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**March 20, 2015 Volume 39, Issue 12**

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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 2015**

<b>Issue#</b>	<b>Rules Due Date</b>	<b>Date of Issue</b>
1	December 22, 2014	January 2, 2015
2	December 29, 2014	January 9, 2015
3	January 5, 2015	January 16, 2015
4	January 12, 2015	January 23, 2015
5	January 20, 2015	January 30, 2015
6	January 26, 2015	February 6, 2015
7	February 2, 2015	February 13, 2015
8	February 9, 2015	February 20, 2015
9	February 17, 2015	February 27, 2015
10	February 23, 2015	March 6, 2015
11	March 2, 2015	March 13, 2015
12	March 9, 2015	March 20, 2015
13	March 16, 2015	March 27, 2015
14	March 23, 2015	April 3, 2015
15	March 30, 2015	April 10, 2015
16	April 6, 2015	April 17, 2015
17	April 13, 2015	April 24, 2015

18	April 20, 2015	May 1, 2015
19	April 27, 2015	May 8, 2015
20	May 4, 2015	May 15, 2015
21	May 11, 2015	May 22, 2015
22	May 18, 2015	May 29, 2015
23	May 26, 2015	June 5, 2015
24	June 1, 2015	June 12, 2015
25	June 8, 2015	June 19, 2015
26	June 15, 2015	June 26, 2015
27	June 22, 2015	July 6, 2015
28	June 29, 2015	July 10, 2015
29	July 6, 2015	July 17, 2015
30	July 13, 2015	July 24, 2015
31	July 20, 2015	July 31, 2015
32	July 27, 2015	August 7, 2015
33	August 3, 2015	August 14, 2015
34	August 10, 2015	August 21, 2015
35	August 17, 2015	August 28, 2015
36	August 24, 2015	September 4, 2015
37	August 31, 2015	September 11, 2015
38	September 8, 2015	September 18, 2015
39	September 14, 2015	September 25, 2015
40	September 21, 2015	October 2, 2015
41	September 28, 2015	October 9, 2015
42	October 5, 2015	October 16, 2015
43	October 13, 2015	October 23, 2015
44	October 19, 2015	October 30, 2015
45	October 26, 2015	November 6, 2015
46	November 2, 2015	November 13, 2015
47	November 9, 2015	November 20, 2015
48	November 16, 2015	November 30, 2015
49	November 23, 2015	December 4, 2015
50	November 30, 2015	December 11, 2015
51	December 7, 2015	December 18, 2015
52	December 14, 2015	December 28, 2015

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Approval of Negotiated Agreements
- 2) Code Citation: 83 Ill. Adm. Code 763
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
763.10	Amendment
763.20	Amendment
763.30	Amendment
763.40	Amendment
763.60	Amendment
763.110	Amendment
763.120	Repeal
763.200	Amendment
763.210	Amendment
763.230	Amendment
763.300	Amendment
763.320	Amendment
763.330	Amendment
763.340	Amendment
763.360	Amendment
763.370	Amendment
763.380	Amendment
763.400	Amendment
763.410	Amendment
763.420	Amendment
763.430	Amendment
763.440	Repeal
763.460	Amendment
763.1040	Amendment
763.1050	Amendment
763.1060	Amendment
763.1100	New Section
763.1110	New Section
763.1120	New Section
763.1130	New Section
- 4) Statutory Authority: Implementing Section 252 of the Communications Act of 1934 (47 U.S.C. 252) and Section 10-101 of the Public Utilities Act and authorized by Section 10-

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## NOTICE OF ADOPTED AMENDMENTS

101 of the Public Utilities Act [220 ILCS 5/10-101] and Section 25-101 of the Electronic Commerce Security Act [5 ILCS 175/25-101]

- 5) Effective Date of Rule: April 1, 2015
- 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 rule, including any material incorporated by reference, is on file in the Commission's Springfield office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: March 7, 2014; 38 Ill. Reg. 5682
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Difference between Proposed 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 an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The revisions in this rulemaking are intended to streamline the process by which the Illinois Commerce Commission formally approves routine, uncontested negotiated agreements governing rates and terms of interconnection between telecommunications carriers. The rulemaking will have the Commission establish an online filing system that will provide public notice of carriers' negotiated agreements. Under the amended rules, the Commission or an interested party may initiate a proceeding to contest an agreement; if no proceeding to contest the agreement is initiated, the agreement will take effect 30 days after its filing date. The rulemaking will also replace, throughout the Part, references to "hearing examiner" with "administrative law judge," to reflect updated terminology.
- 16) Information and questions regarding this adopted rule shall be directed to:

Brian W. Allen

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

Office of General Counsel  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield IL 62701

217/558-2387

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER f: TELEPHONE UTILITIES

PART 763  
APPROVAL OF NEGOTIATED AGREEMENTS

SUBPART A: GENERAL PROVISIONS

Section

- 763.10 Procedure Governed
- 763.20 Deviation from this Part
- 763.30 Definitions
- 763.40 Authority of [the Administrative Law Judge in Contested Proceedings](#)~~Hearing~~  
~~Examiner~~
- 763.50 Federal Preemption of State Court Review
- 763.60 Failure to Act

SUBPART B: FORM, FILING AND SERVICE OF DOCUMENTS  
[IN CONTESTED PROCEEDINGS](#)

Section

- 763.100 Communications to the Commission
- 763.105 Form of Pleadings and Documents
- 763.110 Filing of Petition for [Rejection](#)~~Approval~~ of Negotiated Agreement
- 763.120 Required Disclosures [\(Repealed\)](#)
- 763.130 Contents of Documents
- 763.140 Copies of Documents
- 763.150 Service

SUBPART C: SCHEDULING AND DISCOVERY PROCEDURES

Section

- 763.200 Scheduling Conferences
- 763.210 Failure to Comply with a Discovery Order or a Subpoena
- 763.230 Protective Orders

SUBPART D: INFORMATION GATHERING PROCEDURE

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENTS

Section	
763.300	Disqualification of <del>Administrative Law Judge</del> <a href="#">Hearing Examiner</a>
763.320	Transcripts
763.330	Consolidation and Severance
763.340	Information to be Adduced
763.350	Information to be Under Oath or Affirmation
763.360	Stipulation of Facts
763.370	Exhibits
763.380	Ex Parte Communications

## SUBPART E: PROCEDURE FOLLOWING INFORMATION GATHERING

Section	
763.400	Briefs
763.410	Draft Proposed Decisions
763.420	<del>Administrative Law Judge's</del> <a href="#">Hearing Examiner's</a> Proposed Decision
763.430	Exceptions; Reply
763.440	Filing of Briefs ( <a href="#">Repealed</a> )
763.450	Oral Argument
763.460	Additional Hearings
763.470	Reopening on Motion of the Commission

## SUBPART F: ELECTRONIC FILING

Section	
763.1000	Overview of Electronic Filing
763.1010	Acceptable Formats
763.1020	e-Docket Accounts
763.1030	Control Processes
763.1040	Submission of Electronic Documents
763.1045	Electronic Documents Accepted by the Commission
763.1050	Service by Electronic Means
763.1060	Electronic Documents and the Hearing Process

SUBPART G: EXPEDITED APPROVAL OF NEGOTIATED AGREEMENTS

<u>Section</u>	
<u>763.1100</u>	<u>Expedited Approval of Negotiated Agreements</u>
<u>763.1110</u>	<u>Negotiated Agreement Filing System Accounts</u>

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENTS

[763.1120](#)      [Submission of the Negotiated Agreement for Approval](#)  
[763.1130](#)      [Negotiated Agreement Approval Process](#)

**AUTHORITY:** Implementing section 252 of the Communications Act of 1934 (47 USC 252) and Section 10-101 of the Public Utilities Act and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/10-101] and Section 25-101 of the Electronic Commerce Security Act [5 ILCS 175/25-101].

**SOURCE:** Emergency rule adopted at 20 Ill. Reg. 8527, effective June 18, 1996, for a maximum of 150 days; emergency rule suspended at 20 Ill. Reg. 14285, effective November 1, 1996; suspension withdrawn at 21 Ill. Reg. 5660, effective May 2, 1997; adopted at 21 Ill. Reg. 6454, effective May 16, 1997; emergency amendment at 24 Ill. Reg. 7870, effective May 22, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15945, effective October 15, 2000; amended at 39 Ill. Reg. 4038, effective April 1, 2015.

## SUBPART A: GENERAL PROVISIONS

**Section 763.10 Procedure Governed**

This Part governs practice and procedure before the Illinois Commerce Commission (Commission) in the approval of [Negotiated Agreements](#)~~negotiated agreements~~ required by ~~section~~[Sections](#) 252(e)(1) and ~~252~~[252](#)(e)(2)(A) of the Communications Act of 1934 (47 ~~USC~~[U.S.C.](#) 252).

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.20 Deviation from this Part**

To the extent permitted by law, including Article 10 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 10], any provision of this Part may be waived, suspended or modified by the Commission or an [Administrative Law Judge-Examiner](#), either upon their own motion or upon motion by any person.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.30 Definitions**

Unless otherwise defined, the following terms as used in this Part shall have the following meanings:

## ILLINOIS COMMERCE COMMISSION

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"Administrative Law Judge" means an employee of the Commission, or a Commissioner, designated by the Commission to conduct proceedings pursuant to section 252(e) of the Communications Act of 1934 (47 USC 252).

"Commissioner" means a member of the Commission.

"Documents" means petitions, amended and supplemental petitions, written discovery, answers to discovery, motions, responses, replies, notices, suggested findings of fact and conclusions of law, exceptions to Administrative Law Judges'~~Hearing Examiners'~~ proposed orders, briefs, drafts or suggested forms of order, and similar writings.

"e-Docket" means a Web based electronic filing system that allows electronic filing, management, and access to electronic records that make up case files.

"Electronic" *includes electrical, digital, magnetic, optical, electromagnetic, or any other form of technology that entails capabilities similar to these technologies.* [220 ILCS 5/3-122]

"Electronic document" means a pleading or a document transmitted by electronic means to the Commission with an electronic signature attached.

"Electronic record" *means a record generated, communicated, received, or stored by electronic means for use in an information system or for transmission from one information system to another.* [5 ILCS 175/5-105]

"Electronic signature" means a signature in electronic form issued by the Commission pursuant to Section 763.1020 and consisting of a user I.D. and password attached to or logically associated with an electronic document.

"E-mail address" *means a destination, commonly expressed as a string of characters, to which electronic mail may be sent or delivered.* [815 ILCS 511/5]

~~"Hearing Examiner" means an employee of the Commission, or a Commissioner, designated by the Commission to conduct proceedings pursuant to Section 252(e) of the Communications Act of 1934 (47 USC 252).~~

"Intervenor" means a person who, upon written petition, is permitted to intervene

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in any proceeding under this Part.

"Negotiated Agreement" is an agreement, including an amendment to an agreement, negotiated and entered into pursuant to section 252(a) of the Communications Act of 1934 that is subject to Commission approval under section 252(e) of the Communications Act of 1934.

"Negotiated Agreement Filing System" means a Web based electronic filing system that will be used as the initial filing mechanism for all Negotiated Agreements filed for approval of the Illinois Commerce Commission. This system will allow electronic filing, management, and access to the electronic records that make up case files for Negotiated Agreements.

"Party" means any person who enters into a negotiated agreement for which Commission approval is sought under 47 USC 252(e); or, any person allowed by the Commission or an Administrative Law JudgeHearing Examiner to intervene in a proceeding. Staff is not a party but shall have the specific rights and duties of parties as enumerated in this Part.

"Person" means any individual, partnership, corporation, governmental body or unincorporated association.

"Staff" or "Commission Staff" means individuals employed by the Commission. For purposes of this Part, an Administrative Law Judgea Hearing Examiner is not considered a member of the Commission Staff.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.40 Authority of the Administrative Law Judge in Contested ProceedingsHearing Examiner**

- a) The Administrative Law JudgeHearing Examiner shall have authority over the conduct of a proceeding under this Part and the responsibility for submission of the matter to the Commission for decision. The Administrative Law JudgeHearing Examiner shall have those duties and powers necessary to these ends, including the following:
  - 1) To conduct hearings and pre-hearing conferences;

## ILLINOIS COMMERCE COMMISSION

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- 2) To direct parties to serve testimony and exhibits and establish a date certain for service;
  - 3) To grant or deny Petitions to Intervene;
  - 4) To conduct discovery of the parties;
  - 5) To supervise all or any part of any discovery procedure;
  - 6) To administer oaths and affirmations;
  - 7) To examine witnesses and to allow the examination of an adverse party or agent;
  - 8) To rule upon all matters ~~that~~<sup>which</sup> do not result in the final determination of the proceeding;
  - 9) To call upon any party at any stage of the proceeding to produce further information that is material and relevant to any issue;
  - 10) To issue proposed decisions pursuant to Section 763.420 ~~of this Part~~;
  - 11) To issue protective orders in accordance with Section 763.430 ~~of this Part~~; and
  - 12) To ensure that the proceeding is conducted in a full, fair and impartial manner, that order is maintained and that unnecessary delay is avoided in the disposition of the proceedings.
- b) Any party who fails to comply with an order of the [Administrative Law JudgeHearing Examiner](#) may be limited in its presentation of information during the proceeding.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.60 Failure to Act**

Pursuant to section 252(e)(4) of the Communications Act of 1934, the Commission has 90 days after a Negotiated Agreement has obtained a "Filed Date" under Section 763.1130 on the

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Commission's Negotiated Agreement Filing System to act to approve or reject it. Notwithstanding the timelines associated with the automatic approval of uncontested Negotiated Agreements as shown in Subpart G, if the Commission does not act to approve or reject any agreement within 90 days after the Filed Date, the Negotiated Agreement shall be deemed approved. Pursuant to Section 252(e)(4) of the Communications Act of 1934, if the Commission does not act to approve or reject the agreement within 90 days after the submission by the parties of an agreement adopted by negotiation under Section 252(a) of the Communications Act of 1934, the agreement shall be deemed approved.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

SUBPART B: FORM, FILING AND SERVICE OF DOCUMENTS  
IN CONTESTED PROCEEDINGS

**Section 763.110 Filing of Petition for Rejection~~Approval~~ of Negotiated Agreement**

- a) Any petition seeking rejection of a Negotiated Agreement shall:
- 1) Be verified;
  - 2) Identify the Negotiated Agreement for which rejection is sought;
  - 3) Identify all parties to the Negotiated Agreement for which rejection is sought;
  - 4) Be accompanied by verified written statements and exhibits to support the petitioner's position that:
    - A) the agreement, or any portion of the agreement, discriminates against a carrier not a party to the Negotiated Agreement; and/or
    - B) implementation of the Negotiated Agreement, or any portion of the agreement, would be inconsistent with the public interest; and
  - 5) Be served on each party to the Negotiated Agreement.
- b) Each party to the Negotiated Agreement shall be deemed a party in a proceeding seeking rejection of the Negotiated Agreement.

## ILLINOIS COMMERCE COMMISSION

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- a) ~~All petitions for approval of a negotiated agreement shall be jointly filed by the parties to the agreement. In addition, all petitions:~~
- 1) ~~Shall be verified.~~
  - 2) ~~Shall be accompanied by the verified written statements and exhibits to support their position that:~~
    - A) ~~neither the agreement, nor any portion thereof, discriminates against a carrier not a party to the agreement; and~~
    - B) ~~neither implementation of the agreement, nor any portion thereof, would be inconsistent with the public interest.~~
- b) ~~A petition for approval of a negotiated agreement shall not be accepted for filing unless it is verified.~~

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.120 Required Disclosures (Repealed)**

~~Unless otherwise ordered by the Hearing Examiner or the Commission, parties shall file with the petition for approval of a negotiated agreement, and without awaiting a discovery request:~~

- a) ~~The name, address, facsimile number, e-mail address, and telephone number of each individual likely to have discoverable information relevant to the issues of whether:~~
- 1) ~~the agreement, or any portion thereof, discriminates against a carrier not a party to the agreement; and~~
  - 2) ~~implementation of the agreement, or any portion thereof, would be inconsistent with the public interest.~~
- b) ~~A copy of, or a description by category and location of, all documents, data compilations, and written information in the possession, custody, or control of the party that are relevant to the issues of whether:~~
- 1) ~~the agreement, or any portion thereof, discriminates against a carrier not a~~

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENTS

~~party to the agreement; and~~

- 2) ~~implementation of the agreement, or any portion thereof, would be inconsistent with the public interest.~~

(Source: Repealed at 39 Ill. Reg. 4038, effective April 1, 2015)

## SUBPART C: SCHEDULING AND DISCOVERY PROCEDURES

**Section 763.200 Scheduling Conferences**

Upon direction of the Commission or on his or her own motion, the Administrative Law Judge~~Hearing Examiner~~ may request all parties to attend a scheduling conference. Notice of the conference shall be given in writing, telephone, e-mail, or telephone facsimile not later than 24 hours before the pre-hearing conference. Such a conference may be held for any purpose, including, but not limited to:

- a) Scheduling;
- b) Identification and simplification of issues;
- c) Amendments to documents;
- d) Limitations on the number of witnesses;
- e) The issuance of rulings denying, limiting, conditioning or regulating discovery;
- f) The issuance of rulings supervising all or any part of any discovery procedure; and
- g) Such other matters as may aid in the simplification of the evidence and disposition of the proceeding.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.210 Failure to Comply ~~with~~With a Discovery Order or a Subpoena**

If a person or party fails to comply with a discovery order or refuses to attend or be sworn at a hearing, the Administrative Law Judge~~Hearing Examiner~~ may suspend further proceedings until

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENTS

compliance is obtained, or the [Administrative Law JudgeHearing Examiner](#) may strike all or any part of the pleadings of ~~that~~ party, or refuse to allow the party to support designated claims or defenses.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.230 Protective Orders**

- a) At any time during the pendency of a proceeding, the Commission or the [Administrative Law JudgeHearing Examiner](#) may, on the motion of any person, enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies.
- b) A person submitting a motion for a protective order shall specify the proposed expiration date for the proprietary status of the data, information or studies. The proposed expiration date shall be no more than five years from the date of submission. However, the proposed expiration date may exceed five years upon a showing of good cause. If no date is specified, the proposed expiration date for the proprietary status of the data, information or studies shall be two years from the date of submission.
- c) A document submitted and marked as proprietary shall be afforded proprietary treatment pending the timely submission of a motion to protect the confidential, proprietary or trade secret nature of that document and a ruling on that motion by the Commission or the [Administrative Law JudgeHearing Examiner](#).
- d) A public redacted version of each document submitted pursuant to this Section must also be submitted with the proprietary version.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

## SUBPART D: INFORMATION GATHERING PROCEDURE

**Section 763.300 Disqualification of [Administrative Law JudgeHearing Examiner](#)**

- a) [An Administrative Law JudgeA Hearing Examiner](#) assigned to a proceeding may, upon written request to and approval of the Chief [Administrative Law JudgeHearing Examiner](#), recuse himself or herself from the proceeding.

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- b) Whenever any party believes an Administrative Law Judge~~Hearing Examiner~~ for any reason should be disqualified from conducting, or continuing to conduct, a proceeding assigned to him or her, ~~that~~such party may file a motion to disqualify the Administrative Law Judge~~Hearing Examiner~~, setting forth by affidavit the alleged grounds for disqualification. The Administrative Law Judge~~Hearing Examiner~~ shall have 5 days after filing of the motion within which to enter a written ruling thereon. A copy of ~~the~~such ruling shall be served upon all parties.
- c) Any ruling by an Administrative Law Judge~~Hearing Examiner~~ denying a request for recusal under this Section may be reviewed by the Commission. Review shall be sought no more ~~than~~that 3 days from the denial of the motion to recuse or disqualify. The party seeking review of the ruling shall file with the Chief Clerk a verified petition, together with any offer of proof, and shall serve a copy of the petition upon the Administrative Law Judge~~Hearing Examiner~~ and all parties to the proceeding. Other parties and the staff representative may file responses within 3 days after the filing of the petition. The Administrative Law Judge~~Hearing Examiner~~ shall have 3 days from the filing of the petition within which to file a report to the Commission with the Chief Clerk, who shall serve copies of ~~the~~such report on the parties and staff representatives.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.320 Transcripts**

- a) A complete record of all proceedings conducted under this Part, including oral arguments before the Commission or Administrative Law Judge~~Hearing Examiner~~, shall be transcribed by a reporter appointed by the Commission. In the event that expedited transcripts are required, the cost of preparation shall be borne by Petitioner.
- b) Suggested corrections to the transcript of record must be filed within 7 days from the day on which the hearing is held or at such other time as prescribed by the Administrative Law Judge~~Hearing Examiner~~, and shall be in writing and served upon each party, the official reporter and the Administrative Law Judge~~Hearing Examiner~~.
- c) Objections to suggested corrections shall be filed within 5 days after the filing of the suggestions, unless otherwise prescribed by the Administrative Law Judge~~Hearing Examiner~~. The Administrative Law Judge~~Hearing Examiner~~ shall

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENTS

determine what changes, if any, shall be made in the record.

- d) If no objection is made to the suggested corrections, the Administrative Law JudgeHearing Examiner may, in his or her discretion, direct the corrections to be made and the manner of making them. The purpose of this determination shall be to ensure the accuracy of the record.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.330 Consolidation and Severance**

- a) WhenWhere not inconsistent with the requirements of the Communications Act of 1934, the Commission or Administrative Law JudgeHearing Examiner may, to the extent practical, order the consolidation of two or more proceedings under sectionSection 252(b) of the Communications Act of 1934 in order to reduce administrative burdens on telecommunications carriers and the Commission in carrying out its responsibilities under sectionSection 252 of the Communications Act of 1934.
- b) WhenWhere not inconsistent with the requirements of the Communications Act of 1934, the Commission or Administrative Law JudgeHearing Examiner may, to the extent practical, order the severance of two or more proceedings previously consolidated under subsection (a)-of this Section in order to reduce administrative burdens on telecommunications carriers and the Commission in carrying out its responsibilities under sectionSection 252 of the Communications Act of 1934 or order the severance of issues from a proceeding in those instances in whichwhere the issues need not be decided within the time limit set in the Communications Act of 1934 for the Commission's decision on an agreement adopted by negotiation.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.340 Information to be Adduced**

- a) In all proceedings subject to this Part, irrelevant, immaterial or unduly repetitious information shall be excluded. Relevant information may be admitted at the hearing if it is of a type commonly relied on by reasonably prudent persons in the conduct of their affairs.

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- b) Whenever a verified statement or exhibit contains language and/or figures that differ from the exhibit offered, the sponsoring party shall indicate all changes in writing either on a corrective sheet or the actual exhibit shall have the corrected language and/or figures so designated.
- c) Any information offered in whatever form shall be subject to appropriate and timely objection. The [Administrative Law JudgeHearing Examiner](#) may, either with or without objection, exclude irrelevant, immaterial, unduly repetitious or otherwise inadmissible information.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.360 Stipulation of Facts**

The parties and Staff may, by written stipulation filed with the Commission or by oral stipulation entered in the record, agree upon the facts or any part thereof related to the contested issues in the proceeding. Notwithstanding the stipulation of the parties, the Commission or the [Administrative Law JudgeHearing Examiner](#) may require further information in support of the facts so stipulated.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.370 Exhibits**

- a) All exhibits shall be marked numerically and/or alphabetically with a party designation and shall conform to the requirements of [Section 763.120](#) of this Part.
- b) When exhibits are identified for the record, unless the [Administrative Law JudgeHearing Examiner](#) directs otherwise, an original and two copies shall be offered at the hearing and a copy provided to the [Administrative Law JudgeHearing Examiner](#) and to each party.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.380 Ex Parte Communications**

- a) *The provisions of Section 10-60 of the Illinois Administrative Procedure Act [5 ILCS 100/10-60] shall apply in full to Commission proceedings that are subject to this Part. The provisions of Section 10-60 shall not apply, however, to*

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*communications between Commission employees who are engaged in investigatory or advocacy functions and other parties to the proceeding, provided that such Commission employees are still prohibited from communicating on an ex parte basis, as designated in Section 10-60, directly or indirectly, with members of the Commission, any Administrative Law Judge-Hearing Examiner in the proceeding, or any Commission employee who is or may reasonably be expected to be involved in the decisional process of the proceeding.*

- b) *Any Commissioner, Administrative Law Judge-Hearing Examiner, or other Commission employee who is or may reasonably be expected to be involved in the decisional process of a proceeding, who receives, or who makes or knowingly causes to be made, a communication prohibited by Section 10-60 of the Illinois Administrative Procedure Act as modified by Section 10-103 of the Public Utilities Act [220 ILCS 5/10-103] shall place on the public record of the proceeding:*
- 1) *All such written communications;*
  - 2) *Memoranda stating the substance of all such oral communications; and*
  - 3) *All written responses and memoranda stating the substance of all oral responses to the materials described in subsections (b)(1) and (2). [220 ILCS 5/10-103]*
- c) *The material specified in subsection (b) shall be disclosed to the parties of record by:*
- 1) *Service on the parties at the hearing; or*
  - 2) *If no hearing is scheduled within the next seven days, service by hand delivery, overnight mail or courier service or telephone facsimile on all parties to the proceeding.*

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

## SUBPART E: PROCEDURE FOLLOWING INFORMATION GATHERING

**Section 763.400 Briefs**

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- a) The ~~Administrative Law Judge~~~~Hearing Examiner~~ or the Commission may order the parties to file a brief. If hearings are held, parties must use transcript citations if they refer to testimony or evidence adduced at a hearing. In the discretion of the Commission or the ~~Administrative Law Judge~~~~Hearing Examiner~~, failure to use transcript citations may result in rejection of all or part of the brief.
- b) Briefs shall be concise, and, if in excess of 20 pages, excluding appendices, shall contain:
  - 1) A table of contents;
  - 2) A short statement of the case;
  - 3) A summary of the position of the party filing; and
  - 4) Argument.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.410 Draft Proposed Decisions**

The ~~Administrative Law Judge~~~~Hearing Examiner~~ may permit or require a party or parties to file draft proposed decisions.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.420 ~~Administrative Law Judge's~~~~Hearing Examiner's~~ Proposed Decision**

In a contested case, the ~~Administrative Law Judge~~~~Hearing Examiner~~ presiding shall prepare a proposed decision, including a statement of findings and conclusions and the reasons or basis therefor, on all material issues. ~~The~~~~Such~~ proposed decision shall be served by the Chief Clerk of the Commission on all parties to the proceeding.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.430 Exceptions; Reply**

- a) The parties may file exceptions to the ~~Administrative Law Judge's~~~~Hearing Examiner's~~ proposed decision at such time as is fixed by the ~~Administrative Law~~

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~~JudgeHearing Examiner~~ or the Commission. The Administrative Law JudgeHearing Examiner or the Commission may also require the parties to file as a reply "Brief in Reply to Exceptions."

- b) Exceptions and replies to exceptions with respect to statements, findings of fact or rulings of law must be specific and must be stated and numbered separately in the brief. When exception is taken or a reply is made as to a statement or finding of fact, a suggested replacement statement or finding must be incorporated. Exceptions and replies may contain written arguments in support of the position taken by the party or staff witnesses filing ~~thesueh~~ exceptions or reply.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.440 Filing of Briefs (Repealed)**

- a) ~~In proceedings subject to this Part that were initiated prior to January 1, 2000, a paper original and eight paper copies of all briefs shall be filed with the Commission.~~
- b) ~~In proceedings subject to this Part that were initiated after January 1, 2000, an original brief shall be filed with the Commission.~~

(Source: Repealed at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.460 Additional Hearings**

Before issuance of a final order by the Commission, the Administrative Law JudgeHearing Examiner may, on his or her own motion or when directed by the Commission, hold additional hearings.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

## SUBPART F: ELECTRONIC FILING

**Section 763.1040 Submission of Electronic Documents**

- a) Persons filing electronic documents shall receive a receipt with an identification number that shall be sent electronically. Documents that are required to be verified or that have an affidavit must include the scanned verification or affidavit

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pages in the filed electronic document in Adobe Acrobat PDF; otherwise documents that are required to be verified or that have an affidavit shall be deemed to be officially filed or received only when the person submitting the electronic document submits to the Commission the original verification or affidavit pages accompanied by a printed copy of the electronic receipt for that document.

- b) The filing of an electronic document is effective upon acceptance of the complete document and, if applicable, any required original paper verification or affidavit pages by the Chief Clerk of the Commission in one of the formats specified in Section 763.1010(a). Any required verification or affidavit pages, whether they be in an electronic format or a paper version, must be received and accepted by the Chief Clerk for purposes of meeting filing deadlines, unless otherwise specified by the Commission or the [Administrative Law JudgeHearing Examiner](#).

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.1050 Service by Electronic Means**

- a) Service by electronic means is allowed when agreed to by individual parties. Notwithstanding Section 763.150, any party required to serve a pleading or other document may serve copies of pleadings and other documents on other parties of record by electronic means in substitution of first class mail, provided that the service is on an e-mail address that the recipient has identified in its appearance or in a subsequent filing or agreement. Because of pagination and format concerns, the parties are encouraged to serve in PDF format. When serving by electronic means, service is deemed complete on the day of electronic transmission if transmitted at or before the time due, except service by electronic means on weekends or holidays shall be deemed complete on the next business day unless otherwise specified by the Commission or the [Administrative Law JudgeHearing Examiner](#).
- b) If any party files a proprietary electronic document (see Section 763.230), that party must serve the proprietary electronic document on any other party of record that has the right to see the document on any legal or contractual basis, such as a confidentiality agreement, and a public redacted version pursuant to Section 763.230. The e-Docket system does not allow any person outside of the Commission to see or access proprietary electronic documents.

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(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.1060 Electronic Documents and the Hearing Process**

If any prefiled testimony or exhibit in the e-Docket system is offered and admitted into evidence without alteration at a hearing in a Negotiated Agreement~~an arbitration~~ proceeding, the official copy is the document found in the e-Docket system. If a prefiled document is submitted without alteration at hearing, any requirement to offer multiple copies at hearing is eliminated. If any prefiled testimony or exhibit in the e-Docket system is altered at hearing in any way and admitted into evidence, the altered testimony or exhibit is the official copy. The sponsoring party must serve the complete altered electronic document on the Commission and the other parties of record within seven days after that hearing or, if applicable, within seven days after the end of a continuous, day-to-day set of hearings, unless otherwise directed by the Administrative Law Judge~~Hearing Examiner~~.

(Source: Amended at 39 Ill. Reg. 4038, effective April 1, 2015)

SUBPART G: EXPEDITED APPROVAL OF NEGOTIATED AGREEMENTS**Section 763.1100 Expedited Approval of Negotiated Agreements**

Notwithstanding the requirements contained in Subparts B through F, all filings seeking Commission approval of a Negotiated Agreement shall be submitted electronically to the Commission's Negotiated Agreement Filing System pursuant to requirements set forth in this Subpart.

(Source: Added at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.1110 Negotiated Agreement Filing System Accounts**

- a) Any party seeking to submit a Negotiated Agreement to the Commission's Negotiated Agreement Filing System must obtain an on-line account with the Commission.
- b) The Commission's Chief Clerk shall publish on its website information required by the Commission to register for and maintain an on-line account to access the Commission's Negotiated Agreement Filing System. This information shall include the website address for the Commission's Negotiated Agreement Filing System.

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(Source: Added at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.1120 Submission of the Negotiated Agreement for Approval**

- a) One or more parties to the Negotiated Agreement, in seeking approval of a Negotiated Agreement, shall submit a complete and executed electronic copy of the Negotiated Agreement and an electronic transmittal letter that meets all filing requirements of the Commission's Negotiated Agreement Filing System.
- b) All documents submitted to the Commission's Negotiated Agreement Filing System shall be in PDF electronic format.
- c) Upon successful completion of a submission to the Commission's Negotiated Agreement Filing System, a tracking number will be provided electronically to the submitting party.

(Source: Added at 39 Ill. Reg. 4038, effective April 1, 2015)

**Section 763.1130 Negotiated Agreement Approval Process**

- a) A Negotiated Agreement meeting the requirements of Section 763.1120 shall be deemed filed on the third business day after it is electronically entered in the Commission's Negotiated Agreement Filing System ("Filed Date"), and shall be displayed on a public page of the Commission website with the Filed Date.
- b) If no Verified Petition contesting approval is timely filed pursuant to subsection (c), or if the Commission does not on its own motion initiate a proceeding for the purposes of determining approval, a Negotiated Agreement filed with the Commission shall, with no further Commission action, be approved pursuant to this Part 30 days after the Filed Date. The Negotiated Agreement shall thereafter be displayed as approved on the Commission's website.
- c) An interested party may, within 14 business days after the Filed Date, initiate a docketed proceeding by filing a Verified Petition seeking rejection of the Negotiated Agreement pursuant to the requirements of Section 763.110. Upon the timely filing of a Verified Petition pursuant to Section 763.110, or upon initiation by the Commission on its own motion of a docketed proceeding for the purposes of determining approval, the Commission's website will note that the Negotiated Agreement is the subject of a contested proceeding and indicate the appropriate

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docket number. When a docketed proceeding is established, the procedures of this Subpart will be suspended and the procedures of Subparts B through F of this Part shall apply to the docketed proceeding. Any party to the Negotiated Agreement shall have the right to pursue approval of the Negotiated Agreement in any such docketed proceeding. In a docketed proceeding, the parties to the Negotiated Agreement retain the burden of proof.

- d) If the party or parties seeking approval of a Negotiated Agreement choose to withdraw the agreement, they shall, prior to 30 days after the Filed Date, submit an electronic transmittal letter that meets all filing requirements of the Commission's Negotiated Agreement Filing System stating that they are withdrawing the request for approval of the Negotiated Agreement. The Commission's website will note that the Negotiated Agreement has been withdrawn.

(Source: Added at 39 Ill. Reg. 4038, effective April 1, 2015)

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- 1) Heading of the Part: Filing Policy and Endorsements Form
- 2) Code Citation: 50 Ill. Adm. Code 753
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
753.10	Amendment
753.20	Amendment
753.30	Amendment
753.EXHIBIT A	Repeal
- 4) Statutory Authority: Implementing Article VIIA and authorized by Sections 401 and 143 of the Illinois Insurance Code [215 ILCS 5/Art. VII A, 401 and 143]
- 5) Effective Date of Rule: March 9, 2015
- 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 rulemaking, including any material incorporated by reference, is on file in the principal office of the Department of Insurance and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill. Reg. 13131; June 27, 2014
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Difference between Proposed and Final Version: 753.10(a) second line, changed "paragraphs" to "clauses"; 4th line, after "file" added a comma. 753.10(a)(1), after "business" added "and, for mutual companies, a separate proxy signature line for the insured to sign, if applicable"; 753.10(a)(4), after "page" added ", in non-individualized, template form, absent personal policyholder information"; 753.10(a)(5), after "jacket" add ", if used by the company".
- 12) Have all 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 rule currently in effect? No

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- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: 215 ILCS 5/143(2) requires filings to be submitted using SERFF (System for Electronic Rate and Form Filing) initiated and maintained by the National Association of Insurance Commissioners (NAIC). The proposed amendments require SERFF to be used in submitting form filings.
- 16) Information and questions regarding this adopted rule shall be directed to:

John Gatlin, Assistant Deputy Director  
Property and Casualty Compliance Unit  
Illinois Department of Insurance  
320 West Washington Street, 5th Floor  
Springfield IL 62767-0001

217/782-1786

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

## DEPARTMENT OF INSURANCE

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TITLE 50: INSURANCE  
CHAPTER I: DEPARTMENT OF INSURANCE  
SUBCHAPTER i: ADVISORY ORGANIZATIONSPART 753  
FILING POLICY AND ENDORSEMENTS FORM

## Section

753.10	Companies Must File
753.20	Form and Content of Filings
753.30	Submission of Filing

753.EXHIBIT A Authorization to Accept Filings by Reference (Form RF-1) [\(Repealed\)](#)

AUTHORITY: Implementing Article VIIA and authorized by Sections 401 and 143 of the Illinois Insurance Code [215 ILCS 5/Art. VIIA and 401 and 143].

SOURCE: Filed May 20, 1977, effective June 1, 1977; codified at 6 Ill. Reg. 12459; amended at 39 Ill. Reg. 4061, effective March 9, 2015.

**Section 753.10 Companies Must File**

- a) All companies writing any of the kinds of business enumerated in Class 2 casualty, except ~~clauses~~paragraphs (a) (accident and health), (d) (workers' compensation) and (g) (fidelity and surety), and Class 3 (inland marine) of Section 4 of the Code must file, using the System for Electronic Rate and Form Filing (SERFF):
- 1) copies of all policy forms on these kinds of business and, for mutual companies, a separate proxy signature line for the insured to sign, if applicable;-
  - 2) copies of generally used endorsement forms on these kinds of business;-
  - 3) copies of all application forms used on these kinds of business, including a separate proxy signature line for the insured to sign if applicable;-
  - 4) a copy of the declaration page, in non-individualized, template form, absent personal policyholder information; and

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- 5) a copy of the policy jacket, if used by the company.
- b) This filing requirement can be met by:
- 1) a company making a direct filing on its own behalf or through a third party filer with the company's authorization; or
  - 2) ~~a company making a reference filing on its own behalf by utilizing an advisory organization's Standard Provisions forms; or~~
  - 23) a company authorizing the advisory organization, of which it is a member or subscriber, to make the filing on the company's behalf.
- e) ~~A company making a reference filing under b) 2) above must file in duplicate a Form RF-1. (See exhibit attached to this Rule). The RF-1 Form lists the kinds of business to be written and the corresponding advisory organization to which the reference is being made.~~
- c) A company authorizing its advisory organization to file on the company's behalf under subsection (b)23) above must have on file an a forms authorization that letter, in duplicate, which includes:
- 1) the name of its~~their~~ authorized advisory organization;:-
  - 2) the kinds of business for which filings will be made;:-
  - 3) authorization clause or language; and:-
  - 4) effective date of authorization.
- d) All filings must be accompanied by a forms submission letter that, in duplicate, which includes:
- 1) the name of the advisory organization or company making the filing;:-
  - 2) title, form number, and edition identification of the forms;:-
  - 3) information as to what Class and Clause coverage is written under;:-

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- 4) identification of all applicable endorsements and applications as to the policy forms for which the endorsements and applications are used;
  - 5) notification as to whether the filing is new or supersedes a present filing. Identification of all changes in all superseding filings, filing as well as identification of all superseded forms, is required; and.
  - 6) effective date of use.
- f) ~~Companies under the same ownership or general management are required to make separate individual company filings. Company Group filings are unacceptable.~~

(Source: Amended at 39 Ill. Reg. 4061, effective March 9, 2015)

**Section 753.20 Form and Content of Filings**

- a) There must be printed at the head of the policy the name of the insurer or insurers issuing the policy, the location of the Home Office of the insurer or insurers thereof; a statement of whether the insurer is a stock, mutual, reciprocal, Lloyds, alien insurer, or ~~an~~ insurer operating under a charter by Special Act of the Legislature of any state. Devices~~There may be added thereto such devices,~~ emblems or designs and dates as are appropriate for the insurer issuing the policy may also be added.
- b) In a policy in which contingent liability of members or subscribers is provided for, ~~that~~the provision ~~therefor~~ shall be plainly stated in each policy with prominence equal to the indemnifying clause. Any insurer may also print upon the policy such regulations or provisions as may be required by its home ~~state~~State or such as may be appropriate to or required by its form of organization or plan of operation. There may be substituted for the word "company", where it appears in the policy, another term more accurately descriptive of the insurer.
- c) All forms must be identified by a descriptive title, form number and edition identification.
- d) All changes from currently filed forms must be highlighted. The preferred format is to underline the new wording and overstrike the deleted or changed language

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and give an explanation for the changes being made, but alternative methods of indicating changes will also be accepted. Any changes not highlighted will not be deemed filed.

- e) Typed or printer's proof copies may be submitted for review, but must be refiled in printed form. Statements, provisions, or endorsements may not be typed or superimposed on a policy or endorsement.
- f) All forms must be printed in not less than eight-point type.

(Source: Amended at 39 Ill. Reg. 4061, effective March 9, 2015)

**Section 753.30 Submission of Filing**

~~a) All filings~~ filing required in Section 753.10 ~~above~~ must be received in SERFF or in an electronic format approved by the Director no later than their effective date of use. Filings will only be considered received during the regular business hours from 8:00 am through 5:00 pm Central Standard Time (CST), Monday through Friday, excluding holidays.

- ~~b) All filings required in Section 753.10 above must be accompanied by a self-addressed stamped envelope.~~
- ~~e) All filings required in Section 753.10 above must be received by:~~

~~Illinois Department of Insurance  
Property and Casualty Evaluation Division  
Springfield, Illinois 62767~~

(Source: Amended at 39 Ill. Reg. 4061, effective March 9, 2015)

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**Section 753.EXHIBIT A Authorization to Accept Filings by Reference (Form RF-1)  
(Repealed)**


---

 Date
~~AUTHORIZATION TO ACCEPT FILINGS BY REFERENCE~~

~~To the Director of Insurance  
State of Illinois~~

<del>Advisory Organization</del>	<del>Line of Insurance</del>	<del>Manual Rules</del>	<del>Policies and Endorsements</del>
<del>_____</del>	<del>Private Passenger Automobile</del>	<del>☐</del>	<del>☐</del>
<del>_____</del>	<del>Commercial Automobile</del>		<del>☐</del>
<del>_____</del>	<del>General Liability</del>		<del>☐</del>
<del>_____</del>	<del>Buglary and Theft</del>		<del>☐</del>
<del>_____</del>	<del>Glass</del>		<del>☐</del>
<del>_____</del>	<del>Boiler and Machinery</del>		<del>☐</del>
<del>_____</del>	<del>Workmen's Compensation</del>	<del>☐</del>	<del>☐</del>
<del>_____</del>	<del>Dwelling Fire and Allied Lines</del>	<del>☐</del>	<del>☐</del>
<del>_____</del>	<del>Commercial Fire and Allied Lines</del>		<del>☐</del>
<del>_____</del>	<del>Inland Marine</del>		<del>☐</del>
<del>_____</del>	<del>Homeowners</del>	<del>☐</del>	<del>☐</del>
<del>_____</del>	<del>Farmowners</del>		<del>☐</del>

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	<del>Commercial Multiple Line</del>	<del>†</del>
	<del>Crop Hail</del>	<del>†</del>

~~The undersigned company hereby requests that it shall be deemed to have independently submitted as its own filing the manual rules and/or forms filed by the advisory organizations indicated above, and as a change in its own filing any future change in the manual rules and/or forms filed by said advisory organizations and accepted for use in this State, such change to become effective for this company upon the same date as it becomes effective for advisory organization members and subscribers, unless otherwise stipulated by the company.~~

~~This request and direction shall become effective as of the date or dates listed below, and shall remain in force until rescinded by either party.~~

~~Effective Date of Authorization~~ \_\_\_\_\_

~~Exceptions (if any):~~

<del>Company</del>	<del>Official</del>	<del>Title</del>
--------------------	---------------------	------------------

(Source: Repealed at 39 Ill. Reg. 4061, effective March 9, 2015)

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- 1) Heading of the Part: Confidentiality Protocols for Request and Receipt of Claim Information by Alternative Means
- 2) Code Citation: 50 Ill. Adm. Code 2028
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2028.5	New Section
2028.10	New Section
2028.20	New Section
2028.30	New Section
2028.40	New Section
- 4) Statutory Authority: Implementing and authorized by Section 355b of the Illinois Insurance Code [215 ILCS 5/355b ]
- 5) Effective Date of Rule: March 9, 2015
- 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 rulemaking, including any material incorporated by reference, is on file in the principal office of the Department of Insurance and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill. Reg. 20854; November 7, 2014
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposal and Final Version:

2028.30(c)(5)(B), add "in" after "contained".

After 2028.30(d), added "1) A company may receive a request electronically (email or fax) or in hardcopy (mail, hand or other means of delivery). In the case of electronic delivery, the company shall have three business days to assess the reasonableness of the request. In the case of hardcopy delivery, the company shall have five business days to assess the reasonableness of the request. If the request is determined to be reasonable, the

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procedures of this subsection (d) shall be followed. A determination that a request is reasonable shall not be unduly withheld, and the company's determination shall be documented as part of the internal control procedures required by subsection (c)(5)". Renumbered existing subsections.

- 12) Have all 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 rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: A new rule needs to be developed as required by PA 98-189 to guide companies in guarding against the disclosure of the information protected by the new provisions of 215 ILCS 355b.
- 16) Information and questions regarding this adopted rule shall be directed to:

Yvonne Clearwater  
Deputy Director, Consumer Market Division  
Illinois Department of Insurance  
320 West Washington  
Springfield IL 62767

217/785-5987

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

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

## TITLE 50: INSURANCE

## CHAPTER I: DEPARTMENT OF INSURANCE

## SUBCHAPTER Z: ACCIDENT AND HEALTH INSURANCE

## PART 2028

CONFIDENTIALITY PROTOCOLS FOR REQUEST AND RECEIPT OF  
CLAIM INFORMATION BY ALTERNATIVE MEANS

Section	
2028.5	Purpose
2028.10	Applicability
2028.20	Definitions
2028.30	Confidentiality Protocol
2028.40	Notice

**AUTHORITY:** Implementing and authorized by Section 355b of the Illinois Insurance Code [215 ILCS 5/355b].

**SOURCE:** Adopted at 39 Ill. Reg. 4069, effective March 9, 2015.

**Section 2028.5 Purpose**

People experiencing actual or threatened violence frequently establish new addresses and telephone numbers to protect their health and safety. Section 355b of the Code requires the Director to adopt rules to guide companies in guarding against disclosure of information protected pursuant to that Section. This Part establishes requirements for health companies so that they effectively respond to reasonable requests for receipt of claim-related information by alternative means and keep that information confidential in conformance with Section 355b of the Code.

**Section 2028.10 Applicability**

- a) This Part shall apply to a company that issues, delivers, amends or renews an individual or group policy of accident and health insurance in this State on or after January 1, 2014.
- b) With respect to a company authorized to write other kinds of insurance in addition to accident and health insurance, this Part shall apply only with respect to accident and health insurance coverage.

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**Section 2028.20 Definitions**

As used in this Part:

"Accident and health insurance" shall have the meaning set forth in Section 4 Class 1(b) and Class 2(a) of the Code and includes those coverages authorized by the Health Maintenance Organization Act [215 ILCS 125], the Limited Health Service Organization Act [215 ILCS 130], and the Voluntary Health Services Plan Act [215 ILCS 165]. With regard to a fraternal benefit society, the term includes coverages authorized by Section 297.1(4) and (5) of the Code.

"Address" means a street address, mailing address or e-mail address.

"Claim related information" means all claim or billing information relating specifically to an insured, subscriber or person covered by an individual or group policy of accident and health insurance issued, delivered, amended or renewed by a company doing business in this State.

"Code" means the Illinois Insurance Code [215 ILCS 5].

"Company" means a company, as defined in Section 2 of the Code, that issues, delivers, amends or renews an individual or group policy of accident and health insurance or other insurance providing accident and health insurance benefits.

"Director" means the Director of the Illinois Department of Insurance.

"Fraternal benefit society" shall have the meaning set forth in Section 282.1 of the Code.

"Insured" means a natural person who is, has been or will be covered under an individual or group accident and health policy or a policy including accident and health coverage.

"Person" means a natural person or legal entity, including a partnership, limited liability company, association, trust or corporation.

"Policy" means a policy, contract or certificate of accident and health insurance.

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"Policyholder" means a person to whom a policy has been issued.

"Reasonable request" means:

a statement that disclosure of all or part of the claim related information to which the request pertains could endanger an individual; or

a copy of a valid protective order from a court of competent jurisdiction.

The request shall specify an alternative address, telephone number or other method of contact.

"Requestor" means an insured making a request to receive claim-related information by alternative means, or the insured's legal representative, or, with regard to an insured who is a child, the child's parent or guardian.

**Section 2028.30 Confidentiality Protocol**

- a) A company shall develop and implement a confidentiality protocol to accommodate a reasonable request by a requestor to receive communications of claim-related information from the company by alternative means or at alternative locations if the requestor clearly states that disclosure of all or part of the information could endanger the insured. The confidentiality protocol shall provide that, except with the express consent of the requestor, the company shall not disclose to the policyholder:
  - 1) the address, telephone number or any other personally identifying information of the insured or child for whose benefit a request was made;
  - 2) the nature of the health care services provided;
  - 3) the name or address of the provider of the health care services; or
  - 4) any other information from which there is a reasonable basis to believe the foregoing information could be obtained.
- b) A company may require that:
  - 1) a requestor making a request do so in writing;

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- 2) the request contain a statement that disclosure of all or part of the claim-related information to which the request pertains could endanger the insured or child; and
  - 3) the request specify an alternative address, telephone number or other method of contact.
- c) The company's confidentiality protocol shall include written procedures to be followed by its employees, agents, representatives or other persons with whom the company contracts and who may have access to the information sought to be kept confidential. The written procedures shall include:
- 1) the procedure by which a requestor may make a reasonable request, provided that the procedure shall not require a justification as part of the reasonable request;
  - 2) the procedure by which the requestor may provide an alternative address, telephone number or other method of contact;
  - 3) the procedure for limiting access to personally identifying information, such as the name, address, telephone number and social security number of an insured and any other information from which there is a reasonable basis to believe the foregoing information could be obtained;
  - 4) the procedure for limiting or removing personal identifiers before information is used or disclosed, when possible;
  - 5) a system of internal control procedures, which the company shall review at least annually, to ensure the confidentiality of:
    - A) addresses, telephone numbers or other methods of contact;
    - B) the fact that a requestor made a reasonable request or that an order of protection was delivered to the company, and any information contained in the request or order; and

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- C) any other information from which there is a reasonable basis to believe the information specified in subsections (c)(5)(A) and (B) could be obtained; and
- 6) the procedure by which a requestor may revoke a reasonable request; provided, however, that the company may require the requestor to submit a sworn statement revoking the request.
- d) Notification of Company's Protocol
  - 1) A company may receive a request electronically (email or fax) or in hardcopy (mail, hand or other means of delivery). In the case of electronic delivery, the company shall have three business days to assess the reasonableness of the request. In the case of hardcopy delivery, the company shall have five business days to assess the reasonableness of the request. If the request is determined to be reasonable, the procedures of this subsection (d) shall be followed. A determination that a request is reasonable shall not be unduly withheld, and the company's determination shall be documented as part of the internal control procedures required by subsection (c)(5).
  - 2) A company shall notify its employees, agents, representatives and other persons with whom the company contracts who have access to the information sought to be kept confidential that the company's protocol is to be followed for the specified insured, within three business days after:
    - A) receipt of a reasonable request; or
    - B) receipt of a valid order of protection and an alternative address, telephone number or other method of contact.
  - 3) Upon receipt of a reasonable request or a valid order of protection, a company shall inform the individual who delivered the order of protection or the requestor that the company has up to three business days to implement the requirements of subsection (d)(1).
- e) A company may not require a requestor to provide a justification for the reasonable request.

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- f) Notification of Release of Information
- 1) Prior to releasing any information prohibited to be disclosed under Section 355b of the Code, pursuant to a warrant, subpoena or court order involving the policyholder or another insured covered under the policy, a company shall notify the individual who delivered the order of protection or the requestor, as soon as reasonably practicable, that it intends to release information. The notification shall specify what type of information the company intends to release, unless prohibited by the warrant, subpoena or court order.
  - 1) Upon release of information pursuant to a warrant, subpoena or court order, a company shall advise the person to whom the company is releasing the information that the information is confidential and that the person should continue to maintain the confidentiality of the information to the extent possible.
- g) A company shall comply with Article XL of the Code regarding Insurance Information and Privacy Protection and, if applicable, the federal Health Insurance Portability and Accountability Act of 1996, as amended, with respect to any information submitted pursuant to Section 355b of the Code or this Part.

**Section 2028.40 Notice**

- a) A company shall post conspicuously on its website and annually provide all its participating health service providers with:
- 1) a description of Section 355b of the Code;
  - 2) the information required by Section 2028.30(c)(1), (2) and (6); and
  - 3) the phone number for the State of Illinois Domestic Violence Helpline.
- b) A company shall recommend to its participating health service providers that the providers print and post the information in their offices.

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- 1) Heading of the Part: Health Carrier External Review
- 2) Code Citation: 50 Ill. Adm. Code 5430
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
5430.30	Amendment
5430.40	Amendment
5430.50	Amendment
5430.90	New Section
5430.APPENDIX A	Repeal
5430.APPENDIX B	Amendment
5430.APPENDIX C	Amendment
5430.APPENDIX D	Amendment
5430.APPENDIX E	Amendment
- 4) Statutory Authority: Implementing the Health Carrier External Review Act [215 ILCS 180] and authorized by Section 50(h) of the Act [215 ILCS 180/50(h)] and Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- 5) Effective Date of Rule: September 1, 2015
- 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 rulemaking, including any material incorporated by reference, is on file in the principal office of the Department of Insurance and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill. Reg. 16596; August 8, 2014
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposed and Final Version:

Section 5430.30: Added definition of "Member".

Section 5430.40(b)(1): added "D) All notices shall include the date, including month, day and year, of the adverse determination and, if applicable, the date of the final adverse

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determination, including month, day and year;" and relabeled the remaining subsections as (E) through (I).

In the renumbered 5430.40(b)(1)(F), change "remaining" to "from the date of the adverse determination" and change "a" to "the". After "review" added "regardless of the status of a provider appeal". In the renumbered 5430.40(b)(1)(G), changed "remaining" to "from the date of the final adverse determination".

Made several minor nonsubstantive changes requested by JCAR.

- 12) Have all 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 rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Implementing PA 97-574, the Health Carrier External Review Law.
- 16) Information and questions regarding this adopted rule shall be directed to:

Mary Petersen, Assistant Deputy Director  
Health Products Consumer Assistance Section  
Illinois Department of Insurance  
320 W. Washington Street 5th Floor  
Springfield IL 62767

217/782-5822

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

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TITLE 50: INSURANCE  
CHAPTER I: DEPARTMENT OF INSURANCE  
SUBCHAPTER kkk: HEALTH CARE SERVICE PLANSPART 5430  
HEALTH CARRIER EXTERNAL REVIEW

## Section

5430.10	Purpose
5430.20	Applicability and Scope
5430.30	Definitions
5430.40	Health Carrier Obligations
5430.50	Independent Review Organization Obligations
5430.60	Registration of Independent Review Organizations
5430.70	Operational Requirements
5430.80	Examination
<a href="#">5430.90</a>	<a href="#">Random Selection of IROs by Director</a>
5430.APPENDIX A	External Review Annual Report Form <a href="#">(Repealed)</a>
5430.APPENDIX B	IRO Notice of Decision Template – Non-Experimental and Investigational
5430.APPENDIX C	IRO Notice of Decision Template – Experimental and Investigational
5430.APPENDIX D	Independent Review Organizations – Application for Registration
5430.APPENDIX E	Independent Review Organizations – Application for Reapproving Independent Review Organizations
5430.APPENDIX F	Illinois or NAIC Biographical Affidavit

AUTHORITY: Implementing the Health Carrier External Review Act [215 ILCS 180] and authorized by Section 50(h) of the Act [215 ILCS 180/50(h)] and Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Adopted at 34 Ill. Reg. 10741, effective July 19, 2010; amended at 39 Ill. Reg. 4077, effective September 1, 2015.

**Section 5430.30 Definitions**

"Act" means the Health Carrier External Review Act [215 ILCS 180].

"Adverse Determination" means:

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Aa determination by a health carrier or its designee utilization review organization that, based upon the information provided, a request for a benefit under the health carrier's health benefit plan, upon application of any utilization review technique, an admission, availability of care, continued stay, or other health care service that is a covered benefit has been reviewed and, based upon the information provided, does not meet the health carrier's requirements for medical necessity, appropriateness, health care setting, level of care, or effectiveness or is determined to be experimental or investigational, and the requested benefit service or payment for the service is therefore denied, reduced, or terminated, or payment is not provided or made, in whole or part, for the benefit;

The denial, reduction or termination of, or failure to provide or make payment, in whole or in part, for, a benefit based on a determination by a health carrier or its designee utilization review organization that a preexisting condition was present before the effective date of coverage; or

A rescission of coverage determination, which does not include a cancellation or discontinuance of coverage that is attributable to a failure to timely pay required premiums or contributions towards the cost of coverage.

"Authorized Representative" means:

A person to whom a covered person has given express written consent to represent the covered person for purposes of the Act~~in an external review, including the covered person's health care provider;~~

A person authorized by law to provide substituted consent for a covered person;~~or~~

A family member of the covered person or the~~The~~ covered person's treating health care professional~~provider~~ when the covered person is unable to provide consent;

A health care provider when the covered person's health benefit plan requires that a request for a benefit under the plan be initiated by the health care provider; or

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In the case of an urgent care request, a health care provider with knowledge of the covered person's medical condition.

"Best Evidence" means evidence based on:

Randomized clinical trials;

If randomized clinical trials are not available, then cohort studies or case-control studies;

If the prior two items are not available, then case-series; or

If the prior three items are not available, then expert opinion.

"Case-control Study" means a retrospective evaluation of two groups of patients with different outcomes to determine which specific interventions the patients received.

"Case-series" means an evaluation of a series of patients with a particular outcome, without the use of a control group.

"Clinical Review Criteria" means the written screening procedures, decision abstracts, clinical protocols, and practice guidelines used by a health carrier to determine the necessity and appropriateness of health care services.

"Cohort Study" means a prospective evaluation of 2 groups of patients with only one group of patients receiving specific intervention.

"Code" means the Illinois Insurance Code [215 ILCS 5].

"Concurrent Review" means a review conducted during a patient's stay or course of treatment in a facility, the office of a health care professional, or other inpatient or outpatient health care setting.

"Covered Benefits" or "Benefits" means those health care services to which a covered person is entitled under the terms of a health benefit plan.

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"Covered Person" means a policyholder, subscriber, enrollee, or other individual participating in a health benefit plan.

"Director" means the Director of the [Illinois](#) Department of Insurance.

"Emergency Medical Condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including, but not limited to, severe pain, such that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in:

placing the health of the individual or, with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy;

serious impairment to bodily functions; or

serious dysfunction of any bodily organ or part.

"Evidence-based Standard" means the conscientious, explicit and judicious use of the current best evidence based on an overall systematic review of the research in making decisions about the care of individual patients.

"Expert Opinion" means a belief or an interpretation by specialists with experience in a specific area about the scientific evidence pertaining to a particular service, intervention, or therapy.

"Facility" means an institution providing health care services or a health care setting.

"Final Adverse Determination" means an adverse determination involving a covered benefit that has been upheld by a health carrier, or its designee utilization review organization, at the completion of the health carrier's internal grievance process procedures as set forth by the Managed Care Reform and Patient Rights Act [215 ILCS 134].

"Health Benefit Plan" means a policy, contract, certificate, plan, or agreement offered or issued by a health carrier to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services.

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"Health Care Provider" or "Provider" means a physician, hospital facility, or other health care practitioner licensed, accredited, or certified to perform specified health care services consistent with State law, responsible for recommending health care services on behalf of a covered person.

"Health Care Services" means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease.

"Health Carrier" means an entity subject to the insurance laws and regulations of this State, or subject to the jurisdiction of the Director, that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, or any other entity providing a plan of health insurance, health benefits, or health care services. "Health carrier" also means Limited Health Service Organizations (LHSO) and Voluntary Health Service Plans.

"Health Information" means information or data, whether oral or recorded in any form or medium, and personal facts or information about events or relationships that relate to:

The past, present, or future physical, mental, or behavioral health or condition of an individual or a member of the individual's family;

The provision of health care services to an individual; or

Payment for the provision of health care services to an individual.

"Independent Review Organization" or "IRO" means an entity that conducts independent external reviews of adverse determinations and final adverse determinations.

"Medical Necessity" means health care services and supplies provided by a health care provider, appropriate to the evaluation and treatment of a disease, condition, illness or injury and consistent with the applicable standard of care, including the evaluation of experimental and/or investigational services, procedures, drugs or devices.

"Medical or Scientific Evidence" means evidence found in the following sources:

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Peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff;

Peer-reviewed medical literature, including literature relating to therapies reviewed and approved by a qualified institutional review board, biomedical compendia, and other medical literature that meets the criteria of the National Institutes of Health's Library of Medicine for indexing in Index Medicus (Medline) and Elsevier Science Ltd. for indexing in Excerpta Medicus (EMBASE);

Medical journals recognized by the Secretary of Health and Human Services under section 1861(t)(2) of the federal Social Security Act (42 USC 1861(t)(2));

The following standard reference compendia:

The American Hospital Formulary Service Drug Information;

Drug Facts and Comparisons;

The American Dental Association Accepted Dental Therapeutics;  
and

The United States Pharmacopoeia Drug Information;

Findings, studies, or research conducted by or under the auspices of federal government agencies and nationally recognized federal research institutes, including:

The federal Agency for Healthcare Research and Quality;

The National Institutes of Health;

The National Cancer Institute;

The National Academy of Sciences;

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The Centers for Medicare & Medicaid Services;

The federal Food and Drug Administration; and

Any national board recognized by the National Institutes of Health for the purpose of evaluating the medical value of health care services; or

Any other medical or scientific evidence that is comparable to the sources listed in this definition.

*Medical necessity determinations for substance use disorders shall be made in accordance with appropriate patient placement criteria established by the American Society of Addiction Medicine [215 ILCS 5/370c(b)(3)].*

"Member" means a covered person as defined by this Part.

"Person" means an individual, a corporation, a partnership, an association, a joint venture, a joint stock company, a trust, an unincorporated organization, any similar entity, or any combination of the foregoing.

"Prospective Review" means a review conducted prior to an admission or the provision of a health care service or a course of treatment in accordance with a health carrier's requirement that the health care service or course of treatment, in whole or in part, be approved prior to its provision.

"Protected Health Information" means health information that identifies an individual who is the subject of the information, or with respect to which there is a reasonable basis to believe that the information could be used to identify an individual.

"Randomized Clinical Trial" means a controlled, prospective study of patients that have been randomized into an experimental group and a control group at the beginning of the study with only the experimental group of patients receiving a specific intervention, which includes study of the groups for variables and anticipated outcomes over time.

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"Retrospective Review" means any review of a request for a benefit that is not a concurrent or prospective review request. "Retrospective Review" does not include the review of a claim that is limited to veracity of documentation or accuracy of coding a review of medical necessity conducted after services have been provided to a patient, but does not include the review of a claim that is limited to an evaluation of reimbursement levels, veracity of documentation, accuracy of coding, or adjudication for payment.

"Utilization Review" means the evaluation of the medical necessity, appropriateness, and efficiency of the use of health care services, procedures, and facilities.

"Utilization Review Organization" means a utilization review program as defined in the Managed Care Reform and Patient Rights Act.

(Source: Amended at 39 Ill. Reg. 4077, effective September 1, 2015)

**Section 5430.40 Health Carrier Obligations**

- a) Each health carrier shall maintain written records in the aggregate, by state, and for each type of health benefit plan offered by the health carrier on all requests for external review for which the health carrier received notice from the Director for each calendar year. The health carrier shall and submit a report to the Director in the format specified by the Director in Appendix A by March 1 of each year.
- b) A health carrier must file with the Director for approval sample copies of:
  - 1) All notices ~~Notices~~ and forms that carriers must provide to covered persons underrequired to file for a right to external review as set forth within Sections ~~Section 20, 25, and Section 35, 40 and 42~~ of the Act. In addition to those statutory requirements, the following information must be included on notices sent to members in response to member appeals:
    - A) All notices and forms must prominently display the name, address, toll-free phone number, fax number and appeal email address of the carrier or administrator that handles appeals;

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- B) All notices and forms shall be specific and limited to information regarding appeals and external review procedures for the member's plan;
- C) All notices shall state the number of levels of appeals available (no more than two levels for group and one level for individual) under the plan and will state which level of appeal is applicable to the adverse determination within the notice;
- D) All notices shall include the date, including month, day and year, of the adverse determination and, if applicable, the date of the final adverse determination, including month, day and year;
- E) All notices shall inform covered persons that the deadlines for filing an appeal or external review request are not postponed or delayed by health care provider appeals unless the health care provider is acting as an authorized representative for the covered person; i.e., the covered person should be filing internal appeals independently and concurrently unless the health care provider has been designated in writing as the authorized representative;
- F) All notices shall indicate whether the adverse determination relates to a member appeal (filed by the member or authorized representative who may be the health care provider) or a provider appeal (pursuant to the provider contract) and shall explain timeframes from the date of the adverse determination for the member to appeal and to file an external review regardless of the status of a provider appeal;
- G) Upon exhaustion of provider appeals, the notice (which is copied to the member) shall specify timeframes from the date of the final adverse determination for the member to file an appeal or file an external review;
- H) Upon exhaustion of internal appeals by the member, the final adverse determination notice shall clearly state that it is the final adverse determination, that all internal appeals have been exhausted, and that the member has 4 months from the date of the letter to file an external review;

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- D) All notices shall include the following contact information for the Department of Insurance:

Illinois Departments of Insurance  
Office of Consumer Health Insurance  
External Review Unit  
320 W. Washington Street  
Springfield IL 62767  
Toll-free Telephone: (877) 850-4740  
Fax: (217) 557-8495  
Email: doi.externalreview@illinois.gov  
Website: <https://mc.insurance.illinois.gov/messagecenter.nsf>

- 2) Descriptions for both the required standard external review and expedited external review procedures as set forth within Section 20 of the Act.
- 3) Statements informing the covered person and any authorized representative that a standard external review request deemed to be ineligible for review by the plan or its representative may be appealed to the Director by filing a complaint with the Director. The health carrier shall use the following address and provide the following contact information when directing the covered person or authorized representative to appeal initial determinations of ineligibility for standard external review:

The Illinois Department of Insurance  
Office of Consumer Health Insurance  
External Review Unit~~Standard External Review~~  
320 West Washington Street  
Springfield ~~IL~~Illinois 62767  
~~Toll-free~~~~Toll Free~~ Telephone: (877) 527-9431  
Fax: (217) 557-8495  
Email: doi.externalreview@illinois.gov  
[http://insurance.illinois.gov/Complaints/file\\_complaint.asp](http://insurance.illinois.gov/Complaints/file_complaint.asp)  
(E-mail)  
Website: <https://mc.insurance.illinois.gov/messagecenter.nsf>

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- 4) Statements informing the covered person and any authorized representative that an expedited external review request deemed to be ineligible for review by the plan or its representative may be appealed to the Director by filing a complaint with the Director. The health carrier shall use the following address when directing the covered person or authorized representative to appeal initial determinations of ineligibility for expedited external review:

The Illinois Department of Insurance  
Office of Consumer Health Insurance  
~~External Review Unit~~~~Expedited External Review~~  
320 West Washington Street  
Springfield ~~IL, Illinois~~ 62767  
~~Toll-free Telephone: (877) 850-4740~~~~Toll Free Telephone: (877) 527-9431~~  
~~Fax: (217) 557-8495~~  
~~Email: doi.externalreview@illinois.gov~~  
~~[http://insurance.illinois.gov/Complaints/file\\_complaint.asp](http://insurance.illinois.gov/Complaints/file_complaint.asp)~~  
~~(E-mail)~~  
~~Website: <https://mc.insurance.illinois.gov/messagecenter.nsf>~~

- 5) ~~Notification (until July 1, 2013) that if an external independent review decision made pursuant to the Act upholds a determination adverse to the covered person, the covered person has the right to appeal the final decision to the Department. The Director may overturn the external review decision and require the health carrier to pay for the health care service or treatment. If an external review decision is overturned by the Director and the health carrier so requests, then the Director shall assign a new independent review organization to reconsider the overturned decision. The health carrier shall use the following address when directing the covered person to appeal the final decision to the Department:~~

~~The Illinois Department of Insurance  
Office of Consumer Health Insurance  
Illinois Health Carrier External Review—Director Appeals  
320 West Washington Street  
Springfield, Illinois 62767  
[http://insurance.illinois.gov/Complaints/file\\_complaint.asp](http://insurance.illinois.gov/Complaints/file_complaint.asp)  
(E-mail)~~

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~~Toll Free Telephone: (877) 527-9431~~

- 5) [Special Rules for Multi-State Plans Under the Marketplace Pursuant to the U.S. Office of Personnel Management's \(OPM\) Multi-State Plan Program regulation at 45 CFR 800.5023, OPM administers the External Review Process for disputed adverse benefit determinations submitted by enrollees in Multi-State Plan health insurance options.](#)

(Source: Amended at 39 Ill. Reg. 4077, effective September 1, 2015)

**Section 5430.50 Independent Review Organization Obligations**

- a) An independent review organization may not conduct external independent reviews of adverse determinations for persons subject to Section 15 of the Act unless the independent review organization has first registered with the Director. An application for registration shall be in the format set forth in Appendix D.
- b) An independent review organization must secure and maintain a current certificate of accreditation by the American Accreditation Healthcare Commission (URAC) under applicable standards for Independent Review Organizations.
- c) Each independent review organization shall provide a written notice as set forth in Appendix B and Appendix C, explaining its decision to uphold or reverse adverse or final adverse determinations to the health carrier, the covered person, and, if applicable, the covered person's authorized representative.
- d) [Each independent review organization shall maintain written records in the aggregate, by state, and by health carrier on all requests for external review for which it conducted an external review during a calendar year and submit a report in the format specified by the Director by March 1 of each year. The independent review organization shall retain the written records required under the Act for at least three years.](#)

(Source: Amended at 39 Ill. Reg. 4077, effective September 1, 2015)

**Section 5430.90 Random Selection of IROs by Director**

[The assignment by the Director of an approved independent review organization to conduct an external review in accordance with the Act shall be done on a random basis among those](#)

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independent review organizations approved by the Director. Random selection shall be done on a computerized rotation basis; notwithstanding special circumstances in which an expedited review is requested and location of the independent review organization (time zones) may be taken into account to facilitate the review process.

(Source: Added at 39 Ill. Reg. 4077, effective September 1, 2015)

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**Section 5430.APPENDIX A External Review Annual Report Form (Repealed)**

~~External Review Annual Report Form  
Due on or before March 1~~

~~Health Carrier: \_\_\_\_\_ Filing Date: \_\_\_\_\_~~

~~FEIN: \_\_\_\_\_~~

~~Address: \_\_\_\_\_~~

~~City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_~~

~~IRO Website: \_\_\_\_\_~~

~~Name of Person Completing this Form: \_\_\_\_\_~~

~~Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_~~

~~Email: \_\_\_\_\_~~

~~Address: \_\_\_\_\_~~

~~City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_~~

~~Name and title of person responsible for regulatory compliance and quality of external reviews:~~

~~Name: \_\_\_\_\_ Title: \_\_\_\_\_~~

~~FOR PERSONS COVERED UNDER CONTRACTS ISSUED OR SITUED IN THE STATE OF ILLINOIS:~~

~~1. Total number of requests for external review \_\_\_\_\_~~

~~2. Total number of requests for expedited external review \_\_\_\_\_~~

~~3. Total number of requests for expedited external review denied \_\_\_\_\_~~

~~4. Total number of requests for expedited external review resolved \_\_\_\_\_~~

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- a. ~~Total number of requests for external review resolved upholding the adverse determination or final adverse determination~~ \_\_\_\_\_
- b. ~~Total number of requests for external review resolved reversing the adverse determination or final adverse determination~~ \_\_\_\_\_
- e. ~~Total number of requests for expedited external review resolved upholding the adverse determination or final adverse determination~~ \_\_\_\_\_
- d. ~~Total number of requests for expedited external review resolved reversing the adverse determination or final adverse determination~~ \_\_\_\_\_
- 5. ~~The average length of time for resolution for an external review~~ \_\_\_\_\_
- 6. ~~The average length of time for resolution for an expedited external review~~ \_\_\_\_\_
- 7. ~~A summary of the types of coverages or cases for which an external review was sought, as specified below:~~
  - a. ~~Denial of care or treatment (dissatisfaction regarding prospective non-authorization of a request for care or treatment recommended by a provider excluding diagnostic procedures and referral requests; partial approvals and care terminations are also considered to be denials)~~ \_\_\_\_\_
  - b. ~~Denial of diagnostic procedure (dissatisfaction regarding prospective non-authorization of a request for a diagnostic procedure recommended by a provider; partial approvals are also considered to be denials)~~ \_\_\_\_\_
  - e. ~~Denial of referral request (dissatisfaction regarding non-authorization of a request for a referral to another provider recommended by a PCP)~~ \_\_\_\_\_

## DEPARTMENT OF INSURANCE

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- d. ~~Claims and utilization review (dissatisfaction regarding the concurrent or retrospective evaluation of the coverage, medical necessity, efficiency or appropriateness of health care services or treatment plans; prospective "Denials of care or treatment", "Denials of diagnostic procedures" and "Denials of referral requests" should not be classified in this category, but the appropriate one above)~~
8. ~~The number of external reviews that were terminated as the result of a reconsideration by the health carrier of its adverse determination or final adverse determination after the receipt of additional information from the covered person or the covered person's authorized representative~~

(Source: Repealed at 39 Ill. Reg. 4077, effective September 1, 2015)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

**Section 5430.APPENDIX B IRO Notice of Decision Template – Non-Experimental and Investigational**

---

[Independent Review Organization Letterhead]

Notice of Independent Review Decision

[Date of the Notice of the Decision]

Re: IRO Case #:  
[Name of Patient]

[Name of IRO] has been certified, by the Illinois Department of Insurance (DOI) as an Independent Review Organization (IRO). [The Illinois Department of Insurance](#)~~[Name of Health Carrier]~~ has assigned this case to us for independent review in accordance with the Illinois Insurance Code and applicable regulations.

The IRO has performed an independent review of the proposed/rendered care to determine if the adverse determination was appropriate. In the performance of the review, the IRO reviewed the medical records and documentation provided to the IRO by involved parties.

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED AMENDMENTS

## IRO NOTICE OF DECISION TEMPLATE

---

This case was reviewed by a [Specialty of Reviewing Physician or Health Care Provider]. The reviewer has made a good faith effort to check for the existence of any potential conflicts of interest and has signed a certification stating that no known conflicts of interest exist between the reviewer and the patient, the patient's insurance carrier, the utilization review agent (URA), any of the treating physicians or health care providers who provided care to the patient, or the URA or insurance carrier health care providers who reviewed the case for a decision regarding medical necessity before referral to the IRO. In addition, the reviewer has certified that the review was performed without bias for or against any party to the dispute.

As an officer of [Name of IRO] I certify that:

1. there is no known conflict between the reviewer, the IRO and/or any officer/employee of the IRO with any person or entity that is a party to the dispute, and
2. a copy of this IRO decision was sent to the covered person and, if applicable, his or her authorized representative on [Date].

Sincerely,

[Name of IRO Representative]  
[Title]

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

IRO REVIEWER REPORT TEMPLATE  
GENERAL

---

Date that the IRO Received the Assignment:

Date of Review:

Date of IRO's Decision:

Time Period for which the Review Was Conducted:

IRO Case #:

A General Description of the Reason for the Request for External Review:

A Description of the Qualifications for Each Physician or Other Health Care Provider Who Reviewed the Decision:

Review Outcome:

Upon independent review the reviewer finds that the previous adverse determination/adverse determinations should be:

- Upheld (Agree)
- Overturned (Disagree)
- Partially Overturned (Agree in part/Disagree in part)

Provide a description of the review outcome that clearly states whether or not medical necessity exists for each of the health care services in dispute.

Information Provided to the IRO for Review:

Description of the Covered Person's History (Summary):

## DEPARTMENT OF INSURANCE

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Principal Reason or Reasons for its Decision, Including Clinical Basis, Findings and Conclusions Used to Support the Decision:Rationale for Decision:A Description and the Source of the Screening Criteria or Other Clinical Basis Used to Make the Decision:

- Peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff;
- Peer-reviewed medical literature, including literature relating to therapies reviewed and approved by a qualified institutional review board, biomedical compendia, and other medical literature that meets the criteria of the National Institutes of Health's Library of Medicine for indexing in Index Medicus (Medline) and Elsevier Science Ltd. for indexing in Excerpta Medicus (EMBASE);
- Medical journals recognized by the Secretary of Health and Human Services under section 1861(t)(2) of the federal Social Security Act;
- The following standard reference compendia:
  - a. The American Hospital Formulary Service Drug Information;
  - b. Drug Facts and Comparisons;
  - c. The American Dental Association Accepted Dental Therapeutics; and
  - d. The United States Pharmacopoeia Drug Information;
- Findings, studies, or research conducted by or under the auspices of federal government agencies and nationally recognized federal research institutes, including:
  - a. The federal Agency for Healthcare Research and Quality;
  - b. The National Institutes of Health;
  - c. The National Cancer Institute;

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- d. The National Academy of Sciences;
- e. The Centers for Medicare & Medicaid Services;
- f. The federal Food and Drug Administration; and
- g. Any national board recognized by the National Institutes of Health for the purpose of evaluating the medical value of health care services; or

Any other medical or scientific evidence that is comparable to the sources listed above (Provide a Description).

[Medical necessity determinations for substance use disorders shall be made in accordance with appropriate patient placement criteria established by the American Society of Addiction Medicine pursuant to Section 370\(b\)\(3\) of the Illinois Insurance Code \[215 ILCS 5\].](#)

(Source: Amended at 39 Ill. Reg. 4077, effective September 1, 2015)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

**Section 5430.APPENDIX C IRO Notice of Decision Template – Experimental and Investigational**

---

[Independent Review Organization Letterhead]

Notice of Independent Review Decision

[Date of the Notice of the Decision]

RE: IRO Case #:

[Name of Patient]

[Name of IRO] has been certified, by the Illinois Department of Insurance (DOI) as an Independent Review Organization (IRO). [Illinois Department of Insurance](#)~~[Name of Health Carrier]~~ has assigned this case to us for independent review in accordance with the Illinois Insurance Code and applicable regulations.

The IRO has performed an independent review of the proposed/rendered care to determine if the adverse determination was appropriate. In the performance of the review, the IRO reviewed the medical records and documentation provided to the IRO by involved parties.

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED AMENDMENTS

## IRO NOTICE OF DECISION TEMPLATE

---

This case was reviewed by a [Specialty of Reviewing Physician or Health Care Provider]. The reviewer has made a good faith effort to check for the existence of any potential conflicts of interest and has signed a certification stating that no known conflicts of interest exist between the reviewer and the patient, the patient's insurance carrier, the utilization review agent (URA), any of the treating physicians or health care providers who provided care to the patient, or the URA or insurance carrier health care providers who reviewed the case for a decision regarding medical necessity before referral to the IRO. In addition, the reviewer has certified that the review was performed without bias for or against any party to the dispute.

As an officer of [Name of IRO] I certify that:

1. there is no known conflict between the reviewer, the IRO and/or any officer/employee of the IRO with any person or entity that is a party to the dispute, and
2. a copy of this IRO decision was sent to all of the parties via U.S. Postal Service or otherwise transmitted in the manner indicated above on [Date].

Sincerely,

[Name of IRO Representative]  
[Title]

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

IRO REVIEWER REPORT TEMPLATE  
EXPERIMENTAL OR INVESTIGATIONAL

---

Date that the IRO Received the Assignment:

Date of Review:

Date of IRO's Decision:

Time Period for which the Review Was Conducted:

IRO Case #:

A General Description of the Reason for the Request for External Review:

A Description of the Qualifications for Each Physician or Other Health Care Provider Who Reviewed the Decision:

Review Outcome:

Upon independent review the reviewer finds that the previous adverse determination/adverse determinations should be:

- Upheld (Agree)
- Overturned (Disagree)
- Partially Overturned (Agree in part/Disagree in part)

Provide a description of the review outcome that clearly states whether or not medical necessity exists for each of the health care services in dispute.

Information Provided to the IRO for Review:

Description of the Covered Person's History (Summary):

## DEPARTMENT OF INSURANCE

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Principal Reason or Reasons for its Decision Including Clinical Basis, Findings and Conclusions Used to Support the Decision:

Rationale for Decision:

A Description and the Source of the Screening Criteria or Other Clinical Basis Used to Make the Decision:

- Peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements for scientific manuscripts and that submit most of their published articles for review by experts who are not part of the editorial staff;
- Peer-reviewed medical literature, including literature relating to therapies reviewed and approved by a qualified institutional review board, biomedical compendia, and other medical literature that meets the criteria of the National Institutes of Health's Library of Medicine for indexing in Index Medicus (Medline) and Elsevier Science Ltd. for indexing in Excerpta Medicus (EMBASE);
- Medical journals recognized by the Secretary of Health and Human Services under section 1861(t)(2) of the federal Social Security Act;
- The following standard reference compendia:
  - a. The American Hospital Formulary Service Drug Information;
  - b. Drug Facts and Comparisons;
  - c. The American Dental Association Accepted Dental Therapeutics; and
  - d. The United States Pharmacopoeia Drug Information;
- Findings, studies, or research conducted by or under the auspices of federal government agencies and nationally recognized federal research institutes, including:

## DEPARTMENT OF INSURANCE

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- a. The federal Agency for Healthcare Research and Quality;
- b. The National Institutes of Health;
- c. The National Cancer Institute;
- d. The National Academy of Sciences;
- e. The Centers for Medicare & Medicaid Services;
- f. The federal Food and Drug Administration; and
- g. Any national board recognized by the National Institutes of Health for the purpose of evaluating the medical value of health care services; or

- Any other medical or scientific evidence that is comparable to the sources listed above (Provide a Description).

[Medical necessity determinations for substance use disorders shall be made in accordance with appropriate patient placement criteria established by the American Society of Addiction Medicine pursuant to Section 370\(b\)\(3\) of the Illinois Insurance Code \[215 ILCS 5\].](#)

Description of the Covered Person's Medical Condition:

Description of the Indicators Relevant to Whether There Is Sufficient Evidence to Demonstrate That the Recommended or Requested Health Care Service or Treatment Is More Likely To Be More Beneficial to the Covered Person Than Any Available Standard Health Care Services or Treatments and the Adverse Risks of the Recommended or Requested Health Care Service or Treatment Would Not Be Substantially Increased Over Those of Available Standard Health Care Services or Treatments:

Description and Analysis of Any Medical or Scientific Evidence Considered in Reaching the Opinion:

Description and Analysis of Any Evidence-based Standards:

Whether the Recommended or Requested Health Care Service or Treatment Has Been Approved by the Federal Food and Drug Administration for the Condition:

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Whether Medical or Scientific Evidence or Evidence-based Standards Demonstrate That the Expected Benefits of the Recommended or Requested Health Care Service or Treatment Is More Likely To Be More Beneficial to the Covered Person Than Any Available Standard Health Care Service or Treatment and the Adverse Risks of the Recommended or Requested Health Care Service or Treatment Would Not Be Substantially Increased Over Those of Available Standard Health Care Services or Treatments:

The Written Opinion of the Clinical Reviewer, Including the Reviewer's Recommendation as to Whether the Recommended or Requested Health Care Service or Treatment Should Be Covered and the Rationale for the Reviewer's Recommendation:

(Source: Amended at 39 Ill. Reg. 4077, effective September 1, 2015)

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**Section 5430.APPENDIX D Independent Review Organizations – Application for Registration**

INDEPENDENT REVIEW ORGANIZATION  
Registration Form

[Today's Date]

1. Name of Independent Review Organization \_\_\_\_\_

DBA \_\_\_\_\_

Type of Applicant (check one):

Corporation

Partnership

Limited Liability

Other (Describe) \_\_\_\_\_

FEIN: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Business Telephone Number: ( ) \_\_\_\_\_

Fax Number: ( ) \_\_\_\_\_

Email Address: \_\_\_\_\_

2. Business Address:

Street (Do Not Use P.O. Box): \_\_\_\_\_

City: \_\_\_\_\_

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State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: ( ) \_\_\_\_\_

Website: \_\_\_\_\_

3. Mailing Address (If Different from Business Address):

Street (Do Not Use P.O. Box): \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

4. Contact Information To Be Used on the Department's Website of Approved Independent Review Organizations:

Contact Person: \_\_\_\_\_

Business Telephone Number: ( ) \_\_\_\_\_

Fax Number: ( ) \_\_\_\_\_

Street (Do Not Use P.O. Box): \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

5. Agent for Service of Process in Illinois Department of Insurance:

Name \_\_\_\_\_

Street (Do Not Use P.O. Box): \_\_\_\_\_

City: \_\_\_\_\_

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State: \_\_\_\_\_ Zip: \_\_\_\_\_

6. For Each Independent Review Program supply the following information:
  - a. The name, address, telephone number and hours of operation for the independent review program.
  - b. The organization and governing structure of the independent review program.
  - c. The number of reviews in Illinois for which an independent review is conducted by each independent review program for the current year.
  - d. Number of reviews in Illinois for which an independent review was conducted for the previous calendar year for each independent review program.
  - e. A copy of your most recent certificate from American Accreditation Healthcare Commission (URAC) Standards for Independent Review Organizations, if applicable.
  - f. Written policies and procedures for protection of confidential information according to applicable State and federal laws for each independent review program.
  - g. Biographical information for organization officers and directors. Biographical affidavits shall be stamped "confidential" by the independent review organization (form required by Appendix F).
  - h. A list of all contracted reviewers, the physician's license number of each reviewer and his or her contact information and area of clinical expertise.
  - i. All information required in 7 below.
7. Minimum Qualifications for Independent Review Organizations:
  - a. To be approved to conduct external reviews, an independent review organization shall have and maintain written policies and procedures that govern all aspects of

## DEPARTMENT OF INSURANCE

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both the standard external review process and the expedited external review process set forth in the Act that include, at a minimum:

- i. A quality assurance mechanism that ensures that:
  - A. External reviews are conducted within the specified timeframes and required notices are provided in a timely manner;
  - B. Selection of qualified and impartial clinical reviewers to conduct external reviews on behalf of the IRO and suitable matching of reviewers to specific cases and that the independent review organization employs or contracts with an adequate number of clinical reviewers to meet this objective;
  - C. For adverse determinations involving experimental or investigational treatments, in assigning clinical reviewers, the independent review organization selects physicians or other health care professionals who, through clinical experience in the past 3 years, are experts in the treatment of the covered person's condition and knowledgeable about the recommended or requested health care service or treatment;
  - D. The health carrier, the covered person, and the covered person's authorized representative shall not choose or control the choice of the physicians or other health care professionals to be selected to conduct the external review;
  - E. Confidentiality of medical and treatment records and clinical review criteria; ~~and~~
  - F. Any person employed by or under contract with the independent review organization adheres to the requirements of the Act;
- ii. A toll-free telephone service ~~and email address operating~~ ~~operating~~ on a 24 hours/day, 7 days/week basis that accepts, receives, and records information related to external reviews and provides appropriate instructions; ~~and~~

## DEPARTMENT OF INSURANCE

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- iii. Name, phone number and direct email address of contact persons who will be responsible for handling assignments of external reviews; and
- iv~~iii~~. An agreement to maintain and provide to the Director the information set out in Section 65 of the Act.
- b. All clinical reviewers assigned by an independent review organization to conduct external reviews shall be physicians or other appropriate health care providers who meet the following minimum qualifications:
- i. Be an expert in the treatment of the covered person's medical condition that is the subject of the external review;
  - ii. Be knowledgeable about the recommended health care service or treatment through recent or current actual clinical experience treating patients with the same or similar medical condition as the covered person;
  - iii. Hold a non-restricted license in a state of the United States and, for physicians, a current certification by a recognized American medical specialty board in the area or areas appropriate to the subject of the external review; and
  - iv. Have no history of disciplinary actions or sanctions, including loss of staff privileges or participation restrictions, that have been taken or are pending by any hospital, governmental agency or unit, or regulatory body that raise a substantial question as to the clinical reviewer's physical, mental, or professional competence or moral character.
- c. In addition to the requirements set forth in subsection (a), an independent review organization may not own or control, be a subsidiary of, or in any way be owned or controlled by, or exercise control with, a health benefit plan, a national, State, or local trade association of health benefit plans, or a national, State, or local trade association of health care providers.
- d. Conflicts of interest are prohibited. In addition to the requirements set forth in 7a, 7b and 7c of this Section, to be approved pursuant to the Act to conduct an external review of a specified case, neither the independent review organization selected to conduct the external review nor any clinical reviewer assigned by the

## DEPARTMENT OF INSURANCE

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IRO to conduct the external review may have a material professional, familial or financial conflict of interest with any of the following:

- i. The health carrier that is the subject of the external review;
  - ii. The covered person whose treatment is the subject of the external review or the covered person's authorized representative;
  - iii. Any officer, director or management employee of the health carrier that is the subject of the external review;
  - iv. The health care provider, the health care provider's medical group or independent practice association recommending the health care service or treatment that is the subject of the external review;
  - v. The facility at which the recommended health care service or treatment would be provided; or
  - vi. The developer or manufacturer of the principal drug, device, procedure, or other therapy being recommended for the covered person whose treatment is the subject of the external review.
- e. An independent review organization shall be unbiased. An IRO shall establish and maintain written procedures to ensure that it is unbiased in addition to any other procedures required under this Section.
  - f. Nothing in this Section precludes or shall be interpreted to preclude a health carrier from contracting with approved independent review organizations to conduct external reviews assigned to it from the health carrier.
  - g. An independent review organization that meets or exceeds the accreditation standards for Independent Review Organizations set forth by the American Accreditation Healthcare Commission (URAC) and otherwise meets the qualifications of this Section shall be presumed to be in compliance with this Section and shall be eligible for approval.
8. Check Enclosed (Please make checks payable to Director of Insurance)
    - a. Accredited entity fee of \$1000 biennially.

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b. Unaccredited entity fee of \$1500 biennially in the event that the Director determines that there are no acceptable nationally recognized private accrediting entities providing independent review organization accreditation.

9. Affirmation (to be signed by an officer or director of the independent review organization only):

I, \_\_\_\_\_ do hereby certify that  
(Typed name, title)

\_\_\_\_\_  
(Independent Review Organization)

complies with the Independent Review Organization Standards of the American Accreditation Healthcare Commission (URAC) and has submitted evidence of accreditation by URAC for Independent Review, and that the persons responsible for the conduct of \_\_\_\_\_

\_\_\_\_\_  
(Independent Review Organization)

are competent, trustworthy, and possess good reputations, and have appropriate experience, training or education and do hereby affirm that all of the information presented in this application is true and correct.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Please mail completed application to:  
Illinois Department of Insurance  
Utilization Review Unit  
320 West Washington Street  
Springfield IL 62767-0001  
(217) 558-2309

(Source: Amended at 39 Ill. Reg. 4077, effective September 1, 2015)

DEPARTMENT OF INSURANCE

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**Section 5430.APPENDIX E Independent Review Organizations – Application for Reapproving Independent Review Organizations**

INDEPENDENT REVIEW ORGANIZATION  
Renewal Registration Form

[Today's Date]

Company Name: \_\_\_\_\_

FEIN: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

Email Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Renewal registration for Independent Review Organization covering period \_\_/\_\_/\_\_ through \_\_/\_\_/\_\_.

Instructions for completing renewal registration:

1. Please verify all information regarding company name, contact person and address to be complete and accurate; ~~and~~
2. Submit a current copy of the applicable accreditation certificate from the American Accreditation Healthcare Commission (URAC) if applicable; ~~and~~
3. Submit any material changes to the information filed under your prior registration; ~~and~~
  - a. Verify toll-free telephone service and email address operating on a 24 hours/day, 7 days/week basis that accepts, receives and records

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information related to external reviews and provides appropriate instructions;

b. Verify name, phone number and direct email address of contact persons who will be responsible for handling assignments of external reviews;

- 4. Submit a check for renewal registration: \$1000 if your company is accredited by URAC. In the event that the Director determines that there are no acceptable nationally recognized private accrediting entities providing independent review organization accreditation, a renewal fee of \$1500; and
- 5. Affirmation (to be signed by an officer or director of the independent review organization only):

I, \_\_\_\_\_ do hereby certify that  
(Typed name, title)

\_\_\_\_\_  
(Independent Review Organization)

complies with the Independent Review Organization Accreditation Standards of the American Accreditation Healthcare Commission (URAC) and has submitted evidence of accreditation by URAC for Independent Review, and that the persons responsible for the conduct of \_\_\_\_\_

\_\_\_\_\_  
(Independent Review Organization)

are competent, trustworthy, and possess good reputations, and have appropriate experience, training or education and do hereby affirm that all of the information presented in this application is true and correct.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Please mail completed renewal application to:  
Illinois Department of Insurance  
Utilization Review Unit  
320 West Washington Street  
Springfield IL 62767-0001  
(217) 558-2309

DEPARTMENT OF INSURANCE

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(Source: Amended at 39 Ill. Reg. 4077, effective September 1, 2015)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Control of Communicable Diseases Code
- 2) Code Citation: 77 Ill. Adm. Code 690
- 3) Section Number: 690.10                      Adopted Action:  
Amendment
- 4) Statutory Authority: Implementing the Communicable Disease Report Act [745 ILCS 45] and implementing and authorized by the Department of Public Health Act [20 ILCS 2305]
- 5) Effective Date of Rule: March 9, 2015
- 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 rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposed published in the *Illinois Register*: 38 Ill. Reg. 21756; November 21, 2014
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: The definition of "quarantine, modified" was changed to require written notice for travel outside of Illinois only. Several other non-substantive technical changes and/or clarifications have also been made.  
  
In addition, various non-substantive 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 rule currently in effect? Yes
- 14) Are there any rulemakings pending on this Part? Yes

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENT

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
690.295	Amendment	39 Ill. Reg. 2251; February 13, 2015

15) Summary and Purpose of Rulemaking: The adopted rulemaking updates and adds definitions to this Part. This amendment was necessary to aid the Department in the restriction of travel of persons infected with or potentially exposed to infectious or communicable diseases in an effort to stop the spread of disease.

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

Elizabeth Paton  
Division of Legal Services  
Department of Public Health  
535 West Jefferson, 5th Floor  
Springfield IL 62761

217/782-2043  
e-mail: [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)

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

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENT

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER k: COMMUNICABLE DISEASE CONTROL AND IMMUNIZATIONSPART 690  
CONTROL OF COMMUNICABLE DISEASES CODE

## SUBPART A: GENERAL PROVISIONS

Section	
690.10	Definitions
690.20	Incorporated and Referenced Materials
690.30	General Procedures for the Control of Communicable Diseases

## SUBPART B: REPORTABLE DISEASES AND CONDITIONS

<u>Section</u>	
690.100	Diseases and Conditions
690.110	Diseases Repealed from This Part

## SUBPART C: REPORTING

Section	
690.200	Reporting

SUBPART D: DETAILED PROCEDURES FOR THE CONTROL OF  
COMMUNICABLE DISEASES

Section	
690.290	Acquired Immunodeficiency Syndrome (AIDS) (Repealed)
690.295	Any Unusual Case of a Disease or Condition Caused by an Infectious Agent Not Listed in this Part that is of Urgent Public Health Significance (Reportable by telephone immediately (within three hours))
690.300	Amebiasis (Reportable by mail, telephone, facsimile or electronically as soon as possible, within 7 days) (Repealed)
690.310	Animal Bites (Reportable by mail or telephone as soon as possible, within 7 days) (Repealed)
690.320	Anthrax (Reportable by telephone immediately, within three hours, upon initial clinical suspicion of the disease)
690.322	Arboviral Infections (Including, but Not Limited to, Chikungunya Fever, California Encephalitis, St. Louis Encephalitis, Dengue Fever and West Nile

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENT

- Virus) (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.325 Blastomycosis (Reportable by telephone as soon as possible, within 7 days) (Repealed)
- 690.327 Botulism, Foodborne, Intestinal Botulism (Formerly Infant), Wound, or Other (Reportable by telephone immediately, within three hours upon initial clinical suspicion of the disease for foodborne botulism or within 24 hours by telephone or facsimile for other types)
- 690.330 Brucellosis (Reportable by telephone as soon as possible (within 24 hours), unless suspect bioterrorist event or part of an outbreak, then reportable immediately (within three hours) by telephone)
- 690.335 Campylobacteriosis (Reportable by mail, telephone, facsimile or electronically, within 7 days) (Repealed)
- 690.340 Chancroid (Repealed)
- 690.350 Chickenpox (Varicella) (Reportable by telephone, facsimile or electronically , within 24 hours)
- 690.360 Cholera (Toxigenic *Vibrio cholerae* O1 or O139) (Reportable by telephone or facsimile as soon as possible, within 24 hours)
- 690.362 Creutzfeldt-Jakob Disease (CJD) (All Laboratory Confirmed Cases) (Reportable by mail, telephone, facsimile or electronically within Seven days after confirmation of the disease)
- 690.365 Cryptosporidiosis (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.368 Cyclosporiasis (Reportable by mail, telephone, facsimile or electronically, within seven days)
- 690.370 Diarrhea of the Newborn (Reportable by telephone as soon as possible, within 24 hours) (Repealed)
- 690.380 Diphtheria (Reportable by telephone immediately, within three hours, upon initial clinical suspicion or laboratory test order)
- 690.385 Ehrlichiosis, Human Granulocytotropic anaplasmosis (HGA) (See Tickborne Disease)
- 690.386 Ehrlichiosis, Human Monocytotropic (HME) (See Tickborne Disease)
- 690.390 Encephalitis (Reportable by mail, telephone, facsimile or electronically as soon as possible, within 7 days) (Repealed)
- 690.400 Escherichia coli Infections (E. coli O157:H7 and Other Shiga Toxin Producing E. coli, Enterotoxigenic E. coli, Enteropathogenic E. coli and Enteroinvasive E. coli) (Reportable by telephone or facsimile as soon as possible, within 24 hours)
- 690.410 Foodborne or Waterborne Illness (Reportable by telephone or facsimile as soon as possible, within 24 hours) (Repealed)

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- 690.420 Giardiasis (Reportable by mail, telephone, facsimile or electronically as soon as possible, within 7 days) (Repealed)
- 690.430 Gonorrhea (Repealed)
- 690.440 Granuloma Inguinale (Repealed)
- 690.441 Haemophilus Influenzae, Meningitis and Other Invasive Disease (Reportable by telephone or facsimile, within 24 hours)
- 690.442 Hantavirus Pulmonary Syndrome (Reportable by telephone as soon as possible, within 24 hours)
- 690.444 Hemolytic Uremic Syndrome, Post-diarrheal (Reportable by telephone or facsimile, within 24 hours)
- 690.450 Hepatitis A (Reportable by telephone or facsimile as soon as possible, within 24 hours)
- 690.451 Hepatitis B and Hepatitis D (Reportable by mail, telephone, facsimile or electronically, within seven days)
- 690.452 Hepatitis C, Acute Infection and Non-acute Confirmed Infection (Reportable by mail, telephone, facsimile or electronically, within seven days)
- 690.453 Hepatitis, Viral, Other (Reportable by mail, telephone, facsimile or electronically, within 7 days) (Repealed)
- 690.460 Histoplasmosis (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.465 Influenza, Death (in persons less than 18 years of age) (Reportable by mail, telephone, facsimile or electronically as soon as possible, within 7 days)
- 690.468 Influenza (Laboratory Confirmed (Including Rapid Diagnostic Testing)) Intensive Care Unit Admissions (Reportable by telephone or facsimile or electronically as soon as possible, within 24 hours)
- 690.469 Influenza A, Variant Virus (Reportable by telephone immediately, within three hours upon initial clinical suspicion or laboratory test order)
- 690.470 Intestinal Worms (Reportable by mail or telephone as soon as possible, within 7 days) (Repealed)
- 690.475 Legionellosis (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.480 Leprosy (Hansen's Disease) (Infectious and Non-infectious Cases are Reportable) (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.490 Leptospirosis (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.495 Listeriosis (When Both Mother and Newborn are Positive, Report Mother Only) (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)

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- 690.500 Lymphogranuloma Venereum (Lymphogranuloma Inguinale Lymphopathia Venereum) (Repealed)
- 690.505 Lyme Disease (See Tickborne Disease)
- 690.510 Malaria (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.520 Measles (Reportable by telephone as soon as possible, within 24 hours)
- 690.530 Meningitis, Aseptic (Including Arboviral Infections) (Reportable by mail, telephone, facsimile or electronically as soon as possible, within 7 days) (Repealed)
- 690.540 Meningococemia (Reportable by telephone as soon as possible) (Repealed)
- 690.550 Mumps (Reportable by telephone, facsimile or electronically as soon as possible, within 24 hours)
- 690.555 Neisseria meningitidis, Meningitis and Invasive Disease (Reportable by telephone or facsimile as soon as possible, within 24 hours)
- 690.560 Ophthalmia Neonatorum (Gonococcal) (Reportable by mail or telephone as soon as possible, within 7 days) (Repealed)
- 690.565 Outbreaks of Public Health Significance (Including, but Not Limited to, Foodborne or Waterborne Outbreaks) (Reportable by telephone or electronically as soon as possible, within 24 hours)
- 690.570 Plague (Reportable by telephone immediately, within three hours upon initial clinical suspicion of the disease)
- 690.580 Poliomyelitis (Reportable by telephone immediately, within three hours) upon initial clinical suspicion of the disease)
- 690.590 Psittacosis (Ornithosis) Due to Chlamydia psittaci (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.595 Q-fever Due to Coxiella burnetii (Reportable by telephone as soon as possible, within 24 Hours, unless suspect bioterrorist event or part of an outbreak, then reportable immediately (within three hours) by telephone)
- 690.600 Rabies, Human (Reportable by telephone or facsimile as soon as possible, within 24 hours)
- 690.601 Rabies, Potential Human Exposure and Animal Rabies (Reportable by telephone or facsimile, within 24 hours)
- 690.610 Rocky Mountain Spotted Fever (See Tickborne Disease)
- 690.620 Rubella (German Measles) (Including Congenital Rubella Syndrome) (Reportable by telephone, facsimile or electronically as soon as possible, within 24 hours)
- 690.630 Salmonellosis (Other than Typhoid Fever) (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.635 Severe Acute Respiratory Syndrome (SARS) (Reportable by telephone immediately (within 3 hours) upon initial clinical suspicion of the disease)

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- 690.640 Shigellosis (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.650 Smallpox (Reportable by telephone immediately, within three hours upon initial clinical suspicion of the disease)
- 690.655 Smallpox vaccination, complications of (Reportable by telephone or electronically as soon as possible, within 24 hours)
- 690.658 Staphylococcus aureus, Methicillin Resistant (MRSA) Infection, Clusters of Two or More Laboratory Confirmed Cases Occurring in Community Settings (Including, but Not Limited to, Schools, Correctional Facilities, Day Care and Sports Teams) (Reportable by telephone or facsimile as soon as possible, within 24 hours)
- 690.660 Staphylococcus aureus, Methicillin Resistant (MRSA), Any Occurrence in an Infant Less Than 61 Days of Age (Reportable by telephone or facsimile or electronically as soon as possible, within 24 hours)
- 690.661 Staphylococcus aureus Infections with Intermediate (Minimum inhibitory concentration (MIC) between 4 and 8) (VISA) or High Level Resistance to Vancomycin (MIC greater than or equal to 16) (VRSA) (Reportable by telephone or facsimile, within 24 hours)
- 690.670 Streptococcal Infections, Group A, Invasive Disease (Including Streptococcal Toxic Shock Syndrome and Necrotizing fasciitis) (Reportable by telephone or facsimile, within 24 hours)
- 690.675 Streptococcal Infections, Group B, Invasive Disease, of the Newborn (birth to 3 months) (Reportable by mail, telephone, facsimile or electronically, within 7 days) (Repealed)
- 690.678 Streptococcus pneumoniae, Invasive Disease in Children Less than 5 Years (Including Antibiotic Susceptibility Test Results) (Reportable by mail, telephone, facsimile or electronically, within 7 days)
- 690.680 Syphilis (Repealed)
- 690.690 Tetanus (Reportable by mail, telephone, facsimile or electronically, within 7 days)
- 690.695 Toxic Shock Syndrome due to Staphylococcus aureus Infection (Reportable by mail, telephone, facsimile or electronically as soon as possible, within 7 days)
- 690.698 Tickborne Disease (Includes Babesiosis, Ehrlichiosis, Anaplasmosis, Lyme Disease and Spotted Fever Rickettsiosis) (Reportable by mail, telephone, facsimile or electronically, within seven days)
- 690.700 Trachoma (Repealed)
- 690.710 Trichinosis (Trichinellosis) (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.720 Tuberculosis (Repealed)
- 690.725 Tularemia (Reportable by telephone as soon as possible, within 24 hours, unless

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- suspect bioterrorist event or part of an outbreak, then reportable immediately (within three hours)
- 690.730 Typhoid Fever (Reportable by telephone or facsimile as soon as possible, within 24 hours)
- 690.740 Typhus (Reportable by telephone or facsimile as soon as possible, within 24 hours)
- 690.745 Vibriosis (Other than Toxigenic *Vibrio cholera* O1 or O139) (Reportable by mail, telephone, facsimile or electronically as soon as possible, within seven days)
- 690.750 Pertussis (Whooping Cough) (Reportable by telephone as soon as possible, within 24 hours)
- 690.752 Yersiniosis (Reportable by mail, telephone, facsimile or electronically, within seven days)
- 690.800 Any Suspected Bioterrorist Threat or Event (Reportable by telephone immediately, within 3 hours upon initial clinical suspicion of the disease)

## SUBPART E: DEFINITIONS

- Section  
690.900 Definition of Terms (Renumbered)

## SUBPART F: GENERAL PROCEDURES

- Section  
690.1000 General Procedures for the Control of Communicable Diseases (Renumbered)  
690.1010 Incorporated and Referenced Materials (Renumbered)

## SUBPART G: SEXUALLY TRANSMITTED DISEASES

- Section  
690.1100 The Control of Sexually Transmitted Diseases (Repealed)

SUBPART H: PROCEDURES FOR WHEN DEATH OCCURS FROM  
COMMUNICABLE DISEASES

- Section  
690.1200 Death of a Person Who Had a Known or Suspected Communicable Disease  
690.1210 Funerals (Repealed)

## SUBPART I: ISOLATION, QUARANTINE, AND CLOSURE

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## Section

690.1300	General Purpose
690.1305	Department of Public Health Authority
690.1310	Local Health Authority
690.1315	Responsibilities and Duties of the Certified Local Health Department
690.1320	Responsibilities and Duties of Health Care Providers
690.1325	Conditions and Principles for Isolation and Quarantine
690.1330	Order and Procedure for Isolation, Quarantine and Closure
690.1335	Isolation or Quarantine Premises
690.1340	Enforcement
690.1345	Relief from Isolation, Quarantine, or Closure
690.1350	Consolidation
690.1355	Access to Medical or Health Information
690.1360	Right to Counsel
690.1365	Service of Isolation, Quarantine, or Closure Order
690.1370	Documentation
690.1375	Voluntary Isolation, Quarantine, or Closure
690.1380	Physical Examination, Testing and Collection of Laboratory Specimens
690.1385	Vaccinations, Medications, or Other Treatments
690.1390	Observation and Monitoring
690.1400	Transportation of Persons Subject to Public Health or Court Order
690.1405	Information Sharing
690.1410	Amendment and Termination of Orders
690.1415	Penalties

## SUBPART J: REGISTRIES

## Section

690.1500	Extensively Drug-Resistant Organism Registry
690.1510	Entities Required to Submit Information
690.1520	Information Required to be Reported
690.1530	Methods of Reporting XDRO Registry Information
690.1540	Availability of Information

690.EXHIBIT A Typhoid Fever Agreement (Repealed)

AUTHORITY: Implementing the Communicable Disease Report Act [745 ILCS 45] and implementing and authorized by the Department of Public Health Act [20 ILCS 2305].

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SOURCE: Amended July 1, 1977; emergency amendment at 3 Ill. Reg. 14, p. 7, effective March 21, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 52, p. 131, effective December 7, 1979; emergency amendment at 4 Ill. Reg. 21, p. 97, effective May 14, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 38, p. 183, effective September 9, 1980; amended at 7 Ill. Reg. 16183, effective November 23, 1983; codified at 8 Ill. Reg. 14273; amended at 8 Ill. Reg. 24135, effective November 29, 1984; emergency amendment at 9 Ill. Reg. 6331, effective April 18, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9124, effective June 3, 1985; amended at 9 Ill. Reg. 11643, effective July 19, 1985; amended at 10 Ill. Reg. 10730, effective June 3, 1986; amended at 11 Ill. Reg. 7677, effective July 1, 1987; amended at 12 Ill. Reg. 10045, effective May 27, 1988; amended at 15 Ill. Reg. 11679, effective August 15, 1991; amended at 18 Ill. Reg. 10158, effective July 15, 1994; amended at 23 Ill. Reg. 10849, effective August 20, 1999; amended at 25 Ill. Reg. 3937, effective April 1, 2001; amended at 26 Ill. Reg. 10701, effective July 1, 2002; emergency amendment at 27 Ill. Reg. 592, effective January 2, 2003, for a maximum of 150 days; emergency expired May 31, 2003; amended at 27 Ill. Reg. 10294, effective June 30, 2003; amended at 30 Ill. Reg. 14565, effective August 23, 2006; amended at 32 Ill. Reg. 3777, effective March 3, 2008; amended at 37 Ill. Reg. 12063, effective July 15, 2013; recodified at 38 Ill. Reg. 5408; amended at 38 Ill. Reg. 5533, effective February 11, 2014; emergency amendment at 38 Ill. Reg. 21954, effective November 5, 2014, for a maximum of 150 days; amended at 39 Ill. Reg. 4116, effective March 9, 2015.

## SUBPART A: GENERAL PROVISIONS

**Section 690.10 Definitions**

"Acceptable Laboratory" – A laboratory that is certified under the Centers for Medicare and Medicaid Services, Department of Health and Human Services, Laboratory Requirements (42 CFR 493), which implements the Clinical Laboratory Improvement Amendments of 1988 (42 USC 263).

"Act" – The Department of Public Health Act of the Civil Administrative Code of Illinois [20 ILCS 2305].

"Airborne Precautions" or "Airborne Infection Isolation Precautions" – Infection control measures designed to reduce the risk of transmission of infectious agents that may be suspended in the air in either dust particles or small particle aerosols (airborne droplet nuclei (5 µm or smaller in size)) (see Section 690.20(a)(7)).

"Authenticated Fecal Specimen" – A specimen for which a public health authority

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or a person authorized by a public health authority has observed either or both the patient producing the specimen or conditions under which no one other than the case, carrier or contact could be the source of the specimen.

"Bioterrorist Threat or Event" – The intentional use of any microorganism, virus, infectious substance or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bioengineered component of any microorganism, virus, infectious substance, or biological product, to cause death, disease or other biological malfunction in a human, an animal, a plant or another living organism.

"Business" – A person, partnership or corporation engaged in commerce, manufacturing or a service.

"Carbapenum Antibiotics" – A class of broad-spectrum beta-lactam antibiotics.

"Carrier" – A living or deceased person who harbors a specific infectious agent in the absence of discernible clinical disease and serves as a potential source of infection for others.

"Case" – Any living or deceased person having a recent illness due to a communicable disease.

"Confirmed Case" – A case that is classified as confirmed in accordance with federal or State case definitions.

"Probable Case" – A case that is classified as probable in accordance with federal or State case definitions.

"Suspect Case" – A case whose medical history or symptoms suggest that the person may have or may be developing a communicable disease and who does not yet meet the definition of a probable or confirmed case.

"Certified Local Health Department" – A local health authority that is certified pursuant to Section 600.210 of the Certified Local Health Department Code (77 Ill. Adm. Code 600).

"Chain of Custody" – The methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition

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of the specimens and providing for accountability at each stage of collecting, handling, testing, storing, and transporting the specimens and reporting test results.

"Child Care Facility" – A center, private home, or drop-in facility open on a regular basis where children are enrolled for care or education.

"Cleaning" – The removal of visible soil (organic and inorganic material) from objects and surfaces, normally accomplished by manual or mechanical means using water with detergents or enzymatic products.

"Clinical Materials" – A clinical isolate containing the infectious agent, or other material containing the infectious agent or evidence of the infectious agent.

"Cluster" – Two or more persons with a similar illness, usually associated by place or time, unless defined otherwise in Subpart D.

"Communicable Disease" – An illness due to a specific infectious agent or its toxic products that arises through transmission of that agent or its products from an infected person, animal or inanimate source to a susceptible host, either directly or indirectly through an intermediate plant or animal host, a vector or the inanimate environment.

"Contact" – Any person known to have been sufficiently associated with a case or carrier of a communicable disease to have been the source of infection for that person or to have been sufficiently associated with the case or carrier of a communicable disease to have become infected by the case or carrier; and, in the opinion of the Department, there is a risk of the individual contracting the contagious disease. A contact can be a household or non-household contact.

"Contact Precautions" – Infection control measures designed to reduce the risk of transmission of infectious agents that can be spread through direct contact with the patient or indirect contact with potentially infectious items or surfaces (see Section 690.20(a)(7)).

"Contagious Disease" – An infectious disease that can be transmitted from person to person by direct or indirect contact.

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"Dangerously Contagious or Infectious Disease" – An illness due to a specific infectious agent or its toxic products that arises through transmission of that agent or its products from an infected person, animal or inanimate reservoir to a susceptible host, either directly or indirectly through an intermediate plant or animal host, a vector or the inanimate environment, and may pose an imminent and significant threat to the public health, resulting in severe morbidity or high mortality.

"Decontamination" – A procedure that removes pathogenic microorganisms from objects so they are safe to handle, use or discard.

"Department" – The Illinois Department of Public Health.

"Diarrhea" – The occurrence of three or more loose stools within a 24-hour period.

"Director" – The Director of the Department, or his or her duly designated officer or agent.

"Disinfection" – A process, generally less lethal than sterilization, that eliminates virtually all recognized pathogenic microorganisms, but not necessarily all microbial forms (e.g., bacterial spores).

"Droplet Precautions" – Infection control measures designed to reduce the risk of transmission of infectious agents via large particle droplets that do not remain suspended in the air and are usually generated by coughing, sneezing, or talking (see Section 690.20(a)(7)).

"Emergency" – An occurrence or imminent threat of an illness or health condition that:

is believed to be caused by any of the following:

bioterrorism;

the appearance of a novel or previously controlled or eradicated infectious agent or biological toxin;

a natural disaster;

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a chemical attack or accidental release; or

a nuclear attack or incident; and

poses a high probability of any of the following harms:

a large number of deaths in the affected population;

a large number of serious or long-term disabilities in the affected population; or

widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the affected population.

"Emergency Care" – The performance of rapid acts or procedures under emergency conditions, especially for those who are stricken with sudden and acute illness or who are the victims of severe trauma, in the observation, care and counsel of persons who are ill or injured or who have disabilities.

"Emergency Care Provider" – A person who provides rapid acts or procedures under emergency conditions, especially for those who are stricken with sudden and acute illness or who are the victims of severe trauma, in the observation, care and counsel of persons who are ill or injured or who have disabilities.

"Epidemic" – The occurrence in a community or region of cases of a communicable disease (or an outbreak) clearly in excess of expectancy.

"Exclusion" – Removal of individuals from a setting in which the possibility of disease transmission exists.

"Extensively Drug-Resistant Organisms" – A micro-organism that is non-susceptible to at least one agent in all but two or fewer antimicrobial categories.

"Fever" – The elevation of body temperature above the normal (typically considered greater than or equal to 100.4 degrees Fahrenheit).

"First Responder" – Individuals who in the early stages of an incident are

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responsible for the protection and preservation of life, property, evidence, and the environment, including emergency response providers as defined in section 2 of the Homeland Security Act of 2002 (6 USC 101), as well as emergency management, public health, clinical care, public works, and other skilled support personnel (such as equipment operators) that provide immediate support services during prevention, response, and recovery operations.

"Food Handler" – Any person who has the potential to transmit foodborne pathogens to others from working with unpackaged food, food equipment or utensils or food-contact surfaces; any person who has the potential to transmit foodborne pathogens to others by directly preparing or handling food. Any person who dispenses medications by hand, assists in feeding, or provides mouth care shall be considered a food handler for the purpose of this Part. In health care facilities, this includes persons who set up meals for patients to eat, feed or assist patients in eating, give oral medications, or give mouth/denture care. In day care facilities, schools and community residential programs, this includes persons who prepare food, feed or assist attendees in eating, or give oral medications to attendees.

"Health Care" – Care, services and supplies related to the health of an individual. Health care includes preventive, diagnostic, therapeutic, rehabilitative, maintenance or palliative care, and counseling, among other services. Health care also includes the sale and dispensing of prescription drugs or devices.

"Health Care Facility" – Any institution, building or agency, or portion of an institution, building or agency, whether public or private (for-profit or nonprofit), that is used, operated or designed to provide health services, medical treatment or nursing, rehabilitative or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical treatment centers, home health agencies, hospices, hospitals, end-stage renal disease facilities, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, and adult day care centers.

"Health Care Provider" – Any person or entity who provides health care services, including, but not limited to, hospitals, medical clinics and offices, long-term care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, nurses, paramedics, emergency medical or laboratory technicians, and ambulance and emergency workers.

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"Health Care Worker" – Any person who is employed by (or volunteers his or her services to) a health care facility to provide direct personal services to others. This definition includes, but is not limited to, physicians, dentists, nurses and nursing assistants.

"Health Information Exchange" – The mobilization of healthcare information electronically across organizations within a region, community or hospital system; or, for purposes of this Part, an electronic network whose purpose is to accomplish the exchange, or an organization that oversees and governs the network.

"Health Level Seven" – Health Level Seven International or "HL7" is a not-for-profit, American National Standards Institute (ANSI)-accredited standards developing organization dedicated to providing a comprehensive framework and related standards for the exchange, integration, sharing and retrieval of electronic health information that supports clinical practice and the management, delivery and evaluation of health services. HL7 produces standards for message formats, such as HL7 2.5.1, that are adopted for use in public health data exchange between health care providers and public health.

"Illinois' National Electronic Disease Surveillance System" or "I-NEDSS" – A secure, web-based electronic disease surveillance application utilized by health care providers, laboratories and State and local health department staff to report infectious diseases and conditions, and to collect and analyze additional demographic, epidemiological and medical information for surveillance purposes and outbreak detection.

"Immediate Care" – The delivery of ambulatory care in a facility dedicated to the delivery of medical care outside of a hospital emergency department, usually on an unscheduled, walk-in basis. Immediate care facilities are primarily used to treat patients who have an injury or illness that requires immediate care but is not serious enough to warrant a visit to an emergency department.

"Incubation Period" – The time interval between initial contact with an infectious agent and the first appearance of symptoms associated with the infection.

"Infectious Disease" – A disease caused by a living organism or other pathogen, including a fungus, bacteria, parasite, protozoan, prion, or virus. An infectious

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disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

"Institution" – An established organization or foundation, especially one dedicated to education, public service, or culture, or a place for the care of persons who are destitute, disabled, or mentally ill.

"Isolation" – The physical separation and confinement of an individual or groups of individuals who are infected or reasonably believed to be infected with a contagious or possibly contagious disease from non-isolated individuals, to prevent or limit the transmission of the disease to non-isolated individuals.

"Isolation, Modified" – A selective, partial limitation of freedom of movement or actions of a person or group of persons infected with, or reasonably suspected to be infected with, a contagious or infectious disease. Modified isolation is designed to meet particular situations and includes, but is not limited to, the exclusion of children from school, the prohibition or restriction from engaging in a particular occupation or using public or mass transportation, or requirements for the use of devices or procedures intended to limit disease transmission.

"Isolation Precautions" – Infection control measures for preventing the transmission of infectious agents, i.e., standard precautions, airborne precautions (also known as airborne infection isolation precautions), contact precautions, and droplet precautions (see Section 690.20(a)(7)).

"Least Restrictive" – The minimal limitation of the freedom of movement and communication of a person or group of persons while under an order of isolation or an order of quarantine, which also effectively protects unexposed and susceptible persons from disease transmission.

"Local Health Authority" – The health authority (i.e., full-time official health department, as recognized by the Department) having jurisdiction over a particular area, including city, village, township and county boards of health and health departments and the responsible executive officers of those boards, or any person legally authorized to act for the local health authority. In areas without a health department recognized by the Department, the local health authority shall be the Department.

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"Medical Record" – A written or electronic account of a patient's medical history, current illness, diagnosis, details of treatments, chronological progress notes, and discharge recommendations.

"Monitoring" – The practice of watching, checking or documenting medical findings of potential contacts for the development or non-development of an infection or illness. Monitoring may also include the institution of community-level social distancing measures designed to reduce potential exposure and unknowing transmission of infection to others. Community-level social distancing monitoring measures may include, but are not limited to, reporting of geographic location for a period of time, restricted use of public transportation, recommended or mandatory mask use, temperature screening prior to entering public buildings or attending public gatherings.

"Non-Duplicative Isolate – The first isolate obtained from any source during each unique patient/resident encounter, including those obtained for active surveillance or clinical decision making.

"Observation" – The practice of close medical or other supervision of contacts to promote prompt recognition of infection or illness, ~~but without restricting their movements.~~

"Observation and Monitoring" – Close medical or other supervision, including, but not limited to, review of current health status, by health care personnel, of a person or group of persons on a voluntary or involuntary basis to permit prompt recognition of infection or illness.

"Outbreak" – The occurrence of illness in a person or a group of epidemiologically associated persons, with the rate of frequency clearly in excess of normal expectations. The number of cases indicating presence of an outbreak is disease specific.

"Premises" – The physical portion of a building or other structure and its surrounding area designated by the Director of the Department, his or her authorized representative, or the local health authority.

"Public Health Order" – A written or verbal command, directive, instruction or proclamation issued or delivered by the Department or certified local health department.

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"Public Transportation" – Any form of transportation that sets fares and is available for public use, such as taxis; multiple-occupancy car, van or shuttle services; airplanes; buses; trains; subways; ferries; and boats.

"Quarantine" – The physical separation and confinement of an individual or groups of individuals who are or may have been exposed to a contagious disease or possibly contagious disease and who do not show signs or symptoms.

"Quarantine" also includes the definition of "Quarantine, modified".

"Quarantine, Modified" – A selective, partial limitation of freedom of movement or actions of a person or group of persons who are or may have been exposed to a contagious disease or possibly contagious disease. Modified quarantine is designed to meet particular situations and includes, but is not limited to, the exclusion of children from school, the prohibition or restriction from engaging in a particular occupation or using public or mass transportation, or requirements for the use of devices or procedures intended to limit disease transmission. Any travel within Illinois outside of the jurisdiction of the local health authority must be either approved by the Director or be under mutual agreement of the health authority of the jurisdiction and the public health official who will assume responsibility. Travel outside Illinois shall require written notice from the Illinois jurisdiction to the out-of-state jurisdiction that will assume responsibility.

"Recombinant Organism" – A microbe with nucleic acid molecules that have been synthesized, amplified or modified.

"Registry" – A data collection and information system that is designed to support organized care and management.

"Sensitive Occupation" – An occupation involving the direct care of others, especially young children and the elderly, or any other occupation designated by the Department or the local health authority, including, but not limited to, health care workers and child care facility personnel.

"Sentinel Surveillance" – A means of monitoring the prevalence or incidence of infectious disease or syndromes through reporting of cases, suspect cases, or carriers or submission of clinical materials by selected sites.

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"Specimens" – Include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests.

"Standard Precautions" – Infection prevention and control measures that apply to all patients regardless of diagnosis or presumed infection status (see Section 690.20(a)(7)).

"Sterilization" – The use of a physical or chemical process to destroy all microbial life, including large numbers of highly resistant bacterial endospores.

"Susceptible (non-immune)" – A person who is not known to possess sufficient resistance against a particular pathogenic agent to prevent developing infection or disease if or when exposed to the agent.

"Suspect Case" – A case whose medical history or symptoms suggest that the person may have or may be developing a communicable disease and who does not yet meet the definition of a probable or confirmed case.

"Syndromic Surveillance" – Surveillance using health-related data that precede diagnosis and signal a sufficient probability of a case or an outbreak to warrant further public health response.

"Tests" – Include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public's health, safety and welfare.

"Transmission" – Any mechanism by which an infectious agent is spread from a source or reservoir to a person, including direct, indirect and airborne transmission.

"Treatment" – The provision of health care by one or more health care providers. Treatment includes any consultation, referral or other exchanges of information to manage a patient's care.

"Voluntary Compliance" – Deliberate consented compliance of a person or group of persons that occurs at the request of the Department or local health authority prior to instituting a mandatory order for isolation, quarantine, closure, physical examination, testing, collection of laboratory specimens, observation, monitoring or medical treatment pursuant to this Subpart.

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"Zoonotic Disease" – Any disease that is transmitted from animals to people.

(Source: Amended at 39 Ill. Reg. 4116, effective March 9, 2015)

## ILLINOIS STATE BOARD OF INVESTMENT

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Access to Records of the Illinois State Board of Investment
- 2) Code Citation: 2 Ill. Adm. Code 2260
- 3) 

<u>Section Numbers</u> :	<u>Proposed Action</u> :
2260.110	New Section
2260.120	New Section
2260.210	New Section
2260.220	New Section
2260.230	New Section
2260.310	New Section
2260.320	New Section
2260.330	New Section
2260.410	New Section
2260.420	New Section
2260.430	New Section
2260.440	New Section
2260.450	New Section
2260.460	New Section
2260.470	New Section
2260.480	New Section
2260.510	New Section
2260.520	New Section
2260.530	New Section
2260.APPENDIX A	New Section
- 4) Statutory Authority: 5 ILCS 140/3(h)
- 5) Effective Date of Rules: March 3, 2015
- 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 rules, 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 the *Illinois Register*: This rulemaking was not subject to 1<sup>st</sup> Notice publication, being a Title 2 internal Part.

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- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final notice version: This rulemaking was not subject to 1<sup>st</sup> Notice publication, being a Title 2 internal Part.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? This rulemaking was not subject to 1<sup>st</sup> Notice publication, being a Title 2 internal Part.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rules: These rules set forth the manner in which the public may access records of the Illinois State Board of Investment.
- 16) Information and questions regarding these adopted rules shall be directed to:

Linsey Schoemehl Payne  
General Counsel/Chief Compliance Officer  
Illinois State Board of Investment  
180 N. LaSalle Street, Suite 2015  
Chicago IL 60610

312/793-1486  
Linsey.Payne@illinois.gov

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

ILLINOIS STATE BOARD OF INVESTMENT

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TITLE 2: GOVERNMENTAL ORGANIZATION  
SUBTITLE E: MISCELLANEOUS STATE AGENCIES  
CHAPTER XXXII: ILLINOIS STATE BOARD OF INVESTMENT

PART 2260  
ACCESS TO RECORDS OF THE ILLINOIS  
STATE BOARD OF INVESTMENT

SUBPART A: INTRODUCTION

- Section  
2260.110 Summary and Purpose  
2260.120 Definitions

SUBPART B: CLASSIFICATION OF RECORDS

- Section  
2260.210 Records that Will Be Disclosed  
2260.220 Records that Will Be Withheld from Disclosure  
2260.230 Statutory Exemptions

SUBPART C: PROCEDURES FOR REQUESTING  
RECORDS FROM THE AGENCY

- Section  
2260.310 Submittal of Requests for Records  
2260.320 Information to Be Provided in Requests for Records  
2260.330 Requests for Records for Commercial Purposes

SUBPART D: AGENCY RESPONSE TO REQUESTS FOR RECORDS

- Section  
2260.410 Timeline for Agency Response  
2260.420 Requests for Records that the Agency Considers Unduly Burdensome  
2260.430 Recurrent Requesters  
2260.440 Requests for Records that Require Electronic Retrieval  
2260.450 Denials of Requests for Records  
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2260.480 Administrative Review

## SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

## Section

2260.510 Inspection and Copying of Records  
2260.520 Fees for Records  
2260.530 Reduction and Waiver of Fees

2260.APPENDIX A Fee Schedule for Duplication and Certification of Records

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

**SOURCE:** Adopted at 39 Ill. Reg. 4137, effective March 3, 2015.

## SUBPART A: INTRODUCTION

**Section 2260.110 Summary and Purpose**

- a) This Part states the policy of Illinois State Board of Investment (Agency) for making its records available for reasonable public inspection while, at the same time, protecting legitimate interests in confidentiality.
- b) This Part:
  - 1) Establishes the following classifications for records in the Agency's possession:
    - A) Records that shall be disclosed; and
    - B) Records that shall be withheld from disclosure.
  - 2) Contains the procedures by which requesters may obtain records in the Agency's possession; and
  - 3) Contains the procedures for claiming and determining that records submitted to the Agency are exempt from disclosure.

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**Section 2260.120 Definitions**

Terms not defined in this Section shall have the same meaning as in the Freedom of Information Act [5 ILCS 140]. The following definitions are applicable for purposes of this Part:

"Act" means the Pension Code [40 ILCS 5].

"Agency" means Illinois State Board of Investment as established by the Act.

*"Commercial purpose" means the use of any part of a record or records, or information derived from records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is:*

*to access and disseminate information concerning news and current or passing events;*

*for articles or opinion or features of interest to the public; or*

*for the purpose of academic, scientific, or public research or education.*  
(Section 2(c-10) of FOIA)

*"Copying" means the reproduction of any record by means of any photographic, electronic, mechanical, or other process, device or means now known or hereafter developed and available to the Agency. (Section 2(d) of FOIA)*

"Director" means the Executive Director of the Agency.

"FOIA" means the Freedom of Information Act [5 ILCS 140].

"Freedom of Information Officer" or "FOI Officer" means an individual or individuals responsible for receiving and responding to requests for public records.

*"News media" means a newspaper or other periodical issued at regular intervals, news service in paper or electronic form, radio station, television station,*

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*television network, community antenna television service, or person or corporation engaged in making news reels or other motion picture news for public showing. (Section 2(f) of FOIA)*

*"Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group. (Section 2(b) of FOIA)*

*"Private information" means unique identifiers, including a person's Social Security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person. (Section 2(c-5) of FOIA)*

*"Public Access Counselor" means an individual appointed to that office by the Attorney General under Section 7 of the Attorney General Act [15 ILCS 205].*

*"Public body" means all legislative, executive, administrative, or advisory bodies of the State, State universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, any subsidiary bodies of any of the foregoing, including but not limited to committees and subcommittees thereof, and a School Finance Authority created under Article 1E of the School Code [105 ILCS 5]. (Section 2(a) of FOIA)*

*"Records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of or under the control of the Agency. (Section 2(c) of FOIA)*

*"Recurrent requester" means a person that, in the 12 months immediately preceding the request, has submitted to the same public body a minimum of 50 requests for records, a minimum of 15 requests for records within a 30-day period, or a minimum of 7 requests for records within a 7 day period. For the purposes of this definition, requests made by news media and non-profit,*

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*scientific, or academic organizations shall not be considered in calculating the number of requests made in the time periods, in this definition when the principal purpose of the requests is to access and disseminate information concerning news and current or passing events, for articles of opinion or features of interest to the public, or for the purpose of academic, scientific, or public research or education. For the purposes of this definition, "request" means a written document (or oral request, if the public body chooses to honor oral requests) that is submitted to a public body via personal delivery, mail, telefax, electronic mail, or other means available to the public body and that identifies the particular public record the requester seeks. One request may identify multiple records to be inspected or copied. (Section 2(g) of FOIA)*

"Requester" is any person who has submitted to the Agency a written request, electronically or on paper, for records.

*"Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. (Section 7(1)(c) of FOIA)*

## SUBPART B: CLASSIFICATION OF RECORDS

**Section 2260.210 Records that Will Be Disclosed**

Upon request meeting the requirements of this Part, the Agency shall disclose to the requester all records requested except that it shall not disclose certain records as provided in Section 2260.220 or 2260.230. Records covered under this Section shall include, but are not limited to:

- a) *Records of funds. All records relating to the obligation, receipt and use of public funds of the Agency are records subject to inspection and copying by the public. (Section 2.5 of FOIA)*
- b) *Payrolls. Certified payroll records submitted to the Agency under Section 5(a)(2) of the Prevailing Wage Act [820 ILCS 130] are records subject to inspection and copying in accordance with the provisions of FOIA; except that contractors' and employees' addresses, telephone numbers, and Social Security numbers will be redacted by the Agency prior to disclosure. (Section 2.10 of FOIA)*

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- c) *Criminal history records. The following documents maintained by the Agency pertaining to criminal history record information are records subject to inspection and copying by the public pursuant to FOIA:*
- 1) *Court records that are public;*
  - 2) *Records that are otherwise available under State or local law; and*
  - 3) *Records in which the requesting party is the individual identified, except as provided under Section 2260.220(a)(5)(F) of this Part. (Section 2.15(b) of FOIA)*
- d) *Settlement agreements. All settlement agreements entered into by or on behalf of the Agency are records subject to inspection and copying by the public, provided that information exempt from disclosure under Section 2260.220 or 2260.230 of this Part may be redacted. (Section 2.20 of FOIA)*

**Section 2260.220 Records that Will Be Withheld from Disclosure**

*When a request is made to inspect or copy a record that contains information that is otherwise exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the Agency may elect to redirect the information that is exempt. The Agency shall make the remaining information available for inspection and copying. (Section 7(1) of FOIA)*

- a) *Subject to this requirement and Section 7 of FOIA, the following shall be exempt from inspection and copying:*
- 1) *Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law; (Section 7(1)(a) of FOIA)*
  - 2) *Private information, unless disclosure is required by another provision of FOIA, a State or federal law or a court order; (Section 7(1)(b) of FOIA)*
  - 3) *Files, documents, and other data or databases maintained by one or more law enforcement agencies and specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual subjects; (Section 7(1)(b-5) of FOIA)*

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- 4) *Personal information contained within records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy; (Section 7(1)(c) of FOIA)*
- 5) *Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:*
  - A) *Interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;*
  - B) *Interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;*
  - C) *Create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;*
  - D) *Unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the Agency will provide traffic accident reports, the identities of witnesses to traffic accidents, and rescue reports, except when disclosure would interfere with an active criminal investigation;*
  - E) *Disclose unique or specialized investigative techniques other than those generally used and known, or disclose internal documents of correctional agencies related to detection, observation or*

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*investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the Agency;*

- F) *Endanger the life or physical safety of law enforcement personnel or any other person; or*
  - G) *Obstruct an ongoing criminal investigation by the Agency;*  
(Section 7(1)(d) of FOIA)
- 6) *Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the Agency. The exemption provided in this subsection (a)(10) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents;*  
(Section 7(1)(f) of FOIA)
- 7) *Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested. All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this subsection (a)(11) does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this subsection (a)(11) does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm. Nothing in this subsection (a)(11) shall be construed to prevent a person or business from consenting to disclosure;* (Section 7(1)(g) of FOIA)

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- 8) *Proposals and bids for any contract, grant, or agreement, including information that if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contract or agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made; (Section 7(1)(h) of FOIA)*
- 9) *Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by the Agency when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this subsection (a)(13) does not extend to requests made by news media as defined in Section 2260.120 when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare or legal rights of the general public; (Section 7(1)(i) of FOIA)*
- 10) *Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act [5 ILCS 120] until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act; (Section 7(1)(l) of FOIA)*
- 11) *Communications between the Agency and an attorney or auditor representing the Agency that would not be subject to discovery in litigation, and materials prepared or compiled by or for the Agency in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the Agency, and materials prepared or compiled with respect to internal audits of the Agency; (Section 7(1)(m) of FOIA)*
- 12) *Records relating to the Agency's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed; (Section 7(1)(n) of FOIA)*
- 13) *Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object*

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*modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section; (Section 7(1)(o) of FOIA)*

- 14) *Records relating to collective negotiating matters between the Agency and its employees or representatives, except that any final contract or agreement shall be subject to inspection and copying; (Section 7(1)(p) of FOIA)*
- 15) *The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act [735 ILCS 30], records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt only until a sale is consummated; (Section 7(1)(r) of FOIA)*
- 16) *Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self-insurance (including any intergovernmental risk management association or self-insurance pool) claims, loss or risk management information, records, data, advice or communications; (Section 7(1)(s) of FOIA)*
- 17) *Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an Agency responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law; (Section 7(1)(t) of FOIA)*
- 18) *Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs or private keys intended to be used to create electronic or digital signatures under the*

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*Electronic Commerce Security Act [5 ILCS 175]; (Section 7(1)(u) of FOIA)*

- 19) *Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this subsection (a)(26) may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations; (Section 7(1)(v) of FOIA)*
- b) *A record that is not in the possession of the Agency but is in the possession of a party with whom the Agency has contracted to perform a governmental function on behalf of the Agency, and that directly relates to the governmental function and is not otherwise exempt under FOIA, shall be considered a record of the Agency for purposes of Subpart C. (Section 7(2) of FOIA)*

**Section 2260.230 Statutory Exemptions**

*To the extent provided for by the following statutes, the following shall be exempt from inspection and copying:*

- a) *Information the disclosure of which is exempted under the State Officials and Employees Ethics Act [5 ILCS 430] and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.*
- b) *Information prohibited from being disclosed by the Personnel Record Review Act [820 ILCS 40].*

**SUBPART C: PROCEDURES FOR REQUESTING  
RECORDS FROM THE AGENCY****Section 2260.310 Submittal of Requests for Records**

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- a) Any request for public records should be submitted in writing, via mail, email, fax or hand delivery to the FOI Officer at the Agency's Chicago Office:

Illinois State Board of Investment  
180 North LaSalle Street  
Suite 2015  
Chicago IL 60601  
Attn: FOI Officer

Fax: 312/793-2266

- b) Contact information for the FOI Officer can be found online at <http://www2.illinois.gov/isbi/Pages/FOI.aspx>.

**Section 2260.320 Information To Be Provided in Requests for Records**

A request for records should include:

- a) The complete name, mailing address and telephone number of the requester;
- b) As specific a description as possible of the records sought. Requests that the Agency considers unduly burdensome or categorical may be denied. (See Section 3(g) of FOIA and Section 2260.420 of this Part.);
- c) A statement as to the requested medium and format for the Agency to use in providing the records sought: for example, paper, specific types of digital or magnetic media, or videotape;
- d) A statement as to the requested manner for the Agency to use in providing the records sought: for example, inspection at Agency headquarters or providing paper or electronic copies;
- e) A statement as to whether the requester needs certified copies of all or any portion of the records, including reference to the specific documents that require certification; and
- f) A statement as to whether the request is for a commercial purpose.

**Section 2260.330 Requests for Records for Commercial Purposes**

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- a) *It is a violation of FOIA for a person to knowingly obtain a record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the Agency. (Section 3.1(c) of FOIA)*
- b) *The Agency shall respond to a request for records to be used for a commercial purpose within 21 working days after receipt. The response shall:*
  - 1) *Provide to the requester an estimate of the time required by the Agency to provide the records requested and an estimate of the fees to be charged, which the Agency may require the person to pay in full before copying the requested documents;*
  - 2) *Deny the request pursuant to one or more of the exemptions set out in Section 2260.220 or 2260.230;*
  - 3) *Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*
  - 4) *Provide the records requested. (Section 3.1(a) of FOIA)*
- c) *Unless the records are exempt from disclosure, the Agency shall comply with a request within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes. (Section 3.1(b) of FOIA)*

## SUBPART D: AGENCY RESPONSE TO REQUESTS FOR RECORDS

**Section 2260.410 Timeline for Agency Response**

- a) *Except as stated in subsection (b) or (c), the Agency will respond to any written request for records within 5 business days after its receipt of the request. Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after its receipt shall be considered a denial of the request. If the Agency fails to respond to a request within the requisite periods in this subsection (a) but thereafter provides the requester with copies of the requested records, it will not impose a fee for such copies. If the Agency fails to respond to a request received, it will not treat the request as unduly burdensome as provided*

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*under Section 2260.420. (Section 3(d) of FOIA) A written request from the Agency to provide additional information shall be considered a response to the FOIA request.*

- b) *The time limits prescribed in subsection (a) may be extended for not more than 5 business days from the original due date for any of the following reasons:*
- 1) *The requested records are stored in whole or in part at locations other than the office having charge of the requested records;*
  - 2) *The request requires the collection of a substantial number of specified records;*
  - 3) *The request is couched in categorical terms and requires an extensive search for the records responsive to it;*
  - 4) *The requested records have not been located in the course of routine search and additional efforts are being made to locate them;*
  - 5) *The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 or 7.5 of FOIA or should be revealed only with appropriate deletions;*
  - 6) *The request for records cannot be complied with by the Agency within the time limits prescribed by subsection (a) without unduly burdening or interfering with the operations of the Agency; or*
  - 7) *There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request. (Section 3(e) of FOIA)*
- c) *The person making a request and the Agency may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the Agency agree to extend the period for compliance, a failure by the Agency to comply with any previous deadlines shall not be treated as a denial of the request for the records. (Section 3(e) of FOIA)*

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- d) *When additional time is required for any of the reasons set forth in subsection (b), the Agency will, within 5 business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. Failure to respond within the time permitted for extension shall be considered a denial of the request. If the Agency fails to respond to a request within the time permitted for extension but thereafter provides the requester with copies of the requested public records, it may not impose a fee for those copies. If the Agency issues an extension and subsequently fails to respond to the request, it will not treat the request as unduly burdensome under Section 2260.420. (Section 3(f) of FOIA)*

**Section 2260.420 Requests for Records that the Agency Considers Unduly Burdensome**

- a) *The Agency will fulfill requests calling for all records falling within a category unless compliance with the request would unduly burden the Agency, there is no way to narrow the request, and the burden on the Agency outweighs the public interest in the information. Before invoking this exemption, the Agency will extend to the requester an opportunity to confer with it in an attempt to reduce the request to manageable proportions. (Section 3(g) of FOIA) The amended request must be in writing.*
- b) *If the Agency determines that a request is unduly burdensome, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the Agency. The response shall be treated as a denial of the request for information. (Section 3(g) of FOIA)*
- c) *Repeated requests from the same person for records that are unchanged or identical to records previously provided or properly denied under this Part shall be deemed unduly burdensome. (Section 3(g) of FOIA)*

**Section 2260.430 Recurrent Requesters**

- a) *Notwithstanding any provision of this Part to the contrary, the Agency will respond to a request from a recurrent requester, as defined in Section 2260.120, within 21 business days after receipt. The response shall:*
- 1) *provide to the requester an estimate of the time required by the Agency to provide the records requested and an estimate of the fees to be charged,*

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*which the Agency may require the person to pay in full before copying the requested documents;*

- 2) *deny the request pursuant to one or more of the exemptions set out in this Part;*
  - 3) *notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*
  - 4) *provide the records requested.*
- b) *Within 5 business days after receiving a request from a recurrent requester, the Agency will notify the requestor that the Agency is treating the request as a recurrent request, of the reasons why the Agency is treating the request as a recurrent request, and that the Agency will send an initial response within 21 business days after receipt in accordance with subsection (a). The Agency will also notify the requester of the proposed responses that can be asserted pursuant to subsection (a).*
- c) *Unless the records are exempt from disclosure, the Agency will comply with a request within a reasonable period considering the size and complexity of the request. (Section 3.2 of FOIA)*

**Section 2260.440 Requests for Records that Require Electronic Retrieval**

- a) A request for records that requires electronic retrieval will be treated the same as any other request for records, with the same timeline and extensions as allowed for other records.
- b) The Agency will retrieve and provide electronic records only in a format and medium that is available to the Agency.

**Section 2260.450 Denials of Requests for Records**

- a) The Agency will deny requests for records when:

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- 1) Compliance with the request would unduly burden the Agency, as determined pursuant to Section 2260.420 and the requester has not reduced the request to manageable proportions; or
  - 2) The records are exempt from disclosure pursuant to Section 7 or 7.5 of FOIA or Section 2260.220 or 2260.230 of this Part.
- b) The denial of a request for records must be in writing.
- 1) The notification shall include a description of the records denied; *the reason for the denial, including a detailed factual basis for the application of any exemption claimed; and the names and titles or positions of each person responsible for the denial* (Section 9(a) of FOIA);
  - 2) *Each notice of denial shall also inform such person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor* (Section 9(a) of FOIA); and
  - 3) *When a request for records is denied on the grounds that the records are exempt under Section 7 or 7.5 of FOIA, the notice of denial shall specify the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to the supporting legal authority* (Section 9(b) of FOIA).
- c) A requester may treat the Agency's failure to respond to a request for records within 5 business days after receipt of the written request as a denial for purposes of the right to review by the Public Access Counselor.
- d) If the Agency has given written notice pursuant to Section 2260.410(d), failure to respond to a written request within the time permitted for extension may be treated as a denial for purposes of the right to review by the Public Access Counselor.
- e) *Any person making a request for records shall be deemed to have exhausted his or her administrative remedies with respect to that request if the Agency fails to act within the time periods provided in Section 2260.410.* (Section 9(c) of FOIA)

**Section 2260.460 Requests for Review of Denials – Public Access Counselor**

## ILLINOIS STATE BOARD OF INVESTMENT

## NOTICE OF ADOPTED RULES

- a) *A person whose request to inspect or copy a record is denied by the Agency may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the date of the final denial. The request for review shall be in writing, be signed by the requester, and include a copy of the request for access to records and any response from the Agency. (Section 9.5(a) of FOIA)*
- b) *A person whose request to inspect or copy a record is made for a commercial purpose may not file a request for review with the Public Access Counselor. A person whose request to inspect or copy a record was treated by the Agency as a request for a commercial purpose may file a request for review with the Public Access Counselor for the limited purpose of reviewing whether the Agency properly determined that the request was made for a commercial purpose. (Section 9.5(b) of FOIA)*
- c) *Within 7 business days after the Agency receives a request for review from the Public Access Counselor, the Agency shall provide copies of records requested and shall otherwise fully cooperate with the Public Access Counselor. (Section 9.5(c) of FOIA)*
- d) *Within 7 business days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the Agency may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief, or memorandum. The Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy. (Section 9.5(d) of FOIA)*
- e) *The requester may, but is not required to, respond in writing to the answer within 7 business days and shall provide a copy of the response to the Agency. (Section 9.5(d) of FOIA)*
- f) *In addition to the request for review, and the answer and response to the request, if any, a requester or the Agency may furnish affidavits or records concerning any matter germane to the review. (Section 9.5(e) of FOIA)*
- g) *A binding opinion from the Attorney General shall be binding upon both the requester and the Agency, subject to administrative review under Section 2260.480. (Section 9.5(f) of FOIA)*

## ILLINOIS STATE BOARD OF INVESTMENT

## NOTICE OF ADOPTED RULES

- h) *If the Attorney General decides to exercise his or her discretion to resolve a request for review by mediation or by a means other than issuance of a binding opinion, the decision not to issue a binding opinion shall not be reviewable. (Section 9.5(f) of FOIA)*
- i) *Upon receipt of a binding opinion concluding that a violation of FOIA has occurred, the Agency will either take necessary action immediately to comply with the directive of the opinion or shall initiate administrative review under Section 2260.480. If the opinion concludes that no violation of FOIA has occurred, the requester may initiate administrative review under Section 2260.480. (Section 9.5(f) of FOIA)*
- j) *If the Agency discloses records in accordance with an opinion of the Attorney General, the Agency is immune from all liabilities by reason thereof and shall not be liable for penalties under FOIA. (Section 9.5(f) of FOIA)*
- k) *If the requester files suit under Section 2260.470 with respect to the same denial that is the subject of a pending request for review, the requester shall notify the Public Access Counselor. (Section 9.5(g) of FOIA)*
- l) *The Attorney General may also issue advisory opinions to the Agency regarding compliance with FOIA. A review may be initiated upon receipt of a written request from the Director of the Agency or the Agency's General Counsel, which shall contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request additional information from the Agency in order to assist in the review. If the Agency relies in good faith on an advisory opinion of the Attorney General in responding to a request, the Agency is not liable for penalties under FOIA, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor. (Section 9.5(h) of FOIA)*

**Section 2260.470 Circuit Court Review**

A requester also has the right to file suit for injunctive or declaratory relief in the Circuit Court for Cook County or for the county in which the requester resides, in accordance with the procedures set forth in Section 11 of FOIA.

**Section 2260.480 Administrative Review**

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## NOTICE OF ADOPTED RULES

*A binding opinion issued by the Attorney General shall be considered a final decision of an administrative agency, for purposes of administrative review under the Administrative Review Law [735 ILCS 5/Art. III]. An action for administrative review of a binding opinion of the Attorney General shall be commenced in Cook County or Sangamon County. An advisory opinion issued to the Agency shall not be considered a final decision of the Attorney General for purposes of this Section. (Section 11.5 of FOIA)*

## SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

**Section 2260.510 Inspection and Copying of Records**

- a) The Agency may make available records for personal inspection at the Agency's Chicago office, or at another location agreed to by both the Agency and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record. The Agency may provide records in duplicate forms, including, but not limited to, paper copies, data processing printouts, videotape, microfilm, audio tape, reel to reel microfilm, photographs, computer disks and diazo.
- b) *When a person requests a copy of a record maintained in an electronic format, the Agency shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the records in the specified electronic format, then the Agency shall furnish it in the format in which it is maintained by the Agency, or in paper format at the option of the requester. (Section 6(a) of FOIA)*
- c) A requester may inspect records by appointment only, scheduled subject to space availability. The Agency will schedule inspection appointments to take place during normal business hours, which are 8:30 a.m. to 5:00 p.m. Monday through Friday, exclusive of State holidays. If the requester must cancel the viewing appointment, the requester shall so inform the Agency as soon as possible before the appointment.
- d) In order to maintain routine Agency operations, the requester may be asked to leave the inspection area for a specified period of time.
- e) The requester will have access only to the designated inspection area.

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## NOTICE OF ADOPTED RULES

- f) Requesters shall not be permitted to take briefcases, folders or similar materials into the room where the inspection takes place. An Agency employee may be present during the inspection.
- g) The requester shall segregate and identify the documents to be copied during the course of the inspection.

**Section 2260.520 Fees for Records**

- a) In accordance with Section 2260.530, unless a fee is otherwise fixed by statute, the Agency will provide copies of records and certifications of records in accordance with the fee schedule set forth in Appendix A.
- b) *In calculating its actual cost for reproducing records or for the use of the equipment of the Agency to reproduce records, the Agency will not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* (Section 6(b) of FOIA)
- c) In order to expedite the copying of records that the Agency cannot copy, due to the volume of the request or the operational needs of the Agency, in the timelines established in Section 2260.410, the requester may provide, at the requester's expense, the copy machine, all necessary materials, and the labor to copy the public records at the Agency headquarters in Section 2260.510, or at another location agreed to by both the Agency and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record.
- d) Copies of records will be provided to the requester only upon payment of any fees due. *The Agency may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium, but the Agency will not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* (Section 6(a) of FOIA) Payment must be by check or money order sent to the Agency, payable to "Illinois State Board of Investment".
- e) If a contractor is used to inspect or copy records, the following procedures shall apply:
  - 1) The requester, rather than the Agency, must contract with the contractor;

## ILLINOIS STATE BOARD OF INVESTMENT

## NOTICE OF ADOPTED RULES

- 2) The requester is responsible for all fees charged by the contractor;
  - 3) The requester must notify the Agency of the contractor to be used prior to the scheduled on-site inspection or copying;
  - 4) Only Agency personnel may provide records to the contractor;
  - 5) The Agency must have verification that the requester has paid the Agency, if payment is due, for the copying of the records before providing the records to the contractor; and
  - 6) The requester must provide to the Agency the contractor's written agreement to hold the records secure and to copy the records only for the purpose stated by the requester.
- f) *The Agency may charge up to \$10 for each hour spent by personnel in searching for and retrieving a requested record. No fees shall be charged for the first 8 hours spent by personnel in searching for or retrieving a requested record. The Agency may charge the actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the Agency. If the Agency imposes a fee pursuant to this subsection (f), it must provide the requestor with an accounting of all fees, costs, and personnel hours in connection with the request for public records. The provisions of this subsection (f) apply only to commercial requests. (Section 6(f) of FOIA)*

**Section 2260.530 Reduction and Waiver of Fees**

- a) *Fees may be reduced or waived by the Agency if the requester states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. In making this determination, the Agency will consider the following:*
  - 1) *Whether the principal purpose of the request is to disseminate information regarding the health, safety, welfare or legal rights of the general public; and*

## ILLINOIS STATE BOARD OF INVESTMENT

## NOTICE OF ADOPTED RULES

- 2) *Whether the principal purpose of the request is personal or commercial benefit. For purposes of this subsection (a), "commercial benefit" shall not apply to requests made by news media when the principal purpose of the request is to access and disseminate information regarding the health, safety, welfare or legal rights of the general public. (Section 6(c) of FOIA)*
- b) *In setting the amount of the waiver or reduction, the Agency will take into consideration the amount of materials requested and the cost of copying them. (Section 6(c) of FOIA)*
- c) The Agency will provide copies of records without charge to federal, State and municipal agencies, Constitutional officers and members of the General Assembly, and not-for-profit organizations providing evidence of good standing with the Secretary of State's Office.
- d) *Except to the extent that the General Assembly expressly provides, statutory fees applicable to copies of records when furnished in a paper format will not be applicable to those records when furnished to a requester in an electronic format. (Section 6(a) of FOIA)*

## ILLINOIS STATE BOARD OF INVESTMENT

## NOTICE OF ADOPTED RULES

**Section 2260.APPENDIX A Fee Schedule for Duplication and Certification of Records**

TYPE OF DUPLICATION	FEE (PER COPY)
Paper copy from original, up to and including 50 copies of black and white, letter or legal sized copies	No charge
Paper copy from original, in excess of 50 copies of black and white, letter or legal sized copies	\$.15/page
Paper copy from microfilm original	\$.15/page
Microfilm diazo from original	\$.50/diazo
VHS video copy of tape	Actual cost of the reproduction
Audio tape copy of tape	Actual cost of the reproduction
CD ROM disk	Actual cost of the reproduction
Photograph from negative	Actual cost of the reproduction
Blueprints/oversized prints	Actual cost of the reproduction
Paper copies in color or in a size other than letter or legal	Actual cost of the reproduction
Certification fee	\$1.00/record

NOTE: Expense for delivery other than by First Class U.S. Mail must be borne by the requester.

## DEPARTMENT OF INSURANCE

## NOTICE OF RECODIFICATION

- 1) Heading of the Part: Insurance Companies Originating Payday Loans
- 2) Code Citation: 50 Ill. Adm. Code 902
- 3) Date of Administrative Code Division Review: March 9, 2015
- 4) Reason for the Recodification: Chapter I will be recodified from the Department of Professional Regulation to the Department of Insurance.
- 5) Headings and Section Numbers of the Part Being Recodified:

<u>Section Numbers:</u>	<u>Headings:</u>
902.10	Authority
902.20	Purpose and Applicability
902.30	Definitions
902.40	Insurance Companies Originating Payday Loans
902.50	Enforcement

- 6) Outline of the Section Numbers and Headings of the Part as Recodified:

<u>Section Numbers:</u>	<u>Headings:</u>
902.10	Authority
902.20	Purpose and Applicability
902.30	Definitions
902.40	Insurance Companies Originating Payday Loans
902.50	Enforcement

- 7) Conversion Table of Present and Recodified Parts:

<u>Present Part:</u>	<u>Recodified Part:</u>
902.10	902.10
902.20	902.20
902.30	902.30
902.40	902.40
902.50	902.50

## DEPARTMENT OF INSURANCE

## NOTICE OF RECODIFICATION

- 1) Heading of the Part: Advertising and Sales Promotion of Life Insurance and Annuities
- 2) Code Citation: 50 Ill. Adm. Code 909
- 3) Date of Administrative Code Division Review: March 9, 2015
- 4) Reason for the Recodification: Chapter I will be recodified from the Department of Professional Regulation to the Department of Insurance.
- 5) Headings and Section Numbers of the Part Being Recodified:

<u>Section Numbers:</u>	<u>Headings:</u>
909.10	Authority
909.20	Definitions
909.30	Applicability
909.40	Form and Content of Advertisements
909.50	Disclosure Requirements
909.60	Identity of Insurer
909.70	Jurisdictional Licensing and Status of Insurer
909.80	Statements about an Insurer
909.85	Advertising and Marketing of Annuities and Variable Life Contracts
909.90	Advertising Records and Certificate
909.100	Noncompliance
909.110	Conflict with Other Rules
909.120	Severability Provision

- 6) Outline of the Section Numbers and Headings of the Part as Recodified:

<u>Section Numbers:</u>	<u>Headings:</u>
909.10	Authority
909.20	Definitions
909.30	Applicability
909.40	Form and Content of Advertisements
909.50	Disclosure Requirements
909.60	Identity of Insurer
909.70	Jurisdictional Licensing and Status of Insurer

## DEPARTMENT OF INSURANCE

## NOTICE OF RECODIFICATION

909.80	Statements about an Insurer
909.85	Advertising and Marketing of Annuities and Variable Life Contracts
909.90	Advertising Records and Certificate
909.100	Noncompliance
909.110	Conflict with Other Rules
909.120	Severability Provision

7) Conversion Table of Present and Recodified Parts:

<u>Present Part:</u>	<u>Recodified Part:</u>
909.10	909.10
909.20	909.20
909.30	909.30
909.40	909.40
909.50	909.50
909.60	909.60
909.70	909.70
909.80	909.80
909.90	909.90
909.100	909.100
909.110	909.110
909.120	909.120

## DEPARTMENT OF INSURANCE

## NOTICE OF RECODIFICATION

- 1) Heading of the Part: Life Insurance Solicitation
- 2) Code Citation: 50 Ill. Adm. Code 930
- 3) Date of Administrative Code Division Review: March 9, 2015
- 4) Reason for the Recodification: Chapter I will be recodified from the Department of Professional Regulation to the Department of Insurance.
- 5) Headings and Section Numbers of the Part Being Recodified:

<u>Section Numbers:</u>	<u>Headings:</u>
930.10	Authority
930.20	Purpose
930.30	Scope
930.40	Definitions
930.50	Disclosure Requirements
930.60	Preneed Funeral Contracts or Prearrangements
930.70	General Rules
930.80	Life Insurance Buyer's Guide, Language and Content
930.90	Failure to Comply
930.EXHIBIT A	Life Insurance Buyer's Guide
930.EXHIBIT B	NAIC Life Insurance Buyer's Guide

- 6) Outline of the Section Numbers and Headings of the Part as Recodified:

<u>Section Numbers:</u>	<u>Headings:</u>
930.10	Authority
930.20	Purpose
930.30	Scope
930.40	Definitions
930.50	Disclosure Requirements
930.60	Preneed Funeral Contracts or Prearrangements
930.70	General Rules
930.80	Life Insurance Buyer's Guide, Language and Content
930.90	Failure to Comply
930.EXHIBIT A	Life Insurance Buyer's Guide

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

930.EXHIBIT B                      NAIC Life Insurance Buyer's Guide

7) Conversion Table of Present and Recodified Parts:

Present Part:

Recodified Part:

930.10	930.10
930.20	930.20
930.30	930.30
930.40	930.40
930.50	930.50
930.60	930.60
930.70	930.70
930.80	930.80
930.90	930.90
930.EXHIBIT A	930.EXHIBIT A
930.EXHIBIT B	930.EXHIBIT B

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of March 3, 2015 through March 9, 2015. The Department of Agriculture rule will be reviewed at the Committee's March 17, 2015, meeting. All other listed rulemakings are scheduled for review at the Committee's April 14, 2015 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
4/15/15	<u>Department of Agriculture</u> , Weights and Measures Act (8 Ill. Adm. Code 600)	4/18/14 38 Ill. Reg. 8057	3/17/15
4/16/15	<u>Illinois Commerce Commission</u> , Rate Case Expense (83 Ill. Adm. Code 288)	8/8/14 38 Ill. Reg. 16456	4/14/15
4/22/15	<u>Department of Public Health</u> , Visa Waiver Program for International Medical Graduates (77 Ill. Adm. Code 591)	10/24/14 38 Ill. Reg. 20133	4/14/15
4/22/15	<u>Department of Insurance</u> , Annual Financial Reporting (50 Ill. Adm. Code 925)	12/26/14 38 Ill. Reg. 23955	4/14/15
4/22/15	<u>Department of Insurance</u> , Health Maintenance Organization (50 Ill. Adm. Code 5421)	12/26/14 38 Ill. Reg. 23993	4/14/15

## CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES

## NOTICE OF PUBLIC INFORMATION

## NOTICE OF CAMPAIGN CONTRIBUTION VIOLATION OF PROCUREMENT CODE

- 1) Statutory Authority: Section 50-37 of the Illinois Procurement Code, 30 ILCS 500/50-37, prohibits business entities with contracts and solicitations worth in excess of \$50,000 in combined annual value pending with a given officeholder responsible for awarding the contracts from making campaign contributions to campaign committees established to promote the candidacy of the officeholder or any other declared candidate for that office. The prohibition also extends to contributions made by various affiliated persons and businesses of a business entity that is subject to the prohibition. Section 50-37 requires that notice of violation of the prohibition and the penalty imposed is to be published in the *Illinois Register*.
- 2) Name of Contributor: Daniel Dungan, Senior Vice President, Springfield Electric Supply Company
- 3) Date of Violation: June 2, 2014
- 4) Description of Violation: Daniel Dungan an affiliated person of the business entity Springfield Electric Supply Company, made a contribution of \$1,000 to Citizens for Rauner, Inc., a campaign committee established to support the election of Bruce Rauner to Governor. At the time of the contribution, Bruce Rauner was a declared candidate for the office of Governor, and Springfield Electric Supply Company had in place active contracts with the Illinois Department of Agriculture, the total annual combined value of which was in excess of \$50,000.
- 5) Summary of Action Taken by the Agency: Section 50-37 provides that State contracts with a business entity that violates the campaign contribution prohibition are voidable at the discretion of the chief procurement officer. The Chief Procurement Officer for General Services has notified Springfield Electric Supply Company of the apparent violation, reviewed responsive material provided by Springfield Electric Supply Company, and has considered the value, status, and necessity of the contracts. In addition, the Chief Procurement Officer has taken into consideration the recognition by Springfield Electric Supply Company of the violation and his understanding of the necessity to avoid such situations in the future. The Chief Procurement Officer finds that voiding affected contracts, bids or proposals would not be in the best interest of the State.

As required by Section 50-37(e) of the Procurement Code, Citizens for Rauner, Inc. is required to pay to the State an amount equal to the value of the contribution within 30 days of the publication of this notice.

## PROCLAMATIONS

**2015-4****Air Conditioning, Heating, and Refrigerating Week**

WHEREAS, the Air Conditioning, Heating and Refrigeration (AHR) Expo is the world's largest Heating, Ventilation, Air Conditioning and Refrigeration (HVACR) event and is produced and managed by the International Exposition Company; and,

WHEREAS, since 1930, the AHR Expo has become widely recognized as a resource for providing professionals in the HVACR industry with innovative workshops, presentations and educational sessions; and,

WHEREAS, through its charitable efforts, the International Exposition Company has donated more than \$150,000 to local charities in the past 13 years through the AHR Expo's Innovation Awards Program; and,

WHEREAS, HVACR is a growing industry in the state of Illinois and across the nation by providing employment opportunities and making significant contributions to the workforce; and,

WHEREAS, these contributions drive the economy forward by providing smarter, more efficient ways to get things done; and,

WHEREAS, this year's AHR trade show will take place at the McCormick Convention Center in Chicago, will feature more than 2,000 exhibitors and welcome more than 60,000 attendees from around world; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim January 26-30, 2015, as **AIR CONDITIONING, HEATING, AND REFRIGERATING WEEK** in Illinois, in recognition of this critically important exposition and offer my best wishes for an enjoyable and memorable event.

Issued by the Governor January 16, 2015

Filed by the Secretary of State March 5, 2015

**2015-5****"Share the Ride, Share the Resolution Day"**

WHEREAS, Madison County Transit has operated RideFinders, the St. Louis regional rideshare program, since 1994, and has eliminated an estimated 57 million driving miles off St. Louis Metropolitan roads; and,

## PROCLAMATIONS

WHEREAS, RideFinders' mission is to improve air quality and reduce traffic congestion by encouraging the use of alternative transportation modes; and,

WHEREAS, RideFinders provides a free carpool and vanpool ridematching service for commuters and a free schoolpool program for parents of K-12 students; and,

WHEREAS, Single occupancy vehicles are a contributing source of air pollution in the United States, and sharing a ride with just one person can eliminate more than 400 pounds of toxic vehicle emissions, annually; and,

WHEREAS, "Share the Ride, Share the Resolution Day" will educate commuters in the St. Louis Metropolitan area about the environmental and economic benefits of ridesharing; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim January 21, 2015 as "**SHARE THE RIDE, SHARE THE RESOLUTION DAY**" in Illinois.

Issued by the Governor January 20, 2015

Filed by the Secretary of State March 5, 2015

**2015-6****School Choice Week**

WHEREAS, every student in Illinois should have access to an effective education; and,

WHEREAS, improving the quality of education in Illinois is an issue of importance to our state's leaders; and,

WHEREAS, Illinois citizens recognize the critical role of an effective and accountable education system plays in preparing children to become successful adults; and,

WHEREAS, Illinois has a multitude of high-quality traditional public schools, magnet schools, charter schools, and non-public schools, as well as families who educate their children in the home; and,

WHEREAS, Illinois has many high-quality, dedicated teaching professionals employed in all types of education environments; and,

WHEREAS, it is important for parents in Illinois to explore and identify the best education options available to their children; and,

## PROCLAMATIONS

WHEREAS, research demonstrates providing children with multiple education options improves academic performance; and,

WHEREAS, School Choice Week is a national celebration recognized by millions of students, parents, educators, schools, and community leaders for the purpose of raising public awareness of the importance of effective education options for children; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim January 25-31, 2015, as **SCHOOL CHOICE WEEK** in Illinois, in recognition of the importance of providing students effective education options.

Issued by the Governor January 28, 2015

Filed by the Secretary of State March 5, 2015

**2015-7****Career and Technical Education Month**

WHEREAS, a commitment to career and technical education helps ensure Illinois has a strong, well-trained workforce that enhances productivity in business and industry, and solidifies the state's leadership in national and international marketplaces; and,

WHEREAS, providing citizens with career and technical education stimulates growth of businesses and industries by preparing workers for the occupations forecasted to experience the fastest growth in the next decade; and,

WHEREAS, citizens benefit from career and technical education because it enables individuals to pursue satisfying careers suited to personal skills and interests; provides the technical knowledge necessary for professional success; and teaches leadership skills that are useful on the job, at home and in the community; and,

WHEREAS, for more than 60 years, the Illinois Association for Career and Technical Education (IACTE), the only association in Illinois dedicated to the support and service of the career and technical educators, has been committed to the betterment of the profession, and to providing visibility and assistance for career and technical education; and,

WHEREAS, each year, in the month of February, the IACTE celebrates Career and Technical Education Month to promote the advancement of the career and technical education profession in the state. The theme for this year's month-long celebration is "Recognizing Classroom Innovators;"

## PROCLAMATIONS

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 2015 as **CAREER AND TECHNICAL EDUCATION MONTH** in Illinois, and encourage all citizens to become familiar with the services and benefits offered by career and technical education programs in our state, and to support and participate in these programs to enhance individual work skills and productivity.

Issued by the Governor January 29, 2015  
Filed by the Secretary of State March 5, 2015

**2015-8****Congenital Heart Defect Awareness Week**

WHEREAS, Congenital Heart Defects are the most frequently occurring birth defect and the leading cause of birth defect related deaths worldwide; and,

WHEREAS, more than a million families across America are facing the challenges and hardships of raising children with Congenital Heart Defects; and,

WHEREAS, every year approximately 40,000 babies are born in the United States with Congenital Heart Defects; and,

WHEREAS, some Congenital Heart Defects may not be diagnosed until months or even years after a child is born; and,

WHEREAS, screenings for Congenital Heart Defects are not being routinely performed in young children; and,

WHEREAS, undiagnosed Congenital Heart conditions cause many cases of sudden cardiac death in young athletes; and,

WHEREAS, there is a need for increased awareness of Congenital Heart Defects and support for continued research; and,

WHEREAS, Congenital Heart Defect Awareness Week provides an opportunity for families whose lives have been affected to come together and celebrate life, to remember loved ones lost, and know they have a strong network of support; and,

WHEREAS, this week also honors the dedicated health professionals who provide medical care for children who are diagnosed with Congenital Heart Defects; and,

## PROCLAMATIONS

WHEREAS, in an effort to raise public awareness about Congenital Heart Defects, the establishment of Congenital Heart Defect Awareness Week will also provide families and health care professionals with the opportunity to share their experiences with the public and the media; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 7-14, 2015 as **CONGENITAL HEART DEFECT AWARENESS WEEK** in Illinois, in order to raise awareness, provide support, and promote research for Congenital Heart Defects.

Issued by the Governor January 29, 2015

Filed by the Secretary of State March 5, 2015

**2015-9****Ernest "Ernie" Banks Day**

WHEREAS, born on January 31, 1931, in Dallas, Texas, Ernest "Ernie" Banks would go on to be one of the greatest players in Major League Baseball and Chicago Cubs history; and,

WHEREAS, Ernie Banks graduated from Booker T. Washington High School in Dallas, Texas in 1950. Banks is a veteran of the Korean War, serving as a member of the Army until 1953. After his military service, he played for the Kansas City Monarchs of the Negro Baseball League; and,

WHEREAS, The Chicago Cubs acquired Ernie Banks' contract late in the 1953 season. He played ten games, which made him the first African-American to play for the ball club; and,

WHEREAS, Ernie Banks would go on to play 19 seasons with the Chicago Cubs as a short stop and first baseman; and,

WHEREAS, Ernie Banks was the first player to be named the league's Most Valuable Player two consecutive years; became a fourteen-time All-Star; a two-time National League home run champion; and two-time National League RBI champion; and,

WHEREAS, Ernie Banks' accomplishments earned him the nickname "Mr. Cub" and the admiration of baseball fans throughout the world; and,

WHEREAS, Ernie Banks is remembered for his love and dedication to the Chicago Cubs franchise, their fans and the City of Chicago; and,

WHEREAS, Ernie Banks' legacy has undoubtedly left a lasting impact on all the lives he touched, and he will forever be a part of Cubs and sports history; and,

## PROCLAMATIONS

WHEREAS, sadly, Ernest "Ernie" Banks, or "Mr. Cub," passed away on Friday, January 23, 2015, leaving behind many beloved family members, friends, and fans who are grateful for the numerous ways he touched their lives; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby declare January 31, 2015, **Ernest "Ernie" Banks Day**, in honor and recognition of "Mr. Cub's" commitment to public service, love of the game of baseball, and powerful legacy he leaves behind.

Issued by the Governor January 29, 2015

Filed by the Secretary of State March 5, 2015

**2015-10****Perianesthesia Nurse Awareness Week**

WHEREAS, there are more than 55,000 perianesthesia registered nurses in the United States whose interests are represented by one of the nation's premier specialty nursing organizations, the American Society of PeriAnesthesia Nurses; and,

WHEREAS, perianesthesia nurses practice in all phases of preanesthesia and postanesthesia care, ambulatory surgery and pain management; and,

WHEREAS, the depth and breadth of the perianesthesia nursing profession meets the varied and emerging health care needs of the American population in a diversified range of environments; and,

WHEREAS, The American Society of PeriAnesthesia Nurses, as the representative for the perianesthesia nurses of this country, strives to advance nursing practice through education, research and standards; and,

WHEREAS, perianesthesia nursing has been established as essential in the quality of health care and safety of patients in the hospital and ambulatory surgery settings; and,

WHEREAS, the demand for perianesthesia nurses will only increase due to an aging American population, advances in medicine that are prolonging life, and the vast expansion of home health care services; and,

WHEREAS, the value of the services and care provided by perianesthesia nurses will remain of paramount importance to the American health care system; and,

## PROCLAMATIONS

WHEREAS, the Illinois Society of PeriAnesthesia Nurses (ILSPAN), along with the American Society of PeriAnesthesia Nurses (ASPAN), has declared the week of February 2-8, 2015 as PeriAnesthesia Nurse Awareness Week in recognition of perianesthesia nurses' steadfast commitment to patient care and the continued advancement of nursing practices; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 2-8, 2015 as **PERIANESTHESIA NURSE AWARENESS WEEK** in Illinois, in recognition of perianesthesia nurses for their essential service to the medical profession.

Issued by the Governor January 29, 2015

Filed by the Secretary of State March 5, 2015

**2015-11****Turner Syndrome Awareness Month**

WHEREAS, Turner Syndrome (TS) is a non-inheritable chromosomal disorder, which affects 1 in 2,500 live female births; and,

WHEREAS, early diagnosis can ensure girls and women, who are affected by TS, receive a complete cardiac screening; and,

WHEREAS, risk for acute aortic dissection is increased in young and middle-aged women with TS; and,

WHEREAS, early diagnosis facilitates prevention or remediation of growth failure, hearing problems and learning difficulties; and,

WHEREAS, individuals with TS have an increased risk of non-verbal learning disorder (NLD) in school and work. These impairments can cause problems in math, visuospatial skills, executive function skills and job retention; and,

WHEREAS, a disproportionately small amount of funding is available for TS research and support; and,

WHEREAS, with the help of medical specialists and good social support system, women with TS can live a happy and healthy life; and,

WHEREAS, the establishment of TS Awareness Month will provide an opportunity to share experiences and information with the public and the media, in order to raise public awareness about Turner Syndrome; and,

## PROCLAMATIONS

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 2015 as **TURNER SYNDROME AWARENESS MONTH** and encourages all citizens to support awareness, education, and services for Turner Syndrome.

Issued by the Governor January 29, 2015

Filed by the Secretary of State March 5, 2015

**2015-12****Ronald Reagan Day**

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout life advancing freedom and serving the public good as an entertainer, governor of California and president of the United States; and,

WHEREAS, President Reagan served with honor and distinction as the 40th president of the United States of America for two terms; the second of which he earned the confidence of three-fifths of the electorate and was victorious in 49 of the 50 states in the general election – a record unsurpassed in American history; and,

WHEREAS, in 1981, when Ronald Reagan was inaugurated as president, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and,

WHEREAS, President Reagan's commitment to an active social policy for the nation's children helped lower crime and drug use in our neighborhoods; and,

WHEREAS, President Reagan's commitment to our armed forces contributed to the restoration of pride in America and prepared America's armed forces to meet 21st century challenges; and,

WHEREAS, President Reagan's vision of "peace through strength" led to the end of the Cold War and the Soviet Union, guaranteeing basic human rights for millions of people; and,

WHEREAS, President Reagan was a native of Tampico, Illinois, graduating from Dixon High School, then working his way through Eureka College, studying economics and sociology; and,

WHEREAS, February 6, 2015 will be the 104th anniversary of Ronald Reagan's birth; and,

THEREFORE, I Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 6, 2015 as **RONALD REAGAN DAY** in Illinois, in honor of our nation's 40th president.

Issued by the Governor February 2, 2015

Filed by the Secretary of State March 5, 2015

## PROCLAMATIONS

**2015-13****"Commemoration of the 150<sup>th</sup> Anniversary of the 13<sup>th</sup> Amendment Day"**

WHEREAS, over our nation's history, millions of men and women have made countless personal sacrifices to advance the tenets of freedom, liberty and justice for all, and it is imperative that we continually identify ways to recognize their achievement; and,

WHEREAS, after the American Civil War, the 13<sup>th</sup> Amendment to the Constitution of the United States of America, which abolished slavery, was passed by the United States Congress on January 31, 1865, and ratified by the necessary number of states on December 6, 1865; and,

WHEREAS, President Abraham Lincoln, of Springfield, Illinois, was instrumental in providing the leadership and direction necessary to abolish slavery and begin reconstruction; and,

WHEREAS, the State of Illinois became the first state in the nation to ratify the 13<sup>th</sup> Amendment on February 1, 1865; and,

WHEREAS, the State of Illinois was proud to lead the path in history that establishes equal rights for all people of the United States of America; and,

WHEREAS, the 13<sup>th</sup> Amendment abolishing slavery in the United States Constitution provides that, "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction;" and,

WHEREAS, the year of 2015 is the 150<sup>th</sup> Anniversary of the 13<sup>th</sup> Amendment to the Constitution of the United States, and this anniversary is a reminder to future generations of the sacrifices made to abolish slavery and establish equality; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 3, 2015 as "**COMMEMORATION OF THE 150<sup>TH</sup> ANNIVERSARY OF THE 13<sup>TH</sup> AMENDMENT DAY**" in Illinois, in recognition of the history of our nation and our state.

Issued by the Governor February 3, 2015

Filed by the Secretary of State March 5, 2015

**2015-14****AMBUCS Appreciation Month**

## PROCLAMATIONS

WHEREAS, AMBUCS is a national organization comprised of local civic clubs located throughout the United States dedicated to the goal of "creating mobility and independence for people with disabilities;" and,

WHEREAS, AMBUCS strives to achieve this goal by performing community service, providing AmTryke therapeutic tricycles to individuals with disabilities, and providing scholarships for physical therapy, occupational therapy, speech pathology and audiology students; and,

WHEREAS, there are 13 AMBUCS chapters located in the State of Illinois: Cornbelt Bloomington AMBUCS; Champaign-Urbana AMBUCS; Danville AMBUCS; Decatur AMBUCS; Lincolnland AMBUCS; Jacksonville AMBUCS; Ottawa AMBUCS; Pekin AMBUCS; Rockford AMBUCS; Rock River AMBUCS; Springfield AMBUCS; Sullivan AMBUCS; and Greater Champaign County AMBUCS; and,

WHEREAS, more than 620 individuals are actively involved in local and national AMBUCS chapters in the State of Illinois; and,

WHEREAS, AMBUCS chapters and members throughout the State of Illinois annually donate thousands of hours of community service and monetary gifts, in order to provide AmTrykes to disabled individuals, endow scholarships for therapy students, and build ramps for disabled persons;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim March 2015 as **AMBUCS APPRECIATION MONTH** in Illinois, in recognition of the fine accomplishments, unequalled charitable giving, and selfless contributions of AMBUCS Chapters and members throughout the Land of Lincoln.

Issued by the Governor February 6, 2015  
Filed by the Secretary of State March 5, 2015

**2015-15****Illinois Flag Display Act- Chief Kenneth Lehr**

WHEREAS, we hold the highest esteem and reverence for the men and women who answer the call to serve their friends, family and communities; and,

WHEREAS, first responders save countless lives every year with their heroic efforts; and,

WHEREAS, firefighters not only demonstrate the desire to serve, but have the courage to act calmly and professionally when faced with terrifying situations; and,

## PROCLAMATIONS

WHEREAS, on February 5, 2015, one of these brave souls, Chief Kenneth Lehr, of the Medora Fire Protection District, was taken from us at the age of 59; and,

WHEREAS, we will always remember that throughout his 20 year career as a proud member of the Medora Fire Protection District, Chief Kenneth Lehr courageously volunteered to fight fires and help others. He served as chief of the Medora Volunteer District since 2006; and,

WHEREAS, Chief Kenneth Lehr was an active member of the Medora community; and,

WHEREAS, Chief Kenneth Lehr was not only a public servant, but a dedicated first responder who was known by many for his deep commitment to helping people and saving lives; and,

WHEREAS, although Chief Kenneth Lehr is no longer with us, we will not forget the countless lives that were impacted by his public service; and,

WHEREAS, on Saturday, February 14, 2015, a funeral will be held at Southwestern High School Gymnasium in Piasa, Illinois, for Chief Kenneth Lehr, who is survived by many loving family members and friends who are grateful for the numerous ways he touched their lives; and,

THEREFORE, I Bruce Rauner, 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 February 12, 2015 until sunset on February 14, 2015, in honor and remembrance of **Chief Kenneth Lehr**, whose selfless service and sacrifice is an inspiration.

Issued by the Governor February 6, 2015

Filed by the Secretary of State March 5, 2015

**2015-16****Connections for Cardiovascular Health Awareness Day**

WHEREAS, Illinois is among the top 20 states for deaths caused by cardiovascular disease; and,

WHEREAS, heart disease accounts for 24 percent of all deaths in Illinois; and,

WHEREAS, Presence Covenant Medical Center in Urbana, Illinois is expanding its work with "The Cardiovascular Awareness and Risk Reduction Program," which aims to engage Presence Covenant Medical Center's community health partners and greater Champaign County area to focus on and improve the quality of cardiovascular care through screening, education, treatment, and support of healthy lifestyles that target uninsured and underinsured individuals; and,

## PROCLAMATIONS

WHEREAS, HSHS St. John's Hospital in Springfield, Illinois is launching the "Tele-Heart Pathway," a new outpatient telehealth innovation, providing daily remote monitoring to patients at high-risk of heart failure, and their caregivers, in disadvantaged communities; and,

WHEREAS, the establishment of Connections for Cardiovascular Health<sup>SM</sup> Awareness Day provides an opportunity for Illinoisans to join together to improve cardiovascular health in their communities, and raise awareness about the programs and support services throughout the state that play a critical role in heart health; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 18, 2015, as **CONNECTIONS FOR CARDIOVASCULAR HEALTH AWARENESS DAY** in Illinois, and encourage all citizens to connect within their communities to promote cardiovascular health.

Issued by the Governor February 9, 2015  
Filed by the Secretary of State March 5, 2015

**2015-17****Illinois Electric and Telephone Cooperatives Youth Day**

WHEREAS, for many years, the Electric and Telephone Cooperatives of Illinois has sponsored a paid tour of Washington, D.C., for approximately 70 outstanding Illinois high school students; and,

WHEREAS, students are selected through essay and youth leadership contests sponsored by member cooperatives; and,

WHEREAS, students from Illinois, along with nearly 1,500 contest winners from other states, will have an opportunity to witness the federal government in action during the "Youth to Washington" tour taking place on June 12-19, 2015; and,

WHEREAS, in an effort to provide a broader educational experience for students throughout the state, the Electric and Telephone Cooperatives of Illinois also sponsor a trip to the Illinois State Capitol on March 25, 2015 for 275 contest finalists; and,

WHEREAS, these hard-working young men and women are the future of our state and country, and deserve to be commended for their achievements, and their desire to learn more about the nation's governing bodies;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim March 25, 2015 as **ILLINOIS ELECTRIC AND TELEPHONE COOPERATIVES YOUTH DAY** in

## PROCLAMATIONS

Illinois, and encourage all citizens to support youth programs that assist those interested in learning about the United States government.

Issued by the Governor February 9, 2015  
Filed by the Secretary of State March 5, 2015

**2015-18****Illinois Nurse Anesthetists Week**

WHEREAS, Certified Registered Nurse Anesthetists (CRNAs), who safely administer more than 33 million anesthetics to patients each year, are essential to America's healthcare system; and,

WHEREAS, CRNAs are the primary providers of anesthesia care in rural Illinois, enabling healthcare facilities in medically underserved areas to offer obstetrical, surgical and trauma stabilization services. In some states, CRNAs are the sole providers of anesthesia in nearly all rural hospitals; and,

WHEREAS, CRNAs practice in every setting requiring anesthesia: traditional hospital surgical suites; obstetrical delivery rooms; ambulatory surgical centers; the offices of dentists, podiatrists, ophthalmologists, and plastic surgeons; and U.S. Military, Public Health Services, and Veterans Affairs medical facilities; and,

WHEREAS, CRNAs have served as the main provider of anesthesia to U.S. military personnel on the front lines since World War I, including current conflicts in the Middle East.

WHEREAS, since 1939, the Illinois Association of Nurse Anesthetists (IANA) has provided Illinois residents safe and cost-effective anesthesia care; and,

WHEREAS, IANA has a current membership of 1,600 CRNAs and is celebrating its 76th anniversary in 2015;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim the week of January 25-31, 2015 as **ILLINOIS NURSE ANESTHETISTS WEEK**, and urge all citizens to join me in recognizing these healthcare professionals for their contributions to the quality of life in our state.

Issued by the Governor February 9, 2015  
Filed by the Secretary of State March 5, 2015

**2015-19****Illinois Poison Prevention Month**

## PROCLAMATIONS

WHEREAS, all citizens of Illinois should be aware of the ever-present dangers posed by poisonous household substances; and,

WHEREAS, without proper safeguards, children may access over-the-counter and prescription medications, and potentially toxic household products; and,

WHEREAS, over the past 50 years, the nation has been observing National Poison Prevention Week to help prevent accidental poisonings, and promote community involvement in poison prevention; and,

WHEREAS, the Illinois Poison Center has been providing timely poison prevention and treatment services to the people of Illinois for more than 60 years as the oldest, and one of the largest, poison centers in the nation; and,

WHEREAS, the Illinois Poison Center is a mainstay in Illinois' emergency medical care system and is nationally recognized for its contributions to poison treatment and prevention; and,

WHEREAS, 50 percent of the more than 80,000 poisonings reported last year to the Illinois Poison Center involved children under the age of five and could have been prevented; and,

WHEREAS, the Illinois Poison Center saves the State of Illinois more than \$52 million in reduced health care and lost productivity costs because it resolves approximately 90 percent of cases in the caller's home;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim March 2015 as **ILLINOIS POISON PREVENTION MONTH** in Illinois, and encourage all citizens to learn about the Illinois Poison Center's prevention programs that educate citizens about the problem of accidental poisonings, and preventative measures that create safe and healthy environments.

Issued by the Governor February 9, 2015

Filed by the Secretary of State March 5, 2015

**2015-20****Colorectal Cancer Awareness Month**

WHEREAS, colorectal cancer is the third-most commonly diagnosed cancer and the second-most common cause of cancer-related deaths in the United States; and,

WHEREAS, colorectal cancer affects men and women equally; and,

## PROCLAMATIONS

WHEREAS, every three minutes, someone is diagnosed with colorectal cancer, and every 10 minutes, someone dies from colorectal cancer; and,

WHEREAS, the vast majority of colorectal cancer deaths are preventable through proper screening and early detection; and,

WHEREAS, the survival rate of individuals who have early stage colorectal cancer is 90 percent, but only 10 percent when diagnosed after it has spread to other organs; and,

WHEREAS, currently, only 39 percent of colorectal cancer patients receive an early-stage diagnosis; and,

WHEREAS, if the majority of people in the United States aged 50 or older received regular screenings for colorectal cancer, the death rate from this disease could plummet by up to 70 percent; and,

WHEREAS, African Americans, Hispanic Americans, Asian Americans, American Indians, and Alaskan Natives are significantly less likely to be screened for colorectal cancer; and,

WHEREAS, when detected early, colorectal cancer is preventable, treatable, and beatable; and,

WHEREAS, observing Colorectal Cancer Awareness Month during the month of March provides a special opportunity to promote the importance of early detection and screening;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim March 2015 as **COLORECTAL CANCER AWARENESS MONTH** in Illinois to raise awareness about colorectal cancer and to promote proper screening and early detection of this disease.

Issued by the Governor February 12, 2015

Filed by the Secretary of State March 5, 2015

**2015-21**  
**Illinois FFA Week**

WHEREAS, agriculture is the largest industry in Illinois, and it is vital to the economic success and prosperity of our state; and,

WHEREAS, agriculture has a profound impact on all persons who live and work in Illinois; and,

WHEREAS, the future of our state and nation depends on the success of today's youth; and,

## PROCLAMATIONS

WHEREAS, more than 17,000 Illinois Future Farmers of America (FFA) receive positive learning experiences that support the development of leadership skills, personal growth, and career success; and,

WHEREAS, the 2014-2015 Illinois FFA state theme is "Proud Traditions, Sparking Ambitions" reflecting FFA's rich history of tradition that inspires achievement in its members; and,

WHEREAS, the week of February 21-28, 2015 has been designated as National FFA Week throughout the United States, Puerto Rico, and the Virgin Islands; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 21-28, 2015 as **ILLINOIS FFA WEEK** and I encourage all citizens to recognize and support the efforts of Illinois' young agricultural leadership.

Issued by the Governor February 17, 2015

Filed by the Secretary of State March 5, 2015

**2015-22****Illinois School Breakfast Week**

WHEREAS, early in a child's life, food insecurity and hunger causes negative long-term academic and health consequences; and,

WHEREAS, more than 449,000 low-income children in Illinois are at risk of starting their school day hungry because they do not receive breakfast; and,

WHEREAS, 73 percent of teachers and principals see students who regularly come to school hungry; and,

WHEREAS, students who regularly eat school breakfast score 17.5 percent higher on standardized math tests than children who do not; and,

WHEREAS, the Illinois Commission to End Hunger exists to ensure no man, woman, or child in Illinois experiences hunger, and the Commission's No Kid Hungry Working Group supports a school breakfast campaign as a key strategy in its action plan; and,

WHEREAS, the Rise and Shine Illinois campaign seeks to provide grants and technical assistance to schools, and engage the general public in expanding school breakfast across the state; and,

## PROCLAMATIONS

WHEREAS, Rise and Shine Illinois' breakfast partners include the Central Illinois Foodbank, the Greater Chicago Food Depository, EverThrive Illinois, the Illinois Coalition for Community Services, Illinois No Kid Hungry, the Midwest Dairy Council, and the St. Louis Area Foodbank; entities that work every day to assist children statewide; and,

WHEREAS, alternative breakfast models such as Breakfast in the Classroom and Grab N Go are proven, cost-effective options that improve child nutrition and lessen hunger;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 23-27, 2015, as **ILLINOIS SCHOOL BREAKFAST WEEK**, in recognition of the nutritional needs of Illinois schoolchildren.

Issued by the Governor February 17, 2015  
Filed by the Secretary of State March 5, 2015

**2015-23**  
**Medical Assistants Week**

WHEREAS, medical assistants are multi-skilled health care professionals performing clinical and administrative functions; and,

WHEREAS, medical assistants help to ensure the health and well-being of Illinois residents; and,

WHEREAS, all citizens greatly depend on the efforts of hard-working medical assistants; and,

WHEREAS, medical assistants act as liaisons between physicians and other health care workers and their patients; and,

WHEREAS, the medical assistant occupation is projected to be one of the fastest growing professions in the medical field over the next decade; and,

WHEREAS, medical assistants provide the necessary support to keep doctors' offices functioning and running smoothly; and,

WHEREAS, patients receive better care and treatment thanks to medical assistants, who improve their knowledge and skills through educational programs offered by professional organizations such as the Illinois Society of Medical Assistants;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois do hereby proclaim October 19-23, 2015 as **MEDICAL ASSISTANTS WEEK** in Illinois, in recognition of medical

## PROCLAMATIONS

assistants for their commitment and dedication to the medical profession and to the well-being of patients.

Issued by the Governor February 17, 2015  
Filed by the Secretary of State March 5, 2015

**2015-24****Operation Desert Storm Remembrance Day**

WHEREAS, since the birth of this great nation, millions of brave American men and women have courageously answered the call to defend their country's ideals of freedom and democracy; and,

WHEREAS, 24 years ago, more than 600,000 members of the United States Armed Forces risked their lives in the Persian Gulf to liberate Kuwait during Operation Desert Storm; and,

WHEREAS, 14 citizens of the State of Illinois made the ultimate sacrifice for their country supporting Operation Desert Storm; and,

WHEREAS, the men and women who served in the United States Armed Forces during Operation Desert Storm have earned the gratitude and respect of the nation; and,

WHEREAS, the observance of the 24th anniversary of Operation Desert Storm allows citizens throughout Illinois, and across the country, the opportunity to honor those who served during this conflict for their valor and selflessness; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 28, 2015 as **OPERATION DESERT STORM REMEMBRANCE DAY** in Illinois, in honor and remembrance of those who made the ultimate sacrifice to protect our country.

Issued by the Governor February 19, 2015  
Filed by the Secretary of State March 5, 2015

**2015-25****Rare Disease Day**

WHEREAS, many rare diseases are serious and debilitating conditions that have a significant impact on the lives of those affected; and,

WHEREAS, there are nearly 7,000 diseases and conditions considered rare in the United States, with each affecting fewer than 200,000 Americans; and,

## PROCLAMATIONS

WHEREAS, while each of these diseases alone may affect only a small number of people, rare diseases as a group affect millions of Americans; and,

WHEREAS, often there is no treatment specific for these rare diseases; and,

WHEREAS, individuals and families affected by rare diseases often experience problems such as a sense of isolation, difficulty in obtaining an accurate and timely diagnosis, few treatment options, and problems related to accessing or being reimbursed for treatment; and,

WHEREAS, while some rare diseases, such as "Lou Gehrig's disease" and Huntington's disease are relatively well known, many others are largely unknown, such as Amyloidosis; and,

WHEREAS, a lack of awareness by the general public means the job of raising the profile of rare diseases, and raising funds for research, falls on patients and their families; and,

WHEREAS, statistically, nearly 1 in 10 Americans are affected by rare diseases, resulting in thousands of Illinois residents being affected; and,

WHEREAS, a nationwide observance of Rare Disease Day affords patients, medical professionals, researchers, government officials, and companies developing treatments for rare diseases an opportunity to join together to focus attention on rare diseases as a public health issue; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 28, 2015 as **RARE DISEASE DAY** in Illinois, in support of this important public awareness campaign.

Issued by the Governor February 20, 2015

Filed by the Secretary of State March 5, 2015

**2015-26**  
**National Trio Day**

WHEREAS, TRIO programs, which were established by the federal government in 1965, are educational opportunity programs that help students overcome social, cultural and class barriers within higher education by providing information, counseling, academic instruction, tutoring, support and encouragement; and,

WHEREAS, TRIO programs are an integral part of the education of many disadvantaged students in Illinois and throughout the United States; and,

## PROCLAMATIONS

WHEREAS, TRIO programs provide outreach services targeted to assist low-income, first-generation college students, and students with disabilities to progress from middle school to post-baccalaureate programs and enhance their prospects of achieving academic excellence; and

WHEREAS, TRIO programs have a consistent record of successfully increasing college retention and graduation rates for eligible students by providing students with the skills, hope, and motivation needed to succeed in college; and

WHEREAS, Illinois' many TRIO Projects offer services every year that positively impact students on college campuses and in community agencies across Illinois; and,

WHEREAS, every year on the last Saturday of February, high school and college students, teachers, elected officials, TRIO Program Staff, alumni, and participants celebrate the value of TRIO Programs in our communities throughout the nation;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 21, 2015 as **NATIONAL TRIO DAY** in Illinois, in recognition of the opportunities created by these programs and the positive contributions they make to our educational system.

Issued by the Governor February 23, 2015  
Filed by the Secretary of State March 5, 2015

**2015-27****Chicago Music Awards Day**

WHEREAS, Martin's International will present the 34th Annual Chicago Music Awards on Sunday, March 15th, 2016 at the Copernicus Center in Chicago, Illinois; and,

WHEREAS, the Chicago Music Awards is the only event that expressly honors Illinois entertainers of all music genres such as pop, rock, blues, jazz, gospel, country and western, opera, classical, polka, Latin, rhythm and blues, reggae, and other world beat music; and,

WHEREAS, The Chicago Music Awards was founded in 1982 by Ephraim M. Martin to honor and recognize the contributions made by entertainers from Chicago, the State of Illinois, and surrounding regions in a diverse range of musical genres; and,

WHEREAS, Lifetime Awards will be bestowed upon Illinois entertainment legends who have contributed 40 years or more to the entertainment industry; and,

## PROCLAMATIONS

WHEREAS, the 34th Chicago Music Awards ceremony is dedicated to health awareness, and encourages high standards of performance, personal conduct, and professionalism in the music industry;

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim Sunday, March 15th, 2015 to be **CHICAGO MUSIC AWARDS DAY** in the State of Illinois and urge all the people to recognize the artistic contributions of the nominees and awardees to the great State of Illinois.

Issued by the Governor February 25, 2015  
Filed by the Secretary of State March 5, 2015

**2015-28****Financial Aid Awareness Month**

WHEREAS, access to college contributes to a strong and resilient workforce that is able to fill the jobs of the future and adapt to changing economic conditions; and,

WHEREAS, Illinoisans increasingly need post-secondary degrees and certificates to achieve their personal and professional goals; and,

WHEREAS, the state's goal is to see at least 60 percent of Illinois adults hold a post-secondary degree or credential of value by 2025; and,

WHEREAS, achieving that goal will require expanded awareness of the necessary steps to prepare, apply, and pay for college; and,

WHEREAS, student financial aid programs such as the need-based Monetary Award Program (MAP) and the federal Pell grant program provide access to educational opportunities for hundreds of thousands of Illinois students each year; and,

WHEREAS, eligibility for these programs, as well as loans and school-based grants, require completion of the Free Application for Federal Student Aid (FAFSA); and,

WHEREAS, the mission of the Illinois Student Assistance Commission (ISAC) is to make college accessible and affordable for Illinois students, and the agency's Illinois Student Assistance Corps provides financial aid and outreach to students in every region of the state; and,

WHEREAS, ISAC, the Illinois Association for College Admission Counseling, and the Illinois Association of Student Financial Aid Administrators, Inc., are dedicated to improving awareness

## PROCLAMATIONS

about college admissions and financial aid resources and procedures among students, parents, and adults; and,

WHEREAS, the state's college admission community, financial aid community, and ISAC are collaborating to serve Illinois families through workshops on student financial assistance, including help in completing the FAFSA; and,

WHEREAS, more than 125 workshops will be presented free-of-charge in public venues around the State throughout the month of February 2015 to assist Illinoisans in applying for student assistance and reaching their educational and personal goals; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim February 2015 as **FINANCIAL AID AWARENESS MONTH** in Illinois and encourage students and families to take full advantage of the college preparation and planning resources available in their communities.

Issued by the Governor February 25, 2015

Filed by the Secretary of State March 5, 2015

**2015-29****National Athletic Training Month**

WHEREAS, athletic trainers have a long history of providing quality health care for athletes and those engaged in physical activity, which is based on specific tasks, knowledge and skills acquired through their nationally regulated educational processes; and,

WHEREAS, athletic trainers provide the following services: prevention of injuries; recognition, evaluation and treatment of injuries; rehabilitation; health care administration; education; and guidance; and,

WHEREAS, the National Athletic Trainers' Association represents and supports 39,000 members of the athletic training profession employed in the following settings: professional sports, colleges and universities, high schools, clinics and hospitals, corporate and industrial settings, and military branches; and,

WHEREAS, leading organizations concerned with athletic training and health care have joined together in a common desire to raise public awareness of the importance of the athletic training profession and to emphasize the importance of quality health care; and,

PROCLAMATIONS

WHEREAS, such an effort will improve health care for athletes and those engaged in physical activity and promote athletic trainers as an additional option when selecting a health care professional; and,

THEREFORE, I, Bruce Rauner, Governor of the State of Illinois, do hereby proclaim March 2015 as **NATIONAL ATHLETIC TRAINING MONTH** in Illinois, and I urge all people of the State of Illinois to learn more about the importance of athletic training.

Issued by the Governor February 27, 2015

Filed by the Secretary of State March 5, 2015

**ILLINOIS ADMINISTRATIVE CODE**  
**Issue Index - With Effective Dates**

Rules acted upon in Volume 39, Issue 12 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

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