	<u>East St. Louis, Stites</u>
<u>Saline</u>	<u>1.</u>	<u>Galatia, Long Branch, Tate</u>
	<u>2.</u>	<u>Brushy, Raleigh</u>
	<u>3.</u>	<u>Rector, East Eldorado, Cottage</u>
	<u>4.</u>	<u>Stonefort, Independence, Mountain</u>
<u>Sangamon</u>	<u>1.</u>	<u>Buffalo Hart, Mechanicsburg</u>
	<u>2.</u>	<u>Lanesville, Illiopolis</u>
	<u>3.</u>	<u>Maxwell, Loami, Talkington</u>
	<u>4.</u>	<u>Cooper, Cotton Hill</u>
	<u>5.</u>	<u>Island Grove, New Berlin</u>
<u>Schuyler</u>	<u>1.</u>	<u>Birmingham, Brooklyn, Littleton, Oakland, Huntsville, Camden</u>
	<u>2.</u>	<u>Browning, Hickory, Woodstock, Bainbridge, Frederick</u>
<u>Shelby</u>	<u>1.</u>	<u>Flat Branch, Ridge, Rural, Pickaway, Penn</u>
	<u>2.</u>	<u>Todds Point, Okaw</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	<u>3.</u>	<u>Richland, Ash Grove</u>
	<u>4.</u>	<u>Oconee, Cold Spring</u>
	<u>5.</u>	<u>Herrick, Dry Point</u>
	<u>6.</u>	<u>Lakewood, Holland, Clarksburg</u>
	<u>7.</u>	<u>Big Springs, Sigel</u>
<u>Stark</u>	<u>1.</u>	<u>Elmira, Osceola</u>
	<u>2.</u>	<u>Goshen, West Jersey</u>
	<u>3.</u>	<u>Essex, Valley, Penn</u>
<u>Stephenson</u>	<u>1.</u>	<u>Winslow, Waddams</u>
	<u>2.</u>	<u>Erin, Kent</u>
	<u>3.</u>	<u>Jefferson, Loran</u>
	<u>4.</u>	<u>Dakota, Rock Grove</u>
	<u>5.</u>	<u>Florence, Silver Creek</u>
<u>Tazewell</u>	<u>1.</u>	<u>Dillon, Delavan, Sand Prairie, Malone</u>
	<u>2.</u>	<u>Hopedale, Boynton, Hittle, Little Mackinaw</u>
<u>Vermilion</u>	<u>1.</u>	<u>Pilot, Middlefork</u>
	<u>2.</u>	<u>Georgetown, Love, McKendree</u>
	<u>3.</u>	<u>Jamaica, Vance</u>
	<u>4.</u>	<u>Carroll, Elwood</u>
	<u>5.</u>	<u>Butler, Grant</u>
<u>Warren</u>	<u>1.</u>	<u>Kelly, Coldbrook, Floyd, Berwick</u>
	<u>2.</u>	<u>Lenox, Sumner, Hale</u>
	<u>3.</u>	<u>Greenbush, Swan, Point Pleasant</u>
	<u>4.</u>	<u>Tompkins, Ellison</u>
<u>Washington</u>	<u>1.</u>	<u>Venedy, Johannisburg, Lively Grove</u>
	<u>2.</u>	<u>Covington, Hoyleton</u>
	<u>3.</u>	<u>Beaucoup, Ashley, Richview</u>
	<u>4.</u>	<u>Plum Hill, Oakdale, Pilot Knob</u>
	<u>5.</u>	<u>Bolo, DuBois</u>
<u>Wayne</u>	<u>1.</u>	<u>Garden Hill, Orchard, Hickory Hill, Four Mile</u>
	<u>2.</u>	<u>Keith, Zif, Mt. Erie, Elm River</u>
	<u>3.</u>	<u>Indian Prairie, Berry, Arrington</u>

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	<u>4.</u>	<u>Massilon, Barnhill, Leech</u>
<u>White</u>	<u>1.</u>	<u>Mill Shoals, Burnt Prairie</u>
	<u>2.</u>	<u>Heralds Prairie, Emma, Hawthorne</u>
<u>Whiteside</u>	<u>1.</u>	<u>Ustick, Clyde</u>
	<u>2.</u>	<u>Genesee, Jordan, Hopkins</u>
	<u>3.</u>	<u>Albany, Garden Plain</u>
	<u>4.</u>	<u>Newton, Fenton, Portland</u>
	<u>5.</u>	<u>Union Grove, Mt. Pleasant</u>
	<u>6.</u>	<u>Hume, Montmorency, Hahnaman</u>
<u>Will</u>	<u>1.</u>	<u>Florence, Wilton</u>
<u>Winnebago</u>	<u>1.</u>	<u>Laona, Durand</u>
	<u>2.</u>	<u>Harrison, Burritt</u>
	<u>3.</u>	<u>Pectonica, Seward</u>
<u>Woodford</u>	<u>1.</u>	<u>Partridge, Cazenovia</u>
	<u>2.</u>	<u>Linn, Clayton, Greene, Panola</u>
	<u>3.</u>	<u>Cruger, Olio</u>
	<u>4.</u>	<u>Palestine, Kansas</u>

- a) ~~The following list of multi-township assessment districts has been promulgated by this Department in accordance with Sections 2-10 and 2-15 of the Property Tax Code [35 ILCS 200/2-10 and 2-15], which has been in effect since January 1, 1994, and:~~
- ~~1) for candidacy purposes related to terms beginning January 1, 2006, will continue to be in effect until the certification of pre-election requirements by the Department under Sections 2-50 and 2-52 of the Property Tax Code [35 ILCS 200/2-50 and 2-52];~~
 - ~~2) for purposes of appointing assessors or contracting with a qualified person to fill office vacancies, will continue to be in effect through December 31, 2005;~~
 - ~~3) for purposes of distributions under Section 2-10 and disbursements under Section 2-25 of the Property Tax Code [35 ILCS 200/2-10 and 2-25], will~~

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

~~continue to be in effect through November 30, 2005; and~~

- 4) ~~for assessment purposes, will continue to be in effect through December 31, 2005:~~

County	Townships in District
Adams	1. Liberty, Columbus 2. Burton, Gilmer, Honey Creek 3. Lima, Keene 4. Houston, Northeast 5. Clayton, Concord 6. Fall Creek, Payson
Bond	1. Mills, Tamaleo
Boone	1. Manchester, LeRoy, Caledonia 2. Bonus, Spring
Brown	1. Lee, Pea Ridge, Missouri, Ripley, Cooperstown 2. Buckhorn, Elkhorn, Versailles
Bureau	1. Bureau, Walnut 2. Berlin, Westfield 3. Leepertown, Selby 4. Fairfield, Gold, Mineral 5. Neponset, Macon 6. Greenville, Manlius 7. Indiantown, Arispie, Milo, Wheatland 8. Ohio, Dover 9. LaMoille, Clarion
Carroll	1. Washington, Woodland, Freedom 2. Salem, Fairhaven 3. Elkhorn Grove, Wysox
Cass	1. Sangamon Valley, Virginia 2. Ashland, Philadelphia

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	3.	Panther Creek, Newmansville, Chandlerville
	4.	Bluff Springs, Arenzville, Hagener
Champaign	1.	East Bend, Newcomb, Condit, Hensley
	2.	Ludlow, Rantoul
	3.	Harwood, Kerr, Compromise
	4.	Stanton, Ogden
	5.	Colfax, Sadorus
	6.	Pesotum, Crittenden
	7.	Raymond, Ayers, South Homer
Christian	1.	Mt. Auburn, Mosquito
	2.	Stonington, Prairieton
	3.	King, Bear Creek, Johnson
	4.	Greenwood, Rosamond, Locust
Clark	1.	Westfield, Parker
	2.	Dolson, Auburn, Douglas, Anderson, Darwin
	3.	Johnson, Orange, Melrose, York
Clay	1.	Larkinsburg, Oskaloosa, Blair
	2.	Bible Grove, Hoosier, Pixley
	3.	Stanford, Clay City
	4.	Songer, Xenia
Clinton	1.	St. Rose, Wheatfield
	2.	Irishtown, Carlyle
	3.	Santa Fe, Lake
	4.	Clement, Meridian, East Fork
Coles	1.	Seven Hickory, Charleston
	2.	Morgan, East Oakland
	3.	Ashmore, Hutton
	4.	North Okaw, Humboldt
Crawford	1.	Licking, Prairie
	2.	Lamotte, Montgomery

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	3:	Martin, Honey Creek, Southwest
Cumberland	1:	Cottonwood, Union, Crooked Creek
	2:	Spring Point, Woodbury
DeKalb	1:	South Grove, Mayfield
	2:	Malta, Milan
	3:	Afton, Pierce
	4:	Shabbona, Paw Paw
	5:	Victor, Somonauk
DeWitt	1:	Waynesville, Barnett
	2:	Wilson, Rutledge, Harp, DeWitt
	3:	Tunbridge, Texas
	4:	Nixon, Creek
Douglas	1:	Murdock, Newman
	2:	Bowdre, Sargent
Edgar	1:	Brouilletts Creek, Edgar, Prairie
	2:	Buck, Embarrass, Grandview
	3:	Elbridge, Hunter, Stratton
	4:	Shiloh, Young America
Effingham	1:	Banner, Liberty, Moccasin
	2:	Jackson, Mason
	3:	Mound, West
	4:	Watson, Union
	5:	Bishop, Lucas
Fayette	1:	North Hurricane, South Hurricane, Shafter, Bear Grove
	2:	Seminary, Pope, Kaskaskia
	3:	Wilberton, Lone Grove, LaCledé
	4:	Sefton, Otego, Wheatland
	5:	Loudon, Carson, Bowling Green
Ford	1:	Drummer, Dix
	2:	Patton, Button

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	3.	Sullivant, Peach Orchard, Lyman, Wall
	4.	Brenton, Pella, Mona, Rogers
Franklin	1.	Goode, Barren
	2.	Ewing, Northern
	3.	Eastern, Cave
Fulton	1.	Ellisville, Young Hickory, Deerfield, Lee
	2.	Fairview, Joshua
	3.	Harris, Cass, Bernadotte, Farmers
	4.	Pleasant, Isabel, Woodland, Kerton, Waterford
	5.	Banner, Liverpool
Gallatin	1.	New Haven, Shawnee
	2.	Omaha, Asbury, North Fork
	3.	Equality, Bowlesville, Eagle Creek
Greene	1.	Patterson, Roodhouse
	2.	Athensville, Rubicon, Wrights
	3.	Walkerville, Bluffdale, Woodville
	4.	Linder, Rockbridge
Grundy	1.	Norman, Wauponsee
	2.	Highland, Vienna, Mazon
	3.	Goodfarm, Garfield, Greenfield
	4.	Maine, Braceville
	5.	Nettle Creek, Erienna
Hamilton	1.	Dahlgren, Knights Prairie
	2.	Flannigan, South Flannigan, Twigg, South Twigg, Mayberry
	3.	Crouch, South Crouch, Beaver Creek, Crook
Hancock	1.	Nauvoo, Appanoose, Sonora
	2.	Pontoosuc, Dallas City, Rock Creek
	3.	Prairie, Carthage
	4.	Warsaw, Wilcox, Rocky Run

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	5:	Durham, Pilot Grove, Fountain Green, Hancock
	6:	Wythe, Walker, St. Albans
	7:	Chili, Augusta
	8:	Bear Creek, Harmony, St. Mary
Henderson	1:	Biggsville, Rozetta, Bald Bluff
	2:	Media, Raritan, Terre Haute
	3:	Stronghurst, Carman
Henry	1:	Edford, Oseo
	2:	Lynn, Andover
	3:	Munson, Cornwall, Burns
	4:	Lorraine, Yorktown, Alba
	5:	Weller, Galva
Iroquois	1:	Ridgeland, Onarga, Artesia
	2:	Pigeon Grove, Fountain Creek
	3:	Milford, Stockland, Lovejoy, Prairie Green
	4:	Crescent, Ash Grove
	5:	Milks Grove, Ashkum
	6:	Beaver, Concord
	7:	Papineau, Beaverville
	8:	Danforth, Iroquois
Jackson	1:	Ora, Vergennes
	2:	Degonia, Kinkaid, Fountain Bluff, Levan
	3:	Sand Ridge, Grand Tower, Pomona
Jasper	1:	Crooked Creek, Grandville, Hunt City
	2:	Smallwood, Fox, Sainte Marie, Willow Hill
	3:	Grove, North Muddy, South Muddy
Jefferson	1:	Grand Prairie, Casner
	2:	Blissville, Bald Hill, Elk Prairie
	3:	Field, Farrington
	4:	Pendleton, Moores Prairie
Jersey	1:	Ruyle, Jersey, Fidelity

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	2.	Richwood, English
	3.	Rosedale, Otter Creek
Jo Daviess	1.	Apple River, Thompson
	2.	Berreman, Derinda, Pleasant Valley, Wards Grove
	3.	Council Hill, Guilford, Scales Mound
	4.	Elizabeth, Woodbine
	5.	Hanover, Rice
	6.	Menominee, Rawlins, Vinegar Hill
	7.	Nora, Rush, Warren
Kankakee	1.	Rockville, Manteno
	2.	Sumner, Yellowhead
	3.	Essex, Salina
Kendall	1.	Lisbon, Seward, Na-au-say
Knox	1.	Rio, Henderson
	2.	Walnut Grove, Lynn, Copley, Victoria
	3.	Persifer, Truro
	4.	Knox, Galesburg, Cedar, Indian Point
	5.	Orange, Haw Creek
	6.	Chestnut, Maquon, Salem, Elba
LaSalle	1.	Meriden, Ophir, Troy Grove
	2.	Freedom, Serena
	3.	Mission, Miller
	4.	Dimmick, Waltham, Wallace
	5.	Utica, Deer Park
	6.	Fall River, Grand Rapids
	7.	Vermilion, Farm Ridge
	8.	Hope, Richland
	9.	Brookfield, Allen
	10.	Osage, Groveland
Lawrence	1.	Allison, Denison
	2.	Christy, Lukin
	3.	Petty, Bond, Russell

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Lee	1.	Naehusa, China
	2.	Nelson, Harmon
	3.	South Dixon, Marion, East Grove, Hamilton
	4.	Reynolds, Alto, Viola, Willow Creek
	5.	Brooklyn, Wyoming
	6.	Ashton, Bradford
	7.	Amboy, Lee Center
	8.	May, Sublette
Livingston	1.	Chatsworth, Germanville
	2.	Reading, Newtown
	3.	Sunbury, Nevada, Esmen
	4.	Round Grove, Union, Broughton
	5.	Long Point, Amity
	6.	Rooks Creek, Waldo, Pike
	7.	Owego, Eppards Point, Avoca
	8.	Saunemin, Sullivan, Pleasant Ridge, Charlotte
	9.	Indian Grove, Belle Prairie
	10.	Forrest, Fayette
Logan	1.	Prairie Creek, Sheridan
	2.	Orvil, Eminence
	3.	Atlanta, Oran
	4.	Chester, Mount Pulaski
	5.	Corwin, Broadwell
	6.	Hurlbut, Elkhart
	7.	Aetna, Laenna, Lake Fork
McDonough	1.	Blandinsville, Hire
	2.	Sciota, Walnut Grove
	3.	Bushnell, Prairie City
	4.	Chalmers, New Salem, Scotland
	5.	Tennessee, Lamoine, Bethel
	6.	Industry, Eldorado
	7.	Macomb, Mound
McLean	1.	Allin, Dale

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	2.	Old Town, Downs
	3.	West, Bellflower, Cheneys Grove
	4.	Yates, Lawndale, Cropsey, Anchor
	5.	Money Creek, Lexington
	6.	Blue Mound, Martin
	7.	Dawson, Arrowsmith
	8.	White Oak, Dry Grove
	9.	Mount Hope, Funk's Grove
Macon	1.	Austin, Illini
	2.	Oakley, Whitmore
	3.	Niantic, Harristown
	4.	Blue Mound, Pleasant View
	5.	Mount Zion, Milam
Macoupin	1.	Scottville, Barr, Western Mound, Chesterfield
	2.	North Palmyra, North Otter
	3.	South Palmyra, South Otter
	4.	Nilwood, Shaws Point, Honey Point
	5.	Bird, Polk, Hillyard, Brushy Mound
Madison	1.	New Douglas, Leef
Marion	1.	Patoka, Carrigan
	2.	Foster, Tonti
	3.	Kinmundy, Meacham
	4.	Alma, Omega
	5.	Stevenson, Haines
	6.	Iuka, Romine
Marshall	1.	Saratoga, Whitefield, La Prairie
	2.	Hopewell, Roberts, Bell Plain, Richland
Mason	1.	Forest City, Quiver
	2.	Allens Grove, Pennsylvania, Salt Creek
	3.	Crane Creek, Kilbourne, Sherman
	4.	Bath, Lynchburg

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Mercer	1.	Eliza, Duncan, Perryton
	2.	Keithsburg, Abington, Ohio Grove
	3.	Suez, North Henderson
	4.	New Boston, Millersburg
Montgomery	1.	Harvel, Pitman, Zanesville
	2.	Butler Grove, Irving, Rountree
	3.	Audubon, Nokomis
	4.	Witt, Fillmore, South Fillmore
	5.	Grisham, Walshville
Moultrie	1.	Dora, Marrowbone
	2.	Lowe, Jonathan Creek
	3.	East Nelson, Whitley
Ogle	1.	Eagle Point, Buffalo, Woosung
	2.	Brookville, Forreston
	3.	Scott, White Rock
	4.	Maryland, Lincoln
	5.	Pine Creek, Grand Detour
	6.	Taylor, Lafayette, Pine Rock
	7.	Lynnville, Dement
Peoria	1.	Millbrook, Brimfield
	2.	Princeville, Akron
	3.	Logan, Trivoli
Piatt	1.	Goose Creek, Willow Branch
Pike	1.	Fairmount, Perry, Chambersburg
	2.	Hadley, New Salem, Pleasant Vale, Derry
	3.	Flint, Detroit, Montezuma
	4.	Newburg, Hardin
	5.	Atlas, Martinsburg
	6.	Pleasant Hill, Ross
	7.	Spring Creek, Pearl
	8.	Kinderhook, Levee, Cincinnati
Putnam	1.	Hennepin, Senachwine

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Richland	1.	Noble, Decker, Denver
	2.	German, Claremont
	3.	Madison, Bonpas
Rock Island	1.	Buffalo Prairie, Drury
	2.	Canoe Creek, Zuma
	3.	Cordova, Port Byron
Saline	1.	Galatia, Long Branch, Tate
	2.	Brushy, Raleigh
	3.	Rector, East Eldorado, Cottage
	4.	Stonefort, Independence, Mountain
Sangamon	1.	Buffalo Hart, Mechanicsburg
	2.	Lanesville, Illiopolis
	3.	Maxwell, Loami, Talkington
	4.	Cooper, Cotton Hill
	5.	Island Grove, New Berlin
Schuyler	1.	Birmingham, Brooklyn, Littleton, Oakland, Huntsville, Camden
	2.	Browning, Hickory, Woodstock, Bainbridge, Frederick
Shelby	1.	Moweaqua, Penn
	2.	Flat Branch, Ridge, Rural, Pickaway
	3.	Todds Point, Okaw
	4.	Richland, Ash Grove
	5.	Oconee, Cold Spring
	6.	Herrick, Dry Point
	7.	Lakewood, Holland, Clarksburg
	8.	Big Spring, Sigel
Stark	1.	Elmira, Osceola
	2.	Goshen, West Jersey
	3.	Essex, Valley, Penn
Stephenson	1.	Winslow, Waddams

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	2.	Erin, Kent
	3.	Jefferson, Loran
	4.	Dakota, Rock Grove
Tazewell	1.	Sand Prairie, Malone
	2.	Dillon, Delavan
	3.	Hopedale, Boynton
	4.	Hittle, Little Mackinaw
Vermilion	1.	Pilot, Middlefork
	2.	McKendree, Love
	3.	Jamaica, Vance
	4.	Carroll, Elwood
Warren	1.	Sumner, Hale
	2.	Kelly, Coldbrook
	3.	Lenox, Floyd, Berwick
	4.	Greenbush, Swan, Point Pleasant
	5.	Tompkins, Ellison
Washington	1.	Venedy, Johannsburg, Lively Grove
	2.	Covington, Hoyleton
	3.	Beaucoup, Ashley, Richview
	4.	Plum Hill, Oakdale, Pilot Knob
	5.	Bolo, DuBois
Wayne	1.	Garden Hill, Orchard, Hickory Hill, Four Mile
	2.	Keith, Zif, Mt. Erie, Elm River
	3.	Indian Prairie, Berry, Arrington
	4.	Massilon, Barnhill, Leech
White	1.	Mill Shoals, Burnt Prairie
	2.	Heralds Prairie, Emma, Hawthorne
Whiteside	1.	Ustick, Clyde
	2.	Genesee, Jordan
	3.	Albany, Garden Plain
	4.	Newton, Fenton

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

- 5. ~~Erie, Portland~~
- 6. ~~Hume, Montmorency~~
- 7. ~~Tampico, Hahnaman~~

~~Will~~ 1. ~~Florence, Wilton~~

~~Winnebago~~ 1. ~~Laona, Durand~~
 2. ~~Harrison, Burritt~~

~~Woodford~~ 1. ~~Partridge, Cazenovia~~
 2. ~~Linn, Clayton, Greene, Panola~~
 3. ~~Cruger, Ohio~~
 4. ~~Palestine, Kansas~~

b) ~~The following list of multi-township assessment districts has been promulgated by this Department in accordance with Sections 2-10 and 2-15 of the Property Tax Code [35 ILCS 200/2-10 and 2-15], which:~~

- 1) ~~for candidacy purposes related to terms beginning January 1, 2006, is effective beginning with the certification of pre-election requirements by the Department under Sections 2-50 and 2-52 of the Property Tax Code [35 ILCS 200/2-50 and 2-52];~~
- 2) ~~for purposes of appointing assessors or contracting with a qualified person to fill vacancies, is effective January 1, 2006;~~
- 3) ~~for purposes of distributions under Section 2-10 and disbursements under Section 2-25 of the Property Tax Code [35 ILCS 200/2-10 and 2-25], is effective December 1, 2005; and~~
- 4) ~~for assessment purposes, is effective January 1, 2006;~~

~~County Townships in District~~

~~Adams~~ 1. ~~Liberty, Columbus~~
 2. ~~Burton, Gilmer, Honey Creek~~
 3. ~~Lima, Keene~~
 4. ~~Houston, Northeast~~
 5. ~~Concord, McKee, Beverly, Richfield~~

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	6.	Fall Creek, Payson
Bond	1.	Mills, Tamaleo
	2.	LaGrange, Old Ripley
Boone	1.	Manchester, LeRoy
	2.	Bonus, Spring, Poplar Grove
Brown	1.	Lee, Pea Ridge, Missouri, Ripley, Cooperstown
	2.	Buckhorn, Elkhorn, Versailles
Bureau	1.	Bureau, Walnut
	2.	Berlin, Westfield
	3.	Leepertown, Selby
	4.	Fairfield, Gold, Mineral
	5.	Neponset, Macon
	6.	Greenville, Manlius
	7.	Indiantown, Arispie, Milo, Wheatland
	8.	Ohio, Dover
	9.	LaMoille, Clarion
Carroll	1.	Washington, Woodland, Freedom
	2.	Salem, Fairhaven
	3.	Elkhorn Grove, Wysox
Cass	1.	Sangamon Valley, Virginia
	2.	Ashland, Philadelphia
	3.	Panther Creek, Newmansville, Chandlerville
	4.	Bluff Springs, Arenzville, Hagener
Champaign	1.	East Bend, Newcomb, Condit, Hensley
	2.	Ludlow, Rantoul
	3.	Harwood, Kerr, Compromise
	4.	Stanton, Ogden
	5.	Colfax, Sadorus
	6.	Pesotum, Crittenden
	7.	Raymond, Ayers, South Homer
Christian	1.	Mt. Auburn, Mosquito

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	2.	Stonington, Prairieton
	3.	King, Bear Creek, Johnson
	4.	Greenwood, Rosamond, Locust
Clark	1.	Westfield, Parker
	2.	Dolson, Auburn, Douglas, Anderson, Darwin
	3.	Johnson, Orange, Melrose, York
Clay	1.	Larkinsburg, Oskaloosa, Blair
	2.	Bible Grove, Hoosier, Pixley
	3.	Stanford, Clay City
	4.	Songer, Xenia
Clinton	1.	St. Rose, Wheatfield, Irishtown
	2.	Santa Fe, Lake
	3.	Clement, Meridian, East Fork
Coles	1.	Seven Hickory, Charleston
	2.	Morgan, East Oakland
	3.	Ashmore, Hutton
	4.	North Okaw, Humboldt
Crawford	1.	Licking, Prairie
	2.	Lamotte, Hutsonville, Montgomery
	3.	Martin, Honey Creek, Southwest
Cumberland	1.	Cottonwood, Union, Crooked Creek
	2.	Spring Point, Woodbury
DeKalb	1.	South Grove, Mayfield
	2.	Malta, Milan
	3.	Afton, Pierce
	4.	Shabbona, Paw Paw
	5.	Victor, Somonauk
DeWitt	1.	Waynesville, Barnett
	2.	Wilson, Rutledge, Harp, DeWitt
	3.	Tunbridge, Texas
	4.	Nixon, Creek

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Douglas	1.	Murdoek, Newman
	2.	Bowdre, Sargent
Edgar	1.	Brouillets Creek, Edgar, Prairie
	2.	Buck, Kansas, Grandview
	3.	Elbridge, Hunter, Stratton
	4.	Shiloh, Young America, Embarrass
Effingham	1.	Banner, Liberty, Moccasin
	2.	Jackson, Mason, Mound, West
	3.	St. Francis, Teutopolis
	4.	Watson, Union
	5.	Bishop, Lucas
Fayette	1.	North Hurricane, South Hurricane, Shafter, Bear Grove
	2.	Seminary, Pope, Kaskaskia
	3.	Wilberton, Lone Grove, LaCleda
	4.	Sefton, Otego, Wheatland
	5.	Loudon, Carson, Bowling Green
Ford	1.	Drummer, Dix
	2.	Patton, Button
	3.	Sullivant, Peach Orchard, Lyman, Wall
	4.	Brenton, Pella, Mona, Rogers
Franklin	1.	Goode, Barren
	2.	Ewing, Northern
	3.	Eastern, Cave
Fulton	1.	Ellisville, Young Hickory, Deerfield, Lee
	2.	Fairview, Joshua
	3.	Harris, Cass, Bernadotte, Farmers
	4.	Pleasant, Isabel, Woodland, Kerton, Waterford
	5.	Banner, Liverpool
Gallatin	1.	New Haven, Shawnee, Gold Hill
	2.	Omaha, Asbury, North Fork
	3.	Equality, Bowlesville, Eagle Creek

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Greene	1.	Patterson, Roodhouse
	2.	Athensville, Rubicon, Wrights
	3.	Walkerville, Bluffdale, Woodville
	4.	Linder, Rockbridge
Grundy	1.	Norman, Wauponsee
	2.	Highland, Vienna, Mazon
	3.	Goodfarm, Garfield, Greenfield
	4.	Maine, Braceville
	5.	Nettle Creek, Erienna
Hamilton	1.	Dahlgren, Knights Prairie
	2.	Flannigan, South Flannigan, Twigg, South Twigg, Mayberry
	3.	Crouch, South Crouch, Beaver Creek, Crook
Hancock	1.	Nauvoo, Appanoose, Sonora
	2.	Pontoosuc, Dallas City, Rock Creek
	3.	Prairie, Carthage
	4.	Warsaw, Wilcox, Rocky Run
	5.	Durham, Pilot Grove, Fountain Green, Hancock
	6.	Wythe, Walker, St. Albans, Bear Creek
	7.	Harmony, St. Mary, Chili, Augusta
Henderson	1.	Biggsville, Rozetta, Bald Bluff
	2.	Media, Raritan, Terre Haute, Lomax
	3.	Stronghurst, Carman
Henry	1.	Edford, Osco, Munson
	2.	Lynn, Andover
	3.	Burns, Weller, Galva
	4.	Loraine, Yorktown, Alba, Cornwall
	5.	Oxford, Clover
Iroquois	1.	Ridgeland, Onarga, Artesia
	2.	Pigeon Grove, Fountain Creek
	3.	Milford, Stockland, Lovejoy, Prairie Green
	4.	Crescent, Ash Grove

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	5.	Milks Grove, Ashkum
	6.	Beaver, Concord
	7.	Papineau, Beaverville
	8.	Danforth, Iroquois
Jackson	1.	Ora, Vergennes
	2.	Degognia, Kinkaid, Fountain Bluff, Levan
	3.	Sand Ridge, Grand Tower, Pomona
Jasper	1.	Crooked Creek, Grandville, Hunt City
	2.	Smallwood, Fox, Sainte Marie, Willow Hill
	3.	Grove, North Muddy, South Muddy
Jefferson	1.	Grand Prairie, Casner
	2.	Blissville, Bald Hill, Elk Prairie
	3.	Field, Farrington
	4.	Pendleton, Moores Prairie
Jersey	1.	Ruyle, Jersey, Fidelity
	2.	Richwood, English
	3.	Rosedale, Otter Creek
Jo Daviess	1.	Apple River, Thompson
	2.	Berreman, Derinda, Pleasant Valley, Wards Grove
	3.	Council Hill, Guilford, Scales Mound
	4.	Elizabeth, Woodbine
	5.	Hanover, Rice
	6.	Menominee, Rawlins, Vinegar Hill
	7.	Nora, Rush, Warren
Kankakee	1.	Rockville, Manteno
	2.	Sumner, Yellowhead
	3.	Essex, Salina
Kendall	1.	Lisbon, Seward, Na-au-say
Knox	1.	Galesburg, Knox, Cedar, Orange, Haw Creek, Elba, Indian Point, Chestnut, Maquon, Salem
	2.	Rio, Ontario, Walnut Grove, Lynn, Henderson, Sparta,

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

		Copley, Victoria, Persifer, Truro
LaSalle	1.	Meriden, Ophir, Troy Grove
	2.	Freedom, Serena
	3.	Mission, Miller
	4.	Dimmick, Waltham, Wallace
	5.	Fall River, Grand Rapids
	6.	Vermilion, Farm Ridge, Deer Park
	7.	Hope, Richland, Osage, Groveland
	8.	Brookfield, Allen
Lawrence	1.	Allison, Denison
	2.	Christy, Lukin
	3.	Petty, Bond, Russell
Lee	1.	Nachusa, Franklin Grove
	2.	Nelson, Harmon
	3.	South Dixon, Marion, East Grove, Hamilton
	4.	Reynolds, Alto, Viola, Willow Creek
	5.	Brooklyn, Wyoming
	6.	Ashton, Bradford
	7.	Amboy, Lee Center
	8.	May, Sublette
Livingston	1.	Chatsworth, Germanville
	2.	Reading, Newtown
	3.	Sunbury, Nevada, Esmen
	4.	Round Grove, Broughton, Sullivan
	5.	Long Point, Amity
	6.	Rooks Creek, Waldo, Pike
	7.	Owego, Eppards Point, Avoca
	8.	Saunemin, Pleasant Ridge, Charlotte, Union
	9.	Indian Grove, Belle Prairie
	10.	Forrest, Fayette
Logan	1.	Prairie Creek, Sheridan
	2.	Orvil, Eminence, West Lincoln
	3.	Atlanta, Oran
	4.	Chester, Mount Pulaski

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	5.	Corwin, Broadwell, Elkhart, Hurlbut
	6.	Aetna, Laenna, Lake Fork
McDonough	1.	Blandinsville, Hire
	2.	Sciota, Walnut Grove
	3.	Bushnell, Prairie City, Macomb, Mound
	4.	Chalmers, New Salem, Scotland
	5.	Tennessee, Lamoine, Bethel
	6.	Industry, Eldorado
McLean	1.	Allin, Dale
	2.	West, Bellflower, Cheneys Grove
	3.	Yates, Lawndale, Cropsey, Anchor
	4.	Blue Mound, Martin
	5.	Dawson, Arrowsmith
	6.	White Oak, Dry Grove
	7.	Mount Hope, Funk's Grove
Macon	1.	Austin, Illini
	2.	Oakley, Whitmore
	3.	Niantic, Harristown
	4.	Blue Mound, Pleasant View
	5.	Mount Zion, Milam
Macoupin	1.	Scottville, Barr, Western Mound, Chesterfield
	2.	North Palmyra, North Otter
	3.	South Palmyra, South Otter
	4.	Nilwood, Shaws Point, Honey Point
	5.	Bird, Polk, Hillyard, Brushy Mound
Madison	1.	New Douglas, Leef
Marion	1.	Patoka, Carrigan
	2.	Foster, Tonti
	3.	Kinmundy, Meacham
	4.	Alma, Omega
	5.	Stevenson, Haines
	6.	Iuka, Romine

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Marshall	1.	Saratoga, Whitefield, La Prairie
	2.	Hopewell, Roberts, Bell Plain, Richland
Mason	1.	Forest City, Quiver
	2.	Allens Grove, Pennsylvania, Salt Creek
	3.	Crane Creek, Kilbourne, Sherman
	4.	Bath, Lynchburg
Mercer	1.	Eliza, Duncan, Perryton
	2.	Keithsburg, Abington, Ohio Grove
	3.	Suez, North Henderson
	4.	New Boston, Millersburg
Montgomery	1.	Harvel, Pitman, Zanesville
	2.	Butler Grove, Irving, Rountree
	3.	Audubon, Nokomis
	4.	Witt, Fillmore, South Fillmore
	5.	Grisham, Walshville, East Fork
Moultrie	1.	Dora, Marrowbone
	2.	Lowe, Jonathan Creek
	3.	East Nelson, Whitley
Ogle	1.	Eagle Point, Buffalo, Woosung
	2.	Brookville, Forreston
	3.	Scott, White Rock
	4.	Maryland, Lincoln
	5.	Pine Creek, Grand Detour
	6.	Taylor, Lafayette, Pine Rock
	7.	Lynnville, Dement
Peoria	1.	Millbrook, Brimfield
	2.	Princeville, Akron
	3.	Logan, Trivoli
Piatt	1.	Goose Creek, Willow Branch
Pike	1.	Fairmount, Perry, Chambersburg
	2.	Hadley, New Salem, Pleasant Vale, Derry

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	3.	Flint, Detroit, Montezuma, Pearl
	4.	Newburg, Hardin, Spring Creek
	5.	Atlas, Martinsburg
	6.	Pleasant Hill, Ross
	7.	Kinderhook, Levee, Cincinnati
Putnam	1.	Hennepin, Senachwine
Richland	1.	Noble, Decker, Denver
	2.	German, Claremont
	3.	Madison, Bonpas
Rock Island	1.	Buffalo Prairie, Drury
	2.	Canoe Creek, Zuma
	3.	Cordova, Port Byron
St. Clair	1.	Mascoutah, Engelmann
	2.	East St. Louis, Stites
Saline	1.	Galatia, Long Branch, Tate
	2.	Brushy, Raleigh
	3.	Rector, East Eldorado, Cottage
	4.	Stonefort, Independence, Mountain
Sangamon	1.	Buffalo Hart, Mechanicsburg
	2.	Lanesville, Illiopolis
	3.	Maxwell, Loami, Talkington
	4.	Cooper, Cotton Hill
	5.	Island Grove, New Berlin
Schuyler	1.	Birmingham, Brooklyn, Littleton, Oakland, Huntsville, Camden
	2.	Browning, Hickory, Woodstock, Bainbridge, Frederick
Shelby	1.	Flat Branch, Ridge, Rural, Pickaway
	2.	Todds Point, Okaw
	3.	Richland, Ash Grove
	4.	Oconee, Cold Spring
	5.	Herrick, Dry Point

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

	6.	Lakewood, Holland, Clarksburg
	7.	Big Spring, Sigel
Stark	1.	Elmira, Osceola
	2.	Goshen, West Jersey
	3.	Essex, Valley, Penn
Stephenson	1.	Winslow, Waddams
	2.	Erin, Kent
	3.	Jefferson, Loran
	4.	Dakota, Rock Grove
	5.	Florence, Silver Creek
Tazewell	1.	Dillon, Delavan, Sand Prairie, Malone
	2.	Hopedale, Boynton, Hittle, Little Mackinaw
Vermilion	1.	Pilot, Middlefork
	2.	Georgetown, Love, McKendree
	3.	Jamaica, Vance
	4.	Carroll, Elwood
Warren	1.	Kelly, Coldbrook, Floyd, Berwick
	2.	Lenox, Sumner, Hale
	3.	Greenbush, Swan, Point Pleasant
	4.	Tompkins, Ellison
Washington	1.	Venedy, Johannisburg, Lively Grove
	2.	Covington, Hoyleton
	3.	Beaucoup, Ashley, Richview
	4.	Plum Hill, Oakdale, Pilot Knob
	5.	Bolo, DuBois
Wayne	1.	Garden Hill, Orchard, Hickory Hill, Four Mile
	2.	Keith, Zif, Mt. Erie, Elm River
	3.	Indian Prairie, Berry, Arrington
	4.	Massilon, Barnhill, Leech
White	1.	Mill Shoals, Burnt Prairie
	2.	Heralds Prairie, Emma, Hawthorne

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Whiteside	1.	Ustick, Clyde
	2.	Genesee, Jordan, Hopkins
	3.	Albany, Garden Plain
	4.	Newton, Fenton, Portland
	5.	Union Grove, Mt. Pleasant
	6.	Hume, Montmorency, Hahnaman
Will	1.	Florence, Wilton
Winnebago	1.	Laona, Durand
	2.	Harrison, Burritt
	3.	Pecatonica, Seward
Woodford	1.	Partridge, Cazenovia
	2.	Linn, Clayton, Greene, Panola
	3.	Cruger, Ohio
	4.	Palestine, Kansas

(Source: Amended at 34 Ill. Reg. 11804, effective July 27, 2010)

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF EMERGENCY RULES

- 1) Heading of Part: Procedures for Operation of the Clean Construction or Demolition Debris Fill Operation Fee System
- 2) Code Citation: 35 Ill. Adm. Code 1150
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1150.100	New Section
1150.105	New Section
1150.110	New Section
1150.115	New Section
1150.120	New Section
1150.200	New Section
1150.205	New Section
1150.210	New Section
1150.215	New Section
1150.220	New Section
1150.300	New Section
1150.305	New Section
- 4) Statutory Authority: Section 22.51b of the Environmental Protection Act (415 ILCS 5/22.51b)
- 5) Effective Date of Rules: August 2, 2010
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule is not set to expire before the end of the 150-day period.
- 7) Date Filed with the Index Department: August 2, 2010
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Emergency rules are necessary because the assessment and collection of fees by the Agency from clean construction or demolition debris fill operations begins on the date that Section 22.51b was signed into law. The Agency must provide information to the owners and operators of clean construction or demolition debris fill operations on how to calculate, report, and submit the fees. Identical rules will

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF EMERGENCY RULES

also be submitted for publication in the *Illinois Register* through the general rulemaking process by the Agency.

- 10) A Complete Description of the Subjects and Issues Involved: Section 22.51b(b) of the Environmental Protection Act (415 ILCS 5/22.51b(b)) requires the Illinois EPA to establish rules relating to the collection of the fees authorized by Section 22.51b(a) of the Environmental Protection Act (415 ILCS 5/22.51b(a)). The proposed rules will set forth the procedures for the collection of fees from the owner or operator of a clean construction or demolition debris fill operation, including recordkeeping requirements, submittals to the Agency, and time and manner of payment.
- 11) Are there any proposed amendments to this Part pending? Yes
- 12) Statement of Statewide Policy Objective: This rulemaking will not create a State mandate for units of local government.
- 13) Information and questions regarding these emergency rules shall be directed to:

Stephanie Flowers, Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19726
Springfield, Illinois 62794-9276

217/782-5544

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

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF EMERGENCY RULES

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE J: CLEAN CONSTRUCTION OR DEMOLITION DEBRIS
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 1150

PROCEDURES FOR OPERATION OF THE CLEAN CONSTRUCTION OR
DEMOLITION DEBRIS FILL OPERATION FEE SYSTEM

SUBPART A: GENERAL PROVISIONS

Section

1150.100 Applicability

EMERGENCY

1150.105 Definitions

EMERGENCY

1150.110 Retention of Records

EMERGENCY

1150.115 Certification

EMERGENCY

1150.120 Severability

EMERGENCY

SUBPART B: PROCEDURES FOR MAINTAINING RECORDS

Section

1150.200 Records

EMERGENCY

1150.205 Daily Fill Record

EMERGENCY

1150.210 Monthly Fill Record

EMERGENCY

1150.215 Quarterly Fill Summary

EMERGENCY

1150.220 Revisions to Monthly Fill Record and Quarterly Fill Summary

EMERGENCY

SUBPART C: PROCEDURES FOR PAYMENT OF FEES

Section

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF EMERGENCY RULES

1150.300 Quarterly Submission of Payment

EMERGENCY

1150.305 Manner of Payment

EMERGENCY

AUTHORITY: Implementing and authorized by Section 22.51b of the Environmental Protection Act [415 ILCS 5/22.51b]

SOURCE: Emergency rules adopted at 34 Ill. Reg. 11854, effective August 2, 2010, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 1150.100 Applicability

EMERGENCY

The regulations of this Part apply to *owners and operators of clean construction or demolition debris (CCDD) fill operations permitted or required to be permitted by the Agency to use CCDD or uncontaminated soil for use as fill in a CCDD fill operation if the CCDD fill operation is located off the site where the CCDD or uncontaminated soil was generated and if the CCDD fill operation is owned, controlled and operated by a person other than the generator of the CCDD or uncontaminated soil.* [415 ILCS 5/22.51b(a)]

Section 1150.105 Definitions

EMERGENCY

a) Unless specified otherwise, all terms have the meanings set forth in the Act.

b) For the purposes of this Part, the following definitions apply:

"Act" means the Environmental Protection Act [415 ILCS 5].

"Agency" is the Illinois Environmental Protection Agency established by the Act. [415 ILCS 5/3.105]

"CCDD" means clean construction or demolition debris.

"Clean construction or demolition debris" means clean construction or demolition debris as defined in Section 3.160(b) of the Act.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF EMERGENCY RULES

"CCDD fill operation" means a current or former quarry, mine, or other excavation where clean construction or demolition debris is used as fill material. [415 ILCS 5/22.51(e)(3)]

"Operator" means a person responsible for the operation and maintenance of a CCDD fill operation. [415 ILCS 5/22.51(e)(1)]

"Owner" means a person who has any direct or indirect interest in a CCDD fill operation or in land on which a person operates and maintains a CCDD fill operation. A "direct or indirect interest" does not include the ownership of publicly traded stock. The "owner" is the "operator" if there is no other person who is operating and maintaining a CCDD fill operation. [415 ILCS 5/22.51(e)(2)]

"Uncontaminated soil" means uncontaminated soil as defined in Section 3.160(c) of the Act and rules adopted thereunder.

**Section 1150.110 Retention of Records
EMERGENCY**

Copies of all records required to be kept under this Part shall be retained by the site operator for three years and must be made available at the site during the normal business hours of the operator for inspection and photocopying by the Agency.

**Section 1150.115 Certification
EMERGENCY**

- a) All records, summaries or reports submitted to the Agency as required by this Part must be signed by a person responsible for preparing and reviewing such documents as part of his or her duties in the regular course of business.
- b) Any person signing a document submitted under this Part shall make the following certification:

I certify that this document and all attachments were prepared under my direction or supervision. Based on my inquiry of the person or persons who manage the fill operation, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate,

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF EMERGENCY RULES

and complete. I am aware that there are significant penalties under Section 44 of the Environmental Protection Act for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Section 1150.120 Severability
EMERGENCY**

If any Section, subsection, sentence or clause of this Part is adjudged unconstitutional, void, invalid or otherwise unlawful, such adjudication does not affect the validity of this Part as a whole or any Section, subsection, sentence or clause thereof not adjudged unconstitutional, void, invalid or otherwise unlawful.

SUBPART B: PROCEDURES FOR MAINTAINING RECORDS

**Section 1150.200 Records
EMERGENCY**

- a) The operator of a CCDD fill operation shall keep a Daily Record of the CCDD and the uncontaminated soil accepted for use as fill material at the CCDD fill operation.
- b) For purposes of reporting and submitting fees, the operator shall prepare the following records from the Daily Record:
 - 1) Monthly Fill Record; and
 - 2) Quarterly Fill Summary.
- c) Operators of CCDD fill operations shall submit each Monthly Fill Record, each Quarterly Fill Summary, and each fee payment:
 - 1) on the basis of weight, in tons, where the operator has weighed the CCDD and the uncontaminated soil received with a device for which certification has been obtained under the Weights and Measures Act [225 ILCS 470];
or
 - 2) on the basis of volume, as measured in cubic yards, where the measurement of the CCDD and the uncontaminated soil received is based on volume.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF EMERGENCY RULES

- d) Each Monthly Fill Record and Quarterly Fill Summary submitted to the Agency must be on forms and in a format as prescribed and provided by the Agency.
- e) The Monthly Fill Record and Quarterly Fill Summary must be kept in accordance with Section 1150.110 of this Part.

**Section 1150.205 Daily Fill Record
EMERGENCY**

- a) The Daily Fill Records must be maintained at the site of the CCDD fill operation, and must include the Agency designated site number and the site name.
- b) For each load of CCDD or uncontaminated soil accepted for use as fill material at the CCDD fill operation the following information must be recorded in the Daily Fill Record, in addition to any other information required by the Act and rules adopted thereunder:
 - 1) The date and day of the week the load was accepted.
 - 2) The quantity, in tons weighed or cubic yards measured, of CCDD or uncontaminated soil accepted for use as fill material at the CCDD fill operation.

**Section 1150.210 Monthly Fill Record
EMERGENCY**

- a) Monthly Fill Records must be maintained at the site of the CCDD fill operation and must include the following information:
 - 1) The Agency designated site number, the site name, and the calendar month for which the record applies.
 - 2) The total quantity of CCDD and uncontaminated soil accepted for use as fill material, in tons weighed or cubic yards measured, for each day of the calendar month.
- b) On or before April 15, July 15, October 15 and January 15, the owner or operator of the CCDD fill operation shall submit to the Agency the Monthly Fill Records

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF EMERGENCY RULES

for the preceding three calendar months. The Monthly Fill Records must be submitted to the address in Section 1150.305.

- c) Upon issuance of a valid CCDD fill operation permit pursuant to 35 Ill. Adm. Code 1100, and until termination of such permit, the owner or operator of the CCDD fill operation shall submit Monthly Fill Records to the Agency in accordance with this Section regardless of the amount of CCDD and uncontaminated soil accepted for use as fill material by the CCDD fill operation.

**Section 1150.215 Quarterly Fill Summary
EMERGENCY**

- a) The Quarterly Fill Summary must be maintained at the site of the CCDD fill operation and must include the following information:
 - 1) The Agency designated site number, the site name, and the calendar quarter for which the summary applies.
 - 2) The total quantity of CCDD and uncontaminated soil accepted for use as fill material in tons weighed or cubic yards measured:
 - A) for each month of the calendar quarter;
 - B) for the entire calendar quarter; and
 - C) for the calendar year-to-date.
 - 3) The fee rate applicable under Section 22.51b of the Act.
- b) The Quarterly Fill Summary must be received by the Agency on or before April 15, July 15, October 15 and January 15 of each year and must cover the preceding three calendar months. The Quarterly Fill Summary must be submitted to the address in Section 1150.305.
- c) Upon issuance of a valid CCDD fill operation permit pursuant to 35 Ill. Adm. Code 1100, and until termination of such permit, the owner or operator of the CCDD fill operation shall submit a Quarterly Fill Summary to the Agency in accordance with this Section regardless of the amount of CCDD and uncontaminated soil accepted for use as fill material by the CCDD fill operation.

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**Section 1150.220 Revisions to Monthly Fill Record and Quarterly Fill Summary
EMERGENCY**

When errors in the amount of the fee due under Section 22.51b or errors in the amount of CCDD and uncontaminated soil accepted for use as fill material are discovered in any of the records required to be kept under this Part, a revised Monthly Fill Record and Quarterly Fill Summary reflecting the corrections must be completed by the site operator and submitted to the Agency. The revised Monthly Fill Record and Quarterly Fill Summary, and any payment due the Agency, must be received by the Agency no later than the seventh day following the discovery of the error. If the revision results in an overpayment, the site operator shall show the adjustment on the next Quarterly Fill Summary.

SUBPART C: PROCEDURES FOR PAYMENT OF FEES

**Section 1150.300 Quarterly Submission of Payment
EMERGENCY**

- a) Payment of the fee due under Section 22.51b of the Act must be made on a quarterly basis with the submission of the Quarterly Fill Summary. Such payment must be received by the Agency on or before April 15, July 15, October 15 and January 15 of each year and must cover the preceding three calendar months.
- b) The fee payment due must be calculated by multiplying the quantity of CCDD and uncontaminated soil accepted for use as fill material, in tons weighed or cubic yards measured, as reported on the Quarterly Fill Summary, times the applicable rate in Section 22.51b of the Act.

**Section 1150.305 Manner of Payment
EMERGENCY**

Payment must be made by check or money order payable to Illinois Environmental Protection Agency. To pay by Electronic Fund Transfer (EFT), please submit a request for EFT to the address below. Payment and forms must be mailed to the Agency at the following address:

Illinois Environmental Protection Agency
Division of Administration, Fiscal Services
1021 North Grand Avenue East
P.O. Box 19276

ENVIRONMENTAL PROTECTION AGENCY

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Springfield, Illinois 62794-9276

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.APPENDIX A TABLE W Peremptory Action: 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 W to reflect a Memorandum of Understanding (MOU) between the American Federation of State, County and Municipal Employees (AFSCME) and the State of Illinois signed June 30, 2010. The MOU assigns the Engineering Technician IV title positions at the Department of Public Health to the RC-062 bargaining unit and to the RC-062-18 pay grade Pay Plan Code B effective February 9, 2010.
- 5) Statutory Authority: Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)] and by Sections 4, 6, 15 and 21 of the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21].
- 6) Effective Date: July 30, 2010
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A Table W, the Engineering Technician IV title (Department of Public Health), its title code, bargaining unit and pay grade are added to the title table.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: July 30, 2010
- 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? No

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- 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 this peremptory amendment 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

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

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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 (Repealed)
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 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 (Repealed)
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 Veterans' Affairs, Natural Resources, Human Services, 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, Financial and Professional Regulation, 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 (Departments of Natural Resources and Transportation, Teamsters)
310.TABLE AB	RC-150 (Public Service Administrators Option 6, AFSCME)
310.TABLE AC	RC-036 (Public Service Administrators Option 8L Department of Healthcare and Family Services, INA)
310.TABLE AD	RC-184 (Public Service Administrators Option 8X Department of Natural Resources, SEIU Local 73)
310.APPENDIX B	Schedule of Salary Grade Pay Grades – Monthly Rates of Pay (Repealed)
310.APPENDIX C	Medical Administrator Rates (Repealed)
310.APPENDIX D	Merit Compensation System Salary Schedule

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- 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 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,

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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 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

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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 February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory 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; peremptory 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; peremptory 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; peremptory 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; peremptory 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; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory 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; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory 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

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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 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.

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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, 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.

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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 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

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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. 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; amended at 33 Ill. Reg. 2148, effective January 26, 2009; preemptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; preemptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; preemptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; preemptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; preemptory amendment at 33 Ill. Reg. 6724, effective May 1, 2009; preemptory amendment at 33 Ill. Reg. 9138, effective June 12, 2009; emergency amendment at 33 Ill. Reg. 9432, effective July 1, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 10211, effective July 1, 2009; preemptory amendment at 33 Ill. Reg. 10823, effective July 2, 2009; preemptory amendment at 33 Ill. Reg. 11082, effective July 10, 2009; preemptory amendment at 33 Ill. Reg. 11698, effective July 23, 2009; preemptory amendment at 33 Ill. Reg. 11895, effective July 31, 2009; preemptory amendment at 33 Ill. Reg. 12872, effective September 3, 2009; amended at 33 Ill. Reg. 14944, effective October 26, 2009; preemptory amendment at 33 Ill. Reg. 16598, effective November 13, 2009; preemptory amendment at 34 Ill. Reg. 305, effective December 18, 2009; emergency amendment at 34 Ill. Reg. 957, effective January 1, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 1425,

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effective January 5, 2010; preemptory amendment at 34 Ill. Reg. 3684, effective March 5, 2010; preemptory amendment at 34 Ill. Reg. 5776, effective April 2, 2010; preemptory amendment at 34 Ill. Reg. 6214, effective April 16, 2010; amended at 34 Ill. Reg. 6583, effective April 30, 2010; preemptory amendment at 34 Ill. Reg. 7528, effective May 14, 2010; amended at 34 Ill. Reg. 7645, effective May 24, 2010; preemptory amendment at 34 Ill. Reg. 7947, effective May 26, 2010; preemptory amendment at 34 Ill. Reg. 8633, effective June 18, 2010; amended at 34 Ill. Reg. 9759, effective July 1, 2010; preemptory amendment at 34 Ill. Reg. 10536, effective July 9, 2010; preemptory amendment at 34 Ill. Reg. 11864, effective July 30, 2010.

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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

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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
Data Processing Supervisor I	11435	RC-062	11
Data Processing Supervisor II	11436	RC-062	14
Data Processing Supervisor III	11437	RC-062	18
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
Dietary Manager I	12501	RC-062	16
Dietary Manager II	12502	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
Educational Diagnostician	12965	RC-062	12

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Educator – Provisional	13105	RC-062	12
Employment Security Field Office Supervisor	13600	RC-062	20
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
Employment Security Service Representative (Intermittent)	13667	RC-062	16H
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
Engineering Technician IV (Department of Public Health)	13734	RC-062	18
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
Fire Protection Specialist I	15351	RC-062	16
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

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Gaming Senior Special Agent	17191	RC-062	23
Gaming Special Agent	17192	RC-062	19
Gaming Special Agent Trainee	17195	RC-062	14
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 Information Administrator	18041	RC-062	15
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
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 Resources Specialist	19693	RC-062	20
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 Casework Manager	19788	RC-062	20
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

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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
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
International Marketing Representative I, Department of Agriculture	21761	RC-062	14
Juvenile Justice Youth and Family Specialist, Option 1	21991	RC-062	18
Juvenile Justice Youth and Family Specialist, Option 2	21992	RC-062	20
KidCare Supervisor	22003	RC-062	20
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

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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 Administrator I	26811	RC-062	18
Mental Health Administrator II	26812	RC-062	20
Mental Health Administrator Trainee	26817	RC-062	16
Mental Health Recovery Support Specialist I	26921	RC-062	17
Mental Health Recovery Support Specialist II	26922	RC-062	18
Mental Health Specialist I	26924	RC-062	12
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

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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 I	30961	RC-062	12
Pension and Death Benefits Technician II	30962	RC-062	19
Plumbing Consultant (Department of Public Health)	32910	RC-062	22
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 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
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, Option 8Z	37015	RC-062	19
Public Service Administrator, Options 2 and 7			
Gaming Board and Department of Revenue	37015	RC-062	24
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

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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
Rehabilitation Workshop Supervisor III	38196	RC-062	16
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
Residential Services Supervisor	38280	RC-062	15
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 and not assigned to RC-062-29)	38369	RC-062	27
Revenue Audit Supervisor (See Note)	38369	RC-062	29
Revenue Auditor I (IL)	38371	RC-062	16
Revenue Auditor I (states other than IL and not assigned to RC-062-21)	38371	RC-062	19
Revenue Auditor I (See Note)	38371	RC-062	21
Revenue Auditor II (IL)	38372	RC-062	19
Revenue Auditor II (states other than IL and not assigned to RC-062-24)	38372	RC-062	22
Revenue Auditor II (See Note)	38372	RC-062	24
Revenue Auditor III (IL)	38373	RC-062	22
Revenue Auditor III (states other than IL and not assigned to RC-062-26)	38373	RC-062	24

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Revenue Auditor III (See Note)	38373	RC-062	26
Revenue Auditor Trainee (IL)	38375	RC-062	12
Revenue Auditor Trainee (states other than IL and not assigned to RC-062-15)	38375	RC-062	13
Revenue Auditor Trainee (See Note)	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 and not assigned to RC-062-27)	38425	RC-062	25
Revenue Computer Audit Specialist (See Note)	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
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

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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
Vehicle Emission Compliance Supervisor, Environmental Protection Agency	47583	RC-062	15
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
Workers Compensation Insurance Compliance Investigator	49640	RC-062	20

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NOTE: The positions allocated to the Public Service Administrator title that are assigned to the negotiated RC-062 pay grade have the following options: 2; 7; 8B; 8Y; and 8Z. See the definition of option in Section 310.50.

For the Revenue Tax Specialist II position classification title 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 or position location (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. 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).

For the Revenue Audit Supervisor, Revenue Auditor I, II and III, Revenue Auditor Trainee, and Revenue Computer Audit Specialist position classification titles only – Effective July 1, 2010, State employees appointed to positions allocated to the Revenue Audit Supervisor, Revenue Auditor I, II and III, Revenue Auditor Trainee, and Revenue Computer Audit Specialist classifications shall be assigned to the pay grades:

- Revenue Audit Supervisor, RC-062-29
- Revenue Auditor I, RC-062-21
- Revenue Auditor II, RC-062-24
- Revenue Auditor III, RC-062-26
- Revenue Auditor Trainee, RC-062-25
- Revenue Computer Audit Specialist, RC-062-27

if the employee lives in California, 50% or more of the employee's work is within a 200 mile radius of the Paramus NJ Illinois Department of Revenue office, or 50% or more of the employee's work is within the District of Columbia.

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Effective January 1, 2010
Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
09	B	2776	2846	2917	3008	3104	3200	3303	3400	3560	3703
09	Q	2888	2960	3036	3128	3230	3329	3437	3540	3710	3859
09	S	2956	3025	3099	3194	3296	3398	3507	3609	3780	3932
10	B	2867	2939	3011	3121	3213	3319	3424	3530	3711	3860
10	Q	2979	3054	3132	3246	3345	3458	3566	3678	3874	4029
10	S	3047	3120	3197	3311	3413	3525	3634	3752	3946	4104
11	B	2970	3047	3122	3228	3332	3453	3566	3677	3872	4027
11	Q	3090	3167	3248	3363	3473	3598	3718	3835	4043	4204
11	S	3156	3232	3312	3429	3539	3666	3788	3908	4114	4278
12	B	3088	3165	3248	3367	3477	3607	3725	3863	4070	4232
12	Q	3211	3294	3381	3506	3622	3761	3889	4030	4250	4420
12	S	3276	3361	3447	3573	3690	3833	3963	4106	4326	4499
12H	B	19.00	19.48	19.99	20.72	21.40	22.20	22.92	23.77	25.05	26.04
12H	Q	19.76	20.27	20.81	21.58	22.29	23.14	23.93	24.80	26.15	27.20
12H	S	20.16	20.68	21.21	21.99	22.71	23.59	24.39	25.27	26.62	27.69
13	B	3201	3281	3370	3494	3627	3762	3899	4046	4270	4441
13	Q	3331	3418	3510	3638	3781	3930	4073	4223	4463	4641
13	S	3399	3486	3577	3709	3854	4005	4145	4300	4540	4722
14	B	3332	3423	3514	3648	3790	3956	4100	4255	4504	4684
14	Q	3473	3565	3663	3803	3958	4129	4285	4448	4707	4894
14	S	3539	3633	3731	3878	4029	4204	4359	4525	4781	4971
14H	B	20.50	21.06	21.62	22.45	23.32	24.34	25.23	26.18	27.72	28.82

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14H	Q	21.37	21.94	22.54	23.40	24.36	25.41	26.37	27.37	28.97	30.12
14H	S	21.78	22.36	22.96	23.86	24.79	25.87	26.82	27.85	29.42	30.59
15	B	3463	3557	3653	3815	3972	4127	4296	4455	4724	4911
15	Q	3608	3708	3812	3979	4145	4312	4491	4656	4934	5133
15	S	3675	3778	3883	4053	4218	4389	4567	4731	5012	5212
16	B	3619	3718	3824	3995	4173	4345	4528	4708	4986	5185
16	Q	3773	3881	3991	4173	4361	4543	4730	4920	5213	5422
16	S	3847	3955	4067	4248	4438	4622	4806	4998	5285	5496
16H	B	22.27	22.88	23.53	24.58	25.68	26.74	27.86	28.97	30.68	31.91
16H	Q	23.22	23.88	24.56	25.68	26.84	27.96	29.11	30.28	32.08	33.37
16H	S	23.67	24.34	25.03	26.14	27.31	28.44	29.58	30.76	32.52	33.82
17	B	3783	3893	4008	4191	4385	4571	4756	4949	5243	5453
17	Q	3949	4065	4181	4382	4583	4774	4968	5171	5478	5699
17	S	4023	4139	4256	4458	4660	4853	5045	5246	5559	5780
18	B	3979	4094	4217	4420	4627	4837	5033	5236	5548	5770
18	Q	4154	4277	4405	4624	4836	5056	5262	5471	5800	6031
18	S	4227	4355	4479	4696	4911	5132	5339	5550	5873	6109
19	B	4189	4313	4444	4671	4891	5117	5334	5556	5894	6130
19	J	4189	4313	4444	4671	4891	5117	5334	5556	5894	6130
19	Q	4379	4510	4644	4882	5108	5352	5574	5808	6158	6405
19	S	4456	4588	4723	4959	5187	5427	5652	5886	6234	6484
20	B	4430	4560	4695	4933	5162	5407	5644	5877	6233	6483
20	Q	4629	4765	4907	5154	5397	5653	5896	6142	6517	6777
20	S	4703	4842	4985	5231	5471	5728	5972	6218	6590	6853
21	B	4676	4814	4958	5214	5465	5720	5981	6230	6619	6883
21	U	4676	4814	4958	5214	5465	5720	5981	6230	6619	6883
21	Q	4887	5030	5182	5450	5710	5979	6251	6513	6917	7193
21	S	4962	5106	5259	5523	5786	6056	6327	6587	6993	7274

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22	B	4942	5092	5242	5515	5784	6058	6339	6601	7013	7293
22	Q	5165	5319	5476	5764	6048	6330	6623	6901	7328	7620
22	S	5240	5396	5556	5838	6123	6405	6700	6980	7406	7702
23	B	5242	5398	5560	5855	6155	6447	6744	7037	7480	7780
23	Q	5476	5643	5814	6121	6435	6737	7049	7355	7815	8127
23	S	5556	5720	5889	6195	6510	6814	7125	7430	7892	8206
24	B	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306
24	J	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306
24	Q	5827	6006	6186	6516	6854	7184	7513	7854	8348	8681
24	S	5904	6080	6263	6589	6929	7259	7591	7932	8422	8759
25	B	5945	6124	6308	6652	7003	7353	7702	8053	8569	8913
25	J	5945	6124	6308	6652	7003	7353	7702	8053	8569	8913
25	Q	6215	6397	6590	6952	7316	7686	8052	8416	8956	9315
25	S	6288	6479	6668	7029	7392	7760	8125	8489	9032	9394
26	B	6282	6475	6731	7099	7476	7855	8221	8590	9145	9510
26	U	6282	6475	6731	7099	7476	7855	8221	8590	9145	9510
27	B	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
27	J	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
27	U	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
28	B	6970	7179	7540	7949	8369	8794	9206	9619	10242	10652
29	U	7313	7535	7912	8342	8782	9230	9660	10094	10747	11176

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Pay Grade	Pay Plan Code	S T E P S								
		1a	1	2	3	4	5	6	7	8
09	B	2874	2946	3038	3135	3232	3336	3434	3596	3740

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09	Q	2990	3066	3159	3262	3362	3471	3575	3747	3898
09	S	3055	3130	3226	3329	3432	3542	3645	3818	3971
10	B	2968	3041	3152	3245	3352	3458	3565	3748	3899
10	Q	3085	3163	3278	3378	3493	3602	3715	3913	4069
10	S	3151	3229	3344	3447	3560	3670	3790	3985	4145
11	B	3077	3153	3260	3365	3488	3602	3714	3911	4067
11	Q	3199	3280	3397	3508	3634	3755	3873	4083	4246
11	S	3264	3345	3463	3574	3703	3826	3947	4155	4321
12	B	3197	3280	3401	3512	3643	3762	3902	4111	4274
12	Q	3327	3415	3541	3658	3799	3928	4070	4293	4464
12	S	3395	3481	3609	3727	3871	4003	4147	4369	4544
12H	B	19.67	20.18	20.93	21.61	22.42	23.15	24.01	25.30	26.30
12H	Q	20.47	21.02	21.79	22.51	23.38	24.17	25.05	26.42	27.47
12H	S	20.89	21.42	22.21	22.94	23.82	24.63	25.52	26.89	27.96
13	B	3314	3404	3529	3663	3800	3938	4086	4313	4485
13	Q	3452	3545	3674	3819	3969	4114	4265	4508	4687
13	S	3521	3613	3746	3893	4045	4186	4343	4585	4769
14	B	3457	3549	3684	3828	3996	4141	4298	4549	4731
14	Q	3601	3700	3841	3998	4170	4328	4492	4754	4943
14	S	3669	3768	3917	4069	4246	4403	4570	4829	5021
14H	B	21.27	21.84	22.67	23.56	24.59	25.48	26.45	27.99	29.11
14H	Q	22.16	22.77	23.64	24.60	25.66	26.63	27.64	29.26	30.42
14H	S	22.58	23.19	24.10	25.04	26.13	27.10	28.12	29.72	30.90
15	B	3593	3690	3853	4012	4168	4339	4500	4771	4960
15	Q	3745	3850	4019	4186	4355	4536	4703	4983	5184
15	S	3816	3922	4094	4260	4433	4613	4778	5062	5264
16	B	3755	3862	4035	4215	4388	4573	4755	5036	5237
16	Q	3920	4031	4215	4405	4588	4777	4969	5265	5476

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16	S	3995	4108	4290	4482	4668	4854	5048	5338	5551
16H	B	23.11	23.77	24.83	25.94	27.00	28.14	29.26	30.99	32.23
16H	Q	24.12	24.81	25.94	27.11	28.23	29.40	30.58	32.40	33.70
16H	S	24.58	25.28	26.40	27.58	28.73	29.87	31.06	32.85	34.16
<u>17</u>	B	3932	4048	4233	4429	4617	4804	4998	5295	5508
<u>17</u>	Q	4106	4223	4426	4629	4822	5018	5223	5533	5756
<u>17</u>	S	4180	4299	4503	4707	4902	5095	5298	5615	5838
<u>18</u>	B	4135	4259	4464	4673	4885	5083	5288	5603	5828
18	Q	4320	4449	4670	4884	5107	5315	5526	5858	6091
18	S	4399	4524	4743	4960	5183	5392	5606	5932	6170
19	B	4356	4488	4718	4940	5168	5387	5612	5953	6191
19	J	4356	4488	4718	4940	5168	5387	5612	5953	6191
19	Q	4555	4690	4931	5159	5406	5630	5866	6220	6469
19	S	4634	4770	5009	5239	5481	5709	5945	6296	6549
20	B	4606	4742	4982	5214	5461	5700	5936	6295	6548
20	Q	4813	4956	5206	5451	5710	5955	6203	6582	6845
20	S	4890	5035	5283	5526	5785	6032	6280	6656	6922
21	B	4862	5008	5266	5520	5777	6041	6292	6685	6952
21	U	4862	5008	5266	5520	5777	6041	6292	6685	6952
21	Q	5080	5234	5505	5767	6039	6314	6578	6986	7265
21	S	5157	5312	5578	5844	6117	6390	6653	7063	7347
22	B	5143	5294	5570	5842	6119	6402	6667	7083	7366
22	Q	5372	5531	5822	6108	6393	6689	6970	7401	7696
22	S	5450	5612	5896	6184	6469	6767	7050	7480	7779
23	B	5452	5616	5914	6217	6511	6811	7107	7555	7858
23	Q	5699	5872	6182	6499	6804	7119	7429	7893	8208
23	S	5777	5948	6257	6575	6882	7196	7504	7971	8288
24	B	5802	5977	6294	6626	6942	7263	7590	8067	8389

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24	J	5802	5977	6294	6626	6942	7263	7590	8067	8389
24	Q	6066	6248	6581	6923	7256	7588	7933	8431	8768
24	S	6141	6326	6655	6998	7332	7667	8011	8506	8847
25	B	6185	6371	6719	7073	7427	7779	8134	8655	9002
25	J	6185	6371	6719	7073	7427	7779	8134	8655	9002
25	Q	6461	6656	7022	7389	7763	8133	8500	9046	9408
25	S	6544	6735	7099	7466	7838	8206	8574	9122	9488
26	B	6540	6798	7170	7551	7934	8303	8676	9236	9605
26	U	6540	6798	7170	7551	7934	8303	8676	9236	9605
27	B	6910	7257	7652	8056	8464	8861	9259	9857	10252
27	J	6910	7257	7652	8056	8464	8861	9259	9857	10252
27	U	6910	7257	7652	8056	8464	8861	9259	9857	10252
28	B	7251	7615	8028	8453	8882	9298	9715	10344	10759
29	U	7610	7991	8425	8870	9322	9757	10195	10854	11288

**Effective January 1, 2011
Bargaining Unit: RC-062**

Pay Grade	Pay Plan Code	S T E P S								
		1a	1	2	3	4	5	6	7	8
09	B	2903	2975	3068	3166	3264	3369	3468	3632	3777
09	Q	3020	3097	3191	3295	3396	3506	3611	3784	3937
09	S	3086	3161	3258	3362	3466	3577	3681	3856	4011
10	B	2998	3071	3184	3277	3386	3493	3601	3785	3938
10	Q	3116	3195	3311	3412	3528	3638	3752	3952	4110
10	S	3183	3261	3377	3481	3596	3707	3828	4025	4186
11	B	3108	3185	3293	3399	3523	3638	3751	3950	4108
11	Q	3231	3313	3431	3543	3670	3793	3912	4124	4288

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11	S	3297	3378	3498	3610	3740	3864	3986	4197	4364
12	B	3229	3313	3435	3547	3679	3800	3941	4152	4317
12	Q	3360	3449	3576	3695	3837	3967	4111	4336	4509
12	S	3429	3516	3645	3764	3910	4043	4188	4413	4589
12H	B	19.87	20.39	21.14	21.83	22.64	23.38	24.25	25.55	26.57
12H	Q	20.68	21.22	22.01	22.74	23.61	24.41	25.30	26.68	27.75
12H	S	21.10	21.64	22.43	23.16	24.06	24.88	25.77	27.16	28.24
13	B	3347	3438	3564	3700	3838	3977	4127	4356	4530
13	Q	3487	3580	3711	3857	4009	4155	4308	4553	4734
13	S	3556	3649	3783	3932	4085	4228	4386	4631	4817
14	B	3492	3584	3721	3866	4036	4182	4341	4594	4778
14	Q	3637	3737	3879	4038	4212	4371	4537	4802	4992
14	S	3706	3806	3956	4110	4288	4447	4616	4877	5071
14H	B	21.49	22.06	22.90	23.79	24.84	25.74	26.71	28.27	29.40
14H	Q	22.38	23.00	23.87	24.85	25.92	26.90	27.92	29.55	30.72
14H	S	22.81	23.42	24.34	25.29	26.39	27.37	28.41	30.01	31.21
15	B	3629	3727	3892	4052	4210	4382	4545	4819	5010
15	Q	3782	3889	4059	4228	4399	4581	4750	5033	5236
15	S	3854	3961	4135	4303	4477	4659	4826	5113	5317
16	B	3793	3901	4075	4257	4432	4619	4803	5086	5289
16	Q	3959	4071	4257	4449	4634	4825	5019	5318	5531
16	S	4035	4149	4333	4527	4715	4903	5098	5391	5607
16H	B	23.34	24.01	25.08	26.20	27.27	28.42	29.56	31.30	32.55
16H	Q	24.36	25.05	26.20	27.38	28.52	29.69	30.89	32.73	34.04
16H	S	24.83	25.53	26.66	27.86	29.02	30.17	31.37	33.18	34.50
17	B	3971	4088	4275	4473	4663	4852	5048	5348	5563

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

17	Q	4147	4265	4470	4675	4870	5068	5275	5588	5814
17	S	4222	4342	4548	4754	4951	5146	5351	5671	5896
18	B	4176	4302	4509	4720	4934	5134	5341	5659	5886
18	Q	4363	4493	4717	4933	5158	5368	5581	5917	6152
18	S	4443	4569	4790	5010	5235	5446	5662	5991	6232
19	B	4400	4533	4765	4989	5220	5441	5668	6013	6253
19	J	4400	4533	4765	4989	5220	5441	5668	6013	6253
19	Q	4601	4737	4980	5211	5460	5686	5925	6282	6534
19	S	4680	4818	5059	5291	5536	5766	6004	6359	6614
20	B	4652	4789	5032	5266	5516	5757	5995	6358	6613
20	Q	4861	5006	5258	5506	5767	6015	6265	6648	6913
20	S	4939	5085	5336	5581	5843	6092	6343	6723	6991
21	B	4911	5058	5319	5575	5835	6101	6355	6752	7022
21	U	4911	5058	5319	5575	5835	6101	6355	6752	7022
21	Q	5131	5286	5560	5825	6099	6377	6644	7056	7338
21	S	5209	5365	5634	5902	6178	6454	6720	7134	7420
22	B	5194	5347	5626	5900	6180	6466	6734	7154	7440
22	Q	5426	5586	5880	6169	6457	6756	7040	7475	7773
22	S	5505	5668	5955	6246	6534	6835	7121	7555	7857
23	B	5507	5672	5973	6279	6576	6879	7178	7631	7937
23	Q	5756	5931	6244	6564	6872	7190	7503	7972	8290
23	S	5835	6007	6320	6641	6951	7268	7579	8051	8371
24	B	5860	6037	6357	6692	7011	7336	7666	8148	8473
24	J	5860	6037	6357	6692	7011	7336	7666	8148	8473
24	Q	6127	6310	6647	6992	7329	7664	8012	8515	8856
24	S	6202	6389	6722	7068	7405	7744	8091	8591	8935
25	B	6247	6435	6786	7144	7501	7857	8215	8742	9092

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

25	J	6247	6435	6786	7144	7501	7857	8215	8742	9092
25	Q	6526	6723	7092	7463	7841	8214	8585	9136	9502
25	S	6609	6802	7170	7541	7916	8288	8660	9213	9583
26	B	6605	6866	7242	7627	8013	8386	8763	9328	9701
26	U	6605	6866	7242	7627	8013	8386	8763	9328	9701
27	B	6979	7330	7729	8137	8549	8950	9352	9956	10355
27	J	6979	7330	7729	8137	8549	8950	9352	9956	10355
27	U	6979	7330	7729	8137	8549	8950	9352	9956	10355
28	B	7324	7691	8108	8538	8971	9391	9812	10447	10867
29	U	7686	8071	8509	8959	9415	9855	10297	10963	11401

Effective June 1, 2011
Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S								
		1a	1	2	3	4	5	6	7	8
09	B	2961	3035	3129	3229	3329	3436	3537	3705	3853
09	Q	3080	3159	3255	3361	3464	3576	3683	3860	4016
09	S	3148	3224	3323	3429	3535	3649	3755	3933	4091
10	B	3058	3132	3248	3343	3454	3563	3673	3861	4017
10	Q	3178	3259	3377	3480	3599	3711	3827	4031	4192
10	S	3247	3326	3445	3551	3668	3781	3905	4106	4270
11	B	3170	3249	3359	3467	3593	3711	3826	4029	4190
11	Q	3296	3379	3500	3614	3743	3869	3990	4206	4374
11	S	3363	3446	3568	3682	3815	3941	4066	4281	4451
12	B	3294	3379	3504	3618	3753	3876	4020	4235	4403
12	Q	3427	3518	3648	3769	3914	4046	4193	4423	4599

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

12	S	3498	3586	3718	3839	3988	4124	4272	4501	4681
12H	B	20.27	20.79	21.56	22.26	23.10	23.85	24.74	26.06	27.10
12H	Q	21.09	21.65	22.45	23.19	24.09	24.90	25.80	27.22	28.30
12H	S	21.53	22.07	22.88	23.62	24.54	25.38	26.29	27.70	28.81
13	B	3414	3507	3635	3774	3915	4057	4210	4443	4621
13	Q	3557	3652	3785	3934	4089	4238	4394	4644	4829
13	S	3627	3722	3859	4011	4167	4313	4474	4724	4913
14	B	3562	3656	3795	3943	4117	4266	4428	4686	4874
14	Q	3710	3812	3957	4119	4296	4458	4628	4898	5092
14	S	3780	3882	4035	4192	4374	4536	4708	4975	5172
14H	B	21.92	22.50	23.35	24.26	25.34	26.25	27.25	28.84	29.99
14H	Q	22.83	23.46	24.35	25.35	26.44	27.43	28.48	30.14	31.34
14H	S	23.26	23.89	24.83	25.80	26.92	27.91	28.97	30.62	31.83
15	B	3702	3802	3970	4133	4294	4470	4636	4915	5110
15	Q	3858	3967	4140	4313	4487	4673	4845	5134	5341
15	S	3931	4040	4218	4389	4567	4752	4923	5215	5423
16	B	3869	3979	4157	4342	4521	4711	4899	5188	5395
16	Q	4038	4152	4342	4538	4727	4922	5119	5424	5642
16	S	4116	4232	4420	4618	4809	5001	5200	5499	5719
16H	B	23.81	24.49	25.58	26.72	27.82	28.99	30.15	31.93	33.20
16H	Q	24.85	25.55	26.72	27.93	29.09	30.29	31.50	33.38	34.72
16H	S	25.33	26.04	27.20	28.42	29.59	30.78	32.00	33.84	35.19
17	B	4050	4170	4361	4562	4756	4949	5149	5455	5674
17	Q	4230	4350	4559	4769	4967	5169	5381	5700	5930
17	S	4306	4429	4639	4849	5050	5249	5458	5784	6014
18	B	4260	4388	4599	4814	5033	5237	5448	5772	6004

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

18	Q	4450	4583	4811	5032	5261	5475	5693	6035	6275
18	S	4532	4660	4886	5110	5340	5555	5775	6111	6357
19	B	4488	4624	4860	5089	5324	5550	5781	6133	6378
19	J	4488	4624	4860	5089	5324	5550	5781	6133	6378
19	Q	4693	4832	5080	5315	5569	5800	6044	6408	6665
19	S	4774	4914	5160	5397	5647	5881	6124	6486	6746
20	B	4745	4885	5133	5371	5626	5872	6115	6485	6745
20	Q	4958	5106	5363	5616	5882	6135	6390	6781	7051
20	S	5038	5187	5443	5693	5960	6214	6470	6857	7131
21	B	5009	5159	5425	5687	5952	6223	6482	6887	7162
21	U	5009	5159	5425	5687	5952	6223	6482	6887	7162
21	Q	5234	5392	5671	5942	6221	6505	6777	7197	7485
21	S	5313	5472	5747	6020	6302	6583	6854	7277	7568
22	B	5298	5454	5739	6018	6304	6595	6869	7297	7589
22	Q	5535	5698	5998	6292	6586	6891	7181	7625	7928
22	S	5615	5781	6074	6371	6665	6972	7263	7706	8014
23	B	5617	5785	6092	6405	6708	7017	7322	7784	8096
23	Q	5871	6050	6369	6695	7009	7334	7653	8131	8456
23	S	5952	6127	6446	6774	7090	7413	7731	8212	8538
24	B	5977	6158	6484	6826	7151	7483	7819	8311	8642
24	J	5977	6158	6484	6826	7151	7483	7819	8311	8642
24	Q	6250	6436	6780	7132	7476	7817	8172	8685	9033
24	S	6326	6517	6856	7209	7553	7899	8253	8763	9114
25	B	6372	6564	6922	7287	7651	8014	8379	8917	9274
25	J	6372	6564	6922	7287	7651	8014	8379	8917	9274
25	Q	6657	6857	7234	7612	7998	8378	8757	9319	9692
25	S	6741	6938	7313	7692	8074	8454	8833	9397	9775

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

26	B	6737	7003	7387	7780	8173	8554	8938	9515	9895
26	U	6737	7003	7387	7780	8173	8554	8938	9515	9895
27	B	7119	7477	7884	8300	8720	9129	9539	10155	10562
27	J	7119	7477	7884	8300	8720	9129	9539	10155	10562
27	U	7119	7477	7884	8300	8720	9129	9539	10155	10562
28	B	7470	7845	8270	8709	9150	9579	10008	10656	11084
29	U	7840	8232	8679	9138	9603	10052	10503	11182	11629

(Source: Amended by preemptory rulemaking at 34 Ill. Reg. 11864, effective July 30, 2010)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 27, 2010 through August 2, 2010 and have been scheduled for review by the Committee at its August 10, 2010 or September 14, 2010 meetings. 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>
9/9/10	<u>Department of Financial and Professional Regulation</u> , Cemetery Oversight Act (68 Ill. Adm. Code 1249)	4/9/10 34 Ill. Reg. 5047	8/10/10
9/11/10	<u>Department of Natural Resources</u> , Construction in Floodways of Rivers, Lakes and Streams (17 Ill. Adm. Code 3700)	6/4/10 34 Ill. Reg. 7589	8/10/10
9/11/10	<u>Department of Natural Resources</u> , Regulation of Public Waters (17 Ill. Adm. Code 3704)	6/4/10 34 Ill. Reg. 7593	8/10/10
9/15/10	<u>Executive Ethics Commission</u> , Organization, Information, Rulemaking and Hearings (2 Ill. Adm. Code 1620)	5/28/10 34 Ill. Reg. 7394	8/10/10
9/15/10	<u>Illinois Commerce Commission</u> , Relocation Towing (92 Ill. Adm. Code 1710)	3/12/10 34 Ill. Reg. 3182	9/14/10

DEPARTMENT OF TRANSPORTATION

NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENTS TO MEET THE
OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Accommodation of Utilities on Right-of-Way
- 2) Code Citation: 92 Ill. Adm. Code 530
- 3)

<u>Section Numbers</u> :	<u>Action</u> :
530.10	Withdrawal
530.20	Withdrawal
530.30	Withdrawal
530.40	Withdrawal
530.100	Withdrawal
530.110	Withdrawal
530.120	Withdrawal
530.150	Withdrawal
530.220	Withdrawal
530.225	Withdrawal
530.230	Withdrawal
530.240	Withdrawal
530.270	Withdrawal
530.275	Withdrawal
530.290	Withdrawal
530.300	Withdrawal
530.310	Withdrawal
530.320	Withdrawal
530.330	Withdrawal
530.400	Withdrawal
530.410	Withdrawal
530.420	Withdrawal
530.430	Withdrawal
530.440	Withdrawal
530.450	Withdrawal
530.460	Withdrawal
530.480	Withdrawal
530.500	Withdrawal
530.530	Withdrawal
530.600	Withdrawal
530.700	Withdrawal
530.710	Withdrawal
530.830	Withdrawal

DEPARTMENT OF TRANSPORTATION

NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENTS TO MEET THE
OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

530.840	Withdrawal
530.900	Withdrawal
530.APPENDIX A	Withdrawal
530.ILLUSTRATION A	Withdrawal

- 4) Date Notice of Proposed Amendments Published in the Register: February 16, 2010; 34 Ill. Reg. 2451
- 5) Date JCAR Statement of Objection Published in the Register: July 30, 2010; 34 Ill. Reg. 10918
- 6) Summary of Action Taken by the Agency: In response to the Joint Committee on Administrative Rules' Objection and by this Notice, the Department is withdrawing the proposed rulemaking in its entirety.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

NOTICE OF PUBLICATION ERROR

DEPARTMENT OF INSURANCE

- 1) Heading of the Part: Health Carrier External Review
- 2) Code Citation: 50 Ill. Adm. Code 5430
- 3) Register citation of adopted rulemaking and other pertinent action: 34 Ill. Reg. 10741; July 30, 2010
- 4) Explanation: JCAR erroneously published an incorrect effective date for this rulemaking in the *Illinois Register*. The correct effective date of July 19, 2010, was contained in the rulemaking as filed with the Secretary of State. JCAR apologizes for this error and any inconvenience it may have caused.

EXECUTIVE ORDER

2010-12
EXECUTIVE ORDER CREATING THE ILLINOIS HEALTH REFORM
IMPLEMENTATION COUNCIL

WHEREAS, 1.8 million Illinoisans do not have private or public health insurance coverage; and

WHEREAS, the *Patient Protection and Affordable Care Act* was enacted by the Congress of the United States and signed into law by the President of the United States on March 23, 2010 and the *Health Care and Education Reconciliation Act* (hereinafter collectively referred to as the "Affordable Care Act") was enacted by the Congress of the United States and signed into law by the President of the United States on March 30, 2010; and

WHEREAS, the Affordable Care Act relies on state governments to implement comprehensive health insurance reforms that will improve the accountability of health insurance companies, lower health care costs, guarantee more health care choices, and enhance the quality of health care for all Americans; and

WHEREAS, one objective of the Affordable Care Act is to provide affordable health care coverage for families; and

WHEREAS, another objective of the Affordable Care Act is to stabilize the cost of health care coverage provided by employers to employees; and

WHEREAS, the Affordable Care Act strengthens Medicare benefits by lowering prescription drug costs for those in the Part D 'Donut Hole,' enhancing chronic care, and offering free preventive care; and

WHEREAS, the Affordable Care Act will impact families and children, individuals, people with disabilities, seniors, young adults, and small and large businesses throughout Illinois; and

WHEREAS, effective coordination among State of Illinois executive branch agencies and the General Assembly regarding implementation of the Affordable Care Act will ensure that the people of Illinois receive immediate and full access to all health care coverage, insurance protections, expanded access to care and federal subsidies to ensure affordability; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, pursuant to the supreme executive authority vested in me by Article V of the Illinois Constitution, do hereby order as follows:

I. CREATION

EXECUTIVE ORDER

There is hereby created The Illinois Health Care Reform Implementation Council (hereinafter "Council") having the duties and powers set forth herein. Members of the Council shall be appointed by the Governor and shall include the following individuals or their designees:

- a. A designee of the Office of the Governor
- b. Director of the Department of Healthcare and Family Services
- c. Director of the Department of Insurance
- d. Director of the Department of Public Health
- e. Director of the Department on Aging
- f. Secretary of the Department of Human Services
- g. Director of the Office of Health Information Technology
- h. Director of Central Management Services
- i. Director of the Governor's Office of Management and Budget
- j. Director of the Department of Labor
- k. Secretary of the Department of Financial and Professional Regulation

The designee for the Office of Governor shall serve as the Chair of the Council and the Directors of the Department of Insurance and the Department of Healthcare and Family Services shall serve as the Vice-Chairs. Administrative support to the Council shall be provided by the agencies appointed to the Council. The Council may access donations of labor, services, or other things of value from any public or private agency or person.

II. PURPOSE

The purpose of the Council is to recommend to the Governor what changes should be initially implemented to ensure the State is improving the health of residents by increasing access to health care, reducing disparities, controlling costs, and improving the affordability, quality and effectiveness of health care consistent with the Affordable Care Act. The Council shall make recommendations on, but not be limited to, opportunities and responsibilities in the Affordable Care Act for states to:

EXECUTIVE ORDER

- a. establish a health insurance exchange and related consumer protection reforms; and
- b. reform Medicaid service structures and enrollment systems; and
- c. develop an adequate workforce; and
- d. incentivize delivery systems to assure high quality health care and achieve desired outcomes; and
- e. identify federal grants, pilot programs, and other non-state funding sources to assist with implementation of the Affordable Care Act; and
- f. foster the widespread adoption of electronic medical records and participation in the Illinois Health Information Exchange.

III. FUNCTION

- a. In carrying out responsibilities, the Council shall hold public meetings in regions across the State for the purpose of informing the public about the opportunities and responsibilities under the Affordable Care Act, soliciting recommendations for the implementation of the six areas listed above, and reporting on those recommendations. Members of the General Assembly shall be invited to attend and participate in each informational session.
- b. On or before December 31, 2010, the Council shall make initial recommendations to the Governor.
- c. Following December 31, 2010, the Council shall periodically report to the Governor on the implementation of the recommendations developed to assure maximum benefit to Illinois residents pursuant to the Affordable Care Act.

IV. TRANSPARENCY

In addition to any other applicable laws, rules, or regulations, all aspects of The Illinois Health Care Reform Implementation Council shall be governed by the Freedom of Information Act, 5 ILCS 140/1 *et. seq.*, and the Open Meetings Act, 5 ILCS 120/1 *et seq.* This section shall not be construed so as to preclude other statutes from applying to the Council or its activities.

V. SAVINGS CLAUSE

Nothing in this Executive Order shall be construed to contravene any state or federal law.

EXECUTIVE ORDER

VI. SEVERABILITY

If any provision of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

VII. EFFECTIVE DATE

This Executive Order shall be effective upon filing with the Secretary of State.

Issued by the Governor: July 30, 2010

Filed with the Secretary of State: July 30, 2010

PROCLAMATIONS

2010-246**Flag Honors – Specialist Joseph W. Dimock**

WHEREAS, on Saturday, July 10, United States Army Specialist Joseph W. Dimock II of Wildwood, Illinois died at age 21 of injuries sustained from a non-combat related incident when an explosion occurred in an ammunition holding facility during inventory in Salerno, Afghanistan, where Specialist Dimock was serving in support of Operation Enduring Freedom; and,

WHEREAS, Specialist Dimock was assigned to E Company, 1st Battalion, 75th Ranger Regiment, based at Hunter Army Airfield, Georgia; and,

WHEREAS, Specialist Dimock enlisted in the U.S. Army in August 2007. For nearly three years, he served as a rifleman in the 1st Battalion, 75th Ranger Regiment; and,

WHEREAS, Specialist Dimock was on his second deployment to Afghanistan. Previously he conducted a deployment to Iraq; and,

WHEREAS, a funeral will be held on Tuesday, July 20 for Specialist Dimock, who is survived by his parents:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 18, 2010 until sunset on July 20, 2010 in honor and remembrance of Specialist Dimock, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 15, 2010

Filed by the Secretary of State August 2, 2010

2010-247**Flag Honors – Staff Sergeant Christopher J. Antonik**

WHEREAS, on Sunday, July 11, United States Marine Corps Staff Sergeant Christopher J. Antonik of Crystal Lake, Illinois died at age 29 while supporting combat operations in Helmand province, Afghanistan, where Staff Sgt. Antonik was serving in support of Operation Enduring Freedom; and,

WHEREAS, Staff Sergeant Antonik was assigned to the 1st Marine Special Operations Battalion, U.S. Marine Corps Forces Special Operations Command, based at Camp Pendleton, California; and,

PROCLAMATIONS

WHEREAS, Staff Sergeant Antonik, a reconnaissance specialist, had served two tours of duty in Iraq; and,

WHEREAS, Staff Sergeant Antonik was a 2000 graduate of Prairie Ridge High School, and had recently married his childhood sweetheart; and,

WHEREAS, a funeral will be held on Monday, July 19 for Staff Sergeant Antonik, who is survived by his parents and his wife:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 17, 2010 until sunset on July 19, 2010 in honor and remembrance of Staff Sergeant Antonik, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 15, 2010

Filed by the Secretary of State August 2, 2010

2010-248**Flag Honors – Officer Michael Bailey**

WHEREAS, all citizens owe a tremendous debt of gratitude to the dedicated men and women of law enforcement who selflessly serve to protect our lives and keep our families and communities safe; and,

WHEREAS, every day, the men and women who work in law enforcement face great risks and, in many cases, put their safety on the line to perform their duties; and,

WHEREAS, on the morning of July 18, 2010 one of these dedicated public servants, Officer Michael Bailey of the Chicago Police Department, was suddenly taken from us at the age of 62; and,

WHEREAS, throughout his 20 year career as a proud member and officer of the Chicago Police Department, Officer Bailey represented the City of Chicago and the State of Illinois admirably; and,

WHEREAS, although Officer Bailey is no longer with us, he will always be remembered for the countless lives that were impacted by his public service; and,

WHEREAS, Officer Bailey had been eligible for retirement months ago but loved being a police officer so much that he put it off until he was about to reach the city's mandatory retirement age of 63; and,

PROCLAMATIONS

WHEREAS, Officer Bailey was also was a proud father of two children, one of whom had trained as a police cadet in the hopes of becoming a police officer; and,

WHEREAS, on Friday, July 23, 2010, a funeral service will be held for Officer Bailey:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 21, 2010 until sunset on July 23, 2010 in honor and remembrance of Officer Bailey, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 20, 2010

Filed by the Secretary of State August 2, 2010

2010-249**Flag Honors – Donald R. Edgerton**

WHEREAS, on Saturday, July 10, United States Army Sergeant Donald R. Edgerton of Murphy, North Carolina died at age 33 of injuries sustained when insurgents attacked his unit using an improvised explosive device near Char Dara, Afghanistan, where Sergeant Edgerton was serving in support of Operation Enduring Freedom; and,

WHEREAS, Sergeant Edgerton was assigned to the 1st Squadron, 71st Cavalry Regiment, 1st Brigade Combat Team, 10th Mountain Division (Light Infantry), based at Fort Drum, New York; and,

WHEREAS, Sergeant Edgerton spent first grade through ninth grade in Decatur and most of his teen years in the Springfield area, graduating in 1995 from Riverton High School, where he played football and participated in track; and,

WHEREAS, Sergeant Edgerton joined the Army at age 30, motivated by the September 11 terrorist attacks. After joining the service, Sergeant Edgerton was deployed to Iraq. Once he returned, he attended sniper school and took Top Gun honors before being sent to Afghanistan; and,

WHEREAS, Sergeant Edgerton was remembered as a devoted soldier who looked after his fellow troops, many of whom were younger than him; and,

WHEREAS, a funeral will be held on Friday, July 23 for Sergeant Edgerton, who is survived by his parents, two brothers, his wife, and a daughter:

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 21, 2010 until sunset on July 23, 2010 in honor and remembrance of Sergeant Edgerton, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 20, 2010
Filed by the Secretary of State August 2, 2010

2010-250**Flag Honors – Staff Sergeant Justus S. Bartelt**

WHEREAS, on Friday, July 16, United States Marine Corps Staff Sergeant Justus S. Bartelt of Polo, Illinois died at age 27 while supporting combat operations in Helmand province, Afghanistan, where Staff Sergeant Bartelt was serving in support of Operation Enduring Freedom; and,

WHEREAS, Staff Sergeant Bartelt was assigned to the 2nd Battalion, 6th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, based at Camp Lejeune, N.C; and,

WHEREAS, a 2001 graduate of Polo High School, Staff Sergeant Bartelt joined the Marine Corps the same year; and,

WHEREAS, Staff Sergeant Bartelt previously served two deployments in support of Operation Iraqi Freedom; and,

WHEREAS, over the years of his military service, Staff Sergeant Bartelt earned numerous awards and recognitions, including the Navy and Marine Corps Achievement Medal, Combat Action Ribbon, Marine Corps Good Conduct Medal, Iraq Campaign Medal, Afghanistan Campaign Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal and the Global War on Terrorism Service Medal; and,

WHEREAS, a funeral will be held on Sunday, July 25 for Staff Sergeant Bartelt:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 23, 2010 until sunset on July 25, 2010 in honor and remembrance of Staff Sergeant Bartelt, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 22, 2010
Filed by the Secretary of State August 2, 2010

PROCLAMATIONS

2010-251**Flag Honors – Sergeant Anibal Santiago**

WHEREAS, on Sunday, July 18, United States Army Sergeant Anibal Santiago of Belvidere, Illinois died at age 37 of injuries sustained from a non-combat related incident in Kwowst, Afghanistan, where Sergeant Santiago was serving in support of Operation Enduring Freedom; and,

WHEREAS, Sergeant Santiago was assigned to Headquarters and Headquarters Company, 3rd Battalion, 75th Ranger Regiment, based at Fort Benning, Georgia; and,

WHEREAS, Sergeant Santiago previously served his community as a Rockford police officer before enlisting with the Navy in October 2001. He joined the Army in October 2007; and,

WHEREAS, this was Sergeant Santiago's third deployment, having served in Iraq and once before in Afghanistan; and,

WHEREAS, Sergeant Santiago was recommended posthumously for the Bronze Star Medal and the Meritorious Service Medal; and,

WHEREAS, a funeral will be held on Tuesday, July 27 for Sergeant Santiago, who is survived by his wife, a son and his parents:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 25, 2010 until sunset on July 27, 2010 in honor and remembrance of Sergeant Santiago, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 22, 2010

Filed by the Secretary of State August 2, 2010

2010-252**Pink Ribbon Cyclists Day**

WHEREAS, more than 9,000 Illinois women are diagnosed with breast cancer each year, and nearly 1,900 women in our state will lose their fight against breast cancer this year; and,

WHEREAS, early detection, advanced medical research and increased public awareness represent our best hopes for success in the battle against breast cancer; and,

PROCLAMATIONS

WHEREAS, the Pink Ribbon Cyclists are a brave, committed group of men and women whose lives have been touched by breast cancer, and who have taken up the challenge of raising money to support the Coleman Foundation Comprehensive Breast Cancer Clinic at Rush University Medical Center in Chicago; and,

WHEREAS, the Pink Ribbon Cyclists show their determination and perseverance each year with a five-day bike ride, braving summer heat and summer storms as they traverse across more than 350 miles of steep Wisconsin hills and windswept Illinois countryside; and,

WHEREAS, the Pink Ribbon Cyclists are joined on their journey each year by crowds of friends, advocates and well-wishers, who join them for part or all of the ride or who line the streets to cheer them on; and,

WHEREAS, the Pink Ribbon Cyclists have won the wholehearted support of Ramblin' Ray Stevens, co-host of US 99.5's Lisa Dent and Ramblin' Ray's Morning Show, inspiring the radio host to join the Pink Ribbon Cyclists on their annual trek to raise awareness, raise spirits, raise money and raise hopes; and,

WHEREAS, the Pink Ribbon Cyclists have raised nearly \$100,000 for Rush University Medical Center's comprehensive breast cancer clinic over the last eight years, sending every single dollar they raise to help fund the fight against breast cancer; and,

WHEREAS, the Pink Ribbon Cyclists, joined by Ramblin' Ray Stevens, began their five-day ride in Sturgeon Bay, Wisconsin, on July 19, 2010, making their way through fog, headwinds, city traffic and steamy summer heat; and,

WHEREAS, the Pink Ribbon Cyclists will complete their 2010 ride on Friday, July 23, when US 99.5 fans will greet them at Chicago's Foster Avenue Beach and cheer them on to the finish line at Rush University Medical Center;

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 23, 2010 as **PINK RIBBON CYCLISTS DAY** in Illinois, in recognition of these determined "linked in pink" cyclists who ride for a cure, for their mothers, their sisters, their wives, their daughters, their friends, and themselves.

Issued by the Governor July 23, 2010

Filed by the Secretary of State August 2, 2010

2010-253

Veterans' Day at the State Fair

PROCLAMATIONS

WHEREAS, throughout our nation's history, America's men and women in uniform have demonstrated bravery and courage in the face of danger; and,

WHEREAS, our veterans answered the call to duty with honor, decency and selflessness; and,

WHEREAS, as we recall the service of our Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen, we are reminded that the defense of freedom comes with great loss and sacrifice; and,

WHEREAS, it is our duty to ensure the sacrifice of these heroes is never forgotten. Our veterans represent the best of America, and they deserve everything we can give them; and,

WHEREAS, Sunday, August 15, 2010 is Veterans' Day at the Illinois State Fair – a day to give thanks to those who have served our country, to salute our service members and to honor the men and women who have lost their lives protecting our freedom; and,

WHEREAS, it is important that we recognize these true patriots of freedom, liberty and democracy, not only on this day, but throughout the year; and,

WHEREAS, on this day, veterans and their families are admitted to the fairgrounds for free, and a number of special Veterans' Day activities will be held:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 15, 2010 as **VETERANS' DAY AT THE STATE FAIR** in Illinois, and encourage all Americans to recognize and honor the sacrifice of our veterans.

Issued by the Governor July 23, 2010

Filed by the Secretary of State August 2, 2010

2010-254**Chicago Defender Charities Bud Billiken Parade Day**

WHEREAS, Chicago Defender Charities has a long tradition of helping Illinoisans in need through charitable aid such as financial assistance and scholarships to students, and gift baskets to public housing residents during the holiday season; and,

WHEREAS, Chicago Defender Charities also sponsors the annual Bud Billiken Parade, to be held this year on August 14; and,

WHEREAS, for more than 80 years, the Bud Billiken Parade and Picnic has provided

PROCLAMATIONS

wholesome fun and entertainment without charge to thousands of children; and,

WHEREAS, the Chicago Defender Charities Bud Billiken Parade has become one of Chicago's most celebrated rites of summer for thousands of children returning to school, and a greatly anticipated event for families throughout the state; and,

WHEREAS, Chicago Defender Charities, producers of the back-to-school parade, have always been committed to the support, encouragement and education of our youth; and,

WHEREAS, this year's parade theme is "Education: It's The American Way," to highlight the importance of educating our children; and,

WHEREAS, Bud Billiken has grown into more than an annual parade. The Chicago Defender Charities have also launched a green initiative - the Green Team Conservation & Recycling Program, to train, employ and prepare young people for the new green economy; and,

WHEREAS, organizations and events such as Chicago Defender Charities and the Bud Billiken Parade promote community service and unity, which are vital to the strength and success of communities throughout the Land of Lincoln:

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 14, 2010, as **CHICAGO DEFENDER CHARITIES BUD BILLIKEN DAY** in Illinois, and urge all citizens to join in the festivities.

Issued by the Governor July 23, 2010

Filed by the Secretary of State August 2, 2010

2010-255**Child Support Awareness Month**

WHEREAS, the Department of Healthcare and Family Services has been given the responsibility of providing child support services to all Illinois families, and,

WHEREAS, Illinois recognizes that children need strong family support; and,

WHEREAS, Illinois works to focus attention on the needs of children to have both parents' involvement in their children's lives; and,

WHEREAS, we recognize and welcome the National Child Support Enforcement Association to Illinois for their national conference August 9 through August 11; and,

PROCLAMATIONS

WHEREAS, the Department of Healthcare and Family Services is working closely with the Department of Human Services, Public Health, Children and Family Services, Employment Security, Corrections, Revenue, Natural Resources, the Secretary of State, and other state and county agencies, as well as community groups to increase the number of children for whom paternity is established and whose families receive child support services; and,

WHEREAS, Illinois is playing a lead role in helping strengthen families in the Land of Lincoln through innovation and sound practices in child support services and the Division of Child Support Services is being recognized by the National Child Support Enforcement Association as the recipient of the 2010 Outstanding Program of the Year Award:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 2010 as **CHILD SUPPORT AWARENESS MONTH** in Illinois, to promote the importance of child support and to affirm the continued commitment of Illinois to helping our children receive the love and care that is vital to their success and welfare.

Issued by the Governor July 23, 2010

Filed by the Secretary of State August 2, 2010

2010-256**National Farmers Market Week**

WHEREAS, farmers markets across the nation are important outlets for agricultural producers to increase marketing opportunities such as promoting the program "Know Your Farmer, Know Your Food" which empowers consumers to make smart decisions when they eat. This means learning more about where food comes from and how it gets to the plate, so that individuals can more closely link with their community and the hard-working farmers that produce food; and,

WHEREAS, there are nearly 300 Illinois farmers' markets across the state offering consumers farm-fresh, affordable, convenient, and healthy products such as: fruits, vegetables, cheeses, herbs, fish, flowers, baked goods, meats and much more; and,

WHEREAS, the Farmers' Market Improvement Act, which was recently signed into law, seeks to provide support to Farmers Markets and other nontraditional food markets to accept SNAP (formerly known as food stamps) benefits distributed through the Illinois Link Electronic Benefits Transfer (EBT) card. This is a crucial step toward expanding food access, improving health outcomes, and supporting local agriculture; and,

WHEREAS, Double Value Coupon Programs, which double the value of Federal Food Stamps, now called the Supplemental Nutrition Assistance Program (SNAP), are being successfully implemented at farmers markets across Illinois. Double Value Coupon Programs improve the effectiveness of the SNAP program, as well as the Supplemental Nutrition Program for Women,

PROCLAMATIONS

Infants, and Children (WIC), the Farmers Market Nutrition Programs (FMNP) and the Senior FMNP; and,

WHEREAS, this summer, thousands of Chicago SNAP recipients can purchase fresh produce at five Farmers' Markets operated by the City of Chicago served by Illinois farmers, and eight independent Farmers' Markets located in Chicago, demonstrating the City of Chicago's continued commitment to supporting local agriculture and increasing food access in underserved low-income communities; and,

WHEREAS, 377 farmers at 97 farmers' markets in 36 counties in Illinois offer WIC and Senior Farmers Market Nutrition benefits, helping promote healthy eating to over 30,000 seniors and 30,000 women and children, and helping reduce childhood obesity by increasing children's access to fresh fruits and vegetables; and,

WHEREAS, the popularity of farmers markets continues to rise, as more and more consumers discover the joys of shopping for unique ingredients sold direct from the farm, and the pleasure of buying familiar products in their freshest state:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, to promote awareness of farmers markets and the contributions of farmers, do hereby proclaim August 1-7, 2010 as **NATIONAL FARMERS MARKET WEEK** in Illinois...Where Fresh Is, and encourage the people of Illinois to celebrate the benefits of farmers markets and the bountiful production of our state's farmers with appropriate observances and activities.

Issued by the Governor July 23, 2010

Filed by the Secretary of State August 2, 2010

2010-257**Fall Prevention Awareness Day**

WHEREAS, currently, there are approximately 1.5 million citizens in Illinois who are 65 years of age or older; and,

WHEREAS, it is estimated that the number of citizens in Illinois who are 65 years of age or older will increase to 2.23 million by 2025; and,

WHEREAS, there are close to 600,000 deaths per year in Illinois caused by falls; and,

WHEREAS, falls are the leading cause of injury-related deaths among people age 65 and over; and,

WHEREAS, one out of every three people aged 65 and older fall each year, despite the fact that research shows most falls are preventable; and,

PROCLAMATIONS

WHEREAS, approximately 1.5 million fragility fractures will occur this year that will result in approximately 20-30 percent of older adults who have a hip fracture dying within twelve months and an additional 25 percent of older adults who are in nursing homes dying within two years; and,

WHEREAS, the health care costs from fall injuries and fragility fractures are projected to be \$55 billion annually by 2020; and,

WHEREAS, identifying, educating, and treating individuals at risk for fragility fractures due to poor bone health can substantially reduce the long-term burden of osteoporosis, bone-related injuries and deaths; and,

WHEREAS, the mission of the Foundation for Education and Musculoskeletal Research is to promote musculoskeletal health and research, prevent fragility fractures, and increase awareness of osteoporosis and related bone trauma and disabilities; and,

WHEREAS, on the first day of autumn, September 22 of this year, the Foundation for Education and Musculoskeletal Research will coordinate public awareness and outreach activities to help prevent falls and the resulting fractures:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 22, 2010 as **FALL PREVENTION AWARENESS DAY** in Illinois, in order to raise awareness of falls in an effort to reduce the incidence of falls among the older people of our state.

Issued by the Governor July 23, 2010

Filed by the Secretary of State August 2, 2010

2010-258**Flag Honors – Sgt. Matthew W. Weikert**

WHEREAS, on Saturday, July 17, United States Army Sergeant Matthew W. Weikert of Jacksonville, Illinois died at age 29 of wounds sustained when enemy forces attacked his unit with an improvised explosive device in Paktika province, Afghanistan, where Sergeant Weikert was serving in support of Operation Enduring Freedom; and,

WHEREAS, Sergeant Weikert was assigned to the 1st Battalion, 187th Infantry Regiment, 3rd Brigade Combat Team, 101st Airborne Division (Air Assault), based at Fort Campbell, Kentucky; and,

PROCLAMATIONS

WHEREAS, before joining the Army, Sergeant Weikert served three tours of duty in Iraq with the Marine Corps, as well as a fourth tour in Iraq with the Army before going to Afghanistan; and,

WHEREAS, Sergeant Weikert, a 2000 graduate of Jacksonville High School will be remembered by those who were fortunate to know him as a great man, father, son, friend, and most of all, a great soldier; and,

WHEREAS, a funeral will be held on Monday, July 26 for Sergeant Weikert, who is survived by his parents, his wife Megan, and his ten year old son Jayse:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 24, 2010 until sunset on July 26, 2010 in honor and remembrance of Sergeant Weikert, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 23, 2010

Filed by the Secretary of State August 2, 2010

2010-259**Flag Honors – Sergeant Jesse R. Tilton**

WHEREAS, on Friday, July 16, United States Army Sergeant Jesse R. Tilton of Decatur, Illinois died at age 23 of injuries sustained on July 13, 2010, when his unit received recoilless rifle, rocket-propelled grenade, grenade and small arms fire in Kandahar City, Afghanistan, where Sergeant Tilton was serving in support of Operation Enduring Freedom; and,

WHEREAS, Sergeant Tilton was assigned to the Headquarters and Headquarters Company, 1st Battalion, 508th Parachute Infantry Regiment, 4th Brigade Combat Team, 82nd Airborne Division; and,

WHEREAS, Sergeant Tilton attended Mount Zion schools before graduating from Lincoln's Challenge Academy where he was near the top of his class; and,

WHEREAS, Sergeant Tilton's performance at Lincoln's Challenge Academy earned him a scholarship to Richland Community College, which he attended before joining the Army; and,

WHEREAS, Sergeant Tilton has been in the Army for four years. This was his second tour in Afghanistan where he was serving as a medic; and,

PROCLAMATIONS

WHEREAS, Sergeant Tilton served valiantly and was gravely injured while heroically tending to a fellow soldier, refusing to leave the wounded soldier while they were under attack from small arms and rocket-propelled grenade fire; and,

WHEREAS, during his years of military service, Sergeant Tilton earned the Purple Heart, Combat Action Badge and Command Team Coin of Excellence for Selfless Service; and,

WHEREAS, a funeral will be held on Thursday, July 29 for Sergeant Tilton, who is survived by his mother and father:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 27, 2010 until sunset on July 29, 2010 in honor and remembrance of Sergeant Tilton, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 26, 2010

Filed by the Secretary of State August 2, 2010

2010-260**Craft and Hobby Week**

WHEREAS, crafting is a growing industry across The United States and a hobby enjoyed by over 63 million households nationwide; and,

WHEREAS, the manufacturing and retail sales of products within the craft and hobby industry amounts to over \$30 billion, \$8.2 billion of which is generated within the Midwest alone; and,

WHEREAS, the benefits of crafts and hobbies extends beyond the revenue received from their sale, as it is useful both in elementary school settings to stimulate young imaginations and as a personal, therapeutic tool; and,

WHEREAS, the Craft and Hobby Association, the nation's largest non-for-profit organization of its kind, helps to expand this industry through trade shows and educational seminars; and,

WHEREAS, once again this year the CHA's Summer Convention and Trade Show, the most anticipated and highly regarded event within the Craft and Hobby industry, will be held in the great City of Chicago; and,

PROCLAMATIONS

WHEREAS, the event serves to not only promote leading craft manufactures among others in the industry, but to also spread interest within the general public with its inaugural consumer craft show; and,

WHEREAS, this year marks over thirty years that Chicago has served as the host city for this widely anticipated convention which draws more than 20,000 visitors to our state; and

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 26 – 31, 2010 as **CRAFT AND HOBBY WEEK** in Illinois, in recognition of the Craft & Hobby Association's 2010 Summer Convention & Trade Show and the CHA Craft Super Show.

Issued by the Governor July 26, 2010

Filed by the Secretary of State August 2, 2010

2010-261**National Health Center Week**

WHEREAS, Federally Qualified Health Centers are nonprofit, community-owned and operated health providers serving uninsured and medically underserved people in the State of Illinois; and,

WHEREAS, Federally Qualified Health Centers expand access to affordable, high quality, cost-effective healthcare for all people and contain healthcare costs by fostering prevention and integrating the delivery of primary care with aggressive outreach, patient education, translation, and other enabling services; and,

WHEREAS, Federally Qualified Health Centers have made great strides in the Illinois healthcare system, specifically by maintaining high standards of accountability, demonstrating cost effectiveness and efficiency in the delivery of care, and empowering communities to address unmet health needs, reduce health disparities, and reduce preventable deaths, costly disabilities and communicable diseases; and,

WHEREAS, Federally Qualified Health Centers are staffed by doctors, nurses, pharmacists and other health professionals who have chosen to serve in communities in need, helping to expand the reach of primary care and preventive health services; and,

WHEREAS, there is a continuing need to support implementation of Federally Qualified Health Centers throughout the State of Illinois as part of Illinois' enduring commitment to the provision of quality primary healthcare; and,

PROCLAMATIONS

WHEREAS, Health Centers promote 100 percent access and an end to health disparities to achieve healthcare for all people:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim August 8 – 14, 2010 as **NATIONAL HEALTH CENTER WEEK** in Illinois, and encourage all citizens to recognize the important contributions of Federally Qualified Health Centers in safeguarding health and improving the quality of life for all people in our great state.

Issued by the Governor July 26, 2010

Filed by the Secretary of State August 2, 2010

2010-262**Matthew Leone Day**

WHEREAS, the true test of a hero is the willingness to risk danger to come to the aid of someone in need; and,

WHEREAS, Matthew Leone, the bassist for the band Madina Lake, proved himself to be a true hero in the early morning hours of June 29, 2010, when he saw a woman being beaten and rushed to protect her with no thought of his own personal safety; and,

WHEREAS, Matthew Leone, whose courage and conscience would not let him look the other way when he saw an act of domestic violence, was brutally beaten by the woman's assailant and has been hospitalized with severe head injuries ever since; and,

WHEREAS, Matthew Leone's family, friends, colleagues and admirers have joined together to support him in his long recovery; and,

WHEREAS, the Smashing Pumpkins, who have sold more than 30 million albums and played a pivotal role in bringing Chicago international acclaim as the heartland of alternative music, are known for generously supporting other Illinois musicians; and,

WHEREAS, Kill Hannah is a Chicago-based band that has won international acclaim and expanded Illinois' reputation as the home of creative and talented musicians; and,

WHEREAS, Metro has built a reputation over nearly three decades as one of America's premier independent concert venues, showcasing Illinois' best emerging artists and giving audiences new opportunities to hear, applaud and support local musicians; and,

WHEREAS, the Sweet Relief Musicians Fund is a non-profit organization that provides financial assistance to talented musicians who face illness or disability; and,

PROCLAMATIONS

WHEREAS, the Smashing Pumpkins, Kill Hannah, Metro and the Sweet Relief Musicians Fund have joined together, with hundreds of concerned fans, for a benefit concert to help Matthew Leone and his family pay for the medical care that will help Matthew to heal; and,

WHEREAS, the talent and generosity shown by this benefit concert demonstrate to everyone in the Land of Lincoln that we honor Matthew Leone's heroism, and that we are honored to play our part in supporting him through his recovery;

THEREFORE, I, Pat Quinn, Governor of Illinois, commend and salute Matthew Leone, Madina Lake, Billy Corgan, the Smashing Pumpkins, Kill Hannah, Metro, and the Sweet Relief Musicians Fund for everything that they have done to make our state a better place for all, and do hereby proclaim July 27, 2010, to be **MATTHEW LEONE DAY** throughout the State of Illinois.

Issued by the Governor July 27, 2010

Filed by the Secretary of State August 2, 2010

2010-263**Flag Honors – Lance Corporal Frederik E. Vazquez**

WHEREAS, on Saturday, July 24, United States Marine Corps Lance Corporal Frederik E. Vazquez of Melrose Park, Illinois died at age 20 while supporting combat operations in Helmand Province, Afghanistan, where Lance Corporal Vazquez was serving in support of Operation Enduring Freedom; and,

WHEREAS, Lance Corporal Vazquez was assigned to the 1st Battalion, 2nd Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, based at Camp Lejeune, North Carolina ; and,

WHEREAS, a 2008 graduate of West Leyden High School, Lance Corporal Vazquez had talked about becoming a U.S. Marine from the time he was 7, and a few months after reaching the age of 18, he enlisted; and,

WHEREAS, Lance Corporal Vazquez, who had talked about attending college after the Marine Corps, was remembered as a respectful and brave young man, who enjoyed paintball and basketball, and military combat video games; and,

WHEREAS, a funeral will be held on Saturday, July 31 for Lance Corporal Vazquez, who is survived by his parents:

PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on July 29, 2010 until sunset on July 31, 2010 in honor and remembrance of Lance Corporal Vazquez, whose selfless service and sacrifice is an inspiration.

Issued by the Governor July 29, 2010
Filed by the Secretary of State August 2, 2010

2010-264**John Baker Day**

WHEREAS, the Vietnam War was a defining event of the 20th century and remains alive in the memories of those veterans and families affected; and,

WHEREAS, at the height of US involvement, over 540,000 troops fought for the United States in order to protect national liberty; and,

WHEREAS, the gallantry of one individual in particular, Sergeant John F. Baker, merited the highest military decoration, the Medal of Honor; and,

WHEREAS, President Lyndon B. Johnson bestowed this award upon him for his counterattack against the Vietcong on November 5, 1966; and,

WHEREAS, this medal acknowledges Sergeant Baker's intrepidity in action, neutralizing six machine gun bunkers and saving the lives of eight wounded soldiers; and,

WHEREAS, today commemorates those events in the dedication of the I-280 Bridge and new monument in Sergeant Baker's name; and,

WHEREAS, these two structures, the first built of steel, the second of bronze, symbolize the strength of America and our national gratitude toward Sergeant Baker and all other men and women in uniform:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 31, 2010 as **John Baker Day** in Illinois, and encourage all citizens of the Land of Lincoln to dedicate their day to reflection upon the Vietnam War and the accomplishments of this distinguished citizen.

Issued by the Governor July 29, 2010
Filed by the Secretary of State August 2, 2010

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

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