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INTRODUCTION

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

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

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

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

2007 REGISTER SCHEDULE VOLUME #31

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 26, 2006	January 5, 2007
2	January 2, 2007	January 12, 2007
3	January 8, 2007	January 19, 2007
4	January 16, 2007	January 26, 2007
5	January 22, 2007	February 2, 2007
6	January 29, 2007	February 9, 2007
7	February 5, 2007	February 16, 2007
8	February 13, 2007	February 23, 2007
9	February 20, 2007	March 2, 2007
10	February 26, 2007	March 9, 2007
11	March 5, 2007	March 16, 2007
12	March 12, 2007	March 23, 2007
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14	March 26, 2007	April 6, 2007
15	April 2, 2007	April 13, 2007
16	April 9, 2007	April 20, 2007
17	April 16, 2007	April 27, 2007
18	April 23, 2007	May 4, 2007
19	April 30, 2007	May 11, 2007
20	May 7, 2007	May 18, 2007
21	May 14, 2007	May 25, 2007
22	May 21, 2007	June 1, 2007
23	May 29, 2007	June 8, 2007

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
24	June 4, 2007	June 15, 2007
25	June 11, 2007	June 22, 2007
26	June 18, 2007	June 29, 2007
27	June 25, 2007	July 6, 2007
28	July 2, 2007	July 13, 2007
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31	July 23, 2007	August 3, 2007
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34	August 13, 2007	August 24, 2007
35	August 20, 2007	August 31, 2007
36	August 27, 2007	September 7, 2007
37	September 4, 2007	September 14, 2007
38	September 10, 2007	September 21, 2007
39	September 17, 2007	September 28, 2007
40	September 24, 2007	October 5, 2007
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44	October 22, 2007	November 2, 2007
45	October 29, 2007	November 9, 2007
46	November 5, 2007	November 16, 2007
47	November 13, 2007	November 23, 2007
48	November 19, 2007	November 30, 2007
49	November 26, 2007	December 7, 2007
50	December 3, 2007	December 14, 2007
51	December 10, 2007	December 21, 2007
52	December 17, 2007	December 28, 2007

Editor's Note: The Secretary of State Index Department is providing this opportunity to notify you that the filing period for your Regulatory Agenda will occur from April 30, 2007 to July 2, 2007 as July 1, 2007 is a Sunday and the office is closed.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>
310.40	Amendment
310.47	Amendment
310.110	Amendment
310.130	Amendment
310.220	Amendment
310.260	Amendment
310.290	Amendment
310.295	Amendment
310.410	Amendment
310.490	Amendment
310.APPENDIX A TABLE O	Amendment
310.APPENDIX B	Amendment
310.APPENDIX D	Amendment
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a]
- 5) A Complete Description of the Subjects and Issues Involved: In Section 310.40 Pay Schedules, except for Salary Grade pay grade 11 and effective January 1, 2008, the change is that the Schedule of Salary Grades (Appendix B) and the Schedule of Rates (Subpart B) Sections 310.290 Out-of-State Rate and 310.295 Foreign Service Rate are no longer in effect. The only exception is the Schedule of Salary Grades (Appendix B) pay grade 11 because the Data Processing Supervisor I title assigned to the pay grade 11 was petitioned for bargaining unit representation on June 17, 2007 (Illinois Labor Relations Board case number S-RC-07-172) and therefore no change for that title shall occur.

In Section 310.47 In-Hiring Rate and effective January 1, 2008, the pay range and in-hiring rate is adjusted for the titles formerly assigned to Salary Grade pay grades. The titles are Commerce Commission Police Officer Trainee, Internal Auditor Trainee, and Products and Standards Inspector Trainee. The in-hiring rate for the Police Lieutenant is removed as the former in-hiring rate is now lower than the minimum of the merit system range MS-28 to which the title is assigned effective January 1, 2008.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

In Section 310.110 Implementation of Pay Plan Changes, except for Salary Grade pay grade 11 and effective January 1, 2008, the Schedule of Salary Grades (Appendix B) is no longer in effect. The only exception is the Schedule of Salary Grades (Appendix B) pay grade 11 remains in effect.

In Section 310.130 Effective Date, this clarifies that the Schedule of Salary Grade Pay Grades - Monthly Rates of Pay (Appendix B) and the Schedule of Rates (Subpart B) Sections 310.290 Out-of-State Rate and 310.295 Foreign Service Rate rates are not effective for the entire fiscal year 2008. The only exception is the Schedule of Salary Grades (Appendix B) pay grade 11 remains in effect.

In Section 310.220 Negotiated Rate subsection (b), effective January 1, 2008, the non-union positions and employees are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D).

In Section 310.260 Trainee Rate, effective January 1, 2008, the Trainee Programs assigned to non-bargaining-unit rates and salary grade pay grades are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D).

In Section 310.290 Out-of-State Rate subsection (d), effective January 1, 2008, the out-of-state positions assigned to non-bargaining-unit rates and salary grade pay grades are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D).

In Section 310.295 Foreign Service Rate subsection (d), effective January 1, 2008, the foreign service rate positions assigned to non-bargaining-unit rates and salary grade pay grades are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D).

In Section 310.410 Jurisdiction, effective January 1, 2008 titles or positions within titles assigned to the Salary Grade, Trainee Programs, out-of-state, foreign services or non-union rates based on Section 310.220(b) are subject to the Merit Compensation System, except for the Data Processing Supervisor I title. The salary range assignments for these and those titles or positions within a title previously subject to the Merit Compensation System Salary Schedule (Appendix D) are assigned to ranges beginning with MS followed by a number. Former MC-12 ranges and above have no change in minimum or maximum salary as to retain the integrity of the Pay Plan and the Personnel Code [20 ILCS 415 8b.18(a) and (b) and 8b.19(a) and (b)] that define term appointments.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Effective January 1, 2008, the merit compensation grade 12 in the Personnel Code that formerly was indicated by MC-12 is MS-32. The former MC-11 and below minimum and maximum salaries may have been adjusted so as to create a sequence of ranges where their minimum and maximum salaries increase in a reasonable relationship with each other and to contain the cost of implementation.

In Section 310.490 Other Pay Provisions subsection (d)(2)(A) and effective January 1, 2008, the indicators of the merit compensation salary ranges that demark the general overtime eligibility change. Prior to and including December 31, 2007, the indicators were MC-06 and MC-07. Effective January 1, 2008, the indicators are MS-23 and MS-24.

In Section 310.Appendix A Table O RC-028 (Paraprofessional Human Services Employees, AFSCME), the Inhalation Therapist Supervisor title is corrected to Inhalation Therapy Supervisor in the title table.

In Section 310.Appendix B Schedule of Salary Grade Pay Grades – Monthly Rates of Pay, effective January 1, 2008, the titles or positions within a title formerly assigned to salary grade pay grades are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D). The only exception is the Data Processing Supervisor I title that remains assigned to Salary Grade pay grade 11 and Salary Grade pay grade 11 remains in effect. The rate table effective December 2, 2005 is removed as the rates are not effective during fiscal year 2008.

In Section 310.Appendix D Merit Compensation System Salary Schedule, the information on the December 2, 2005 increases and the resulting rates are removed as they were not effective during fiscal year 2008. The new merit system ranges effective January 1, 2008 are indicated beginning with MS followed by a sequential number and are listed with the minimum and maximum salaries. A note is included to ensure integrity of the Personnel Code definition of term appointment.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 10) Are there any other proposed rulemakings pending on this Part?

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
310.APPENDIX A TABLE A	Amendment	31 Ill. Reg. 12384; 8/31/07
310. 270	Amendment	30 Ill. Reg. 13050; 9/14/07

- 11) Statement of Statewide Policy Objectives: These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

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

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

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2007

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

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

SUBPART B: SCHEDULE OF RATES

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

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

SUBPART C: MERIT COMPENSATION SYSTEM

Section	
310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases and Bonuses
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units (Repealed)
310.520	Conversion of Base Salary to Daily or Hourly Equivalent
310.530	Implementation
310.540	Annual Merit Increase and Bonus Guidechart
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
310.APPENDIX A	Negotiated Rates of Pay
310.TABLE A	RC-104 (Conservation Police Sergeants, Laborers' – ISEA Local #2002)
310.TABLE B	VR-706 (Meat and Poultry Inspector Supervisors, Laborers' - ISEA Local #2002)
310.TABLE C	RC-056 (Site Superintendents and Natural Resource, Historic

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	Preservation and Agriculture Managers, IFPE)
310.TABLE D	HR-001 (Teamsters Local #726)
310.TABLE E	RC-020 (Teamsters Local #330)
310.TABLE F	RC-019 (Teamsters Local #25)
310.TABLE G	RC-045 (Automotive Mechanics, IFPE)
310.TABLE H	RC-006 (Corrections Employees, AFSCME)
310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	HR-012 (Fair Employment Practices Employees, SEIU) (Repealed)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
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310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

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NOTICE OF PROPOSED AMENDMENTS

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory

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amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at

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16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996;

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peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective

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September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2684, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 13, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective

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November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8418, effective June 1, 2005; amended at 29 Ill. Reg. 9319, effective July 1, 2005; preemptory amendment at 29 Ill. Reg. 12076, effective July 15, 2005; preemptory amendment at 29 Ill. Reg. 13265, effective August 11, 2005; amended at 29 Ill. Reg. 13540, effective August 22, 2005; preemptory amendment at 29 Ill. Reg. 14098, effective September 2, 2005; amended at 29 Ill. Reg. 14166, effective September 9, 2005; amended at 29 Ill. Reg. 19551, effective November 21, 2005; emergency amendment at 29 Ill. Reg. 20554, effective December 2, 2005, for a maximum of 150 days; preemptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; preemptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; preemptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; preemptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill. Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days;

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peremptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; peremptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; peremptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21, 2007; peremptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 32 Ill. Reg. _____, effective _____.

SUBPART A: NARRATIVE

Section 310.40 Pay Schedules

The attached Schedule of Salary Grades (Appendix B), Schedule of Rates (Subpart B), Medical Administrator Rates (Appendix C) and the Merit Compensation System (Subpart C) are hereby made a part of this Part. Each employee subject to this Part, except those whose rates of pay is determined under the Schedule of Rates (Subpart B) or the Merit Compensation System (Subpart C) of this Part, or Section 8(a) of the Personnel Code [20 ILCS 415/8a], shall be paid at a step in the appropriate salary grade in the Schedule of Salary Grades (Appendix B) for the class of position in which he/she is employed. During fiscal year 2008, the Schedule of Salary Grades (Appendix B) and the Schedule of Rates (Sections 310.290 - Out-of-State Rate and 310.295 - Foreign Service Rate) are effective July 1, 2007 through December 31, 2007. Effective January 1, 2008, the titles or positions within a title formerly assigned to the Schedule of Salary Grades and the Schedule of Rates (Sections 310.290 and 310.295) are assigned to the Merit Compensation System (Subpart C). The only exception is that the Data Processing Supervisor I title remains assigned to the Schedule of Salary Grades pay grade 11 and Salary Grade pay grade 11 remains in effect.

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 310.47 In-Hiring Rate

- a) Request – An agency head may request in writing that the Director of Central Management Services approve an in-hiring rate. The rate is a Step or dollar amount depending on whether the classification title is assigned to a negotiated pay grade, salary grade pay grade, out-of-state rate, foreign service rate, merit compensation pay range, medical administrator rate or broad-band pay range. The rate may be for the classification title or limited within the classification title to the agency, facilities, counties or other criteria. The supporting justifications

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for the requested in-hiring rate and the limitations are included in the agency request. An effective date may be included in the request.

- b) Review – The Director of Central Management Services shall review the supporting justifications, the turnover rate, length of vacancies, and the currently filled positions for the classification title, and the market starting rates for similar classes, and consult with other agencies using the classification title.
- c) Approval – The Director of Central Management Services indicates in writing the approved in-hiring rate and effective date, which is either the date requested by the agency or the beginning of the next pay period after the approval.
- de) Implementation – In the classification title or within the limitations of the classification title, an employee paid below the in-hiring rate receives the in-hiring rate on the approved effective date. The in-hiring rate remains in effect for any employee entering the title or the limits within the title until the title is abolished or an agency request to rescind the in-hiring rate is approved by the Director of Central Management Services.
- ef) Approved In-Hiring Rates –

Effective until and including December 31, 2007

Title	Pay Grade or Range	In-Hiring Rate
Accounting & Fiscal Administration Career Trainee	RC-062-12	Step 3
Actuarial Examiner Trainee	RC-062-13	Step 4
Children & Family Services Intern, Option 2	RC-062-15	Step 1b
Civil Engineer I	RC-063-15	Step 2
Civil Engineer II	RC-063-17	Step 1
Civil Engineer Trainee	NR-916	To minimum monthly rate for appointee with Bachelor's degree in accredited civil engineering program, add \$40/quarter work experience up to 8, add \$60 if passed

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		Engineering Intern exam, and add \$40/quarter Master's program up to 8
Commerce Commission Police Officer Trainee	SG-13	Step 2
Correctional Officer	RC-006-09	Step 2
Correctional Officer Trainee	RC-006-05	Step 4
Engineering Technician I	NR-916	See Note
Engineering Technician II	NR-916	See Note
Engineering Technician III	NR-916	See Note
Engineering Technician IV	NR-916	See Note
Environmental Engineer I	RC-063-15	Step 2
Environmental Engineer II	RC-063-17	Step 1
Environmental Protection Engineer I	RC-063-15	Step 5
Environmental Protection Engineer II	RC-063-17	Step 4
Financial Institutions Examiner Trainee	RC-062-13	Step 2
Forensic Scientist Trainee	RC-062-15	Step 2, and Step 3 if completed Forensic Science Residency Program at the U of I, Chicago
Information Services Intern	RC-063-15	See Note
Information Services Specialist I	RC-063-17	Step 1a for Outside Cook County and Step 2 for Cook County
Information Services Specialist II	RC-063-19	Step 1a for Cook County
Insurance Company Financial Examiner Trainee	RC-062-13	Step 4
Internal Auditor Trainee	SG-12	Step 3
Meat & Poultry Inspector Trainee	RC-033	Step 3 for Regions 1 and 6
Physician Specialist, Option C	RC-063-MD-C	Step 5 for Singer, McFarland, Zeller, Choate, Chester, Alton, Murray, and Mabley facilities
Physician Specialist, Option D	RC-063-MD-D	Step 5 for Singer, McFarland, Zeller, Choate, Chester, Alton, Murray, and Mabley facilities
Police Lieutenant	MC-09	\$3,450

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Products & Standards Inspector Trainee	SG-12	Step 5 for Cook, Dupage, Lake, Kane, and Will counties; and Step 3 for all other counties
Revenue Auditor Trainee	RC-062-12 (IL); RC-062-15 (CA or NJ); and RC-062-13 (states other than IL, CA, or NJ)	Step 5
Revenue Special Agent Trainee	RC-062-14	Step 2
Security Therapy Aide Trainee	RC-009-13	Step 5 for the Joliet Treatment and Detention Facility
State Mine Inspector	RC-062-19	Step 1
Telecommunicator	RC-014-12	Step 2 for District 2
Telecommunicator Trainee	RC-014-10	Step 3 for Kane County and Step 7 for Cook County
Terrorism Research Specialist Trainee	RC-062-14	Step 2
Youth Supervisor Trainee	RC-006-05	Step 3
Youth Supervisor II	RC-006-09	Step 1

Effective January 1, 2008

<u>Title</u>	<u>Pay Grade or Range</u>	<u>In-Hiring Rate</u>
<u>Accounting & Fiscal Administration</u>		
<u>Career Trainee</u>	<u>RC-062-12</u>	<u>Step 3</u>
<u>Actuarial Examiner Trainee</u>	<u>RC-062-13</u>	<u>Step 4</u>
<u>Children & Family Services Intern, Option 2</u>	<u>RC-062-15</u>	<u>Step 1b</u>
<u>Civil Engineer I</u>	<u>RC-063-15</u>	<u>Step 2</u>
<u>Civil Engineer II</u>	<u>RC-063-17</u>	<u>Step 1</u>
<u>Civil Engineer Trainee</u>	<u>NR-916</u>	<u>To minimum monthly rate for appointee with bachelor's degree in accredited civil engineering program, add \$40/quarter</u>

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		work experience up to 8, add \$60 if passed Engineering Intern exam, and add \$40/quarter master's program up to 8
Commerce Commission Police Officer		
Trainee	MS-10	\$2,943
Correctional Officer	RC-006-09	Step 2
Correctional Officer Trainee	RC-006-05	Step 4
Engineering Technician I	NR-916	See Note
Engineering Technician II	NR-916	See Note
Engineering Technician III	NR-916	See Note
Engineering Technician IV	NR-916	See Note
Environmental Engineer I	RC-063-15	Step 2
Environmental Engineer II	RC-063-17	Step 1
Environmental Protection Engineer I	RC-063-15	Step 5
Environmental Protection Engineer II	RC-063-17	Step 4
Financial Institutions Examiner		
Trainee	RC-062-13	Step 2
Forensic Scientist Trainee	RC-062-15	Step 2, and Step 3 if completed Forensic Science Residency Program at the U of I-Chicago
Information Services Intern	RC-063-15	See Note
Information Services Specialist I	RC-063-17	Step 1a for Outside Cook County and Step 2 for Cook County
Information Services Specialist II	RC-063-19	Step 1a for Cook County
Insurance Company Financial		
Examiner Trainee	RC-062-13	Step 4
Internal Auditor Trainee	MS-09	\$2,854
Meat & Poultry Inspector Trainee	RC-033	Step 3 for Regions 1 and 6
Physician Specialist, Option C	RC-063-MD-C	Step 5 for Singer, McFarland, Zeller, Choate, Chester, Alton, Murray, and Mabley facilities

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<u>Physician Specialist, Option D</u>	<u>RC-063-MD-D</u>	<u>Step 5 for Singer, McFarland, Zeller, Choate, Chester, Alton, Murray, and Mabley facilities</u>
<u>Products & Standards Inspector Trainee</u>	<u>MS-09</u>	<u>\$3,057 for Cook, Dupage, Lake, Kane, and Will counties; and \$2,854 for all other counties</u>
<u>Revenue Auditor Trainee</u>	<u>RC-062-12 (IL); RC-062-15 (CA or NJ); and RC-062-13 (states other than IL, CA, or NJ)</u>	<u>Step 5</u>
<u>Revenue Special Agent Trainee</u>	<u>RC-062-14</u>	<u>Step 2</u>
<u>Security Therapy Aide Trainee</u>	<u>RC-009-13</u>	<u>Step 5 for the Joliet Treatment and Detention Facility</u>
<u>State Mine Inspector</u>	<u>RC-062-19</u>	<u>Step 1</u>
<u>Telecommunicator</u>	<u>RC-014-12</u>	<u>Step 2 for District 2</u>
<u>Telecommunicator Trainee</u>	<u>RC-014-10</u>	<u>Step 3 for Kane County and Step 7 for Cook County</u>
<u>Terrorism Research Specialist Trainee</u>	<u>RC-062-14</u>	<u>Step 2</u>
<u>Youth Supervisor Trainee</u>	<u>RC-006-05</u>	<u>Step 3</u>
<u>Youth Supervisor II</u>	<u>RC-006-09</u>	<u>Step 1</u>

Note: The Engineering Technician series has the following in-hiring rates –

Education Level

Completion of 2 years of college in civil engineering or job related technical/science curriculum (60 semester/90 quarter hours credit)	\$2,295
Completion of 3 years of college in areas other than civil engineering or job related technical/scientific curriculum (90 semester/135 quarter hours credit)	\$2,205
An Associate Degree from an accredited 2 year civil engineering technology program	\$2,400

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Completion of 3 years of college courses in civil engineering or job related technical/scientific curriculum (90 semester/135 quarter hours credit)	\$2,400
Completion of 4 years of college courses in areas other than civil engineering or job related technical/scientific curriculum (120 semester/180 quarter hours credit)	\$2,295
Completion of 4 years of college in civil engineering or job related technical/scientific curriculum (120 semester/180 quarter hours credit includes appointees from unaccredited engineering programs and those who have not yet obtained a degree)	\$2,500
Bachelor of Science Degree from an accredited 4 year program in civil engineering technology, industrial technology, and construction technology	\$2,835

The Information Services Intern title has the following in-hiring rates –

Education	Outside Cook County	Cook County
Computer Science degree at 4-year college	Step 4	Step 6
Computer Science degree at 2-year technical school	Step 2	Step 4
Non-Computer Science degree at 4-year college	Step 1	Step 3

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 310.110 Implementation of Pay Plan Changes

The rates of pay for all employees occupying positions subject to the Schedule of Salary Grade Pay Grades shall be as set out in Appendix B, Schedule of Salary Grade Pay Grades – Monthly Rates of Pay. [No title or position within a title is subject to the Schedule of Salary Grade Pay Grades – Monthly Rates of Pay \(Appendix B\) effective January 1, 2008. The only exception is that the Data Processing Supervisor I title remains assigned to the Schedule of Salary Grades \(Appendix B\) pay grade 11.](#)

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 310.130 Effective Date

This Pay Plan Narrative (Subpart A), Schedule of Rates (Subpart B), Merit Compensation

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System (Subpart C), Schedule of Salary Grade Pay Grades - Monthly Rates of Pay (Appendix B), Medical Administrator Rates (Appendix C), Merit Compensation System Salary Schedule (Appendix D), and Broad-Band Pay Range Classes Salary Schedule (Appendix G) shall be effective for Fiscal Year 2008 except that, effective January 1, 2008, the Schedule of Salary Grade Pay Grades - Monthly Rates of Pay (Appendix B) and the Schedule of Rates (Sections 310.290 - Out-of-State Rate and 310.295 - Foreign Service Rate) are not in effect. The only exception is that the Schedule of Salary Grades (Appendix B) pay grade 11 to which the Data Processing Supervisor I title remains assigned.

(Source: Amended at 32 Ill. Reg. _____, effective _____)

SUBPART B: SCHEDULE OF RATES

Section 310.220 Negotiated Rate

- a) The rate of pay for a class in any specific area or agency, or in a specific area for an agency, as established and approved by the Director of Central Management Services after having conducted negotiations for this purpose, or as certified as being correct and reported to the Director of Central Management Services by the Director of the Illinois Department of Labor for designated classifications.
- b) An employee occupying a position in a class normally subject to contract, but whose position is excluded from the bargaining unit, shall receive the contract rate and other compensation items specified by the contract, unless the Director of Central Management Services has established another specific provision. Subsection (b) is suspended for non-union positions and employees. Effective January 1, 2008, the non-union positions and employees are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D).
- c) As provided in certain collective bargaining agreements, an employee may be paid at an appropriate higher rate when assigned to perform the duties of a higher level position. Eligibility for and the amount of this pay will be as provided in the contract.
- d) The negotiated rates of pay for classifications in specified operating agencies, in specified agency facilities or with specified duties shall be as indicated in Appendix A of this Part.

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(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 310.260 Trainee Rate

Rates of pay for employees working in Trainee classes or in other classes pursuant to a Trainee Program (80 Ill. Adm. Code 302.170) shall conform to those set forth in the applicable Trainee Program, to salary grade pay grades approved for or pay grades negotiated for such training classes. Merit compensation system Trainee Program rates, which are recommended by the agency head where the Trainee Program is established, will normally be less than the entrance rate for the class for which training is being conducted unless otherwise approved by the Director of Central Management Services. (Effective July 1, 2003, increases are suspended for non-union positions and employees.) Effective December 2, 2005, non-bargaining-unit trainee rates receive a 4% adjustment increase and the base salary for each non-bargaining-unit employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in the employee's creditable service date. Effective January 1, 2007, salary grade trainee rates receive a 3% adjustment increase and the base salary for each salary grade employee receives a 3% adjustment increase without change in the employee's creditable service date. [Effective January 1, 2008, the Trainee Programs assigned to non-bargaining-unit rates and salary grade pay grades are assigned to the Merit Compensation System \(Subpart C\) and to rates within the Merit Compensation System Salary Schedule \(Appendix D\).](#)

(Source: Amended at 32Ill. Reg. _____, effective _____)

Section 310.290 Out-of-State Rate

- a) Requirements – The out-of-state rate is the rate of pay for employees not subject to Section 310.220 but occupying positions in the classification titles listed in subsection (d) that require payment in accordance with the economic conditions of another state. The employee shall reside in the state where the position is assigned.
- b) Adjustments and Bonuses –
 - 1) Approval - The Director of Central Management Services will, before approving an adjustment, consider the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

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- 2) Adjustments Effective December 2, 2005 - Effective December 2, 2005, the base salary for each employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in the employee's creditable service date.
 - 3) Adjustments Effective January 1, 2007 - Effective January 1, 2007, the base pay for each employee in positions assigned to and receiving out-of-state rates where the classification's positions are otherwise assigned to a bargaining unit receives a 3% adjustment increase without change in the employee's creditable service date.
 - 4) Eligibility for Annual Merit Increases and Bonuses – Employees in positions assigned to and receiving out-of-state rates where the classification's positions are otherwise assigned to the merit compensation system or not assigned to a bargaining unit are eligible for the annual merit increases and bonuses whose procedures and guidechart are in Sections 310.450 and 310.540, respectively.
 - 5) Suspension – Effective July 1, 2003 through and including December 31, 2006, adjustments except those effective December 2, 2005 and January 1, 2007 were suspended for non-union positions and employees. The suspension of adjustments remains in effect for employees in positions assigned to and receiving out-of-state rates where the classification's positions are otherwise assigned to a bargaining unit.
- c) Out-Of-State Rate Calculation – Ranges assigned to states other than California and New Jersey are 15% above the ranges assigned to in-state positions (except when those in-state positions are assigned to bargaining unit rates) and are listed in subsection (d). Ranges assigned to California and New Jersey are 30% above the ranges assigned to in-state positions (except when those in-state positions are assigned to bargaining unit rates) and are listed in subsection (d).
- d) Minimum and Maximum Out-of-State Rates in Ranges by Classification Title – [Effective January 1, 2008, the out-of-state positions assigned to non-bargaining unit rates and salary grade pay grades are assigned to the Merit Compensation System \(Subpart C\) and to rates within the Merit Compensation System Salary Schedule \(Appendix D\).](#)

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Title	Ranges			
	December 2, 2005		January 1, 2007	
	minimum	maximum	minimum	maximum
Executive II				
(States Other Than California and New Jersey)	3401	6130	3401	7171
(CA, NJ)	3844	6929	3844	8107
Office Administrator IV				
(States Other Than California and New Jersey)	2673	4630	2673	5417
(CA, NJ)	3021	5234	3021	6123
Office Associate				
(States Other Than California and New Jersey)	2387	3204	2459	3300
(CA, NJ)	2699	3622	2780	3731
Office Coordinator				
(States Other Than California and New Jersey)	2465	3327	2539	3427
(CA, NJ)	2786	3761	2870	3874
Public Service Administrator				
(States Other Than California and New Jersey)	3583	7843	3583	9176
(CA, NJ)	4051	8866	4051	10373
Revenue Audit Supervisor				
(States Other Than California and New Jersey)	4488	8390	4488	9816
(CA, NJ)	5074	9485	5074	11097
Revenue Tax Specialist I				

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(States Other Than California and New Jersey)	2751	3803	2834	3917
(CA, NJ)	3110	4299	3203	4428
Revenue Tax Specialist Trainee				
(States Other Than California and New Jersey)	2546	3468	2622	3572
(CA, NJ)	2878	3921	2964	4039
Senior Public Service Administrator				
(States Other Than California and New Jersey)	4939	11607	4939	11607
(CA, NJ)	5584	13121	5584	13121

(Source: Amended at 32 Ill. Re g. _____, effective _____)

Section 310.295 Foreign Service Rate

- a) Requirements – The foreign service rate is the rate of pay for employees not subject to Section 310.220 but occupying positions in the classification titles listed in subsection (d) that require payment in accordance with the economic conditions of a foreign country. The employee shall reside in the foreign country where the position is assigned.
- b) Adjustments –
 - 1) Approval – The Director of Central Management Services will, before approving an adjustment to a foreign service rate, consider the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.
 - 2) Adjustments Effective December 2, 2005 – Effective December 2, 2005, the base salary for each employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in the employee's creditable service date.

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- 3) Adjustments Effective January 1, 2007 - Effective January 1, 2007, the base pay for each employee in positions assigned to and receiving foreign service rates where the classification's positions are otherwise assigned to a bargaining unit receives a 3% adjustment increase without change in the employee's creditable service date.
- 4) Eligibility for Annual Merit Increases and Bonuses – Employees in positions assigned to and receiving foreign service rates where the classification's positions are otherwise assigned to the merit compensation system or not assigned to a bargaining unit are eligible for the annual merit increases and bonuses whose procedures and guidechart are in Sections 310.450 and 310.540, respectively.
- 5) Suspension – Effective July 1, 2003 through and including December 31, 2006, adjustments except those effective December 2, 2005 and January 1, 2007 were suspended for non-union positions and employees. The suspension of adjustments remains in effect for employees in positions assigned to and receiving foreign service rates where the classification's positions are otherwise assigned to a bargaining unit.
- c) Differentials – For foreign service rates listed in subsection (d), a differential shall be made once a month to the base salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate.
- d) Minimum and Maximum Foreign Service Rates in Ranges by Classification Title – [Effective January 1, 2008, the foreign service rate positions assigned to non-bargaining unit rates and salary grade pay grades are assigned to the Merit Compensation System \(Subpart C\) and to rates within the Merit Compensation System Salary Schedule \(Appendix D\).](#)

Title	Ranges			
	December 2, 2005		January 1, 2007	
	minimum	maximum	minimum	maximum
Foreign Service Economic Development Executive I	4002	7365	4002	8617
Foreign Service Economic Development	5126	9654	5126	11295

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Executive II

Foreign Service Economic Development Representative	3400	6130	3400	7172
Office Assistant (Foreign Service)	2256	2976	2324	3065

(Source: Amended at 32 Ill. Reg. _____, effective _____)

SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.410 Jurisdiction

The Merit Compensation System shall apply to all classes of positions designated below, Medical Administrator classes in Appendix C, and Broad-Band classes in Appendix G. In addition, the classes are listed in the ALPHABETIC INDEX OF POSITION TITLES. Also see Section 310.495 for the application of the Merit Compensation System for those Broad-Band titles listed with their salary ranges in Appendix G.

[Effective until and including December 31, 2007](#)

Title	Title Code	Salary Plan
Accountant Supervisor	00135	MC-05
Activity Therapist Supervisor	00163	MC-07
Actuary III	00203	MC-16
Administrative Assistant I	00501	MC-04
Administrative Assistant II	00502	MC-06
Agricultural Marketing Representative	00810	MC-05
Assistant Automotive Shop Supervisor	01565	MC-03
Automotive Shop Supervisor	03749	MC-07
Boat Safety Inspection Supervisor	04850	MC-06
Building Construction Inspector I	05541	MC-04
Building Construction Inspector II	05542	MC-05
Business Manager	05815	MC-05
Commerce Commission Police Sergeant	08457	MC-07
Corrections Leisure Activities Specialist III	09813	MC-06
Corrections Leisure Activities Specialist IV	09814	MC-07
Corrections Vocational School Supervisor	09880	MC-05

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Court Reporter Supervisor	09903	MC-08
Data Processing Supervisor II	11436	MC-04
Data Processing Supervisor III	11437	MC-07
Dietary Manager I	12501	MC-03
Dietary Manager II	12502	MC-05
Disability Claims Analyst	12540	MC-06
Electrical Engineer	13180	MC-10
Employment Security Field Office Supervisor	13600	MC-06
Engineering Technician IV	13734	MC-07
Executive I	13851	MC-05
Executive II	13852	MC-07
Executive Secretary II	14032	MC-01
Executive Secretary III	14033	MC-02
Facility Fire Chief	14433	MC-02
Guard Supervisor	17685	MC-01
Guardianship Supervisor	17720	MC-07
Highway Construction Supervisor I	18525	MC-07
Highway Construction Supervisor II	18526	MC-09
Historical Library Chief of Acquisitions	18987	MC-06
Human Rights Mediator	19771	MC-05
Human Services Casework Manager	19788	MC-07
Internal Auditor I	21721	MC-05
Internal Security Investigator I	21731	MC-04
Internal Security Investigator II	21732	MC-07
International Marketing Representative I	21761	MC-05
KidCare Supervisor	22003	MC-07
Laundry Manager I	23191	MC-01
Librarian II	23402	MC-05
Lottery Regional Coordinator	24504	MC-07
Management Operations Analyst I	25541	MC-06
Manuscripts Manager	25610	MC-06
Mental Health Administrator I	26811	MC-05
Mental Health Administrator II	26812	MC-07
Mental Health Program Administrator	26908	MC-20
Methods and Procedures Advisor III	27133	MC-07
Office Administrator IV	29994	MC-02
Office Administrator V	29995	MC-03

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Plumbing Consultant	32910	MC-09
Police Lieutenant	32977	MC-09
Private Secretary I	34201	MC-02
Private Secretary II	34202	MC-04
Public Aid Family Support Specialist II	35842	MC-05
Public Aid Staff Development Specialist III	36073	MC-06
Public Health Program Specialist III	36613	MC-07
Radiologic Technologist Chief	37505	MC-03
Rehabilitation Workshop Supervisor III	38196	MC-05
Reimbursement Officer II	38200	MC-05
Reproduction Service Supervisor II	38202	MC-04
Residential Care Program Supervisor I	38271	MC-06
Revenue Audit Supervisor	38369	MC-12
Security Officer Chief	39875	MC-04
Security Officer Lieutenant	39876	MC-02
Security Therapy Aide IV	39904	MC-05
Sign Shop Foreman	41000	MC-06
Staff Development Specialist I	41771	MC-05
Staff Development Technician II	41782	MC-03
State Mine Inspector-At-Large	42240	MC-11
Statistical Research Specialist III	42743	MC-06
Statistical Research Supervisor	42745	MC-07
Storekeeper III	43053	MC-01
Supervising Vehicle Testing Compliance Officer	43680	MC-06
Switchboard Chief Operator	44410	MC-01
Technical Advisor I	45251	MC-05
Technical Advisor II	45252	MC-07
Telecommunications Supervisor	45305	MC-07
Utility Engineer I	47451	MC-05
Utility Engineer II	47452	MC-07
Vehicle Emissions Compliance Supervisor	47583	MC-05
Waterways Construction Supervisor I	49061	MC-05
Waterways Construction Supervisor II	49062	MC-07

Effective January 1, 2008

Title

Title
Code

Salary
Range

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<u>Account Technician I</u>	<u>00115</u>	<u>MS-07</u>
<u>Account Technician II</u>	<u>00116</u>	<u>MS-09</u>
<u>Account Technician Trainee</u>	<u>00118</u>	<u>MS-04</u>
<u>Accountant</u>	<u>00130</u>	<u>MS-12</u>
<u>Accountant Advanced</u>	<u>00133</u>	<u>MS-14</u>
<u>Accountant Supervisor</u>	<u>00135</u>	<u>MS-20</u>
<u>Activity Therapist</u>	<u>00157</u>	<u>MS-12</u>
<u>Activity Therapist Supervisor</u>	<u>00163</u>	<u>MS-24</u>
<u>Actuary III</u>	<u>00203</u>	<u>MS-36</u>
<u>Administrative Assistant I</u>	<u>00501</u>	<u>MS-18</u>
<u>Administrative Assistant II</u>	<u>00502</u>	<u>MS-22</u>
<u>Agricultural Marketing Representative</u>	<u>00810</u>	<u>MS-20</u>
<u>Animal and Animal Products Investigator Trainee</u>	<u>01075</u>	<u>MS-09</u>
<u>Appraisal Specialist Trainee</u>	<u>01255</u>	<u>MS-09</u>
<u>Arson Investigations Trainee</u>	<u>01485</u>	<u>MS-12</u>
<u>Arts Council Program Coordinator</u>	<u>01526</u>	<u>MS-19</u>
<u>Arts Council Program Representative</u>	<u>01527</u>	<u>MS-12</u>
<u>Assistant Automotive Shop Supervisor</u>	<u>01565</u>	<u>MS-17</u>
<u>Automotive Shop Supervisor</u>	<u>03749</u>	<u>MS-24</u>
<u>Boat Safety Inspection Supervisor</u>	<u>04850</u>	<u>MS-22</u>
<u>Building Construction Inspector I</u>	<u>05541</u>	<u>MS-18</u>
<u>Building Construction Inspector II</u>	<u>05542</u>	<u>MS-20</u>
<u>Building Services Worker</u>	<u>05616</u>	<u>MS-03</u>
<u>Building/Grounds Laborer</u>	<u>05598</u>	<u>MS-08</u>
<u>Business Manager</u>	<u>05815</u>	<u>MS-20</u>
<u>Child Protection Advanced Specialist</u>	<u>07161</u>	<u>MS-21</u>
<u>Child Protection Specialist</u>	<u>07163</u>	<u>MS-19</u>
<u>Clerical Trainee</u>	<u>08050</u>	<u>MS-01</u>
<u>Commerce Commission Police Officer Trainee</u>	<u>08455</u>	<u>MS-10</u>
<u>Commerce Commission Police Sergeant</u>	<u>08457</u>	<u>MS-24</u>
<u>Conservation Education Representative</u>	<u>09300</u>	<u>MS-09</u>
<u>Corrections Leisure Activities Specialist III</u>	<u>09813</u>	<u>MS-22</u>
<u>Corrections Leisure Activities Specialist IV</u>	<u>09814</u>	<u>MS-24</u>
<u>Corrections Vocational School Supervisor</u>	<u>09880</u>	<u>MS-20</u>
<u>Court Reporter Supervisor</u>	<u>09903</u>	<u>MS-26</u>

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Data Processing Assistant	11420	MS-04
Data Processing Supervisor II	11436	MS-18
Data Processing Supervisor III	11437	MS-24
Data Processing Technician	11440	MS-06
Deck Hand	11500	MS-14
Dietary Manager I	12501	MS-17
Dietary Manager II	12502	MS-20
Disability Claims Analyst	12540	MS-22
Economic Development Representative Trainee	12939	MS-10
Educational Media Program Specialist	12980	MS-16
Electrical Engineer	13180	MS-30
Employment Security Field Office Supervisor	13600	MS-22
Engineering Technician IV	13734	MS-24
Equine Investigator	13840	MS-09
Executive I	13851	MS-20
Executive II	13852	MS-24
Executive Secretary I	14031	MS-08
Executive Secretary II	14032	MS-11
Executive Secretary III	14033	MS-13
Facility Fire Chief	14433	MS-13
Fingerprint Technician Trainee	15209	MS-05
Fire Certification Specialist	15285	MS-16
Fire Protection Specialist I	15351	MS-14
Foreign Service Economic Development Executive I	15871	MS-32
Foreign Service Economic Development Executive II	15872	MS-34
Foreign Service Economic Development Representative I	15875	MS-30
Governmental Career Trainee	17325	MS-09
Guard II	17682	MS-08
Guard Supervisor	17685	MS-11
Guardianship Supervisor	17720	MS-24
Highway Construction Supervisor I	18525	MS-24
Highway Construction Supervisor II	18526	MS-28
Highway Maintainer	18369	MS-10
Historical Library Chief of Acquisitions	18987	MS-22
Historical Research Specialist	19008	MS-23

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Human Resources Assistant	19690	MS-05
Human Resources Associate	19691	MS-08
Human Resources Trainee	19694	MS-04
Human Rights Mediator	19771	MS-20
Human Services Casework Manager	19788	MS-24
Human Services Caseworker	19785	MS-14
Information Services Intern	21160	MS-12
Information Services Specialist II	21162	MS-21
Information Systems Analyst I	21165	MS-25
Information Systems Analyst II	21166	MS-29
Inhalation Therapy Supervisor	21260	MS-07
Insurance Analyst I	21561	MS-06
Insurance Company Claims Examiner I	21601	MS-16
Internal Auditor I	21721	MS-20
Internal Auditor Trainee	21726	MS-09
Internal Security Investigator I	21731	MS-18
Internal Security Investigator II	21732	MS-24
International Marketing Representative I	21761	MS-20
Janitor I	21951	MS-12
KidCare Supervisor	22003	MS-24
Laborer (Maintenance)	23080	MS-14
Laundry Manager I	23191	MS-11
Liability Claims Adjuster Trainee	23375	MS-09
Librarian II	23402	MS-20
Licensed Practical Nurse II	23552	MS-08
Lottery Regional Coordinator	24504	MS-24
Maintenance Worker	25500	MS-15
Management Operations Analyst I	25541	MS-22
Management Operations Analyst II	25542	MS-23
Management Operations Analyst Trainee	25545	MS-12
Manpower Planner III	25593	MS-23
Manuscripts Manager	25610	MS-22
Meat and Poultry Inspector	26070	MS-10
Mental Health Administrator I	26811	MS-20
Mental Health Administrator II	26812	MS-24

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Mental Health Administrator Trainee	26817	MS-12
Mental Health Program Administrator	26908	MS-40
Methods and Procedures Advisor III	27133	MS-24
Mine Rescue Station Assistant	28150	MS-07
Natural Resource Technician I	28851	MS-07
Office Administrator III	29993	MS-08
Office Administrator IV	29994	MS-13
Office Administrator V	29995	MS-17
Office Aide	30005	MS-02
Office Assistant	30010	MS-04
Office Associate	30015	MS-05
Office Clerk	30020	MS-03
Office Coordinator	30025	MS-06
Office Occupations Trainee	30075	MS-01
Office Specialist	30080	MS-08
Pension and Death Benefits Technician I	30961	MS-10
Pharmacist Technician	32008	MS-04
Physician Assistant	32210	MS-27
Plumbing Consultant	32910	MS-28
Police Lieutenant	32977	MS-28
Police Officer Trainee	32985	MS-06
Polygraph Examiner Trainee	33005	MS-12
Private Secretary I	34201	MS-13
Private Secretary II	34202	MS-18
Products and Standards Inspector Trainee	34605	MS-09
Psychology Intern	35660	MS-15
Public Administration Intern	35700	MS-15
Public Aid Family Support Specialist II	35842	MS-20
Public Aid Staff Development Specialist III	36073	MS-22
Public Health Program Specialist III	36613	MS-24
Public Service Trainee	37025	MS-01
Radiologic Technologist Chief	37505	MS-17
Real Estate Professions Examiner	37760	MS-27
Registered Nurse - Advanced Practice	38135	MS-27
Rehabilitation Workshop Supervisor III	38196	MS-20

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Reimbursement Officer II	38200	MS-20
Reproduction Service Supervisor I	38201	MS-13
Reproduction Service Supervisor II	38202	MS-18
Reproduction Service Technician III	38205	MS-08
Research Fellow, Option B	38211	MS-19
Resident Physician	38270	MS-15
Residential Care Program Supervisor I	38271	MS-22
Revenue Audit Supervisor	38369	MS-32
Revenue Senior Special Agent	38557	MS-29
Revenue Special Agent	38558	MS-21
Revenue Tax Specialist III	38573	MS-16
Security Officer Chief	39875	MS-18
Security Officer Lieutenant	39876	MS-13
Security Therapy Aide IV	39904	MS-20
Seed Analyst Trainee	39953	MS-07
Sign Shop Foreman	41000	MS-22
Site Technician I	41131	MS-07
Site Technician II	41132	MS-09
Social Worker Intern	41430	MS-15
Staff Development Specialist I	41771	MS-20
Staff Development Technician II	41782	MS-17
State Mine Inspector-At-Large	42240	MS-31
Statistical Research Specialist III	42743	MS-22
Statistical Research Supervisor	42745	MS-24
Storekeeper III	43053	MS-11
Student Intern	43190	MS-01
Student Worker	43200	MS-01
Supervising Vehicle Testing Compliance Officer	43680	MS-22
Support Service Worker	44238	MS-03
Switchboard Chief Operator	44410	MS-11
Switchboard Operator I	44411	MS-03
Technical Advisor I	45251	MS-20
Technical Advisor II	45252	MS-24
Technical Advisor III	45253	MS-29
Telecommunications Supervisor	45305	MS-24

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Telecommunications Systems Technician Trainee	45314	MS-05
Utility Engineer I	47451	MS-20
Utility Engineer II	47452	MS-24
Vehicle Emissions Compliance Supervisor	47583	MS-20
Veterans Nursing Assistant - Certified	47750	MS-05
Waterways Construction Supervisor I	49061	MS-20
Waterways Construction Supervisor II	49062	MS-24

NOTE: Effective January 1, 2008, the merit compensation grade 12 in the Personnel Code [20 ILCS 415/8b.18(a) and (b) and 8b.19(a) and (b)] that formerly was indicated by MC-12 is MS-32.

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 310.490 Other Pay Provisions

- a) Transfer – Upon assignment of an employee to a vacant position in a class with the same salary range as the class for the position being vacated, the employee's base salary will not be changed. Upon separation and subsequent appointment to a position in the same salary range, no increase in salary will be given.
- b) Entrance Base Salary –
 - 1) When a candidate only meets the minimum requirements of the class specification upon entry to State service, an employee's entrance base salary is the in-hiring rate or the minimum base salary of the salary range.
 - 2) Qualifications Above Minimum Requirements – If a candidate possesses directly-related education and experience in excess of the minimum requirements of the class specification, the employing agency may offer the candidate an entrance base salary that is not more than 10% above the candidate's current base salary. An entrance base salary offer more than 10% above the candidate's current base salary requires documentation in the candidate's CMS employment application (CMS-100) to support the higher entrance base salary offer and prior approval from the Director of Central Management Services. The approval is based on the candidate's documented directly-related education and experience exceeding the minimum requirements in the class specification, prior base salary history,

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staffing needs and requirements of the employing agency, and labor market influences on the recruitment for the position classification or position.

- 3) Area Differential – For positions where additional compensation is required because of dissimilar economic or other conditions in the geographical area in which the positions are established, a higher entrance salary may be authorized by the Director of Central Management Services. Present employees receiving less than the new rate of pay shall be advanced to the new rate.
- c) Geographical Transfer – Upon geographical transfer from or to an area for which additional compensation has been authorized, an employee will receive an adjustment to the appropriate salary level for the new geographical area of assignment, effective the first day of the month following the date of assignment.
 - d) Differential and Overtime Pay – An eligible employee may have an amount added to the base salary for a given pay period for work performed in excess of the normal requirements for the position and work schedule, as follows:
 - 1) Shift Differential Pay – An employee may be paid an amount in addition to the base salary for work performed on a regularly scheduled second or third shift. The additional compensation will be at a rate and in a manner approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.
 - 2) Overtime Pay -
 - A) Eligibility - The Director of Central Management Services shall maintain a listing of classes of positions subject to the provisions of the Merit Compensation System that are eligible for overtime compensation. [Prior to and including December 31, 2007, classes](#)Classes in salary ranges MC 6 and below are eligible for straight-time overtime unless exceptions are determined by the Director of Central Management Services or federal guidelines. [Effective January 1, 2008, classes in salary ranges MS-23 and](#)

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below are eligible for straight-time overtime unless exceptions are determined by the Director of Central Management Services or federal guidelines. Employees in these classes of positions who

are assigned and perform work in excess of the normal work schedule as established by the agency shall be compensated at a straight-time rate on either a cash or compensatory time-off basis for all hours worked in excess of a normal work week. Overtime in less than one-half hour increments per day shall not be accrued.

Prior to and including December 31, 2007, classes~~Classes~~ in MC 7 and above are not eligible for overtime unless required by federal regulation or approved by the Director of Central Management Services. Effective January 1, 2008, classes in MS-24 and above are not eligible for overtime unless required by federal regulation or approved by the Director of Central Management Services.

Exceptions must be requested by the employing agency and will be determined on the basis of the special nature of the situation, a substantial need to provide overtime compensation and a significant number of hours worked beyond the normal work schedule, and will be granted only for a specified time period for which the special situation is expected to exist.

- B) Compensatory Time - Employees who are eligible for compensatory time may request such time, which may be granted by the agency at its discretion, considering, among other things, its operating needs. Compensatory time shall be taken within the fiscal year it was earned at a time convenient to the employee and consistent with the operating needs of the agency. Compensatory time shall be accrued at the rate in which it is earned (straight time or time and a half), but shall not exceed 120 hours in any fiscal year. Compensatory time approved for non-union employees will be earned after 40 actual work hours in a workweek. Compensatory time not used by the end of the fiscal year in which it was earned shall be liquidated and paid in cash at the rate it was earned. Time spent in travel outside the normal work schedule shall not be accrued as compensatory time except as provided by labor contracts and the Federal Fair Labor Standards Act. At no time are overtime hours or compensatory time to be transferred from one agency to another agency.

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- e) Equivalent Earned Time –
- 1) Eligibility – Employees who are non-union, exempt under the Federal Fair Labor Standards Act, and in positions not eligible for overtime compensation may receive equivalent earned time for hours worked in excess of the hours per week indicated in the approved work schedule (80 Ill. Adm. Code 303.300) assigned to the employee.
 - 2) Restoration - Employees who are eligible for equivalent earned time shall have the balance of the employee's unused equivalent earned time at the close of business on June 30, 2007 restored as accrued equivalent earned time effective July 1, 2007.
 - 3) Accrual –
 - A) Employees who are eligible for equivalent earned time shall request that time before working in excess of the hours per week indicated in the approved work schedule (80 Ill. Adm. Code 303.300) assigned to the employee. Requests for equivalent earned time may be granted by the agency at its discretion, considering its operating needs. Equivalent earned time shall be accrued at straight time only to a maximum of 160 hours at any time.
 - B) Equivalent earned time will accrue in no less than one-half hour increments. Time spent in travel outside the normal work schedule shall not be counted toward accrual of equivalent earned time.
 - 4) Compensation – Any approved equivalent earned time shall be taken at a time convenient to the employee and consistent with the operating needs of the agency. At no time is equivalent earned time to be converted into cash payment or transferred from one agency to another agency.
- f) Part-Time Work – Part-time employees whose base salary is other than an hourly or daily basis shall be paid on a daily rate basis computed by dividing the annual rate of salary by the total number of work days in the year.
- g) Out-of-State Assignment – Employees who are assigned to work out-of-state on a temporary basis may receive an appropriate differential during the period of the

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assignment, as approved by the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstance.

- h) Lump Sum Payment – Lump sum payment shall be provided for accrued vacation, sick leave and unused compensatory overtime at the current base rate to those employees separated from employment under the Personnel Code. Leaves of absence and temporary layoff (per 80 Ill. Adm. Code 302.510) are not separations and therefore lump sum payments cannot be given in these transactions. Methods of computation are explained in Section 310.520(a).

AGENCY NOTE: The method to be used in computing lump sum payment for accrued vacation, sick leave and unused compensatory overtime for an incumbent entitled to shift differential during the regular work hours will be to use the current base salary plus the shift differential pay. Sick leave earned prior to January 1, 1984 and after December 31, 1997 is not compensable. Sick leave earned and not used between January 1, 1984 and December 31, 1997 will be compensable at the current base daily rate times one-half of the total number of compensable sick days.

- i) Salary Treatment upon Return from Leave –
- 1) An employee returning from Military Leave (80 Ill. Adm. Code 302.220 and 303.170), Peace Corps Leave (80 Ill. Adm. Code 302.230), Service-Connected Disability Leave (80 Ill. Adm. Code 303.135), Educational Leave (80 Ill. Adm. Code 302.215), Disaster Service Leave with Pay (80 Ill. Adm. Code 303.175), Family Responsibility Leave (80 Ill. Adm. Code 303.148), Leave to accept a temporary, emergency, provisional, exempt (80 Ill. Adm. Code 303.155) or trainee position, Leave to serve in domestic peace or job corps (80 Ill. Adm. Code 302.230) or leave to serve in an interim assignment will have his/her salary established as determined appropriate by the employing agency and approved by the Director of Central Management Services. However, in no event is the resulting salary to be lower than the minimum rate or higher than the maximum rate of the salary range. Creditable service date will be maintained.
 - 2) An employee returning to his/her former salary range from any other leave

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(not mentioned in subsection (i)(1)) of over 14 days will be placed at the salary which the employee received prior to the leave and the creditable service date will be extended by the duration of the leave.

- j) Employees in classes that are made subject to the Merit Compensation System will retain their current salary, except that in no event is the resultant salary to be lower than the minimum rate or higher than the maximum rate of the new salary range.
- k) Temporary Assignment Pay When Required to Use Second Language Ability – Employees who are bilingual or have the ability to use sign language, Braille, or another second language (e.g., Spanish) and whose job descriptions do not require that they do so shall be paid temporary assignment pay when required to perform duties requiring the ability. The temporary assignment pay received is prorated based on 5% or \$100 per month, whichever is greater, in addition to the employee's base rate.
- l) Salary Treatment Upon Reemployment –
 - 1) Upon the reemployment of an employee in a class with the same salary range as the class for the position held before layoff, the employee will be placed at the same salary as held at the time of the layoff, and his creditable service date will be adjusted to reflect that time on layoff does not count as creditable service time.
 - 2) Upon the reemployment of an employee in a class at a lower salary range than the range of the class for the position held before layoff, the employee will be placed at the same salary as held at the time of layoff, except that if this exceeds the maximum of the new range, the employee will be placed at that maximum salary. The creditable service date will be adjusted to reflect that time on layoff does not count as creditable service time.
- m) Reinstatement – The salary upon reinstatement should not provide more than a 10% increase over the candidate's current base salary or exceed the salary rate held in the position where previously certified without prior approval of the Director of Central Management Services. In no event is the resulting salary to be lower than the minimum rate or higher than the maximum rate of the salary range.

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- n) Bilingual Pay – Individual positions whose job descriptions require the use of sign language, Braille, or another second language (e.g., Spanish) shall receive 5% or \$100 per month, whichever is greater, in addition to the employee's base rate.
- o) Clothing or Equipment Allowance – An employee may be paid an amount in addition to his/her base salary to compensate for clothing or equipment that is required in the performance of assigned duties. The amount will be determined by the Director of the employing agency, and will require approval of the Director of Central Management Services. The Director of Central Management Services will approve the manner and rate of this provision after considering the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstance.
- p) Interim Assignment Pay – This subsection of the Pay Plan explains interim assignment pay as applied to certified non-bargaining unit employees in a merit compensation (including broad-band and medical administrator) position assigned to perform on a full-time interim basis and be accountable for the higher-level duties and responsibilities of the non-bargaining unit (salary grade or merit compensation (including broad-band and medical administrator)) position. On the effective date of the employee's interim assignment (80 Ill. Adm. Code 302.150(j)), the employee shall receive an adjustment as if the employee received a promotion into the higher pay grade or range.
 - 1) When Assigned to the Merit Compensation Position - When assigned to the merit compensation position, the adjustment is an amount equivalent to between 8% and 15% of the employee's current base salary. In no event is the resulting salary to be lower than the minimum rate or greater than the maximum rate of the salary range to which the employee is being assigned. Upon interim assignment, the employee's creditable service date shall not change. Effective July 1, 2007, employees in interim assignment, which was effective prior to July 1, 2007, shall have the creditable service date as if not on a leave to serve in an interim assignment.
 - 2) When Assigned to the Salary Grade Position - When assigned to the salary grade position, the adjustment is determined by taking the difference between the salary on the step equivalent to or greater than the employee's current base salary and the salary one step above that step and adding that difference to the employee's current base salary. Then place

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the employee on the lowest step in the higher pay grade that is at least equivalent to that amount. In no event is the resulting salary to be lower than the minimum rate or greater than the maximum rate of the pay grade to which the employee is being assigned. Upon interim assignment, the employee's creditable service date shall not change. Effective July 1, 2007, employees in interim assignment, which was effective prior to July 1, 2007, shall have the creditable service date as if not on a leave to serve in an interim assignment.

(Source: Amended at 32 Ill. Reg. _____, effective _____)

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Administrative Assistant I	00501	RC-028	17
Administrative Assistant II	00502	RC-028	19
Apparel/Dry Goods Specialist III	01233	RC-028	12.5
Assistant Reimbursement Officer	02424	RC-028	08
Capital Development Board Media Technician	06525	RC-028	14
Child Development Aide	07184	RC-028	10
Clinical Laboratory Associate	08200	RC-028	07
Clinical Laboratory Technician I	08215	RC-028	10
Clinical Laboratory Technician II	08216	RC-028	12
Compliance Officer	08919	RC-028	14
Construction Supervisor I	09561	RC-028	13
Construction Supervisor II	09562	RC-028	16
Crime Scene Investigator	09980	RC-028	21
Data Processing Administrative Specialist	11415	RC-028	14
Data Processing Specialist	11430	RC-028	12
Data Processing Technician	11440	RC-028	09
Data Processing Technician Trainee	11443	RC-028	06
Dental Assistant	11650	RC-028	09
Dental Hygienist	11700	RC-028	13
Electroencephalograph Technician	13300	RC-028	08
Environmental Equipment Operator I	13761	RC-028	12
Environmental Equipment Operator II	13762	RC-028	14
Environmental Protection Technician I	13831	RC-028	08
Environmental Protection Technician II	13832	RC-028	10
Health Information Associate	18045	RC-028	10
Health Information Technician	18047	RC-028	12
Hearing & Speech Technician I	18261	RC-028	06
Hearing & Speech Technician II	18262	RC-028	09
Housekeeper II	19602	RC-028	03.5
Inhalation Therapist	21259	RC-028	08
Inhalation TherapyTherapist Supervisor	21260	RC-028	11
Intermittent Unemployment Insurance	21690	RC-028	06H

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Technician (Hourly)			
Laboratory Assistant	22995	RC-028	04
Laboratory Associate I	22997	RC-028	10
Laboratory Associate II	22998	RC-028	12
Legal Research Assistant	23350	RC-028	13
Licensed Practical Nurse I	23551	RC-028	10.5
Licensed Practical Nurse II	23552	RC-028	11.5
Lock and Dam Tender	24290	RC-028	10
Lottery Commodities Distributor II	24402	RC-028	12
Natural Resource Technician I	28851	RC-028	10
Natural Resource Technician II	28852	RC-028	13
Office Administrative Specialist	29990	RC-028	12
Office Administrator IV	29994	RC-028	14
Office Administrator V	29995	RC-028	15
Office Specialist	30080	RC-028	11
Pharmacist Lead Technician	32007	RC-028	09
Pharmacist Technician	32008	RC-028	07
Public Aid Eligibility Assistant	35825	RC-028	08
Radiologic Technologist	37500	RC-028	11
Radiologic Technologist Program Coordinator	37507	RC-028	12
Ranger	37725	RC-028	13
Rehabilitation Counselor Aide I	38155	RC-028	09
Rehabilitation Counselor Aide II	38156	RC-028	11
Senior Ranger	40090	RC-028	14
Site Interpreter	41090	RC-028	10
Site Technician I	41131	RC-028	10
Site Technician II	41132	RC-028	12
Social Service Community Planner	41295	RC-028	11
State Police Crime Information Evaluator	41801	RC-028	11
State Police Evidence Technician I	41901	RC-028	12
State Police Evidence Technician II	41902	RC-028	13
Statistical Research Technician	42748	RC-028	11
Veterans Service Officer	47800	RC-028	14
Vocational Instructor	48200	RC-028	12

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Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
03.5	B	2164	2215	2269	2321	2381	2441	2501	2559	2622	2735	2844
03.5	Q	2248	2301	2358	2413	2474	2539	2600	2659	2726	2843	2957
03.5	S	2307	2362	2417	2472	2536	2599	2660	2718	2787	2904	3020
04	B	2164	2215	2269	2321	2385	2448	2503	2574	2630	2743	2853
04	Q	2248	2301	2358	2413	2478	2543	2602	2675	2735	2851	2965
04	S	2307	2362	2417	2472	2539	2603	2664	2736	2793	2912	3028
06	B	2281	2336	2393	2451	2516	2583	2656	2723	2799	2917	3034
06	Q	2370	2427	2486	2545	2616	2686	2762	2834	2910	3034	3155
06	S	2429	2488	2545	2605	2676	2746	2823	2894	2971	3097	3221
06H	B	14.04	14.38	14.73	15.08	15.48	15.90	16.34	16.76	17.22	17.95	18.67
06H	Q	14.58	14.94	15.30	15.66	16.10	16.53	17.00	17.44	17.91	18.67	19.42
06H	S	14.95	15.31	15.66	16.03	16.47	16.90	17.37	17.81	18.28	19.06	19.82
07	B	2344	2399	2459	2516	2586	2663	2738	2812	2890	3022	3143
07	Q	2433	2494	2553	2616	2689	2770	2847	2925	3007	3147	3273
07	S	2495	2552	2614	2676	2750	2828	2907	2986	3066	3209	3337
08	B	2406	2466	2526	2586	2669	2748	2834	2912	2994	3136	3261
08	Q	2501	2562	2625	2689	2777	2856	2949	3027	3119	3266	3397
08	S	2561	2621	2684	2750	2835	2917	3010	3092	3182	3329	3462
09	B	2480	2541	2604	2669	2751	2840	2927	3021	3111	3257	3387
09	Q	2580	2642	2708	2777	2862	2955	3046	3145	3239	3394	3530
09	S	2639	2704	2768	2835	2922	3015	3109	3208	3302	3459	3597
09.5	B	2540	2603	2667	2735	2818	2914	3005	3106	3196	3350	3484
09.5	Q	2641	2707	2775	2843	2931	3030	3129	3236	3329	3494	3634

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09.5	S	2703	2767	2834	2904	2992	3094	3191	3299	3393	3562	3704
10	B	2561	2622	2688	2754	2855	2940	3037	3133	3230	3395	3531
10	Q	2663	2726	2794	2866	2969	3060	3163	3263	3365	3544	3686
10	S	2720	2787	2854	2925	3029	3122	3225	3325	3432	3611	3755
10.5	B	2642	2708	2775	2846	2949	3046	3151	3254	3360	3564	3707
10.5	Q	2747	2816	2887	2959	3070	3174	3282	3392	3505	3722	3871
10.5	S	2809	2877	2947	3020	3133	3235	3344	3457	3571	3788	3940
11	B	2651	2717	2787	2856	2953	3049	3158	3263	3364	3542	3684
11	Q	2758	2826	2897	2971	3077	3178	3291	3401	3509	3699	3847
11	S	2819	2887	2957	3030	3138	3238	3353	3465	3576	3764	3915
11.5	B	2715	2783	2854	2926	3026	3121	3228	3337	3451	3640	3786
11.5	Q	2824	2895	2968	3044	3151	3251	3362	3479	3604	3800	3952
11.5	S	2881	2952	3026	3103	3213	3315	3429	3548	3673	3874	4029
12	B	2755	2824	2895	2971	3080	3182	3300	3408	3534	3723	3872
12	Q	2868	2938	3013	3093	3207	3314	3441	3558	3687	3888	4044
12	S	2927	2998	3075	3153	3269	3377	3507	3625	3756	3958	4116
12.5	B	2820	2891	2966	3042	3154	3264	3388	3504	3618	3817	3970
12.5	Q	2933	3008	3086	3168	3286	3403	3534	3659	3778	3989	4149
12.5	S	2994	3069	3149	3230	3349	3467	3604	3727	3847	4060	4222
13	B	2856	2928	3003	3083	3196	3318	3442	3568	3702	3907	4063
13	Q	2971	3048	3127	3211	3329	3460	3595	3726	3863	4083	4246
13	S	3030	3110	3190	3272	3393	3526	3663	3792	3934	4153	4319
14	B	2973	3049	3132	3215	3337	3467	3618	3751	3893	4120	4285
14	Q	3095	3178	3262	3350	3479	3620	3778	3920	4070	4306	4478
14	S	3155	3238	3324	3414	3548	3686	3847	3988	4140	4374	4549

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15	B	3087	3168	3254	3342	3490	3634	3776	3930	4076	4321	4494
15	Q	3216	3301	3392	3487	3641	3792	3945	4110	4260	4514	4695
15	S	3278	3362	3457	3552	3709	3858	4016	4178	4328	4585	4768
16	B	3224	3311	3401	3499	3655	3817	3976	4143	4307	4562	4744
16	Q	3358	3452	3550	3652	3817	3989	4156	4327	4501	4769	4960
16	S	3425	3520	3617	3721	3886	4060	4228	4397	4572	4835	5028
17	B	3367	3462	3562	3666	3835	4012	4182	4351	4528	4797	4989
17	Q	3513	3614	3719	3825	4009	4192	4368	4546	4731	5013	5214
17	S	3578	3681	3786	3894	4079	4264	4440	4616	4800	5085	5288
19	B	3724	3833	3946	4066	4273	4475	4683	4880	5083	5392	5608
19	Q	3889	4006	4126	4249	4466	4674	4896	5100	5314	5634	5859
19	S	3959	4077	4197	4320	4537	4746	4965	5171	5385	5704	5932
21	B	4152	4278	4405	4536	4770	5000	5233	5472	5700	6055	6297
21	Q	4340	4471	4602	4741	4986	5223	5470	5719	5958	6328	6581
21	S	4409	4540	4672	4812	5053	5294	5540	5789	6026	6398	6654

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Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
03.5	B	2229	2281	2337	2391	2452	2514	2576	2636	2701	2817	2929
03.5	Q	2315	2370	2429	2485	2548	2615	2678	2739	2808	2928	3046
03.5	S	2376	2433	2490	2546	2612	2677	2740	2800	2871	2991	3111
04	B	2229	2281	2337	2391	2457	2521	2578	2651	2709	2825	2939
04	Q	2315	2370	2429	2485	2552	2619	2680	2755	2817	2937	3054

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04	S	2376	2433	2490	2546	2615	2681	2744	2818	2877	2999	3119
06	B	2349	2406	2465	2525	2591	2660	2736	2805	2883	3005	3125
06	Q	2441	2500	2561	2621	2694	2767	2845	2919	2997	3125	3250
06	S	2502	2563	2621	2683	2756	2828	2908	2981	3060	3190	3318
06H	B	14.46	14.81	15.17	15.54	15.94	16.37	16.84	17.26	17.74	18.49	19.23
06H	Q	15.02	15.38	15.76	16.13	16.58	17.03	17.51	17.96	18.44	19.23	20.00
06H	S	15.40	15.77	16.13	16.51	16.96	17.40	17.90	18.34	18.83	19.63	20.42
07	B	2414	2471	2533	2591	2664	2743	2820	2896	2977	3113	3237
07	Q	2506	2569	2630	2694	2770	2853	2932	3013	3097	3241	3371
07	S	2570	2629	2692	2756	2833	2913	2994	3076	3158	3305	3437
08	B	2478	2540	2602	2664	2749	2830	2919	2999	3084	3230	3359
08	Q	2576	2639	2704	2770	2860	2942	3037	3118	3213	3364	3499
08	S	2638	2700	2765	2833	2920	3005	3100	3185	3277	3429	3566
09	B	2554	2617	2682	2749	2834	2925	3015	3112	3204	3355	3489
09	Q	2657	2721	2789	2860	2948	3044	3137	3239	3336	3496	3636
09	S	2718	2785	2851	2920	3010	3105	3202	3304	3401	3563	3705
09.5	B	2616	2681	2747	2817	2903	3001	3095	3199	3292	3451	3589
09.5	Q	2720	2788	2858	2928	3019	3121	3223	3333	3429	3599	3743
09.5	S	2784	2850	2919	2991	3082	3187	3287	3398	3495	3669	3815
10	B	2638	2701	2769	2837	2941	3028	3128	3227	3327	3497	3637
10	Q	2743	2808	2878	2952	3058	3152	3258	3361	3466	3650	3797
10	S	2802	2871	2940	3013	3120	3216	3322	3425	3535	3719	3868
10.5	B	2721	2789	2858	2931	3037	3137	3246	3352	3461	3671	3818
10.5	Q	2829	2900	2974	3048	3162	3269	3380	3494	3610	3834	3987
10.5	S	2893	2963	3035	3111	3227	3332	3444	3561	3678	3902	4058

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11	B	2731	2799	2871	2942	3042	3140	3253	3361	3465	3648	3795
11	Q	2841	2911	2984	3060	3169	3273	3390	3503	3614	3810	3962
11	S	2904	2974	3046	3121	3232	3335	3454	3569	3683	3877	4032
11.5	B	2796	2866	2940	3014	3117	3215	3325	3437	3555	3749	3900
11.5	Q	2909	2982	3057	3135	3246	3349	3463	3583	3712	3914	4071
11.5	S	2967	3041	3117	3196	3309	3414	3532	3654	3783	3990	4150
12	B	2838	2909	2982	3060	3172	3277	3399	3510	3640	3835	3988
12	Q	2954	3026	3103	3186	3303	3413	3544	3665	3798	4005	4165
12	S	3015	3088	3167	3248	3367	3478	3612	3734	3869	4077	4239
12.5	B	2905	2978	3055	3133	3249	3362	3490	3609	3727	3932	4089
12.5	Q	3021	3098	3179	3263	3385	3505	3640	3769	3891	4109	4273
12.5	S	3084	3161	3243	3327	3449	3571	3712	3839	3962	4182	4349
13	B	2942	3016	3093	3175	3292	3418	3545	3675	3813	4024	4185
13	Q	3060	3139	3221	3307	3429	3564	3703	3838	3979	4205	4373
13	S	3121	3203	3286	3370	3495	3632	3773	3906	4052	4278	4449
14	B	3062	3140	3226	3311	3437	3571	3727	3864	4010	4244	4414
14	Q	3188	3273	3360	3451	3583	3729	3891	4038	4192	4435	4612
14	S	3250	3335	3424	3516	3654	3797	3962	4108	4264	4505	4685
15	B	3180	3263	3352	3442	3595	3743	3889	4048	4198	4451	4629
15	Q	3312	3400	3494	3592	3750	3906	4063	4233	4388	4649	4836
15	S	3376	3463	3561	3659	3820	3974	4136	4303	4458	4723	4911
16	B	3321	3410	3503	3604	3765	3932	4095	4267	4436	4699	4886
16	Q	3459	3556	3657	3762	3932	4109	4281	4457	4636	4912	5109
16	S	3528	3626	3726	3833	4003	4182	4355	4529	4709	4980	5179

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

17	B	3468	3566	3669	3776	3950	4132	4307	4482	4664	4941	5139
17	Q	3618	3722	3831	3940	4129	4318	4499	4682	4873	5163	5370
17	S	3685	3791	3900	4011	4201	4392	4573	4754	4944	5238	5447
19	B	3836	3948	4064	4188	4401	4609	4823	5026	5235	5554	5776
19	Q	4006	4126	4250	4376	4600	4814	5043	5253	5473	5803	6035
19	S	4078	4199	4323	4450	4673	4888	5114	5326	5547	5875	6110
21	B	4277	4406	4537	4672	4913	5150	5390	5636	5871	6237	6486
21	Q	4470	4605	4740	4883	5136	5380	5634	5891	6137	6518	6778
21	S	4541	4676	4812	4956	5205	5453	5706	5963	6207	6590	6854

(Source: Amended at 32 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310.APPENDIX B Schedule of Salary Grade Pay Grades – Monthly Rates of Pay

Effective January 1, 2008, the titles or positions within a title formerly assigned to salary grade pay grades are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D). The only exception is that the Data Processing Supervisor I title that remains assigned to Salary Grade pay grade 11 and Salary Grade pay grade 11 remains in effect.

<u>Title</u>	<u>Title Code</u>	<u>Pay Grade</u>
Account Technician Trainee	00118	7
Animal and Animal Products Investigator Trainee	01075	12
Appraisal Specialist Trainee	01255	12
Arson Investigations Trainee	01485	14
Commerce Commission Police Officer Trainee	08455	13
Data Processing Supervisor I	11435	11
Economic Development Representative Trainee	12939	13
Educational Media Program Specialist	12980	17
Equine Investigator	13840	12
Fingerprint Technician Trainee	15209	8
Fire Certification Specialist	15285	17
Fire Protection Specialist I	15351	16
Governmental Career Trainee	17325	12
Historical Research Specialist	19008	20
Human Resources Assistant	19690	8
Human Resources Associate	19691	11
Inhalation Therapy Supervisor	21260	10
Insurance Company Claims Examiner I	21601	17
Internal Auditor Trainee	21726	12
Liability Claims Adjuster Trainee	23375	12
Management Operations Analyst Trainee	25545	14
Mental Health Administrator Trainee	26817	15
Mine Rescue Station Assistant	28150	10
Office Administrator III	29993	11
Pension and Death Benefits Technician I	30961	13
Physician Assistant	32210	22
Police Officer Trainee	32985	9
Polygraph Examiner Trainee	33005	14
Products and Standards Inspector Trainee	34605	12

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Psychology Intern	35660	5
Registered Nurse - Advanced Practice	38135	22
Research Fellow, Option B	38211	18
Seed Analyst Trainee	39953	10
Social Worker Intern	41430	5
Telecommunications Systems Technician Trainee	45314	8

Effective December 2, 2005

Pay Grade	Pay Plan Code	S T E P S										
		1e	1b	1a	1	2	3	4	5	6	7	8
1	7	1730	1772	1816	1861	1908	1952	1999	2053	2099	2182	2226
1	8	1772	1816	1861	1907	1956	2001	2050	2105	2153	2238	2283
1	9	1825	1870	1915	1960	2010	2055	2103	2159	2206	2291	2337
2	7	1773	1817	1862	1908	1952	1999	2055	2105	2155	2239	2284
2	8	1817	1862	1908	1956	2001	2050	2107	2159	2210	2297	2343
2	9	1871	1916	1961	2010	2055	2103	2161	2212	2264	2350	2397
3	7	1813	1857	1904	1952	1999	2056	2108	2159	2212	2310	2356
3	8	1857	1904	1952	2001	2050	2108	2162	2214	2269	2370	2418
3	9	1912	1957	2005	2055	2103	2162	2215	2268	2322	2423	2472
4	7	1855	1902	1950	1999	2056	2112	2163	2227	2278	2380	2427
4	8	1902	1950	1999	2050	2108	2166	2218	2284	2337	2442	2491
4	9	1955	2003	2053	2103	2162	2219	2272	2338	2390	2495	2545
5	7	1908	1956	2005	2056	2114	2175	2234	2290	2348	2452	2498
5	8	1956	2005	2056	2108	2168	2231	2291	2349	2410	2514	2564
5	9	2010	2059	2109	2162	2221	2284	2345	2403	2463	2567	2618
6	7	1961	2011	2062	2114	2176	2236	2303	2364	2430	2538	2589
6	8	2011	2062	2114	2168	2232	2294	2362	2425	2494	2501	2656
6	9	2064	2116	2168	2221	2285	2347	2416	2479	2548	2658	2711
7	7	2018	2069	2122	2176	2239	2308	2375	2443	2514	2631	2684
7	8	2069	2122	2176	2232	2297	2368	2438	2506	2580	2701	2755
7	9	2123	2175	2230	2285	2350	2421	2491	2560	2633	2754	2809

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NOTICE OF PROPOSED AMENDMENTS

8	7	2076	2129	2183	2239	2313	2385	2464	2532	2608	2731	2786
8	8	2129	2183	2239	2297	2373	2447	2528	2599	2677	2804	2860
8	9	2182	2237	2292	2350	2426	2500	2582	2653	2731	2857	2914
9	7	2143	2199	2255	2313	2388	2469	2547	2630	2709	2836	2893
9	8	2199	2255	2313	2373	2450	2533	2614	2700	2781	2913	2971
9	9	2252	2309	2367	2426	2503	2588	2668	2753	2835	2968	3027
10	7	2214	2271	2331	2391	2481	2559	2645	2728	2814	2957	3016
10	8	2271	2331	2391	2453	2547	2627	2714	2801	2889	3041	3101
10	9	2324	2384	2445	2506	2600	2680	2768	2854	2945	3099	3162
11	7	2298	2358	2419	2482	2572	2656	2751	2842	2930	3085	3146
11	8	2358	2419	2482	2548	2640	2727	2824	2919	3012	3174	3238
11	9	2412	2473	2536	2601	2694	2780	2878	2974	3070	3231	3296
12	7	2392	2454	2519	2585	2681	2771	2874	2968	3077	3243	3307
12	8	2454	2519	2585	2654	2752	2844	2954	3053	3166	3337	3404
12	9	2508	2572	2638	2707	2806	2898	3010	3111	3224	3397	3464
13	7	2482	2548	2616	2684	2783	2889	2998	3108	3223	3403	3470
13	8	2548	2616	2684	2755	2857	2969	3085	3197	3316	3505	3574
13	9	2601	2669	2738	2809	2912	3026	3143	3255	3376	3565	3637
14	7	2588	2656	2727	2800	2907	3020	3152	3267	3391	3588	3660
14	8	2656	2727	2800	2875	2988	3108	3243	3364	3493	3696	3770
14	9	2709	2780	2853	2930	3045	3165	3301	3423	3552	3755	3830
15	7	2688	2760	2834	2911	3038	3164	3288	3423	3550	3763	3838
15	8	2760	2834	2911	2992	3125	3255	3386	3527	3656	3875	3953
15	9	2813	2887	2966	3049	3183	3312	3447	3585	3715	3935	4014
16	7	2808	2883	2963	3047	3184	3324	3463	3607	3751	3973	4052
16	8	2883	2963	3047	3136	3276	3424	3568	3714	3864	4092	4175
16	9	2939	3020	3105	3193	3335	3484	3628	3774	3924	4151	4234
17	7	2932	3015	3102	3192	3340	3494	3642	3789	3943	4178	4261

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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17	8	3015	3102	3192	3284	3440	3599	3750	3903	4061	4304	4390
17	9	3072	3160	3250	3343	3501	3660	3811	3963	4120	4364	4451
18	7	3082	3171	3262	3359	3522	3686	3853	4011	4172	4421	4509
18	8	3171	3262	3359	3460	3630	3797	3970	4133	4297	4553	4645
18	9	3228	3320	3420	3518	3689	3857	4029	4192	4358	4612	4705
19	7	3244	3338	3437	3541	3722	3897	4079	4249	4427	4695	4788
19	8	3338	3437	3541	3647	3833	4012	4202	4377	4561	4836	4933
19	9	3398	3499	3602	3707	3894	4073	4261	4438	4621	4895	4993
20	7	3425	3529	3634	3742	3931	4114	4309	4496	4681	4967	5067
20	8	3529	3634	3742	3854	4049	4238	4439	4630	4822	5117	5219
20	9	3587	3694	3802	3914	4108	4297	4498	4690	4882	5175	5279
21	7	3616	3725	3837	3950	4153	4354	4558	4766	4964	5273	5378
21	8	3725	3837	3950	4068	4279	4484	4695	4908	5113	5432	5540
21	9	3785	3897	4010	4130	4338	4544	4755	4968	5172	5491	5601
22	7	3822	3937	4056	4177	4394	4609	4827	5050	5261	5587	5698
22	8	3937	4056	4177	4302	4526	4748	4971	5201	5419	5755	5871
22	9	3997	4114	4237	4363	4584	4808	5029	5260	5480	5815	5931
23	7	4056	4177	4302	4430	4665	4904	5137	5374	5608	5959	6079
23	8	4177	4302	4430	4565	4806	5052	5290	5534	5775	6137	6260
23	9	4237	4363	4491	4624	4865	5111	5350	5594	5835	6197	6321
24	7	4315	4444	4577	4715	4966	5225	5476	5729	5988	6363	6490
24	8	4444	4577	4715	4858	5116	5381	5641	5901	6167	6555	6686
24	9	4504	4637	4775	4918	5174	5440	5700	5961	6228	6614	6746
25	7	4599	4737	4879	5025	5301	5580	5858	6137	6416	6828	6964
25	8	4737	4879	5025	5175	5460	5746	6034	6322	6608	7032	7173
25	9	4798	4938	5086	5235	5520	5805	6093	6381	6667	7092	7233

Effective January 1, 2007

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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1	7	1782	1825	1870	1917	1965	2011	2059	2115	2162	2247	2293
1	8	1825	1870	1917	1964	2015	2061	2112	2168	2218	2305	2351
1	9	1880	1926	1972	2019	2070	2117	2166	2224	2272	2360	2407
2	7	1826	1872	1918	1965	2011	2059	2117	2168	2220	2306	2353
2	8	1872	1918	1965	2015	2061	2112	2170	2224	2276	2366	2413
2	9	1927	1973	2020	2070	2117	2166	2226	2278	2332	2421	2469
3	7	1867	1913	1961	2011	2059	2118	2171	2224	2278	2379	2427
3	8	1913	1961	2011	2061	2112	2171	2227	2280	2337	2441	2491
3	9	1969	2016	2065	2117	2166	2227	2281	2336	2392	2496	2546
4	7	1911	1959	2009	2059	2118	2175	2228	2294	2346	2451	2500
4	8	1959	2009	2059	2112	2171	2231	2285	2353	2407	2515	2566
4	9	2014	2063	2115	2166	2227	2286	2340	2408	2462	2570	2621
5	7	1965	2015	2065	2118	2177	2240	2301	2359	2418	2526	2573
5	8	2015	2065	2118	2171	2233	2298	2360	2419	2482	2589	2641
5	9	2070	2121	2172	2227	2288	2353	2415	2475	2537	2644	2697
6	7	2020	2071	2124	2177	2241	2303	2372	2435	2503	2614	2667
6	8	2071	2124	2177	2233	2299	2363	2433	2498	2569	2676	2736
6	9	2126	2179	2233	2288	2354	2417	2488	2553	2624	2738	2792
7	7	2079	2131	2186	2241	2306	2377	2446	2516	2589	2710	2765
7	8	2131	2186	2241	2299	2366	2439	2511	2581	2657	2782	2838
7	9	2187	2240	2297	2354	2421	2494	2566	2637	2712	2837	2893
8	7	2138	2193	2248	2306	2382	2457	2538	2608	2686	2813	2870
8	8	2193	2248	2306	2366	2444	2520	2604	2677	2757	2888	2946
8	9	2247	2304	2361	2421	2499	2575	2659	2733	2813	2943	3001
9	7	2207	2265	2323	2382	2460	2543	2623	2709	2790	2921	2980
9	8	2265	2323	2382	2444	2524	2609	2692	2781	2864	3000	3060
9	9	2320	2378	2438	2499	2578	2666	2748	2836	2920	3057	3118
10	7	2280	2339	2401	2463	2555	2636	2724	2810	2898	3046	3106
10	8	2339	2401	2463	2527	2623	2706	2795	2885	2976	3132	3194
10	9	2394	2456	2518	2581	2678	2760	2851	2940	3033	3192	3257

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11	7	2367	2429	2492	2556	2649	2736	2834	2927	3018	3178	3240
11	8	2429	2492	2556	2624	2719	2809	2909	3007	3102	3269	3335
11	9	2484	2547	2612	2679	2775	2863	2964	3063	3162	3328	3395
12	7	2464	2528	2595	2663	2761	2854	2960	3057	3169	3340	3406
12	8	2528	2595	2663	2734	2835	2929	3043	3145	3261	3437	3506
12	9	2583	2649	2717	2788	2890	2985	3100	3204	3321	3499	3568
13	7	2556	2624	2694	2765	2866	2976	3088	3201	3320	3505	3574
13	8	2624	2694	2765	2838	2943	3058	3178	3293	3415	3610	3681
13	9	2679	2749	2820	2893	2999	3117	3237	3353	3477	3672	3746
14	7	2666	2736	2809	2884	2994	3111	3247	3365	3493	3696	3770
14	8	2736	2809	2884	2961	3078	3201	3340	3465	3598	3807	3883
14	9	2790	2863	2939	3018	3136	3260	3400	3526	3659	3868	3945
15	7	2769	2843	2919	2998	3129	3259	3387	3526	3657	3876	3953
15	8	2843	2919	2998	3082	3219	3353	3488	3633	3766	3991	4072
15	9	2897	2974	3055	3140	3278	3411	3550	3693	3826	4053	4134
16	7	2892	2969	3052	3138	3280	3424	3567	3715	3864	4092	4174
16	8	2969	3052	3138	3230	3374	3527	3675	3825	3980	4215	4300
16	9	3027	3111	3198	3289	3435	3589	3737	3887	4042	4276	4361
17	7	3020	3105	3195	3288	3440	3599	3751	3903	4061	4303	4389
17	8	3105	3195	3288	3383	3543	3707	3863	4020	4183	4433	4522
17	9	3164	3255	3348	3443	3606	3770	3925	4082	4244	4495	4585
18	7	3174	3266	3360	3460	3628	3797	3969	4131	4297	4554	4644
18	8	3266	3360	3460	3564	3739	3911	4089	4257	4426	4690	4784
18	9	3325	3420	3523	3624	3800	3973	4150	4318	4489	4750	4846
19	7	3341	3438	3540	3647	3834	4014	4201	4376	4560	4836	4932
19	8	3438	3540	3647	3756	3948	4132	4328	4508	4698	4981	5081
19	9	3500	3604	3710	3818	4011	4195	4389	4571	4760	5042	5143
20	7	3528	3635	3743	3854	4049	4237	4438	4631	4821	5116	5219
20	8	3635	3743	3854	3970	4170	4365	4572	4769	4967	5271	5376

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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20	9	3695	3805	3916	4031	4231	4426	4633	4831	5028	5330	5437
21	7	3724	3837	3952	4069	4278	4485	4695	4909	5113	5431	5539
21	8	3837	3952	4069	4190	4407	4619	4836	5055	5266	5595	5706
21	9	3899	4014	4130	4254	4468	4680	4898	5117	5327	5656	5769
22	7	3937	4055	4178	4302	4526	4747	4972	5202	5419	5755	5869
22	8	4055	4178	4302	4431	4662	4890	5120	5357	5582	5928	6047
22	9	4117	4237	4364	4494	4722	4952	5180	5418	5644	5989	6109
23	7	4178	4302	4431	4563	4805	5051	5291	5535	5776	6138	6261
23	8	4302	4431	4563	4702	4950	5204	5449	5700	5948	6321	6448
23	9	4364	4494	4626	4763	5011	5264	5511	5762	6010	6383	6511
24	7	4444	4577	4714	4856	5115	5382	5640	5901	6168	6554	6685
24	8	4577	4714	4856	5004	5269	5542	5810	6078	6352	6752	6887
24	9	4639	4776	4918	5066	5329	5603	5871	6140	6415	6812	6948
25	7	4737	4879	5025	5176	5460	5747	6034	6321	6608	7033	7173
25	8	4879	5025	5176	5330	5624	5918	6215	6512	6806	7243	7388
25	9	4942	5086	5239	5392	5686	5979	6276	6572	6867	7305	7450

(Source: Amended at 32 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310.APPENDIX D Merit Compensation System Salary Schedule

~~Effective December 2, 2005, the minimum, the base salary for each employee who has 12 months of State service, or upon completing 12 months of State service by or on December 1, 2006, receives a 4% adjustment increase without change in creditable service date.~~

Salary Range	December 2, 2005			January 1, 2007		
	Minimum Salary	Midpoint Salary	Maximum Salary	Minimum Salary	Midpoint Salary	Maximum Salary
MC 01	2228	3021	3813	2228	3345	4461
MC 02	2324	3175	4026	2324	3517	4710
MC 03	2437	3360	4282	2437	3724	5010
MC 04	2547	3517	4486	2547	3898	5249
MC 05	2674	3725	4775	2674	4131	5587
MC 06	2810	3910	5009	2810	4336	5861
MC 07	2957	4144	5330	2957	4597	6236
MC 08	3116	4396	5676	3116	4879	6641
MC 09	3294	4642	5989	3294	5151	7007
MC 10	3480	4942	6404	3480	5487	7493
MC 11	3675	5248	6820	3675	5827	7979
MC 12	3903	5600	7296	3903	6220	8536
MC 13	4168	5985	7802	4168	6648	9128
MC 14	4457	6426	8395	4457	7140	9822
MC 15	4784	6889	8994	4784	7654	10523
MC 16	5122	7401	9679	5122	8223	11324
MC 17	5527	7989	10450	5527	8877	12227
MC 18	5957	8336	10714	5957	9246	12535
MC 19	6434	8699	10963	6434	9631	12827

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

MC20 ~~13109~~ ~~14615~~ ~~16120~~ 13109 14615 16120

Effective January 1, 2008

<u>Salary Range</u>	<u>Minimum Salary</u>	<u>Maximum Salary</u>
<u>MS-01</u>	<u>1224</u>	<u>2400</u>
<u>MS-02</u>	<u>1826</u>	<u>2770</u>
<u>MS-03</u>	<u>1911</u>	<u>3040</u>
<u>MS-04</u>	<u>2020</u>	<u>3237</u>
<u>MS-05</u>	<u>2138</u>	<u>3408</u>
<u>MS-06</u>	<u>2207</u>	<u>3489</u>
<u>MS-07</u>	<u>2280</u>	<u>3637</u>
<u>MS-08</u>	<u>2367</u>	<u>3795</u>
<u>MS-09</u>	<u>2464</u>	<u>3988</u>
<u>MS-10</u>	<u>2556</u>	<u>4311</u>
<u>MS-11</u>	<u>2611</u>	<u>4595</u>
<u>MS-12</u>	<u>2666</u>	<u>4637</u>
<u>MS-13</u>	<u>2779</u>	<u>4851</u>
<u>MS-14</u>	<u>2892</u>	<u>4886</u>
<u>MS-15</u>	<u>2900</u>	<u>4996</u>
<u>MS-16</u>	<u>3020</u>	<u>5139</u>
<u>MS-17</u>	<u>3059</u>	<u>5160</u>
<u>MS-18</u>	<u>3136</u>	<u>5406</u>
<u>MS-19</u>	<u>3174</u>	<u>5437</u>
<u>MS-20</u>	<u>3258</u>	<u>5755</u>
<u>MS-21</u>	<u>3341</u>	<u>5776</u>
<u>MS-22</u>	<u>3435</u>	<u>6037</u>
<u>MS-23</u>	<u>3528</u>	<u>6109</u>
<u>MS-24</u>	<u>3626</u>	<u>6243</u>
<u>MS-25</u>	<u>3724</u>	<u>6486</u>
<u>MS-26</u>	<u>3831</u>	<u>6840</u>
<u>MS-27</u>	<u>3937</u>	<u>6873</u>
<u>MS-28</u>	<u>4058</u>	<u>7217</u>
<u>MS-29</u>	<u>4178</u>	<u>7331</u>
<u>MS-30</u>	<u>4303</u>	<u>7718</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

MS-31	4432	8218
MS-32	4565	8792
MS-33	4702	9402
MS-34	4843	10117
MS-35	4988	10839
MS-36	5138	11664
MS-37	5292	12594
MS-38	5451	12911
MS-39	5615	13212
MS-40	5783	16604

NOTE: Effective January 1, 2008, the merit compensation grade 12 in the Personnel Code [20 ILCS 415/8b.18(a) and (b) and 8b.19(a) and (b)] that formerly was indicated by MC-12 is MS-32.

(Source: Amended at 32 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

as hydrofluorocarbons, perfluorocarbons, and perfluoropolyethers. HFE-7300 may be used in azeotropic mixtures for use in coating deposition, cleaning, and lubricating applications. 72 Fed. Reg. 7293 (Jan. 18, 2007)

Tables appear in the Board's opinion and order of October 18, 2007 in docket R08-6 that list a limited number of corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the October 18, 2007 opinion and order in docket R08-6.

Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 11) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Publication:</u>
211. 1740	New	31 Ill. Reg. 7683; June 8, 2007
211. 1920	Amend	31 Ill. Reg. 7683; June 8, 2007

- 10) Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

of 45 days after the date of this publication. Comments should reference docket R08-6 and be addressed to:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

The Board will conduct one public hearing on the proposed amendments because they will ultimately result in submission to the United States Environmental Protection Agency of an amendment to the State Implementation Plan (SIP). Section 110(a)(2) of the Federal Clean Air Act (42 U.S.C. § 7410(a)(2) (2003)) requires reasonable notice and hearing before a state undertakes an amendment to the SIP. The public hearing will occur at the following time and location:

1:30 p.m., Wednesday, December 5, 2007
James R. Thompson Center
Illinois Pollution Control Board Hearing Room 11-512
100 W. Randolph Street
Chicago, IL 60601

Please direct inquiries to the following person and reference docket R08-6:

Michael J. McCambridge
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60601

Phone: 312/814-6924
E-mail: mccambm@ipcb.state.il.us

Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small

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municipalities, and not-for-profit corporations that use or emit the affected chemicals that are proposed for deletion from the definition of VOM.

- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including emissions monitoring, annual reports, and maintenance of operating records.
 - C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.
- 14) Regulatory Agenda on which this rulemaking was summarized: December 2006

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCESPART 211
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section	
211.101	Incorporations by Reference
211.102	Abbreviations and Conversion Factors

SUBPART B: DEFINITIONS

Section	
211.121	Other Definitions
211.122	Definitions (Repealed)
211.130	Accelacota
211.150	Accumulator
211.170	Acid Gases
211.210	Actual Heat Input
211.230	Adhesive
211.240	Adhesion Promoter
211.250	Aeration
211.270	Aerosol Can Filling Line
211.290	Afterburner
211.310	Air Contaminant
211.330	Air Dried Coatings
211.350	Air Oxidation Process
211.370	Air Pollutant
211.390	Air Pollution
211.410	Air Pollution Control Equipment
211.430	Air Suspension Coater/Dryer
211.450	Airless Spray
211.470	Air Assisted Airless Spray
211.474	Alcohol

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NOTICE OF PROPOSED AMENDMENTS

211.479	Allowance
211.484	Animal
211.485	Animal Pathological Waste
211.490	Annual Grain Through-Put
211.495	Anti-Glare/Safety Coating
211.510	Application Area
211.530	Architectural Coating
211.550	As Applied
211.560	As-Applied Fountain Solution
211.570	Asphalt
211.590	Asphalt Prime Coat
211.610	Automobile
211.630	Automobile or Light-Duty Truck Assembly Source or Automobile or Light-Duty Truck Manufacturing Plant
211.650	Automobile or Light-Duty Truck Refinishing
211.660	Automotive/Transportation Plastic Parts
211.670	Baked Coatings
211.680	Bakery Oven
211.685	Basecoat/Clearcoat System
211.690	Batch Loading
211.695	Batch Operation
211.696	Batch Process Train
211.710	Bead-Dipping
211.730	Binders
211.740	Brakehorsepower (rated-bhp)
211.750	British Thermal Unit
211.770	Brush or Wipe Coating
211.790	Bulk Gasoline Plant
211.810	Bulk Gasoline Terminal
211.820	Business Machine Plastic Parts
211.830	Can
211.850	Can Coating
211.870	Can Coating Line
211.890	Capture
211.910	Capture Device
211.930	Capture Efficiency
211.950	Capture System
211.953	Carbon Adsorber
211.955	Cement

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211.960	Cement Kiln
211.970	Certified Investigation
211.980	Chemical Manufacturing Process Unit
211.990	Choke Loading
211.1010	Clean Air Act
211.1050	Cleaning and Separating Operation
211.1070	Cleaning Materials
211.1090	Clear Coating
211.1110	Clear Topcoat
211.1120	Clinker
211.1130	Closed Purge System
211.1150	Closed Vent System
211.1170	Coal Refuse
211.1190	Coating
211.1210	Coating Applicator
211.1230	Coating Line
211.1250	Coating Plant
211.1270	Coil Coating
211.1290	Coil Coating Line
211.1310	Cold Cleaning
211.1312	Combined Cycle System
211.1316	Combustion Turbine
211.1320	Commence Commercial Operation
211.1324	Commence Operation
211.1328	Common Stack
211.1330	Complete Combustion
211.1350	Component
211.1370	Concrete Curing Compounds
211.1390	Concentrated Nitric Acid Manufacturing Process
211.1410	Condensate
211.1430	Condensable PM-10
211.1465	Continuous Automatic Stoking
211.1467	Continuous Coater
211.1470	Continuous Process
211.1490	Control Device
211.1510	Control Device Efficiency
211.1515	Control Period
211.1520	Conventional Air Spray
211.1530	Conventional Soybean Crushing Source

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NOTICE OF PROPOSED AMENDMENTS

211.1550	Conveyorized Degreasing
211.1570	Crude Oil
211.1590	Crude Oil Gathering
211.1610	Crushing
211.1630	Custody Transfer
211.1650	Cutback Asphalt
211.1670	Daily-Weighted Average VOM Content
211.1690	Day
211.1710	Degreaser
211.1730	Delivery Vessel
211.1740	Diesel Engine
211.1750	Dip Coating
211.1770	Distillate Fuel Oil
211.1780	Distillation Unit
211.1790	Drum
211.1810	Dry Cleaning Operation or Dry Cleaning Facility
211.1830	Dump-Pit Area
211.1850	Effective Grate Area
211.1870	Effluent Water Separator
211.1875	Elastomeric Materials
211.1880	Electromagnetic Interference/Radio Frequency Interference (EMI/RFI) Shielding Coatings
211.1885	Electronic Component
211.1890	Electrostatic Bell or Disc Spray
211.1900	Electrostatic Prep Coat
211.1910	Electrostatic Spray
211.1920	Emergency or Standby Unit
211.1930	Emission Rate
211.1950	Emission Unit
211.1970	Enamel
211.1990	Enclose
211.2010	End Sealing Compound Coat
211.2030	Enhanced Under-the-Cup Fill
211.2050	Ethanol Blend Gasoline
211.2070	Excess Air
211.2080	Excess Emissions
211.2090	Excessive Release
211.2110	Existing Grain-Drying Operation (Repealed)
211.2130	Existing Grain-Handling Operation (Repealed)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

211.2150	Exterior Base Coat
211.2170	Exterior End Coat
211.2190	External Floating Roof
211.2210	Extreme Performance Coating
211.2230	Fabric Coating
211.2250	Fabric Coating Line
211.2270	Federally Enforceable Limitations and Conditions
211.2285	Feed Mill
211.2290	Fermentation Time
211.2300	Fill
211.2310	Final Repair Coat
211.2330	Firebox
211.2350	Fixed-Roof Tank
211.2360	Flexible Coating
211.2365	Flexible Operation Unit
211.2370	Flexographic Printing
211.2390	Flexographic Printing Line
211.2410	Floating Roof
211.2420	Fossil Fuel
211.2425	Fossil Fuel-Fired
211.2430	Fountain Solution
211.2450	Freeboard Height
211.2470	Fuel Combustion Emission Unit or Fuel Combustion Emission Source
211.2490	Fugitive Particulate Matter
211.2510	Full Operating Flowrate
211.2530	Gas Service
211.2550	Gas/Gas Method
211.2570	Gasoline
211.2590	Gasoline Dispensing Operation or Gasoline Dispensing Facility
211.2610	Gel Coat
211.2620	Generator
211.2630	Gloss Reducers
211.2650	Grain
211.2670	Grain-Drying Operation
211.2690	Grain-Handling and Conditioning Operation
211.2710	Grain-Handling Operation
211.2730	Green-Tire Spraying
211.2750	Green Tires
211.2770	Gross Heating Value

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211.2790	Gross Vehicle Weight Rating
211.2810	Heated Airless Spray
211.2815	Heat Input
211.2820	Heat Input Rate
211.2830	Heatset
211.2850	Heatset Web Offset Lithographic Printing Line
211.2870	Heavy Liquid
211.2890	Heavy Metals
211.2910	Heavy Off-Highway Vehicle Products
211.2930	Heavy Off-Highway Vehicle Products Coating
211.2950	Heavy Off-Highway Vehicle Products Coating Line
211.2970	High Temperature Aluminum Coating
211.2990	High Volume Low Pressure (HVLV) Spray
211.3010	Hood
211.3030	Hot Well
211.3050	Housekeeping Practices
211.3070	Incinerator
211.3090	Indirect Heat Transfer
211.3110	Ink
211.3130	In-Process Tank
211.3150	In-Situ Sampling Systems
211.3170	Interior Body Spray Coat
211.3190	Internal-Floating Roof
211.3210	Internal Transferring Area
211.3230	Lacquers
211.3250	Large Appliance
211.3270	Large Appliance Coating
211.3290	Large Appliance Coating Line
211.3300	Lean-Burn Engine
211.3310	Light Liquid
211.3330	Light-Duty Truck
211.3350	Light Oil
211.3370	Liquid/Gas Method
211.3390	Liquid-Mounted Seal
211.3410	Liquid Service
211.3430	Liquids Dripping
211.3450	Lithographic Printing Line
211.3470	Load-Out Area
211.3480	Loading Event

POLLUTION CONTROL BOARD

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211.3483	Long Dry Kiln
211.3485	Long Wet Kiln
211.3487	Low-NO _x Burner
211.3490	Low Solvent Coating
211.3500	Lubricating Oil
211.3510	Magnet Wire
211.3530	Magnet Wire Coating
211.3550	Magnet Wire Coating Line
211.3570	Major Dump Pit
211.3590	Major Metropolitan Area (MMA)
211.3610	Major Population Area (MPA)
211.3620	Manually Operated Equipment
211.3630	Manufacturing Process
211.3650	Marine Terminal
211.3660	Marine Vessel
211.3670	Material Recovery Section
211.3690	Maximum Theoretical Emissions
211.3695	Maximum True Vapor Pressure
211.3710	Metal Furniture
211.3730	Metal Furniture Coating
211.3750	Metal Furniture Coating Line
211.3770	Metallic Shoe-Type Seal
211.3780	Mid-Kiln Firing
211.3790	Miscellaneous Fabricated Product Manufacturing Process
211.3810	Miscellaneous Formulation Manufacturing Process
211.3830	Miscellaneous Metal Parts and Products
211.3850	Miscellaneous Metal Parts and Products Coating
211.3870	Miscellaneous Metal Parts or Products Coating Line
211.3890	Miscellaneous Organic Chemical Manufacturing Process
211.3910	Mixing Operation
211.3915	Mobile Equipment
211.3930	Monitor
211.3950	Monomer
211.3960	Motor Vehicles
211.3965	Motor Vehicle Refinishing
211.3970	Multiple Package Coating
211.3980	Nameplate Capacity
211.3990	New Grain-Drying Operation (Repealed)
211.4010	New Grain-Handling Operation (Repealed)

POLLUTION CONTROL BOARD

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211.4030	No Detectable Volatile Organic Material Emissions
211.4050	Non-Contact Process Water Cooling Tower
211.4055	Non-Flexible Coating
211.4065	Non-Heatset
211.4067	NO _x Trading Program
211.4070	Offset
211.4090	One Hundred Percent Acid
211.4110	One-Turn Storage Space
211.4130	Opacity
211.4150	Opaque Stains
211.4170	Open Top Vapor Degreasing
211.4190	Open-Ended Valve
211.4210	Operator of a Gasoline Dispensing Operation or Operator of a Gasoline Dispensing Facility
211.4230	Organic Compound
211.4250	Organic Material and Organic Materials
211.4260	Organic Solvent
211.4270	Organic Vapor
211.4290	Oven
211.4310	Overall Control
211.4330	Overvarnish
211.4350	Owner of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing Facility
211.4370	Owner or Operator
211.4390	Packaging Rotogravure Printing
211.4410	Packaging Rotogravure Printing Line
211.4430	Pail
211.4450	Paint Manufacturing Source or Paint Manufacturing Plant
211.4470	Paper Coating
211.4490	Paper Coating Line
211.4510	Particulate Matter
211.4530	Parts Per Million (Volume) or PPM (Vol)
211.4550	Person
211.4590	Petroleum
211.4610	Petroleum Liquid
211.4630	Petroleum Refinery
211.4650	Pharmaceutical
211.4670	Pharmaceutical Coating Operation
211.4690	Photochemically Reactive Material

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211.4710	Pigmented Coatings
211.4730	Plant
211.4740	Plastic Part
211.4750	Plasticizers
211.4770	PM-10
211.4790	Pneumatic Rubber Tire Manufacture
211.4810	Polybasic Organic Acid Partial Oxidation Manufacturing Process
211.4830	Polyester Resin Material(s)
211.4850	Polyester Resin Products Manufacturing Process
211.4870	Polystyrene Plant
211.4890	Polystyrene Resin
211.4910	Portable Grain-Handling Equipment
211.4930	Portland Cement Manufacturing Process Emission Source
211.4950	Portland Cement Process or Portland Cement Manufacturing Plant
211.4960	Potential Electrical Output Capacity
211.4970	Potential to Emit
211.4990	Power Driven Fastener Coating
211.5010	Precoat
211.5015	Preheater Kiln
211.5020	Preheater/Precalciner Kiln
211.5030	Pressure Release
211.5050	Pressure Tank
211.5060	Pressure/Vacuum Relief Valve
211.5061	Pretreatment Wash Primer
211.5065	Primary Product
211.5070	Prime Coat
211.5080	Primer Sealer
211.5090	Primer Surfacer Coat
211.5110	Primer Surfacer Operation
211.5130	Primers
211.5150	Printing
211.5170	Printing Line
211.5185	Process Emission Source
211.5190	Process Emission Unit
211.5210	Process Unit
211.5230	Process Unit Shutdown
211.5245	Process Vent
211.5250	Process Weight Rate
211.5270	Production Equipment Exhaust System

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211.5310	Publication Rotogravure Printing Line
211.5330	Purged Process Fluid
211.5340	Rated Heat Input Capacity
211.5350	Reactor
211.5370	Reasonably Available Control Technology (RACT)
211.5390	Reclamation System
211.5410	Refiner
211.5430	Refinery Fuel Gas
211.5450	Refinery Fuel Gas System
211.5470	Refinery Unit or Refinery Process Unit
211.5480	Reflective Argent Coating
211.5490	Refrigerated Condenser
211.5500	Regulated Air Pollutant
211.5510	Reid Vapor Pressure
211.5530	Repair
211.5550	Repair Coat
211.5570	Repaired
211.5580	Repowering
211.5590	Residual Fuel Oil
211.5600	Resist Coat
211.5610	Restricted Area
211.5630	Retail Outlet
211.5640	Rich-Burn Engine
211.5650	Ringelmann Chart
211.5670	Roadway
211.5690	Roll Coater
211.5710	Roll Coating
211.5730	Roll Printer
211.5750	Roll Printing
211.5770	Rotogravure Printing
211.5790	Rotogravure Printing Line
211.5810	Safety Relief Valve
211.5830	Sandblasting
211.5850	Sanding Sealers
211.5870	Screening
211.5880	Screen Printing on Paper
211.5890	Sealer
211.5910	Semi-Transparent Stains
211.5930	Sensor

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211.5950	Set of Safety Relief Valves
211.5970	Sheet Basecoat
211.5980	Sheet-Fed
211.5990	Shotblasting
211.6010	Side-Seam Spray Coat
211.6025	Single Unit Operation
211.6030	Smoke
211.6050	Smokeless Flare
211.6060	Soft Coat
211.6070	Solvent
211.6090	Solvent Cleaning
211.6110	Solvent Recovery System
211.6130	Source
211.6140	Specialty Coatings
211.6145	Specialty Coatings for Motor Vehicles
211.6150	Specialty High Gloss Catalyzed Coating
211.6170	Specialty Leather
211.6190	Specialty Soybean Crushing Source
211.6210	Splash Loading
211.6230	Stack
211.6250	Stain Coating
211.6270	Standard Conditions
211.6290	Standard Cubic Foot (scf)
211.6310	Start-Up
211.6330	Stationary Emission Source
211.6350	Stationary Emission Unit
211.6355	Stationary Gas Turbine
211.6360	Stationary Reciprocating Internal Combustion Engine
211.6370	Stationary Source
211.6390	Stationary Storage Tank
211.6400	Stencil Coat
211.6410	Storage Tank or Storage Vessel
211.6420	Strippable Spray Booth Coating
211.6430	Styrene Devolatilizer Unit
211.6450	Styrene Recovery Unit
211.6470	Submerged Loading Pipe
211.6490	Substrate
211.6510	Sulfuric Acid Mist
211.6530	Surface Condenser

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211.6540	Surface Preparation Materials
211.6550	Synthetic Organic Chemical or Polymer Manufacturing Plant
211.6570	Tablet Coating Operation
211.6580	Texture Coat
211.6590	Thirty-Day Rolling Average
211.6610	Three-Piece Can
211.6620	Three or Four Stage Coating System
211.6630	Through-the-Valve Fill
211.6650	Tooling Resin
211.6670	Topcoat
211.6690	Topcoat Operation
211.6695	Topcoat System
211.6710	Touch-Up
211.6720	Touch-Up Coating
211.6730	Transfer Efficiency
211.6750	Tread End Cementing
211.6770	True Vapor Pressure
211.6790	Turnaround
211.6810	Two-Piece Can
211.6830	Under-the-Cup Fill
211.6850	Undertread Cementing
211.6860	Uniform Finish Blender
211.6870	Unregulated Safety Relief Valve
211.6880	Vacuum Metallizing
211.6890	Vacuum Producing System
211.6910	Vacuum Service
211.6930	Valves Not Externally Regulated
211.6950	Vapor Balance System
211.6970	Vapor Collection System
211.6990	Vapor Control System
211.7010	Vapor-Mounted Primary Seal
211.7030	Vapor Recovery System
211.7050	Vapor-Suppressed Polyester Resin
211.7070	Vinyl Coating
211.7090	Vinyl Coating Line
211.7110	Volatile Organic Liquid (VOL)
211.7130	Volatile Organic Material Content (VOMC)
211.7150	Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
211.7170	Volatile Petroleum Liquid

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211.7190	Wash Coat
211.7200	Washoff Operations
211.7210	Wastewater (Oil/Water) Separator
211.7230	Weak Nitric Acid Manufacturing Process
211.7250	Web
211.7270	Wholesale Purchase - Consumer
211.7290	Wood Furniture
211.7310	Wood Furniture Coating
211.7330	Wood Furniture Coating Line
211.7350	Woodworking
211.7400	Yeast Percentage

211.APPENDIX A Rule into Section Table

211.APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1, 9.9 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 9.9, 10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg.

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16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective July 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. 7590, effective May 22, 1996; amended in R96-16 at 21 Ill. Reg. 2641, effective February 7, 1997; amended in R97-17 at 21 Ill. Reg. 6489, effective May 16, 1997; amended in R97-24 at 21 Ill. Reg. 7695, effective June 9, 1997; amended in R96-17 at 21 Ill. Reg. 7856, effective June 17, 1997; amended in R97-31 at 22 Ill. Reg. 3497, effective February 2, 1998; amended in R98-17 at 22 Ill. Reg. 11405, effective June 22, 1998; amended in R01-9 at 25 Ill. Reg. 108, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4582, effective March 15, 2001; amended in R01-17 at 25 Ill. Reg. 5900, effective April 17, 2001; amended in R05-16 at 29 Ill. Reg. 8181, effective May 23, 2005; amended in R05-11 at 29 Ill. Reg. 8892, effective June 13, 2005; amended in R04-12/20 at 30 Ill. Reg. 9654, effective May 15, 2006; amended in R07-18 at 31 Ill. Reg. 14254, effective September 25, 2007; amended in R08-6 at 32 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS

Section 211.7150 Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)

"Volatile organic material" (also "VOM") or "volatile organic compound" (also "VOC") means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, that participates in atmospheric photochemical reactions.

- a) This definition of VOM includes any ~~such~~ organic compound that participates in atmospheric photochemical reactions, other than the compounds listed in this subsection (a). USEPA has determined that the compounds listed in this subsection (a) have negligible photochemical reactivity. USEPA has excluded the listed negligibly-reactive compounds from the definition of VOM for purposes of VOM limitations or VOM content requirements. However, USEPA has required that certain of these compounds be considered VOM for purposes of recordkeeping, emissions reporting, and inventory requirements, as described in subsection (e) of this Section, following, which have been determined by USEPA to have negligible photochemical reactivity:

Acetone (2-propanone or dimethylketone)
tertiary-Butyl acetate
1-Chloro-1,1-difluoroethane (HCFC-142b)

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Chlorodifluoromethane (CFC-22)
1-Chloro-1-fluoroethane (HCFC-151a)
2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
Chlorofluoromethane (HCFC-31)
Chloropentafluoroethane (CFC-115)
1,1,1,2,2,3,4,5,5,5-Decafluoro-3-methoxy-4-trifluoromethyl-pentane
(HFE-7300, L-14787, or $C_2F_5CF(OCH_3)CF(CF_3)_2$)
1,1,1,2,3,4,4,5,5,5-Decafluoropentane (HFC 43-10mee)
Dichlorodifluoromethane (CFC-12)
1,1-Dichloro-1-fluoroethane (HCFC-141b)
3,3-Dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca)
1,3-Dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb)
1,2-Dichloro-1,1,2,2-tetrafluoroethane (CFC-114)
1,2-Dichloro-1,1,2-trifluoroethane (HCFC-123a)
1,1-Difluoroethane (HFC-152a)
Difluoromethane (HFC-32)
2-(Difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane
($(CF_3)_2CFCF_2OCH_3$)
Ethane
2-(Ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane
($(CF_3)_2CFCF_2OC_2H_5$)
Ethylfluoride (HFC-161)
1-Ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane ($C_4F_9OC_2H_5$ or HFE-7200)
3-Ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl)hexane
(HFE-7500)
1,1,1,2,2,3,3-Heptafluoro-3-methoxypropane ($n-C_3F_7OCH_3$ or HFE-7000)
1,1,1,2,3,3,3-Heptafluoropropane (HFC-227ea)
1,1,1,2,3,3-Hexafluoropropane (HFC-236ea)
1,1,1,3,3,3-Hexafluoropropane (HFC-236fa)
Methane
Methyl acetate
Methylene chloride (dichloromethane)
Methyl formate ($HCOOCH_3$)
1,1,1,2,2,3,3,4,4-Nonafluoro-4-methoxybutane ($C_4F_9OCH_3$ or HFE-7100)
Parachlorobenzotrifluoride (PCBTF)
1,1,1,3,3-Pentafluorobutane (HFC-365mfc)
Pentafluoroethane (HFC-125)
1,1,2,2,3-Pentafluoropropane (HFC-245ca)
1,1,2,3,3-Pentafluoropropane (HFC-245ea)

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1,1,1,2,3-Pentafluoropropane (HFC-245eb)

1,1,1,3,3-Pentafluoropropane (HFC-245fa)

Perchloroethylene (tetrachloroethylene)

Perfluorocarbon compounds that fall into the following classes:

Cyclic, branched, or linear, completely fluorinated alkanes

Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations

Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations

Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine

Siloxanes: cyclic, branched, or linear completely-methylated

1,1,2,2-Tetrafluoroethane (HFC-134)

1,1,1,2-Tetrafluoroethane (HFC-134a)

1,1,1-Trichloroethane (methyl chloroform)

Trichlorofluoromethane (CFC-11)

1,1,2-Trichloro-1,2,2-trifluoroethane (CFC-113)

1,1,1-Trifluoro-2,2-dichloroethane (HCFC-123)

1,1,1-Trifluoroethane (HFC-143a)

Trifluoromethane (HFC-23)

- b) For purposes of determining VOM emissions and compliance with emissions limits, VOM will be measured by the test methods in the approved implementation plan or 40 CFR 60, Appendix A, incorporated by reference at 35 Ill. Adm. Code 215.105, 218.112, and 219.112, as applicable, or by source-specific test methods that have been established pursuant to a permit issued under a program approved or promulgated under Title V of the Clean Air Act; under 40 CFR 51, Subpart I or Appendix S, incorporated by reference at 35 Ill. Adm. Code 218.112 and 219.112; or under 40 CFR 52.21, incorporated by reference at 35 Ill. Adm. Code 218.112 and 219.112, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOM if the amount of such compounds is accurately quantified and the exclusion is approved by the Agency.
- c) As a precondition to excluding these negligibly-reactive compounds as VOM, or at any time thereafter, the Agency may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Agency, the amount of negligibly-reactive compounds in the source's emissions.

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- d) The USEPA will not be bound by any State determination as to appropriate methods for testing or monitoring negligibly-reactive compounds if such determination is not reflected in any of the test methods in subsection (b) above.
- e) The following compound is VOM for the purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements that apply to VOM, and it must be uniquely identified in emission reports, but it is not VOM for the purposes of VOM emissions limitations or VOM content requirements: t-butyl acetate.

(Source: Amended at 32 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Valuation of Life Insurance Policies Including the Use of Select Mortality Factors
- 2) Code Citation: 50 Ill. Adm. Code 1409
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1409.30	Amendment
1409.80	New Section
- 4) Statutory Authority: Implementing Section 223 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223 and 401]
- 5) Effective Date of Rulemaking: October 16, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes. Please see Section 1409.30 of this Part.
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the principal office of the Division of Insurance and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 31 Ill. Reg. 7202; May 18, 2007
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: In Section 1409.80, on the second line, added "using the guidance in 50 Ill. Adm. Code 1412.50, but substituting the 2001 CSO Preferred Class Structure Mortality Table for use in determining minimum reserve liabilities" following "Part".
- 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 any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No

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15) Summary and Purpose of rulemaking: In this same Register, the Division has adopted new Part 1413, which permits recognition of the 2001 CSO Preferred Class Structure Mortality Table. The amendments to Part 1409 include a cross-reference to the new preferred mortality tables contained in Part 1413.

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

Susan Christy, Life Actuarial Assistant
Department of Financial and Professional Regulation
Division of Insurance
320 West Washington Street
Springfield, Illinois 62767-0001

217/782-1759

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION ~~INSURANCE~~

SUBCHAPTER s: LEGAL RESERVE LIFE INSURANCE

PART 1409

VALUATION OF LIFE INSURANCE POLICIES
INCLUDING THE USE OF SELECT MORTALITY FACTORS

Section

1409.10	Purpose
1409.20	Applicability
1409.30	Definitions
1409.40	General Calculation Requirements for Basic Reserves and Deficiency Reserves
1409.50	Calculation of Minimum Valuation Standard for Policies with Guaranteed Nonlevel Premiums or Guaranteed Nonlevel Benefits (Other Than Universal Life Policies)
1409.60	Calculation of Minimum Valuation Standard for Flexible Premium and Fixed Premium Universal Life Insurance Policies That Contain Provisions Resulting in the Ability of a Policyowner to Keep a Policy in Force Over a Secondary Guarantee Period
1409.70	Use of 2001 CSO Mortality Table
<u>1409.80</u>	<u>Use of 2001 CSO Preferred Class Structure Mortality Table</u>
1409.APPENDIX A	1980 CSO Select Mortality Factors
1409.ILLUSTRATION A	Male Aggregate
1409.ILLUSTRATION B	Male Nonsmoker
1409.ILLUSTRATION C	Male Smoker
1409.ILLUSTRATION D	Female Aggregate
1409.ILLUSTRATION E	Female Nonsmoker
1409.ILLUSTRATION F	Female Smoker

AUTHORITY: Implementing Section 223 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223 and 401].

SOURCE: Adopted at 20 Ill. Reg. 12359, effective September 3, 1996; amended at 23 Ill. Reg. 14306, effective January 1, 2000; amended at 28 Ill. Reg. 9262, effective July 1, 2004; amended at 31 Ill. Reg. 14700, effective October 16, 2007.

Section 1409.30 Definitions

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1980 CSO Valuation Tables means the Commissioner's 1980 Standard Ordinary Mortality Table (1980 CSO Table) without ten-year selection factors, incorporated into the 1980 amendments to the National Association of Insurance Commissioners (NAIC) Standard Valuation Law, and the smoker and nonsmoker variations of the 1980 CSO Table approved by the NAIC in December, 1983, as published in the 1984 Proceedings for the NAIC, Vol. 1, p. 31 and approved by the Director for use in determining the minimum standards of valuation pursuant to 50 Ill. Adm. Code 934. No later amendments or editions shall be included.

2001 CSO Mortality Table means that mortality table, consisting of separate rates of mortality for male and female lives found in 50 Ill. Adm. Code 1412. Appendix A, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the NAIC in December 2002. Unless the context indicates otherwise, the 2001 CSO Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables.

2001 CSO Preferred Class Structure Mortality Table means mortality tables with separate rates of mortality for Super Preferred Nonsmokers, Preferred Nonsmokers, Residual Standard Nonsmokers, Preferred Smokers, and Residual Standard Smoker splits of the 2001 CSO Nonsmoker and Smoker approved by the NAIC in September 2006, as published in the 2006 Proceedings for the NAIC (3rd Quarter), Vol. III, p. 2219 and approved by the Director for use pursuant to 50 Ill. Adm. Code 1413. Unless the context indicates otherwise, the 2001 CSO Preferred Class Structure Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table. It includes both the smoker and nonsmoker mortality tables. It includes both the male and female mortality tables and the gender composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality table.

Basic Reserves mean reserves calculated in accordance with Section 223(3)(b) of the Illinois Insurance Code [215 ILCS 5/223(3)(b)].

Contract Segmentation Method means the method of dividing the period from issue to mandatory expiration of a policy into successive segments, with the

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length of each segment being defined as the period from the end of the prior segment (from policy inception, for the first segment) to the end of the latest policy year as determined in the procedure set forth below in this definition. All calculations are made using the 1980 CSO valuation tables, and if elected, the optional minimum mortality standard for deficiency reserves found in subsection (b) of Section 1409.40 of this Part.

The length of a particular contract segment shall be set equal to the minimum of the value t for which G_t is greater than R_t (if G_t never exceeds R_t the segment length is deemed to be the number of years from the beginning of the segment to the mandatory expiration date of the policy), where G_t and R_t are defined as follows:

$$G_t = \frac{GP_{x+k+t}}{GP_{x+k+t-1}}$$

$$R_t = \frac{q_{x+k+t}}{q_{x+k+t-1}}$$

However, R_t may be increased or decreased by one percent in any policy year, at the company's option, but R_t shall not be less than one

where:

x = original issue age

k = the number of years from the date of issue to the beginning of the segment

t = 1, 2, ...; t is reset to 1 at the beginning of each segment

$GP_{x+k+t-1}$ = Guaranteed gross premium per thousand of face amount for year t of the segment, ignoring policy fees only if level for the premium paying period of the policy, for year t of the segment

$q_{x+k+t-1}$ = Valuation mortality rate for deficiency reserves in policy year $k+t$ but using the select mortality factors found in Section 1409.40(b)(3) if Section 1409.40(b)(4) is elected for deficiency reserves

However, if GP_{x+k+t} is greater than 0 and $GP_{x+k+t-1}$ is equal to 0, G_t shall be deemed to be 1000. If GP_{x+k+t} and $GP_{x+k+t-1}$

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are both equal to 0, G_t shall be deemed to be 0

Deficiency Reserves mean the excess, if greater than zero, of:

Minimum reserves calculated in accordance with Section 223(3)(f) of the Illinois Insurance Code [215 ILCS 5/223(3)(f)], over

Basic reserves.

Guaranteed Gross Premiums mean the premiums under a policy of life insurance that are guaranteed and determined at issue.

Maximum Valuation Interest Rates mean the interest rates defined in Section 223(6)(b) of the Illinois Insurance Code [215 ILCS 5/223(6)(b)] that are to be used in determining the minimum standard for the valuation of life insurance policies.

Scheduled Gross Premium means the smallest illustrated gross premium at issue for other than universal life insurance policies. For universal life insurance policies, scheduled gross premium means the smallest specified premium described in subsection (a)(3) of Section 1409.60 of this Part, if any, or else the minimum premium described in subsection (a)(4) of Section 1409.60 of this Part.

Segmented Reserves mean reserves, calculated using segments produced by the contract segmentation method, equal to the present value of all future guaranteed benefits less the present value of all future net premiums to the mandatory expiration of a policy, where the net premiums within each segment are a uniform percentage of the respective guaranteed gross premiums within the segment. The uniform percentage for each segment is such that, at the beginning of the segment, the present value of the net premiums within the segment equals:

The present value of the death benefits within the segment, plus

The present value of any unusual guaranteed cash value (subsection (d) of Section 1409.50 of this Part) occurring at the end of the segment, less

Any unusual guaranteed cash value occurring at the start of the segment, plus

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For the first segment only as measured from the actual issue date, the excess of the net level annual premium (which is equal to the present value, at the date of issue, of the benefits provided for in the first segment after the first policy year, divided by the present value, at the date of issue, of an annuity of one per year payable on the first and each subsequent anniversary within the first segment on which a premium falls due) over the net one year term premium for the benefits provided for in the first policy year. However, the net level annual premium shall not exceed the net level annual premium on the nineteen-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one year higher than the age at issue of the policy.

The length of each segment is determined by the Contract Segmentation Method.

The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the sum of the lengths of all segments of the policy.

For both basic reserves and deficiency reserves computed by the segmented method, present values must include future benefits and net premiums in the current segment and in all subsequent segments.

Tabular Cost of Insurance means the net single premium at the beginning of a policy year for one-year term insurance in the amount of the guaranteed death benefit in that policy year.

Ten-year Select Factors mean the select factors adopted in the 1980 amendments to the NAIC Standard Valuation Law.

Unitary Reserves mean the present value of all future guaranteed benefits less the present value of all future modified net premiums, where:

Guaranteed benefits and modified net premiums are considered to the mandatory expiration of the policy; and

Modified net premiums are a uniform percentage of the respective guaranteed gross premiums, where the uniform percentage is such that, at

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issue, the present value of the net premiums equals the present value of all death benefits and pure endowments, plus the excess of the net level annual premium equal to the present value, at the date of issue, of the benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per year payable on the first and each subsequent anniversary of the policy on which a premium falls due, over the net one year term premium for the benefits provided for in the first policy year. However, the net level annual premium shall not exceed the net level annual premium on the nineteen-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one year higher than the age at issue of the policy; and

Any negative terminal reserves are set to zero.

The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the length from issue to the mandatory expiration of the policy.

Universal Life Insurance Policy means any individual life insurance policy under the provisions of which separately identified interest credits (other than in connection with dividend accumulations, premium deposit funds, or other supplementary accounts) and mortality or expense charges are made to the policy.

(Source: Amended at 31 Ill. Reg. 14700, effective October 16, 2007)

Section 1409.80 Use of 2001 CSO Preferred Class Structure Mortality Table

The 2001 CSO Preferred Class Structure Mortality Tables may be used for calculations under the requirements of this Part using the guidance in 50 Ill. Adm. Code 1412.50, but substituting the 2001 CSO Preferred Class Structure Mortality Table for use in determining minimum reserve liabilities as authorized and described in 50 Ill. Adm. Code 1413.

(Source: Added at 31 Ill. Reg. 14700, effective October 16, 2007)

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- 1) Heading of the Part: Recognition of 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits
- 2) Code Citation: 50 Ill. Adm. Code 1412
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1412.20	Amendment
1412.70	New Section
- 4) Statutory Authority: Implementing Sections 223(3)(a)(i) and 229.2(4c)(h)(vi) and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223(3)(a)(i); 229.2(4c)(h)(vi); and 401]
- 5) Effective Date of Rulemaking: October 16, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes. Please see Section 1412.20 of this Part.
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the principal office of the Division of Insurance and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 31 Ill. Reg. 7210; May 18, 2007
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: In Section 1412.70, on the second line, added "of 50 Ill. Adm. Code 1409 using the guidance in Section 1412.50" following "requirements"; added a comma following "Part" and also added "but substituting the 2001 CSO Preferred Class Structure Mortality Table for use in determining minimum reserve liabilities".
- 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 any emergency rulemaking currently in effect? No

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of rulemaking: In this same Register, the Division has adopted a new regulation, 50 Ill. Adm. Code 1413, which permits recognition of the 2001 CSO Preferred Class Structure Mortality Table. The amendments to Part 1412 include a cross-reference to the new preferred mortality tables that will be contained in Part 1413.
- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Susan Christy, Life Actuarial Assistant
Department of Financial and Professional Regulation
Division of Insurance
320 West Washington Street
Springfield, Illinois 62767-0001

217/782-1759

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

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TITLE 50: INSURANCE

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SUBCHAPTER s: LEGAL RESERVE LIFE

PART 1412

RECOGNITION OF THE 2001 CSO MORTALITY TABLE
FOR USE IN DETERMINING MINIMUM RESERVE LIABILITIES
AND NONFORFEITURE BENEFITS

Section

1412.10	Purpose
1412.20	Definitions
1412.30	2001 CSO Mortality Table
1412.40	Conditions
1412.50	Applicability of the 2001 CSO Mortality Table to 50 Ill. Adm. Code 1409
1412.60	Gender-Blended Tables
<u>1412.70</u>	<u>Use of 2001 CSO Preferred Class Structure Mortality Table</u>
1412.APPENDIX A	2001 CSO Mortality Tables
1412.ILLUSTRATION A	Male Composite Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION B	Male Nonsmoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION C	Male Smoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION D	Female Composite Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION E	Female Nonsmoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION F	Female Smoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION G	Ultimate Age Nearest Birthday (Male/Female Composite/Nonsmoker/Smoker)
1412.ILLUSTRATION H	Male Composite Select & Ultimate Age Last Birthday
1412.ILLUSTRATION I	Male Nonsmoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION J	Male Smoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION K	Female Composite Select & Ultimate Age Last Birthday
1412.ILLUSTRATION L	Female Nonsmoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION M	Female Smoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION N	Ultimate Age Last Birthday (Male/Female Composite/Nonsmoker/Smoker)
1412.ILLUSTRATION O	Blended 80% Male, 20% Female Composite Select & Ultimate Age Nearest Birthday

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1412.ILLUSTRATION P	Blended 60% Male, 40% Female Composite Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION Q	Blended 50% Male, 50% Female Composite Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION R	Blended 40% Male, 60% Female Composite Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION S	Blended 20% Male, 80% Female Composite Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION T	Blended Composite Ultimate Age Nearest Birthday
1412.ILLUSTRATION U	Blended 80% Male, 20% Female Nonsmoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION V	Blended 60% Male, 40% Female Nonsmoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION W	Blended 50% Male, 50% Female Nonsmoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION X	Blended 40% Male, 60% Female Nonsmoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION Y	Blended 20% Male, 80% Female Nonsmoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION Z	Blended Nonsmoker Ultimate Age Nearest Birthday
1412.ILLUSTRATION AA	Blended 80% Male, 20% Female Smoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION BB	Blended 60% Male, 40% Female Smoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION CC	Blended 50% Male, 50% Female Smoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION DD	Blended 40% Male, 60% Female Smoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION EE	Blended 20% Male, 80% Female Smoker Select & Ultimate Age Nearest Birthday
1412.ILLUSTRATION FF	Blended Smoker Ultimate Age Nearest Birthday
1412.ILLUSTRATION GG	Blended 80% Male, 20% Female Composite Select & Ultimate Age Last Birthday
1412.ILLUSTRATION HH	Blended 60% Male, 40% Female Composite Select & Ultimate Age Last Birthday
1412.ILLUSTRATION II	Blended 50% Male, 50% Female Composite Select & Ultimate Age Last Birthday
1412.ILLUSTRATION JJ	Blended 40% Male, 60% Female Composite Select & Ultimate Age Last Birthday

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1412.ILLUSTRATION KK	Blended 20% Male, 80% Female Composite Select & Ultimate Age Last Birthday
1412.ILLUSTRATION LL	Blended Composite Ultimate Age Last Birthday
1412.ILLUSTRATION MM	Blended 80% Male, 20% Female Nonsmoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION NN	Blended 60% Male, 40% Female Nonsmoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION OO	Blended 50% Male, 50% Female Nonsmoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION PP	Blended 40% Male, 60% Female Nonsmoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION QQ	Blended 20% Male, 80% Female Nonsmoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION RR	Blended Nonsmoker Ultimate Age Last Birthday
1412.ILLUSTRATION SS	Blended 80% Male, 20% Female Smoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION TT	Blended 60% Male, 40% Female Smoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION UU	Blended 50% Male, 50% Female Smoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION VV	Blended 40% Male, 60% Female Smoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION WW	Blended 20% Male, 80% Female Smoker Select & Ultimate Age Last Birthday
1412.ILLUSTRATION XX	Blended Smoker Ultimate Age Last Birthday

AUTHORITY: Implementing Sections 223(3)(a)(i) and 229.2(4c)(h)(vi) and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223(3)(a)(i); 229.2(4c)(h)(vi); and 401].

SOURCE: Adopted at 28 Ill. Reg. 9281, effective July 1, 2004; amended at 31 Ill. Reg. 14708, effective October 16, 2007.

Section 1412.20 Definitions

2001 CSO Mortality Table means that mortality table, consisting of separate rates of mortality for male and female lives found in Appendix A of this Part, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the National

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Association of Insurance Commissioners (NAIC) in December 2002. Unless the context indicates otherwise, the 2001 CSO Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables.

2001 CSO Mortality Table (F) means that mortality table consisting of the rates of mortality for female lives from the 2001 CSO Mortality Table.

2001 CSO Mortality Table (M) means that mortality table consisting of the rates of mortality for male lives from the 2001 CSO Mortality Table.

2001 CSO Preferred Class Structure Mortality Table means mortality tables with separate rates of mortality for Super Preferred Nonsmokers, Preferred Nonsmokers, Residual Standard Nonsmokers, Preferred Smokers, and Residual Standard Smoker splits of the 2001 CSO Nonsmoker and Smoker approved by the NAIC in September 2006, as published in the 2006 Proceedings for the NAIC (3rd Quarter), Vol. III, p. 2219 and approved by the Director for use pursuant to 50 Ill. Adm. Code 1413. Unless the context indicates otherwise, the 2001 CSO Preferred Class Structure Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table. It includes both the smoker and nonsmoker mortality tables. It includes both the male and female mortality tables and the gender composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality table.

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

Composite mortality tables means mortality tables with rates of mortality that do not distinguish between smokers and nonsmokers.

Director means the Director of the Illinois Department of Insurance.

Smoker and nonsmoker mortality tables means mortality tables with separate rates of mortality for smokers and nonsmokers.

(Source: Amended at 31 Ill. Reg. 14708, effective October 16, 2007)

Section 1412.70 Use of 2001 CSO Preferred Class Structure Mortality Table

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The 2001 CSO Preferred Class Structure Mortality Tables may be used for calculations under the requirements of 50 Ill. Adm. Code 1409 using the guidance in Section 1412.50 of this Part, but substituting the 2001 CSO Preferred Class Structure Mortality Table for use in determining [minimum](#) reserve liabilities as authorized and described in 50 Ill. Adm. Code 1413.

(Source: Added at 31 Ill. Reg. 14708, effective October 16, 2007)

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- 1) Heading of the Part: Recognition of 2001 CSO Preferred Class Structure Mortality Tables for Use in Determining Minimum Reserve Liabilities
- 2) Code Citation: 50 Ill. Adm. Code 1413
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
1413.10	New Section
1413.20	New Section
1413.30	New Section
1413.40	New Section
- 4) Statutory Authority: Implementing Section 223 (3)(a)(i) and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223 and 401]
- 5) Effective Date of Rulemaking: October 16, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes. Please see Section 1413.20 of this Part.
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the principal office of the Division of Insurance and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 31 Ill. Reg. 7217; May 18, 2007
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:

In the table of contents and at the end of the rule, proposed Section 1413.50 has been eliminated.

In Section 1413.40(b)(1), on the fifth line, added "basic" and struck "basis".

In Section 1413.40(c), on the second line, added "or statistical agent designated by the Director," following the comma.

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- 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 any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Division has promulgated this new regulation, which will permit recognition of the 2001 CSO Preferred Class Structure Table. Additionally, in this same Register, the Division has amended Part 1409 and 1412 to include cross-references to this new preferred mortality tables regulation.
- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Susan Christy, Life Actuarial Assistant
Department of Financial and Professional Regulation
Division of Insurance
320 West Washington Street
Springfield, Illinois 62767-0001

217/782-1759

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

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NOTICE OF ADOPTED RULES

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER s: LEGAL RESERVE LIFE INSURANCE

PART 1413

RECOGNITION OF 2001 CSO PREFERRED CLASS STRUCTURE MORTALITY
TABLES FOR USE IN DETERMINING MINIMUM RESERVE LIABILITIES

Section

1413.10	Purpose
1413.20	Definitions
1413.30	2001 CSO Preferred Class Structure Table
1413.40	Conditions

AUTHORITY: Implementing Section 223(3)(a)(i) and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223 and 401].

SOURCE: Adopted at 31 Ill. Reg. 14715, effective October 16, 2007.

Section 1413.10 Purpose

The purpose of this Part is to recognize, permit and prescribe the use of mortality tables that reflect differences in mortality between preferred and standard lives in determining minimum reserve liabilities in accordance with Section 223(3)(a)(i) of the Illinois Insurance Code [215 ILCS 5/223(3)(a)(i)] and for use under 50 Ill. Adm. Code 1409.40(a) and (b).

Section 1413.20 Definitions

2001 CSO Mortality Table means that mortality table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the NAIC in December 2002. The 2001 CSO Mortality Table is included in 50 Ill. Adm. Code 1412.Appendix A and supplemented by the 2001 CSO Preferred Class Structure Mortality Table defined below. Unless the context indicates otherwise, the 2001 CSO Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-

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birthday bases of the mortality tables. Mortality tables in the 2001 CSO Mortality Table include the following:

2001 CSO Mortality Table (F) means that mortality table consisting of the rates of mortality for female lives from the 2001 CSO Mortality Table.

2001 CSO Mortality Table (M) means that mortality table consisting of the rates of mortality for male lives from the 2001 CSO Mortality Table.

Composite mortality tables means mortality tables with rates of mortality that do not distinguish between smokers and nonsmokers.

Smoker and nonsmoker mortality tables means mortality tables with separate rates of mortality for smokers and nonsmokers.

2001 CSO Preferred Class Structure Mortality Table means mortality tables with separate rates of mortality for Super Preferred Nonsmokers, Preferred Nonsmokers, Residual Standard Nonsmokers, Preferred Smokers, and Residual Standard Smoker splits of the 2001 CSO Nonsmoker and Smoker approved by the NAIC in September 2006, as published in the 2006 Proceedings for the NAIC (3rd Quarter), Vol. III, p. 2219 and approved by the Director for use pursuant to this Part. Unless the context indicates otherwise, the 2001 CSO Preferred Class Structure Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table. It includes both the smoker and nonsmoker mortality tables. It includes both the male and female mortality tables and the gender composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality table.

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

Department means the Department of Financial and Professional Regulation.

Director means the Director of the Illinois Department of Financial and Professional Regulation-Division of Insurance.

Division means the Illinois Department of Financial and Professional Regulation-Division of Insurance.

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Statistical Agent means an entity with proven systems for protecting the confidentiality of individual insured and insurer information; demonstrated resources for and history of ongoing electronic communications and data transfer ensuring data integrity with insurers that are its members or subscribers; and a history of and means for aggregation of data and accurate promulgation of the experience modifications in a timely manner.

Section 1413.30 2001 CSO Preferred Class Structure Table

At the election of the company, for each calendar year of issue, for any one or more specified plans of insurance and subject to satisfying the conditions stated in this Part, the 2001 CSO Preferred Class Structure Mortality Table may be substituted in place of the 2001 CSO Smoker or Nonsmoker Mortality Table as the minimum valuation standard for policies issued on or after January 1, 2007. No such election shall be made until the company demonstrates at least 20% of the business to be valued on this table is in one or more of the preferred classes. A table from the 2001 CSO Preferred Class Structure Mortality Table used in place of a 2001 CSO Mortality Table, pursuant to the requirements of this Part, will be treated as part of the 2001 CSO Mortality Table only for purposes of reserve valuation pursuant to the requirements of 50 Ill. Adm. Code 1412, "Recognition of the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits".

Section 1413.40 Conditions

- a) For each plan of insurance with separate rates for preferred and standard nonsmoker lives, an insurer may use the Super Preferred Nonsmoker, Preferred Nonsmoker, and Residual Standard Nonsmoker Tables to substitute for the nonsmoker mortality table found in the 2001 CSO Mortality Table to determine minimum reserves. At the time of election and annually thereafter, except for business valued under the Residual Standard Nonsmoker Table, the appointed actuary shall certify that:
 - 1) The present value of death benefits over the next 10 years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the valuation basic table corresponding to the valuation table being used for that class.
 - 2) The present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality

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improvement beyond the valuation date for each class, is less than the present value of death benefits using the valuation basic table corresponding to the valuation table being used for that class.

- b) For each plan of insurance with separate rates for preferred and standard smoker lives, an insurer may use the Preferred Smoker and Residual Standard Smoker Tables to substitute for the smoker mortality table found in the 2001 CSO Mortality Table to determine minimum reserves. At the time of election and annually thereafter, for business valued under the Preferred Smoker Table, the appointed actuary shall certify that:
- 1) The present value of death benefits over the next 10 years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the preferred smoker valuation basic table corresponding to the valuation table being used for that class.
 - 2) The present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the preferred smoker valuation basic table.
- c) Every authorized insurer using the 2001 CSO Preferred Class Structure Table shall annually file with the Director, or statistical agent designated by the Director, no sooner than December 31, 2008, statistical reports showing mortality and such other information as the Director may deem necessary or expedient for the administration of the provisions of this Part.

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NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Security Valuation Reserve
- 2) Code Citation: 50 Ill. Adm. Code 1702
- 3) Section Number: 1702.10 Adopted Action:
Repeal
- 4) Statutory Authority: Implementing and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- 5) Effective Date of Repealer: October 16, 2007
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this adopted repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the principal office of the Division of Insurance and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: May 18, 2007; 31 Ill. Reg. 7223
- 10) Has JCAR issued a Statement of Objection to this Repealer? No
- 11) Differences between proposal and final version: None
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this repealer replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Repealer: The requirements of this Part are being repealed because the information insurance companies were required to file are now included in the annual financial statement. When Part 1702 was originally adopted the "security valuation reserve" was a term of art used to identify gains made on investments, but today they are known as "asset valuation reserves". The rule provisions are truly obsolete

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NOTICE OF ADOPTED REPEALER

and have been superseded by standards set out in Section 136 of the Illinois Insurance Code [215 ILCS 5/136].

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

Sara Ross, Supervisor, L/A&H Financial Analysis Unit
Department of Financial and Professional Regulation
Division of Insurance
320 West Washington Street
Springfield, Illinois 62767-0001

217/782-9760

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Reimbursement and Subrogation Provisions Contained In Individual and Group Accident and Health Policies
- 2) Code Citation: 50 Ill. Adm. Code 2020
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2020.20	Amendment
2020.30	Amendment
2020.40	Amendment
2020.50	New Section
2020.100	New Section
- 4) Statutory Authority: Implementing Sections 143(1), 357.18, 357.19, 367(11) and Article IX and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/Art. IX, 143(1), 357.18, 357.19, 367(11) and 401]
- 5) Effective Date of Rulemaking: October 22, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the principal office of the Division of Insurance and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 31 Ill. Reg. 5929; April 20, 2007
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between proposal and final version:
 - a) In the table of contents, added "2020.50 Subrogation Provision" and "2020.100 Effective Date for Existing Policies".
 - b) In Section 2020.40, on the first line, struck "a)". On the third line, struck "(1)" following "(a)". On the fourth line, struck "(a)(2)" and added "(b)".

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- c) In Section 2020.40, in the first indented subsection, added "a)" and struck "1)". In the next indented subsection, added "b" and struck "B".
 - d) In Section 2020.40, the proposed changes in subsection (a)(2)(B) concerning "Right of Subrogation" were deleted, and the existing text was stricken.
 - e) In Section 2020.40(c), all proposed text concerning subrogation was deleted, and the existing text was stricken.
 - f) New Section 2020.50 was added.
 - g) New Section 2020.100 was added.
- 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 any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The purpose of this Part is to clarify policy form language concerning the application of Sections 357.18 and 357.19 of the Illinois Insurance Code [215 ILCS 5/357.18 and 357.19] and the use of reimbursement and subrogation provisions in such policy forms. This Part is not intended to affect any equitable causes of action, if any, which may exist or develop in relation to the insurance contract.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Bill McAndrew, Assistant Deputy Director
Department of Financial and Professional Regulation
Division of Insurance
320 West Washington Street
Springfield, Illinois 62767-0001

217/782-4254

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF [FINANCIAL AND PROFESSIONAL
REGULATION](#)~~INSURANCE~~

SUBCHAPTER Z: ACCIDENT AND HEALTH INSURANCE

PART 2020

REIMBURSEMENT ~~AND SUBROGATION PROVISIONS~~[PROVISION](#) CONTAINED IN
INDIVIDUAL AND GROUP ACCIDENT AND HEALTH POLICIES

Section

2020.10	Scope
2020.20	Purpose
2020.30	Definitions
2020.40	Reimbursement Provisions
2020.50	Subrogation Provision
202.100	Effective Date for Existing Policies

AUTHORITY: Implementing Sections 143(1), 357.18, 357.19, 367(11) and Article IX and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/Art. IX, 143(1), 357.18, 357.19, 367(11) and 401].

SOURCE: Adopted at 24 Ill. Reg. 16666, effective November 1, 2000; amended at 31 Ill. Reg. 14723, effective October 22, 2007.

Section 2020.20 Purpose

The purpose of this Part is to clarify policy form language concerning the application of Sections 357.18 and 357.19 of the Illinois Insurance Code [215 ILCS 5/357.18 and 357.19] and the use of reimbursement [and subrogation](#) provisions in such policy forms. This Part is not intended to affect any equitable causes of action, if any, ~~that~~[which](#) may exist or develop in relation to the insurance contract.

(Source: Amended at 31 Ill. Reg. 14723, effective October 22, 2007)

Section 2020.30 Definitions

[Code means the Illinois Insurance Code \[215 ILCS 5\].](#)

Department means the Illinois Department of [Financial and Professional](#)

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Regulation Insurance.

Division means the Illinois Department of Financial and Professional Regulation-
Division of Insurance.

(Source: Amended at 31 Ill. Reg. 14723, effective October 22, 2007)

Section 2020.40 Reimbursement Provision

~~a) Right of Reimbursement: In addition to any other requirements set forth in the Illinois Insurance Code or Department's regulations, if an insurer includes a reimbursement provision in its policy, that provision shall be in the form state, as set forth in subsection (a)(1) if the insurer has the right to first reimbursement, or subsection (b)(a)(2) if the insurer does not have the right to first reimbursement, ~~unless otherwise approved by the Department pursuant to subsection (b) of this Section:~~~~

~~a) Right of Reimbursement: If a covered person incurs expenses for sickness or injury that occurred due to the negligence of a third party: A) we "If a covered person recovers expenses for sickness or injury that occurred due to the negligence of a third party, we have the right to first reimbursement for all benefits we paid from any and all damages collected from the negligent third party for those same expenses whether by action at law, settlement, or compromise, by the covered person, the covered person's parents, if the covered person is a minor, or the covered person's legal representative as a result of that sickness or injury. You are required to furnish any information or assistance, or provide any documents that we may reasonably require in order to exercise our rights under this provision. This provision applies whether or not the third party admits liability."; ~~and~~~~

~~b) "If a covered person recovers expenses for sickness or injury that occurred due to the negligence of a third party, we have the right to reimbursement for all benefits we paid from any and all damages collected from the negligent third party for those same expenses whether by action at law, settlement, or compromise, by the covered person, covered person's parents if the covered person is a minor, or covered person's legal representative as a result of that sickness or injury. You are required to furnish any information or assistance, or provide any documents that we may reasonably require in order to exercise our rights under this provision. This provision applies whether or not the third party admits liability."~~

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~~we are assigned the right to recover from the third party, or his or her insurer, to the extent of the benefits we paid for that sickness or injury.~~

~~We shall have the right to first reimbursement out of all funds the covered person, the covered person's parents, if the covered person is a minor, or the covered person's legal representative, is or was able to obtain for the same expenses we have paid as a result of that sickness or injury.~~

~~You are required to furnish any information or assistance or provide any documents that we may reasonably require in order to obtain our rights under this provision. This provision applies whether or not the third party admits liability.~~

2) ~~Right of Reimbursement: If a covered person incurs expenses for sickness or injury that occurred due to the negligence of a third party:~~

A) ~~we have the right to reimbursement for all benefits we paid from any and all damages collected from the third party for those same expenses whether by action at law, settlement, or compromise, by the covered person, covered person's parents, if the covered person is a minor, or covered person's legal representative as a result of that sickness or injury; and~~

B) ~~we are assigned the right to recover from the third party, or his or her insurer, to the extent of the benefits we paid for that sickness or injury.~~

~~We shall have the right to reimbursement out of all funds the covered person, the covered person's parents, if the covered person is a minor, or the covered person's legal representative, is or was able to obtain for the same expenses we have paid as a result of that sickness or injury.~~

~~You are required to furnish any information or assistance or provide any documents that we may reasonably require in order to obtain our rights under this provision. This provision applies whether or not the third party admits liability.~~

b) ~~An insurer may not modify the standard reimbursement provision language in subsection (a) of this Section unless it receives prior approval from the Department. However, under no circumstances can the language stated in~~

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~~paragraph (A) of subsection (a)(1) or (a)(2) of this Section be modified to circumvent Section 357.18 and 357.19 of the Illinois Insurance Code [215 ILCS 5/357.18 and 357.19]. The insurer shall notify the Department in its letter of submission made pursuant to 50 Ill. Adm. Code 916.40(b) of the proposed use of modified reimbursement language pursuant to this Section in all policy forms submitted for approval pursuant to Section 143 of the Illinois Insurance Code [215 ILCS 5/143] and 50 Ill. Adm. Code 916.~~

- e) ~~Any policy containing a reimbursement provision that is in effect prior to November 1, 2000 shall comply with the provisions of this Part upon the renewal of that policy.~~

(Source: Amended at 31 Ill. Reg. 14723, effective October 22, 2007)

Section 2020.50 Subrogation Provision

In addition to any other requirements set forth in the Code or Division's regulations, if an insurer includes a subrogation provision in its policy, that provision shall be in the form as follows: "We are assigned the right to recover from the negligent third party, or his or her insurer, to the extent of the benefits we paid for that sickness or injury. You are required to furnish any information or assistance, or provide any documents that we may reasonably require in order to exercise our rights under this provision. This provision applies whether or not the third party admits liability."

(Source: Added at 31 Ill. Reg. 14723, effective October 22, 2007)

Section 2020.100 Effective Date for Existing Policies

Any policy containing a reimbursement or subrogation provision that is in effect prior to November 1, 2007 shall comply with the provisions of this Part upon the renewal of that policy.

(Source: Added at 31 Ill. Reg. 14723, effective October 22, 2007)

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: General Provisions
- 2) Code Citation: 50 Ill. Adm. Code 2500
- 3) Section Number: 2500.50 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Sections 408, 409, 412, 444 and 444.1 and authorized by Sections 401 and 409(5) of the Illinois Insurance Code [215 ILCS 5/401, 408, 409, 409(5), 444 and 444.1] and Section 12 of the Fire Investigation Act [425 ILCS 25/12]
- 5) Effective Date of Rulemaking: October 16, 2007
- 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 Division of Insurance and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: May 25, 2007; 31 Ill. Reg. 7379
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: No changes were made.
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of rulemaking: Section 412 of the Illinois Insurance Code [215 ILCS 5/412] allows the Director to refund taxes, fees, and other charges, paid to him, provided that certain conditions are met. Pursuant to that authority, in 1998 the Division promulgated this Part, allowing those required to pay the assessments the opportunity to request a hearing to determine if the assessment is appropriate. The Part applies to any

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person, or company conducting or transacting any of the actions where fees and charges are assessed pursuant to 408 of Code, or who is assessed privilege, or retaliatory taxes pursuant to Sections 409, 444 and 444.1 of the Illinois Insurance Code [215 ILCS 5/408, 409, 444 and 444.1] and Sections 12 and 13 of the Fire Investigation Act [425 ILCS 25/12 and 13]. At this time, the Division is revising its rule to clarify that the applicable tax, fee, or charge first be paid before the party contesting the assessment may receive a hearing as to its appropriateness.

This amendment conforms the rule to Section 412 of the Code where the Director is allowed to refund taxes, fees, or other charges where the taxpayer has overpaid due to some mistake of fact, error in calculation or erroneous interpretation of a statute [215 ILCS 5/412]. This amendment is consistent with public policy, established in the State Officers and Employees Money Disposition Act, that contested monies due the State first be paid under protest [30 ILCS 230].

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

John O'Brien, Assistant Deputy Director
Department of Financial and Professional Regulation
Division of Insurance
320 West Washington Street
Springfield, Illinois 62767-0001

217/782-0055

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL
REGULATION INSURANCE

SUBCHAPTER ee: FEES, CHARGES AND TAXES

PART 2500

GENERAL PROVISIONS

Section

2500.10	Purpose
2500.20	Applicability
2500.30	Severability
2500.40	Definitions
2500.50	Hearings
2500.60	Computation of Time and Time of Filing
2500.70	Form of Payment
2500.80	Calculation Guidelines

AUTHORITY: Implementing Sections 408, 409, 412, 444 and 444.1 and authorized by Sections 401 and 409(5) of the Illinois Insurance Code [215 ILCS 5/401, 408, 409, 409(5), 412, 444 and 444.1] and Section 12 of the Fire Investigation Act [425 ILCS 25/12].

SOURCE: Adopted at 22 Ill. Re g. 290, effective December 21, 1998; amended at 31 Ill. Reg. 14729, effective October 16, 2007.

Section 2500.50 Hearings

Any person or company required to pay a fee, charge or tax pursuant to 50 Ill. Adm. Code, Subchapter ee may request a hearing to be held for the purposes of determining if the assessed fee, charge or tax is appropriate. A request for hearing must be made, after the assessment has been paid in full and pursuant to the grounds set forth in Section 412 of the Code [215 ILCS 5/412] and subsection (b) of this Section. Such request will only be granted based on those conditions grounds.

- a) A request for hearing shall be in writing and shall include:
 - 1) The name and address of the requester;
 - 2) The fee, charge or tax amount being assessed;

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- 3) Under what provision of 50 Ill. Adm. Code, Subchapter ee the fee, charge or tax is being assessed;
 - 4) The Department invoice number, if applicable; and
 - 5) The name, address and phone number of a contact person.
- b) The grounds upon which the requester believes the amount being assessed is incorrect, which are:
- 1) A mistake of fact including, but not limited to:
 - A) Applying a previous year's income tax overpayment in the current year's corporate and/or replacement tax return; and
 - B) Using the premium written in the state of incorporation to determine the state of incorporation's basis for retaliatory tax purposes; or
 - 2) An error in calculation including, but not limited to:
 - A) An incorrect decimal assignment; and
 - B) An erroneous sum, result or total arising out of a mathematical function, operation or equation; or
 - 3) An erroneous interpretation of a statute of this or any other state, including, but not limited to:
 - A) A misapplication of a statute; and
 - B) A misunderstanding of an equivocal term or phrase used in a statute.
 - 4) However, an erroneous interpretation of a statute of this or any other state does not include a finding of unconstitutionality of the statute in question. Additionally, a mistake in fact shall not include the assertion that a statute is unconstitutional on its face.

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- c) Any hearing held pursuant to a request meeting the requirements of this Section will be conducted pursuant to the provisions set forth at 50 Ill. Adm. Code 2402. However, if the request is made by a company, the company must be represented by an attorney licensed to practice law in the State of Illinois. The provision at 50 Ill. Adm. Code 2402.70(a)(2) does not apply to hearings held pursuant to 50 Ill. Adm. Code, Subchapter ee.

(Source: Amended at 31 Ill. Reg. 14729, effective October 16, 2007)

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- 1) Heading of the Part: Military Sales Practices
- 2) Code Citation: 50 Ill. Adm. Code 2605
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2605.10	New Section
2605.20	New Section
2605.30	New Section
2605.40	New Section
2605.50	New Section
2605.60	New Section
2605.70	New Section
- 4) Statutory Authority: Implementing Sections 429 and 500-70 [215 ILCS 5/429 and 500-70] and authorized by Sections 401 and 500-145 of the Illinois Insurance Code [215 ILCS 5/ 401 and 500-145]
- 5) Effective Date of Rulemaking: January 1, 2008
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the principal office of the Division of Insurance and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 31 Ill. Reg. 10965; August 21, 2007
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Difference between proposal and final version: The Division of Insurance added an effective date to this Part of "January 1, 2008".
- 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 any emergency rulemaking currently in effect? No

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The purpose of this new Part is to set forth standards that will protect active duty service members of the United States Armed Forces from dishonest and predatory insurance sales practices by declaring certain identified practices to be false, misleading, deceptive or unfair. Illinois' promulgation of this regulation is based on the recently adopted NAIC Model # 568.
- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Tim Cena, Senior Counsel
Department of Financial and Professional Regulation
Division of Insurance
100 West Randolph Street, Suite 9-301
Chicago, Illinois 60601-3251

312/814-5407

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER ff: UNFAIR METHODS OF COMPETITION

PART 2605

MILITARY SALES PRACTICES

Section

2605.10	Purpose
2605.20	Scope
2605.30	Exemptions
2605.40	Definitions
2605.50	Practices Declared False, Misleading, Deceptive or Unfair on a Military Installation
2605.60	Practices Declared False, Misleading, Deceptive or Unfair Regardless of Location
2605.70	Noncompliance

AUTHORITY: Implementing Sections 429 and 500-70 [215 ILCS 5/429 and 500-70] and authorized by Sections 401 and 500-145 of the Illinois Insurance Code [215 ILCS 5/401 and 500-145].

SOURCE: Adopted at 31 Ill. Reg. 14734, effective January 1, 2008.

Section 2605.10 Purpose

- a) The purpose of this Part is to set forth standards to protect active duty service members of the United States Armed Forces from dishonest and predatory insurance sales practices by declaring certain identified practices to be false, misleading, deceptive or unfair.
- b) Nothing in this Part shall be construed to create or imply a private cause of action for a violation of this Part.

Section 2605.20 Scope

This Part shall apply only to the solicitation or sale of any life insurance or annuity product by an insurer or insurance producer to an active duty service member of the United States Armed Forces.

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Section 2605.30 Exemptions

- a) This Part shall not apply to solicitations or sales involving:
- 1) Credit insurance;
 - 2) Group life insurance or group annuities when there is no in-person, face-to-face solicitation of individuals by an insurance producer or when the contract or certificate does not include a side fund;
 - 3) An application to the existing insurer that issued the existing policy or contract when a contractual change or a conversion privilege is being exercised; or when the existing policy or contract is being replaced by the same insurer pursuant to a program filed with and approved by the Director; or when a term conversion privilege is exercised among corporate affiliates;
 - 4) Individual stand-alone health policies, including disability income policies;
 - 5) Contracts offered by Servicemembers' Group Life Insurance (SGLI) or Veterans' Group Life Insurance (VGLI), as authorized by 38 USC 1965 et seq.;
 - 6) Life insurance contracts offered through or by a non-profit military association qualifying under section 501(c)(23) of the Internal Revenue Code (IRC) (26 USC 501(c)(23)), and that are not underwritten by an insurer; or
 - 7) Contracts used to fund:
 - A) An employee pension or welfare benefit plan that is covered by the Employee Retirement and Income Security Act (ERISA);
 - B) A plan described by sections 401(a), 401(k), 403(b), 408(k) or 408(p) of the IRC, as amended, if established or maintained by an employer;

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- C) A government or church plan defined in section 414 of the IRC, a government or church welfare benefit plan, or a deferred compensation plan of a state or local government or tax exempt organization under section 457 of the IRC;
 - D) A nonqualified deferred compensation arrangement established or maintained by an employer or plan sponsor;
 - E) Settlements of or assumptions of liabilities associated with personal injury litigation or any dispute or claim resolution process; or
 - F) Prearranged funeral contracts.
- b) Nothing in this Section shall be construed to abrogate the ability of nonprofit organizations (and/or other organizations) to educate members of the United States Armed Forces in accordance with Department of Defense DoD Instruction 1344.07 - Personal Commercial Solicitation on DoD Installations or successor directive.
- c) For purposes of this Part, general advertisements, direct mail and internet marketing shall not constitute "solicitation". Telephone marketing shall not constitute "solicitation" provided the caller explicitly and conspicuously discloses that the product concerned is life insurance and makes no statements that avoid a clear and unequivocal statement that life insurance is the subject matter of the solicitation. Provided, however, nothing in this subsection shall be construed to exempt an insurer or insurance producer from this Part in any in-person, face-to-face meeting established as a result of the "solicitation" exemptions identified in this subsection.

Section 2605.40 Definitions

For purposes of this Part:

Active Duty means full-time duty in the active military service of the United States and includes members of the reserve component (National Guard and Reserve) while serving under published orders for active duty or full-time training. The term does not include members of the reserve component who are

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performing active duty or active duty for training under military calls or orders specifying periods of less than 31 calendar days.

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

Department means the Department of Financial and Professional Regulation.

Department of Defense (DoD) Personnel means all active duty service members and all civilian employees, including nonappropriated fund employees and special government employees, of the Department of Defense.

Door to Door means a solicitation or sales method whereby an insurance producer proceeds randomly or selectively from household to household without prior specific appointment.

Director means the Director of the Illinois Department of Financial and Professional Regulation-Division of Insurance.

Division means the Illinois Department of Financial and Professional Regulation-Division of Insurance.

General Advertisement means an advertisement having as its sole purpose the promotion of the reader's or viewer's interest in the concept of insurance, or the promotion of the insurer or the insurance producer.

Insurer means an insurance company required to be licensed under the laws of this State to provide life insurance products, including annuities.

Insurance Producer means a person required to be licensed under the laws of this State to sell, solicit, or negotiate insurance. [215 ILCS 5/500-10]

Known or Knowingly means, depending on its use in this Part, the insurance producer or insurer had actual awareness, or, in the exercise of ordinary care, should have known, at the time of the act or practice complained of, that the person solicited is a service member or is a service member with a pay grade of E-4 or below.

Life Insurance means insurance coverage on human lives, including benefits of endowment and annuities, and may include benefits in the event of death or

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dismemberment by accident and benefits for disability income and, unless otherwise specifically excluded, includes individually issued annuities.

Military Installation means any federally owned, leased, or operated base, reservation, post, camp, building, or other facility to which service members are assigned for duty, including barracks, transient housing, and family quarters.

MyPay is a Defense Finance and Accounting Service (DFAS) web-based system that enables service members to process certain discretionary pay transactions or provide updates to personal information data elements without using paper forms.

Service Member means any active duty officer (commissioned and warrant) or enlisted member of the United States Armed Forces.

Side Fund means a fund or reserve that is part of or otherwise attached to a life insurance policy (excluding individually issued annuities) by rider, endorsement or other mechanism that accumulates premium or deposits with interest or by other means. The term does not include:

accumulated value or cash value or secondary guarantees provided by a universal life policy;

cash values provided by a whole life policy that are subject to standard nonforfeiture law for life insurance; or

a premium deposit fund that:

contains only premiums paid in advance that accumulate at interest;

imposes no penalty for withdrawal;

does not permit funding beyond future required premiums;

is not marketed or intended as an investment; and

does not carry a commission, either paid or calculated.

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Specific Appointment means a prearranged appointment agreed upon by both parties and definite as to place and time.

United States Armed Forces means all components of the Army, Navy, Air Force, Marine Corps, and Coast Guard.

Section 2605.50 Practices Declared False, Misleading, Deceptive or Unfair on a Military Installation

- a) The following acts or practices, when committed on a military installation by an insurer or insurance producer with respect to the in-person, face-to-face solicitation of life insurance, are declared to be false, misleading, deceptive or unfair:
 - 1) Knowingly soliciting the purchase of any life insurance product "door to door" or without first establishing a specific appointment for each meeting with the prospective purchaser.
 - 2) Soliciting service members in a group or "mass" audience or in a "captive" audience where attendance is not voluntary.
 - 3) Knowingly making appointments with or soliciting service members during their normally scheduled duty hours.
 - 4) Making appointments with or soliciting service members in barracks, day rooms, unit areas, or transient personnel housing or other areas where the installation commander has prohibited solicitation.
 - 5) Soliciting the sale of life insurance without first obtaining permission from the installation commander or the commander's designee.
 - 6) Posting unauthorized bulletins, notices or advertisements.
 - 7) Failing to present DD Form 2885, Personal Commercial Solicitation Evaluation, to service members solicited, or encouraging service members solicited not to complete or submit a DD Form 2885.
 - 8) Knowingly accepting an application for life insurance or issuing a policy of life insurance on the life of an enlisted member of the United States

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Armed Forces without first obtaining for the insurer's files a completed copy of any required form that confirms that the applicant has received counseling or fulfilled any other similar requirement for the sale of life insurance established by regulations, directives or rules of the DoD or any branch of the Armed Forces.

- b) The following acts or practices, when committed on a military installation by an insurer or insurance producer, constitute corrupt practices, improper influences or inducements and are declared to be false, misleading, deceptive or unfair:
- 1) Using DoD personnel, directly or indirectly, as a representative or agent in any official or business capacity, with or without compensation, with respect to the solicitation or sale of life insurance to service members.
 - 2) Using an insurance producer to participate in any United States Armed Forces sponsored education or orientation program.

Section 2605.60 Practices Declared False, Misleading, Deceptive or Unfair Regardless of Location

- a) The following acts or practices by an insurer or insurance producer constitute corrupt practices or improper influences or inducements and are declared to be false, misleading, deceptive or unfair:
- 1) Submitting, processing or assisting in the submission or processing of any allotment form or similar device used by the United States Armed Forces to direct a service member's pay to a third party for the purchase of life insurance. The foregoing includes, but is not limited to, using or assisting in using a service member's MyPay account or other similar internet or electronic medium for such purposes. This subsection (a)(1) does not prohibit assisting a service member by providing insurer or premium information necessary to complete any allotment form.
 - 2) Knowingly receiving funds from a service member for the payment of premium from a depository institution with which the service member has no formal banking relationship. For purposes of this Section, a formal banking relationship is established when the depository institution:

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- A) provides the service member a deposit agreement and periodic statements and makes the disclosures required by the Truth in Savings Act (12 USC 4301 et seq.) and the regulations promulgated under that Act; and
 - B) permits the service member to make deposits and withdrawals unrelated to the payment or processing of insurance premiums.
- 3) Employing any device or method or entering into any agreement whereby funds received from a service member by allotment for the payment of insurance premiums are identified on the service member's Leave and Earnings Statement or equivalent or successor form as "Savings" or "Checking" and where the service member has no formal banking relationship as defined in subsection (a)(2).
 - 4) Entering into any agreement with a depository institution for the purpose of receiving funds from a service member whereby the depository institution, with or without compensation, agrees to accept direct deposits from a service member with whom it has no formal banking relationship.
 - 5) Using DoD personnel, directly or indirectly, as a representative or agent in any official or unofficial capacity, with or without compensation, with respect to the solicitation or sale of life insurance to service members who are junior in rank or grade, or to the family members of such personnel.
 - 6) Offering or giving anything of value, directly or indirectly, to DoD personnel to procure their assistance in encouraging, assisting or facilitating the solicitation or sale of life insurance to another service member.
 - 7) Knowingly offering or giving anything of value to a service member with a pay grade of E-4 or below for his or her attendance at any event where an application for life insurance is solicited.
 - 8) Advising a service member with a pay grade of E-4 or below to change his or her income tax withholding or State of legal residence for the sole purpose of increasing disposable income to purchase life insurance.

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- b) The following acts or practices by an insurer or insurance producer lead to confusion regarding source, sponsorship, approval or affiliation and are declared to be false, misleading, deceptive or unfair:
- 1) Making any representation, or using any device, title, descriptive name or identifier that has the tendency or capacity to confuse or mislead a service member into believing that the insurer, insurance producer or product offered is affiliated, connected or associated with, endorsed, sponsored, sanctioned or recommended by the U.S. Government, the United States Armed Forces, or any state or federal agency or government entity. Examples of prohibited insurance producer titles include, but are not limited to, "Battalion Insurance Counselor", "Unit Insurance Advisor", "Servicemen's Group Life Insurance Conversion Consultant" or "Veteran's Benefits Counselor". Nothing in this subsection (b)(1) shall be construed to prohibit a person from using a professional designation awarded after the successful completion of a course of instruction in the business of insurance by an accredited institution of higher learning. Such designations include, but are not limited to, Chartered Life Underwriter (CLU), Chartered Financial Consultant (ChFC), Certified Financial Planner (CFP), Master of Science in Financial Services (MSFS), or Masters of Science in Financial Planning (MS).
 - 2) Soliciting the purchase of any life insurance product through the use of or in conjunction with any third party organization that promotes the welfare of or assists members of the United States Armed Forces in a manner that has the tendency or capacity to confuse or mislead a service member into believing that either the insurer, insurance producer or insurance product is affiliated, connected or associated with, endorsed, sponsored, sanctioned or recommended by the U.S. Government or the United States Armed Forces.
- c) The following acts or practices by an insurer or insurance producer lead to confusion regarding premiums, costs or investment returns and are declared to be false, misleading, deceptive or unfair:
- 1) Using or describing the credited interest rate on a life insurance policy in a manner that implies that the credited interest rate is a net return on premium paid.

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- 2) Excluding individually issued annuities, misrepresenting the mortality costs of a life insurance product, including stating or implying that the product "costs nothing" or is "free".
- d) The following acts or practices by an insurer or insurance producer regarding SGLI or VGLI are declared to be false, misleading, deceptive or unfair:
- 1) Making any representation regarding the availability, suitability, amount, cost, exclusions or limitations to coverage provided to a service member or dependents by SGLI or VGLI, which is false, misleading or deceptive.
 - 2) Making any representation regarding conversion requirements, including the costs of coverage, or exclusions or limitations to coverage of SGLI or VGLI to private insurers that is false, misleading or deceptive.
 - 3) Suggesting, recommending or encouraging a service member to cancel or terminate his or her SGLI policy or issuing a life insurance policy that replaces an existing SGLI policy unless the replacement shall take effect upon or after the service member's separation from the United States Armed Forces.
- e) The following acts or practices by an insurer and or insurance producer regarding disclosure are declared to be false, misleading, deceptive or unfair:
- 1) Deploying, using or contracting for any lead generating materials designed exclusively for use with service members that do not clearly and conspicuously disclose that the recipient will be contacted by an insurance producer, if that is the case, for the purpose of soliciting the purchase of life insurance.
 - 2) Failing to disclose that a solicitation for the sale of life insurance will be made when establishing a specific appointment for an in-person, face-to-face meeting with a prospective purchaser.
 - 3) Excluding individually issued annuities, failing to clearly and conspicuously disclose the fact that the product being sold is life insurance.

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- 4) Failing to make, at the time of sale or offer to an individual known to be a service member, the written disclosures required by Section 10 of the Military Personnel Financial Services Protection Act (Pub. L. No. 109-290, p.16).
- 5) Excluding individually issued annuities, when the sale is conducted in-person face-to-face with an individual known to be a service member, failing to provide the applicant at the time the application is taken:
 - A) an explanation of any free look period with instructions on how to cancel if a policy is issued; and
 - B) either a copy of the application or a written disclosure. The copy of the application or the written disclosure shall clearly and concisely set out the type of life insurance, the death benefit applied for and its expected first year cost. A basic illustration that meets the requirements of 50 Ill. Adm. Code 1406 shall be deemed sufficient to meet this requirement for a written disclosure.
- f) The following acts or practices by an insurer or insurance producer with respect to the sale of certain life insurance products are declared to be false, misleading, deceptive or unfair:
 - 1) Excluding individually issued annuities, recommending the purchase of any life insurance product that includes a side fund to a service member in pay grades E-4 and below unless the insurer has reasonable grounds for believing that the life insurance death benefit, standing alone, is suitable.
 - 2) Offering for sale or selling a life insurance product that includes a side fund to a service member in pay grades E-4 and below who is currently enrolled in SGLI is presumed unsuitable, unless, after the completion of a needs assessment, the insurer demonstrates that the applicant's SGLI death benefit, together with any other military survivor benefits, savings and investments, survivor income, and other life insurance are insufficient to meet the applicant's insurable needs for life insurance.
 - A) "Insurable needs" are the risks associated with premature death taking into consideration the financial obligations and immediate

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and future cash needs of the applicant's estate and/or survivors or dependents.

- B) "Other military survivor benefits" include, but are not limited to: the Death Gratuity, Funeral Reimbursement, Transition Assistance, Survivor and Dependents' Educational Assistance, Dependency and Indemnity Compensation, TRICARE Healthcare benefits, Survivor Housing Benefits and Allowances, Federal Income Tax Forgiveness, and Social Security Survivor Benefits.
- 3) Excluding individually issued annuities, offering for sale or selling any life insurance contract that includes a side fund:
- A) unless interest credited accrues from the date of deposit to the date of withdrawal and permits withdrawals without limit or penalty;
 - B) unless the applicant has been provided with a schedule of effective rates of return based upon cash flows of the combined product. For this disclosure, the effective rate of return will consider all premiums and cash contributions made by the policyholder and all cash accumulations and cash surrender values available to the policyholder in addition to life insurance coverage. This schedule will be provided for at least each policy year from 1 to 10 and for every fifth policy year thereafter ending at age 100, policy maturity or final expiration; and
 - C) that by default diverts or transfers funds accumulated in the side fund to pay, reduce or offset any premiums due.
- 4) Excluding individually issued annuities, offering for sale or selling any life insurance contract that, after considering all policy benefits, including but not limited to endowment, return of premium or persistency, does not comply with standard nonforfeiture law for life insurance.
- 5) Selling any life insurance product to an individual known to be a service member that excludes coverage if the insured's death is related to war, declared or undeclared, or any act related to military service except for an accidental death coverage, e.g., double indemnity, which may be excluded.

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Section 2605.70 Noncompliance

- a) Failure of an insurer to comply with the requirements of this Part shall subject the insurer to the applicable provisions of Section 403A of the Code; or
- b) Failure of an insurance producer to comply with requirements of this Part shall be an unfair trade practice, and evidence of incompetence or untrustworthiness in the conduct of business under Section 500-70(a)(7) and (8) of the Code.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Adopted Action:</u>
140.462	Amendment
140.463	Amendment
140.491	Amendment
140.930	Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: October 22, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: Section 140.930 - July 13, 2007 (31 Ill. Reg. 9731); Section 140.491 - July 27, 2007 (31 Ill. Reg. 10566); Sections 140.462 and 140.463 - August 3, 2007 (31 Ill. Reg. 10980)
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences Between Proposal and Final Version: In Part 140.930(a)(5), changed the colon to a period. This adopted rulemaking combines 3 separately proposed rulemakings. See Item # 9 above.
- 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 these amendments replace any emergency amendments currently in effect? Yes
- 14) Are there any other amendments pending on this Part? Yes

Section:Proposed Action:Illinois Register Citation:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER d: MEDICAL PROGRAMS

PART 140

MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

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

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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	Suspension or Barring
140.20	Submittal of Claims
140.21	Reimbursement for QMB Eligible Medical Assistance Recipients and QMB Eligible Only Recipients and Individuals Who Are Entitled to Medicare Part A or Part B and Are Eligible for Some Form of Medicaid Benefits
140.22	Magnetic Tape Billings (Repealed)
140.23	Payment of Claims
140.24	Payment Procedures
140.25	Overpayment or Underpayment of Claims
140.26	Payment to Factors Prohibited
140.27	Assignment of Vendor Payments
140.28	Record Requirements for Medical Providers
140.30	Audits
140.31	Emergency Services Audits
140.32	Prohibition on Participation, and Special Permission for Participation
140.33	Publication of List of Sanctioned Entities
140.35	False Reporting and Other Fraudulent Activities
140.40	Prior Approval for Medical Services or Items
140.41	Prior Approval in Cases of Emergency
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AUTHORITY: Implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983;

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18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140. Table H and 140. Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147. Table A and 147. Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989;

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amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; Notice of Corrections to Adopted Amendment at 15 Ill. Reg. 1174; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill.

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Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended at 17 Ill. Reg. 18902, effective October 12, 1993; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended at 18 Ill. Reg. 17286, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective

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September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days; emergency expired April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective October 1, 1999; amended at 23 Ill. Reg. 13646, effective November 1, 1999; amended at 23 Ill. Reg. 14567, effective December 1, 1999; amended at 24 Ill. Reg. 661, effective January 3, 2000; amended at 24 Ill. Reg. 10277, effective July 1, 2000; emergency amendment at 24 Ill. Reg. 10436, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15086, effective October 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3897, effective March 1, 2001; amended at 25 Ill. Reg. 6665, effective May 11, 2001; amended at 25 Ill. Reg. 8793, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 8850, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11880, effective September 1, 2001; amended at 25 Ill. Reg. 12820, effective October 8, 2001; amended at 25 Ill. Reg. 14957, effective November 1, 2001; emergency amendment at 25 Ill. Reg. 16127, effective November 28, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 16292, effective December 3, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 514,

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effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 663, effective January 7, 2002; amended at 26 Ill. Reg. 4781, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 5984, effective April 15, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 7285, effective April 29, 2002; emergency amendment at 26 Ill. Reg. 8594, effective June 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 11259, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 12461, effective July 29, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16593, effective October 22, 2002; emergency amendment at 26 Ill. Reg. 12772, effective August 12, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13641, effective September 3, 2002; amended at 26 Ill. Reg. 14789, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 15076, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16303, effective October 25, 2002; amended at 26 Ill. Reg. 17751, effective November 27, 2002; amended at 27 Ill. Reg. 768, effective January 3, 2003; amended at 27 Ill. Reg. 3041, effective February 10, 2003; amended at 27 Ill. Reg. 4364, effective February 24, 2003; amended at 27 Ill. Reg. 7823, effective May 1, 2003; amended at 27 Ill. Reg. 9157, effective June 2, 2003; emergency amendment at 27 Ill. Reg. 10813, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 13784, effective August 1, 2003; amended at 27 Ill. Reg. 14799, effective September 5, 2003; emergency amendment at 27 Ill. Reg. 15584, effective September 20, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16161, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18629, effective November 26, 2003; amended at 28 Ill. Reg. 2744, effective February 1, 2004; amended at 28 Ill. Reg. 4958, effective March 3, 2004; emergency amendment at 28 Ill. Reg. 6622, effective April 19, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7081, effective May 3, 2004; emergency amendment at 28 Ill. Reg. 8108, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9640, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10135, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11161, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12198, effective August 11, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13775, effective October 1, 2004; amended at 28 Ill. Reg. 14804, effective October 27, 2004; amended at 28 Ill. Reg. 15513, effective November 24, 2004; amended at 29 Ill. Reg. 831, effective January 1, 2005; amended at 29 Ill. Reg. 6945, effective May 1, 2005; emergency amendment at 29 Ill. Reg. 8509, effective June 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12534, effective August 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 14957, effective September 30, 2005; emergency amendment at 29 Ill. Reg. 15064, effective October 1, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 15985, effective October 5, 2005, for the remainder of the maximum 150 days; emergency amendment at 29 Ill. Reg. 15610, effective October 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 16515, effective October 5, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 349, effective December 28, 2005; emergency amendment at 30 Ill.

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Reg. 573, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 796, effective January 1, 2006; amended at 30 Ill. Reg. 2802, effective February 24, 2006; amended at 30 Ill. Reg. 10370, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 13909, effective August 2, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 14280, effective August 18, 2006; expedited correction at 31 Ill. Reg. 1745, effective August 18, 2006; emergency amendment at 30 Ill. Reg. 17970, effective November 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18648, effective November 27, 2006; emergency amendment at 30 Ill. Reg. 19400, effective December 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 388, effective December 29, 2006; emergency amendment at 31 Ill. Reg. 1580, effective January 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 2413, effective January 19, 2007; amended at 31 Ill. Reg. 5561, effective March 30, 2007; amended at 31 Ill. Reg. 6930, effective April 29, 2007; amended at 31 Ill. Reg. 8485, effective May 30, 2007; emergency amendment at 31 Ill. Reg. 10115, effective June 30, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14749, effective October 22, 2007.

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.462 Covered Services in Clinics

Payment shall be made to clinics for the following types of services when provided by, or under the direction of, a physician:

- a) Hospital-Based Organized Clinics
 - 1) With respect to those hospital-based organized clinics that qualify as Maternal and Child Health clinics, as described in Section 140.461(f)(1), covered services are those described in subsection (e) **below**, as appropriate.
 - 2) With respect to all other hospital-based organized clinics, covered services are those described in 89 Ill. Adm. Code 148.
- b) Encounter Rate Clinics
 - 1) With respect to those encounter rate clinics that qualify as Maternal and Child Health providers, as described in Section 140.924(a)(2)(B), covered services are those described in Section 140.922.

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- 2) With respect to all other encounter rate clinics, covered services are medical services which provide for the continuous health care needs of persons who elect to use this type of service.

- c) Rural Health Clinics

Those core services for which the clinic or center may bill an encounter as described in 42 CFR 440.90 (2000) are as follows:

- 1) Physician's Services, including covered services of nurse practitioners, nurse midwives and physician-supervised physician assistants.
- 2) Other services for which a separate encounter may be billed include dentist and behavioral health services as defined in Section 140.463(a) as clinical psychologist or clinical social worker services.
- 3) Medically-necessary services and supplies furnished by or under the direction of a physician or dentist within the scope of licensed practice that have been included in the cost report but neither fee-for-service nor encounter billings may be billed. Some examples of these services include:
 - A) medical case management;
 - B) laboratory services;
 - C) occupational therapy;
 - D) patient transportation;
 - E) pharmacy services;
 - F) physical therapy;
 - G) podiatric services;
 - H) speech and hearing services;
 - I) x-ray services;

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- J) health education;
 - K) nutrition services;
 - L) optometric services.
- 4) A rural health clinic (RHC) that adds behavioral health services or dental services on or after October 1, 2001, must notify the Department in writing. These services are to be billed as an encounter with a procedure code that appropriately identifies the service provided.
- 5) Any service that is no longer provided on or after October 1, 2001, or any new service added on or after October 1, 2001, must be communicated to the Department in writing prior to billing for the services.
- 6) Effective January 1, 2001, the Medicare, Medicaid and SCHIP Benefits Improvement and Protection Act (BIPA) precludes fee-for-service billings for any RHC services.
- d) Federally Qualified Health Centers
Those core services for which the clinic or center may bill an encounter as described in 42 CFR 440.90 (2000) are as follows:
- 1) Physician's services, including covered services of nurse midwives, nurse practitioners and physician-supervised physician assistants.
 - 2) Other services for which separate encounters may be billed include dentists and behavioral health services as defined in Section 140.463(a), as ~~clinical psychologists or clinical social worker services.~~
 - 3) Medically-necessary services and supplies furnished by or under the direction of a physician or dentist within the scope of licensed practice have been included in the cost report but neither fee-for-service nor encounter billings may be billed. Some examples of these services include:
 - A) medical case management;

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- B) laboratory services;
 - C) occupational therapy;
 - D) patient transportation;
 - E) pharmacy services;
 - F) physical therapy;
 - G) podiatric services;
 - H) optometric services;
 - I) speech and hearing services;
 - J) x-ray services;
 - K) health education;
 - L) nutrition services.
- 4) A federally qualified health center (FQHC) that adds behavioral health services or dental services on or after October 1, 2001, must notify the Department in writing. These services are to be billed as an encounter with a procedure code that appropriately identifies the service.
- 5) Any service that is no longer provided on or after October 1, 2001, or any new service added on or after October 1, 2001, must be communicated to the Department in writing.
- 6) Effective January 1, 2001, the Medicare, Medicaid and SCHIP Benefits Improvement and Protection Act (BIPA) precludes fee-for-service billings for any FQHC services provided.
- e) Maternal and Child Health Clinics
Payment shall be made to the Maternal and Child Health clinics identified in Section 140.461(f)(1) for the following services when provided by, or under the direction of, a physician:

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- 1) In the case of clinics described in ~~Section~~Sections 140.461(f)(1)(A) and ~~140.461~~(f)(1)(B), primary care services delivered by the clinic, which must include, but are not necessarily limited to:
 - A) Early, periodic, screening, diagnostic, and treatment (EPSDT) services as defined in Section 140.485;
 - B) Childhood risk assessments to determine potential need for mental health and substance abuse assessment and/or treatment;
 - C) Regular immunizations for the prevention of childhood diseases;
 - D) Follow-up ambulatory medical care deemed necessary, recommended, or prescribed by a physician as a result of an EPSDT screening;
 - E) Routine prenatal care, including risk assessment, for pregnant women; and
 - F) Specialty care as medically needed.
- 2) In the case of clinics described in Section 140.461(f)(1)(C), primary care and specialty services delivered by the clinic, which must include, but are not necessarily limited to:
 - A) Prenatal care, including risk assessment (one risk assessment per pregnancy);
 - B) All ambulatory treatment services deemed medically necessary, recommended, or prescribed by a physician as the result of the assessment; and
 - C) Services to pregnant women with diagnosed substance abuse or addiction problems.
- 3) In the case of clinics described in Section 140.461(f)(1)(D):
 - A) Comprehensive medical and referral services.

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- B) Primary care services, which must include, but are not necessarily limited to:
- i) early, periodic, screening, diagnostic, and treatment (EPSDT) services as defined in Section 140.485;
 - ii) regular immunizations for the prevention of childhood diseases; and
 - iii) follow-up ambulatory medical care deemed necessary, recommended, or prescribed by a physician as the result of an EPSDT screening.
- C) Pediatric specialty services, which must include, at a minimum, necessary treatment for:
- i) asthma,
 - ii) congenital heart disease,
 - iii) diabetes, and
 - iv) sickle cell anemia.
- D) Ambulatory treatment for other medical conditions as specified in the center's certificate application and as approved by the Department.
- f) School Based/Linked Health Clinics (Centers)
Covered services are the following services, when delivered in a school based/linked health center setting as described in Section 140.461(g):
- 1) Basic medical services: well child or adolescent exams, consisting of a comprehensive health history, complete physical assessment, screening procedures and age appropriate anticipatory guidance; immunizations; EPSDT services; diagnosis and treatment of acute illness and injury; basic laboratory tests; prescriptions and dispensing of commonly used medications for identified health conditions, in accordance with Medical

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Practice and Pharmacy Practice Acts; and acute management and on-going monitoring of chronic conditions, such as asthma, diabetes and seizure disorders.

- 2) Reproductive health services: gynecological exams; diagnosis and treatment of sexually transmitted diseases; family planning; prescribing and dispensing of birth control or referral for birth control services; pregnancy testing; treatment or referral for prenatal and postpartum care; and cancer screening.

(Source: Amended at 31 Ill. Reg. 14749, effective October 22, 2007)

Section 140.463 Clinic Service Payment

- a) Definitions

"Behavioral Health Services", for the purposes of this Section, means services provided by a licensed clinical psychologist, ~~or~~ licensed clinical social worker or licensed clinical professional counselor.

"Center", for the purposes of this Section, means both a federally qualified health center and a rural health clinic.

"Federally Qualified Health Center" or "(FQHC)" means a health care provider that receives a grant under Section 330 of the Public Health Service Act (Public Law 78-410) (42 USC 1395x(aa)(3)) or has been determined to meet the requirements for receiving such a grant by the Health Resources and Services Administration, U.S. Department of Health and Human Services.

"Rural Health Clinic" or "(RHC)" means a health care provider that has been designated by the Public Health Service, U.S. Department of Health and Human Services, or by the Governor, and approved by the Public Health Service, in accordance with the Rural Health Clinics Act (Public Law 95-210) (42 USC 1395x(aa)(2)) to be an RHC.

- b) Reimbursement

The Center will be reimbursed under a prospective payment system for 100 percent of the average of the costs that are reasonable and related to the cost of furnishing such services by the Center in accordance with the provisions of

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federal law (42 USC 1396a(aa)). Baseline payment rates will be determined individually for each enrolled Center. Once determined, the baseline payment rate will be adjusted annually using the Medicare Economic Index (MEI). Payment for services provided on or after January 1, 2001, shall be made using specific rates for each Center as specified in this Section.

1) Baseline Payment Rates

- A) For each Center, the Department will calculate a baseline medical encounter rate and, for each Center that is enrolled with the Department to provide Behavioral Health Services or dental services, the Department will calculate a baseline Behavioral Health Services or dental encounter rate, using the methodology specified in this subsection (b).
 - i) The cost basis for the baseline rates shall be drawn from individual Center cost reports for Center fiscal years ending in 1999 and 2000 or, in the instance of a Center that did not operate during the entirety of those periods, cost reports that cover the portions of those periods during which the Center was in operation.
 - ii) Pending federal approval, for dates of service provided by an FQHC on or after January 1, 2006, the cost basis for the baseline rates shall be the greater of an encounter rate using the criteria under subsection (b)(1)(A)(i) of this Section, or the same criteria that uses the Center's cost reports ending in 2002 and 2003 in place of cost reports ending in 1999 and 2000.
- B) The baseline payment rates shall be based upon allowable costs, reported by the Center, that are determined by the Department to be reasonable and efficient. The method for determining allowable cost factors is similar to that used for Medicare (42 USC 1395g), with the following significant differences. The Department's methodology shall:
 - i) Consider costs associated with services not covered under Medicare (e.g., pharmacy, patient transportation, medical

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case management, health education, nutritional counseling).

- ii) Apply reasonable constraints on allowable cost, as described in subsection (b)(10) of this Section.
 - iii) Apply reasonable constraints on the total cost per encounter.
- C) The baseline payment rates for a Center shall be the average (arithmetic mean) of the annual reasonable costs per encounter, calculated separately for each of the fiscal years for which cost report data must be submitted using the methodology specified in subsections (b)(2), (3) and (4) of this Section for the medical encounter rate, dental encounter rate, and Behavioral Health Services encounter rate, respectively.
- 2) Annual Reasonable Cost Per Medical Encounter
- A) The annual reasonable cost per medical encounter shall be the lesser of:
- i) The annual cost per encounter, as calculated in subsection (b)(2)(D) of this Section; or
 - ii) The reasonable cost of providing a medical encounter, which shall be 105 percent of the Statewide median of the calculated annual costs per encounter for FQHCs or RHCs, as the case may be.
- B) The core services component.
The core services component is the sum of the following two components:
- i) The allowable direct cost per encounter, which is the quotient of the allowable direct cost, as defined in subsection (b)(1)(B) of this Section, for core services divided by the greater of the number of encounters reported by direct staff (e.g., staff specified in subsection (b)(10)(A) and, for the determination of encounter payment rates

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effective prior to January 1, 2002, subsection (b)(10)(C)); or the number of encounters resulting from the application of the minimum efficiency standards found in subsections (b)(10)(A) and (b)(10)(C); and

- ii) The allowable overhead cost per encounter, which is the product of the allowable direct cost per encounter multiplied by the Center's allowable overhead rate factor.

C) Supplemental services component.

The supplemental services component is the sum of the following two components:

- i) The allowable supplemental cost per encounter, which is the quotient of the cost of services (e.g., pharmacy, patient transportation, medical case management, health education, nutritional counseling), excepting core services, dental services and, effective January 1, 2002, Behavioral Health Services, provided by the Center, divided by the greater of the number of encounters reported by direct staff; or the number of encounters resulting from application of the minimum productivity standards found in subsections (b)(10)(A) and (b)(10)(C) of this Section; and
- ii) The allowable overhead cost per encounter, which is the product of the allowable supplemental cost per encounter multiplied by the Center's allowable overhead rate factor.

D) Annual cost per encounter.

The annual cost per medical encounter is the sum of the core services component, as determined in subsection (b)(2)(B) of this Section, and the supplemental services component, as determined in subsection (b)(2)(C).

3) Annual Reasonable Cost Per Dental Encounter

- A) The annual reasonable cost per dental encounter shall be the lesser of:

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- i) The annual cost per encounter, as calculated in subsection (b)(3)(B) of this Section; or
 - ii) The reasonable cost of providing a dental encounter, which shall be 105 percent of the Statewide median of the calculated annual costs per encounter for FQHCs or RHCs, as the case may be.
- B) Annual cost per encounter.
The annual cost per encounter is the sum of the following two components:
- i) The allowable direct cost per encounter, which is the quotient of the allowable direct dental cost, as defined in subsection (b)(1)(B), divided by the greater of the number of encounters reported by direct dental staff; or the number of encounters resulting from the application of the minimum efficiency standard found in subsection (b)(10)(B); and
 - ii) The allowable overhead cost per encounter, which is the product of the allowable direct cost per encounter multiplied by the Center's allowable overhead rate factor.
- 4) Annual Reasonable Cost Per Behavioral Health Service Encounter Effective for services provided on or after January 1, 2002, a separate annual reasonable cost per Behavioral Health Service encounter shall be determined.
- A) The annual reasonable cost per Behavioral Health Service encounter shall be the lesser of the following:
- i) The annual cost per encounter, as calculated in subsection (b)(4)(B) of this Section.
 - ii) The reasonable cost of providing a Behavioral Health Service encounter, which shall be 105 percent of the Statewide median of the calculated annual cost per encounter for FQHCs or RHCs, as the case may be.

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- B) Annual cost per encounter.
The annual cost per encounter is the sum of the following two components:
- i) The allowable direct cost per encounter, which is the quotient of the allowable direct cost for Behavioral Health Services, as defined in subsection (b)(1)(B) of this Section, divided by the greater of the number of encounters reported by direct behavioral health staff; or the number of encounters resulting from the application of the minimum efficiency standard found in subsection (b)(10)(C); and
 - ii) The allowable overhead cost per encounter, which is the product of the allowable direct cost per encounter multiplied by the Center's allowable overhead rate factor.
- 5) For any individual eligible under the medical assistance programs, a Center may bill only one medical encounter, one dental encounter, and one behavioral health encounter per day. A Center will be reimbursed for a service only if it has enrolled with the Department to provide that service.
- 6) Claims submitted to the Department must identify all services provided during the encounter.
- 7) Cost Basis
Each Center must annually complete a cost report, in a format specified by the Department, for the Center's fiscal year. Each FQHC must also annually submit a copy of financial statements audited by an independent Certified Public Accountant. The cost report and audited financial statements must be filed with the Department within 180 days after the close of the Center's fiscal year, except for cost reports and audited financial statements for Center fiscal years 1999 and 2000 which, in the case of FQHCs, must be filed with the Department no later than November 30, 2001, and in the case of RHCs, must be filed no later than March 30, 2002. Except for the first year during which the Center begins operations, the cost report must cover a full fiscal year ending on June 30 or other fiscal year that has been approved by the Department. Payments

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will be withheld from any Center that has not submitted the cost report by the applicable filing date, and no payments will be made until such time as the reports or audited statements are received and approved by the Department.

- 8) Establishment of Initial Year Payment Amount for a New Center
For any Center that begins operation on or after January 1, 2001, the payment rate per encounter shall be the median of the payment rates per encounter of neighboring FQHCs or RHCs with similar caseloads, as determined by the Department. If the Department determines that there are no such comparable Centers, then the rate per encounter shall be the median of the payment rates per encounter Statewide for all FQHCs or RHCs, as the case may be.
- 9) Rate Adjustments
 - A) Initial rate determinations.
 - i) On or about January 1, 2002, the Department shall determine the medical and dental encounter rates for each participating FQHC. These rates shall be paid for services provided on or after January 1, 2001. Claims submitted and adjudicated prior to the entry of these rates into the Department's claims processing system shall be reconciled for each affected FQHC.
 - ii) On or about January 1, 2003, the Department shall determine the medical and dental encounter rates for each participating RHC. These rates shall be paid for services provided on or after January 1, 2001. Claims submitted and adjudicated prior to the entry of these rates into the Department's claims processing system shall be reconciled for each affected RHC.
 - B) Annual adjustment.
 - i) Beginning January 1, 2002, and annually thereafter, except as specified in subsection (b)(9)(B)(ii) of this Section, the Department will adjust baseline rates by the most recently

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available MEI. The adjusted rates shall be paid for services provided on or after the date of adjustment.

- ii) In the instance of a Center that provided Behavioral Health Services prior to January 1, 2002, for the purpose of applying the January 1, 2002, adjustment by the most recently available MEI, the baseline medical services encounter rate applicable for services provided from January 1, 2001, through December 31, 2001, shall be redetermined after removal of costs and encounters attributable to Behavioral Health Services.

- C) Scope of service adjustment.
If a Center significantly changes its scope of services, the Center may request that new baseline encounter rates be determined. Adjustments to encounter rates will be made only if the change in the scope of services results in the inclusion of Behavioral Health Services or dental services or a difference of at least five percent from the Center's current rate. The Department may initiate a rate adjustment, based on audited financial statements or cost reports, if the scope of services has been modified to include Behavioral Health Services or dental services or would otherwise result in a change of at least five percent from the Center's current rate.

- 10) Reasonable Cost Considerations
The following minimum efficiency standards will be applied to determine reasonable cost:

- A) Medical direct care productivity.
The Center must average 4,200 encounters annually per full-time equivalent (FTE) for physicians and 2,100 encounters per FTE for mid-level health care staff (i.e., physician assistants, nurse practitioners, specialized nurse practitioners and nurse midwives).
- B) Dental direct care productivity.
The Center must average 1.5 encounters per hour per FTE for dentists.
- C) Behavioral health direct care productivity.

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The Center must average 2,100 annual encounters per FTE for licensed clinical psychologists, ~~and~~ licensed clinical social workers and licensed clinical professional counselors.

- D) Guideline for non-physician health care staff.
The maximum ratio of staff is four FTE non-physician health care staff for each FTE staff subject to the direct care productivity standards in subsections (b)(10)(A) and (B) of this Section.
- E) Allowable overhead.
The maximum Medicaid allowable overhead cost is 35 percent of allowable total cost.
- 11) Adjustments for Medical Services Paid for by a Managed Care Organization (MCO)
The Department shall make payment adjustments to a Center if it provides care through a contractual arrangement with a Medicaid MCO and is reimbursed an amount, reported to the Department, that is less than the minimum payment required in 42 USC 1396a(aa). The amount of any such payment adjustment shall be at a fixed annual rate as determined by the Department. For each Center so eligible, a payment adjustment shall take into consideration the total payments made by the MCO to the Center (including all payments made on a service-by-service, encounter or capitation basis). In the event that Center cost data related to MCO services are unavailable to the Department, an estimate of such costs may be used that takes into consideration other relevant data. Adjustments will be made, at least quarterly, only for Medicaid eligible services. All such services must be defined in a contract between the Center and the MCO. Such contracts must be made available to the Department.
- 12) Audits
All cost reports will be audited by the Department. The Center will be advised of any adjustment resulting from these audits.
- 13) Alternate Payment Methodology for Government-Operated Centers
- A) A Center operated by a State or local government agency may elect to be reimbursed under the alternate payment methodology described in this subsection (b)(13).

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- B) The State or local government agency shall enter into an interagency or intergovernmental agreement, as appropriate, with the Department that specifies the responsibilities of the two parties with respect to services provided by the Center and the funding of those services.
 - C) The Center operated by a State or local government agency shall be reimbursed by the Department on a per encounter basis according to the provisions of subsections (b)(1) through (11) of this Section.
 - D) The State or local government agency shall certify the expenditure of public funds in excess of reimbursement received from the Department, under subsection (b)(13)(C) of this Section, and any reimbursement from other payers (e.g., an insurance company, a managed care organization) for services provided to individuals eligible for medical assistance programs administered by the Department, provided the funds were not derived from a federal funding source or were not otherwise used as a State or local match for federal funds. The certification shall be in the form and format specified by the Department. The certification shall be filed within 30 days after the submission of the annual cost report. The certification shall compare expenditures within that cost reporting period to payments received or receivable for that same period.
 - E) The certified expenditures shall be used by the Department to claim federal financial participation. Federal funds resulting from the claiming of the certified expenditures shall be distributed, according to the provisions of the agreement referenced in subsection (b)(13)(B) of this Section, to the State or the government agency that operates the Center that provided the services.
- 14) Alternate Payment Methodology for Certain Qualifying Centers
- A) No later than 30 days after the initial rate determination specified in subsection (b)(9)(A) of this Section, the Department shall determine the eligibility of each Center for this alternative payment

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methodology. A Center will qualify for this alternative payment methodology if the Department's estimate of the total amount to be paid to the Center for services provided during the 12-month period ending December 31, 2001, under the reimbursement policy and rates in effect prior to the initial rate determination, is greater than the total amount that will be paid for those same services under the initial rates. The Department shall notify each qualifying Center, in writing, of the result of this determination.

- B) A qualifying Center may, for services provided from January 1, 2002, through December 31, 2002, elect to be reimbursed under the alternate payment methodology described in this subsection (b)(14). A qualifying Center must notify the Department, in writing, no later than 30 days after the date of the written notification from the Department, of its election to be reimbursed under this alternative payment methodology.
- C) A Center electing this alternative payment system shall be reimbursed by the Department on a per encounter basis according to the provisions of subsections (b)(1) through (11) of this Section, except the medical encounter payment rate shall be increased by an amount equal to twice the quotient resulting from the Department's estimate of the difference between the total amount to be paid to the Center for services provided during the 12-month period ending December 31, 2001, under the initial rates as determined in subsection (b)(9)(A); and the total amount that would have been paid under the payment rates in effect prior to the initial rate determination, divided by the Department's estimate of total medical encounters during the 12-month period ending December 31, 2001.
- 15) **Alternate Behavioral Health Payment Methodology for Certain Qualifying Centers**
Centers that are certified by the Department of Human Services-Division of Mental Health, or the Department of Children and Family Services to provide Behavioral Health Services may elect an alternate payment methodology for their Behavioral Health Services. An election of this alternate payment methodology will allow the Centers to be reimbursed under the provisions of 59 Ill. Adm. Code 132 for Behavioral Health

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Services provided. A qualifying Center must notify the Department in writing, no later than 30 days after the date of the written notification from the Department, of its election to be reimbursed under this alternate payment methodology.

- 16) All service sites operated by a Center shall be reimbursed using the Center's established encounter rates, except in the instance where the site submitted separate cost reports and separate baseline rates were determined for the site.
- c) Rate Appeals Process
- 1) All appeals of audit adjustments or rate determinations must be submitted in writing to the Department. Appeals must be submitted within 60 calendar days after the notification of such adjustments or rate determinations. If upheld, the revised audit adjustment or rate determination shall be made effective as of the beginning of the rate period.
 - 2) To be accepted for review, the written appeal shall include the following:
 - A) The current approved reimbursement rate, allowable costs, and the additional reimbursable costs sought through the appeal.
 - B) A clear, concise statement of the basis for the appeal.
 - C) A detailed statement of financial, statistical, and related information in support of the appeal, indicating the relationship between the additional reimbursable costs as submitted and the circumstances creating the need for increased reimbursement.
 - D) A statement by the Center's chief executive officer or financial officer that the application of the rate appeal and information contained in the Center's reports, schedules, budgets, books, and records submitted are true and accurate.
 - 3) Rate appeals may be considered for the following reasons:
 - A) Mechanical or clerical errors committed by the provider in

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reporting historical expenses used in the calculation of allowable costs.

- B) Mechanical or clerical errors committed by the Department in auditing historical expenses as reported and/or in calculating reimbursement rates.
- 4) The Department shall rule on all appeals within 120 calendar days after receipt of the complete appeal, except that, if additional information is required from the facility, the period shall be extended until such time as the information is provided.
- 5) Appeals shall be submitted to the Department's Office of Health Finance, 201 South Grand Avenue East, Springfield, Illinois 62763-0002.

(Source: Amended at 31 Ill. Reg. 14749, effective October 22, 2007)

Section 140.491 Limitations on Medical Transportation

- a) For payment to be made, the transportation service must be to the nearest available appropriate provider, by the least expensive mode that is adequate to meet the individual's need. When public transportation is available and is a practical form of transportation, payment will not be made for a more expensive mode of transportation.
- b) Approval from the Department, or its authorized agent, is required prior to providing transportation to and from the source of medical care, except:
- 1) For transportation provided by an ambulance in emergency situations.
- ~~2) For individuals residing in a long-term care facility.~~
- ~~2)3)~~ For transportation provided by an ambulance for an individual who is transported from one hospital to a second hospital for services not available at the sending hospital.
- ~~3)4)~~ For transportation provided by a helicopter when it is demonstrated to be medically necessary as indicated by the written order of the responsible physician in an emergency situation. An emergency may include, but is

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not limited to:

- A) life threatening medical conditions;
 - B) severe burns requiring treatment in a burn center;
 - C) multiple trauma;
 - D) cardiogenic shock; and
 - E) high-risk neonates.
- c) An on-going prior approval, with a duration of up to six months, may be obtained when subsequent trips to the same medical source are required. When prior approval is sought for subsequent trips to the same medical service, the client's physician or other medical provider must supply the Department, or its authorized agent, with a brief written statement describing the nature of the medical need, the necessity for on-going visits, already established appointment dates and the number and expected duration of the required on-going visits.
- d) The Department shall refuse to accept requests for non-emergency transportation authorizations, including prior approval and post-approval requests, and shall terminate prior approvals for future dates, for a specific non-emergency transportation vendor, if:
- 1) the Department has initiated a notice of termination of the vendor from participation in the Medical Assistance Program; or
 - 2) the Department has issued a notification of its withholding of payments due to reliable evidence of fraud or willful misrepresentation pending investigation; or
 - 3) the Department has issued notification of its withholding of payments based upon any of the following individuals having been indicted or otherwise charged under a law of the United States or Illinois or any other state with a felony offense that is based upon alleged fraud or willful misrepresentation on the part of the individual related to:
 - A) the Medical Assistance Program;

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- B) a Medical Assistance Program provided in another state that is of the kind provided in Illinois;
- C) the Medicare program under Title XVIII of the Social Security Act; or
- D) the provision of health care services:
 - i) if the vendor is a corporation, an officer of the corporation or an individual who owns, either directly or indirectly, five percent or more of the shares of stock or other evidence of ownership of the corporation; or
 - ii) if the vendor is a sole proprietorship, the owner of the sole proprietorship; or
 - iii) if the vendor is a partnership, a partner of the partnership; or
 - iv) if the vendor is any other business entity authorized by law to transact business in the state, an officer of the entity or an individual who owns, either directly or indirectly, five percent or more of the evidences of ownership of the entity.
- e) If it is not possible to obtain prior-approval for non-emergency transportation, post-approval must be requested from the Department or its authorized agent.
- f) Post-approval may be requested for items or services provided during Department non-working hours or non-working hours of its agents, whichever is applicable, or when a life threatening condition exists and there is not time to call for approval.
- g) To be eligible for post-approval consideration, the requirements for prior-approval must be met and post-approval requests must be received by the Department or its agents, whichever is applicable, no later than ~~2015~~ work days after the date services are provided. A request for payment submitted to a third party payor will not affect the submission time frames for any post-approval request. Exceptions to the aforementioned post-approval request time frames will be permitted only in the following circumstances:

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- 1) The Department or the Department of Human Services has received the patient's Medical Assistance Application, but approval of the application has not been issued as of the date of service. In such a case, the post-approval request must be received no later than 90 days after the date of the Department's Notice of Decision approving the patient's application.
- 2) The patient did not inform the provider of his or her eligibility for Medical Assistance. In such a case, the post-approval request must be received no later than six months after the date of service, but will be considered for payment only if there is attached to the request a copy of the provider's dated private pay bill or collection response, which was addressed and mailed to the patient each month after the date of service.

(Source: Amended at 31 Ill. Reg. 14749, effective October 22, 2007)

SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

Section 140.930 Reimbursement

- a) Reimbursement Rates for Maternal and Child Health Providers
 - 1) Participating providers described in Section 140.924(a)(1) will receive enhanced rates for certain medical services specified in Table M of this Part. The enhanced rates are effective for services provided on or after April 1, 1993.
 - 2) Participating FQHC's, as described in Section 140.461(d), that meet the criteria specified in 140.924(a)(2)(A), shall be reimbursed in accordance with Section 140.464(b) for covered services provided to a Maternal and Child Health Program participant, as described in Section 140.922.
 - 3) Participating encounter rate clinics shall be reimbursed in accordance with Section 140.464(b) for covered services provided to a Maternal and Child Health Program participant, as described in Section 140.922.
 - 4) Participating Maternal and Child Health clinics, as described in Sections 140.924 and 140.461(f), will receive enhanced rates for certain medical services specified in Table M of this Part. The enhanced rates are

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effective for services provided on or after April 1, 1993.

- 5) Participating providers described in Section 140.924(a)(1) shall be eligible to receive a Well Child Visit Incentive Payment.
- A) The provider will receive a one time annual payment of \$30 for each qualifying child.
- B) A qualifying child is a child who had its first, second, third, fourth or fifth birthday during the calendar year and for whom the provider personally, or through an affiliated provider, rendered all recommended well child visits, as described in Section 140.488.
- C) Recommended services must be rendered during the 13-month period ending one month after the child's birthday. For children turning one year old, the period begins ten days after birth and ends one month after the child's birthday. Rendering of services will be based on Department claims data.
- D) The first incentive payments shall be made by June 30, 2007 for children who met the definition of a qualifying child during calendar year 2005. Subsequent payments will be made at least annually.
- E) For the purpose of payments under this Section, "affiliated provider" shall mean:
- i) For qualifying children during calendar year 2005 through 2007, a provider with the same payee in accordance with Section 140.24(d).
- ii) For qualifying children during calendar year 2008 and later, providers designated pursuant to Section 140.994.

- b) **Patient Management Fee**
Providers who have accepted primary care responsibilities for foster children residing in Cook County who are under the guardianship of the Department of Children and Family Services will receive a monthly patient management fee for each client enrolled with them.

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- c) Case Management Services
Providers of case management services will receive monthly payments. The payments will be prorated based upon an annual amount per case.

(Source: Amended at 31 Ill. Reg. 14749, effective October 22, 2007)

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- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Number: 148.295 Adopted Action:
Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendment: October 22, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 13, 2007; 31 Ill. Reg. 9733
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences Between Proposal and Final Version:

In Section 148.295(c)(1), deleted the following language: "the hospital provider operates within 1 mile of an affiliate hospital provider that is owned and controlled by the same governing body that operates a comprehensive Emergency Room as defined in 77 Ill. Adm. Code 250.710(a) and the provider operates a Standby Emergency Room as defined in 77 Ill. Adm. Code 250.710(c) and functions as an overflow Emergency Room for its affiliate hospital provider:".

In Section 148.295(c)(1), added the following: "(J) A hospital that does not qualify under subsection (c)(1) of this Section because it does not operate a comprehensive emergency room will qualify if the hospital provider operates a standby emergency room, as defined in 77 Ill. Adm. Code 250.710(c), and functions as an overflow emergency room for its affiliate hospital provider, owned and controlled by the same governing body, that operates a comprehensive emergency room, as defined in 77 Ill. Adm. Code 250.710(a) within one mile of the hospital provider".

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- 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 amendment replace any emergency amendment currently in effect? Yes
- 14) Are there any other amendments pending on this Part? Yes

<u>Section:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
148.126	Amendment	31 Ill. Reg. 13591; October 5, 2007

- 15) Summary and Purpose of Amendment: This proposed amendment will allow certain trauma hospitals located in the same city to change trauma level I designations at a point and time during each fiscal year, other than July 1. The current rule allows reimbursement only for trauma level designation as of July 1, each fiscal year, without exception. These changes will prevent legitimate trauma centers from being denied funding under the Trauma Center Adjustment Payments program if their designation changes on a date other than July 1. Further, will prevent related hospitals from being denied funding under the Direct Hospital Adjustment Payments program due to a change in ER status, if the facilities are affiliated, within one-half mile of each other and there is no loss of service overall between the two facilities.
- 16) Information and questions regarding this adopted amendment shall be directed to:

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

217/557-7157

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

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TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER d: MEDICAL PROGRAMS

PART 148

HOSPITAL SERVICES

SUBPART A: GENERAL PROVISIONS

Section

148.10	Hospital Services
148.20	Participation
148.25	Definitions and Applicability
148.30	General Requirements
148.40	Special Requirements
148.50	Covered Hospital Services
148.60	Services Not Covered as Hospital Services
148.70	Limitation On Hospital Services

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section

148.80	Organ Transplants Services Covered Under Medicaid (Repealed)
148.82	Organ Transplant Services
148.85	Supplemental Tertiary Care Adjustment Payments
148.90	Medicaid Inpatient Utilization Rate (MIUR) Adjustment Payments
148.95	Medicaid Outpatient Utilization Rate (MOUR) Adjustment Payments
148.100	Outpatient Rural Hospital Adjustment Payments
148.103	Outpatient Service Adjustment Payments
148.105	Psychiatric Adjustment Payments
148.110	Psychiatric Base Rate Adjustment Payments
148.112	High Volume Adjustment Payments
148.115	Rural Adjustment Payments
148.117	Outpatient Assistance Adjustment Payments
148.120	Disproportionate Share Hospital (DSH) Adjustments
148.122	Medicaid Percentage Adjustments
148.126	Safety Net Adjustment Payments
148.130	Outlier Adjustments for Exceptionally Costly Stays
148.140	Hospital Outpatient and Clinic Services

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- 148.150 Public Law 103-66 Requirements
- 148.160 Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million
- 148.170 Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
- 148.175 Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
- 148.180 Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
- 148.190 Copayments
- 148.200 Alternate Reimbursement Systems
- 148.210 Filing Cost Reports
- 148.220 Pre September 1, 1991, Admissions
- 148.230 Admissions Occurring on or after September 1, 1991
- 148.240 Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
- 148.250 Determination of Alternate Payment Rates to Certain Exempt Hospitals
- 148.260 Calculation and Definitions of Inpatient Per Diem Rates
- 148.270 Determination of Alternate Cost Per Diem Rates For All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
- 148.280 Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
- 148.285 Excellence in Academic Medicine Payments
- 148.290 Adjustments and Reductions to Total Payments
- 148.295 Critical Hospital Adjustment Payments (CHAP)
- 148.296 Tertiary Care Adjustment Payments
- 148.297 Pediatric Outpatient Adjustment Payments
- 148.298 Pediatric Inpatient Adjustment Payments
- 148.300 Payment
- 148.310 Review Procedure
- 148.320 Alternatives
- 148.330 Exemptions
- 148.340 Subacute Alcoholism and Substance Abuse Treatment Services
- 148.350 Definitions (Repealed)
- 148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
- 148.368 Volume Adjustment (Repealed)
- 148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services

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148.380	Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
148.390	Hearings
148.400	Special Hospital Reporting Requirements
148.402	Medicaid Eligibility Payments
148.404	Medicaid High Volume Adjustment Payments
148.406	Intensive Care Adjustment Payments
148.408	Trauma Center Adjustment Payments
148.410	Psychiatric Rate Adjustment Payments
148.412	Rehabilitation Adjustment Payments
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148.416	Crossover Percentage Adjustment Payments
148.418	Long Term Acute Care Hospital Adjustment Payments
148.420	Obstetrical Care Adjustment Payments
148.422	Outpatient Access Payments
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148.426	Outpatient Complexity of Care Adjustment Payments
148.428	Rehabilitation Hospital Adjustment Payments
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SUBPART C: SEXUAL ASSAULT EMERGENCY TREATMENT PROGRAM

Section	
148.500	Definitions
148.510	Reimbursement

SUBPART D: STATE CHRONIC RENAL DISEASE PROGRAM

Section	
148.600	Definitions
148.610	Scope of the Program
148.620	Assistance Level and Reimbursement
148.630	Criteria and Information Required to Establish Eligibility
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148.TABLE A	Renal Participation Fee Worksheet
148.TABLE B	Bureau of Labor Statistics Equivalence

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148.TABLE C List of Metropolitan Counties by SMSA Definition

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

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822,

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effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 1, 2000; amended at 24 Ill. Reg. 3845, effective February 25, 2000; emergency amendment at 24 Ill. Reg. 10386, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 11846, effective August 1, 2000; amended at 24 Ill. Reg. 16067, effective October 16, 2000; amended at 24 Ill. Reg. 17146, effective November 1, 2000; amended at 24 Ill. Reg. 18293, effective December 1, 2000; amended at 25 Ill. Reg. 5359, effective April 1, 2001; emergency amendment at 25 Ill. Reg. 5432, effective April 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 6959, effective June 1, 2001; emergency amendment at 25 Ill. Reg. 9974, effective July 23, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 10513, effective August 2, 2001; emergency amendment at 25 Ill. Reg. 12870, effective October 1, 2001, for a maximum of 150 days; emergency expired February 27, 2002; amended at 25 Ill. Reg. 16087, effective December 1, 2001; emergency amendment at 26 Ill. Reg. 536, effective December 31, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 680, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 4825, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 4953, effective March 18, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 7786, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 7340, effective April 30, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 8395, effective May 28, 2002; emergency amendment at 26 Ill. Reg. 11040, effective July 1, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16612, effective October 22, 2002; amended at 26 Ill. Reg. 12322, effective July 26, 2002; amended at 26 Ill. Reg. 13661, effective September 3, 2002; amended at 26 Ill. Reg. 14808, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 14887, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17775, effective November 27, 2002; emergency amendment at 27 Ill. Reg. 580, effective January 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 866, effective January 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 4386, effective

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February 24, 2003; emergency amendment at 27 Ill. Reg. 8320, effective April 28, 2003, for a maximum of 150 days; emergency amendment repealed at 27 Ill. Reg. 12121, effective July 10, 2003; amended at 27 Ill. Reg. 9178, effective May 28, 2003; emergency amendment at 27 Ill. Reg. 11041, effective July 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16185, effective October 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16268, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18843, effective November 26, 2003; emergency amendment at 28 Ill. Reg. 1418, effective January 8, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 1766, effective January 10, 2004, for a maximum of 150 days; emergency expired June 7, 2004; amended at 28 Ill. Reg. 2770, effective February 1, 2004; emergency amendment at 28 Ill. Reg. 5902, effective April 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7101, effective May 3, 2004; amended at 28 Ill. Reg. 8072, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 8167, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9661, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10157, effective July 1, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12036, effective August 3, 2004, for a maximum of 150 days; emergency expired December 30, 2004; emergency amendment at 28 Ill. Reg. 12227, effective August 6, 2004, for a maximum of 150 days; emergency expired January 2, 2005; amended at 28 Ill. Reg. 14557, effective October 27, 2004; amended at 28 Ill. Reg. 15536, effective November 24, 2004; amended at 29 Ill. Reg. 861, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2026, effective January 21, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 5514, effective April 1, 2005; emergency amendment at 29 Ill. Reg. 5756, effective April 8, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 11622, effective July 5, 2005, for the remainder of the 150 days; amended at 29 Ill. Reg. 8363, effective June 1, 2005; emergency amendment at 29 Ill. Reg. 10275, effective July 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12568, effective August 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 15629, effective October 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 19973, effective November 23, 2005; amended at 30 Ill. Reg. 383, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 596, effective January 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 955, effective January 9, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 2827, effective February 24, 2006; emergency amendment at 30 Ill. Reg. 7786, effective April 10, 2006, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 30 Ill. Reg. 12400, effective July 1, 2006, for the remainder of the 150 days; emergency expired September 6, 2006; amended at 30 Ill. Reg. 8877, effective May 1, 2006; amended at 30 Ill. Reg. 10393, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 11815, effective July 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18672, effective November 27, 2006; emergency amendment at 31 Ill. Reg. 1602, effective January 1, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 1999, effective January 15, 2007, for a maximum of 150

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days; amended at 31 Ill. Reg. 5596, effective April 1, 2007; amended at 31 Ill. Reg. 8123, effective May 30, 2007; amended at 31 Ill. Reg. 8508, effective June 1, 2007; ; emergency amendment at 31 Ill. Reg. 10137, effective July 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 11688, effective August 1, 2007; amended at 31 Ill. Reg. 14792, effective October 22, 2007.

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section 148.295 Critical Hospital Adjustment Payments (CHAP)

Critical Hospital Adjustment Payments (CHAP) shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25(b)(1)(A), unless otherwise noted in this Section, and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for inpatient admissions occurring on or after July 1, 1998, in accordance with this Section.

- a) Trauma Center Adjustments (TCA)

The Department shall make a TCA to Illinois hospitals recognized, as of the first day of July in the CHAP rate period, as a Level I or Level II trauma center by the Illinois Department of Public Health (IDPH) in accordance with the provisions of subsections (a)(1) through (a)(43) of this Section. For the purpose of a TCA, a children's hospital, as defined under 89 Ill. Adm. Code 149.50(c)(3), operating under the same license as a hospital designated as a trauma center, shall be deemed to be a trauma center.
- 1) Level I Trauma Center Adjustment.
 - A) Criteria. Illinois hospitals that, on the first day of July in the CHAP rate period, are recognized as a Level I trauma center by ~~the IDPH~~Illinois Department of Public Health shall receive the Level I trauma center adjustment. Hospitals qualifying under subsection (a)(2) are not eligible for payment under this subsection.
 - B) Adjustment. Illinois hospitals meeting the criteria specified in subsection (a)(1)(A) of this Section shall receive an adjustment as follows:
 - i) Hospitals with Medicaid trauma admissions equal to or greater than the mean Medicaid trauma admissions, for all

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hospitals qualifying under subsection (a)(1)(A) of this Section, shall receive an adjustment of \$21,365.00 per Medicaid trauma admission in the CHAP base period.

- ii) Hospitals with Medicaid trauma admissions less than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) of this Section, shall receive an adjustment of \$14,165.00 per Medicaid trauma admission in the CHAP base period.

2) Level I Trauma Center Adjustment for Illinois hospitals located in the same city, that alternate their Level I trauma center designation.

A) Criteria. Illinois hospitals that are located in the same city and participate in an agreement in effect as of July 1, 2007, whereby their designation as a Level I trauma center by the Illinois Department of Public Health is rotated among qualifying hospitals from year to year or during a year, that are in the following classes:

- i) A children's hospital - All children's hospitals as defined in 89 Ill. Adm. Code 149.50(c)(3), in a given city, qualifying under subsection (a)(2)(A) shall be considered one entity for the purpose of calculating the adjustment in subsection (a)(2)(B).
- ii) A general acute care hospital - All general acute care adult hospitals, in a given city, affiliated with a children's hospital, as defined in subsection (a)(2)(A)(i), qualifying under subsection (a)(2)(A) shall be considered one entity for the purposes of calculating the adjustment in subsection (a)(2)(B).

B) Adjustment. Hospitals meeting the criteria specified in subsection (a)(2)(A) shall receive an adjustment as follows:

- i) If the sum of Medicaid trauma center admissions within either class, as described in subsection (a)(2)(A), is equal to or greater than the mean Medicaid trauma admissions for the 2 classes under subsection (a)(2)(A) of this Section,

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then each member of that class shall receive an adjustment of \$5,250.00 per Medicaid trauma admission for that class, in the CHAP base period.

- ii) If the sum of Medicaid trauma center admissions within either class, as described in subsection (a)(2)(A), is less than the mean Medicaid trauma admissions of the 2 classes under subsection (a)(2)(A) of this Section, then each member of that class shall receive an adjustment of \$3,625.00 per Medicaid trauma admission for that class in the CHAP base period.

- ~~3)2)~~ Level II Rural Trauma Center Adjustment. Illinois rural hospitals, as defined in Section 148.25(g)(3), that, on the first day of July in the CHAP rate period, are recognized as a Level II trauma center by the Illinois Department of Public Health shall receive an adjustment of \$11,565.00 per Medicaid trauma admission in the CHAP base period.
- ~~4)3)~~ Level II Urban Trauma Center Adjustment. Illinois urban hospitals, as described in Section 148.25(g)(4), that, on the first day of July in the CHAP rate period, are recognized as Level II trauma centers by the Illinois Department of Public Health shall receive an adjustment of \$11,565.00 per Medicaid trauma admission in the CHAP base period, provided that such hospital meets the criteria described below:
- A) The hospital is located in a county with no Level I trauma center; and
- B) The hospital is located in a Health Professional Shortage Area (HPSA) (42 CFR 5), as of the first day of July in the CHAP rate period, and has a Medicaid trauma admission percentage at or above the mean of the individual facility values determined in subsection (a)(~~43~~) of this Section; or the hospital is not located in an HPSA and has a Medicaid trauma admission percentage that is at least the mean plus one standard deviation of the individual facility values determined in subsection (a)(~~43~~) of this Section; and
- C) The hospital does not qualify under subsection (a)(2).

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- b) **Rehabilitation Hospital Adjustment (RHA)**
Illinois hospitals that, on the first day of July in the CHAP rate period, qualify as rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), and that are accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), shall receive a rehabilitation hospital adjustment in the CHAP rate period that consists of the following three components:
- 1) **Treatment Component.** All hospitals defined in subsection (b) of this Section shall receive \$4,215.00 per Medicaid Level I rehabilitation admission in the CHAP base period.
 - 2) **Facility Component.** All hospitals defined in subsection (b) of this Section shall receive a facility component that shall be based upon the number of Medicaid Level I rehabilitation admissions in the CHAP base period as follows:
 - A) Hospitals with fewer than 60 Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$229,360.00 in the CHAP rate period.
 - B) Hospitals with 60 or more Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$527,528.00 in the CHAP rate period.
 - 3) **Health Professional Shortage Area Adjustment Component.** Hospitals defined in subsection (b) of this Section that are located in an HPSA on July 1, 1999, shall receive \$276.00 per Medicaid Level I rehabilitation inpatient day in the CHAP base period.
- c) **Direct Hospital Adjustment (DHA) Criteria**
- 1) **Qualifying Criteria**
Hospitals may qualify for the DHA under this subsection (c) under the following categories unless the hospital does not provide comprehensive emergency treatment services as defined in 77 Ill. Adm. Code 250.710(a) on or after July 1, 2006, but did provide comprehensive emergency treatment services as defined in 77 Ill. Adm. Code 250.710(a) on January 1, 2006:

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- A) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals and long term stay hospitals, all other hospitals located in Health Service Area (HSA) 6 that either:
- i) were eligible for Direct Hospital Adjustments under the CHAP program as of July 1, 1999 and had a Medicaid inpatient utilization rate (MIUR) equal to or greater than the statewide mean in Illinois on July 1, 1999;
 - ii) were eligible under the Supplemental Critical Hospital Adjustment Payment (SCHAP) program as of July 1, 1999 and had an MIUR equal to or greater than the statewide mean in Illinois on July 1, 1999; or
 - iii) were county owned hospitals as defined in 89 Ill. Adm. Code 148.25(b)(1)(A), and had an MIUR equal to or greater than the statewide mean in Illinois on July 1, 1999.
- B) Illinois hospitals located outside of HSA 6 that had an MIUR greater than 60 percent on July 1, 1999 and an average length of stay less than ten days. The following hospitals are excluded from qualifying under this subsection (c)(1)(B): children's hospitals; psychiatric hospitals; rehabilitation hospitals; and long term stay hospitals.
- C) Children's hospitals, as defined under 89 Ill. Adm. Code 149.50(c)(3), on July 1, 1999.
- D) Illinois teaching hospitals, with more than 40 graduate medical education programs on July 1, 1999, not qualifying in subsection (c)(1)(A), (B), or (C) of this Section.
- E) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals qualifying in subsection (c)(1)(A), (B), (C) or (D) of this Section, all other hospitals located in Illinois that had an MIUR equal to or greater than the mean plus

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one-half standard deviation on July 1, 1999 and provided more than 15,000 Total days.

- F) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)(1)(A), (B), (C), (D), or (E) of this Section, all other hospitals that had an MIUR greater than 40 percent on July 1, 1999 and provided more than 7,500 Total days and provided obstetrical care as of July 1, 2001.
- G) Illinois teaching hospitals with 25 or more graduate medical education programs on July 1, 1999 that are affiliated with a Regional Alzheimer's Disease Assistance Center as designated by the Alzheimer's Disease Assistance Act [410 ILCS 405/4], that had an MIUR less than 25 percent on July 1, 1999 and provided 75 or more Alzheimer days for patients diagnosed as having the disease.
- H) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)(1)(A) through (c)(1)(G) of this Section, all other hospitals that had an MIUR greater than 50 percent on July 1, 1999.
- I) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)(1)(A) through (c)(1)(H) of this Section, all other hospitals that had an MIUR greater than 23 percent on July 1, 1999, had an average length of stay less than four days, provided more than 4,200 Total days and provided 100 or more Alzheimer days for patients diagnosed as having the disease.
- J) A hospital that does not qualify under subsection (c)(1) of this Section because it does not operate a comprehensive emergency room will qualify if the hospital provider operates a standby emergency room, as defined in 77 Ill. Adm. Code 250.710(c), and functions as an overflow emergency room for its affiliate hospital

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provider, owned and controlled by the same governing body, that operates a comprehensive emergency room, as defined in 77 Ill. Adm. Code 250.710(a), within one mile of the hospital provider.

- 2) DHA Rates
 - A) For hospitals qualifying under subsection (c)(1)(A) of this Section, the DHA rates are as follows:
 - i) Hospitals that have a Combined MIUR that is equal to or greater than the Statewide mean Combined MIUR, but less than one standard deviation above the Statewide mean Combined MIUR, will receive \$69.00 per day for hospitals that do not provide obstetrical care and \$105.00 per day for hospitals that do provide obstetrical care.
 - ii) Hospitals that have a Combined MIUR that is equal to or greater than one standard deviation above the Statewide mean Combined MIUR, but less than one and one-half standard deviation above the Statewide mean Combined MIUR, will receive \$105.00 per day for hospitals that do not provide obstetrical care and \$142.00 per day for hospitals that do provide obstetrical care.
 - iii) Hospitals that have a Combined MIUR that is equal to or greater than one and one-half standard deviation above the Statewide mean Combined MIUR, but less than two standard deviations above the Statewide mean Combined MIUR, will receive \$124.00 per day for hospitals that do not provide obstetrical care and \$160.00 per day for hospitals that do provide obstetrical care.
 - iv) Hospitals that have a Combined MIUR that is equal to or greater than two standard deviations above the Statewide mean Combined MIUR will receive \$142.00 per day for hospitals that do not provide obstetrical care and \$179.00 per day for hospitals that do provide obstetrical care.

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- B) Hospitals qualifying under subsection (c)(1)(A) of this Section will also receive the following rates:
- i) County owned hospitals as defined in Section 148.25 with more than 30,000 Total days will have their rate increased by \$455.00 per day.
 - ii) Hospitals that are not county owned with more than 30,000 Total days will have their rate increased by \$330.00 per day.
 - iii) Hospitals with more than 80,000 Total days will have their rate increased by an additional \$423.00 per day.
 - iv) Hospitals with more than 4,500 Obstetrical days will have their rate increased by \$101.00 per day.
 - v) Hospitals with more than 5,500 Obstetrical days will have their rate increased by an additional \$194.00 per day.
 - vi) Hospitals with an MIUR greater than 74 percent will have their rate increased by \$147.00 per day.
 - vii) Hospitals with an average length of stay less than 3.9 days will have their rate increased by \$41.00 per day.
 - viii) Hospitals with an MIUR greater than the statewide mean plus one standard deviation that are designated a Perinatal Level 2 Center and have one or more obstetrical graduate medical education programs as of July 1, 1999 will have their rate increased by \$227.00 per day.
 - ix) Hospitals receiving payments under subsection (c)(2)(A)(ii) of this Section that have an average length of stay less than four days will have their rate increased by \$528.00 per day.
 - x) Hospitals receiving payments under subsection (c)(2)(A)(ii) of this Section that have an MIUR greater than 60 percent will have their rate increased by \$320.50 per day.

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\$178.00 per day for hospitals that have more than 8,000
Total days.

- v) Hospitals with more than 3,200 Total admissions will have their rate increased by \$328.00 per day.
- E) Hospitals qualifying under subsection (c)(1)(D) of this Section will receive the following rates:
- i) Hospitals will receive a rate of \$41.00 per day.
 - ii) Hospitals with an MIUR between 18 percent and 19.75 percent will have their rate increased by an additional \$14.00 per day.
 - iii) Hospitals with an MIUR equal to or greater than 19.75 percent will have their rate increased by an additional \$110.25 per day.
 - iv) Hospitals with a combined MIUR that is equal to or greater than 35 percent will have their rate increased by an additional \$41.00 per day.
- F) Hospitals qualifying under subsection (c)(1)(E) of this Section will receive \$188.00 per day.
- G) Hospitals qualifying under subsection (c)(1)(F) of this Section will receive a rate of \$55.00 per day.
- H) Hospitals that qualify under subsection (c)(1)(G) of this Section will receive the following rates:
- i) Hospitals with an MIUR equal to or less than 19.75 percent will receive a rate of \$11.00 per day.
 - ii) Hospitals with an MIUR greater than 19.75 percent, but equal to or less than 20.00 percent, will receive a rate of \$69.00 per day.

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- iii) Hospitals with an MIUR greater than 20.00 percent will receive a rate of \$110.00 per day.
 - D) Hospitals qualifying under subsection (c)(1)(H) of this Section will receive a rate of \$268.00 per day.
 - J) Hospitals qualifying under subsection (c)(1)(I) of this Section will receive a rate of \$238.00 per day.
 - K) Hospitals that qualify under subsection (c)(1)(A)(iii) of this Section will have their rates multiplied by a factor of two. The payments calculated under this Section to hospitals that qualify under subsection (c)(1)(A)(iii) of this Section may be adjusted by the Department to ensure compliance with aggregate and hospital specific federal payment limitations. A portion of the payments calculated under this Section may be classified as disproportionate share adjustments for hospitals qualifying under subsection (c)(1)(A)(iii) of this Section.
- 3) DHA Payments
- A) Payments under this subsection (c) will be made at least quarterly, beginning with the quarter ending December 31, 1999.
 - B) Payment rates will be multiplied by the Total days.
 - C) Total Payment Adjustments
 - i) For the CHAP rate period occurring in State fiscal year ~~2008~~2007, total payments will equal the methodologies described in subsection (c)(2) of this Section. ~~For the period January 1, 2007 through June 30, 2007, payment will equal the State fiscal year 2007 amount less the amount the hospital received under DHA for the quarters ending September 30, 2007 and December 31, 2007.~~
 - ii) For CHAP rate periods occurring after State fiscal year ~~2008~~2006, total payments will equal the methodologies described in subsection (c)(2) of this Section.

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- d) **Rural Critical Hospital Adjustment Payments (RCHAP)**
RCHAP shall be made to rural hospitals, as described in 89 Ill. Adm. Code 140.80(j)(1), for certain inpatient admissions. The hospital qualifying under this subsection that has the highest number of Medicaid obstetrical care admissions during the CHAP base period shall receive \$367,179.00 per year. The Department shall also make an RCHAP to hospitals qualifying under this subsection at a rate that is the greater of:
- 1) the product of \$1,367.00 multiplied by the number of RCHAP Obstetrical Care Admissions in the CHAP base period, or
 - 2) the product of \$138.00 multiplied by the number of RCHAP General Care Admissions in the CHAP base period.
- e) **Total CHAP Adjustments**
Each eligible hospital's critical hospital adjustment payment shall equal the sum of the amounts described in subsections (a), (b), (c) and (d) of this Section. The critical hospital adjustment payments shall be paid at least quarterly.
- f) **Critical Hospital Adjustment Limitations**
Hospitals that qualify for trauma center adjustments under subsection (a) of this Section shall not be eligible for the total trauma center adjustment if, during the CHAP rate period, the hospital is no longer recognized by the Illinois Department of Public Health as a Level I trauma center as required for the adjustment described in subsection (a)(1) of this Section, or a Level II trauma center as required for the adjustment described in subsection (a)(2) or (a)(3) of this Section. In these instances, the adjustments calculated shall be pro-rated, as applicable, based upon the date that such recognition ceased. This limitation does not apply to hospitals qualifying under subsection (a)(2).
- g) **Critical Hospital Adjustment Payment Definitions**
The definitions of terms used with reference to calculation of the CHAP required by this Section are as follows:
- 1) "Alzheimer days" means total paid days contained in the Department's paid claims database with a ICD-9-CM diagnosis code of 331.0 for dates of service occurring in State fiscal year 2001 and adjudicated through June 30, 2002.

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- 2) "CHAP base period" means State Fiscal Year 1994 for CHAP calculated for the July 1, 1995 CHAP rate period; State Fiscal Year 1995 for CHAP calculated for the July 1, 1996 CHAP rate period; etc.
- 3) "CHAP rate period" means, beginning July 1, 1995, the 12 month period beginning on July 1 of the year and ending June 30 of the following year.
- 4) "Combined MIUR" means the sum of Medicaid Inpatient Utilization Rate (MIUR) as of July 1, 1999, and as defined in Section 148.120(k)(5), plus the Medicaid obstetrical inpatient utilization rate, as described in Section 148.120(k)(6), as of July 1, 1999.
- 5) "Medicaid general care admission" means hospital inpatient admissions that were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns, Medicare/Medicaid crossover admissions, psychiatric and rehabilitation admissions.
- 6) "Medicaid Level I rehabilitation admissions" means those claims billed as Level I admissions that were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 054.3, 310.1 through 310.2, 320.1, 336.0 through 336.9, 344.0 through 344.2, 344.8 through 344.9, 348.1, 801.30, 803.10, 803.84, 806.0 through 806.19, 806.20 through 806.24, 806.26, 806.29 through 806.34, 806.36, 806.4 through 806.5, 851.06, 851.80, 853.05, 854.0 through 854.04, 854.06, 854.1 through 854.14, 854.16, 854.19, 905.0, 907.0, 907.2, 952.0 through 952.09, 952.10 through 952.16, 952.2, and V57.0 through V57.89, excluding admissions for normal newborns.
- 7) "Medicaid Level I rehabilitation inpatient day" means the days associated with the claims defined in subsection (g)(5) of this Section.
- 8) "Medicaid obstetrical care admission" means hospital inpatient admissions that were subsequently adjudicated by the Department through the last day

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of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of Social Security Act, with Diagnosis Related Grouping (DRG) of 370 through 375; and specifically excludes Medicare/Medicaid crossover claims.

- 9) "Medicaid trauma admission" means those claims billed as admissions that were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 800.0 through 800.99, 801.0 through 801.99, 802.0 through 802.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.98, 806.0 through 806.99, 807.0 through 807.69, 808.0 through 808.9, 809.0 through 809.1, 828.0 through 828.1, 839.0 through 839.31, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59, 853.0 through 853.19, 854.0 through 854.19, 860.0 through 860.5, 861.0 through 861.32, 862.8, 863.0 through 863.99, 864.0 through 864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.7, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925 through 925.2, 926.8, 929.0 through 929.99, 958.4, 958.5, 990 through 994.99.
- 10) "Medicaid trauma admission percentage" means a fraction, the numerator of which is the hospital's Medicaid trauma admissions and the denominator of which is the total Medicaid trauma admissions in a given 12 month period for all Level II urban trauma centers.
- 11) "RCHAP general care admissions" means Medicaid General Care Admissions, as defined in subsection (g)(4) of this Section, less RCHAP Obstetrical Care Admissions, occurring in the CHAP base period.
- 12) "RCHAP obstetrical care admissions" means Medicaid Obstetrical Care Admissions, as defined in subsection (g)(7) of this Section, with a Diagnosis Related Grouping (DRG) of 370 through 375, occurring in the CHAP base period.
- 13) "Total admissions" means total paid admissions contained in the Department's paid claims database, including obstetrical admissions

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multiplied by two and excluding Medicare crossover admissions, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

- 14) "Total days" means total paid days contained in the Department's paid claims database, including obstetrical days multiplied by two and excluding Medicare crossover days, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.
- 15) "Total obstetrical days" means hospital inpatient days for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1 or 2; 650; 651.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 669.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; V27 through V27.9; V30 through V39.9; or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

(Source: Amended at 31 Ill. Reg. 14792, effective October 22, 2007)

DEPARTMENT OF HUMAN RIGHTS

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- 1) Heading of the Part: Procedures of the Department of Human Rights
- 2) Code Citation: 56 Ill. Adm. Code 2520
- 3) Section Number: 2520.430 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Articles 1 through 7B of the Illinois Human Rights Act [775 ILCS 5/Arts. 1 through 7B] and the Intergovernmental Cooperation Act [5 ILCS 220], and authorized by Sections 7-101(A) and 7-105(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A) and 7-105(A)]
- 5) Effective Date of Amendment: October 19, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 6, 2007; 31 Ill. Reg. 9393
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: Grammatical, punctuation or other non-substantive changes were made as agreed upon with JCAR. Further, the Department withdrew its proposed amendment to Section 2520.587.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: The amendment articulates the Department's existing practice of neither relying on nor making credibility determinations without providing the parties the opportunity of confrontation and cross-examination.

DEPARTMENT OF HUMAN RIGHTS

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

David T. Rothal
Staff Attorney
Illinois Department of Human Rights – Legal Division
100 W. Randolph St., Ste. 10-100
Chicago, IL 60601

312/814-6262
312/263-1579 (TTY)

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

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF ADOPTED AMENDMENT

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER II: DEPARTMENT OF HUMAN RIGHTSPART 2520
PROCEDURES OF THE DEPARTMENT OF HUMAN RIGHTS

SUBPART A: INTERPRETATIONS

Section	
2520.10	Definition of Terms
2520.20	Computation of Time
2520.30	Service of Documents
2520.40	Filing with the Department
2520.50	Separability
2520.110	Preservation of Records by Employers, Labor Organizations, Employment Agencies and Respondents

SUBPART B: CHARGE

Section	
2520.310	Time of Filing (Repealed)
2520.320	Form (Repealed)
2520.330	Contents
2520.340	Requirements for Charge (Repealed)
2520.350	Unperfected Charge
2520.360	Amendment
2520.370	Substitution and Addition of Parties (Repealed)
2520.380	Withdrawal of Charge

SUBPART C: PROCEDURE UPON CHARGE

Section	
2520.405	Verified Response to Charge
2520.410	Docketing and Service of Charge (Repealed)
2520.420	Maintenance of Records (Repealed)
2520.430	Investigation
2520.440	Fact-Finding Conference
2520.450	Administrative Closure (Repealed)
2520.460	Determination After Investigation (Repealed)

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- 2520.470 Conciliation (Repealed)
- 2520.480 Complaint (Repealed)

SUBPART D: SETTLEMENTS

Section

- 2520.510 Settlement
- 2520.520 Non-Disclosure (Repealed)
- 2520.530 Dismissal for Refusal to Accept Settlement Offer (Repealed)
- 2520.540 Non-Compliance with Settlement Terms (Repealed)

SUBPART E: ADMINISTRATIVE CLOSURE, DISMISSAL AND DEFAULT

Section

- 2520.550 Administrative Closure
- 2520.560 Dismissal
- 2520.570 Default

SUBPART F: REQUESTS FOR REVIEW

Section

- 2520.573 Filing with Chief Legal Counsel
- 2520.575 Contents of Request for Review
- 2520.577 Notice by the Chief Legal Counsel
- 2520.580 Extensions of Time
- 2520.583 Reply to Request for Review and Surreply
- 2520.585 Additional Investigation
- 2520.587 Decision

SUBPART G: RELATIONS WITH LOCAL HUMAN RIGHTS AGENCIES

Section

- 2520.610 Scope and Purpose (Repealed)
- 2520.620 Definitions (Repealed)
- 2520.630 Cooperative Agreements
- 2520.640 Nature of Cooperative Agreements
- 2520.650 Training and Technical Assistance
- 2520.660 Promotion of Communication and Goodwill

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SUBPART H: EQUAL EMPLOYMENT OPPORTUNITY AND
AFFIRMATIVE ACTION BY STATE EXECUTIVE AGENCIES

Section

2520.700	Definitions
2520.710	Scope and Purpose
2520.720	Affirmative Action Groups
2520.730	Consideration of Additional Groups
2520.740	Definitions (Renumbered)
2520.750	Nondiscrimination (Repealed)
2520.760	Plans
2520.770	Reporting and Record-Keeping
2520.780	Equal Employment Opportunity Officers
2520.790	Complaint Process
2520.795	Compliance Reviews
2520.797	Sanctions for Noncompliance
2520.APPENDIX A	Contents of Affirmative Action Plans
2520.APPENDIX B	Value Weight Assignment Chart
2520.APPENDIX C	Contents of Layoff Reports
2520.APPENDIX D	Illinois Counties by Region

AUTHORITY: Implementing Articles 1 through 7B of the Illinois Human Rights Act [775 ILCS 5/Arts. 1 through 7B] and the Intergovernmental Cooperation Act [5 ILCS 220], and authorized by Sections 7-101(A) and 7-105(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A) and 7-105(A)].

SOURCE: Adopted November 20, 1972 by the Fair Employment Practices Commission; transferred to the Department of Human Rights by P.A. 81-1216, effective July 1, 1980; emergency amendments at 4 Ill. Reg. 39, p. 335, effective September 17, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 1627, effective February 9, 1981; amended at 6 Ill. Reg. 2125, effective February 8, 1982; amended at 6 Ill. Reg. 3076, effective March 15, 1982; amended at 6 Ill. Reg. 8090, effective July 1, 1982; codified at 8 Ill. Reg. 17884; amended at 17 Ill. Reg. 15556, effective September 13, 1993; amended at 18 Ill. Reg. 16829, effective November 4, 1994; emergency amendment at 20 Ill. Reg. 445, effective January 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 5084, effective March 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6291, effective April 18, 1996; amended at 20 Ill. Reg. 10631, effective July 24, 1996; amended at 21 Ill. Reg. 14081, effective October 10, 1997; amended at 26 Ill. Reg. 17217, effective November 18, 2002; amended at 29 Ill. Reg. 804,

DEPARTMENT OF HUMAN RIGHTS

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effective December 28, 2004; amended at 30 Ill. Reg. 1343, effective January 13, 2006; amended at 30 Ill. Reg. 13403, effective July 31, 2006; amended at 30 Ill. Reg. 18715, effective November 20, 2006; amended at 31 Ill. Reg. 12319, effective August 8, 2007; amended at 31 Ill. Reg. 14815, effective October 19, 2007.

SUBPART C: PROCEDURE UPON CHARGE

Section 2520.430 Investigation

- a) After a charge has been filed, the Department's staff shall institute an investigation to ascertain the facts relating to the civil rights violation as alleged in the charge and any amendments.
- b) A respondent must promptly provide the Department with a notice of any change in address or telephone number or of any prolonged absence from the current address so that respondent can be located. If during the investigation a respondent refuses to cooperate, the Director may either make a finding of substantial evidence or request the Commission issue subpoenas to compel the attendance of witnesses or the production of documents.
- c) A complainant must promptly provide the Department with a notice of any change in address or telephone number or of any prolonged absence from the current address so that he or she can be located. A complainant must cooperate with the Department, provide necessary information and be available for interviews and conferences upon reasonable notice or request by the Department. If a complainant cannot be located or does not respond to reasonable requests by the Department, the Department may dismiss the charge pursuant to Section 2520.560 of this Part.
- d) The Director may request the Commission issue subpoenas to compel the production of any documents and/or the attendance of witnesses at an interview conducted by the Department or at a fact-finding conference.
- e) The Department may withhold any witness statement, or the identity of any witness, as confidential upon the request of a party or the such witness.
- f) The Department shall neither rely on nor make credibility determinations without affording the parties the rights of confrontation and cross-examination. (See Cooper v Salazar, #98C2930, U.S. District Court for the Northern District of

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[Illinois, Order dated November 1, 2001, paragraph 26.1\).](#)

(Source: Amended at 31 Ill. Reg. 14815, effective October 19, 2007)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Special White-Tailed Deer Season for Disease Control
- 2) Code Citation: 17 Ill. Adm. Code 675
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
675.10	Amendment
675.20	Amendment
675.30	Amendment
675.40	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36]
- 5) Effective Date of Amendments: October 18, 2007
- 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 all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 31 Ill. Reg. 9415; July 6, 2007
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: In Section 675.10(b), added "LaSalle, Grundy".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: These amendments were made to: replace specific season dates and years with generic language so that this language does not need

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to be amended annually; open LaSalle, Grundy and all of DeKalb counties to hunting of deer that may be affected by Chronic Wasting Disease (CWD); and allow the use of unfilled deer permits from the youth deer season to be used during this season (firearm and muzzleloader permits are already allowed).

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

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 675
SPECIAL WHITE-TAILED DEER SEASON FOR DISEASE CONTROL

Section

675.10	CWD Season
675.20	CWD Deer Permit Requirements
675.30	Weapon Requirements for CWD Deer Hunting Season
675.40	CWD Deer Hunting Rules
675.50	Reporting Harvest
675.60	Rejection of Application/Revocation of Permits
675.70	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 29 Ill. Reg. 20454, effective December 2, 2005; amended at 31 Ill. Reg. 1874, effective January 5, 2007; amended at 31 Ill. Reg. 14822, effective October 18, 2007.

Section 675.10 CWD Season

- a) Season: One-half hour before sunrise on ~~the first Friday after January 11~~ Friday, January 12, 2007 to ½ hour after sunset on the following Sunday, ~~January 14, 2007~~. Shooting hours are ½ hour before sunrise to ½ hour after sunset. Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)). ~~Hunting after sunset is a Class B misdemeanor (see 520 ILCS 5/2.24).~~
- b) Open counties: Boone, McHenry, Ogle, Winnebago, LaSalle, Grundy and DeKalb counties~~the portion of DeKalb County north of U.S. Highway 88 (East-West Tollway)~~. Additional counties in which deer with CWD are identified subsequent to adoption of this Part shall be opened via public announcement (e.g., press release, site posting and publication in Outdoor Illinois).

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- c) Hunting outside the set season dates or without a valid permit for the area hunted is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 14822, effective October 18, 2007)

Section 675.20 CWD Deer Permit Requirements

- a) Hunters must have an unfilled ~~2006 firearm or muzzleloader~~ deer permit valid for the previous firearm, muzzleloader or youth deer season and valid for one of the open counties (Boone, McHenry, DeKalb, Ogle or Winnebago); an unfilled ~~2006 archery~~ deer permit valid for the previous archery deer season; or a valid Chronic Wasting Disease (CWD) Season Deer Permit. ~~Unfilled firearm or muzzleloader deer permits that were originally issued for special hunt areas are not valid during the CWD Season unless the hunter's name is redrawn at the daily site lottery to hunt the same special hunt area during the CWD Season.~~ A CWD Season Deer Permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. Unfilled firearm, muzzleloader or youth ~~2006 firearm or muzzleloader~~ deer permits are valid only for the county for which they were originally issued, except that unfilled ~~2006~~ landowner property-only hunting firearm deer permits are valid only for the farmlands the person to whom it was issued owns, leases, or rents within the open counties/portions of counties. Unfilled ~~2006~~ archery deer permits are valid throughout all counties/portions of counties open to this special season, except that unfilled ~~2006~~ landowner property-only hunting archery deer permits are valid only for the farmlands the person to whom it was issued owns, leases, or rents within the open counties/portions of counties.
- 1) Unfilled firearm, muzzleloader or youth deer permits that were originally issued for special hunt areas are not valid during the CWD Season unless:
 - A) the hunter's name is redrawn at the daily site lottery to hunt at the same special hunt area during the CWD Season; or
 - B) the special hunt area is open to persons with a county permit and the special hunt area does not conduct a daily site lottery.
 - 2) Sites conducting a daily site lottery will be announced publicly.

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- b) CWD Season Deer Permits are available over-the-counter (OTC) from participating license vendors for a fee of \$5. These permits shall be antlerless-only.
- c) Hunters purchasing CWD Season Deer Permits must supply all necessary applicant information to the license vendor in order to properly complete the permit.
- d) Permits are not transferable. Refunds will not be granted.
- e) A \$3 service fee will be charged for replacement permits. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.
- f) Recipients of the CWD Season Deer Hunting Permit shall record their signature on the permit and must carry it on their person while hunting.
- g) Successful hunters checking in their deer at the CWD Deer Season check station who provide tissue samples to the Department for CWD testing (or who attempt to do so, in situations where deer are unsuitable for testing) are eligible to receive an additional permit (either-sex) at no charge each time they check in a deer and submit samples. These permits, which are valid for the remainder of the season, will be issued at the time of check-in by check station personnel.
- h) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 14822, effective October 18, 2007)

Section 675.30 Weapon Requirements for CWD Deer Hunting Season

- a) The only legal weapons to take, or attempt to take, deer are shotguns, muzzleloading rifles, and handguns and their respective ammunitions as prescribed by 17 Ill. Adm. Code 650.30(a), (b) and (c); and bows and arrows as prescribed by 17 Ill. Adm. Code 670.30.
- b) Hunters with valid, unused permits from the [previous 2006](#) firearm, muzzleloader, [youth](#) or archery seasons may use only the weapons allowed by that permit in those respective seasons. Hunters with a valid CWD Season Deer Permit may use any of the weapons described in subsection (a).

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- c) It shall be unlawful to use or possess any firearm, ammunition, or bow and arrow other than allowed by subsection (a) in the field while hunting white-tailed deer during the CWD Deer Hunting Season. However, the lawful possession of firearms to take furbearing mammals and game mammals other than deer by persons other than deer hunters shall not be prohibited during the CWD Deer Hunting Season as set in Section 675.10. Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 14822, effective October 18, 2007)

Section 675.40 CWD Deer Hunting Rules

- a) Persons using unfilled permits from the previous firearm, muzzleloader, [youth](#) or archery deer season (see Section 675.20(a)) may only take deer appropriate for that permit type (either-sex or antlerless-only).
- b) An either-sex permit holder is allowed to take a deer with or without antlers, and an antlerless-only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.
- c) The bag limit is one deer per legally authorized either-sex or antlerless-only permit. Deer taken during the CWD Season are not subject to the antlered deer bag limit restrictions imposed during the firearm, muzzleloader, [youth](#) and archery deer hunting seasons.
- d) The temporary harvest tag must be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer. The temporary harvest tag should be attached around the base of the antler of antlered deer (antlers 3 or more inches in length) and attached to the leg of antlerless deer (<3 inch antler length, or no antlers). A permanent harvest tag will be attached to the leg of the deer upon checking at the check station. If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany them and be kept with the head/antlers while at the taxidermist's. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner

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with their deer permit number to verify lawful acquisition. In the absence of a permit number, the tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

- e) Hunters shall not have in their possession, while in the field during the CWD Deer Hunting Season, any deer permit issued to another person (permits are non-transferrable).
- f) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24), except unlawful take or possession of 2 or more deer within 90 days is a Class 4 felony, and unlawful take of 2 or more deer as a single act, possession or course of conduct is a Class 3 felony (see 520 ILCS 5/2.36(a)).

(Source: Amended at 31 Ill. Reg. 14822, effective October 18, 2007)

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- 1) Heading of the Part: Youth Hunting Seasons
- 2) Code Citation: 17 Ill. Adm. Code 685
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
685.10	Amendment
685.20	Amendment
685.40	Amendment
685.50	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36]
- 5) Effective Date of Amendments: October 18, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: August 10, 2007; 31 Ill. Reg. 11501
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: In Section 685.10(c), changed "½ hour before sunset or after ½ after sunset" to read "½ hour before sunrise or after ½ hour after sunset".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? Yes

<u>Section Numbers:</u>	<u>Emergency Action:</u>	<u>Illinois Register Citation:</u>
685.10	Amendment	31 Ill. Reg. 12096; August 10, 2007
685.20	Amendment	31 Ill. Reg. 12096; August 10, 2007

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685.40	Amendment	31 Ill. Reg. 12096; August 10, 2007
685.50	Amendment	31 Ill. Reg. 12096; August 10, 2007

- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: These amendments will allow youth to hunt many more counties and to take either an antlerless or an antlered deer.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 685
YOUTH HUNTING SEASONS

Section

685.10	Statewide Season for White-Tailed Deer Hunting
685.20	Statewide Deer Permit Requirements
685.30	Statewide Firearm Requirements for Hunting the Youth Deer Season
685.40	Statewide Deer Hunting Rules
685.50	Reporting Harvest of Deer
685.60	Rejection of Application/Revocation of Deer Permits
685.70	Regulations at Various Department-Owned or -Managed Sites
685.80	Youth White-Tailed Deer Hunt
685.90	Heritage Youth Wild Turkey Hunt – Spring Season (Repealed)
685.100	Youth Pheasant Hunting (Repealed)
685.110	Youth Waterfowl Hunting
685.120	Youth Dove Hunting (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 20 Ill. Reg. 12452, effective August 30, 1996; amended at 21 Ill. Reg. 14548, effective October 24, 1997; amended at 25 Ill. Reg. 6904, effective May 21, 2001; amended at 26 Ill. Reg. 4418, effective March 11, 2002; amended at 26 Ill. Reg. 13828, effective September 5, 2002; amended at 27 Ill. Reg. 14332, effective August 25, 2003; amended at 29 Ill. Reg. 20469, effective December 2, 2005; amended at 30 Ill. Reg. 12222, effective June 28, 2006; emergency amendment at 31 Ill. Reg. 12096, effective August 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14829, effective October 18, 2007.

Section 685.10 Statewide Season for White-Tailed Deer Hunting

- a) Season: One-half hour before sunrise on Saturday of the State designated Columbus Day Holiday weekend to ½ hour after sunset on Sunday of that weekend. Shooting hours are ½ hour before sunrise to ½ hour after sunset. ~~Hunting outside the set season dates is a Class B misdemeanor (see 520 ILCS 5/2.24); hunting after sunset is a Class B misdemeanor (see 520 ILCS~~

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~~5/2.24); and hunting prior to ½ hour before sunset or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine, in addition to other statutory penalties (see 520 ILCS 2.33(y)).~~

- b) ~~Permit quotas shall be set by the Department of Natural Resources (Department) on a county or special hunt area basis. Cook, DuPage and Lake Counties, and that portion of Kane County east of State Route 47, are closed to firearm deer hunting. The Department of Natural Resources (Department) shall open a select county or counties to harvest surplus deer via youth deer hunting using shotgun or muzzleloader. The Department shall notify the public which county or counties will be open via a news release.~~
- c) ~~Hunting outside the set season dates is a Class B misdemeanor (see 520 ILCS 5/2.24); and hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).~~

(Source: Amended at 31 Ill. Reg. 14829, effective October 18, 2007)

Section 685.20 Statewide Deer Permit Requirements

- a) Illinois resident hunters must have a current, valid "Youth Deer Hunt Permit" (\$10). The Youth Deer Season is only open to Illinois residents who have not reached their 16th birthday, have completed a State-approved Hunter Education course and have a hunting license, unless exempt, by the start of the Youth Deer Season. A permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. For permit applications and other information write to:

Department of Natural Resources
Youth Deer Permit
One Natural Resources Way
P.O. Box 19227
Springfield IL 62794-9227

- b) Applications shall be accepted beginning August 1 and ending on the tenth weekday in August for the Youth Deer Season in October. Applications received after the tenth weekday shall not be included in the drawing. Permits shall be allocated in a random drawing. Applications not correctly filled out shall be

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rejected from the random drawing. ~~Permits shall be issued as antlerless only.~~ If more space is available than the number of applications received, remaining permits will be filled in random daily drawings.

- c) In-person and mail-in applications shall receive equal treatment in the drawings.
- d) Each applicant must apply using the official agency Youth Deer Hunt Permit Application, and must complete all portions of the form. No more than six applications per envelope shall be accepted. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit applications for regular firearm, muzzleloading rifle, archery, handgun, free or paid landowner/tenant permits, and youth deer season permits.
- e) For the applicant to be eligible to receive a Youth Deer Season Permit (\$10), applicant must be an Illinois resident and not have had his or her deer hunting privileges suspended or revoked in this State pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36].
- f) Deer hunting seminars covering deer hunting safety and aspects of deer hunting will be made available to participating youths.
- g) Recipients of the Youth Deer Season Hunt Permit shall record their signature on the permit and must carry it on their person while hunting.
- h) Permits are not transferable. Refunds shall not be granted unless the Department has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.
- i) A \$3 service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail there will be no charge. Monies derived from this source will be deposited in the Wildlife and Fish Fund.
- j) Each applicant must enclose a separate \$10 check or money order payable to the Department of Natural Resources, or the application shall be returned. Applicants should not send cash with their applications. The Department shall not be responsible for cash sent through the mail.
- k) Permits issued for the Youth Deer Hunt season will not be counted in the number of gun permits a person can receive for the Firearm and Muzzleloader-Only Deer

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Season.

- l) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38).
- m) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 14829, effective October 18, 2007)

Section 685.40 Statewide Deer Hunting Rules

- a) Bag limits: One ~~antlerless~~ deer per legally authorized permit. All either-sex permits are subject to the following restrictions: no hunter, regardless of the quantity or type of permits in his/her possession, may harvest more than 2 antlered deer during a year, including the youth, archery, muzzleloader and firearm seasons. For purposes of this Section, deer seasons are considered to be in the same year if their opening dates fall within the same 12-month period that begins on July 1~~An antlerless deer is a deer without antlers or a deer having antlers less than 3 inches long. Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).~~
- b) Each hunter participating in the Youth Deer Hunt must be accompanied by a nonhunting supervisor (parent, guardian, or responsible adult) who has in his or her possession a valid Firearm Owners Identification (FOID) Card. The nonhunting supervisor must wear the orange garments required of gun deer hunters, and must remain with the hunting youth so as to have the youth under immediate control. Each supervisor may only accompany a single youth at any given time during the hunt. The supervising adult shall be criminally liable for the actions of the youth in the hunting party, and be subject to the criminal penalties provided by law.
- c) The temporary harvest~~leg~~ tag must be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest~~leg~~ tag to the deer in the manner prescribed in Section 685.50 and on the permit.
- d) Hunters shall not have in their possession, while in the field during the Youth Deer Season, any deer permit issued to another person (permits are non-

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transferrable). Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

- e) Permits shall not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Disposal of unfit deer taken shall be the responsibility of the hunter.

(Source: Amended at 31 Ill. Reg. 14829, effective October 18, 2007)

Section 685.50 Reporting Harvest of Deer

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at <http://dnr.state.il.us/vcheck>. They will be provided with a confirmation number to verify that they checked in their harvest. This number must be written by the hunter on the temporary harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag, or onto a piece of paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances where deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:
 - 1) For a buck: head with antlers attached to carcass or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass or attached udder (mammary) or vulva.
- b) The harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist's. If the carcass is taken to a meat processor, the harvest tag (leg tag) with confirmation number must remain with the deer while it is processed and until it is at the legal residence of the person who legally took or possessed the

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deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.

- c) Site specific reporting requirements must be followed in addition to this Section.
- d) Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 31 Ill. Reg. 14829, effective October 18, 2007)

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- 1) Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 Ill. Adm. Code 1001
- 3) Section Number: 1001.220 Adopted Action: Amend
- 4) Statutory Authority: Subpart B implements Chapter 7 and is authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, and 2-114, and Ch. 7 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114 and Ch. 7]
- 5) Effective Date of Amendment: November 1, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: 31 Ill. Reg. 10589; July 27, 2007
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: Technical, non-substantive changes were made as suggested by the Joint Committee on Administrative Rules.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were made.
- 13) Will this amendment replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This amendment achieves the following objectives: to codify recent relocations of hearing sites in safety responsibility hearings and to establish and codify procedures to inform the public of any future relocations.
- 16) Information and questions regarding this adopted amendment shall be directed to:

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Marc Christopher Loro, Legal Advisor
Department of Administrative Hearings
200 Howlett Building
Springfield, Illinois 62756

217/785-8245
217/782-2192 (Fax)
mloro@ilsos.net

- 17) Does this amendment require the preview of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code [30 ILCS 50/5-25]? No

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

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1001
PROCEDURES AND STANDARDS

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section

- 1001.10 Applicability
- 1001.20 Definitions
- 1001.30 Right to Counsel
- 1001.40 Appearance of Attorney
- 1001.50 Special Appearance
- 1001.60 Substitution of Parties
- 1001.70 Commencement of Actions; Notice of Hearing
- 1001.80 Motions
- 1001.90 Form of Papers - Original Documents Required
- 1001.100 Conduct of Formal Hearings
- 1001.110 Orders; Notification; Time Limits on Obtaining Relief
- 1001.120 Record of Hearings
- 1001.130 Invalidity

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section

- 1001.200 Applicability
- 1001.210 Definitions
- 1001.220 Hearings: Notice; Location; Procedures; Record
- 1001.230 Rules of Evidence
- 1001.240 Scope of Hearings
- 1001.250 Decisions and Orders
- 1001.260 Rehearings
- 1001.270 Judicial Review
- 1001.280 Invalidity

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS IN
DRIVER'S LICENSE SUSPENSIONS AND REVOCATIONS

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Section

1001.300	Applicability
1001.310	Definitions
1001.320	Right to Representation
1001.330	Records and Reports
1001.340	Location of Hearings
1001.350	Duties and Responsibilities
1001.360	Decisions; Time Limits on Obtaining Relief
1001.370	Invalidity

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING
PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF
DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section

1001.400	Applicability; Statement of Principle and Purpose
1001.410	Definitions
1001.420	General Provisions Relating to the Issuance of Restricted Driving Permits
1001.430	General Provisions for Reinstatement of Driving Privileges after Revocation
1001.440	Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations
1001.441	Procedures for Breath Alcohol Ignition Interlock Device Conditioned RDPs
1001.442	BAIID Providers Certification Procedures and Responsibilities; Approval of Breath Alcohol Ignition Interlock Devices; Inspections; BAIID Installer's Responsibilities; Disqualification of a BAIID Provider
1001.443	Breath Alcohol Ignition Interlock Device Multiple Offender – Compliance with Interlock Program
1001.444	Installer's Responsibilities (Repealed)
1001.450	New Hearings
1001.460	Requests for Modification of Revocations and Suspensions
1001.470	Renewal, Correction and Cancellation of RDPs
1001.480	Unsatisfied Judgment Suspensions
1001.485	Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact
1001.490	Invalidity

SUBPART E: FORMAL MEDICAL HEARINGS

Section

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1001.500	Applicability
1001.510	Definitions
1001.520	Procedure
1001.530	Conduct of Medical Formal Hearings
1001.540	Subsequent Hearings

SUBPART F: ZERO TOLERANCE SUSPENSION OF DRIVING PRIVILEGES;
PERSONS UNDER THE AGE OF 21 YEARS; IMPLIED CONSENT
HEARINGS; RESTRICTED DRIVING PERMITS

Section

1001.600	Applicability
1001.610	Definitions
1001.620	Burden of Proof
1001.630	Implied Consent Hearings; Religious Exception
1001.640	Implied Consent Hearings; Medical Exception
1001.650	Rebuttable Presumption
1001.660	Alcohol and Drug Education and Awareness Program
1001.670	Petition for Restricted Driving Permits
1001.680	Form and Location of Hearings
1001.690	Invalidity

SUBPART G: MOTOR VEHICLE FRANCHISE ACT

Section

1001.700	Applicability
1001.710	Definitions
1001.720	Organization of Motor Vehicle Review Board
1001.730	Motor Vehicle Review Board Meetings
1001.740	Board Fees
1001.750	Notice of Protest
1001.760	Hearing Procedures
1001.770	Conduct of Protest Hearing
1001.780	Mandatory Settlement Conference
1001.785	Technical Issues
1001.790	Hearing Expenses; Attorney's Fees
1001.795	Invalidity

1001.APPENDIX A BAIID Regions and Minimum Installation/Service Center Site Location

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Guidelines (Repealed)

AUTHORITY: Subpart A implements Sections 2-113, 2-118, 6-108, 6-205, and 6-206 and is authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 6-108, 6-205 and 6-206]. Subpart B implements Chapter 7 and is authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, and 2-114, and Ch. 7 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114 and Ch. 7]. Subpart C implements Sections 6-205(c) and 6-206(c)3 and is authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 6-205(c) and 6-206(c)3]. Subpart D is authorized by Sections 2-104 and 11-501 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code [625 ILCS 5/2-104, 6-103, 6-205(c), 6-206(c)3, 6-208 and 11-501]. Subpart E implements Sections 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, and 6-908 and is authorized by Sections 2-103, 2-104, 6-906, and 6-909 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, 6-908 and 6-909]. Subpart F implements Sections 2-113, 2-118, 6-208.2, 11-501.1, and 11-501.8 and is authorized by Sections 2-103, 2-104, and 11-501.8 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 6-208.2, 11-501.1 and 11-501.8]. Subpart G implements and is authorized by the Motor Vehicle Franchise Act [815 ILCS 710].

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803, effective October 1, 1989; amended at 14 Ill. Reg. 2601, effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; emergency amendment at 16 Ill. Reg. 19926, effective December 8, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 2047, effective January 27, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6274, effective May 1, 1993; amended at 17 Ill. Reg. 8528, effective June 1, 1993; emergency amendment at 18 Ill. Reg. 7916, effective May 10, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 15127, effective September 21, 1994; emergency amendment at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 6667, effective May 1, 1995; emergency amendment at 20 Ill. Reg. 1626, effective January 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 8328, effective June 12, 1996; emergency amendment at 20 Ill. Reg. 9355, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15773, effective November 28, 1996; amended at 23 Ill. Reg. 692, effective January 15, 1999; amended at 24 Ill. Reg. 19257, effective December 15, 2000; expedited correction at 25 Ill. Reg. 7352, effective December 15, 2000; emergency amendment at 25 Ill. Reg. 13790, effective October 15, 2001, for a maximum of 150 days; emergency expired on March 13, 2002; emergency amendment at 25 Ill. Reg. 14979, effective November 9, 2001, for a maximum of 150

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days; emergency expired on April 7, 2002; amended at 26 Ill. Reg. 9380, effective June 13, 2002; amended at 26 Ill. Reg. 13347, effective August 21, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 14706, effective September 20, 2002, for a maximum of 150 days; emergency expired on February 16, 2003; amended at 27 Ill. Reg. 5969, effective March 31, 2003; amended at 27 Ill. Reg. 13577, effective August 1, 2003; amended at 28 Ill. Reg. 12123, effective September 1, 2004; amended at 28 Ill. Reg. 15804, effective November 19, 2004; amended at 31 Ill. Reg. 6185, effective May 1, 2007; amended at 31 Ill. Reg. 14837, effective November 1, 2007.

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section 1001.220 Hearings: Notice; Location; Procedures; Record

- a) Notice of Suspension; Right to a Hearing. Subsequent to certification of an uninsured motorist by the Department of Transportation as provided by statute, and upon a preliminary finding that a *reasonable possibility of a civil judgement exists*, the Secretary shall institute a Notice of Suspension which advises the petitioner of his/her right to a hearing in lieu of deposit of security. Any petitioner, by submitting a written request postmarked within 15 days after the mailing date of the Notice of Suspension, will be afforded a full, fair, and impartial hearing to contest the preliminary finding of the Secretary. [625 ILCS 5/7-205] Any request for hearing will stay the effective date of the safety responsibility suspension pending the outcome of the hearing. Hearing requests received after the 15 day period will be granted; however, the suspension will not be stayed or removed pending the hearing.
- b) Filing Fee
 - 1) Effective 15 October 2001, a petition for a hearing to contest a suspension will not be accepted for filing unless it is accompanied by a fee of \$50, as provided in Section 2-118 of the Illinois Vehicle Code. This filing fee must be submitted by each party who wishes to be made a petitioner in the proceeding, in the form of a money order, a cashier's or certified check, a check drawn on the account of an attorney of record or an attorney professional corporation of record in a hearing before the Department of Administrative Hearings, or a credit card charge (with a pre-approved card), made payable to the Secretary of State.
 - 2) This filing fee will not be refunded to any petitioner if the petitioner

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withdraws from the hearing or defaults.

- 3) In cases where a hearing is continued, any petitioner who has paid a filing fee will not be required to submit another filing fee.
 - 4) In cases where a petitioner withdraws, the petitioner will be required to submit a filing fee before another hearing will be scheduled.
- c) **Decisionmaking Factors; Burden of Proof.** The decision resulting from the hearing shall be based upon the following factors: whether the petitioner, as a motor vehicle owner or operator, has been involved, or whose vehicle has been involved, in a motor vehicle accident occurring within the State of Illinois and which has resulted in bodily injury or death of any person or in which damage to the property of any one person exceeds the amount provided by statute; whether petitioner is exempt from the Safety Responsibility Law; and whether there exists a reasonable possibility of a civil judgment against the petitioner. The petitioner shall bear the burden of proof throughout the proceedings. The standard of proof shall be a preponderance of the evidence.
- d) **Issuance of Notice of Hearing.** The hearing shall be initiated by the issuance of a Notice of Hearing by the Secretary. The Notice shall be served upon the petitioner, as the person against whom action may be taken by the Secretary, any interested party, and any attorney of record.
- e) **Notice of Hearing - Content.** The Notice of Hearing shall be a written statement setting forth, but not limited to, the following information:
- 1) The name of the petitioner;
 - 2) The name and address of any interested party;
 - 3) The date, time, place, and nature of the hearing;
 - 4) The matters to be addressed at the hearing;
 - 5) The name of the hearing officer;
 - 6) The specific Sections of the Statutes involved;

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- 7) The statutory authority pursuant to which the hearing is being conducted;
- 8) Notice to the petitioner that a failure to appear will result in the denial of any relief requested and that at any rehearing granted under Section 1001.260 the petitioner will be deemed to have waived the right to subpoena or cross-examine witnesses that testified at the original hearing.
- f) Location of Hearings; Notice of Change of Location. Hearings shall be conducted in the Counties of Cook, DeKalb, Will, ~~Rock Island, Tazewell, Adams,~~ Sangamon, ~~Champaign, Coles,~~ Kane, ~~Marion,~~ St. Clair, ~~McDonough, and Jefferson and Jackson,~~ and in such other locations as the Secretary shall from time to time designate. If the Secretary determines to abandon or change the location of hearings to a location or locations~~the hearing~~ outside the counties specifically listed in this subsection, the Secretary shall publish a notice of the change, at least 20 days prior to the effective date of the change, in a local newspaper of general circulation in each county wherein a location is abandoned or to which a hearing location will be added or moved~~served by the Secretary, 20 days prior notice of the change~~. The notice shall indicate the reasons for the determination and shall identify the new location proposed to serve the county, if known at the time of publication. The hearing site locations, and any change therein, shall also be posted on the Secretary of State website.
- g) Parties to a Hearing; Disqualification of Hearing Officer. Every hearing shall be presided over by a hearing officer duly appointed by the Secretary. The Secretary may also appoint a representative to appear and participate in his behalf. Prior to the taking of evidence, a petitioner may request the disqualification of the hearing officer by making a motion for disqualification, stating the specific grounds upon which it is alleged that a fair and impartial hearing cannot be afforded the petitioner by the hearing officer. The hearing officer will rule upon the motion. If the motion is denied, the hearing will proceed. If the motion is granted, the case shall be transferred to another hearing officer for a same day hearing if possible. If not possible, a new hearing date will be established and another hearing officer shall be assigned by the Secretary. The hearing officer shall have authority to conduct the hearing, to rule on all motions, to administer oaths, to subpoena witnesses or documents at the request of any petitioner, to examine witnesses, and to rule upon the admissibility of testimony and evidence.
- h) Petitioner's Rights. Each petitioner to the hearing and the Secretary of State shall have the following rights:

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- 1) The right to the issuance of subpoenas upon written request directed to the hearing officer at least 10 business days prior to the hearing;
 - 2) The right to call and examine witnesses;
 - 3) The right to cross-examine witnesses on any matter relevant to the issues, even though the matter was not covered on direct examination;
 - 4) The right to introduce exhibits; and
 - 5) The right to obtain in advance, upon written request, copies of all related police reports not designated confidential by State law. Requests must be submitted at least 10 business days prior to the hearing date to be considered. The petitioners may request copies of the related police reports at the hearing if the need for the copies could not be foreseen before the hearing, or the need for them arose because of the issues or allegations adduced at the hearing.
- i) Right to Counsel; Attorneys Must Be Licensed; 711 Students. The petitioner shall have the right to appear in person and be heard through an attorney at law licensed to practice in the State of Illinois or any law student licensed under Supreme Court Rule 711. If the petitioner does not testify on his/her own behalf, he/she may be called by the representative of the Secretary and examined as if under cross-examination.
- 1) Attorneys admitted to practice in states other than the State of Illinois may appear by special leave of the hearing officer appointed to conduct the hearing, upon the attorney's verbal representation or written documentation as to the attorney's admittance.
 - 2) A natural person may appear and be heard in his/her own behalf.
 - 3) A corporation, association, or partnership may appear and present evidence by any bona fide officer, employee, or representative.
 - 4) Only an attorney mentioned above properly licensed shall represent anyone else in any hearing in any matter involving the exercise of legal skill or knowledge. The standards of conduct shall be the same as before

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the Courts of the State of Illinois.

- j) Recording of Proceedings; Obtaining a Copy of the Record.
 - 1) The proceedings shall be recorded by a suitable electronic method. The petitioner may furnish, at his/her own expense, a certified shorthand reporter. All records taken shall be properly cataloged and preserved by the Secretary for a period of at least 45 days from the entry of the hearing officer's order. Oral proceedings, or any part thereof, shall be transcribed upon the request of the petitioner, any party, or his/her counsel at the requesting party's personal expense as specified in 2 Ill. Adm. Code 551.150, or the cost of an audio tape, plus mailing.
 - 2) Persons who are not a party to a proceeding may obtain a copy of the file, a document in the file, or a transcript of the proceeding by filing with the Department a request for the record pursuant to, and subject to the restrictions and exemptions in, the Freedom of Information Act [5 ILCS 140].
- k) Record of a Hearing. The record of a hearing held pursuant to this Section shall include, but not be limited to, the following:
 - 1) The notices, pleadings, and responses to pleadings;
 - 2) The motions and rulings on motions;
 - 3) The matters officially noticed;
 - 4) The offers of proof made and objections to and rulings on those offers;
 - 5) The opinions, recommendations, or reports by the hearing officer, Secretary, or Department; and
 - 6) A transcript of the proceedings.
- l) Interpreters; Hearing Impaired. The Secretary will provide an interpreter for hearing impaired petitioners and interested parties who wish to testify. However, it is the responsibility of the petitioner or interested parties to provide a language interpreter.

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(Source: Amended at 31 Ill. Reg. 14837, effective November 1, 2007)

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- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Number: 1030.60 Adopted Action: Amendment
- 4) Statutory Authority: 625 ILCS 5/6-108 and 625 ILCS 5/6-521
- 5) Effective Date of Amendment: October 22, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? Yes
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposed Published in Illinois Register: 31 Ill. Reg. 10601; July 27, 2007
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: Technical, non-substantive changes were made as suggested by 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 amendment replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1030.100	Repeal	31 Ill. Reg. 11503; August 10, 2007
1030.110	Amendment	31 Ill. Reg. 11503; August 10, 2007
1030.11	Amendment	31 Ill. Reg. 13725; October 5, 2007
1030.13	Amendment	31 Ill. Reg. 13725; October 5, 2007
1030.50	Amendment	31 Ill. Reg. 13725; October 5, 2007
1030.55	Amendment	31 Ill. Reg. 13725; October 5, 2007

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1030.65	Amendment	31 Ill. Reg. 13725; October 5, 2007
1030.89	Amendment	31 Ill. Reg. 13725; October 5, 2007
1030.92	Amendment	31 Ill. Reg. 13725; October 5, 2007
1030.97	Amendment	31 Ill. Reg. 13725; October 5, 2007

- 15) Summary and Purpose of Amendment: This amendment clarifies the testing and certifying requirements of the Third Party Certification Program Safety Officers.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Arlene J. Pulley
Office of the Secretary of State
Driver Services Department
2701 South Dirksen Parkway
Springfield, Illinois 62723

217/557-4462

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

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1030
ISSUANCE OF LICENSES

Section	
1030.10	What Persons Shall Not be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License/Temporary Visitor's Driver's License
1030.13	Denial of License or Permit
1030.15	Cite for Re-examination
1030.16	Physical and Mental Evaluation
1030.17	Errors in Issuance of Driver's License/Cancellation
1030.18	Medical Criteria Affecting Driver Performance
1030.20	Classification of Drivers – References
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Third-Party Certification Program
1030.63	Religious Exemption for Social Security Numbers
1030.65	Instruction Permits
1030.70	Driver's License Testing/Vision Screening
1030.75	Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lenses
1030.80	Driver's License Testing/Written Test
1030.81	Endorsements
1030.82	Charter Bus Driver Endorsement Requirements
1030.83	Hazardous Material Endorsement
1030.84	Vehicle Inspection
1030.85	Driver's License Testing/Road Test
1030.86	Multiple Attempts – Written and/or Road Tests
1030.88	Exemption of Facility Administered Road Test
1030.89	Temporary Licenses
1030.90	Requirement for Photograph and Signature of Licensee on Driver's License
1030.91	Disabled Person/Handicapped Identification Card
1030.92	Restrictions
1030.93	Restricted Local Licenses
1030.94	Duplicate or Corrected Driver's License or Instruction Permit

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- 1030.95 Consular Licenses (Repealed)
- 1030.96 Seasonal Restricted Commercial Driver's License
- 1030.97 Invalidation of a Driver's License, Permit and/or Driving Privilege
- 1030.98 School Bus Commercial Driver's License
- 1030.100 Anatomical Gift Donor
- 1030.110 Emergency Medical Information Card
- 1030.115 Change-of-Address
- 1030.120 Issuance of a Probationary License
- 1030.130 Grounds for Cancellation of a Probationary License
- 1030.140 Use of Captured Images
- 1030.APPENDIX A Questions Asked of a Driver's License Applicant
- 1030.APPENDIX B Acceptable Identification Documents

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendme nt

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at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159, effective June 29, 1995; amended at 20 Ill. Reg. 3891, effective February 14, 1996; emergency amendment at 20 Ill. Reg. 8358, effective June 4, 1996, for a maximum of 150 days; emergency amendment repealed in response to an objection of the Joint Committee on Administrative Rules at 20 Ill. Reg. 14279; amended at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992, effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1686, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18400, effective December 4, 2000; amended at 25 Ill. Reg. 959, effective January 5, 2001; amended at 25 Ill. Reg. 7742, effective June 5, 2001; amended at 25 Ill. Reg. 12646, effective September 24, 2001; emergency amendment at 25 Ill. Reg. 12658, effective September 24, 2001, for a maximum of 150 days; emergency expired February 20, 2002; amended at 26 Ill. Reg. 9961, effective June 24, 2002; amended at 27 Ill. Reg. 855, effective January 3, 2003; emergency amendment at 27 Ill. Reg. 7340, effective April 14, 2003, for a maximum of 150 days; emergency expired September 10, 2003; emergency amendment at 27 Ill. Reg. 16968, effective October 17, 2003, for a maximum of 150 days; emergency expired March 14, 2004; emergency amendment at 28 Ill. Reg. 384, effective January 1, 2004, for a maximum of 150 days; emergency expired May 29, 2004; amended at 28 Ill. Reg. 8895, effective June 14, 2004; amended at 28 Ill. Reg. 10776, effective July 13, 2004; amended at 29 Ill. Reg. 920, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2469, effective January 31, 2005, for a maximum of 150 days; emergency expired June 29, 2005; amended at 29 Ill. Reg. 9488, effective June 17, 2005; amended at 29 Ill. Reg. 12519, effective July 28, 2005; amended at 29 Ill. Reg. 13237, effective August 11, 2005; amended at 29 Ill. Reg. 13580, effective August 16, 2005; amended at 30 Ill. Reg. 910, effective January 6, 2006; amended at 30 Ill. Reg. 5621, effective March 7, 2006; emergency amendment at 30 Ill. Reg. 11409, effective June 19, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 11365, effective June 15, 2006; emergency amendment at 30 Ill. Reg. 11409, effective June 19, 2006, for a maximum of 150 days; emergency expired November 15, 2006; amended at 31 Ill. Reg. 4782, effective March 12, 2007; amended at 31 Ill. Reg. 5096, effective March 15, 2007; amended at 31 Ill. Reg. 5864, effective March 29, 2007; amended at 31 Ill. Reg. 6370, effective April 12, 2007; amended at 31 Ill. Reg. 7643, effective May 16, 2007; amended at 31 Ill. Reg. 11342, effective July 18, 2007;

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amended at 31 Ill. Reg. 14547, effective October 9, 2007; amended at 31 Ill. Reg. 14849, effective October 22, 2007.

Section 1030.60 Third-Party Certification Program

- a) The Secretary of State shall adopt the following definitions for the terms listed as follows:

"Branch Facility" – a separate instructional facility operated and directly supervised by a third-party certifying entity at a location different from the principal location of the third-party certifying entity.

"Business Day" – any day on which the Office of the Secretary of State is open; Monday through Saturday, excluding State holidays.

"CDL Skills Test" – test given to an applicant who is attempting to obtain a Commercial Driver's License (CDL).

"Commercial Driver's License " or "(CDL)" – a ~~driver's~~ license issued by a state or other jurisdiction, in accordance with the standards contained in 49 CFR 383 (2003), to an individual that to a person, which authorizes the individual that person to operatedrive a certain class of a commercial motor vehicle. or vehicles. [625 ILCS 5/6-500(3)]

"Department" – Department of Driver Services within the Office of the Secretary of State.

"Driver Applicant" – an individual employed by a member of a third-party certifying entity, who participates in the third-party certification program.

"Fraud" – includes anything calculated to deceive, whether it be a single act or combination of circumstances, whether the suppression of truth or the suggestion of what is false, whether it be by direct falsehood or by innuendo, by speech or by silence.

"Motor Vehicle" – Every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs. any properly registered vehicle meeting

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~~the description of the vehicle group of the class the driver applicant operates, or expects to operate.~~

"Non-CDL Skills Test" – any drive test given to an applicant who is attempting to obtain a driver's license except for a D classification, a CDL or a CDL endorsement.

"Passenger Endorsement" – an indication on the driver's license that the driver has qualified to operate a vehicle designed to transport 16 or more persons, including the driver.

"Restriction" – requirement or condition added to a driver's license which must first be met by the license holder before he/she may legally operate a motor vehicle.

"Safety Officer" – any individual employed by a third-party certifying entity who is licensed for the purpose of conducting the skills test to determine for certification purposes that a driver applicant has been tested and meets the same qualifications required by the Secretary of State.

"Secretary of State" – Illinois Secretary of State.

"Third-Party Certification License" – a license issued by the Secretary of State to conduct a qualified third-party certification program, pursuant to Section 6-508 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-508].

"Third-Party Certification Program" – a program designed by the Secretary of State allowing third-party entities to provide to employees or by membership in a qualified training program of classroom and/or behind-the-wheel testing for the purpose of certifying to the Secretary of State that a driver applicant is qualified to operate a motor vehicle without the Secretary of State having to administer a road test pursuant to Section 6-508 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-508].

"Third-Party Certifying Entity" – any third-party entity licensed by the Secretary of State to engage in a third-party certification program.

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~~"Training Vehicle"—a motor vehicle registered and insured by a licensed Commercial Driver Training School in accordance with Section 6-410 of the Illinois Vehicle Code [625 ILCS 5/6-410] and 92 Ill. Adm. Code 1060.110(d)(7) and used for the sole purpose of training and testing.~~

- b) The Secretary of State shall not require an actual demonstration of the ability of the driver applicant to operate and exercise ordinary and reasonable control of a motor vehicle for purposes of third-party certification programs, if the third-party certifying entity complies with the following requirements:
- 1) License Required – No person, firm, association, partnership or corporation shall operate a third-party certification program, unless a license has been issued by the Secretary of State.
 - 2) Certify Only Employees or Members – A third-party certifying entity shall certify only those driver applicants who are employed and on the payroll of the entity at the time of certification. Third-party entities that are unions or fire departments shall certify only those driver applicants who are members at the time of certification.
 - 3) A third-party certification entity shall not enter into any agreement with employees/members they certify that provides for compensation, reimbursement or any form of consideration, including but not limited to monies, credits, services, or payroll withholding, payable to the third-party entity, in exchange for training and/or testing from the employee/member that is certified.
 - 4) A third-party certification entity shall not accept compensation, reimbursement or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from any employee/member that is certified.
- c) Issuance and Renewal of Licenses
- 1) When an application is submitted for an original third-party certification license, or safety officer license, the applicant or applicants shall not conduct any business as a third-party certifying entity or safety officer until a license is issued by the Secretary of State pursuant to the requirements contained in subsections (d) and (i) of this Section.

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- 2) When an application is made for the renewal of an existing third-party certification license or a safety officer license, the applicant shall have the authority to continue to conduct business as a third-party certifying entity or a safety officer until the renewal application is granted or denied by the Department, provided the application has been filed in a timely manner as provided in subsection (f)(4) of this Section. The application for the license shall be made in the same manner as an application for an original third-party certification license or safety officer license.
 - 3) Licenses may not be assigned. No individual, partnership, association, or corporation may sell, assign, barter or trade a third-party certification license or safety officer license issued by the Secretary of State.
 - 4) The Secretary may allow entities, otherwise ineligible to be licensed as a third-party certifying entity, to conduct a third-party certification program on a trial basis, not to exceed 1 year. At the close of the trial period, the Secretary will determine whether the entities participating in the pilot program shall be granted third-party certification entity status under this Section.
- d) Requirements – Third-Party Certification Entities
- 1) The entity shall have at least 1 employee who is licensed or qualified to be licensed as a safety officer for the third-party certification program. A safety officer may only test and certify individuals in the class that is indicated on his or her safety officer license.
 - 2) The entity shall have a regularly established place of business in the State of Illinois and operate or have access to appropriate vehicles, with the exception of employers having a regular place of business in a contiguous state, e.g., Indiana, Missouri, Wisconsin, Iowa and Kentucky. Any entity having its headquarters in a border state and wishing to participate in the third-party certification program, shall have an appointed agent, for purposes of this program, who is licensed as a safety officer and holds a valid Illinois driver's license or a CDL issued by a contiguous state.
 - 3) The entity shall submit to the Department a copy of any subcontract of services described in this Part.

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- 4) The entity shall have a prescribed physical driving course for each location and be required to meet a driving skills test with the same minimum standards as the course used for examination by the Secretary of State (92 Ill. Adm. Code 1030.85).
- 5) The entity shall have access to a properly registered motor vehicle which meets the definition of the vehicle group of the classification that the driver applicant operates or expects to operate.
- 6) The entity shall provide the driver applicant, who takes and passes the skills tests, with documented proof (Secretary of State's driver test form) of the same, which shall evidence to the Department that the individual has successfully passed the skills tests administered by the third-party certifying entity.
- 7) The entity shall collectively submit completed application forms to the Department for each main office, branch office and safety officer.
- 8) The entity shall have and use a business telephone listing for all business purposes.
- 9) If a licensed safety officer is temporarily suspended, laid-off or discharged by a third-party certifying entity, the entity shall immediately notify the Secretary of State, on forms furnished by the Secretary of State, of the name, address and license number of the safety officer, such officer's termination date and reason for termination. In all cases where a safety officer has ceased working for the third-party certifying entity, the safety officer must surrender his/her license to the Secretary of State.
- 10) Facility
 - A) The established place of business of each third-party certifying entity must consist of at least the following permanent facilities:
 - i) an office facility;
 - ii) appropriate space (an area at least 15 feet wide by 100 feet long) to conduct all basic control skills tests (92 Ill. Adm.

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Code 1030.85).

- B) A third-party certifying entity which has an established place of business may operate a branch facility provided the branch facility meets all requirements of the main facility pursuant to subsections (d)(10)(A) and (d)(10)(D) of this Section.
 - C) Upon receipt by the Secretary of State of a written request to open a branch facility, an authorized representative of the Secretary of State shall inspect the branch facility and, if it complies with the provisions of this Section, shall issue the appropriate license which must be displayed in a visibly prominent place in the branch facility.
 - D) Location must comply with public health and safety standards contained in the Public Building Egress Act [415 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].
- 11) Records – All third-party certifying entities licensed by the Secretary of State must maintain a record showing the name and address of each driver certified by the entity, the instruction permit or driver's license number of every driver certified, and the results of the final skills test, including endorsements, given to each driver applicant, the name of the safety officer who administered the skills test and the license plate number of the vehicle used to conduct the test.
- A) All records must be maintained for a period of 4 years.
 - B) Proof of eligibility for certification and final skills tests results for each driver applicant must be kept at the location where the road test was given.
 - C) Maintain proof of training course completion for each individual CDL certified who does not hold a valid CDL at the time of testing on the form provided by the Secretary of State, or an equivalent form approved by the Secretary of State.
- 12) Auditing – CDL Driving Skills Test

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- A) All third-party certifying entities must allow the Secretary of State and Federal Highway Administration or its representatives to conduct random examinations, inspections and audits without prior notice pursuant to 49 CFR 385.85, including audits of employment records of individuals certified by the third-party certification entity and any and all agreements or contracts governing the employer/employee relationship as it pertains to training or testing.
 - B) All third-party certifying entities must allow the Secretary of State to conduct on-site inspections at least annually.
 - C) The Secretary of State or his designee shall annually re-examine a sample percentage of the certified driver applicants to compare pass/fail results and determine the percentage of certified driver applicants employed by the third-party certifying entity.
 - i) If the results of the random examination reflect a failure rate greater than the current Secretary of State's acceptable failure rate of 20 percent, the third-party entity will be notified in writing of the need to retrain the failed applicants.
 - ii) The retraining must be completed within 30 days, at which time the trainee must be referred to the Secretary of State to be skills tested.
 - iii) The Commercial Driver Training School section will determine the location and time of the Secretary of State retests.
 - D) The Secretary of State may re-examine any individual who was tested and certified by a third-party certification entity.
- 13) Display of Licenses – Each third-party certifying entity shall display in a prominent place at the established place of business the following:
- A) The State license issued to the third-party certifying entity; and

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- B) Safety officer licenses of all safety officers employed by the third-party certifying entity.
- 14) Provide a minimum 2 week training course to each individual who is CDL certified pursuant to the recommendations of the Highway Safety 2000 Advisory Task Force and who does not hold a valid CDL at the time of testing that meets the requirements of 49 CFR 383.110-121 (1995) (49 USC 3102; 49 USC App. 12701; 49 CFR 1.49).
- 15) The third-party certification entity must provide the Secretary of State with the names of all individuals that were tested and certified from a non-CDL classification to a CDL classification by the entity whose employment/membership has been terminated up to 6 months after the date of certification.
- A) The Secretary of State will cite these individuals to be retested in a representative vehicle in order for the individual to maintain the license classification in which they were originally certified.
 - B) The Secretary of State will provide each entity with a Verification of Continual Employment form to assist the third-party certification entity in determining the names of the individuals who have terminated their employment/membership up to 6 months after being certified.
- 16) The entity may not have a current unsatisfactory rating from the U.S. Department of Transportation (see 49 CFR 385.3).
- e) Skills Tests
- 1) Any CDL or School Bus skills tests administered by the third-party certifying entity must be conducted by a licensed safety officer as specified in Subparts G and H of 49 CFR 383.
 - 2) Driving Skills – The entity shall have a prescribed physical driving course for each location and must be required to administer a skills test with the same minimum standards as that which would be used by the Secretary of State (see 92 Ill. Adm. Code 1030.85).

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- 3) Pre-Trip Inspection Skills – Where applicable, the entity shall test and the driver applicant shall demonstrate skills necessary to conduct a pre-trip inspection, which include the ability to:
 - A) locate and verbally identify air brake operating controls and monitoring devices;
 - B) determine the motor vehicle's brake system condition for proper adjustments and that the air system connections between vehicles have been properly made and secured;
 - C) inspect low pressure warning devices to ensure they will activate in emergency situations;
 - D) ascertain, with the engine running, that the system contains an adequate supply of compressed air;
 - E) determine that the required minimum air pressure build up at the time is within acceptable limits and that required alarms and emergency devices automatically deactivate at the proper pressure level; and
 - F) operationally check the brake system for proper performance.
- 4) Restrictions and/or Endorsements – Third-party certification entities conducting road tests for restrictions and/or passenger endorsements must meet a skills test with the same minimum standards as an exam offered by the Secretary of State for the restriction and/or endorsement (see 92 Ill. Adm. Code 1030.92).
- 5) Third-party certifying entities conducting road tests for motorcycle and non-CDL classifications are not bound by subsections (e)(1) through (4), but instead must meet a driving skills test prescribed by the Secretary of State for these classifications, judged by the same minimum standards, and conducted by a licensed safety officer (92 Ill. Adm. Code 1030.85).
 - A) Motorcycle skills tests must include at least the following:
 - i) basic vehicle control skills;

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- ii) safe driving skills;
 - iii) visual search;
 - iv) speed and space management; and
 - v) mounting and dismounting.
- B) Non-CDL skills tests must include at least the following:
- i) basic vehicle operation;
 - ii) safe driving skills;
 - iii) speed and attention;
 - iv) lane and right of way observance;
 - v) obeying traffic control devices;
 - vi) use of special equipment.
- 6) Require Instruction Permit – Before a driver applicant may be skills tested and certified by a third-party entity, the driver applicant must obtain an instruction permit from the Secretary of State for the specific vehicle classification in which he/she intends to be licensed. The driver applicant must hold a valid instruction permit for a period of at least 2 weeks prior to being skills tested and certified by a third-party entity, if not currently licensed in the classification representative of the vehicle the applicant intends to drive.
- f) Issuance and Renewal of Third-Party Certifying Entity Licenses
- 1) Issuance of Licenses to Third-Party Certifying Entity – The Secretary of State shall issue a license to conduct a third-party certification program when the Secretary of State is satisfied that the entity applying for a third-party certification license has met the requirements under this Section.

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- 2) All licenses issued to any third-party certifying entity shall remain valid indefinitely unless canceled, suspended or revoked. The Secretary of State shall send affidavits to, and conduct audits of, each licensee annually in order to determine that the licensee remains in compliance with the requirements of this Section.
- g) Denial, Cancellation, Suspension, and Revocation of Third-Party Certifying Entity Licenses
- 1) The Secretary of State shall deny an application for a third-party certifying entity license or renewal:
 - A) to any entity that submits a fraudulent application.
 - B) to any entity that currently employs individuals also employed by the Secretary of State.
 - C) to any entity that owes outstanding fees to the Secretary of State.
 - D) to any third-party certifying entity that lacks a safety officer.
 - E) to any third-party certifying entity that fails to meet location standards:
 - i) fails to comply with public health and safety standards contained in the Public Building Egress Act [45 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].
 - ii) fails to have a telephone that is registered to the third-party certification entity.
 - F) to any third-party certifying entity with a current unsatisfactory rating from the U.S. Department of Transportation.
 - G) to any commercial driver training school.
 - H) to any third-party certification entity that enters into any agreement with employees/members they certify that provides for

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compensation or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from the employee/member that is certified.

- I) to any third-party certification entity that accepts compensation or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from any employee/member that is certified.
- 2) The Secretary of State shall cancel a third-party certifying entity license for failing to correct, after being served written notice giving 5 business days to correct, any violation of the following regulations and laws governing third-party entities:
 - A) the entity employs individuals also employed by the Secretary of State.
 - B) the entity owes outstanding fees to the Secretary of State.
 - C) the third-party certifying entity lacks a safety officer.
 - D) the third-party certifying entity fails to meet location standards:
 - i) fails to comply with public health and safety standards contained in the Public Building Egress Act [45 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].
 - ii) fails to have a telephone that registers to the third-party certification entity.
 - E) the entity currently has an unsatisfactory rating from the U.S. Department of Transportation.
 - F) the entity is a commercial driver training school.
 - 3) The Secretary of State shall suspend a third-party certifying entity's license 3 months, depending upon the severity of the infraction, upon

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evidence of the following:

- A) improper recordkeeping in violation of subsection (d)(11) of this Section.
 - B) failure by the entity's certified driver applicants to pass skills tests upon re-examination, pursuant to subsections (c) and (d)(12) of this Section.
 - C) any violation of this Part.
 - D) failure to provide the required training to individuals that were CDL certified and did not hold a valid CDL at the time of testing.
 - E) failure to notify the Secretary of State with names of individuals that were certified from a non-CDL classification to a CDL classification and whose employment/membership was terminated up to 6 months after the date of certification.
- 4) The Secretary of State shall suspend a third-party certifying entity's license up to 6 months, depending upon the severity of the infraction, upon evidence of the failure to produce records upon demand of the auditing agency.
 - 5) The Secretary of State shall suspend a third-party certifying entity's license up to 1 year, depending upon the severity of the infraction, if it is discovered the entity is certifying applicants who have not obtained instruction permits and/or have not maintained such instruction permits for at least 2 weeks prior to testing and certification.
 - 6) The Secretary of State shall revoke the third-party certifying entity's license upon evidence of the following:
 - A) the entity submitted a fraudulent application.
 - B) if the entity engages in or permits any type of fraudulent activity, either with reference to any certified individual or the Secretary of State.

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- C) the third-party certification entity enters into an agreement with employees/members they certify that provides for compensation or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from the employee/member that is certified.
 - D) the third-party certification entity accepts compensation or any form of consideration, including but not limited to monies, credits, services, or payroll withholding in exchange for training and/or testing from any employee/member that is certified.
- h) Issuance and Renewal of Safety Officer License
- 1) Issuance of Licenses to Safety Officers – The Secretary of State shall issue a license to each safety officer when the Secretary of State is satisfied that such person has met the qualifications required under this Section. Each third-party certification safety officer license shall authorize the licensee to test for only the employer indicated on the license, except when the safety officer is employed by an entity providing contractual services to the third-party certification entity.
 - 2) An individual may be issued 2 safety officer licenses in the following combinations:
 - A) as a safety officer for 2 governmental agencies, or
 - B) as a safety officer for a private entity and a governmental agency.
 - 3) All licenses issued to any safety officer shall remain valid indefinitely unless canceled, suspended or revoked.
- i) Safety Officer
- 1) Requirements. The Secretary of State shall not issue a safety officer license:
 - A) unless the safety officer applicant is 21 years of age.
 - B) if the applicant fails to properly make application for such license.

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- C) if the applicant submits a fraudulent application.
- D) if the applicant owes outstanding fees to the Secretary of State.
- E) if the applicant's driver's license is currently canceled, suspended or revoked.
- F) unless the safety officer applicant is employed by a third-party certifying entity.
- G) unless the safety officer applicant has, for at least 2 years immediately preceding application, a valid driver's license in the specific classification in which he/she intends to test and, if intending to skills test school bus permit applicants, a current, valid school bus driver permit.
- H) to any person intending to skills test CDL driver applicants or school bus permit applicants who:
 - i) has not completed the third party CDL training session administered by the Secretary of State, Driver Services Department's Commercial Driver Training section. The written test will consist of 30 questions pertaining to Secretary of State Examiners Guide for CDL and will be offered by the department at periodic intervals. In order to pass the written test an individual shall answer at least 24 questions correctly. The third party school bus program will have an additional 10 questions and the individual must answer 8 questions correctly in order to pass.
 - ii) has not passed a CDL skills examination in the classification and/or endorsements in which they intend to skills test. The department will offer this examination at periodic intervals. Each applicant will be given a maximum of 3 opportunities in a twelve month period to pass the commercial driver's license safety officer examination. An applicant for a commercial driver's license safety officer may be allowed to attempt the road

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test a second time in the same day during normal business hours of the Driver Services facility if he/she fails the first attempt to pass the road test. However, if the applicant demonstrates a danger to the public safety during his/her first attempt to pass a road test, he/she will not be allowed to make a second or subsequent attempt during the same day. An applicant will not be allowed to make a third attempt to pass a road test on the same day in which he/she failed the previous attempt. Individuals who have failed their third examination must wait at least 1 year from the date of the third failure before making a new application.

- I) to any person whose driver's license has been suspended or revoked, within a period of 5 years after the date of application.
 - J) to any person who fails to properly make application for such safety officer's license or otherwise indicates that he/she is unqualified to receive such a license.
 - K) to any person who is currently a salaried employee of the Secretary of State.
 - L) to the applicant who does not meet the requirements provided in subsection (i)(1)(H) of this Section.
 - M) to the applicant who does not hold a valid Illinois driver's license or a driver's license from a contiguous state in the classification and/or endorsement in which he/she intends to skills test.
 - N) to any applicant who has been convicted of driving while under the influence of alcohol, other drugs, or a combination thereof.
 - O) to any individual who has failed to comply with the provisions of this Part.
 - P) to any person who is an owner or an instructor of a commercial driver training school.
- 2) Denial of License. The Secretary of State shall deny a safety officer's

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license upon evidence that:

- A) the applicant has been convicted of driving while under the influence of alcohol, other drugs, or a combination thereof; leaving the scene of an accident; or reckless homicide or reckless driving, or is suspended under Section 6-206(a)(3) of the Illinois Driver Licensing Law of the Illinois Vehicle Code or Section 11-501.1 of the Illinois Rules of the Road of the Illinois Vehicle Code within 5 years prior to the date of application.
- B) the applicant fails to properly make application for such license.
- C) the applicant is not employed by a third-party certifying entity.
- D) the applicant is currently a salaried employee of the Secretary of State.
- E) the applicant is not at least 21 years of age.
- F) the applicant submits a fraudulent application.
- G) the applicant owes outstanding fees to the Secretary of State.
- H) the applicant's driver's license is currently canceled, suspended or revoked.
- I) the applicant's driver's license has been suspended or revoked within a period after 5 years of the date of application. However, suspensions related to auto emissions and parking are exempt from the five year period after the suspension is terminated.
- J) the applicant has not held, for at least 2 years immediately preceding application, a valid license in the classification and/or endorsement in which he intends to test, or the equivalent under the classification system prior to April 1, 1990.
- K) the applicant does not meet the requirements provided in subsection (i)(1)(H) of this Section.

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- L) the applicant does not hold a valid Illinois driver's license or a driver's license from a contiguous state in the classification and/or endorsement in which he/she intends to skills test.
 - M) the applicant is an owner or instructor of a commercial driver training school.
- 3) The Secretary of State shall immediately cancel a safety officer's license upon evidence that:
- A) the individual's driver's license is currently canceled, suspended or revoked.
 - B) the individual's driver's license has been suspended or revoked within a period of 5 years after the date of application. However, suspensions related to auto emissions and parking are exempt from the 5 year period after the suspension is terminated.
 - C) the individual has not held, for at least 2 years immediately preceding application, a valid license in the classification in which he/she intends to test or the equivalent under the classification system prior to April 1, 1990, unless it is a CDL classification or endorsement.
 - D) the individual intends to skills test CDL driver applicants, but has not received training equivalent to that given to Secretary of State examiners administering CDL driving skills tests.
 - E) the individual is no longer employed by the third-party certification entity or no longer has a valid license.
 - F) the individual is currently a salaried employee of the Secretary of State.
 - G) the individual owes outstanding fees to the Secretary of State.
 - H) the individual fails to administer a minimum of 12 skills tests to candidates for employment or membership as required in subsection (b)(3)(B) of this Section.

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- I) the individual is an owner or instructor of a commercial driver training school.
- 4) The Secretary of State shall suspend a safety officer's license:
- A) if it is discovered the safety officer is certifying applicants who have not obtained instruction permits, and/or have not maintained such instruction permits for at least 2 weeks prior to testing and certification.
 - B) for improper record keeping in violation of subsection (d)(11) of this Section; and
 - C) upon any violation of this Part.
- 5) The Secretary of State shall revoke a safety officer's license upon receipt of evidence that:
- A) the individual has been convicted of driving under the influence of alcohol, other drugs, or a combination thereof; leaving the scene of an accident; or reckless homicide or reckless driving, or is suspended under Section 6-206(a)(3) or 11-501.1 of the Illinois Vehicle Code within 5 years prior to the date of application.
 - B) the individual submits a fraudulent application.
 - C) the individual engages in or permits any type of fraudulent activity, either with reference to a student or the Secretary of State, which includes but is not limited to certifying a person not eligible.
- 6) The Secretary of State shall have the discretionary authority to issue warning letters to third-party certifying entities or safety officers for violations of the regulations and laws governing commercial driver training schools as found in this Part and Article IV of the Illinois Driver Licensing Law of the Illinois Vehicle Code.
- j) Hearings

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- 1) Prior to the denial of a third-party entity and/or safety officer's license, the Department shall send written notice to that person and/or entity. If a formal hearing is requested, the request must be in writing during the notice period. The basis for denial of a license is stated in subsections (g)(1) through (6) and (i)(2)(A) through (L) of this Section.
- 2) Prior to the suspension or revocation of the license or accreditation of a third-party certifying entity or safety officer, the Department will conduct a hearing in accordance with 92 Ill. Adm. Code 1001, Subpart A and Section 2-118 of the Illinois Vehicle Code [625 ILCS 5/2-118], wherein the Department will present competent evidence to establish violations of any regulations or laws governing third-party entities and/or safety officers and seek the appropriate sanctions in accordance with this Section.
- k) Review Under Administrative Law. Judicial Review - The action of the Secretary of State in canceling, suspending, revoking or denying any license under this Act shall be subject to judicial review in the Circuit Court of Sangamon County or the Circuit Court of Cook County, pursuant to Section 2-118 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-118] and the provisions of the Administrative Review Law [735 ILCS 5/Art. 3]. All the provisions and modifications thereto, and all the rules adopted thereto, are hereby adopted and shall apply to and govern every action for judicial review of the final acts or decisions of the Secretary of State under this Section.

(Source: Amended at 31 Ill. Reg. 14849, effective October 22, 2007)

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- 1) Heading of the Part: Requirements for Accounting, Budgeting, Financial Reporting, and Auditing
- 2) Code Citation: 23 Ill. Adm. Code 100
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
100.10	New Section
100.20	New Section
100.30	New Section
100.40	New Section
100.50	New Section
100.60	New Section
100.70	New Section
100.80	New Section
100.90	New Section
100.100	New Section
100.110	New Section
100.120	New Section
100.TABLE A	New Section
100.TABLE B	New Section
100.TABLE C	New Section
100.TABLE D	New Section
100.TABLE E	New Section
100.TABLE F	New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1
- 5) Effective Date of Rules: October 19, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes; please see Section 100.20.
- 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 Illinois Register: June 1, 2007; 31 Ill. Reg. 7524

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10) Has JCAR issued a Statement of Objection to these rules? No

11) Differences between proposal and final version:

Section 100.10 was rewritten to distinguish more carefully the applicability of this Part's requirements to various types of entities.

The proposed version of Section 100.40(a) was revised to make it clearer that each school board will choose the types of funds that are applicable to a particular district, rather than there being a universal requirement for numerous types of funds to be established.

The reporting requirements enumerated in Section 100.100(a) were divided so that those not applicable to the Chicago Public Schools would be correctly delineated.

Various technical corrections were made at the request of 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 any emergency rulemaking currently in effect? No

14) Are there any other proposed rulemakings pending on this Part? No

15) Summary and Purpose of Rules: This rulemaking represents a comprehensive updating of the Program Accounting Manual (23 Ill. Adm. Code 110). The new material is being placed into a new Part 100 with a new, more descriptive title. This new Part will eventually replace both current Part 110 and current Part 125 (Student Activity Funds and Convenience Accounts), but those rules will be retained for some further time because new Part 100 will not apply to the 2007-2008 school year. (A concurrent amendment is being made to each of those Parts so this timetable will be apparent.)

It is to be expected that many of the codes assigned throughout existing Part 110 are no longer useful due to changes in sources of funding that have occurred over the years. Further, and in addition to updating the codes that are required of all districts, the chart of accounts imposed through these rules needs to offer a coherent structure of optional codes that can be used to respond to local needs and circumstances. The tables that accompany the narrative text of new Part 100 have therefore been reorganized to provide this desired flexibility.

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

Debbie Vespa
School Business and Support Services Division
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

217/785-8779

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER c: FINANCEPART 100
REQUIREMENTS FOR ACCOUNTING, BUDGETING,
FINANCIAL REPORTING, AND AUDITING

Section	
100.10	Purpose and Applicability
100.20	Definitions
100.30	General Requirements
100.40	Types of Funds, Basis of Accounting, and Recognition of Transactions
100.50	Intra-Fund and Inter-Fund Transactions
100.60	Capital Assets and Depreciation
100.70	Revolving Funds
100.80	Student Activity Funds
100.90	Submission of Budgets and Deficit Reduction Plans
100.100	Annual Financial Reports
100.110	Annual Audit Requirements
100.120	Provisions Related to Debt
100.TABLE A	Classification of Funds
100.TABLE B	Balance Sheet Accounts
100.TABLE C	Revenue Accounts
100.TABLE D	Expenditure Accounts
100.TABLE E	"Sources and Uses" Accounts; Miscellaneous
100.TABLE F	Expenditure Object Accounts

AUTHORITY: Implementing and authorized by Sections 2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1 of the School Code [105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1].

SOURCE: Old Part repealed at 10 Ill. Reg. 20507, effective December 2, 1986; new Part adopted at 31 Ill. Reg. 14874, effective October 19, 2007.

Section 100.10 Purpose and Applicability

This Part establishes requirements for school districts' budgets and accounts as required by Section 2-3.27 of the School Code. Beginning with Fiscal Year 2009, the requirements of this Part shall apply to each Illinois school district and to each cooperative or joint agreement

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established pursuant to Section 10-22.20a, 10-22.31, 10-22.31a, or 10-22.31b of the School Code [105 ILCS 5/10-22.20a, 10-22.31, 10-22.31a, or 10-22.31b], as well as to other recipients of State or federal funding through the State Board of Education, as applicable pursuant to the relevant grant agreements. For purposes of this Part, the term "district" includes each of these entities as applicable.

Section 100.20 Definitions

"Basis of accounting" means either a cash basis or an accrual basis. For purposes of this Part, "cash basis" includes a modified cash basis, and "accrual basis" includes a modified accrual basis.

"Capital asset" means any parcel of land, building, improvement to land other than buildings, instrument, machine, apparatus, or set of articles that:

under normal conditions of use, including reasonable care and maintenance, can be expected to serve its principal purpose for longer than 12 months;

does not lose its identity through fabrication or incorporation into a different or more complex unit or substance;

is nonexpendable; that is, if it is damaged or some of its parts are worn out, it is more feasible to repair than replace;

retains its appearance and character through use; and

has a cost equal to or in excess of the capitalization threshold adopted by the school board.

"Capitalization threshold" means a dollar figure above which the cost of an item will be depreciated.

"CFDA" means the Catalog of Federal Domestic Assistance available on the U.S. General Services Administration's website at <http://12.46.245.173/cfda/cfda.html>.

"Class I county school unit" means a county with fewer than 2,000,000 inhabitants.

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"Class I school district" means any school district located within a Class I county school unit.

"Class II county school unit" means a county with 2,000,000 or more inhabitants.

"Class IIA school district" means any school district that is located within a Class II county school unit but is not subject to the jurisdiction of the trustees of schools of any township in which the district is located.

"Class IIB school district" means any school district that is located within a Class II county school unit and is subject to the jurisdiction of the trustees of schools of any township in which the district is located.

"Construction in progress" means construction work undertaken but not yet completed.

"Depreciable land" means land that is owned by a school board and used for school bus storage or maintenance and on which depreciation is claimed in accordance with the provisions of 23 Ill. Adm. Code 120 (Pupil Transportation Reimbursement).

"Depreciation allowance" means an estimate of the annual cost of using an item that is based on its acquisition cost divided by its assumed or estimated useful life.

"Dimension" means a classification that is used to describe various characteristics of accounts (e.g., expenditures, revenues, and sources and uses of funds).

"Equipment (3-year schedule)" means repairs or modifications to a pupil transportation vehicle, pupil monitoring equipment installed on school buses, including video cameras, and computer equipment used exclusively in the food service program.

"Equipment (5-year schedule)" means vehicles used to transport students, driver education cars, vehicles or transportation equipment used exclusively in the food service program, and equipment necessary for the operation of a special educational facility.

"Equipment (10-year schedule)" means any capitalized equipment not included on the 3-year or 5-year schedule, including, but not limited to, other equipment used

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in the food service program, other equipment used in the driver education program, two-way transportation vehicle communication systems, pupil transportation equipment not installed in a vehicle, and service vehicles (such as tow trucks) used to service pupil transportation vehicles.

"Expenditures" means transactions involving the disbursement of cash or the establishment of an obligation without creating an asset or canceling a liability.

"Generally accepted governmental auditing standards" means the "Standards for Audit of Government Organizations, Programs, Activities and Functions" (2003) published by the Comptroller General of the United States. No later amendments to or editions of these standards are incorporated by this Section.

"Non-capitalized equipment" means any item that would be a capital asset except for the fact that its cost is less than the capitalization threshold adopted by the school board.

"Non-depreciable land" means any land owned by a school board that does not qualify as depreciable under this Section.

"Operating Funds" means the Educational, Operations and Maintenance, Transportation, and Working Cash funds.

"Permanent buildings and building improvements" means buildings and additions, either existing or to be constructed, that are properly classified as real estate. Included are expenditures for installment or lease payments (exclusive of interest) under capitalized leases.

"Petty cash fund" means a fund in which a sum of cash is set aside for the purpose of making change or making immediate payments when the amounts involved are so small that processing through the school board's regular procedure would be uneconomical.

"Revenues" means transactions involving the receipt of cash without creating a liability or canceling an asset.

"Revolving fund" means a fund out of which disbursements can be made quickly, to address emergencies and other timing issues that prevent a district from following its regular procedures for disbursement.

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"School board" means the board of education or board of directors of a school district or the governing board or board of control of a cooperative or joint agreement.

"Student activity funds" means funds owned, operated, and managed by organizations, clubs, or associations within the student body under the guidance and direction of one or more staff members for educational, recreational, or cultural purposes. (Examples: homeroom, yearbook, class year, choral or band group, class projects, student clubs, student council, student-sponsored bookstore)

"Supplies" means items of a consumable nature not classified as capital assets or non-capitalized equipment.

"Temporary buildings and building improvements" means buildings and additions, either existing or to be constructed, that are properly classified as personal property and are primarily characterized by the absence of a permanent foundation. Included are expenditures for installment or lease payments (exclusive of interest) under capitalized leases.

"Unbalanced budget" means a budget in which the direct revenues of the operating funds are less than the direct expenditures from those funds by an amount that is greater than one-third of the funds' ending fund balances.

Section 100.30 General Requirements

- a) Each school board shall use an appropriate set of journals and ledgers for the recording, summarization, and control of transactions and shall use the double-entry bookkeeping method and a fund accounting system.
- b) Each school board shall establish and maintain the number and types of funds necessitated by the nature and scope of its operations.
- c) Each chart of accounts shall incorporate at least the following dimensions:
 - 1) fund or fund group (see Table A of this Part);
 - 2) balance sheet accounts (see Table B of this Part);

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- 3) revenue sources (see Table C of this Part);
 - 4) expenditure purposes or functions (see Table D of this Part); and
 - 5) expenditure objects (see Table F of this Part).
- d) Each school board shall use the account codes assigned by the State Superintendent of Education. However, any number not listed in the tables of this Part may be used if the description falls within the relevant classification. Prefixes and suffixes may also be used, provided that the basic code assigned by the State Superintendent remains discernible for purposes of aggregating and reporting information.

Section 100.40 Types of Funds, Basis of Accounting, and Recognition of Transactions

- a) Each school board shall establish general, special revenue, capital project, debt service, permanent, enterprise, internal service, pension and employee benefit trust, investment trust, agency, and private-purpose funds, as applicable to the district's circumstances and the basis of accounting used.
- b) Pursuant to Section 10-17 of the School Code [105 ILCS 5/10-17], each school board may use either a cash basis or an accrual basis of accounting.
- c) When the accrual basis is used:
 - 1) Property taxes for the budget year that are levied on or before the last Tuesday in December shall be shown as a receivable on the balance sheet as of January 1 and recorded as revenue if received, or reasonably expected to be received, on or before August 31. Property taxes that are receivable after August 31 but not yet received shall be treated and reported as revenue. Property taxes levied after the last Tuesday in December but prior to June 30 of the fiscal year shall be shown as a receivable as of the date of the levy and recorded as revenue.
 - 2) General State Aid payments for the months of June and July of a fiscal year shall be treated as revenue received in that fiscal year, provided that the payments are received prior to August 31 following the end of the fiscal year.

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- 3) Pass-through grants shall be treated as revenues if the recipient exercises administrative or financial control over the program in question. If the recipient serves only as a cash conduit, the pass-through grant shall be accounted for in an agency fund.

Section 100.50 Intra-Fund and Inter-Fund Transactions

- a) Interest
 - 1) Interest earned on taxes or bonds shall be treated in accordance with the applicable provisions of Sections 10-22.14, 10-22.44, 17-2.2a, 17-2.3, 17-2.11, 20-5, and 27-23 of the School Code [105 ILCS 5/10-22.14, 10-22.44, 17-2.2a, 17-2.3, 17-2.11, 20-5, and 27-23], the Illinois Pension Code [40 ILCS 5], and the Local Governmental and Governmental Employees Tort Immunity Act [745 ILCS 10].
 - 2) Interest earned on State grants shall be treated in accordance with the provisions of the Illinois Grant Funds Recovery Act [30 ILCS 705].
 - 3) Interest earned on federal grant funds shall be treated in accordance with the relevant federal regulations.
 - 4) Unless otherwise provided by statute or specified by board resolution adopted prior to June 30 of a fiscal year, interest earnings shall be added to and become part of principal as of June 30 of the fiscal year.
- b) Premiums on bonds shall be treated in accordance with the provisions of Section 10-22.14 of the School Code.
- c) Loans from the Working Cash Fund to any other fund are subject to the provisions of Sections 20-4 and 20-5 of the School Code [105 ILCS 5/20-4 and 20-5], while any other loans between or among funds are subject to the provisions of Section 10-22.33 of the School Code [105 ILCS 5/10-22.33].
- d) Permanent Inter-Fund Transfers
 - 1) When revenues or other sources of funds are pledged to pay debt service on any long-term debt, the moneys shall be transferred into the Debt Service Fund.

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- 2) When revenues or other sources of funds are pledged to pay for a capital project or acquisition, the moneys shall be transferred into the Capital Projects Fund, except in case of acquisition of any equipment that must be financed from the transportation fund pursuant to Section 17-8 of the School Code [105 ILCS 5/17-8].
- 3) The Working Cash Fund may be either abated or abolished in accordance with the procedures specified in Section 20-8 of the School Code [105 ILCS 5/20-8].
- 4) All other inter-fund transfers shall be accomplished in accordance with the applicable provisions of Section 17-2A of the School Code [105 ILCS 5/17-2A].

Section 100.60 Capital Assets and Depreciation

- a) In order to account for capital assets properly, each school board shall adopt a capitalization threshold.
- b) For purposes of calculating per capita costs under Section 18-3 of the School Code [105 ILCS 5/18-3], the depreciation allowance shall include both depreciable capital assets and non-capitalized equipment.
- c) Unless otherwise required by state or federal law or regulation, useful lifetimes and annual depreciation rates for various classes of capital assets and non-capitalized equipment shall be based on the following schedule.

Classification	Estimated Useful Lifetime	Annual Depreciation Rate
Works of Art and Historical Treasures	Permanent	None
Land	Permanent	None
Permanent Buildings	50 Years	2%
Temporary Buildings	20 Years	5%
Improvements other than Buildings (Infrastructure)	20 Years	5%
Equipment (Three-Year Schedule)	3 Years	33% ²
Equipment (Five-Year Schedule)	5 Years	20%

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Equipment (Ten-Year Schedule)	10 Years	10%
Construction in Progress	Not Applicable	None
Non-Capitalized Equipment	10 Years	10%

Section 100.70 Revolving Funds

The requirements of this Section shall apply to revolving funds and petty cash funds established by a school board pursuant to Section 10-20.19(2) of the School Code [105 ILCS 5/10-20.19(2)].

- a) Each resolution shall establish the school board's policy as to the amounts and types of payments that shall be made from the fund, state the amount at which the fund shall be established, designate a custodian of the fund, and require that the fund be maintained in compliance with Section 10-20.19 of the School Code and all other applicable statutes.
- b) In the case of a petty cash fund:
 - 1) The resolution shall also authorize a check in the amount of the fund to be drawn payable to the designated custodian.
 - 2) Each disbursement shall be approved by the signature of a person other than the custodian.
 - 3) Each petty cash voucher shall be pre-numbered and each shall be accounted for as having been used, voided, or unused. Each petty cash voucher shall also provide for the signature of the person to whom cash is paid.
 - 4) The custodian shall attach to each petty cash voucher the receipt for the disbursement made and shall note the proper expenditure account code or provide sufficient descriptive information to allow assignment of the correct code.
 - 5) When the larger part of the cash on hand has been disbursed, the custodian shall take the paid petty cash vouchers to the person authorized to prepare and issue checks so that the fund can be replenished.
- c) In the case of any revolving fund other than a petty cash fund:

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- 1) The resolution shall also provide that the fund shall be maintained in a bank.
 - 2) The total of all checks written since the last reimbursement plus the bank balance for the checking account shall equal the amount set aside for the revolving fund.
 - 3) No check shall be issued without presentation of pre-approved documentation for the expenditure, such as a signed voucher, a completed and approved travel request, an approved purchase requisition, an order, or an invoice. The record for each check written shall include the expense account code or sufficient descriptive information to allow assignment of the correct code.
 - 4) At regular intervals, the revolving fund shall be reimbursed up to its original amount. The check written for this reimbursement shall be included on the school board's monthly listing of bills, charging the appropriate expenditure accounts and indicating the recipient and explanation for each revolving fund check that was issued.
- d) If a school board has obtained and issued credit cards or procurement cards for the use of board members, the superintendent, or other district employees or officials to pay certain job-related expenses or to make purchases on behalf of the board or district or any student activity funds, or for purposes that would otherwise be addressed through a conventional revolving fund, then the board shall adopt a written credit card policy that at least:
- 1) identifies the allowable types of purchases;
 - 2) provides for the issuing bank to block the cards' use at unapproved merchants;
 - 3) limits the amount a card-holder can charge in a single purchase or within a given month;
 - 4) provides specific guidelines on purchases via telephone, fax, and the Internet;
 - 5) indicates the consequences for unauthorized purchases;

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- 6) requires card-holders to sign a statement affirming that they are familiar with the board's credit card policy;
- 7) requires review and approval of purchases by someone other than the card-holder or user;
- 8) requires submission of original receipts to document purchases; and
- 9) forbids the use of a card to make purchases in a manner contrary to the requirements of Section 10-20.21 of the School Code [105 ILCS 5/10-20.21].

Section 100.80 Student Activity Funds

The requirements of this Section shall apply to student activity funds established by a school board pursuant to Section 10-20.19(3) of the School Code [105 ILCS 5/10-20.19(3)].

- a) The board shall take the following actions with respect to each fund:
 - 1) approve the fund's establishment and purpose;
 - 2) set policies for students' participation and for supervision by adults;
 - 3) approve the collection of all monies;
 - 4) cause records to be kept that will verify the amounts received and disbursed and the assets on hand;
 - 5) appoint a treasurer, bonded in accordance with Section 8-2 of the School Code [105 ILCS 5/8-2], who will be the custodian of the fund's assets and perform the duties listed in subsection (c) of this Section;
 - 6) determine whether the treasurer will be authorized to invest any of the fund's assets;
 - 7) designate depositories for cash and any investments;
 - 8) determine the method of distribution of earnings from investments, if any;

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- 9) determine whether, and under what circumstances, loans may be transacted between funds;
 - 10) if the relevant activity has been discontinued, or if there has been no activity for one year, transfer money to another activity fund, to the district's funds, or to members of the activity group on a pro rata basis; and
 - 11) designate the individuals who will have authority to approve written purchase orders or other authorizations that will be required in order to spend funds in instances in which the provisions of Section 10-20.21 of the School Code do not apply and those who will have authority to conduct procurement activities when those provisions do apply.
- b) Each activity group shall deposit any funds received from any source with the activity fund's treasurer and obtain a signed receipt identifying the activity fund and the amount.
- c) The treasurer of each activity fund shall:
- 1) be the fund's sole custodian;
 - 2) keep all monies in a depository designated in accordance with Section 8-7 of the School Code [105 ILCS 5/8-7] or invest them in conformance with the Public Funds Investment Act [30 ILCS 235] and maintain liability accounts to show the ownership of all assets;
 - 3) make all disbursements from the fund by a treasurer's check drawn upon the fund;
 - 4) write checks only when sufficient funds are on hand to cover them;
 - 5) reconcile the bank and investment balances with the fund's liabilities monthly;
 - 6) provide to group members and the school board a monthly report that includes a statement of receipts, disbursements, and current balances;

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- 7) carry the fund's balance over to the next fiscal year unless otherwise instructed by the school board; and
 - 8) make loans between activity funds, if and as authorized by the board's policy.
- d) If the board subsidizes a portion of an activity fund, that portion shall be reported as an expenditure or disbursement against the board's regular budget and as a revenue or cash receipt by the activity fund.

Section 100.90 Submission of Budgets and Deficit Reduction Plans

Each school board, including the board of education of a district organized under Article 34 of the School Code [105 ILCS 5/Art. 34], shall annually submit its adopted budget to the State Superintendent of Education, using a format provided by the State Superintendent, within 30 days after adopting the budget or by October 31, whichever occurs sooner. The budget shall be accompanied by a deficit reduction plan, prepared using a format provided by the State Superintendent, if one is required under Section 17-1 of the School Code [105 ILCS 5/17-1].

- a) If amendments to a balanced budget result in an unbalanced budget, the school board shall prepare and adopt a deficit reduction plan and submit it along with the amended budget to the State Superintendent within 30 days after adoption.
- b) If the annual audit reveals that a budget would have been unbalanced if it had been properly amended, the school board shall submit a deficit reduction plan within 30 days after the board's acceptance of the audit report.

Section 100.100 Annual Financial Reports

- a) Each annual financial report shall be prepared on forms specified by the State Superintendent of Education and, in order to capture all financial information required to be reported pursuant to Sections 2-3.11, 2-3.27, 3-15.1, 10-17, 10-20.21, 17-1, and 18-3 of the School Code [105 ILCS 5/2-3.11, 2-3.27, 3-15.1, 10-17, 10-20.21, 17-1, and 18-3], as well as information required for federal reports pursuant to 34 CFR 75.560, 75.561, and 80.22 and by Circular 87 issued by the Office of Management and Budget, shall include:
 - 1) a balance sheet;

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- 2) a basic financial statement;
 - 3) a statement of revenues and other financing sources and uses;
 - 4) a statement of expenditures and other disbursements;
 - 5) a schedule of the taxes levied, received, and receivable, as well as tax rates;
 - 6) a schedule of capital assets and depreciation;
 - 7) a schedule of long-term debt;
 - 8) a schedule of short-term debt; and
 - 9) a schedule of expenditures related to the determination of the indirect cost rate.
- b) The annual financial report of each district not organized under Article 34 of the School Code shall also include:
- 1) a schedule of vendor contracts;
 - 2) a "budget-to-actual" comparison schedule;
 - 3) a schedule of statistics for the statement of affairs;
 - 4) a schedule of employees by salary category; and
 - 5) a schedule of other payments.
- c) The annual financial report of each joint agreement and each Class I or Class IIA school district shall include a schedule of student activity funds, displaying the opening and closing balances and annual activity for each fund.
- d) A schedule of student activity funds in a Class IIB school district shall be included:
- 1) in the district's annual financial report, if the funds are included within the scope of the district's annual audit; or

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- 2) with the separate audit report covering all student activity funds, if the funds are not included within the scope of the district's annual audit.
- e) The annual financial report of a school district subject to Article 34 of the School Code shall provide the level of detail called for in Section 34-43.1(E) of the School Code [105 ILCS 5/34-43.1(E)].
- f) An annual financial report shall be signed by:
 - 1) the chief administrator, if for a joint agreement;
 - 2) the district superintendent, if for a Class I or Class IIA school district; or
 - 3) the township treasurer, if for a Class IIB school district.

Section 100.110 Annual Audit Requirements

Pursuant to Section 2-3.17a of the School Code [105 ILCS 5/2-3.17a], audits of regional offices of education and intermediate service centers are the responsibility of the Auditor General. Each annual audit of any other entity subject to this Part shall be conducted in accordance with generally accepted governmental auditing standards, and each audit report shall state that the audit was performed in accordance with those standards.

- a) **Joint Agreements and Class I or Class IIA School Districts**
The scope of each audit performed with respect to a joint agreement or a Class I or Class IIA school district shall encompass at least:
 - 1) all funds established by the school board, including any revolving or petty cash funds (see Section 100.70 of this Part);
 - 2) all student activity funds (see Section 100.80 of this Part);
 - 3) the statements and schedules described in Section 100.100(a)(1)-(8), (10), and (11) of this Part;
 - 4) compliance with applicable laws and regulations; and
 - 5) review and testing of the internal control structure.

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- b) Class IIB School Districts
 - 1) The scope of each audit performed with respect to a Class IIB school district shall encompass at least:
 - A) all funds established by the school board;
 - B) the statements and schedules described in Section 100.100(a)(1)-(8), (10), and (11) of this Part;
 - C) compliance with applicable laws and regulations; and
 - D) review and testing of the internal control structure.
 - 2) If the scope of an audit does not include all the district's revolving funds and student activity funds, the school board shall secure a separate audit of these funds, which shall be performed in accordance with generally accepted government auditing standards.
- c) In determining the adequacy of audits, the State Superintendent of Education shall consider:
 - 1) the qualifications of the individual who prepared the audit report;
 - 2) whether the responsible auditor has affirmed that the audit was performed in accordance with the applicable standards;
 - 3) whether the scope of the audit conforms to the requirements of subsection (a) or (b) of this Section, as applicable;
 - 4) whether the audit report submitted covers the entire scope of the audit, as reflected in the engagement letter;
 - 5) whether the audit report includes a signed opinion and notes, provided that, if the opinion rendered is other than unqualified, the report shall include a written explanation of the qualifications or disclaimer; and

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- 6) whether the report includes an audit questionnaire completed and signed by the individual who conducted the audit.

Section 100.120 Provisions Related to Debt

- a) For purposes of Section 19-1(b) of the School Code [105 ILCS 5/19-1(b)], the State Superintendent of Education shall concur with a district's enrollment projection and approve the need for additional school sites or building facilities and the cost of these only when:
 - 1) the enrollment information presented to demonstrate that the level of growth required under Section 19-1(b)(1) of the School Code consists of either:
 - A) a comparison between actual enrollment figures for the current school year and those for the immediately preceding school year from the same source (e.g., the two consecutive fall enrollment and housing reports); or
 - B) a comparison between the actual enrollment figure for the current school year and the estimated enrollment figure for the immediately following school year; and
 - 2) the same criteria and procedures have been met as are used by the Capital Development Board in making comparable decisions related to the School Construction Program (see 71 Ill. Adm. Code 40.130).
- b) For purposes of Section 19-1(q) of the School Code [105 ILCS 5/19-1(q)], a district shall notify the State Superintendent of Education no fewer than 30 days *before issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the applicable debt limit.*

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Section 100.TABLE A Classification of Funds

Label	Account Number	Notes; Source
Educational Fund	10	This is effectively the district's general fund. Each transaction not accommodated by another specific fund shall be processed through this fund. [105 ILCS 5/17-2]
Operations & Maintenance Fund	20	This fund is required if a tax is levied for purposes of operations and maintenance. [105 ILCS 5/17-2 and 17-7]
Debt Service Fund or Fund Group	30	This fund or fund group is required if taxes are levied to retire bond principal or to pay bond interest, or if other revenue is pledged to pay principal, interest, or service charges on other long-term debt instruments. A separate fund shall be established for each issue, but the funds shall be aggregated for reporting purposes. [105 ILCS 5/Art. 19]
Transportation Fund	40	This fund is required if a district pays for transporting pupils for any purpose. All costs of transportation, other than those authorized by statute to be paid from another fund, shall be paid from this fund. Any funds received for transportation purposes must be deposited into this fund, with amounts due other funds appropriately transferred thereafter.
Municipal Retirement and Social Security Fund	50	This fund is required if a tax is levied to pay for contributions to municipal retirement systems, Social Security, or Medicare. [105 ILCS 5/17-1, 21-110, and 21-110.1]
Capital Projects Fund or Fund Group	60	This fund or fund group is required to account for proceeds resulting from each bond issue, receipts from other long term financing agreements (including impact fee agreements), or construction or maintenance grants used to finance a capital project, capital lease, or lease purchase agreement, or if a tax is levied in accordance with Section 17-2.3 of the School Code. A separate fund shall be established for each project or financing source, but aggregated for reporting purposes.

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Working Cash Fund	70	This fund is required if a tax is levied or bonds are issued for working cash purposes. [105 ILCS 5/Art. 20]
Tort Immunity and Judgment Fund	80	This fund is required if taxes are levied or bonds are sold for tort immunity or tort judgment purposes.
Fire Prevention and Safety Fund or Fund Group	90	This fund or fund group is required if a tax is levied or bonds are issued for purposes of fire prevention, safety, energy conservation, or school security. A separate fund must be created for each project or bond issue. [105 ILCS 5/2-3.12 and 17-2.11]
Capital Asset Accounts or Fund Groups	95	This group of accounts records all the district's tangible fixed assets, including land, buildings, machinery, equipment, furniture, and fixtures, regardless of which fund provided the cash at the time of purchase.
Long-Term Debt Accounts or Fund Groups	97	This group of accounts records all the district's outstanding bonds and other long-term debt.
Agency Fund or Fund Group	99	These funds may include revolving funds, petty cash funds, and student activity funds, as needed. [105 ILCS 5/10-20.19] (See also Sections 100.70 and 100.80 of this Part.)

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Section 100.TABLE B Balance Sheet Accounts

Label	Account Number	Notes
ASSETS		
CURRENT ASSETS	100	
CASH	110	
Cash in Bank (Imprest Fund)	111	A fund maintained in a bank to provide for emergency disbursements when issues of timing preclude following the regular disbursement procedure.
Cash on Hand	112	Currency, coin, checks, money orders, and bankers' drafts on hand or on deposit with an official or agent designated as the custodian of cash and bank deposits.
Petty Cash	113	Money set aside to make change or immediate payments of small amounts, such as freight bills.
Change Cash	114	Money set aside for the purpose of providing change for cash registers.
Cash with Fiscal Agents	115	Funds on deposit with fiscal agents, such as commercial banks, for the payment of matured bonds and interest.
INVESTMENTS	120	
Investments	121	Securities and real estate held for the production of income in the form of interest, dividends, rentals, or lease payments.
Unamortized Premiums on Investments	122	The excess of the amount paid for securities over the face value that has not yet been amortized.
Unamortized Discounts on Investments (Credit)	123	The excess of the face value of securities over the amount paid for them that has not yet been written off.
Interest Receivable on Investments	124	Amounts of interest receivable on investments.

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Accrued Interest on Investments Purchased	125	Interest accrued on investments between the last interest payment date and date of purchase.
TAXES RECEIVABLE	130	
Taxes Receivable	131	The uncollected portion of taxes levied, including any interest or penalties that may be accrued. Separate accounts may be maintained on the basis of tax roll year or for current and delinquent taxes.
Allowance for Uncollected Taxes (Credit)	132	A provision for that portion of taxes receivable that is considered unlikely to be collected.
Tax Liens Receivable	133	Legal claims against property that have been exercised because of nonpayment of delinquent taxes, interest, and penalties.
Estimated Uncollectible Tax Liens	134	A provision for that portion of tax liens receivable that is considered unlikely to be collected.
INTERFUND RECEIVABLES	140	
Interfund Loans Receivable	141	An asset account used to record a loan by one fund to another fund.
INTERGOVERNMENTAL ACCOUNTS RECEIVABLE	150	
Intergovernmental Accounts Receivable	151	Amounts due to the reporting governmental unit from other governmental units. These amounts represent grants-in-aid, shared taxes, taxes collected for the reporting unit by another unit, loans, and charges for service.
Estimated Uncollectible Claim from Other Governmental Units	152	A provision for that portion of money due from other governmental units that is considered unlikely to be collected.
Due from ISBE	153	Amounts due to be transmitted by the State Board of Education through the regional office of education for grants and contracts.
OTHER RECEIVABLES	160	
Loans Receivable	161	Amounts that have been loaned to persons or organizations, as permitted by statute.

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Allowance for Uncollectible Loans (Credit)	162	The portion of loans receivable that is considered unlikely to be collected. The account is shown on the balance sheet as a deduction from Account 161 (Loans Receivable).
Other Accounts Receivable	163	Amounts owing on an open account from private persons, firms, or corporations for goods and services furnished by a district (but not including amounts due from other funds or from other governmental units).
Allowance for Uncollectible Accounts Receivable (Credit)	164	A provision for that portion of accounts receivable that is considered unlikely to be collected. The account is shown on the balance sheet as a deduction from the Other Accounts Receivable.
INVENTORIES	170	
Inventories for Consumption	171	The cost of supplies and equipment on hand and not yet distributed to requisitioning units.
Inventories for Resale	172	The value of goods held by a district for resale rather than for use in its own operations (for example, the cost of all materials and other expense incurred in the building of vocational projects for sale).
PREPAID ITEMS	180	
Prepaid Items	181	Expenses entered in the accounts for benefits not yet received. Prepaid expenses differ from deferred charges in that they are spread over a shorter period of time than deferred charges and are regularly recurring costs of operations.
OTHER CURRENT ASSETS	190	
Deposits	191	Funds deposited by the district as a prerequisite to receiving services or goods.
Deferred Expenditures	192	Certain disbursements that are made in one period but are more accurately reflected as expenditures in the next fiscal period.

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Capitalized Bond and Other Debt Issuance Costs	193	Certain bond and other debt issuance costs, including lease-purchase debt issuance costs that are capitalized for the purpose of accounting for the cost/valuation basis of capital assets.
Premium/Discount on Issuance of Bonds	194	The portion of the excess of the face value of bonds over the amount received from their sale that remains to be written off over the life of the bonds.
Other Accrued Revenue	195	Accrued revenue that is not provided for elsewhere.
Other Current Assets	199	Current assets not provided for elsewhere.

CAPITAL ASSETS	200	
WORKS OF ART AND HISTORICAL TREASURES	210	Individual items or collections of items that are of artistic or cultural importance. These are non-depreciable assets.
LAND	220	This account reflects the acquisition value of land owned by a district. If land is purchased, this account shall include the purchase price and costs such as legal fees, filling and excavation costs, and other associated improvement costs.
Non-Depreciable Land	221	This account reflects the acquisition value of land owned by the district other than land acquired and or used for bus parking or maintenance and claimable under the Pupil Transportation Reimbursement program. See 23 Ill. Adm. Code 120.
Depreciable Land	222	This account reflects the acquisition value of land owned by the district and acquired or used for bus parking or maintenance and claimable under the Pupil Transportation Reimbursement program.
Accumulated Depreciation on Land	223	Accumulated amounts for the depreciation of land claimed under the Pupil Transportation Reimbursement program.

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BUILDINGS AND BUILDING IMPROVEMENTS	230	Expenditures for acquiring buildings and additions, either existing or to be constructed. Included are expenditures for installment or lease payments (except interest) that have a terminal date and result in the acquisition of buildings, except payments to public building commissions or similar agencies. Expenditures for major permanent structural alterations and the initial or additional installation of heating and ventilating systems, electrical systems, plumbing systems, fire protection systems, and other service systems in existing buildings are also included.
Permanent Buildings and Building Improvements	231	Buildings and additions that are properly classified as real estate.
Temporary Buildings and Building Improvements	232	Buildings and additions that are properly classified as personal property and are primarily characterized by the absence of a permanent foundation.
Accumulated Depreciation on Permanent Buildings and Building Improvements	233	Accumulated amounts for the depreciation of permanent buildings and building improvements.
Accumulated Depreciation on Temporary Buildings and Building Improvements	234	Accumulated amounts for the depreciation of temporary buildings and building improvements.

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SITE IMPROVEMENTS AND INFRASTRUCTURE	240	Expenditures for the initial and additional improvement of sites and adjacent ways after acquisition by the district, consisting of such work as grading, landscaping, seeding, and planting of shrubs and trees; constructing new sidewalks, roadways, retaining walls, sewers and storm drains; installing hydrants; initial surfacing and soil treatment of athletic fields and tennis courts; furnishing and installing for the first time fixed playground apparatus, flagpoles, gateways, fences, and underground storage tanks that are not parts of building service systems; and demolition work. Special assessments against the district for capital improvements such as streets, curbs, and drains are also recorded here.
Accumulated Depreciation on Site Improvements and Infrastructure	241	Accumulated amounts for the depreciation of site improvements and infrastructure.
CAPITALIZED EQUIPMENT	250	Any instrument, machine, apparatus, or set of articles whose cost equals or exceeds the capitalization threshold of the district.
Capitalized Equipment – 3-Year Schedule	251	Repairs or modifications to a pupil transportation vehicle, pupil monitoring equipment installed on school buses, including video cameras, and computer equipment used exclusively in the food service program.
Capitalized Equipment – 5-Year Schedule	252	Pupil transportation vehicles used to transport students, driver education cars, vehicles and transportation equipment used exclusively in the food service program, and equipment necessary for the operation of a special educational facility.

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Capitalized Equipment – 10-Year Schedule	253	All other capitalized equipment not included in the 3-year or 5-year schedules, including, but not limited to, other equipment used in the food service program, other equipment used in the driver education program, two-way transportation vehicle communication systems, pupil transportation equipment not installed in a vehicle, service vehicles (such as a tow truck) used to service pupil transportation vehicles, and other capitalized equipment.
Accumulated Depreciation on Capitalized Equipment – 3-Year Schedule	254	Accumulated amounts for the depreciation of capitalized equipment with a 3-year schedule.
Accumulated Depreciation on Capitalized Equipment – 5-Year Schedule	255	Accumulated amounts for the depreciation of capitalized equipment with a 5-year schedule.
Accumulated Depreciation on Capitalized Equipment – 10-Year Schedule	256	Accumulated amounts for the depreciation of capitalized equipment with a 10-year schedule.
CONSTRUCTION IN PROGRESS	260	The cost of construction work undertaken but not yet completed.

BUDGETING ACCOUNTS AND OTHER DEBITS	300	
ESTIMATED REVENUES	310	The amount of revenues estimated to be received or to become receivable during the fiscal period. At the end of the fiscal period, this account shall be closed out and shall not appear in a balance sheet prepared at the close of the fiscal year.
REVENUE (CREDIT)	320	The increase in ownership equity during a designated period of time. This account appears only in a balance sheet prepared during the fiscal period. At the end of the fiscal period, this account shall be closed out and shall not appear in a balance sheet prepared at the close of the fiscal year.

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BONDS AUTHORIZED - UNISSUED	330	Bonds which the district can issue without further proceedings other than to direct their sale.
AMOUNT AVAILABLE IN DEBT SERVICE FUNDS	340	This account designates the amount of assets available in a debt service fund for the retirement of general long-term debt.
AMOUNT TO BE PROVIDED FOR PAYMENT OF BONDS	350	This account represents the amount to be provided from taxes or other general revenue to retire outstanding general long-term debt.

LIABILITIES		
CURRENT LIABILITIES	400	
INTERFUND PAYABLES	410	
Interfund Loans Payable	411	An account used to record a debt owed by one fund to another fund of the same district.
Interfund Accounts Payable	412	Amounts owed to a fund by another fund for goods sold or services rendered.
INTERGOVERNMENTAL ACCOUNTS PAYABLE	420	
Intergovernmental Accounts Payable	421	Amounts owed by the reporting district to the named governmental unit.
Intergovernmental Accounts Payable - Unresolved	422	Amounts set up as liabilities due to the uncertainty of ownership of the amounts.
OTHER PAYABLES	430	
Accounts Payable	431	Liabilities owing to private persons, firms, or corporations for goods and services received by a district (not including amounts due to other funds or to other governmental units).
Judgments Payable	432	Amounts due to be paid as the result of court decisions, including condemnation awards for private property taken for public use.
Notes & Warrants Payable	433	Amounts due for tax anticipation warrants, corporate personal property tax anticipation notes, or other notes payable.
Vouchers Payable	434	Liabilities for goods and services received, as evidenced by vouchers that have been pre-audited and approved for payment but have not been paid.
CONTRACTS PAYABLE	440	

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Contracts Payable	441	Amounts due on contracts for assets, goods, and services other than construction.
Construction Contracts Payable - Retainage	442	Amounts due for the "retainage" portion of contracts for construction of building structures and other improvements.
Construction Contracts Payable	443	Amounts due on contracts for construction of building structures and other improvements.
BONDS PAYABLE	450	
Mature Bonds Payable	451	Bonds that have reached or passed their maturity date but remain unpaid.
Mature Bonds Payable - Interest	452	Interest on bonds that have reached the maturity date but remain unpaid.
Bonds Payable - Current	453	Bonds that have not reached or passed their maturity date but are due within one year.
Unamortized Premiums on Issuance of Bonds	454	That portion of the excess of bond proceeds over par value that remains to be amortized over the remaining life of the bonds.
LOANS PAYABLE	460	
Loans Payable	461	Short-term obligations representing amounts borrowed for short periods of time, usually evidenced by notes payable or warrants payable.
Lease Obligations - Current	462	Capital lease obligations that are due within one year.
Interest Payable	463	Interest due within one year.
SALARIES AND BENEFITS PAYABLE	470	
Accrued Salaries and Benefits	471	Expenses incurred during the current accounting period but not payable until a subsequent accounting period.
PAYROLL DEDUCTIONS AND WITHHOLDINGS	480	
Payroll Deductions and Withholdings	481	Amounts deducted from employees' salaries for withholding taxes and other purposes, including amounts payable for district-paid benefits. A separate liability account may be used for each type of benefit.

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Compensated Absences - Current	482	Compensated absences (e.g., vacation, sick leave, or sabbatical leave) that will be paid within one year.
Accrued Annual Retirement Contribution Liability	483	A liability arising from payments not made to pension funds. This amount represents any difference between the actuarially determined required annual contribution and actual payments made to the pension fund.
DEFERRED REVENUES AND OTHER CURRENT LIABILITIES	490	
Deferred Revenues	491	Liability accounts that represent assets receivable or collected before they are recognized as revenue.
Deposits Payable	492	Liability for deposits received as a prerequisite to providing or receiving services or goods.
Due to Activity Fund Organizations	493	Assets held by a district as the agent for activity fund organizations.
Due to Fiscal Agent	494	Amounts due to fiscal agents, such as commercial banks, for servicing a district's maturing indebtedness.
ROE Distributives Payable	495	Amounts received but not yet disbursed to districts and other entities from the regional office's distributive fund.
ROE Distributive Interest Payable	496	Amounts received and recorded for interest on a bank account that has more than one source of funds deposited in it. (This account is used only if interest is recorded before it is allocated to all sources of funds in the account.)
ROE Distributive Interest Payable (Unresolved)	497	Amounts received for interest on account for other governmental units whose disposition is pending.

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Accrued Expenses	498	Expenses incurred during the current accounting period but not payable until a subsequent accounting period. Examples include accrued salaries, tuition expense, interest, and rent.
Other current liabilities	499	Other current liabilities not provided for elsewhere.

LONG-TERM LIABILITIES	500	
Bonds Payable	511	The face value of bonds issued and outstanding.
Accreted Interest	512	Interest that is accrued on deep-discount bonds, such as capital appreciation bonds. With such bonds, usually no interest payment is made until maturity.
Unamortized Gains/Losses on Debt Refundings	513	An account that represents the difference between the reacquisition price and the net carrying amount of old debt when a current or advance refunding of debt occurs.
Loans Payable	521	An unconditional written promise to pay a certain sum of money one year or more after the issuance date.
Capital Lease Obligations	531	Amounts remaining to be paid on capital lease agreements.
Compensated Absences	551	Amounts to be paid in the following fiscal year for compensated absences occurring in the current fiscal year.
Arbitrage Rebate Liability	561	Liabilities arising from arbitrage rebates to the IRS from bond financing.
Other Long-Term Liabilities	590	Other long-term liabilities not provided for elsewhere.

BUDGETING ACCOUNTS AND OTHER CREDITS	600	
Appropriations	601	Authorizations granted by the governing body to make expenditures and to incur obligations for specific purposes.

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Expenditures (Debits)	602	An account that appears in balance sheets prepared during the fiscal period and designates the total expenditures charged against appropriations during that period.
Encumbrances (Debits)	603	Obligations in the form of purchase orders, contracts, or salary commitments that are chargeable to an appropriation and for which a part of the appropriation is reserved.

FUND BALANCES AND FUND NET ASSETS	700	
Reserve for Inventories	711	A reserve representing the segregation of a portion of a fund balance to indicate that equivalent assets are tied up in inventories of supplies on hand and not yet issued to requesting units.
Reserve for Prepaid Items	712	A reserve representing that portion of a fund balance segregated to indicate that equivalent assets are tied up and are, therefore, not available for appropriation.
Reserve for Encumbrances	713	A reserve representing the segregation of a portion of a fund balance to provide for unliquidated encumbrances. Separate accounts may be maintained for current and prior-year encumbrances.
Other Reserved Fund Balance	714	A reserve representing that portion of a fund balance segregated to indicate that equivalent assets are tied up and are, therefore, not available for appropriation.
Designated Fund Balance	720	A reserve representing the segregation of a portion of a fund balance to indicate that equivalent assets are tied up for the named special purpose.
Unreserved Fund Balance	730	The excess of the assets of a fund over its liabilities and reserves, except in the case of funds subject to budgetary accounting where, prior to the end of a fiscal period, it represents the excess of the fund's assets and estimated revenue.

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Invested in Capital Assets Net of Related Debt	740	This account represents the district's equity in general fixed assets.
Residual Equity Transfers	750	Permanent non-routine or non-recurring transfers of amounts from one fund to another. (Separate accounts should be used for transfers in and out, with the reason for each transfer well documented.)
Prior Period Adjustments	760	An account reflecting an adjustment during the current period from a prior period.
Restricted Net Assets	770	Net assets restricted by sources internal or external to the district.
Unrestricted Net Assets	780	Net unrestricted assets not classified in Account 740 or 750.

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Section 100.TABLE C Revenue Accounts

Label	Account Number	Source; Notes
RECEIPTS/REVENUE FROM LOCAL SOURCES	1000	
AD VALOREM TAXES	1100	
Educational Purposes Levy	1110	105 ILCS 5/17-2 and 17-3.
Operations and Maintenance Purposes Levy	1111	105 ILCS 5/17-5.
Bond and Interest Purposes Levy	1112	105 ILCS 5/17-9.
Transportation Purposes Levy	1113	105 ILCS 5/17-4.
Municipal Retirement Purposes Levy	1114	40 ILCS 5/7-171.
Working Cash Purposes Levy	1115	105 ILCS 5/20-3.
Public Building Commission Rent Levy	1116	50 ILCS 20/18.
Capital Improvement Purposes Levy	1117	105 ILCS 5/17-2 and 17-2.3.
Fire Prevention & Safety Purposes Levy	1118	105 ILCS 5/17-2.11.
Emergency Financial Assistance Levy	1119	105 ILCS 5/1B-8 and 1F-62.
Tort Immunity/Judgment Purposes Levy	1120	745 ILCS 10/9-109.
Leasing Purposes Levy	1130	105 ILCS 5/17-2.2c.
Special Education Purposes levy	1140	105 ILCS 5/17-2.2a.
FICA and Medicare Only Levies	1150	Social Security taxes and the employer's share of Medicare Only payments; 40 ILCS 5/21-110, 110.1.

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Area Vocational Construction Purposes Levy	1160	105 ILCS 5/17-2.4.
Summer School Purposes Levy	1170	105 ILCS 5/17-2 and 17-2.1.
Other Tax Levies	1190	Taxes received from other tax levies not specifically identified (describe and itemize).

PAYMENTS IN LIEU OF TAXES	1200	
Mobile Home Privilege Tax	1210	
Payments from Local Housing Authorities	1220	
Corporate Personal Property Replacement Taxes	1230	Amounts received to replace personal property tax revenues lost.
Other Payments in Lieu of Taxes	1290	

TUITION	1300	
Total Regular Tuition	1310	Amounts received for pupils attending the district's regular schools; 105 ILCS 5/10-20.12a.
Regular Tuition from Pupils or Parents (In-State)	1311	
Regular Tuition from Other Districts (In-State)	1312	
Regular Tuition from Other Sources (In-State)	1313	
Regular Tuition from Other Sources (Out-of-State)	1314	
Total Summer School Tuition	1320	Amounts received for pupils attending summer school.
Summer School Tuition from Pupils or Parents (In-State)	1321	

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Summer School Tuition from Other Districts (In-State)	1322	
Summer School Tuition from Other Sources (In-State)	1323	
Summer School Tuition from Other Sources (Out-of-State)	1324	
Total CTE Tuition	1330	Amounts received for pupils attending career and technical education programs.
CTE Tuition from Pupils or Parents (In-State)	1331	
CTE Tuition from Other Districts (In-State)	1332	
CTE Tuition from Other Sources (In-State)	1333	
CTE Tuition from Other Sources (Out-of-State)	1334	
Total Special Education Tuition	1340	Amounts received for pupils attending special education programs.
Special Education Tuition from Pupils or Parents (In-State)	1341	
Special Education Tuition from Other Districts (In-State)	1342	
Special Education Tuition from Other Sources (In-State)	1343	
Special Education Tuition from Other Sources (Out-of-State)	1344	
Total Adult Tuition	1350	Amounts received for pupils attending adult/continuing education programs.
Adult Tuition from Pupils or Parents (In-State)	1351	

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Adult Tuition from Other Districts (In-State)	1352	
Adult Tuition from Other Sources (In-State)	1353	
Adult Tuition from Other Sources (In-State)	1354	
TRANSPORTATION FEES	1400	
Total Regular Transportation Fees	1410	Amounts received for transporting pupils to and from school and school activities (regular school day).
Regular Transportation Fees from Pupils or Parents (In-State)	1411	
Regular Transportation Fees from Other Districts (In-State)	1412	
Regular Transportation Fees from Other Sources (In-State)	1413	
Regular Transportation Fees from Co-curricular Activities (In-State)	1415	
Regular Transportation Fees from Other Sources (Out-of-State)	1416	
Total Summer School Transportation Fees	1420	Amounts received for transporting pupils to and from summer school.
Summer School Transportation Fees from Pupils or Parents (In-State)	1421	
Summer School Transportation Fees from Other LEAs (In-State)	1422	
Summer School Transportation Fees from Other Sources (In-State)	1423	

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Summer School Transportation Fees from Other Sources (Out-of- State)	1424	
Total CTE Transportation Fees	1430	Amounts received for transporting pupils to and from career and technical education classes.
CTE Transportation Fees from Pupils or Parents (In-State)	1431	
CTE Transportation Fees from Other Districts (In- State)	1432	
CTE Transportation Fees from Other Sources (In- State)	1433	
CTE Transportation Fees from Other Sources (Out-of-State)	1434	
Total Special Education Transportation Fees	1440	Amounts received for transporting pupils to and from special education programs.
Special Education Transportation Fees from Pupils or Parents (In- State)	1441	
Special Education Transportation Fees from Other Districts (In-State)	1442	
Special Education Transportation Fees from Other Sources (In-State)	1443	
Special Education Transportation Fees from Other Sources (Out-of- State)	1444	
Total Adult Transportation Fees	1450	Amounts received for transporting pupils to and from adult/continuing education programs.
Adult Transportation Fees from Pupils or Parents (In-State)	1451	

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Adult Transportation Fees from Other Districts (In-State)	1452	
Adult Transportation Fees from Other Sources (In-State)	1453	
Adult Transportation Fees from Other Sources (Out-of-State)	1454	
EARNINGS ON INVESTMENTS	1500	
Interest on Investments	1510	
Gain or Loss on Sale of Investments	1520	Gains or losses realized from the sale of bonds.
FOOD SERVICE	1600	
Sales to Pupils - Lunch	1611	
Sales to Pupils - Breakfast	1612	
Sales to Pupils - A la Carte	1613	
Sales to Pupils - Other	1614	
Sales to Adults	1620	Amounts received from adults for sale of food products and services.
Other Food Service	1690	Amounts received from local sources for other food service activities.
DISTRICT/SCHOOL ACTIVITY INCOME	1700	
Admissions - Athletic	1711	Amounts received from school-sponsored athletic events.
Admissions - Other	1719	Amounts received from admissions to all other school-sponsored events except athletics (describe and itemize).
Fees	1720	Amounts received from pupils for fees such as towel fees, locker fees, and equipment fees (excludes transportation).
Book Store Sales	1730	
Other District/School Activity Revenue	1790	All other revenue from district or school activities not otherwise specified.

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TEXTBOOK INCOME	1800	
Rentals - Regular Textbooks	1811	
Rentals - Summer School Textbooks	1812	
Rentals - Adult/Continuing Education Textbooks	1813	
Rentals - Other	1819	Describe and itemize.
Total Textbook Rentals	1810	105 ILCS 5/10-22.25.
Sales - Regular Textbooks	1821	
Sales - Summer School Textbooks	1822	
Sales - Adult/Continuing Education Textbooks	1823	
Sales - Other	1829	
Total Textbook Sales	1820	105 ILCS 5/28-8.
Textbooks Other	1890	Textbook revenues not provided for elsewhere in the 1800 series of accounts.

OTHER LOCAL REVENUES	1900	
Rentals	1910	Amounts received for rental of school property, real or personal.
Contributions and Donations from Private Sources	1920	Amounts received from a philanthropic foundation, private individual, or private organization for which no repayment or special service to the contributor is expected.
Impact Fees from Municipal or County Governments	1930	Amounts received from a city, town, village, or county government from impact fees assessed in accordance with local ordinances.
Services Provided to Other Districts	1940	Amounts received for services other than tuition and transportation services (e.g., data processing, purchasing, maintenance, accounting, cleaning, consulting, guidance).
Refund of Prior Years' Expenditures	1950	A refund of an expenditure charged to a prior fiscal year's budget.

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Payments of Surplus Moneys from TIF Districts	1960	Amounts received from distributions from Tax Increment Financing districts.
Drivers' Education Fees	1970	105 ILCS 5/27-23.
Proceeds from Vendors' Contracts	1980	Proceeds received pursuant to contracts between the district and various vendors.
Payment from Other Districts	1991	Amounts representing a district's share of special education or career and technical education building costs.
Sale of Vocational Projects	1992	Amounts representing gain from the sale of vocational projects.
Other Local Fees	1993	Amounts assessed or received from local sources for district programs not classified elsewhere (describe and itemize).
Other Local Revenues	1999	Amounts received from local sources not provided for elsewhere in the 1000 series of accounts.

FLOW-THROUGH RECEIPTS/REVENUE FROM ONE DISTRICT TO ANOTHER DISTRICT	2000	
FLOW-THROUGH REVENUE FROM STATE SOURCES	2100	State revenues that can be further subdivided to account for individual grants.
FLOW-THROUGH REVENUE FROM FEDERAL SOURCES	2200	Federal revenues that can be further subdivided to account for individual grants.
OTHER FLOW-THROUGH REVENUE	2300	Other revenues that can be further subdivided to account for individual grants (describe and itemize).

RECEIPTS/REVENUE FROM STATE SOURCES	3000	
General State Aid Section 18-8.05	3001	105 ILCS 5/18-8.05.
General State Aid Hold Harmless/Supplemental	3002	105 ILCS 5/18-8.05j.
Reorganization Incentives - Deficit Fund Balance	3005	105 ILCS 5/18-8.3.

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Reorganization Incentives - Attendance	3010	105 ILCS 5/18-8.05i.
Reorganization Incentives - Salary Difference	3015	105 ILCS 5/18-8.2.
Reorganization Incentives - Certified Salary	3020	105 ILCS 5/18-8.5.
Reorganization Incentives - Feasibility Studies	3021	Amounts received pursuant to appropriations for this purpose.
GSA Fast Growth District Grants	3030	105 ILCS 5/18-8.10.
Emergency Financial Assistance Grants	3050	105 ILCS 5/1B-8 and 1F-62.
Tax Equivalent Grants	3055	105 ILCS 5/18-4.4.
GSA Transition Assistance	3095	Amounts received pursuant to appropriations for this purpose.
Other Unrestricted Grants-In-Aid from State Sources	3099	Amounts received pursuant to other appropriations (describe and itemize).
Special Education - Private Facility Tuition	3100	105 ILCS 5/14-7.02.
Special Education - Extraordinary	3105	105 ILCS 5/14-7.02a.
Special Education - Personnel	3110	105 ILCS 5/14-13.01.
Special Education - Orphanage - Individual	3120	105 ILCS 5/14-7.03.
Special Education - Orphanage - Summer	3130	105 ILCS 5/14-7.03.
Special Education - Summer School	3145	105 ILCS 5/18-4.3.
Philip J. Rock Center and School	3155	105 ILCS 5/14-11.02.
Educational Materials Center	3156	105 ILCS 5/14-11.01.
Special Education - Other	3199	Amounts received pursuant to other appropriations (describe and itemize).

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Career and Technical Education (CTE) - Tech Prep	3200	105 ILCS 5/2-3.115.
CTE - Secondary Program Improvement (CTEI)	3220	105 ILCS 435.
CTE - WECEP	3225	105 ILCS 5/2-3.66a.
CTE - Agriculture Education	3235	105 ILCS 5/2-3.80.
CTE - Instructor Practicum	3240	105 ILCS 5/2-3.68.
CTE - Student Organizations	3270	Amounts received pursuant to appropriations for student organizations.
CTE - Other	3299	Amounts received pursuant to other appropriations (describe and itemize).
Bilingual Education - Downstate - TPI and TBE	3305	105 ILCS 5/14C-12.
Bilingual Education - Downstate – Transitional Bilingual Education	3310	105 ILCS 5/14C-12.
Gifted Education	3350	105 ILCS 5/Art. 14A.
State Free Lunch and Breakfast	3360	105 ILCS 125/2.
School Breakfast Initiative	3365	105 ILCS 125/2.5.
Driver Education	3370	105 ILCS 5/27-24.2.
Adult Education (from ICCB)	3410	Amounts received from the Community College Board; 105 ILCS 405.
Adult Education – Other	3499	Amounts received pursuant to other appropriations (describe and itemize).
Transportation - Regular/Vocational	3500	105 ILCS 5/29-5.
Transportation - Special Education	3510	105 ILCS 5/14-13.01b.
Transportation - ROE Bus Driver Training	3520	105 ILCS 5/3-14.23.
Transportation - Other	3599	Amounts received pursuant to other appropriations (describe and itemize).

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Learning Improvement - Change Grants	3610	105 ILCS 5/2-3.25, 2-3.63, and 2-3.64.
National Board Certification	3651	105 ILCS 5/21-27.
Administrators Academy	3655	105 ILCS 5/2-3.53.
Scientific Literacy	3660	105 ILCS 5/2-3.94.
Truants' Alternative and Optional Education	3695	105 ILCS 5/2-3.66.
Regional Safe Schools	3696	105 ILCS 5/13A-8.
Early Childhood - Block Grant	3705	105 ILCS 5/1C-2 and 2-3.71.
Reading Improvement Block Grant	3715	105 ILCS 5/2-3.51.
Reading Improvement Block Grant - Reading Recovery	3720	Amounts received from the 2% set-aside under 105 ILCS 5/2-3.51.
Continued Reading Improvement Block Grant	3725	105 ILCS 5/2-3.51a.
Continued Reading Improvement Block Grant	3726	Amounts received from the 2% set aside under 105 ILCS 5/2-3.51a.
ROE/ISC Operations	3730	Amounts received pursuant to 105 ILCS 5/2-3.63, 3-14.23, and 18-6.
ROE Supervisory Expense	3745	Amounts received pursuant to 105 ILCS 5/18-6.
Chicago Teachers Academy for Math & Science (TAMS)	3765	Amounts received pursuant to an appropriation for TAMS.
Chicago General Education Block Grant	3766	105 ILCS 5/1D-1.
Chicago Educational Services Block Grant	3767	105 ILCS 5/1D-1.
School Safety and Educational Improvement Block Grant	3775	105 ILCS 5/2-3.51.5.
Technology - Learning Technology Centers	3780	105 ILCS 5/2-3.117.

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Illinois Government Intern Program	3804	Funds distributed as a grant to Springfield School District 186 to support administration of this program.
State Charter Schools	3815	105 ILCS 5/Art. 27A.
Extended Learning Opportunities (Summer Bridges)	3825	105 ILCS 5/10-20.9a.
Infrastructure Improvements - Planning/Construction	3920	105 ILCS 230/5-35.
School Infrastructure - Maintenance Projects	3925	105 ILCS 230/5-100.
Regular Orphanage Tuition (18-3)	3950	105 ILCS 5/18-3.
Tax Equivalent Grants	3955	105 ILCS 5/18-4.4.
After-School Programs - Mentoring & Student Support	3960	Amounts received pursuant to appropriation.
Advanced Placement Classes	3961	Amounts received pursuant to appropriations.
Arts Education	3962	Amounts received pursuant to appropriations.
Grants to Local Governments, Community Organizations, Not-for-Profit Organizations, and Educational Facilities	3963	Amounts received pursuant to appropriations.
ISBE Special Purpose Trust Fund	3970	105 ILCS 5/2-3.127a.
Class Size Reduction Pilot Project	3981	105 ILCS 5/2-3.136.
Children's Mental Health Partnership	3990	105 ILCS 405/49-15.
Teacher Mentoring Pilot Project	3982	105 ILCS 5/21A-25.
State "On-behalf" Payments	3998	Reserved for on-behalf payments by the State.
Emergency Financial Assistance Grant	3999	105 ILCS 5/1B-8.

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Temporary Relocation Expense Grant	3999	105 ILCS 5/2-3.77.
Other Restricted Revenue from State Sources	3999	Amounts received pursuant to other appropriations (describe and itemize).

RECEIPTS/REVENUE FROM FEDERAL SOURCES	4000	
Federal Impact Aid	4001	ESEA Title VIII - Impact Aid (CFDA 84.041).
Other Unrestricted Grants-In-Aid Received Directly from the Federal Government	4009	Amounts received pursuant to other unrestricted appropriations; describe and itemize.
Total Unrestricted Grants Received Directly from the Federal Government	4010	
Head Start	4045	Community Opportunities, Accountability, Training, and Educational Services Act of 1998, Title I (CFDA 93.600).
Construction (Impact Aid)	4050	ESEA, Title VIII (Impact Aid – Facilities Maintenance) (CFDA 84.040).
Magnet	4060	ESEA, Title V, Part C (Magnet Schools Assistance) (CFDA 84.165).
Other Restricted Grants-In-Aid Received Directly from the Federal Government	4090	Amounts received pursuant to other restricted appropriations; described and itemize.
Total Restricted Grants Received Directly from the Federal Government	4095	
TOTAL GRANTS RECEIVED DIRECTLY FROM THE FEDERAL GOVERNMENT	4099	Amounts received pursuant to other appropriations.
Title V - Innovation and Flexibility Formula	4100	NCLB, Title V, Part A - State Grants For Innovative Programs (CFDA 84.298).
Title V - SEA Projects	4105	NCLB, Title V, Part A - State Grants For Innovative Programs (CFDA 84.298).

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Title V - Rural and Low-Income Schools (REI)	4107	NCLB, Title VI, Part B - Rural Education (CFDA 84.358).
Title V - Other	4199	Amounts received pursuant to other appropriations (describe and itemize).
Breakfast Start-up	4200	Child Nutrition Act - School Breakfast Program for Start-Up (CFDA 10.553).
National School Lunch Program	4210	Child Nutrition Act - National School Lunch Program (CFDA 10.555).
Special Milk Program	4215	Child Nutrition Act - Special Milk Program for Children (CFDA 10.556).
School Breakfast Program	4220	Child Nutrition Act - School Breakfast Program (CFDA 10.553).
Summer Food Service Admin/Program	4225	Child Nutrition Act - Summer Food Service Program for Children (CFDA 10.559).
Child Care Commodity/SFS 13 - Adult Day Care	4226	Child Nutrition Act - Child Care and Adult Food Service Program (CFDA 10.558).
SAE Nutrition Ed. Loan/TNT	4227	Child Nutrition Act of 1966 (42 USC 1771 et seq.) (CFDA 10.574).
Child Nutrition Commodity/Salvage	4250	Child Nutrition Act of 1966 (CFDA 10.550).
Cash in Lieu of Commodities	4255	Amounts received in lieu of commodities in the food service program.
Food Service - Other	4299	Amounts received pursuant to other appropriations from the U.S. Department of Agriculture for nutrition programs (describe and itemize).
Title I - Low Income	4300	No Child Left Behind Act of 2001 (NCLB; 20 USC 6301 et seq.), Title I, Part A - Improving Academic Achievement of the Disadvantaged (CFDA 84.010).
Title I - Low Income - Neglected, Private	4305	NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).
Title I - Low Income - Delinquent, Private	4306	NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).
Title I - Neglected and Delinquent Juvenile and Adult Corrections (formerly only juvenile)	4315	NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).

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Title I - Comprehensive School Reform	4332	NCLB, Title I, Part F - Comprehensive School Reform (CFDA 84.332).
Title I - Reading First	4334	NCLB, Title I, Part B-1 - Reading First (CFDA 84.357).
Title I - Even Start	4335	NCLB, Title I, Part B-3 - Even Start (CFDA 84.213).
Title I - Reading First SEA Funds	4337	NCLB, Title I, Part B-1 - Reading First SEA Funds (CFDA 84.357).
Title I - Migrant Education	4340	NCLB, Title I, Part C - Education of Migrant Children (CFDA 84.011).
Title I - Other	4399	Amounts received pursuant to other appropriations under Title I of NCLB (describe and itemize).
Title IV - Safe and Drug-Free Schools - Formula	4400	NCLB, Title IV, Part A - Safe and Drug Free Schools (CFDA 84.186).
Title IV - Safe & Drug-Free Schools – State-Level Program	4415	NCLB, Title IV, Part A - Safe and Drug Free Schools (CFDA 84.186).
Title IV - 21 st Century	4421	NCLB, Title IV, Part B - 21 st Century Community Learning Centers (CFDA 84.287).
Title IV - Other (Describe & Itemize)	4499	Amounts received pursuant to other appropriations under Title IV of NCLB (describe and itemize).
Federal Special Education Preschool Flow-Through	4600	IDEA, Part B - Preschool (CFDA 84.173).
Federal Special Education Preschool Discretionary	4605	IDEA, Part B - Preschool (CFDA 84.173).
Federal Special Education - IDEA Flow-Through/Low Incident	4620	IDEA, Part B (CFDA 84.027).
Federal Special Education - IDEA Room and Board	4625	IDEA, Part B (CFDA 84.027).
Federal Special Education - IDEA Discretionary	4630	IDEA, Part B (CFDA 84.027).
Federal Special Education - IDEA - Part D - Improvement	4631	IDEA, Part D - State Program Improvement Grants for Children with Disabilities (CFDA 84.323).

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Federal Special Education – IDEA Title VI C - Deaf/Blind	4635	IDEA, Part D - Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities (CFDA 84.326).
Federal Special Education - IDEA - Other	4699	Amounts received pursuant to other appropriations under IDEA (describe and itemize).
CTE - Perkins Title III E - Tech Prep	4770	
CTE - Other	4799	Amounts received pursuant to other appropriations from federal sources (describe and itemize).
Federal - Adult Education	4810	Adult Education State Grant Program (CFDA 84.002).
Advanced Placement Fee/International Baccalaureate	4904	ESEA, Title I, Part G – Advanced Placement Program (CFDA 84.330).
Emergency Immigrant Assistance	4905	NCLB, Title III - English Language Acquisition Grants - Immigrant Assistance Grants (CFDA 84.365).
Title III - English Language Acquisition	4909	NCLB, Title III - English Language Acquisition Grants (CFDA 84.365).
Learn & Serve America	4910	National and Community Service Act of 1990 - Learn & Serve America (CFDA 94.004).
Refugee Children School Impact Grants	4915	Refugee Education Assistance Act of 1980, Refugee and Entrant Assistance Discretionary Grants (CFDA 93.576).
McKinney Education for Homeless Children	4920	NCLB, Title X - Education for Homeless Children (CFDA 84.196).
Title II - Teacher Quality	4932	NCLB, Title II, Part A, and ESEA, Title II, Part C, Subpart 1, Chapter B (CFDA 84.350).
Title II - Teacher Quality	4935	ESEA, Title II, Part A - Improving Teacher Quality State Grants (CFDA 84.367).
Title II - Math and Science Initiative	4936	ESEA, Title II, Part B – Math and Science Partnerships (CFDA 84.366).
Federal Charter Schools	4960	NCLB, Title V, Part B - Public Charter Schools.
Title II - Technology - Enhancing Education Formula Grants	4971	ESEA, Title II, Part D, Subparts 1 and 2, as amended – Education Technology State Grants (CFDA 84.318).
Title II - Technology - Enhancing Education Competitive Grants	4972	ESEA, Title II, Part D, Subparts 1 and 2 – Education Technology State Grants (CFDA 84.318).

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Medicaid Matching Funds - Administrative Outreach	4991	Social Security Act, Title XIX - Medicaid Matching - Administrative Outreach (CFDA 93.778).
Medicaid Matching Funds - Fee-for-Service Program	4992	Social Security Act, Title XIX - Medicaid Matching - Fee for Service Programs (CFDA 93.778).
Hurricane Emergency Relief	4995	Hurricane Emergency Relief Act.
Other Restricted Grants Received from Federal Government through State	4998	Amounts received pursuant to other federal appropriations (describe and itemize).

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Section 100.TABLE D Expenditure Accounts

Label	Account Number	Source; Notes
INSTRUCTION	1000	
Regular K-12 Programs	1100	Instructional activities designed primarily for K-12 pupils who do not require special programs such as gifted, vocational, bilingual, or special education.
Pre-K Programs	1125	Instructional activities designed primarily for pupils in pre-kindergarten programs who do not require special programs such as gifted, vocational, bilingual, or special education.
Special Education Programs K-12	1200	Instruction and resource programs required by a student due to his or her disability; includes special services, special materials, and special equipment required by K-12 students as authorized in Article 14 of the School Code [105 ILCS 5/Art. 14].
Special Education Programs Pre-K	1225	Instruction and resource programs required by a student due to his or her disability; includes special services, special materials, and special equipment required by pre-kindergarten students as authorized in Article 14 of the School Code.
Remedial and Supplemental Programs K-12	1250	Supplemental programs to increase the educational opportunities of eligible children in kindergarten and Grades 1-12.
Remedial and Supplemental Programs Pre-K	1275	Supplemental programs to increase the educational opportunities of eligible children in pre-kindergarten.
Adult/Continuing Education Programs	1300	Learning experiences designed to develop knowledge and skills to meet immediate and long-range educational objectives for adults who have not completed or have interrupted their formal schooling. Programs include activities to foster the development of fundamental tools of learning, to prepare for a postsecondary career, to prepare for postsecondary education programs, to upgrade occupational competencies, to prepare for a new or different career, to develop skills and appreciation for special interests, or to enrich the aesthetic qualities of a student's life.

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Career and Technical Education (CTE) Programs	1400	Instruction provided to develop the knowledge, skills, and attitudes needed for employment in an occupational area, including all programs approved in the district's plan for career and technical education; see the Vocational Education Act [105 ILCS 435] and 23 Ill. Adm. Code 254 (Vocational Education).
Interscholastic Programs	1500	Cocurricular activities that supplement the regular instructional program, such as athletics, band, chorus, and speech.
Summer School Programs	1600	Instructional activities that are not embraced within the regular school term.
Gifted Programs	1650	Special learning experiences for pupils identified as gifted or talented; see Article 14A of the School Code [105 ILCS 5/Art. 14A] and 23 Ill. Adm. Code 227 (Gifted Education).
Driver's Education Programs	1700	Driver's education instruction provided pursuant to the Driver Education Act [105 ILCS 5/27-24 through 27-24.8] and 23 Ill. Adm. Code 252 (Driver Education).
Bilingual Programs	1800	Special learning experiences for pupils receiving services pursuant to Article 14C of the School Code [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education).
Truant Alternative & Optional Programs	1900	Instructional programs provided to students pursuant to Section 2-3.66 of the School Code and 23 Ill. Adm. Code 205 (Truants' Alternative and Optional Education Programs).
Pre-K Programs - Private Tuition	1910	Payments to private educational facilities.
Regular K-12 Programs - Private Tuition	1911	Payments to private educational facilities.
Special Education Programs K-12 - Private Tuition	1912	Payments to private educational facilities.
Special Education Programs Pre-K - Private Tuition	1913	Payments to private educational facilities.
Remedial and Supplemental Programs K-12 - Private Tuition	1914	Payments to private educational facilities.

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Remedial and Supplemental Programs Pre-K - Private Tuition	1915	Payments to private educational facilities.
Adult/Continuing Education Programs - Private Tuition	1916	Payments to private educational facilities.
CTE Programs - Private Tuition	1917	Payments to private educational facilities.
Interscholastic Programs - Private Tuition	1918	Payments to private educational facilities.
Summer School Programs - Private Tuition	1919	Payments to private educational facilities.
Gifted Programs - Private Tuition	1920	Payments to private educational facilities.
Bilingual Programs - Private Tuition	1921	Payments to private educational facilities.
Truants' Alternative and Optional Education Programs	1922	Payments to private educational facilities.
TOTAL INSTRUCTION	1000	The teaching of pupils or the interaction between teacher and pupils. Included are activities of aides or assistants who assist in the instructional process. Teaching may occur in classrooms or other learning situations such as those involving cocurricular activities, and may be conducted through a medium such as television, radio, telephone, or correspondence.

SUPPORT SERVICES	2000	Services that provide administrative, technical (e.g., guidance and health), and logistical support to facilitate and enhance instruction. Support services are adjuncts to the fulfillment of the objectives of instruction.
Support Services – Pupils	2100	Activities that are designed to assess and improve the well-being of pupils and to supplement the teaching process.
Attendance and Social Work Services	2110	Activities for the improvement of pupils' attendance at school and the performance of school social work activities dealing with the problems of pupils that involve the home, school, and community.

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Guidance Services	2120	Counseling with pupils or parents, consultation with staff members on learning problems, evaluating abilities of pupils, assisting pupils in making educational and career plans and choices, assisting pupils in personal and social development, providing referral assistance, and working with other staff members in planning and conducting guidance programs.
Health Services	2130	Physical and mental health services that do not constitute direct instruction. Included are activities that provide pupils with appropriate medical, dental, and nursing services.
Psychological Services	2140	Activities concerned with administering psychological tests and interpreting the results, gathering and interpreting information about pupils' behavior, working with other staff members in planning school programs to meet the special needs of pupils as indicated by psychological tests and behavioral evaluation, and planning and managing a program of psychological services, including psychological counseling for pupils, staff, and parents.
Speech Pathology and Audiology Services	2150	Activities involving the identification, assessment, and treatment of children with impairments in speech, hearing, and language.
Other Support Services - Pupils	2190	Other support services for pupils not classified in Accounts 2100-2159. Expenditures that may be included are therapists, crossing guards, graduation, student assembly programs, monitors for playgrounds, study halls, etc. (Describe and itemize.)
Total Support Services - Pupils	2100	
Support Services - Instructional Staff	2200	Activities assisting the instructional staff with the content and process of providing learning experiences for pupils.
Improvement of Instruction Services	2210	Activities for assisting instructional staff in planning, developing, and evaluating the instructional process.
Educational Media Services	2220	Activities concerned with the use of all teaching and learning resources, including hardware and content materials.

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Assessment and Testing	2230	Activities for the purpose of measuring individual students' achievement.
Total Support Services - Instructional Staff	2200	

Support Services - General Administration	2300	Activities concerned with establishing and administering policy in connection with operating the district.
Board of Education Services	2310	Activities of the elected or appointed body that is vested with responsibility for educational activities in a given district.
Executive Administration Services	2320	Activities associated with the overall management of the district.
Service Area Administrative Services	2330	Activities concerned with supervisory responsibilities for federal programs, special programs, and/or "Title" programs not included in Account 2310 or 2320. When the same individual directs both special programs and other service areas, the services of that individual should be prorated among the relevant areas.
ROE Services	2340	
ROE Services	2350	
Tort Immunity Functions	2360	
Claims Paid from Self-Insurance Fund	2361	
Workers' Compensation or Workers' Occupational Disease Acts Payments	2362	
Unemployment Insurance Act Payments	2363	
Insurance Payments (regular or self-insurance)	2364	
Risk Management and Claims Services Payments	2365	
Judgments or Settlements	2366	
Educational, Inspectional, Supervisory Services Related to Loss Prevention or Reduction	2367	
Reciprocal Insurance Payments	2368	215 ILCS 5/Art. IV.

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Legal Services	2369	
Tort Immunity Functions	2370	
Property Insurance (Buildings and Grounds)	2371	
Vehicle Insurance (Transportation)	2372	
Total Support Services - General Administration	2300	

Support Services - School Administration	2400	Activities concerned with overall administrative responsibility for a single school or a group of schools.
Office of the Principal Services	2410	Activities concerned with managing a particular school, including the activities of the principal, assistant principals, and other assistants in general supervision of all operations of the school, and including clerical staff for these activities.
Other Support Services - School Administration	2490	Activities performed by persons usually classified as department heads or deans within schools and other school administration services that cannot be recorded under Account 2410. (Describe and itemize.)
Total Support Services - School Administration	2400	

Support Services - Business	2500	Activities concerned with accounting, purchasing, paying, transporting, exchanging, and maintaining goods and services for the district, including internal business services for operating all schools.
Direction of Business Support Services	2510	Activities concerned with directing and managing the business services area, such as those usually performed by the office of the chief school business official or business manager.
Fiscal Services	2520	Activities concerned with the fiscal operations of the district. This function includes budgeting, receiving and disbursing, bookkeeping, financial accounting, payroll, inventory control, and internal auditing.

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Facilities Acquisition and Construction Services	2530	Activities concerned with acquisition of land and buildings, remodeling buildings, construction of buildings and additions to buildings, initial installation or extension of service systems and other built-in equipment, and improvements to sites.
Operation and Maintenance of Plant Services	2540	Activities concerned with keeping the physical plant (i.e., grounds, buildings, and equipment) in an effective and safe working condition. This includes activities aimed at maintaining safety in buildings, on the grounds, and in the vicinity of schools.
Pupil Transportation Services	2550	Activities concerned with conveying pupils to and from school as provided by Article 29 of the School Code [105 ILCS 5/Art. 29]. Includes trips between home and school and trips to school activities.
Food Services	2560	Activities concerned with providing food to pupils and staff in a school or district. This service area includes the preparation and serving of regular and incidental meals, lunches, or snacks in connection with school activities and the delivery of food.
Internal Services	2570	Activities concerned with buying, storing, and distributing supplies, furniture, and equipment; those activities concerned with internal duplicating and printing for the school system; and the pickup and transporting of cash from school facilities to the central administrative office or bank for control or deposit.
Total Support Services - Business	2500	
Support Services - Central	2600	Activities, other than general administration, that support each of the other instructional and supporting services programs. These activities include planning, research, development, evaluation, information, staff, statistical, and data processing services.
Direction of Central Support Services	2610	Activities concerned with directing and managing the central support services as a group.
Planning, Research, Development, and Evaluation Services	2620	Activities associated with conducting and managing programs of planning, research, development, and evaluation for a school system on a system-wide basis.

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Information Services	2630	Activities concerned with writing, editing, and other preparation necessary to disseminate educational and administrative information to pupils, staff, managers, or the general public through direct mailing, the various news media, or personal contact.
Staff Services	2640	Activities generally performed by the district's personnel office, such as recruiting and placement, staff transfers, in-service training, health services, and staff accounting.
Data Processing Services	2660	Activities concerned with preparing data for storage, sorting data, and retrieving them for reproduction as information for management and reporting.
Total Support Services - Central	2600	

Other Support Services	2900	Activities of any support service or classification of services, general in nature, that cannot be classified elsewhere in the 2000 series of accounts. (Describe and itemize.)
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TOTAL SUPPORT SERVICES	2000	
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COMMUNITY SERVICES	3000	Services provided by the district for the community as a whole or some segment of the community, such as community recreation programs, civic organization activities, public libraries, programs of custody and child care, welfare services, services to nonpublic schools, and home/school services.
Direction of Community Services	3100	Activities concerned with directing and managing community services activities.
Community Recreation Services	3200	Activities include organizing and supervising playgrounds, swimming pools, and other recreational programs for the community.
Civic Services	3300	Services provided in support of civic affairs or organizations, including services for parent-teacher association meetings, public forums and lectures, and for civil defense planning.

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Public Library Services	3400	Activities related to the operation of public libraries by a district, or the provision of library services to the general public through the school's library.
Custody and Child Care Services	3500	Programs for the custodial care of children in residential day schools or child care centers that are not part of, or directly related to, the instructional program and where the attendance of the children is not included in the district's attendance figures.
Welfare Activities Services	3600	Services for individuals who have been designated as needy by an appropriate governmental entity, including stipends for school attendance; salaries paid to pupils for work performed, whether for the district or for an outside concern; and clothing, food, or other personal needs.
Nonpublic School Pupils' Services	3700	Services to pupils attending a school established by an agency other than the State, a subdivision of the State, or the federal government, which usually is supported primarily by nonpublic funds. The services include providing instructional services, attendance and social work services, health services, and transportation services for nonpublic school pupils.
Home/School Services	3800	Services, usually provided in the home, that are designed to provide school readiness training to preschool children and their parents or to help parents provide educational support to their children of school age.
Other Community Services	3900	Services provided to the community that cannot be classified elsewhere in the 3000 series of accounts.
TOTAL COMMUNITY SERVICES	3000	
PAYMENTS TO OTHER DISTRICTS AND GOVERNMENTAL UNITS	4000	All payments to other districts (formerly "Non-programmed Charges").

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Payments to Other Governmental Units (In-State)	4100	Payments to in-state districts, generally for tuition, transportation, and all other services rendered to pupils residing in the paying district. When a nonoperating district pays an operating district for the education of pupils, the nonoperating district records the payments here.
Payments for Regular Programs	4110	Payments made to districts for services (exclusive of tuition and transfers).
Payments for Special Education Programs	4120	Payments for special education services other than tuition and transfers.
Payments for Adult/Continuing Education Programs	4130	Payments for services related to adult/continuing education programs other than tuition and transfers.
Payments for CTE Programs	4140	Payments for services related to career and technical education programs other than tuition and transfers.
Payments for Other Programs	4160	Payments for other programs (describe and itemize).
Payments for Community College Programs	4170	Payments made to community colleges for services other than tuition and transfers.
Reserved for "On-Behalf" Payments by the State	4180	Reserved for "on-behalf" payments by the State.
Other Payments to In-State Governmental Units	4190	Other payments made to in-state governmental units not classified elsewhere in the 4100 series of accounts (e.g., payments to intermediate service centers, regional offices of education, and the State Board of Education). (Describe and itemize.)
Subtotal Payments to Other Governmental Units (In-State)	4100	Payments to in-state districts for all services rendered to pupils residing in the paying district, other than tuition and transfers. (Expenditures in this function are not counted in state expenditure totals.)

Payments to Other Governmental Units (In-State) - Tuition	4200	Payments for tuition.
Payments for Regular Programs - Tuition	4210	Payments for tuition related to regular education programs.
Payments for Special Education Programs - Tuition	4220	Payments for tuition related to special education programs.

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Payments for Adult/Continuing Education Programs - Tuition	4230	Payments for tuition related to adult/continuing education programs.
Payments for CTE Programs - Tuition	4240	Payments for tuition related to career and technical education programs.
Payments for Community College Programs - Tuition	4270	Payments to community colleges for the cost of tuition.
Payments for Other Programs - Tuition	4280	Payments for tuition for other programs (describe and itemize).
Other Payments to In-State Governmental Units - Tuition	4290	Other tuition payments made to in-state governmental units not classified elsewhere in the 4200 series of accounts (e.g., payments to intermediate service centers, regional offices of education, and the State Board of Education). (Describe and itemize.)
Subtotal Payments to Other Governmental Units (In-State) - Tuition	4200	

Payments to Other Governmental Units (In-State) - Transfers	4300	Payments to in-state districts, generally for tuition, transportation, and all other services rendered to pupils residing in the paying district. When a nonoperating district pays an operating district for the education of pupils, the nonoperating district records the payments here.
Payments for Regular Programs - Transfers	4310	Payments made to districts, generally for tuition, services, and transportation related to regular education programs.
Payments for Special Education Programs - Transfers	4320	Payments made to districts, generally for tuition, services, and transportation related to special education programs.
Payments for Adult/Continuing Education Programs - Transfers	4330	Payments made to districts, generally for tuition, services, and transportation related to adult/continuing education programs.
Payments for CTE Programs - Transfers	4340	Payments made to districts, generally for tuition, services, and transportation related to career and technical education programs.
Payments for Community College Programs - Transfers	4370	Payments made to community colleges for the cost of tuition or services provided.

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Payments for Other Programs - Transfers	4380	Payments made to districts for other programs.
Other Payments to In-State Governmental Units - Transfers	4390	Other payments made to in-state governmental units not classified elsewhere in the 4300 series of accounts (e.g., payments to intermediate service centers, regional offices of education, and the State Board of Education). (Describe and itemize.)
Subtotal Payments to Other Governmental Units (In-State) - Transfers	4300	
Payments to Other Governmental Units - Out of State	4400	Payments to out-of-state districts for services rendered to pupils residing in the paying district, generally for tuition and transportation. When a governmental unit in one state collects money from a nonoperating district for the education of pupils from the nonoperating district and pays it to an operating district in another state, the nonoperating district records the payments here. (These are not counted in national totals of expenditures.)
Payments to Other Governmental Units (Out-of-State)	4410	Payments to out-of-state districts for services rendered to pupils residing in the paying district, generally for tuition and transportation. When a governmental unit in one state collects money from a nonoperating district for the education of pupils from the nonoperating district and pays it to an operating district in another state, the nonoperating district records the payments here. (These are not counted in national totals of expenditures.) (Describe and itemize.)
Payments to Other Governmental Units (Out-of-State) - Tuition	4420	Payments to out-of-state districts for services rendered to pupils residing in the paying district, generally for tuition and transportation. When a governmental unit in one state collects money from a nonoperating district for the education of pupils from the nonoperating district and pays it to an operating district in another state, the nonoperating district records the payments here. (These are not counted in national totals of expenditures.) (Describe and itemize.)

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Payments to Other Governmental Units (Out-of-State) - Transfers	4430	Payments to out-of-state districts for services rendered to pupils residing in the paying district, generally for tuition and transportation. When a governmental unit in one state collects money from a nonoperating district for the education of pupils from the nonoperating district and pays it to an operating district in another state, the nonoperating district records the payments here. (These are not counted in national totals of expenditures.) (Describe and itemize.)
Subtotal Payments to Other Governmental Units (Out-of-State)	4400	

TOTAL PAYMENTS TO OTHER DISTRICTS AND GOVERNMENTAL UNITS	4000	
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DEBT SERVICE	5000	Servicing of the district's debts.
Debt Service - Interest on Short-Term Debt	5100	
Tax Anticipation Warrants	5110	
Tax Anticipation Notes	5120	
Corporate Personal Property Replacement Tax Anticipation Notes	5130	
State Aid Anticipation Certificates	5140	
Other Interest on Short-Term Debt	5150	
Total Debt Service Interest – Short-Term Debt	5100	

Debt Service - Interest on Long-Term Debt	5200	
Teachers'/Employees' Orders	5210	
General Obligation Bonds	5220	
Tort Bonds	5230	
Capital Appreciation Bonds	5240	

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Revenue Bonds	5250	
Other Bonds	5260	
Capital Leases, Installment Purchase Agreements	5270	
ISBE Loans	5280	
Other Interest on Long-Term Debt	5290	Describe and itemize.
Total Debt Service - Interest on Long-Term Debt	5200	

Debt Service - Payment of Principal on Long-Term Debt	5300	
Teachers'/Employees' Orders	5310	
General Obligation Bonds	5320	
Tort Bonds	5330	
Capital Appreciation Bonds	5340	
Revenue Bonds	5350	
Other Bonds	5360	
Capital Leases, Installment Purchase Agreements	5370	
ISBE Loans	5380	
Other Principal on Long-Term Debt	5390	Describe and itemize.
Total Debt Service - Payment of Principal on Long-Term Debt	5300	

Debt Service Other – Short-Term Debt Principal	5400	Describe and itemize.
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Section 100.TABLE E "Sources and Uses" Accounts; Miscellaneous

Label	Account Number	Description
SOURCES OF FUNDS	7000	
Transfers from Various Funds	7100	
Abolishment or Abatement of Working Cash Fund	7110	The transfer to the Educational Fund when the Working Cash Fund is abolished or abated. [105 ILCS 5/20-8, 20-9]
Permanent Transfer of Working Cash Fund Interest	7120	The permanent transfer of interest from the Working Cash Fund. [105 ILCS 5/20-5]
Permanent Transfer Among Funds	7130	The permanent transfer among funds. [105 ILCS 5/17-2A]
Permanent Transfer of Interest	7140	The permanent transfer of interest. [105 ILCS 5/10-22.44]
Transfer from Capital Projects to O & M Fund	7150	The transfer of bond proceeds remaining in the Debt Service Fund to the Operations and Maintenance Fund. [105 ILCS 5/10-22.14]
Transfer of Excess FP & S Tax & Interest Proceeds	7160	The transfer of tax proceeds remaining in the Fire Prevention and Safety Fund. [105 ILCS 5/17-2.11]
Transfer of Excess FP & S Bond & Interest Proceeds	7170	The transfer of bond proceeds remaining in the Fire Prevention and Safety Fund. [105 ILCS 5/17-2.11]
Proceeds from the Sale of Bonds	7200	
Principal on Bonds Sold	7210	Amounts received from the sale of bonds representing principal.
Premiums on Bonds Sold	7220	Amounts received from the sale of bonds representing a premium.
Accrued Interest on Bonds Sold	7230	Amounts received from the sale of bonds representing accrued interest.

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Sale or Compensation for Loss of Fixed Assets	7300	
Sale of Equipment	7310	Amounts received for the sale of equipment or other personal property (but not land or buildings).
Sale of Buildings or Grounds	7320	Amounts received for the sale of land or buildings.
Compensation for Loss of Fixed Assets	7330	Amounts received as compensation for the loss of capital assets.

Transfers from Other Funds to Pay Principal on Capital Leases	7400	
Taxes Pledged to Pay Principal on Capital Leases	7410	Amounts received from transfers of taxes pledged to pay principal on capital leases.
Grants & Reimbursements Pledged to Pay Principal on Capital Leases	7420	Amounts received from transfers of grants and reimbursements pledged to pay principal on capital leases.
Other Revenues Pledged to Pay Principal on Capital Leases	7430	Amounts received from other revenues pledged to pay principal on capital leases.
Fund Balance Transfers Pledged to Repay Debt	7440	Amounts received from transfers of other fund balances pledged to pay principal on capital leases.

Transfers from Other Funds to Pay Interest on Capital Leases	7500	
Taxes Pledged to Pay Interest on Capital Leases	7510	Amounts received from taxes pledged to pay interest on capital leases.
Grants & Reimbursements Pledged to Pay Interest on Capital Leases	7520	Amounts received from grants and reimbursements pledged to pay interest on capital leases.
Other Revenues Pledged to Pay Interest on Capital Leases	7530	Amounts received from transfers from other revenues pledged to pay interest on capital leases.
Fund Balance Transfers Pledged to Pay Interest on Capital Leases	7540	Amounts received from fund balance transfers pledged to pay interest on capital leases.

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Transfers from Other Funds to Pay Principal on Revenue Bonds	7600	
Taxes Pledged to Pay Principal on Revenue Bonds	7610	Taxes pledged to pay principal on revenue bonds.
Grants & Reimbursements Pledged to Pay Principal on Revenue Bonds	7620	Grants and reimbursements pledged to pay principal on revenue bonds.
Other Revenues Pledged to Pay Principal on Revenue Bonds	7630	Other revenues pledged to pay principal on revenue bonds.
Fund Balance Transfers Pledged to Pay Principal on Revenue Bonds	7640	Fund balance transfers pledged to pay principal on revenue bonds.

Transfers from Other Funds to Pay Interest on Revenue Bonds	7700	
Taxes Pledged to Pay Interest on Revenue Bonds	7710	Taxes pledged to pay interest on revenue bonds.
Grants & Reimbursements Pledged to Pay Interest on Revenue Bonds	7720	Grants and reimbursements pledged to pay interest on revenue bonds.
Other Revenues Pledged to Pay Interest on Revenue Bonds	7730	Other revenues pledged to pay interest on revenue bonds.
Fund Balance Transfers Pledged to Pay Interest on Revenue Bonds	7740	Fund balance transfers pledged to pay interest on revenue bonds.

Transfers from Other Funds for Capital Projects	7800	
Taxes Transferred to Pay for Capital Projects	7810	Taxes transferred to pay for capital projects.
Grants & Reimbursements Transferred for Capital Projects	7820	Grants and reimbursements pledged to pay for capital projects.

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Other Revenues Transferred for Capital Projects	7830	Other revenues pledged to pay for capital projects.
Fund Balance Transfers for Capital Projects	7840	Fund balance transfers pledged to pay for capital projects.

ISBE Loan Proceeds	7900	
Charter School Revolving Loan	7903	Charter School Revolving Loan Program.
Technology Loan Program	7910	Technology Loan Program.
Transportation Start-up Loan	7920	Transportation Start-up Loan.
Temporary Emergency Relocation Loan	7930	Temporary Emergency Relocation Loan.
Emergency Financial Assistance Loan	7940	Emergency Financial Assistance Loan from ISBE or the Illinois Finance Authority.
Other ISBE Loan	7950	Other loan from ISBE.
Other Sources of Funds Not Classified Elsewhere	7990	Describe and itemize.

USES OF FUNDS	8000	
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Transfers to Various Funds	8100	Permanent transfers made from one fund to another fund, as authorized in the School Code and approved by the school board. These transfers are made with no expectation of repayment.
Abolishment or Abatement of Working Cash Fund	8110	The transfer to the Educational Fund when the Working Cash Fund is abolished or abated. [105 ILCS 5/20-8, 20-9]
Permanent Transfer of Working Cash Fund Interest	8120	The permanent transfer of interest to the Educational, the Operations and Maintenance, and the Transportation Funds from the Working Cash Fund. [105 ILCS 5/20-5]
Permanent Transfer Among Funds	8130	The permanent transfer to the Operations and Maintenance Fund of monies in restricted amounts by districts meeting certain conditions. [105 ILCS 5/17-2A]
Permanent Transfer of Interest	8140	Permanent transfer of interest. [105 ILCS 5/10-22.44]

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Transfer from Capital Projects to O & M Fund	8150	The transfer of bond proceeds remaining in the Site and Construction/Capital Improvements Fund to the Operations and Maintenance Fund after the purposes for which the bonds have been issued have been accomplished and paid in full. [105 ILCS 5/10-22.14]
Transfer of Excess FP & S Tax & Interest Proceeds	8160	The transfer of tax proceeds remaining in the Fire Prevention and Safety Fund to the Operations and Maintenance Fund after the purposes for which the taxes were levied have been accomplished and paid in full. [105 ILCS 5/17-2.11]
Transfer of Excess FP & S Bond & Interest Proceeds	8170	The transfer of bond proceeds remaining in the Fire Prevention and Safety Fund to the Bond and Interest Fund after the purposes for which the bonds were levied have been accomplished and paid in full. [105 ILCS 5/10-22.14]

Transfers to Debt Service Fund to Pay Principal on Capital Leases	8400	Permanent transfers made to the Debt Service Fund to make principal payments on capital leases.
Taxes Pledged to Pay Principal on Capital Leases	8410	Permanent transfer of tax receipts to the Debt Service Fund to make principal payments on capital leases.
Grants & Reimbursements Pledged to Pay Principal on Capital Leases	8420	Permanent transfer of grants or reimbursements to the Debt Service Fund to make principal payments on capital leases.
Other Revenues Pledged to Pay Principal on Capital Leases	8430	Permanent transfer of other revenues to the Debt Service Fund to make principal payments on capital leases.
Fund Balance Transfers Pledged to Pay Principal on Capital Leases	8440	Permanent transfer of fund balances to the Debt Service Fund to make principal payments on capital leases.

Transfers to Debt Service Fund to Pay Interest on Capital Leases	8500	Permanent transfers made to the Debt Service Fund to make interest payments on capital leases.
Taxes Pledged to Pay Interest on Capital Leases	8510	Permanent transfer of tax receipts to the Debt Service Fund to make interest payments on capital leases.

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Grants & Reimbursements Pledged to Pay Interest on Capital Leases	8520	Permanent transfer of grants or reimbursements to the Debt Service Fund to make interest payments on capital leases.
Other Revenues Pledged to Pay Interest on Capital Leases	8530	Permanent transfer of other revenues to the Debt Service Fund to make interest payments on capital leases.
Fund Balance Transfers Pledged to Pay Interest on Capital Leases	8540	Permanent transfer of fund balances to the Debt Service Fund to make interest payments on capital leases.

Transfers to Debt Service Fund to Pay Principal on Revenue Bonds	8600	Permanent transfers made to the Debt Service Fund to make principal payments on revenue bonds.
Taxes Pledged to Pay Principal on Revenue Bonds	8610	Permanent transfer of tax receipts to the Debt Service Fund to make principal payments on revenue bonds.
Grants & Reimbursements Pledged to Pay Principal on Revenue Bonds	8620	Permanent transfer of grants or reimbursements to the Debt Service Fund to make principal payments on revenue bonds.
Other Revenues Pledged to Pay Principal on Revenue Bonds	8630	Permanent transfer of other revenues to the Debt Service Fund to make principal payments on revenue bonds.
Fund Balance Transfers Pledged to Pay Principal on Revenue Bonds	8640	Permanent transfer of fund balances to the Debt Service Fund to make principal payments on revenue bonds.

Transfers to Debt Service Fund to Pay Interest on Revenue Bonds	8700	Permanent transfers made to the Debt Service Fund to make interest payments on revenue bonds.
Taxes Pledged to Pay Interest on Revenue Bonds	8710	Permanent transfer of tax receipts to the Debt Service Fund to make interest payments on revenue bonds.
Grants & Reimbursements Pledged to Pay Interest on Revenue Bonds	8720	Permanent transfer of grants or reimbursements to the Debt Service Fund to make interest payments on revenue bonds.
Other Revenues Pledged to Pay Interest on Revenue Bonds	8730	Permanent transfer of other revenues to the Debt Service Fund to make interest payments on revenue bonds.

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Fund Balance Transfers Pledged to Pay Interest on Revenue Bonds	8740	Permanent transfer of fund balances to the Debt Service Fund to make interest payments on revenue bonds.
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Transfers to Capital Projects Fund for Capital Projects	8800	Permanent transfers made to the Capital Projects Fund to pay for capital projects.
Taxes Transferred to Pay for Capital Projects	8810	Permanent transfer of tax receipts to the Capital Projects Fund to pay for capital projects.
Grants & Reimbursements Pledged to Pay for Capital Projects	8820	Permanent transfer of grants or reimbursements to the Capital Projects Fund to pay for capital projects.
Other Revenues Pledged to Pay for Capital Projects	8830	Permanent transfer of other revenue to the Capital Projects Fund to pay for capital projects.
Fund Balance Transfers Pledged to Pay for Capital Projects	8840	Permanent transfer of fund balances to the Capital Projects Fund to pay for capital projects.

Transfers to Debt Service Fund to Pay Principal on ISBE Loans	8910	Permanent transfers made to the Debt Service Fund to pay ISBE for various loans.
Technology Loan Program	8911	Permanent transfers made to the Debt Service Fund to pay ISBE for technology loans.
Transportation Start-up Loan	8912	Permanent transfers made to the Debt Service Fund to pay ISBE for transportation start-up loans.
Temporary Emergency Relocation Loan	8913	Permanent transfers made to the Debt Service Fund to pay ISBE for emergency relocation loans.
Emergency Financial Assistance Loan	8914	Permanent transfers made to the Debt Service Fund to pay ISBE for emergency financial assistance loans.
Other ISBE Loan	8915	Permanent transfers made to the Debt Service Fund to pay ISBE for other ISBE loans.
Other Uses of Funds Not Classified Elsewhere	8990	Other miscellaneous financing uses that cannot be classified elsewhere in the 8000 series of accounts. Describe and itemize.

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OTHER ECONOMIC RESOURCES	9000	
QZAB Tax Credits	9100	
E-rate Transactions	9200	
Donated Food Commodities	9300	
State Textbook Loan Program	9400	
Other Miscellaneous Accounts	9900	

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Section 100.TABLE F Expenditure Object Accounts

Label	Account Number	Description
Salaries	100	Amounts paid to permanent, temporary, or substitute employees on the district's payroll. This includes gross salary for personal service rendered while on the payroll of the district.
Employee Benefits	200	Amounts paid by the district on behalf of employees; these amounts are not included in the gross salary, but are over and above it. Payments such as fringe benefits, while not paid directly to the employees, nevertheless are a part of the cost (to the applicable functional areas). These types of costs are not considered a cost to the board of education function and should not all be charged to one area. These costs apply to the same function number as the cost of the applicable salary.
Retirement	210	Amounts paid by the district for employees' retirement.
Teachers Retirement	211	Amounts paid by the district to the Illinois Teachers' Retirement System (TRS) for certified employees.
Municipal Retirement	212	Amounts paid as the employer's share to the Illinois Municipal Retirement Fund (IMRF) for noncertificated employees' retirement.
FICA (Social Security)	213	Amounts paid as the employer's share of federal insurance contributions for applicable certificated and noncertificated employees' Social Security.
Medicare Only	214	Amounts paid as the employer's share of Medicare Only contributions for employees who do not contribute to FICA but are required by law to contribute the Medicare Only portion of FICA.
One-Time TRS Early Retirement	215	Amount paid as the employer's portion of the early retirement contribution required by Sections 16-133.2, 133.4, and 133.5 of the Illinois Pension Code [40 ILCS 5/16-133.2, 133.4, and 133.5].

STATE BOARD OF EDUCATION

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"On-Behalf" Payments	216	Payments made by the State or other government on behalf of the district that benefit active employees of the district.
Insurance	220	Employer's share paid by the district.
Life Insurance	221	Employer's share paid by the district for life insurance.
Medical Insurance	222	Employer's share paid by the district for medical insurance.
Dental Insurance	223	Employer's share paid by the district for dental insurance.
Tuition Reimbursement	230	Amount reimbursed by the district to an employee qualifying based upon the district's policy.
Other Employee Benefits	231	Employee benefits other than those in the 200 series of object codes and not including termination benefits.
Unemployment Compensation	232	Amounts paid by the district to provide unemployment compensation for its employees.
Workers' Compensation	233	Amounts paid by the district to provide workers' compensation insurance for its employees.
Health Benefits	234	Amounts paid by the district for health insurance not included above for its current or retired employees.

Purchased Services	300	Amounts paid for personal services rendered by personnel who are not on the district's payroll, and other services the district may purchase. While a product may or may not result from the transaction, the primary reason for the purchase is the service provided in order to obtain the desired results.
Professional & Technical Services	310	Services that, by their nature, can be performed only by persons with specialized skills and knowledge.
Professional Services - Administrative	311	Services provided in support of various policymaking and managerial activities of the district, such as management consulting activities oriented to general governance, business and financial management of the district, and school management support activities.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Professional Employee Training & Development Services	312	Services supporting the professional development of district personnel, including instructional and administrative employees. Included are course registration fees (that are not tuition reimbursement), charges from external vendors to conduct training courses (either at district facilities or off-site), and other expenditures associated with training or professional development by third-party vendors. All expenditures should be captured in this account, regardless of the type or intent of the training course or professional development activity.
Food-Processing Costs	313	Services performed by persons or organizations that result in the conversion of donated foods into a different food product or the repackaging of donated foods.
Professional Services - Instructional	314	Services provided in support of instructional programs or activities. Included would be counseling and guidance services, library and media support services, curriculum improvement services, and any other contracted services related to the enhancement of the teaching or instructional process.
Food - Contracted	315	Services provided by a commercial enterprise or a nonprofit organization to manage any aspect of the school food service.
Data Processing/Statistical Services	316	Services performed by persons or organizations to provide data processing or statistical data. This category includes special services for data processing, programming services, analysis, tabulations, or similar work.
Audit/Financial Services	317	Services performed for the school board by auditors, accountants, or auditing or financial services firms.
Legal Services	318	Services rendered in connection with providing counseling and legal services to the school board.
Other Professional & Technical Services	319	Services that are professional or technical in nature and have not been classified above, such as athletic officials and service charges on long-term debt.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Property Services	320	Services purchased to operate, repair, maintain, and rent property owned or used by the district. These services are performed by persons other than district employees.
Sanitation Services	321	Expenditures for garbage collection, trash removal, and exterminating services.
Cleaning Services	322	Services purchased to provide cleaning or laundry services and snow removal.
Rentals	325	Expenditures for leasing or renting supplies, land, buildings, and equipment for either temporary or long-range use by the district. This includes rental of buses and other vehicles operated by the district, leases of data processing equipment, lease-purchase arrangements, and similar rental agreements. Costs for single agreements covering equipment as well as operators are not included here, but are considered in Accounts 320-322.
Other Property Services	329	Property services purchased and not classified elsewhere in the 320 series of accounts. Describe and itemize.
Transportation Services	330	Expenditures for transporting children to school and official travel of district employees.
Pupil Transportation	331	Expenditures to persons or agencies for the purpose of transporting children to school. These include those expenditures to individuals who transport themselves or their own children or to those children for reimbursement of transportation expenses on a public carrier.
Travel	332	Expenditures for transportation, meals, hotel, and other expenses associated with traveling or business for the district. Payments for "per diem" in lieu of reimbursements for subsistence (room and board) also are charged here.
Other Transportation Services	339	Transportation services other than those classified elsewhere in the 330 series of accounts. Describe and itemize.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Communications	340	Services provided by persons or businesses to assist in transmitting and receiving messages or information. This category includes telephone and telegraph services as well as postage machine rental and postage.
Advertising	350	Expenditures for printed or broadcast announcements in professional periodicals and newspapers or by way of radio and television networks. These expenditures include advertising for such purposes as personnel recruitment, legal ads, new and used equipment sales, and sale of other objects. (Costs for professional fees for advertising or public relation services are not recorded here but are charged to Professional Services.)
Printing & Binding	360	Expenditures for job printing and binding, usually according to the district's specifications. This includes the design and printing of forms and posters, as well as printing and binding of district publications. (Preprinted standard forms are not charged here, but are recorded under Supplies and Materials (400 series of accounts).)
Water/Sewer Service	370	Expenditures to a utility company for water and sewage services.
Insurance (Other than Employee Benefits)	380	Insurance purchased to protect school board members against loss due to accident or neglect. Expenditures for all types of insurance, including liability insurance, property insurance, bond premiums, vehicle insurance, pupil transportation insurance, workers' compensation insurance, and unemployment compensation insurance. (Payments for insurance such as health, life, and dental are employee benefits and are charged under the 200 series of accounts.)
Other Purchased Services	390	Expenditures for all other purchased services not captured elsewhere in the 300 series of accounts, such as election judges.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Supplies & Materials	400	Amounts paid for material items of an expendable nature that are consumed, worn out, or deteriorated in use; or items that lose their identity through fabrication or incorporation into different or more complex units or substances.
General Supplies	410	Expenditures for all supplies for the operation of a district, including workbooks, freight, and cartage.
Textbooks	420	Expenditures for prescribed books that are purchased for pupils or groups of pupils and resold or furnished free to them. This category includes the cost of textbook binding or repairs, as well as the net amount of textbooks that are purchased to be resold or rented.
Library Books	430	Expenditures for regular or incidental purchases of library books available for general use by students, including any reference books, even though such reference books may be used solely in the classroom. Also recorded here are costs of binding or other repairs to school library books. The initial purchase of books for a new school library or any materials acquisitions involving an expansion of the library are recorded under Capital Outlay (500 series of accounts).
Periodicals	440	Expenditures for periodicals and newspapers for general use. A periodical is defined as any publication appearing at regular intervals of less than a year and continuing for an indefinite period.
Warehouse Inventory Adjustment	450	Expenditures that are the result of a deficit, usually found in an audit or count of items held in a store or warehouse inventory. Expenditures for the purchase of these items are generally debited to an asset account, "Inventory of Supplies", and are charged to the proper appropriation as they are requisitioned. Only a loss should be charged to this account.
Energy	460	Expenditures for energy costs, including electricity, gas, oil, coal, gasoline, and other services or supplies related to energy or utility costs from a private utility service or public supply company. Included are the transportation costs involved in securing these products or services.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Bottled Gas	461	Expenditures for bottled gas, such as propane gas received in tanks.
Oil	462	Expenditures for bulk oil normally used for heating purposes.
Coal	463	Expenditures for coal normally used for heating purposes.
Gasoline	464	Expenditures for gasoline purchased in bulk or periodically from a gasoline service station or supplier.
Natural Gas	465	Expenditures for gas utility services from a private or public utility company.
Electricity	466	Expenditures for electric services from a private or public utility company.
Other Energy Costs	469	Other energy supplies and/or utility costs not identified elsewhere in the 460 series of accounts. Describe and itemize.
Software	470	Expenditures for the purchase of computer software supplies.
Other Supplies & Materials	490	Expenditures for all other supplies and materials not included elsewhere in the 400 series of accounts. Describe and itemize.
Capital Outlay	500	Expenditures for the acquisition of fixed assets or additions to fixed assets. These are expenditures for land or existing buildings, improvements of grounds, construction of buildings, additions to buildings, remodeling of buildings, initial equipment, additional equipment, and replacement of equipment.
Works of Art and Historical Treasures	510	Individual items or collections of items that are of artistic or cultural importance. These are non-depreciable assets.
Land	520	This account reflects the acquisition value of land owned by a district. If land is purchased, this account shall include the purchase price and costs such as legal fees, filling and excavation costs, and other associated improvement costs.
Non-Depreciable Land	521	This account reflects the acquisition value of land owned by the district, other than land acquired or used for bus parking or maintenance and claimable under the Pupil Transportation Reimbursement program.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Depreciable Land	522	This account reflects the acquisition value of land owned by the district and acquired or used for bus parking or maintenance and claimable under the Pupil Transportation Reimbursement program.
Accumulated Depreciation on Land	523	Accumulated amounts for the depreciation of land claimed under the Pupil Transportation Reimbursement program.
Buildings and Building Improvements	530	Expenditures for acquiring buildings and additions, either existing or to be constructed. Included are expenditures for installment or lease payments (except interest) that have a terminal date and result in the acquisition of buildings, except payments to public building authorities or similar agencies. Expenditures for major, permanent, structural alterations and the initial or additional installation of heating and ventilating systems, electrical systems, plumbing systems, fire protection systems, and other service systems in existing buildings are also included.
Permanent Buildings & Building Improvements	531	Buildings and additions that are properly classified as real estate.
Temporary Buildings & Building Improvements	532	Buildings and additions that are properly classified as personal property and are primarily characterized by the absence of a permanent foundation.
Accumulated Depreciation on Permanent Buildings and Building Improvements	533	Accumulated amounts for the depreciation of permanent buildings and building improvements.
Accumulated Depreciation on Temporary Buildings and Building Improvements	534	Accumulated amounts for the depreciation of temporary buildings and building improvements.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Site Improvements & Infrastructure	540	Expenditures for the initial and additional improvement of sites and adjacent ways after acquisition by the district, consisting of work such as grading, landscaping, seeding, and planting of shrubs and trees; constructing new sidewalks, roadways, retaining walls, sewers and storm drains; installing hydrants; initial surfacing and soil treatment of athletic fields and tennis courts; furnishing and initial installment of fixed playground apparatus, flagpoles, gateways, fences, and underground storage tanks that are not parts of building service systems; and demolition work. Special assessments against the district for capital improvements such as streets, curbs, and drains are also recorded here.
Accumulated Depreciation on Site Improvements	541	Accumulated amounts for the depreciation of site improvements and infrastructure.
Capitalized Equipment	550	Any instrument, machine, apparatus, or set of articles that equals or exceeds the district's capitalization threshold.
Capitalized Equipment (3-Year Schedule)	551	Repairs or modifications to a pupil transportation vehicle, pupil monitoring equipment installed on school buses including video cameras, and computer equipment used exclusively in the food service program.
Capitalized Equipment (5-Year Schedule)	552	Pupil transportation vehicles used to transport students, driver education cars, vehicles or transportation equipment used exclusively in the food service program, and equipment necessary for the operation of a special educational facility.
Capitalized Equipment (10-Year Schedule)	553	All capitalized equipment not included in the 3-year or 5-year schedule, including but not limited to other equipment used in the food service program, other equipment used in the driver education program, two-way transportation vehicle communication systems, pupil transportation equipment not installed in the vehicle, service vehicles (such as a tow truck) used to service pupil transportation vehicles, and other capitalized equipment.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Accumulated Depreciation on Capitalized Equipment (3-Year Schedule)	554	Accumulated amounts for the depreciation of capitalized equipment with a 3-year schedule.
Accumulated Depreciation on Capitalized Equipment (5-Year Schedule)	555	Accumulated amounts for the depreciation of capitalized equipment with a 5-year schedule.
Accumulated Depreciation on Capitalized Equipment (10-Year Schedule)	556	Accumulated amounts for the depreciation of capitalized equipment with a 10-year schedule.
Construction in Progress	560	The cost of construction work undertaken but not yet completed.
Other Objects	600	Amounts paid for goods and services not otherwise classified in the 300, 400, or 500 series of accounts. Describe and itemize.
Redemption of Principal	610	Expenditures from current funds to retire principal of bonds.
Interest	620	Expenditures from current funds for interest on bonds, notes, warrants, etc.
PBC Lease payments	630	Payments to a local public building commission pursuant to a lease agreement.
Dues and Fees	640	Expenditures for assessments or memberships in professional or other organizations or associations.
Judgments	650	Amounts paid to settle claims or judgments.
Transfers	660	Used to record transfers between funds and disbursement of flow-through funds.
Fund Modifications	661	Used to record the transfer of money from one fund to another.
Transits	662	This category represents flow-through funds that one district receives as a part of a specific grant and then transfers to one or more other districts.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED RULES

Tuition	670	Expenditures to reimburse other educational agencies for services rendered to students residing within the legal boundaries described for the paying district. Payments to private educational facilities should be charged to the appropriate instructional account; payments to other districts shall be charged to the appropriate account within the 4000 series of account numbers.
Miscellaneous Objects	690	Other objects that cannot be classified elsewhere in the 100-500 series of accounts. Describe and itemize.
Non-capitalized Equipment	700	Items that would be classified as capital assets except that they cost less than the capitalization threshold but more than the \$500 minimum value established for purposes of calculating per capita cost pursuant to Section 18-3 of the School Code [105 ILCS 5/18-3].
Termination Benefits	800	Payments made to terminated or retiring employees as compensation for unused sick or vacation days.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Program Accounting Manual
- 2) Code Citation: 23 Ill. Adm. Code 110
- 3) Section Number: 110.10 Adopted Action: Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, and 34-43.1
- 5) Effective Date of Amendment: October 19, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: June 1, 2007; 31 Ill. Reg. 7609
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreements letter was issued.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Amendment: This amendment provides notice of the ending date to the effectiveness of this Part so that its relationship to new Part 100, being promulgated concurrently to cover the same topics, will be clear.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Debbie Vespa

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

School Business and Support Services Division
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

217/785-8779

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

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER c: FINANCE

PART 110

PROGRAM ACCOUNTING MANUAL

Section

110.10	Use of this Manual
110.20	Fund Accounting
110.25	Transfer of Interest to Other Funds
110.30	Balance Sheet Accounting
110.40	Revenue Accounting
110.50	Expenditure Accounting
110.60	Criteria for Cost Identification
110.70	Account Classification Summary
110.80	Transaction Codes
110.90	State Reporting Requirements
110.100	Budgeting
110.110	Audit Requirements
110.115	Regional Offices of Education
110.120	Supplies and Equipment
110.125	Revolving/Imprest Fund
110.135	Petty Cash Fund
110.TABLE A	Explanation of Funds
110.TABLE B	Definitions of Balance Sheet Accounts
110.TABLE C	Definitions of Revenue Classifications
110.TABLE D	Definitions of Expenditure Dimensions

AUTHORITY: Implementing and authorized by Sections 2-3.17a, 2-3.27, 2-3.28 and 34-43.1 of the School Code [105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, and 34-43.1].

SOURCE: Adopted at 10 Ill. Reg. 20508, effective December 2, 1986; amended at 13 Ill. Reg. 7610, effective May 4, 1989; amended at 14 Ill. Reg. 20608, effective December 14, 1990; amended at 18 Ill. Reg. 5178, effective March 22, 1994; amended at 18 Ill. Reg. 17443, effective November 28, 1994; amended at 31 Ill. Reg. 14959, effective October 19, 2007.

Section 110.10 Use of this Manual

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- a) Each school district, cooperative/joint agreement, educational service center, or vocational education regional delivery system organized under a cooperative agreement (hereinafter referred to as local education agency or LEA) must develop a chart of accounts based on the dimensions and categories presented in this Manual.
- b) Account numbers shall be used as listed in this Manual; LEA's shall not change the description for a printed number. However, the LEA can assign any number not listed, if the new description is within the proper category.
- c) The provisions of this Part shall have no further effect beginning with Fiscal Year 2009. See 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing).

(Source: Amended at 31 Ill. Reg. 14959, effective October 19, 2007)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Student Activity Funds and Convenience Accounts
- 2) Code Citation: 23 Ill. Adm. Code 125
- 3) Section Number: 125.5 Adopted Action:
New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.27
- 5) Effective Date of Amendment: October 19, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: June 1, 2007; 31 Ill. Reg. 7613
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreements letter was issued.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Amendment: This amendment provides notice of the ending date to the effectiveness of this Part so that its relationship to new Part 100, being promulgated concurrently to cover the same topics, will be clear.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Debbie Vespa

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

School Business and Support Services Division
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

217/785-8779

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

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER c: FINANCE

PART 125
STUDENT ACTIVITY FUNDS AND CONVENIENCE ACCOUNTS

Section

125.5

Term of Applicability

125.10

Student Activity Funds and Convenience Accounts

AUTHORITY: Implementing Section 10-20.19(3) and authorized by Section 2-3.27 of the School Code [105 ILCS 5/10-20.19(3) and 2-3.27].

SOURCE: Adopted August 19, 1975; codified at 8 Ill. Reg. 1447; Part repealed, new Part adopted at 9 Ill. Reg. 19381, effective December 2, 1985; amended at 31 Ill. Reg. 14963, effective October 19, 2007.

Section 125.5 Term of Applicability

The provisions of this Part shall have no further effect beginning with Fiscal Year 2009. See 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing).

(Source: Added at 31 Ill. Reg. 14963, effective October 19, 2007)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of October 15, 2007 through October 22, 2007 and have been scheduled for review by the Committee at its November 13, 2007 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>
11/28/07	<u>Department of Revenue</u> , Income Tax (86 Ill. Adm. Code 100)	8/24/07 31 Ill. Reg. 12296	11/13/07
11/28/07	<u>Department of Natural Resources</u> , The Taking of Wild Turkeys – Spring Season (17 Ill. Adm. Code 710)	8/24/07 31 Ill. Reg. 12271	11/13/07
11/29/07	<u>Department of Revenue</u> , Income Tax (86 Ill. Adm. Code 100)	8/31/07 31 Ill. Reg. 12449	11/13/07
11/30/07	<u>Pollution Control Board</u> , General Rules (35 Ill. Adm. Code 101)	5/4/07 31 Ill. Reg. 6537	11/13/07
11/30/07	<u>Pollution Control Board</u> , Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002) (35 Ill. Adm. Code 732)	5/4/07 31 Ill. Reg. 6629	11/13/07
11/30/07	<u>Pollution Control Board</u> , Petroleum Underground Storage Tanks (Releases Reported on or After June 24, 2002) (35 Ill. Adm. Code 734)	5/4/07 31 Ill. Reg. 6648	11/13/07
11/30/07	<u>Pollution Control Board</u> , Solid Waste Disposal: General Provisions (35 Ill. Adm. Code 810)	8/3/07 31 Ill. Reg.	11/13/07

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

		11107	
11/30/07	<u>Pollution Control Board</u> , Standards for New Solid Waste Landfills (35 Ill. Adm. Code 811)	8/3/07 31 Ill. Reg. 11112	11/13/07
12/1/07	<u>Department of Central Management Services</u> , Pay Plan (80 Ill. Adm. Code 310)	8/31/07 31 Ill. Reg. 12384	11/13/07
12/1/07	<u>Department of Natural Resources</u> , Ginseng Harvest and Commerce Regulations (17 Ill. Adm. Code 1580)	8/31/07 31 Ill. Reg. 12445	11/13/07
12/2/07	<u>Secretary of State</u> , Literacy Grant Program (Repealer) (23 Ill. Adm. Code 3040)	8/31/07 31 Ill. Reg. 12528	11/13/07
12/2/07	<u>Secretary of State</u> , Public Library Construction Grants (23 Ill. Adm. Code 3060)	8/31/07 31 Ill. Reg. 12546	11/13/07
12/2/07	<u>Secretary of State</u> , The Illinois Library System Act (23 Ill. Adm. Code 3030)	8/31/07 31 Ill. Reg. 12463	11/13/07
12/2/07	<u>Secretary of State</u> , Illinois State Library Grant Program (23 Ill. Adm. Code 3035)	8/31/07 31 Ill. Reg. 12499	11/13/07
12/2/07	<u>Secretary of State</u> , The Illinois State Library Training Program Grants (Repealer) (23 Ill. Adm. Code 3070)	8/31/07 31 Ill. Reg. 12567	11/13/07
12/2/07	<u>Illinois Racing Board</u> , Race Officials (11 Ill. Adm. Code 1306)	8/3/07 31 Ill. Reg. 11272	11/13/07

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

12/2/07	<u>Illinois Racing Board</u> , Eligibility and Qualification for Races (11 Ill. Adm. Code 1309)	8/17/07 31 Ill. Reg. 12151	11/13/07
12/2/07	<u>Illinois Racing Board</u> , General Licensee Rules (11 Ill. Adm. Code 1313)	8/3/07 31 Ill. Reg. 11276	11/13/07
12/2/07	<u>Illinois Racing Board</u> , Forbidden Conduct (11 Ill. Adm. Code 1320)	8/3/07 31 Ill. Reg. 11281	11/13/07
12/2/07	<u>Illinois Racing Board</u> , Officials of Meeting (11 Ill. Adm. Code 1403)	8/3/07 31 Ill. Reg. 11289	11/13/07
12/2/07	<u>Illinois Racing Board</u> , Trainers and Owners (11 Ill. Adm. Code 1410)	8/3/07 31 Ill. Reg. 11293	11/13/07
12/2/07	<u>Illinois Racing Board</u> , Regulations for Meetings (Thoroughbred) (11 Ill. Adm. Code 1424)	8/3/07 31 Ill. Reg. 11297	11/13/07
12/2/07	<u>Illinois Racing Board</u> , Horse Health Rules (Repealer) (11 Ill. Adm. Code 1431)	8/17/07 31 Ill. Reg. 12155	11/13/07

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings and General Information Letters in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act

Citation: 20 ILCS 2515/1 et seq.

2. Summary of information:

Index of Department of Revenue income tax Private Letter Rulings and General Information Letters issued for the Third Quarter of 2007. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. *General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act.* (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Apportionment – Payroll Factor
Collections
Credits – Film Credit
Credits – Foreign Tax

Penalties – Failure to Pay
Public Law 86-272/Nexus
Residency/Nonresidency

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 50 cents per page for each page over one. Copies of the ruling letters may be downloaded free of charge from the Department's World Wide Web site at www.tax.illinois.gov.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

The indexes of Income Tax letter rulings for 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005 and 2006 are available for \$3.00. A cumulative Income Tax Sunshine Index of 1981 through 1989 letter rulings may be purchased for \$4.00.

3. Name and address of person to contact concerning this information:

Linda Settle
Illinois Department of Revenue
Legal Services Office
101 West Jefferson Street
Springfield, Illinois 62794

217/782-7055

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

APPORTIONMENT – PAYROLL FACTOR

IT 07-0029-GIL 08/08/2007 In the special rule for compensation of professional athletes, the term "team" refers to the employer.

COLLECTIONS

IT 07-0031-GIL 09/17/2007 A fee owed to a collection agency may be added to the amount of tax due and collected in the same manner as the tax, under 20 ILCS 2505/2505-400.

CREDITS – FILM CREDIT

IT 07-0002-PLR 09/06/2007 Transferee of film credit is allowed the credit in the tax year in which the credit certificate was originally issued, regardless of the year of transfer.

CREDITS – FOREIGN TAX

IT 07-0030-GIL 09/14/2007 Income shown on a return filed with a state that imposed no income tax liability on the taxpayer is not includable in double-taxed income.

IT 07-0032-GIL 09/18/2007 Computation of income double-taxed by California and Illinois explained.

PENALTIES – FAILURE TO PAY

IT 07-0025-GIL 07/13/2007 Payment of income tax is due no later than the unextended due date of the return, and any payment made later is subject to penalty.

PUBLIC LAW 86-272/NEXUS

IT 07-0028-GIL 08/06/2007 Activities described appear to be protected activities under

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

Public Law 86-272.

IT 07-0033-GIL 09/19/2007 Activities described are not protected activities under Public Law 86-272.

RESIDENCY/NONRESIDENCY

IT 07-0026-GIL 07/26/2007 The residence of a trust is not affected by changes in residence or location of its trustees or beneficiaries.

IT 07-0027-GIL 07/30/2007 Residency of a trust is determined at the time it becomes irrevocable.

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