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AGENCIES



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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.].

2008 REGISTER SCHEDULE VOLUME #32

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 21, 2007*	January 4, 2008
2	December 31, 2007	January 11, 2008
3	January 7, 2008	January 18, 2008
4	January 14, 2008	January 25, 2008
5	January 22, 2008	February 1, 2008
6	January 28, 2008	February 8, 2008
7	February 4, 2008	February 15, 2008
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15	March 31, 2008	April 11, 2008
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49	November 24, 2008	December 5, 2008
50	December 1, 2008	December 12, 2008
51	December 8, 2008	December 19, 2008
52	December 15, 2008	December 26, 2008
53	December 22, 2008	January 2, 2009

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Unusual Incidents
- 2) Code Citation: 89 Ill. Admin. Code 331
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
331.20	Amend
331.40	Amend
331.50	Amend
331.APPENDIX A	New
- 4) Statutory Authority: 325 ILCS 5
- 5) A complete description of the subjects and issues involved: 89 Ill. Adm. Code 331 describes the types of incidents involving wards that staff, caregivers, service providers, private agencies and contractors must report to the Department. Part 331 currently lists some, but not all, of the types of incidents that require an Unusual Incident Report (UIR). The proposed amendment defines all of the events that require a UIR and reformats the Part to list them in an appendix.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand 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 parties may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice. Comments should be submitted to:

Jeff Osowski

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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Office of Child and Family Policy
Department of Children and Family Services
406 East Monroe, Station #65
Springfield, Illinois 62701-1498

Telephone: 217/524-1983
TDD: 217/524-3715
FAX: 217/557-0692
E-Mail address: cfpolicy@idcfs.state.il.us

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

- 13) Initial regulatory flexibility analysis: The Department has determined that the proposed amendment will not have an economic impact on small businesses.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: the revisions were not anticipated at the time the regulatory agenda was completed.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER b: PROGRAM AND TECHNICAL SUPPORT

PART 331

UNUSUAL INCIDENTS

Section

- 331.1 Purpose (Repealed)
- 331.2 Definitions (Repealed)
- 331.3 Reporting Unusual Incidents (Repealed)
- 331.4 Notifying Relatives of Unusual Incidents (Repealed)
- 331.5 Unusual Incidents in Department Facilities (Repealed)
- 331.6 Criminal Behavior of Foster Parents (Repealed)
- 331.7 Unusual Incidents Involving Department Employees (Repealed)
- 331.10 Purpose
- 331.20 Definitions
- 331.30 Reporting Requirements
- 331.40 Unusual Incidents Involving Children and Youth
- 331.50 Unusual Incidents Involving Employees or Facilities
- 331.60 Criminal Behavior of Foster Parents or Relative Caregivers
- 331.70 Dispositions and Reviews
- 331.80 Records Retention
- 331.90 Violation of this Part

[331.APPENDIX A](#) [Types of Unusual Incidents](#)

AUTHORITY: Implementing the Abused and Neglected Child Reporting Act [325 ILCS 5] and Section 33.1 of the Criminal Code of 1961 and implementing and authorized by the Children and Family Services Act [20 ILCS 505] and the Child Care Act of 1969 [225 ILCS 10].

SOURCE: Adopted and codified at 5 Ill. Reg. 6760, effective June 26, 1981; amended at 25 Ill. Reg. 7440, effective June 15, 2001; amended at 32 Ill. Reg. _____, effective _____.

Section 331.20 Definitions

"Caregiver" means persons designated by the Department of Children and Family Services to be responsible for the day-to-day care of children and youth for whom the Department is legally responsible. This includes foster parents, relative caregivers, and administrators of group homes, child care institutions, and child

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welfare agencies.

"Child care facility", as used in this Part, means any child care institution, maternity center, child welfare agency, day care center, day care agency, group home, foster family home, day care home, group day care home, youth emergency shelter or secure child care facility as defined by the Child Care Act of 1969 [225 ILCS 10].

"Child or youth for whom the Department is legally responsible" or "ward" means children for whom the Department has temporary protective custody, custody or guardianship via court order, or children whose parents have signed an adoptive surrender or voluntary placement agreement with the Department.

~~"Confinement" means isolating a child or youth in a restricted area away from other children or staff as his or her behavior poses a threat of physical harm to self or to others. "Confinement" does not include restricting a child to an unlocked room in a foster home, relative home or day care home for a reasonable period of time (commonly known as "timeout"). "Confinement" is further defined in 89 Ill. Adm. Code 384 (Discipline and Behavior Management in Child Care Facilities).~~

"Disposition", for purposes of an Unusual Incident Report, means that activities or services have been undertaken such that the risk to a child or other person's health, safety or welfare has been mitigated or resolved to the point that usual and customary services can be provided, if appropriate. "Disposition" of an unusual incident does not mean a case is closed. Rather, "disposition" means that the extraordinary circumstances reported have been addressed appropriately by responsible staff of the Department or POS (purchase of service) providers and the actions taken have been recorded in a manner prescribed by the Department.

~~"Emotional/verbal abuse" includes incidents where a caregiver attempts to control the behavior of a ward through the use of fear, humiliation, and/or verbal assaults. It may also include rejection by the parent/caretaker, terrorizing the child through the use of threats, ignoring the child, or isolation of the child to the extent that it deprives him or her of opportunities to develop normal social relationships. "Emotional/verbal abuse" includes "mental injury" as defined by 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect).~~

"Employee", as used in this Part, means any staff person employed by the Department, purchase of service (POS) provider contracted by the Department or

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by a child care facility, ~~including and includes~~ any substitute, assistant, volunteer or work-study student used to replace or supplement staff in the direct care or supervision of children. This definition includes administrative, professional and other support staff who have contact with children as part of their duties in the present or prospective employment. The term also includes persons who receive remuneration directly from the Department pursuant to a contract for personal services.

~~"Expelled from school", as used in this Part, means that a child or youth has been barred from educational classes and the use of school facilities for up to two calendar years.~~

~~"Falsification of credentials" means that a job applicant or employee of the Department or a purchase of service provider submits a job application, academic record, employment record, license or certification, or similar documents to establish eligibility for employment or continued employment, or for determining the individual's eligibility for an appointment, reassignment, promotion, leave or other employment decisions that falsely states the qualifications or achievements of the individual.~~

~~"Falsification of records or statements" includes an act of misrepresentation, falsification or omission of any fact, whether written or verbal. Records include, but are not limited to, client or case records, court testimony, vouchers, personnel records, and time and attendance records.~~

~~"Mechanical restraint", as used in this Part, means any device, other than personal physical force, used to directly restrict the limbs, head or body of a person. The term does not include any medically prescribed procedure for the treatment of an existing physical disorder or the amelioration of a physical handicap; nor does the term include a device used for the partial or total immobilization of a person for the purpose of performing a medical/surgical procedure under the supervision of a licensed physician or registered nurse.~~

~~"Medical emergency" means any urgent situation, including an adverse reaction to medication, requiring that a child or youth be seen by a physician on site or transported to an urgent care clinic, doctor's office or hospital emergency room for immediate treatment of an episode that does not result in admission to a hospital.~~

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~~"Misrepresentation of services" means that services to a person served by either the Department or a purchase of service provider are reported as having been provided when they have not been provided or they were provided for a period or under conditions other than those reported. Such misrepresentation may occur in reports to the Department, the courts, auditors or others acting on behalf of the Department.~~

~~"Misrepresentation of the cost of services" means the actual costs to provide a service are intentionally inflated to produce a larger billing or payment than one is entitled to for the services provided. "Misrepresentation of the cost of services" may include deliberately understating the cost of providing services in order to gain advantage in a competitive bidding situation.~~

~~"Missing" means that a child or youth is absent from the residence of a caregiver or the premises of a child care facility without the knowledge or consent of the persons responsible for the child's welfare, the whereabouts of the child or youth are unknown, and intent to run away has not been established.~~

~~"Psychiatric emergency" means a situation requiring crisis intervention by a psychiatrist or other mental health professional, in whatever setting, to reduce the risk of the child or youth to self or others.~~

~~"Restraint", as used in this Part, means the use of physical contact or force, characterized by arm or body holds to physically restrict a child or youth and to protect him/her from injuring self or others. Physical restraint may only be used as an intervention when a child is a threat of physical harm to self or others. "Restraint" or "physical restraint" is further defined in 89 Ill. Adm. Code 384 (Discipline and Behavior Management in Child Care Facilities).~~

~~"Runaway" means that a child or youth is absent from the residence of a caregiver or the premises of a child care facility without the consent of the persons responsible for the child's or youth's welfare, the whereabouts of the child or youth are unknown and intent to run away has been established. If the child or youth has left a note or other indication of intent to run away, he or she shall be considered a "runaway" immediately.~~

~~"Sexually aggressive behavior" involves sexual activity between two or more children that includes one or more of the children having "power over" the other child or children. This power imbalance may be due to age, size, position,~~

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~~physical and/or mental capacity, etc. Sexual aggression involves sexual activities such as fondling, frottage (bumping, touching, or rubbing against others for sexual satisfaction), and penetration. "Sexually aggressive behavior" may include the use of bribery, trickery, coercion, force, or weapons.~~

~~"Sexually problematic behavior" includes those behaviors of children that are not usual and expected that typically do not, but may, involve physical contact with others. These behaviors include public masturbation, voyeurism, exhibitionism, etc. Such behaviors violate societal norms for what is generally acceptable behavior and reflect an interruption of normal sexual development.~~

~~"Suicide ideation" means that a child or youth expresses or conveys to a caregiver or others a mental image of committing suicide.~~

~~"Suspected alcohol or substance abuse" means that a caregiver or others have reason to believe that a child or youth has illegally consumed alcohol; used or is using cannabis or a controlled substance as defined by the Illinois Controlled Substances Act [720 ILCS 570] without a physician's prescription, or is using or has used inhalants or other substances intended to have an intoxicating or hallucinogenic effect or that could result in clinical dependency.~~

~~"Suspended from school", as used in this Part, means that a child or youth has been temporarily barred from attending educational classes and access to school facilities or school bus. "Suspension" is usually for up to 10 school days, but may be longer for safety reasons as determined by school authorities.~~

"Unusual incident", as used in this Part, means an occurrence or event beyond the customary operations, routines or relationships in the Department, a child care facility or other entity that is licensed or regulated by the Department of Children and Family Services or that provides services for the Department pursuant to a grant, contract or purchase of service agreement. Unusual incidents may involve children and youth, employees, foster parents or relative caregivers. Unusual incidents may also involve damage to property, allegations of criminal activity, misconduct, or other occurrences affecting the operations of the Department or a child care facility. Any incident that could have media impact may be an unusual incident. Unusual incidents are further enumerated in Sections 331.30, 331.40 and 331.50 of this Part.

"Ward" – See "Child or youth for whom the Department is legally responsible".

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~~"Weapon", as used in this Part, means any instrument that is capable of producing death or serious bodily injury when used for its intrinsic purpose or that has the potential to cause serious bodily injury or endanger a life because of the way it is used, the way it is attempted to be used, or the force with which it is used. The term "weapon" includes, but is not limited to, firearms, knives, clubs and explosive devices.~~

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

Section 331.40 Unusual Incidents Involving Children and Youth

- a) Caregivers shall immediately report to the Department those unusual incidents that involve any child or youth for whom the Department is legally responsible on a form and in a manner prescribed by the Department. Assigned caseworkers shall instruct foster parents and relative caregivers to report unusual incidents to the caseworker, who shall be responsible for reporting the incident to the Department. Further, Department employees shall immediately report all unusual incidents to the appropriate administrator of the Department region in which the unusual incident occurred and to the administrator in charge of the operations of the Department or his or her designee.
- b) Events or occurrences that shall be reported to the Department as unusual incidents when they involve a child or youth for whom the Department is legally responsible include, but are not limited to:
- 1) ~~Abuse of a ward alleged~~Physical abuse;
 - 2) Neglect ~~of a ward alleged~~;
 - 3) ~~Emotional/verbal abuse~~;
 - 34) Sexual abuse ~~of a ward alleged~~;
 - 45) Death of ~~DCFS~~ ward;
 - 56) Self-inflicted injury/wound ~~to a ward requiring medical attention~~;
 - 67) Accidental injury/wound ~~to a ward requiring medical attention~~;

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- 78) Restraint of a ward results in injury~~Injury during restraint;~~
- 89) Medication - ward refusal~~Ward refuses prescription medication;~~
- 910) Medical emergency;
- 1011) Medication dispensing error;
- 11) Medication, adverse reaction;
- 12) Psychiatric emergency;
- 13) Medical hospitalization;
- 14) Psychotropic medication - emergency administration;
- 1514) Psychiatric hospitalization;
- 1615) School - ward~~Ward~~ suspended/expelled from school;
- 1716) School - ward expelled~~Ward arrested, charged with or convicted of crime;~~
- 1817) Crime - ward~~Ward~~ detained, arrested, charged with or convicted of crime or act of delinquency put in restraint/confinement;
- 1918) Restraint of a ward (manual)~~Ward restrained/confined 5 or more times in 30 day period;~~
- 20) Seclusion of a ward;
- 2119) Runaway~~Ward on runaway~~ or missing ward;
- 2220) Weapon alleged to be in ward's~~Ward in~~ possession of a weapon;
- 2321) Alcohol~~Ward alcohol~~ or substance~~drug~~ abuse by a ward suspected;
- 2422) Assault of a ward alleged~~Ward victim of assault;~~

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- 2523) Sexual assault of a ward alleged;
 - 2624) Sexually aggressive behavior by a ward alleged;
 - 2725) Sexually problematic behavior by a ward alleged;
 - 2826) Pregnant or parenting ward identified~~Identification of pregnant ward~~;
 - 27) Identification of parenting ward;
 - 2928) Kidnapping or abduction of ward;
 - 3029) Suicide attempt by ward;
 - 3130) Suicide ideation/threat by ward;
 - 3234) Property damage of \$50 or more;-
 - 33) Aggressive act or behavior by a ward alleged;
 - 34) Death of a former ward;
 - 35) Death of a non-ward; and
 - 36) Accident involving ward.
- c) The death of a child or youth for whom the Department had previous legal responsibility shall be reported as an unusual incident when the death is made known to the staff of the Department or a purchase of service provider, and the death occurs within one year after discharge from guardianship or custody of the Department.
- d) Any child whose death is reported to the State Central Register as a result of alleged child abuse or neglect shall be treated as an unusual incident in accordance with this Part.
- e) Alleged child abuse or neglect reported as an unusual incident shall also be reported immediately to the State Central Register, in accordance with 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect). Action taken shall be in

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accordance with those rules.

- f) Unusual incidents involving children or youth for whom the Department is legally responsible shall be reported immediately to the Department by telephone, ~~and telefax or~~ other electronic means in a manner and form prescribed by the Department. Verbal reports shall be confirmed in a manner and written form prescribed by the Department within two working days after the occurrence.
- g) Any usual incident that involves the death, assault, sexual assault, abduction or kidnapping of a child or youth for whom the Department is legally responsible shall be reported immediately to appropriate law enforcement authorities. Further, that a child or youth is missing or has run away shall be reported to law enforcement authorities as soon as the caregiver has reason to believe that the child or youth has run away or is missing.
- h) In addition to filing an unusual incident report, any incident that involves death, assault, sexual assault, abduction or kidnapping of a child or youth that occurs on the premises of a Department facility shall be reported immediately, by phone, to the administrator in charge of the operations of the Department or his or her designee and to the Department's Inspector General. Any other unusual incidents in Department facilities shall be reported to the administrator in charge of the operations of the Department or his or her designee in the manner prescribed by this Part.
- i) Immediately upon receipt of a report indicating that a child or youth for whom the Department is legally responsible has been the subject of abuse or neglect, is deceased, is the subject of an abduction or kidnapping, or has been on an unauthorized absence of more than 24 hours, the Department shall notify the parents, guardian or legal custodian. If the parents, guardian or legal custodian is unavailable, the Department shall notify the next of kin or other family member of the unusual incident.
- j) When an incident described in this Section involves a child or youth for whom the Department is legally responsible who is in the direct care of a child care facility other than the Department, the responsible child care facility shall notify the parents, guardian or legal custodian, if other than the Department. If the parents, guardian or legal custodian is unavailable, the child care facility shall notify the next of kin or other family member of the unusual incident. Information regarding that notification shall be included in the facility's report to the

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Department regarding the incident.

- k) The Department may waive the requirement of reporting repeated incidents described in subsection (b) when the Department determines that the incidents are part of the behavior pattern of a particular child or youth, or that the incidents are part of the individual treatment plan for a particular child or youth. The caregiver may apply to the Department for a waiver under this provision in accordance with procedures prescribed by the Department. The caregiver must not discontinue reporting any unusual incidents until authorization is formally granted by the Department, in accordance with procedures prescribed by the Department. The Department shall notify the child's attorney or guardian ad litem of the waiver authorization.

AGENCY NOTE: Terms used in this Section to describe unusual incidents have the meaning ascribed to them by the Criminal Code of 1961 [720 ILCS 5] or 89 Ill. Adm. Code 300 (Reports of Child Abuse or Neglect), as applicable.

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

Section 331.50 Unusual Incidents Involving Employees or Facilities

- a) Incidents or occurrences that shall be reported to the Department as unusual incidents when they involve the employees or facilities of the Department or a child care facility include, but are not limited to:
- 1) Crime - Employee arrested, charged ~~with~~ or convicted ~~of a crime~~;
 - 2) Threats ~~made~~ against DCFS or POS staff or facility, including bomb threats, firearms, or riot/mob action ~~regardless of source~~;
 - 3) Misrepresentation of services or costs of services provided;
 - 4) Falsification of credentials or records;
 - 5) Firearms - Employee, other than law enforcement officer, has firearm on premises;
 - 6) Robbery or burglary occurred on premises;

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- 7) Hazardous/physical condition identified at facility;
 - 8) ~~Legal action by/against a child care facility resulting from serious incident~~ ~~resulting in legal action against facility;~~ ~~or~~ ~~serious~~
 - 9) Fire or natural disaster damaged or affected facility/home;
 - 10) Crime - Foster parent arrested, charged with or convicted of a crime;
 - 11) Media involvement/media inquiry;
 - 12) Violation of a court order;
 - 13) Report against DCFS or POS worker involving a ward alleged; or
 - 14) Bribery or attempted bribery of a DCFS employee.
- b) Unusual incidents described in subsection (a) shall be reported immediately to the Department as soon as the reporter has reason to believe that an unusual incident has occurred, in a manner and form prescribed by the Department.
- c) All unusual incidents for which Department employees are allegedly responsible, including but not limited to violations of the Illinois Criminal Code of 1961 [720 ILCS 5], theft or destruction of State property, and using a weapon or bringing a weapon onto State owned or leased property, shall be reported immediately to the Department's Inspector General, as well as to other appropriate authorities in accordance with statute and this Part.
- d) Bribery of a State employee is a criminal offense. Any Department employee who has reasonable grounds to believe that an attempt to bribe him or her has or will be made shall report such incidents immediately to his or her immediate supervisor and to the Department's Inspector General, as well as report to other appropriate authorities in accordance with statute and this Part.
- e) Any incident that could have media impact that is other than part of planned public education or similar effort shall be reported as an unusual incident. Such incidents include, but are not limited to, those that involve a child or youth for whom the Department is legally responsible, persons served by the Department, child care facilities licensed by the Department, staff of the Department or a

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purchase of service provider, or litigation affecting a purchase of service provider.

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

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Section 331.APPENDIX A Types of Unusual IncidentsAbuse of a Ward Alleged

A caregiver, parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child or a paramour of the child's parent is alleged to have inflicted, caused to be inflicted, or allowed to be inflicted upon a ward physical or mental injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function to a ward.

Accident Involving a Ward

A child for whom the Department is legally responsible has experienced an unexpected and undesirable event that poses a threat to the ward's physical safety and well-being. Accidents include, but are not limited to, car accidents, sports accidents, falls within a facility or during a field trip.

Accidental Injury/Wound

In the case of a wound, a ward has unexpectedly received an injury in which the skin or other external surface is torn, pierced, or cut through unintentional means. An injury can encompass conditions such as burns, broken bones, severe sprains, etc. For either a wound or an injury to be reportable, the child or youth must have required medical attention.

Aggressive Act or Behavior by a Ward Alleged

A ward has engaged in serious aggressive physical behavior toward people, animals, property or other objects, posing a clear and present risk of injury to the child or youth or others.

Alcohol or Substance Abuse by a Ward Suspected

Suspected alcohol or substance abuse means that a caregiver or other person has reason to believe that a child or youth has illegally consumed alcohol; used or is using cannabis or a controlled substance (as defined by the Illinois Controlled Substance Act [720 ILCS 570]) without a physician's prescription; or is using or has used inhalants or other substances intended to have an intoxicating or hallucinogenic effect that may result in clinical dependency.

Assault of a Ward Alleged

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As a result of threats, assault, and/or physical contact, a ward is placed in reasonable fear (apprehension) of receiving or actually sustaining great bodily harm from another individual without legal justification, e.g., was held up at knife point.

Bribery or Attempted Bribery of a DCFS Employee

Any instance in which a DCFS employee accepted or is given, offered, or promised something such as money or favor to influence the employee's judgment or conduct in the performance of official duties is bribery or attempted bribery.

Crime: Foster Parent Suspected, Arrested or Convicted

A foster parent or relative caregiver is suspected of committing a crime or has been arrested or convicted of a criminal act as defined in the Illinois Criminal Code of 1961 [720 ILCS 5] (Criminal Code).

Crime: Employee Arrested, Charged with or Convicted

A Department or purchase of service (POS) employee has been arrested, charged with or convicted of a criminal act as defined in the Criminal Code.

Crime: Ward Detained, Arrested, Charged with or Convicted

A ward has recently been detained or taken into custody by law enforcement authorities, charged with committing a crime, or convicted of committing a criminal act as defined in the Criminal Code. A follow-up report is required in the event the ward is convicted.

Death of a DCFS Ward

A child dies while in the legal custody or guardianship of the Department, regardless of the cause of death and regardless of whether the child was supervised directly by the Department or by a POS provider.

Death of a Former Ward

A child for whom the Department was legally responsible dies within one year after discharge from guardianship or custody of the Department.

Death of a Non-Ward

A child has died and the Department has current or prior involvement with the family, or a child has died in a facility licensed by the Department, such as a foster home or day care center. Current involvement may include a pending child abuse and neglect investigation or an open intact family service case. Prior involvement may include, but is not limited to, being a subject in a previous child abuse or neglect investigation, or a member of a closed intact family service case.

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Falsification of Credentials or Records

Falsification of credentials means that a job applicant or a DCFS or private agency employee submits or has submitted a job application, academic records, employment record, license or certification, or similar document to establish eligibility for employment or continued employment, or used in determining the individual's eligibility for an appointment, reassignment, promotion or leave, or other employment decisions that falsely states the qualifications or achievements of the individual.

Falsification of records or statements includes an act of misrepresentation, falsification or omission of any fact in a written or verbal communication by a Department employee or an employee of a POS agency. Records may include client or case records, court testimony, vouchers, personnel records, and time and attendance records.

Fire/Natural Disaster Damaged or Affected Facility/Home

Natural disaster means those situations caused by nature that are a significant threat of harm to the safety of employees or clients in either a Department or POS provider facility/home. Natural disasters include tornado, flood, earthquake, severe winter storms. Utility emergencies such as gas leaks are included in this category. To be reported as an unusual incident, customary operations, routines or relationships at the facility/home must be disrupted.

Firearms - Employee, other than Law Enforcement Officer, Has Firearms on Premises

A Department employee or employee of a private agency brought a firearm onto facility property, including parking lots (other than by a law enforcement officer). "Firearm" means a handgun, sawed-off shotgun, sawed-off rifle, semiautomatic firearm, machine gun, rifle, shotgun, spring gun and stun gun and includes other firearms small enough to be concealed upon the person or in a briefcase or purse, or in a State-owned or private vehicle.

Hazardous/Physical Condition Discovered at Facility

A dangerous condition exists in a child-care facility and presents a threat to the physical well-being of children, staff, or other persons at the facility. This category usually pertains to the condition of the physical plant or grounds, or to materials, implements or weapons stored in or around the facility.

Kidnapping/Abduction of a Ward

A child or youth for whom the Department is legally responsible was seized and detained unlawfully by a person without the consent of either the caregiver or guardian.

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Legal Action By/Against a Child Care Facility Resulting from a Serious Incident

An incident involving a ward, employee of the Department or child care facility in which legal proceedings have been, or may be, initiated against the Department or child care facility by the ward, employee or facility.

Manual Restraint

See "Restraint of a Ward, Manual".

Media Involvement/Media Inquiry

Media involvement or inquiry means any incident that may have media impact and is not part of a planned public announcement, education or similar effort. Media involvement or inquiries may focus on a child or youth for whom the Department is legally responsible, persons served by the Department, child care facilities licensed by the Department, staff of the Department or a POS provider or on litigation affecting a POS provider.

Medical Emergency

Medical emergency means any urgent situation requiring that a child or youth be seen by a physician on-site or transported to an urgent care clinic, doctor's office or hospital emergency room for immediate treatment. Immediate medical intervention is required to address the medical problem or condition that threatens the child's health or well-being, but does not result in admission to a hospital.

Medical Hospitalization

A medical or health problem or condition requires admission of a ward to a hospital for examination, observation or treatment for other than for mental health reasons.

Medication - Adverse Reaction

An adverse reaction is an unanticipated and negative reaction to a medication. Symptoms may include itching, hives, dizziness, abdominal cramping or headache. Anaphylactic reaction is a life-threatening medical emergency as symptoms may include difficulty in breathing, bleeding, confusion or loss of consciousness.

Medication Dispensing Error

A ward received an incorrect dosage of a prescription or non-prescription (over the counter) medication, posing a risk to the child's ongoing health or well-being.

Medication - Ward Refusal

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A ward refused to take his/her prescribed medication and failure to do so may jeopardize the health or well being of the child.

Misrepresentation of Services or Cost of Services

Misrepresentation of services means that services were reported as having been provided to a person served by either the Department or a purchase of service provider when those services were not provided, or that the services were provided for a period of time or under conditions other than those reported. Such misrepresentation may occur in reports to the Department, the courts, auditors or others acting on behalf of the Department.

Misrepresentation of the costs of services means the actual costs to provide service were intentionally inflated to produce a larger billing or payment than one is entitled to for the services provided. Misrepresentation of the cost of services includes deliberately understating the cost of providing services in order to gain advantage in a competitive bidding situation.

Neglect of a Ward Alleged

A child for whom the Department is legally responsible is allegedly not receiving proper or necessary nourishment, medical care or routine care.

Pregnant or Parenting Ward Identified

Parenting ward includes both females and males for whom the Department is legally responsible, regardless of whether the ward's child remains in the custody of the ward.

Property Damage of \$50 or More by a Ward

An incident has occurred in which the actions of a ward resulted in damage to the property of others and there is a potential liability claim against the Department for damages of \$50 or more.

Psychiatric Emergency

A psychiatric emergency is a situation in which behaviors or symptoms arising from an emotional disturbance or mental illness place a child or youth or others at risk for harm to self or others. A psychiatric emergency requires crisis intervention by a psychiatrist or other mental health professional, in whatever setting, to reduce the risk of injury to the child or youth or to others.

Psychiatric Hospitalization

An incident or episode has occurred in which a ward has been admitted to a hospital or psychiatric facility for examination, observation or treatment for mental health reasons.

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Psychotropic Medication – Emergency Administration

Psychotropic medications were administered on an emergency basis to reduce the risk of harm to the child, youth or others. All emergency medications must be ordered by a psychiatrist and be subject to post-approval through the DCFS consent line. In accordance with Department policies (89 Ill. Adm. Code 325 (Administration of Psychotropic Medications to Children for whom the Department is Legally Responsible)), emergency medications may not continue for more than 48 hours, excluding Saturdays, Sundays and holidays. The use of chemical restraint or the introduction of medication for the express purpose of restricting a child's or youth's movement is prohibited.

Report Against DCFS or POS Worker Involving a Ward Alleged

An employee of the Department or a POS provider is alleged to have put a ward's safety or well-being in jeopardy. The direct child welfare services employee license of an individual who is named as an alleged perpetrator in a pending child abuse or neglect investigation may be suspended or may not be reinstated, pending the outcome of the investigation. In accordance with 89 Ill. Adm. Code 412, Licensure of Child Welfare Employees or Supervisors, if the report is indicated by the Department, the Direct Child Welfare Services Employee License Board may suspend, revoke or refuse to reinstate the license of a direct child welfare services employee unless or until the indication is reversed on appeal or administrative court review. One of the other types of unusual incidents described in this Appendix may also be deemed appropriate for submission with this type of report.

Restraint of a Ward, Manual

The ward was the subject of a behavior management technique involving the use of physical contact or force, characterized by arm or body holds to physically restrict the child or youth and to protect him/her from injuring self or others. Physical restraint may only be used as an intervention when a child is a threat of physical harm to self or others. (The use of physical restraint is limited to secure child care facilities, child care institutions, group homes and youth emergency shelters licensed by the Department. No other facility licensed by the Department is authorized to use manual restraint.) Manual restraint or physical restraint is further defined in 89 Ill. Adm. Code 384 (Discipline and Behavior Management in Child Care Facilities).

Restraint Results in Injury to a Ward

A ward sustained a physical injury while being restrained by a responsible caregiver. The injury must have been accidental and occurred during the course of the restraint.

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Physical restraint is a behavior management technique involving the use of physical contact or force, characterized by measures such as arm or body holds, to protect a child from injuring himself/herself or others. Examples of injuries that are likely to occur during restraint include broken bones, bruises, bumps, strains and rug burns.

Robbery/Burglary Occurred on Premises

Both DCFS and POS facilities must submit an Unusual Incident Report if a burglary or robbery occurs. Law enforcement must also be notified.

Runaway/ Missing Ward

A runaway or missing ward must be reported when a responsible facility representative, a caregiver or law enforcement becomes aware that the whereabouts of a ward are unknown.

"Missing" means that a child or youth is absent from the residence of a caregiver or the premises of a child care facility without the knowledge or consent of the persons responsible for the child's welfare, the whereabouts of the youth are unknown, and the intent to run away has not been established.

"Runaway" means a child or youth who is absent from the residence of a caregiver or the premises of a child care facility without the consent of the persons responsible for the child's or youth's welfare, when the whereabouts of the child or youth are unknown and the intent to run away has been established.

A child or youth must be reported as missing or having run away as soon as a search of the home or facility is completed and it is confirmed that the youth has left the home/campus without permission. The absence is to be reported even when the child or youth returns in a short period of time.

School - Ward Expelled

A ward has been barred from educational classes and the use of school facilities for up to two calendar years.

School - Ward Suspended

A ward has been temporarily barred from attending educational classes and access to school facilities or school bus. "Suspension" is usually for up to 10 school days, but may be longer for safety reasons, as determined by school authorities.

Seclusion of a Ward

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A child or youth was removed from an area to a specifically designated room from which egress is restricted. The Department, in accordance with 89 Ill. Adm. Code 384, must approve the room that is designated as a seclusion room. Seclusion is a behavior management technique limited in its use to secure child care facilities, child care institutions, group homes, and youth emergency shelter licensed by the Department. No other facility licensed by the Department is authorized to use seclusion.

Self-inflicted Injury/Wound

A ward has deliberately inflicted an injury or wound upon himself or herself and direct care of the site of the injury is needed or required. Depending on the extent or severity of the injury or wound, care may be provided by the caregiver, other lay person or a medical professional.

Sexual Abuse of a Ward Alleged

A child for whom the Department is legally responsible has allegedly been sexually abused by a parent or responsible caregiver, immediate family member, other person residing in the home, parent's paramour, or other person responsible for the child's welfare as defined by 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect).

Sexually Aggressive Behavior by a Ward Alleged

Sexually aggressive behavior means sexual behaviors that are intrusive or potentially harmful to others. Sexually aggressive behavior may involve children/youth who are not peers (not at the same developmental level) and may be accompanied by pressure or coercion to participate or the use of force, threat of harm or violence.

Sexual Assault of a Ward Alleged

A child for whom the Department is legally responsible has allegedly been the victim of a forceful threat and use of force in submitting to (carrying out) a sexual act by a person who is not the child's caregiver, immediate family member, other person residing in the home, parent's paramour, or other person responsible for the child's welfare. Examples include rape, attempted rape, date rape.

Sexually Problematic Behavior by a Ward Alleged

Sexually problematic behaviors in children and youth are sexual behaviors that are compulsive, excessive, persistent and/or inconsistent with the child's age and development. They may include masturbation in inappropriate places; simulating sex with other children, toys, furniture or animals; or, as children become older, promiscuity, touching or fondling others (outside of play or consensual sexual activities with peers) or

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other boundary problems like kissing others on the lips or unwelcome, unwanted, and intrusive touching.

Suicide Attempt by a Ward

A ward intentionally, but unsuccessfully, attempted to take his/her own life.

Suicide Ideation/Threat by a Ward

A ward expresses or conveys to a caregiver or others a mental image of committing suicide.

Threats Against DCFS/POS Staff or Facility, Including Bomb Threats, Firearms, or Riot/Mob Action

A threat is a communication that forewarns of the intent to inflict physical, emotional or any other harm to an individual or to subject an individual to physical confinement or restraint. Riot and/or mob action refers to situations in which two or more persons are gathered with the intent to do harm to a person or persons in a Department or POS provider building or property.

Violation of a Court Order

An order relating to a ward or Department client issued by a court, whether juvenile, criminal or civil, was violated, placing the ward's safety and well-being in jeopardy. Examples include violations of Orders of Protection prohibiting contact with wards, failure to render court ordered services, etc.

Weapon Alleged to be in Ward's Possession

A ward had in his/her possession an instrument that is capable of producing death or serious bodily injury when used for its intrinsic purpose, or that has the potential to cause serious bodily injury or endanger a life because of the way it is used, the way it is attempted to be used or the force with which it is used. The term weapon includes firearms, knives, clubs, and explosive devices.

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

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- 1) Heading of the Part: Administration of the Illinois Public Community College Act
- 2) Code Citation: 23 Ill. Adm. Code 1501
- 3) Section Number: 1501.303 Proposed Action: Amendment
- 4) Statutory Authority: 110 ILCS 805/2-12(h)
- 5) A Complete Description of the Subjects and Issues Involved: The Illinois (K-12) School Code 105 ILCS 5/27-3 (from Ch. 122, par. 27.3) requires that all students graduating from a public school be required to receive instruction and pass an examination on the American patriotism, principles of representative government, proper use and display of the American flag, and the Australian ballot voting system. The Illinois Community College Board has interpreted this requirement to be inclusive of community college graduates.

Several years ago, the Illinois Board of Higher Education abandoned the requirement, except for education majors. Given the ever increasing diversity of our student population at Illinois community colleges, this requirement has become burdensome and impractical. Students who have met the specifics of the requirement in other states may not use their high school diploma as evidence since it is not from the state of Illinois. Similarly, the successful completion of the constitution test required during the citizenship process does not provide validation of the article requirements. Additionally, this requirement may hinder the opportunity for Illinois community colleges to offer online educational programs outside of the state of Illinois.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.

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- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Cherie VanMeter
Administrative Aide
Illinois Community College Board
401 East Capitol Avenue
Springfield, Illinois 62701-1711

Telephone: 217/785-0053
Fax: 217/524-6195

All written comments received within 45 days after this issue of the *Illinois Register* will be considered.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small business, 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: This rulemaking was not included on either of the two most recent regulatory agendas because: it was not anticipated at the time when the agendas were published.

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section

1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption (Recodified)
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request (Recodified)
1501.108	Organization of ICCB
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements (Repealed)
1501.112	Certification of Organization (Repealed)
1501.113	Administration of Detachments and Subsequent Annexations
1501.114	Recognition

SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section

1501.201	Reporting Requirements
1501.202	Certification of Organization
1501.203	Delineation of Responsibilities
1501.204	Maintenance of Documents or Information
1501.205	Recognition Standards (Repealed)

SUBPART C: PROGRAMS

Section

1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service

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1501.303	Program Requirements
1501.304	Statewide and Regional Planning
1501.305	College, Branch, Campus, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements
1501.309	Course Classification and Applicability

SUBPART D: STUDENTS

Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

SUBPART E: FINANCE

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Student Tuition
1501.506	Published Financial Statements
1501.507	Credit Hour Claims
1501.508	Special Populations Grants (Repealed)
1501.509	Workforce Preparation Grants (Repealed)
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Grant (Repealed)
1501.516	Capital Renewal Grants
1501.517	Retirees Health Insurance Grants (Repealed)
1501.518	Uncollectible Debts
1501.519	Special Initiatives Grants
1501.520	Lincoln's Challenge Scholarship Grants

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- 1501.521 Technology Enhancement Grants
- 1501.522 Deferred Maintenance Grants (Repealed)
- 1501.523 Foundation Matching Grants

SUBPART F: CAPITAL PROJECTS

Section

- 1501.601 Definition of Terms
- 1501.602 Approval of Capital Projects
- 1501.603 State Funded Capital Projects
- 1501.604 Locally Funded Capital Projects
- 1501.605 Project Changes
- 1501.606 Progress Reports (Repealed)
- 1501.607 Reporting Requirements
- 1501.608 Approval of Projects in Section 3-20.3.01 of the Act
- 1501.609 Completion of Projects Under Section 3-20.3.01 of the Act
- 1501.610 Demolition of Facilities

SUBPART G: STATE COMMUNITY COLLEGE

Section

- 1501.701 Definition of Terms
- 1501.702 Applicability
- 1501.703 Recognition
- 1501.704 Programs
- 1501.705 Finance
- 1501.706 Personnel
- 1501.707 Facilities

SUBPART H: PERSONNEL

Section

- 1501.801 Definition of Terms
- 1501.802 Sabbatical Leaves

AUTHORITY: Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act [110 ILCS 805/Arts. II and III and 6-5.3].

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SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; emergency amendment at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; expedited correction at 18 Ill. Reg. 3027, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; amended at 18 Ill. Reg. 4635, effective March 9, 1994; amended at 18 Ill. Reg. 8906, effective June 1, 1994; amended at 19 Ill. Reg. 2299, effective February 14, 1995; amended at 19 Ill. Reg. 2816, effective February 21, 1995; amended at 19 Ill. Reg. 7515, effective May 26, 1995; amended at 21 Ill. Reg. 5891, effective April 22, 1997; amended at 22 Ill. Reg. 2087, effective January 12, 1998; amended at 22 Ill. Reg. 17472, effective July 10, 1998; amended at 24 Ill. Reg. 249, effective December 21, 1999; amended at 24 Ill. Reg. 17522, effective November 20, 2000; amended at 25 Ill. Reg. 7161, effective May 18, 2001; emergency amendment at 25 Ill. Reg. 12863, effective September 28, 2001, for a maximum of 150 days; emergency expired February 24, 2002; amended at 26 Ill. Reg. 646, effective January 7, 2002; amended at 27 Ill. Reg. 17204, effective October 31, 2003; amended at 28 Ill. Reg. 14092, effective October 18, 2004; amended at 29 Ill. Reg. 6239, effective April 25, 2005; amended at 30 Ill. Reg. 2755, effective February 21, 2006; amended at 32 Ill. Reg. _____, effective _____.

SUBPART C: PROGRAMS

Section 1501.303 Program Requirements

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- a) Comprehensive Program. The programs of each college shall be comprehensive and shall include: pre-baccalaureate, occupational, and general studies curricula, and public service programs.
- b) Degrees and Certificates. A college shall award associate degrees and certificates in accordance with units of instruction approved by the ICCB. This authority is not extended to administrative units of the college.
- c) Honorary Degrees. Honorary degrees awarded by a board~~Board~~ shall be limited to the associate degree.
- d) Review and Evaluation of Programs.
 - 1) Each college shall have a systematic, college-wide program review process for evaluating all of its instructional, student services, and academic support programs at least once within a five-year cycle.
 - 2) The minimum review criteria for program review shall be program need, program cost, and program quality, as defined by each college.
 - 3) Each college shall develop a schedule that shows when each program will be reviewed during each five-year cycle. Occupational programs shall be scheduled in the year following their inclusion in the ICCB follow-up study unless the college obtains an exception in writing from the ICCB. The review of general education objectives of the academic programs shall be scheduled annually, but may focus each year on areas specified by the Illinois Board of Higher Education and ICCB.
 - 4) The ICCB may request the college to include special reviews of programs that have been identified as a result of State-level analyses, legislative resolutions, or Illinois Board of Higher Education policy studies by notifying the college of this request prior to January 1 of the year the special review is to be conducted.
 - 5) Each college shall keep on file for ICCB recognition purposes a copy of its current program review process, its five-year schedule for program review, and complete reports of program reviews conducted during the past five years.

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- 6) Each college shall submit to the ICCB by August 1 each year a summary report of its previous year's program review results in a format designated by the ICCB and a copy of its current five-year schedule of program reviews.
- e) Academic Calendar.
- 1) A college shall operate on an academic calendar ~~that~~^{which} provides at least two academic terms consisting of at least 15 weeks (at least 75 days of instruction each), three academic terms consisting of at least 10 weeks (at least 50 days of instruction each) or a different combination of academic terms consisting of at least 30 weeks (at least 150 days of instruction).
- 2) The days of instruction prescribed in subsection (e)~~(1)~~^{above} shall include all days when there is a full schedule of classes and support services, but will exclude holidays, Saturdays, Sundays, and days scheduled exclusively for registration, orientation, college-wide placement or assessment testing, faculty workshops, and final examinations.
- 3) Colleges may include terms during the summer or any other time during the year, in addition to the ones identified in subsection (e)~~(1)~~.
- 4) Courses/classes may be scheduled between academic terms, spanning academic terms, for a shorter time frame than the academic term, or for a longer time frame than the academic term, if the schedule provides sufficient duration and contact hours to meet the requirements in Sections 1501.309(b) and 1501.507(b)(10).
- 5) If an emergency such as a fire, flood, or strike makes it necessary for the college to shorten one of its academic terms, the college may request the ICCB ~~President/CEO~~^{Executive Director} to approve a shorter term. In such cases, the length of the term may be shortened, but only to the extent that enables all courses to meet the contact hours specified in Section 1501.309(b).
- 6) If a college entered into a contract with its faculty regarding the length of the academic calendar in compliance with subsection (e)~~(1)~~ prior to the effective date of this revision, it may continue to operate under the

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provisions of that contract until that contract is renegotiated or expires.

- f) Preparation of Professional Staff. Professional staff shall be educated and prepared in accordance with generally accepted standards and practices for teaching, supervising, counseling and administering the curriculum or supporting system to which they are assigned. Such preparation may include collegiate study and professional experience. Graduate work through the master's degree in the assigned field or area of responsibility is expected, except in ~~those~~ areas in which the work experience and related training is the principal learning medium.
- g) Library. Each college shall maintain a library or learning resource center with a collection of reference works and other learning resources to meet the specific needs of its curricula and students. This collection shall be kept up to date through a planned program of acquisition and deletion.
- h) Supplies and Equipment. Classrooms, laboratories, and shops shall be provided with equipment and supplies ~~that~~ are adequate for effective teaching and learning.
- i) General Education. Organized curricula leading to an associate degree shall include general education courses designed to contribute to the liberal education of each student.
- j) Apprenticeships. A college ~~that~~ participates in apprenticeships coordinated by the Bureau of Apprenticeship Training, U.S. Department of Labor and/or other programs related to business, industrial, or trade groups or organizations shall meet applicable federal, ~~State~~, and local governmental rules, regulations, and guidelines.
- k) ~~Examination of Patriotism, Principles of Representative Government, Proper Use and Display of the American Flag, and Method of Voting. The examination on American patriotism, principles of representative government, proper use and display of the American flag, and the Australian ballot voting system may be satisfied in one of the following ways:~~
 - 1) ~~The student may pass an appropriate examination at the college;~~
 - 2) ~~The student may complete, with a passing grade, a specified course that includes all subject matter identified above; or~~

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- 3) ~~The college may accept as evidence that the student has previously met the examination requirement a diploma earned from an Illinois high school or an Illinois high school equivalency certificate for the successful completion of the Test of General Education Development (GED). Such evidence authorizes the college to make an appropriate notation on the student's transcript.~~

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

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Narrative and Planning Policies
- 2) Code Citation: 77 Ill. Adm. Code 1100
- 3) Section Numbers: Proposed Action:
 1100.220 Amendment
 1100.800 New
- 4) Statutory Authority: Illinois Health Facilities Planning Act [20 ILCS 3960]
- 5) A Complete Description of the Subjects and Issues Involved: In Section 1100.220, the proposed amendments include new definitions for Freestanding Emergency Center Medical Services (FECMS), a new category of service.

Section 1100.800 provides planning policies for the FECMS category of service. The policies concern: planning areas; age groups; utilization standards; and need determination.

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1100.210	Amendment	31 Ill. Reg. 16387; December 14, 2007
1100.220	Amendment	31 Ill. Reg. 16387; December 14, 2007
1100.510	Amendment	31 Ill. Reg. 16387; December 14, 2007
1100.520	Amendment	31 Ill. Reg. 16387; December 14, 2007
1100.530	Amendment	31 Ill. Reg. 16387; December 14, 2007
1100.540	Amendment	31 Ill. Reg. 16387; December 14, 2007
1100.550	Amendment	31 Ill. Reg. 16387; December 14, 2007
1100.560	Amendment	31 Ill. Reg. 16387; December 14, 2007
1100.630	Amendment	31 Ill. Reg. 16387; December 14, 2007

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

1100.660 Amendment 31 Ill. Reg. 16387; December 14, 2007

- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Public Hearing on Friday, February 1, 2008
9:00-11:00 AM at
Harold Washington College
30 E. Lake Street, Room 102
Chicago, IL 60601

Interested persons may present their comments concerning this rulemaking within 45 days after the publication of this issue of the *Illinois Register* to:

Claire Burman
Coordinator, Rules Development
Illinois Health Facilities Planning Board
100 W. Randolph Street, 6th Floor
Chicago, Illinois 60601

312/814-2565
e-mail: CLAIRES.BURMAN@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Hospitals
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2006

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

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER II: HEALTH FACILITIES PLANNING BOARD
SUBCHAPTER a: ILLINOIS HEALTH CARE FACILITIES PLAN

PART 1100

NARRATIVE AND PLANNING POLICIES

SUBPART A: GENERAL NARRATIVE

Section

1100.10	Introduction
1100.20	Authority
1100.30	Purpose
1100.40	Health Maintenance Organizations (Repealed)
1100.50	Subchapter Organization
1100.60	Mandatory Reporting of Data
1100.70	Data Appendices
1100.75	Annual Bed Report
1100.80	Institutional Master Plan Hospitals (Repealed)
1100.90	Public Hearings

SUBPART B: GENERAL DEFINITIONS

Section

1100.210	Introduction
1100.220	Definitions

SUBPART C: PLANNING POLICIES

Section

1100.310	Need Assessment
1100.320	Staffing
1100.330	Professional Education
1100.340	Public Testimony
1100.350	Multi-Institutional Systems
1100.360	Modern Facilities
1100.370	Occupancy/Utilization Standards
1100.380	Systems Planning
1100.390	Quality

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1100.400	Location
1100.410	Needed Facilities
1100.420	Discontinuation
1100.430	Coordination with Other State Agencies
1100.440	Requirements for Authorized Hospital Beds

SUBPART D: NEED FORMULAS/UTILIZATION TARGETS

Section

1100.510	Introduction, Formula Components and Planning Area Development Policies
1100.520	Medical-Surgical/Pediatric Categories of Service
1100.530	Obstetric Category of Service
1100.540	Intensive Care Category of Service
1100.550	Comprehensive Physical Rehabilitation Category of Service
1100.560	Acute Mental Illness Category of Service
1100.570	Substance Abuse/Addiction Treatment Category of Service (Repealed)
1100.580	Neonatal Intensive Care Category of Service
1100.590	Burn Treatment Category of Service (Repealed)
1100.600	Therapeutic Radiology Equipment (Repealed)
1100.610	Open Heart Surgery Category of Service
1100.620	Cardiac Catheterization Services
1100.630	Chronic Renal Dialysis Category of Service
1100.640	Non-Hospital Based Ambulatory Surgery
1100.650	Computer Systems (Repealed)
1100.660	General Long-Term Care-Nursing Care Category of Service
1100.661	General Long-Term Care-Sheltered Care Category of Service (Repealed)
1100.670	Specialized Long-Term Care Categories of Service
1100.680	Intraoperative Magnetic Resonance Imaging Category of Service (Repealed)
1100.690	High Linear Energy Transfer (L.E.T.) (Repealed)
1100.700	Positron Emission Tomographic Scanning (P.E.T.) (Repealed)
1100.710	Extracorporeal Shock Wave Lithotripsy (Repealed)
1100.720	Selected Organ Transplantation
1100.730	Kidney Transplantation
1100.740	Subacute Care Hospital Model
1100.750	Postsurgical Recovery Care Center Alternative Health Care Model
1100.760	Children's Respite Care Center Alternative Health Care Model
1100.770	Community-Based Residential Rehabilitation Center Alternative Health Care Model
1100.800	Freestanding Emergency Center Medical Services Category of Service

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

1100.APPENDIX A Applicable Codes and Standards Utilized in 77 Ill. Adm. Code: Chapter II, Subchapter a

AUTHORITY: Implementing and authorized by the Illinois Health Facilities Planning Act [20 ILCS 3960].

SOURCE: Fourth Edition adopted at 3 Ill. Reg. 30, p. 194, effective July 28, 1979; amended at 4 Ill. Reg. 4, p. 129, effective January 11, 1980; amended at 5 Ill. Reg. 4895, effective April 22, 1981; amended at 5 Ill. Reg. 10297, effective September 30, 1981; amended at 6 Ill. Reg. 3079, effective March 8, 1982; emergency amendments at 6 Ill. Reg. 6895, effective May 20, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11574, effective September 9, 1982; Fifth Edition adopted at 7 Ill. Reg. 5441, effective April 15, 1983; amended at 8 Ill. Reg. 1633, effective January 31, 1984; codified at 8 Ill. Reg. 15476; amended at 9 Ill. Reg. 3344, effective March 6, 1985; amended at 11 Ill. Reg. 7311, effective April 1, 1987; amended at 12 Ill. Reg. 16079, effective September 21, 1988; amended at 13 Ill. Reg. 16055, effective September 29, 1989; amended at 16 Ill. Reg. 16074, effective October 2, 1992; amended at 18 Ill. Reg. 2986, effective February 10, 1994; amended at 18 Ill. Reg. 8448, effective July 1, 1994; emergency amendment at 19 Ill. Reg. 1941, effective January 31, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 2985, effective March 1, 1995; amended at 19 Ill. Reg. 10143, effective June 30, 1995; recodified from the Department of Public Health to the Health Facilities Planning Board at 20 Ill. Reg. 2594; amended at 20 Ill. Reg. 14778, effective November 15, 1996; amended at 21 Ill. Reg. 6220, effective May 30, 1997; expedited correction at 21 Ill. Reg. 17201, effective May 30, 1997; amended at 23 Ill. Reg. 2960, effective March 15, 1999; amended at 24 Ill. Reg. 6070, effective April 7, 2000; amended at 25 Ill. Reg. 10796, effective August 24, 2001; amended at 27 Ill. Reg. 2904, effective February 21, 2003; amended at 31 Ill. Reg. 15255, effective November 1, 2007; amended at 32 Ill. Reg. _____, effective _____.

SUBPART B: GENERAL DEFINITIONS

Section 1100.220 Definitions

"Act" means the Illinois Health Facilities Planning Act [20 ILCS 3960].

"Admissions" means the number of patients accepted for inpatient service during a 12-month period; the newborn are not included.

"Applicable Codes and/or Current Recognized Standards" means the current official codes of governmental bodies applicable under law or regulation to

HEALTH FACILITIES PLANNING BOARD

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Illinois health facilities and/or standards of health facility design, construction and equipment promulgated on a regular or permanent basis by an authority, public or private. A listing of the applicable codes utilized in the application review process may be found in Appendix A of this Part.

"Authorized Hospital Bed Capacity" means the number of beds recognized for planning purposes at a hospital facility, as determined by HFPB. The operational status of authorized hospital beds is identified as physically available, reserve, or transitional, as follows:

"Physically Available Beds" means beds that are physically set up, meet hospital licensure requirements, and are available for use. These are beds maintained in the hospital for the use of inpatients and that furnish accommodations with supporting services (such as food, laundry, and housekeeping). These beds may or may not be staffed, but are physically available.

"Reserve Beds" means beds that are not set up for inpatients, but could be made physically available for inpatient use within 72 hours.

"Transitional Beds" means beds for which a Certificate of Need (CON) has been issued, but that are not yet physically available, and beds that are temporarily unavailable due to modernization projects that do not require a CON.

"Authorized Long-Term Care Bed Capacity" means the number of beds by category of service, recognized and licensed by IDPH for long-term care.

"Average Daily Census" or "ADC" means over a 12-month period the average number of inpatients receiving service on any given day.

"Average Length of Stay" or "ALOS" means over a 12-month period the average duration of inpatient stay expressed in days as determined by dividing total inpatient days by total admissions.

"Category of Service" means a grouping by generic class of various types or levels of support functions, equipment, care or treatment provided to patient/residents. Examples include but are not limited to medical-surgical, pediatrics, cardiac catheterization, etc. A category of service may include

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subcategories or levels of care that identify a particular degree or type of care within the category of service.

"Emergency Medical Services System" or "EMS System" means an organization of hospitals, vehicle service providers and personnel approved by IDPH in a specific geographic area, which coordinates and provides pre-hospital and inter-hospital emergency care and non-emergency medical transports at a BLS, ILS, and/or ALS level pursuant to a System program plan submitted to and approved by IDPH, and pursuant to the EMS Region Plan adopted for the EMS Region in which the System is located. [210 ILCS 50/3.20]

"Emergent Care" means medical or surgical procedures and care provided to those patients treated in an emergency department (ED) of a hospital or freestanding emergency center who have traumatic conditions or illnesses with an acuity level that is classified as level one or level two based upon the Emergency Severity Index (ESI) as defined in the "Emergency Severity Index Version 4: Implementation Handbook" published by the Agency for Healthcare Research and Quality, Rockville MD (Gilboy N, Tanabe P, Travers DA, Rosenau AM, Eitel DR; AHRQ Publication No. 05-0046-2; May 2005, no later amendments or editions included).

"Executive Secretary or Secretary" means the chief executive officer of the State Board, responsible to the Chairman and, through the Chairman, responsible to the State Board for the execution of its policies and procedures.

"Freestanding Emergency Center" or "FEC" means a facility subject to licensure under Section 32.5 of the Emergency Medical Services (EMS) Systems Act [210 ILCS 50/32.5] that provides emergency medical and related services.

"Freestanding Emergency Center Medical Services" or "FECMS" means a category of service pertaining to the provision of emergency medical and related services provided in a freestanding emergency center.

"Health Service Area" or "HSA" means the following geographic areas:

HSA I – Illinois Counties of Boone, Carroll, DeKalb, Jo Daviess, Lee, Ogle, Stephenson, Whiteside, and Winnebago

HSA II – Illinois Counties of Bureau, Fulton, Henderson, Knox, LaSalle,

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Marshall, McDonough, Peoria, Putnam, Stark, Tazewell, Warren, and Woodford

HSA III – Illinois Counties of Adams, Brown, Calhoun, Cass, Christian, Greene, Hancock, Jersey, Logan, Macoupin, Mason, Menard, Montgomery, Morgan, Pike, Sangamon, Schuyler, and Scott

HSA IV – Illinois Counties of Champaign, Clark, Coles, Cumberland, DeWitt, Douglas, Edgar, Ford, Iroquois, Livingston, Macon, McLean, Moultrie, Piatt, Shelby, and Vermilion

HSA V – Illinois Counties of Alexander, Bond, Clay, Crawford, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Marion, Massac, Perry, Pope, Pulaski, Randolph, Richland, Saline, Union, Wabash, Washington, Wayne, White, and Williamson

HSA VI – City of Chicago

HSA VII – DuPage County and Suburban Cook County

HSA VIII – Illinois Counties of Kane, Lake, and McHenry

HSA IX – Illinois Counties of Grundy, Kankakee, Kendall, and Will

HSA X – Illinois Counties of Henry, Mercer, and Rock Island

HSA XI – Illinois Counties of Clinton, Madison, Monroe, and St. Clair

"Hospital" means a facility, institution, place or building licensed pursuant to or operated in accordance with the Hospital Licensing Act [210 ILCS 45] or a State-operated facility that is utilized for the prevention, diagnosis and treatment of physical and mental ills. For purposes of this Subchapter, two basic types of hospitals are recognized:

General Hospital – a facility that offers an integrated variety of categories of service and that offers and performs scheduled surgical procedures on an inpatient basis.

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Special or Specialized Hospital – a facility that offers, primarily, a special or particular category of service.

"Illinois Department of Public Health" or "Agency" or "IDPH" means the Department of Public Health of the State of Illinois. [20 ILCS 3960/3]

"Modernization" means modification of an existing health care facility by means of building, alteration, reconstruction, remodeling, replacement, the erection of new buildings, or the acquisition, alteration or replacement of equipment. Modification does not include a substantial change in either the bed count or scope of the facility.

"Non-emergent Care" means medical or surgical procedures and care provided to those patients treated in an emergency department (ED) of a hospital or freestanding emergency center who have conditions or illnesses that are not classified as level one or level two based upon the Emergency Severity Index.

"Observation Days" means the number of days of service provided to outpatients for the purpose of determining whether a patient requires admission as an inpatient or other treatment. The observation period shall not exceed 48 hours.

"Occupancy Rate" means a measure of inpatient health facility use, determined by dividing average daily census by the calculated capacity. It measures the average percentage of a facility's beds occupied and may be institution-wide or specific for one department or service.

"Occupancy Target" means a minimum utilization level established by IDPH for a facility or service, reflecting adequate access as well as operational efficiency.

"Patient Days" means the total number of days of service provided to inpatients of a facility over a 12-month period. This figure includes observation days if the observation patient occupies a bed that is included in the State Agency's Inventory of Health Care Facilities and Services as described in Section 1100.70.

"Population" or "Population Projections" means the latest estimates available as determined by IDPH.

"Planning Area" means a defined geographic area within the State established by the State Board as a basis for the collection, organization, and analysis of

HEALTH FACILITIES PLANNING BOARD

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information to determine health care resources and needs and to serve as a basis for planning.

"Site" means the location of an existing or proposed facility. An existing facility site is determined by street address. In a proposed facility the legal property description or the street address can be used to identify the site.

"State Board" means the Health Facilities Planning Board established by the Act. [20 ILCS 3960/3]

"Unit" means the grouping of beds to provide a category of service. Units are physically identifiable areas that are staffed to provide all care required for particular service.

"Use Rate" means the ratio of inpatient days per 1,000 population over a 12-month period (Inpatient Days/Population in Thousands = Use Rate).

"Use Rate or Utilization Maximum" means a ceiling placed on an area's use or utilization rate in order to reduce the projected need for beds or services. Use rate maximums are designed to prevent the overestimation of needed beds in formulas which utilize historical demand. Maximums are used in planning areas where historical demand is inflated due to an immigration of patients from other planning areas.

"Use Rate or Utilization Minimum" means a lower limit placed on an area's use or utilization rate in order to inflate the projected need for beds or services. Use rate minimums are designed to promote the development of beds in areas where historical utilization is too low to create a formula bed need. Low utilization is caused by a lack of services in the area or by an out migration of area residents to other areas for care.

"Utilization" means patterns or rates of use of a single service or type of service, within a given facility or also in combinations of facilities. Use is expressed in rates per unit of population at risk for a given period.

"Variance" means an exception to computed need based upon criteria or conditions for particular categories of service.

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

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SUBPART D: NEED FORMULAS/UTILIZATION TARGETS

Section 1100.800 Freestanding Emergency Center Medical Services Category of Service

- a) Planning Areas
Planning areas are the same as those for medical-surgical and pediatric care.
- b) Age Groups
For freestanding emergency center medical services, all ages.
- c) Utilization
The minimum operational capacity for each treatment station in an FEC is 5.5 patients per day (2000 patient visits per year) based upon 24-hour availability.
- d) Need Determination
No formula need determination for the establishment of a freestanding emergency center medical service category of service or the number of treatment stations has been established. Need shall be established pursuant to the applicable review criteria of 77 Ill. Adm. Code 1110.

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

HEALTH FACILITIES PLANNING BOARD

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- 1) Heading of the Part: Processing, Classification Policies and Review Criteria
- 2) Code Citation: 77 Ill. Adm. Code 1110
- 3) Section Numbers: Proposed Action:
 1110.3210 New
 1110.3230 New
- 4) Statutory Authority: Illinois Health Facilities Planning Act [20 ILCS 3960]
- 5) A Complete Description of the Subjects and Issues Involved: The proposed rulemaking concerning "Freestanding Emergency Centers" is an amendment to 77 Ill. Adm. Code 1110, as mandated by the Illinois Health Facilities Planning Act. The rulemaking contains review criteria for the establishment, expansion or modernization of freestanding emergency center medical services as a category of service. The review criteria contain various tests of need, including: planning area need; historical and projected service demand; service accessibility; unnecessary duplication/maldistribution; and staffing availability.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1110.210	Amend	31 Ill. Reg. 5935; April 20, 2007
1110.220	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.230	Amend	31 Ill. Reg. 5935; April 20, 2007
1110.234	New	31 Ill. Reg. 5935; April 20, 2007
1110.310	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.320	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.410	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.420	Repeal	31 Ill. Reg. 5935; April 20, 2007

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1110.510	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.520	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.530	Amend	31 Ill. Reg. 5935; April 20, 2007
1110.610	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.620	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.630	Amend	31 Ill. Reg. 5935; April 20, 2007
1110.1410	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.1420	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.1430	Amend	31 Ill. Reg. 5935; April 20, 2007
1110.2310	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.2320	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.2330	Amend	31 Ill. Reg. 5935; April 20, 2007
1110.2410	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.2420	Repeal	31 Ill. Reg. 5935; April 20, 2007
1110.2430	Amend	31 Ill. Reg. 5935; April 20, 2007
1110.3030	New	31 Ill. Reg. 5935; April 20, 2007

- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State Mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Public Hearing
on
Friday, February 1, 2008
9:00 am – 11:00 am
at
Harold Washington College
30 E. Lake Street, Room 102
Chicago, IL

Interested persons may present their comments concerning this rulemaking within 45 days after the publication of this issue of the *Illinois Register* to:

Claire Burman
Coordinator, Rules Development
Illinois Health Facilities Planning Board
100 W. Randolph Street, 6th Floor

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

Chicago, Illinois 60601

312/814-2565

e-mail: CLAIRES.BURMAN@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Hospitals
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2008

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

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER II: HEALTH FACILITIES PLANNING BOARD

SUBCHAPTER a: ILLINOIS HEALTH CARE FACILITIES PLAN

PART 1110

PROCESSING, CLASSIFICATION POLICIES AND REVIEW CRITERIA

SUBPART A: GENERAL APPLICABILITY AND PROJECT CLASSIFICATION

Section

1110.10	Introduction to Part 1110
1110.20	Projects Required to Obtain a Permit (Repealed)
1110.30	Processing and Reviewing Applications
1110.40	Classification of Projects
1110.50	Recognition of Services Which Existed Prior to Permit Requirements
1110.55	Recognition of Non-hospital Based Ambulatory Surgery Category of Service
1110.60	Master Design Projects
1110.65	Master Plan or Capital Budget Projects

SUBPART B: REVIEW CRITERIA – DISCONTINUATION

Section

1110.110	Introduction
1110.120	Discontinuation – Definition
1110.130	Discontinuation – Review Criteria

SUBPART C: GENERAL, MASTER DESIGN, AND CHANGES
OF OWNERSHIP REVIEW CRITERIA

Section

1110.210	Introduction
1110.220	Definitions – General Review Criteria
1110.230	General Review Criteria
1110.235	Additional General Review Criteria for Master Design and Related Projects Only
1110.240	Changes of Ownership, Mergers and Consolidations

SUBPART D: REVIEW CRITERIA RELATING TO ALL PROJECTS INVOLVING
ESTABLISHMENT OF ADDITIONAL BEDS OR SUBSTANTIAL
CHANGE IN BED CAPACITY

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Section

- 1110.310 Introduction
- 1110.320 Bed Related Review Criteria

SUBPART E: MODERNIZATION REVIEW CRITERIA

Section

- 1110.410 Introduction
- 1110.420 Modernization Review Criteria

SUBPART F: CATEGORY OF SERVICE REVIEW CRITERIA –
MEDICAL/SURGICAL, OBSTETRIC, PEDIATRIC AND INTENSIVE CARE

Section

- 1110.510 Introduction
- 1110.520 Medical/Surgical, Obstetric, Pediatric and Intensive Care – Definitions
- 1110.530 Medical/Surgical, Obstetric, Pediatric and Intensive Care – Review Criteria

SUBPART G: CATEGORY OF SERVICE REVIEW CRITERIA –
COMPREHENSIVE PHYSICAL REHABILITATION

Section

- 1110.610 Introduction
- 1110.620 Comprehensive Physical Rehabilitation – Definitions
- 1110.630 Comprehensive Physical Rehabilitation – Review Criteria

SUBPART H: CATEGORY OF SERVICE REVIEW CRITERIA –
ACUTE MENTAL ILLNESS

Section

- 1110.710 Introduction
- 1110.720 Acute Mental Illness – Definitions
- 1110.730 Acute Mental Illness – Review Criteria

SUBPART I: CATEGORY OF SERVICE REVIEW CRITERIA –
SUBSTANCE ABUSE/ADDICTION TREATMENT

Section

HEALTH FACILITIES PLANNING BOARD

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- 1110.810 Introduction (Repealed)
1110.820 Substance Abuse/Addiction Treatment – Definitions (Repealed)
1110.830 Substance Abuse/Addiction Treatment – Review Criteria (Repealed)

SUBPART J: CATEGORY OF SERVICE REVIEW CRITERIA –
NEONATAL INTENSIVE CARE

Section

- 1110.910 Introduction
1110.920 Neonatal Intensive Care – Definitions
1110.930 Neonatal Intensive Care – Review Criterion

SUBPART K: CATEGORY OF SERVICE REVIEW CRITERIA –
BURN TREATMENT

Section

- 1110.1010 Introduction (Repealed)
1110.1020 Burn Treatment – Definitions (Repealed)
1110.1030 Burn Treatment – Review Criteria (Repealed)

SUBPART L: CATEGORY OF SERVICE REVIEW CRITERIA –
THERAPEUTIC RADIOLOGY

Section

- 1110.1110 Introduction (Repealed)
1110.1120 Therapeutic Radiology – Definitions (Repealed)
1110.1130 Therapeutic Radiology – Review Criteria (Repealed)

SUBPART M: CATEGORY OF SERVICE REVIEW CRITERIA –
OPEN HEART SURGERY

Section

- 1110.1210 Introduction
1110.1220 Open Heart Surgery – Definitions
1110.1230 Open Heart Surgery – Review Criteria

SUBPART N: CATEGORY OF SERVICE REVIEW CRITERIA –
CARDIAC CATHETERIZATION

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

Section

- 1110.1310 Introduction
- 1110.1320 Cardiac Catheterization – Definitions
- 1110.1330 Cardiac Catheterization – Review Criteria

SUBPART O: CATEGORY OF SERVICE REVIEW CRITERIA –
CHRONIC RENAL DIALYSIS

Section

- 1110.1410 Introduction
- 1110.1420 Chronic Renal Dialysis – Definitions
- 1110.1430 Chronic Renal Dialysis – Review Criteria

SUBPART P: CATEGORY OF SERVICE REVIEW CRITERIA –
NON-HOSPITAL BASED AMBULATORY SURGERY

Section

- 1110.1510 Introduction
- 1110.1520 Non-Hospital Based Ambulatory Surgery – Definitions
- 1110.1530 Non-Hospital Based Ambulatory Surgery – Projects Not Subject to This Part
- 1110.1540 Non-Hospital Based Ambulatory Surgery – Review Criteria

SUBPART Q: CATEGORY OF SERVICE REVIEW CRITERIA –
COMPUTER SYSTEMS

Section

- 1110.1610 Introduction (Repealed)
- 1110.1620 Computer Systems – Definitions (Repealed)
- 1110.1630 Computer Systems – Review Criteria (Repealed)

SUBPART R: CATEGORY OF SERVICE REVIEW CRITERIA –
GENERAL LONG-TERM CARE

Section

- 1110.1710 Introduction
- 1110.1720 General Long-Term Care – Definitions
- 1110.1730 General Long-Term Care – Review Criteria

SUBPART S: CATEGORY OF SERVICE REVIEW CRITERIA –

HEALTH FACILITIES PLANNING BOARD

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SPECIALIZED LONG-TERM CARE

Section

- 1110.1810 Introduction
- 1110.1820 Specialized Long-Term Care – Definitions
- 1110.1830 Specialized Long-Term Care – Review Criteria

SUBPART T: CATEGORY OF SERVICE REVIEW CRITERIA –
INTRAOPERATIVE MAGNETIC RESONANCE IMAGING

Section

- 1110.1910 Introduction (Repealed)
- 1110.1920 Intraoperative Magnetic Resonance Imaging – Definitions (Repealed)
- 1110.1930 Intraoperative Magnetic Resonance Imaging – Review Criteria (Repealed)

SUBPART U: CATEGORY OF SERVICE REVIEW CRITERIA –
HIGH LINEAR ENERGY TRANSFER (L.E.T.)

Section

- 1110.2010 Introduction (Repealed)
- 1110.2020 High Linear Energy Transfer (L.E.T.) – Definitions (Repealed)
- 1110.2030 High Linear Energy Transfer (L.E.T.) – Review Criteria (Repealed)

SUBPART V: CATEGORY OF SERVICE REVIEW CRITERIA –
POSITRON EMISSION TOMOGRAPHIC SCANNING (P.E.T.)

Section

- 1110.2110 Introduction (Repealed)
- 1110.2120 Positron Emission Tomographic Scanning (P.E.T.) – Definitions (Repealed)
- 1110.2130 Positron Emission Tomographic Scanning (P.E.T.) – Review Criteria (Repealed)

SUBPART W: CATEGORY OF SERVICE REVIEW CRITERIA –
EXTRACORPOREAL SHOCK WAVE LITHOTRIPSY

Section

- 1110.2210 Introduction (Repealed)
- 1110.2220 Extracorporeal Shock Wave Lithotripsy – Definitions (Repealed)
- 1110.2230 Extracorporeal Shock Wave Lithotripsy – Review Criteria (Repealed)

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SUBPART X: CATEGORY OF SERVICE REVIEW CRITERIA –
SELECTED ORGAN TRANSPLANTATION

Section

- 1110.2310 Introduction
- 1110.2320 Selected Organ Transplantation – Definitions
- 1110.2330 Selected Organ Transplantation – Review Criteria

SUBPART Y: CATEGORY OF SERVICE REVIEW CRITERIA –
KIDNEY TRANSPLANTATION

Section

- 1110.2410 Introduction
- 1110.2420 Kidney Transplantation – Definitions
- 1110.2430 Kidney Transplantation – Review Criteria

SUBPART Z: CATEGORY OF SERVICE REVIEW CRITERIA –
SUBACUTE CARE HOSPITAL MODEL

Section

- 1110.2510 Introduction
- 1110.2520 Subacute Care Hospital Model – Definitions
- 1110.2530 Subacute Care Hospital Model – Review Criteria
- 1110.2540 Subacute Care Hospital Model – State Board Review
- 1110.2550 Subacute Care Hospital Model – Project Completion

SUBPART AA: CATEGORY OF SERVICE REVIEW CRITERIA – POSTSURGICAL
RECOVERY CARE CENTER ALTERNATIVE HEALTH CARE MODEL

Section

- 1110.2610 Introduction
- 1110.2620 Postsurgical Recovery Care Center Alternative Health Care Model – Definitions
- 1110.2630 Postsurgical Recovery Care Center Alternative Health Care Model – Review
Criteria
- 1110.2640 Postsurgical Recovery Care Center Alternative Health Care Model – State Board
Review
- 1110.2650 Postsurgical Recovery Care Center Alternative Health Care Model – Project
Completion

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SUBPART AB: CATEGORY OF SERVICE REVIEW CRITERIA –
CHILDREN'S RESPITE CARE ALTERNATIVE HEALTH CARE MODEL

Section

- 1110.2710 Introduction
1110.2720 Children's Respite Care Center Alternative Health Care Model – Definitions
1110.2730 Children's Respite Care Center Alternative Health Care Model – Review Criteria
1110.2740 Children's Respite Care Center Alternative Health Care Model – State Board Review
1110.2750 Children's Respite Care Center Alternative Health Care Model – Project Completion

SUBPART AC: CATEGORY OF SERVICE REVIEW CRITERIA –
COMMUNITY-BASED RESIDENTIAL REHABILITATION CENTER
ALTERNATIVE HEALTH CARE MODEL

Section

- 1110.2810 Introduction
1110.2820 Community-Based Residential Rehabilitation Center Alternative Health Care Model - Definitions
1110.2830 Community-Based Residential Rehabilitation Center Alternative Health Care Model – Review Criteria
1110.2840 Community-Based Residential Rehabilitation Center Alternative Health Care Model – State Board Review
1110.2850 Community-Based Residential Rehabilitation Center Alternative Health Care Model – Project Completion

SUBPART AG: CATEGORY OF SERVICE REVIEW CRITERIA –
FREESTANDING EMERGENCY CENTER MEDICAL SERVICESSection

- 1110.3210 Introduction
1110.3230 Freestanding Emergency Center Medical Services – Review Criteria

- 1110.APPENDIX A Medical Specialty Eligibility/Certification Boards
1110.APPENDIX B State and National Norms
1110.APPENDIX C Statutory Citations for All State and Federal Laws and Regulations Referenced in Chapter 3

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AUTHORITY: Implementing and authorized by the Illinois Health Facilities Planning Act [20 ILCS 3960].

SOURCE: Fourth Edition adopted at 3 Ill. Reg. 30, p. 194, effective July 28, 1979; amended at 4 Ill. Reg. 4, p. 129, effective January 11, 1980; amended at 5 Ill. Reg. 4895, effective April 22, 1981; amended at 5 Ill. Reg. 10297, effective September 30, 1981; amended at 6 Ill. Reg. 3079, effective March 8, 1982; emergency amendments at 6 Ill. Reg. 6895, effective May 20, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11574, effective September 9, 1982; Fifth Edition adopted at 7 Ill. Reg. 5441, effective April 15, 1983; amended at 8 Ill. Reg. 1633, effective January 31, 1984; codified at 8 Ill. Reg. 18498; amended at 9 Ill. Reg. 3734, effective March 6, 1985; amended at 11 Ill. Reg. 7333, effective April 1, 1987; amended at 12 Ill. Reg. 16099, effective September 21, 1988; amended at 13 Ill. Reg. 16078, effective September 29, 1989; emergency amendments at 16 Ill. Reg. 13159, effective August 4, 1992, for a maximum of 150 days; emergency expired January 1, 1993; amended at 16 Ill. Reg. 16108, effective October 2, 1992; amended at 17 Ill. Reg. 4453, effective March 24, 1993; amended at 18 Ill. Reg. 2993, effective February 10, 1994; amended at 18 Ill. Reg. 8455, effective July 1, 1994; amended at 19 Ill. Reg. 2991, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 7981, effective May 31, 1995, for a maximum of 150 days; emergency expired October 27, 1995; emergency amendment at 19 Ill. Reg. 15273, effective October 20, 1995, for a maximum of 150 days; recodified from the Department of Public Health to the Health Facilities Planning Board at 20 Ill. Reg. 2600; amended at 20 Ill. Reg. 4734, effective March 22, 1996; amended at 20 Ill. Reg. 14785, effective November 15, 1996; amended at 23 Ill. Reg. 2987, effective March 15, 1999; amended at 24 Ill. Reg. 6075, effective April 7, 2000; amended at 25 Ill. Reg. 10806, effective August 24, 2001; amended at 27 Ill. Reg. 2916, effective February 21, 2003; amended at 32 Ill. Reg. _____, effective _____.

SUBPART AG: CATEGORY OF SERVICE REVIEW CRITERIA –
FREESTANDING EMERGENCY CENTER MEDICAL SERVICES

Section 1110.3210 Introduction

No person shall construct, modify, or establish a freestanding emergency center in Illinois, or acquire major medical equipment or make capital expenditures in relation to such a facility in excess of the capital expenditure minimum, as defined by the Act, without first obtaining a permit from the State Board in accordance with criteria, standards, and procedures adopted by the State Board for freestanding emergency centers that ensure the availability of and community access to emergency medical services. [20 ILCS 3960/5.1a]

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

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Section 1110.3230 Freestanding Emergency Center Medical Services - Review Criteriaa) Introduction

- 1) These criteria are applicable only to those projects or components of projects involving the freestanding emergency center (FEC) medical services (FECMS) category of service. In addition, the applicant shall address other applicable requirements in this Part, as well as those in 77 Ill. Adm. Code 1100 and 1130. Applicants proposing to establish, expand or modernize an FECMS category of service shall comply with the applicable subsections of this Section, as follows:

<u>Project Type</u>	<u>Required Review Criteria</u>
<u>Establishment of Service</u>	<u>(b)(1) - Planning Area Need – 77 Ill. Adm. Code 1100 Formula Calculation</u>
	<u>(b)(2) - Planning Area Need – Service to Planning Area Residents</u>
	<u>(b)(3) - Planning Area Need – Service Demand for Establishment</u>
	<u>(b)(4) - Planning Area Need – Service Accessibility</u>
	<u>(c)(1) - Unnecessary Duplication of Services</u>
	<u>(c)(2) – Maldistribution</u>
	<u>(e) - Staffing Availability</u>
<u>Expansion of Existing Service</u>	<u>(b)(2) - Planning Area Need – Service to Planning Area Residents</u>
	<u>(e) - Staffing Availability</u>
<u>Category of Service Modernization</u>	<u>(d)(1) - Deteriorated Facilities</u>
	<u>(d)(2) - Documentation</u>

- 2) If the proposed project involves the replacement of an FEC facility on site, the applicant shall comply with the requirements listed in subsection (a)(1) for Category of Service Modernization.
- 3) If the proposed project involves the replacement of the FEC facility on a new site, the applicant shall comply with the requirements listed in subsection (a)(1) for Establishment of Service.

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- 4) All projects shall meet or exceed the utilization standards for the service, as specified in 77 Ill. Adm. Code 1100.
 - 5) All projects for an FEC must comply with the licensing requirements established in the Emergency Medical Services (EMS) Systems Act [210 ILCS 50/32.5], including the following:
 - A) Be located in a municipality with a population of 75,000 or fewer inhabitants;
 - B) Be within 20 miles of the hospital that owns or controls the FEC; and
 - C) Be within 20 miles of the Resource Hospital affiliated with the FEC as part of the EMS system.
 - 6) The applicant shall certify that it has reviewed, understands and plans to comply with all of the following requirements:
 - A) The requirements of becoming a Medicare provider of freestanding emergency services; and
 - B) The requirements of becoming licensed under the Emergency Medical Services Systems Act [210 ILCS 50].
- b) Planning Area Need – Establishment or Expansion of Service
- 1) 77 Ill. Adm. Code 1100 Formula Calculation
No formula need calculation has been established for the FECMS category of service.
 - 2) Service to Planning Area Residents
Applicants proposing to establish or expand an FECMS category of service shall document that the primary purpose of the project will be to provide necessary health care to the residents of the area in which the proposed project will be physically located (i.e., the planning area).
 - A) For projects to establish an FECMS category of service, the applicant shall document that at least 50% of the projected patient

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volume will be residents of the area. Documentation shall consist of letters from authorized representatives of hospitals or other FEC facilities that are part of the Emergency Medical Services System (EMSS) for the area. The letters shall provide patient origin information by zip code, based upon the patient's legal residence, for patients receiving services at the existing EMSS facilities' emergency departments (ED), verifying that at least 50% of the ED patients served during the last 12-month period were residents of the area. Each letter shall contain a certification by the authorized representative that the representations contained in the letter are true and correct. A complete set of the letters with original notarized signatures shall accompany the application for permit.

B) An applicant proposing to expand an FECMS category of service shall provide patient origin information for all patients served at the existing FEC facility for the last 12-month period, verifying that at least 50% of patients served were residents of the planning area. The applicant shall submit patient origin information by zip code, based upon the patient's legal residence.

3) Service Demand - Establishment of FECMS Category of Service
The applicant shall document that establishment of an FECMS category of service is necessary to accommodate the service demand experienced annually by the existing EMSS over the latest two-year period.

A) Historical Referrals
The applicant shall document:

i) The number of area residents (for the latest two-year period) by zip code that were referred to hospitals or freestanding emergency center facilities that were not members of the EMSS;

ii) The estimated number of patients anticipated to receive services at the proposed FEC. The anticipated number cannot exceed the documented historical caseload of the EMSS. The data shall be submitted by letter and certified by an authorized representative of the applicant resource hospital, and state that the estimated number of patients to

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receive services has not been used to support another pending or approved CON application for FECMS and that the representations contained in the letter are true and correct. A complete set of the letters with original notarized signatures shall accompany the application for permit.

B) Projected Service Demand – Data Requirements

The applicant shall document:

- i) The number of Emergency Department (ED) patients annually (specifying the number that required emergency treatment or immediate care and the number that required non-emergency care or treatment) that have received care at facilities that are members of the applicant's EMSS for the latest two-year period prior to submission of the application;
- ii) The estimated number of patients anticipated to receive services at the proposed FEC (specifying the estimated number that will require emergency treatment or immediate care and the number that will require non-emergency care or treatment). The anticipated number cannot exceed the documented historical caseload. The data shall be submitted by letter and certified by an authorized representative of the applicant resource hospital, and state that the estimated number of patients to receive services has not been used to support another pending or approved CON application for FECMS and that the representations contained in the letter are true and correct. A complete set of the letters with original notarized signatures shall accompany the application for permit; and
- iii) The estimated number of patients anticipated to receive services at the proposed FEC (specifying the estimated number that will require emergency treatment or immediate care and the number that will require non-emergency care or treatment), based upon rapid population growth in the applicant facility's existing market area.

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- C) Projected Service Demand – Documentation Parameters
- i) Population projections shall be produced, using, as a base, the population census or estimate for the most recent year for county, incorporated place, township, or community area by the U.S. Census Bureau or IDPH;
 - ii) Projections shall be for a maximum period of 10 years from the date the application is submitted;
 - iii) The number of years projected shall not exceed the number of historical years documented;
 - iv) Projections shall contain documentation of population changes in terms of births, deaths, and net migration for a period of time equal to or in excess of the projection horizon;
 - v) Projections shall be for total population and specified age groups for the applicant's market area, as defined by HFPB for each category of service in the application; and
 - vi) Documentation on projections methodology, data sources, assumptions and special adjustments shall be submitted to HFPB.
- 4) Service Accessibility
The proposed project to establish or expand an FECMS category of service is necessary to improve access for planning area residents. The applicant shall document the following:
- A) Service Restrictions
The applicant shall document that at least one of the following factors exists in the planning area:
- i) The absence of the proposed ED service within the planning area;

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- ii) Access limitations due to payer status of patients, including, but not limited to, individuals with health care coverage through Medicare, Medicaid, managed care, or charity care;
- iii) Restrictive admission policies of existing providers;
- iv) The area population and existing care system exhibit indicators of medical care problems, such as an average family income level below the State average poverty level, high infant mortality, or designation by the Secretary of Health and Human Services as a Health Professional Shortage Area, a Medically Underserved Area, or a Medically Underserved Population;
- v) All existing emergency services within the 30-minute normal travel time meet or exceed the utilization standard specified in 77 Ill. Adm. Code 1100.

B) Supporting Documentation

The applicant shall provide the following documentation, as applicable, concerning existing restrictions to service access:

- i) The location and utilization of other planning area service providers;
- ii) Patient location information by zip code;
- iii) Travel-time studies;
- iv) A certification of waiting times;
- v) Scheduling or admission restrictions that exist in area providers;
- vi) An assessment of area population characteristics that documents that access problems exist;
- vii) Most recently published IDPH Hospital Questionnaire.

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- c) Unnecessary Duplication/Maldistribution - Review Criterion
- 1) The applicant shall document that the project will not result in an unnecessary duplication. The applicant shall provide the following information:
 - A) A list of all zip code areas (in total or in part) that are located within 30 minutes normal travel time of the project's site;
 - B) The total population of the identified zip code areas (based upon the most recent population numbers available for the State of Illinois population); and
 - C) The names and locations of all existing or approved health care facilities located within 30 minutes normal travel time from the project site that provide emergency medical services.
 - 2) The applicant shall document that the project will not result in maldistribution of services. Maldistribution exists when the identified area (within the planning area) has an excess supply of ED treatment stations characterized by such factors as, but not limited to:
 - A) Historical utilization (for the latest 12-month period prior to submission of the application) for existing ED within 30 minutes travel time of the applicant's site that is below the utilization standard established pursuant to 77 Ill. Adm. Code 1100; or
 - B) Insufficient population to provide the volume or caseload necessary to utilize the ED services proposed by the project at or above utilization standards.
 - 3) The applicant shall document that, within 24 months after project completion, the proposed project:
 - A) Will not lower the utilization of other area providers below the utilization standards specified in 77 Ill. Adm. Code 1100; and

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- B) Will not lower, to a further extent, the utilization of other area hospitals or FECs that are currently (during the latest 12-month period) operating below the utilization standards.
- 4) The applicant shall document that a written request was received by all existing facilities that provide ED service located within 30 minutes travel time of the project site asking the number of treatment stations at each facility, historical ED utilization (specifying the number of patients receiving emergency treatment or care and non-emergency treatment or care), and the anticipated impact of the proposed project upon the facility's ED utilization. The request shall include a statement that a written response be provided to the applicant no later than 15 days after receipt. Failure by an existing facility to respond to the applicant's request for information within the prescribed 15-day response period shall constitute an assumption that the existing facility will not experience an adverse impact in utilization from the project. Copies of any correspondence received from the facilities shall be included in the application.
- d) Category of Service Modernization
- 1) If the project involves modernization of an existing FECMS category of service, the applicant shall document that the existing treatment areas to be modernized are deteriorated or functionally obsolete and need to be replaced or modernized, due to such factors as, but not limited to:
- A) High cost of maintenance;
- B) Non-compliance with licensing or life safety codes;
- C) Changes in standards of care; or
- D) Additional space for diagnostic or therapeutic purposes.
- 2) Documentation shall include the most recent:
- A) IDPH Inspection reports; and
- B) Joint Commission on Accreditation of Healthcare Organizations reports.

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- 3) Other documentation shall include the following, as applicable to the factors cited in the application:
 - A) Copies of maintenance reports;
 - B) Copies of citations for life safety code violations; and
 - C) Other pertinent reports and data.
- e) Staffing Availability - Review Criterion
 - 1) An applicant proposing to establish an FECMS category of service shall document that a sufficient supply of personnel will be available to staff the service. Sufficient staff availability shall be based upon evidence that for the latest 12-month period prior to submission of the application, those hospitals or FECs located in zip code areas that are (in total or in part) within one hour normal travel time of the applicant facility's site have not experienced a staffing shortage with respect to the categories of services proposed by the project.
 - 2) A staffing shortage is indicated by an average annual vacancy rate of more than 10% for budgeted full-time equivalent staff positions for health care workers who are subject to licensing by the Department of Financial and Professional Regulation.
 - 3) An applicant shall document that a written request for such information was received by all existing facilities within the zip code areas, and that the request included a statement that a written response be provided to the applicant no later than 15 days after receipt. Failure by an existing facility to respond to the applicant's request for information within the prescribed 15-day response period shall constitute an assumption that the existing facility has not experienced staffing vacancy rates in excess of 10%. Copies of any correspondence received from the facilities shall be included in the application.
 - 4) If more than 25% of the facilities contacted indicated an experienced staffing vacancy rate of more than 10% percent, the applicant shall provide documentation as to how sufficient staff shall be obtained to operate the proposed project, in accordance with licensing requirements.

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

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- 1) Heading of the Part: Lottery (General)
- 2) Code Citation: 11 Ill. Adm. Code 1770
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1770.240	New
1770.APPENDIX B	New
- 4) Statutory Authority: 20 ILCS 1605/7.1 and 7.2
- 5) A Complete Description of the Subjects and Issues Involved: The personal and social costs of gambling addiction are a focus of the lottery industry worldwide, and the Illinois Lottery recognizes the need to have a uniform policy to assist people who have admitted they have a problem and wish to eliminate their ability to claim large lottery prizes and thus reduce their incentive to play. The rulemaking establishes a voluntary self-exclusion option for such individuals.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The self-exclusion rules and materials are patterned after a similar program offered in the State of Iowa, as well as the voluntary self-exclusion program rules of the Illinois Gaming Board.
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this Notice to:

Illinois Department of Revenue
Illinois Lottery Legal Section

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101 West Jefferson, MC 5-950
Springfield, Illinois 62794

Phone: 217/524-5253

Email: lisa.crites@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: This rulemaking will not affect small businesses, small municipalities or not-for-profit corporations.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2008

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

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TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE C: LOTTERY
CHAPTER II: DEPARTMENT OF REVENUEPART 1770
LOTTERY (GENERAL)

Section

1770.10	Definitions
1770.20	Selection of Lottery Sales Agents; License Application and Fee; On-Line Status
1770.30	Special Licenses
1770.40	License Revocation Without Prior Notice
1770.50	License Revocation, Suspension, Non-Renewal or Denial With Prior Notice
1770.60	Conditions of Licensing
1770.70	License to be Displayed
1770.80	Change of Name, Ownership, or Form of Business Organization
1770.90	Delinquent Financial Obligations
1770.100	Bonding of Agents
1770.110	License Expiration and Renewal
1770.120	Agent Financial Adjustments
1770.130	Lost, Stolen, and Damaged Winning Tickets and other Discrepancies
1770.140	Sales by Department Directly
1770.150	Sales, Inspection, Compensation, and Ticket Purchases
1770.160	Lottery Tickets
1770.170	Lottery Games
1770.180	Drawings
1770.190	Prize Payment, Claiming or Redeeming of Prizes and Transfers to Common School Fund
1770.200	Eligibility to Buy
1770.210	Promotional Items
1770.220	Priority of Rules
1770.230	Assignment of Lottery Prizes
1770.240	Voluntary Self-exclusion Program
1770.APPENDIX A	Affidavit
1770.APPENDIX B	Voluntary Self-exclusion Agreement

AUTHORITY: Implementing and authorized by Sections 7.1 and 7.2 of the Illinois Lottery Law [20 ILCS 1605/7.1 and 7.2].

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SOURCE: Filed by the Lottery Control Board July 11, 1974; amended at 2 Ill. Reg. 17, p. 130, effective April 1, 1978; amended at 4 Ill. Reg. 15, p. 201, effective March 30, 1980; codified as 11 Ill. Adm. Code 1670 at 5 Ill. Reg. 10713; transferred from 11 Ill. Adm. Code 1670 (Lottery Control Board) to 11 Ill. Adm. Code 1770 (Department of the Lottery) pursuant to Executive Order 86-2, effective July 1, 1986, at 11 Ill. Reg. 1582; Part repealed, new Part adopted at 13 Ill. Reg. 7908, effective May 16, 1989; amended at 17 Ill. Reg. 18816, effective October 19, 1993; amended at 18 Ill. Reg. 13439, effective August 23, 1994; amended at 19 Ill. Reg. 6810, effective May 8, 1995; amended at 20 Ill. Reg. 15039, effective November 6, 1996; emergency amendment at 22 Ill. Reg. 1964, effective January 15, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 9307, effective May 15, 1998; amended at 22 Ill. Reg. 22298, effective December 14, 1998; amended at 24 Ill. Reg. 16061, effective October 13, 2000; amended at 25 Ill. Reg. 12812, effective September 28, 2001; amended at 26 Ill. Reg. 8562, effective May 30, 2002; recodified from the Department of the Lottery to the Department of Revenue pursuant to Executive Order 2003-9 at 27 Ill. Reg. 16993; amended at 29 Ill. Reg. 13869, effective August 29, 2005; amended at 32 Ill. Reg. _____, effective _____.

Section 1770.240 Voluntary Self-exclusion Program

Any individual wishing to reduce his or her incentive to purchase Illinois Lottery tickets may do so by participating in a voluntary self-exclusion program.

- a) In order to participate in the voluntary self-exclusion program, an individual must complete a self-exclusion agreement as set forth in Appendix B to this Part, sign the agreement in the presence of a notary public, and mail or otherwise deliver the signed and notarized agreement to the Illinois Lottery's Claims Unit at 101 West Jefferson, MC5-915, Springfield, Illinois 62702. The form may be obtained in person or by mail from any Lottery office or may be downloaded and printed from the Lottery's website.
- b) Upon receipt of the signed and notarized document, the Illinois Lottery will add the individual's identifying information to its confidential database of persons prohibited from receiving payment of prizes through the Lottery's regional prize payment facilities or central office.
- c) Upon receipt of a voluntary self-exclusion agreement, the Lottery will take all reasonable steps, including but not limited to providing the enrollee's name and address to advertising and public relations firms retained by the Lottery and to staff in charge of in-house e-mail and fax lists, to remove the self-exclusion program enrollee from existing promotional mailing lists, electronic distribution

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lists or other promotional listings, and to prevent the inclusion of the individual's name in any promotional listings that may be created in the future.

- d) All Illinois Lottery prizes that are unclaimed as a result of the voluntary self-exclusion program shall be handled in the same manner as other unclaimed prizes and may be included in the prize pool of such special drawing or drawings as the Division may, from time to time, designate. All unclaimed prize money not included in the prize pool of a special drawing shall be transferred to the Common School Fund. [20 ILCS 1605/19]
- e) Removal from Self-exclusion List
- 1) Upon the expiration of 5 years from the date of placement on the Lottery's voluntary self-exclusion list, an individual may request that he or she be removed from the list based upon the elimination of a mental health or medical condition underlying the person's acknowledgment that he or she was a problem gambler and unable to gamble responsibly. The request for removal from the self-exclusion list must be in writing, be addressed to the Lottery Superintendent at the Lottery's central office in Springfield, and include the following:
- A) Information as to treatment received for the person's gambling problem, length of treatment, and names and qualifications of treatment providers.
- B) A waiver of liability of the Department of Revenue, Illinois Lottery, their agents and the State of Illinois for any damages that might arise out of any act or omission committed by the person as a consequence of his or her removal from the Lottery's voluntary self-exclusion list, including any monetary or other damages sustained in connection with the person's renewal of lottery ticket purchases or redemptions.
- C) The requestor's name, address and taxpayer identification number and notarized signature (subscribed and sworn).
- 2) A decision whether to remove a person from the self-exclusion list shall be at the discretion of the Superintendent, and the Superintendent shall not rule on a request for removal from the voluntary self-exclusion list until all

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of the requirements of this subsection (e) are met. Written notification of the determination will be sent to the requestor by certified mail.

- f) Any information as to mental health or medical conditions received pursuant to this Section will be maintained pursuant to the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110] and other applicable federal and State laws.

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

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Section 1770.APPENDIX B Voluntary Self-exclusion AgreementILLINOIS LOTTERY
SELF-EXCLUSION FROM PLAY
AND PRIZE PAYMENT AGREEMENTAttach Recent Photo Here

_____, of _____, in the State of Illinois,
(Name of Individual Signing Contract) (City of Residence)

hereinafter "Player", and the Illinois Lottery, a Division of the Illinois Department of Revenue, hereinafter "Lottery", (collectively, the "Parties") in consideration of the agreed mutual benefits to be derived by the Parties from Player's cessation of lottery game play, do hereby covenant and agree as follows:

1. Player acknowledges that she/he is a compulsive or problem gambler.
2. Player acknowledges that access to payment of prizes won as a result of playing Lottery games is an unwelcome incentive to play such games.
3. Player desires to reduce the incentive to play by entering into a voluntary self-exclusion agreement restricting Player's access to lottery prizes to which Player would otherwise be entitled by virtue of playing lottery games and/or otherwise possessing lottery tickets presented for payment.
4. Lottery intends to honor Player's commitment to abstain from playing Lottery's games by denying Player access to redeem prizes for tickets or chances at any one of the Lottery's regional offices and through Lottery Central whenever such denial is feasible. Player acknowledges that enforcement of this agreement at retailer locations is currently not feasible.
5. Lottery represents and Player acknowledges that compulsive or problem gambler participation in games offered by Lottery is contrary to the policy and objectives of Lottery management, is detrimental to the health and well-being of the problem player, and is not in the best interests of State government and the citizens of Illinois.
6. Lottery agrees to take reasonable steps to remove Player's name from any existing promotional mailing lists, electronic distribution lists or other promotional listings and to prevent the inclusion of Player's name in any promotional listings that may be created in the future. Player acknowledges that any lottery promotional materials sent in error to

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Player by mail or electronically are not an invitation to play Lottery games. Player agrees to immediately notify the Lottery's Public Information Officer by phone at 800-252-1775 if Player receives any promotional materials from Lottery and Lottery agrees to take corrective action upon receipt of that notification. Player understands and agrees that, although Lottery will endeavor to exclude Player's name from all promotional mailings, electronic communications, web-based players clubs and other promotional listings, Lottery cannot guarantee that Player's name will not be included in such a mailing or listing. Player understands and agrees that inclusion of Player's name in any such lottery listing, club or promotional listing shall neither create nor be construed to create in Player any right, claim or cause of action against Lottery.

NOW, THEREFORE, Player requests that, from this date forward, Player be deemed ineligible to play any Illinois Lottery game and barred from claiming and/or receiving any cash payment or non-cash prize whatsoever that might be won as a result of Player's purchase of a ticket or chance or of Player's playing any Illinois Lottery game, until such time as Player may request and be approved for removal from the self-exclusion list pursuant to 11 Ill. Adm. Code 1770.240(e). To that end, and to facilitate Lottery's implementation of this agreement to be banned from Lottery gaming, Player furnishes the following information:

My Full Name (and any nicknames): _____

My Address: _____

City: _____ State: _____ Zip: _____

Telephone #: (____) _____

Driver's License #: _____ State: _____

Date of Birth: mm/dd/yr: _____

Social Security #: _____

Email Address: _____

I (Player) acknowledge that, by signing this Self-Exclusion from Play and Prize Payment Agreement, I knowingly and intentionally, and for valuable consideration, including Lottery's efforts to implement my exclusion, enter into a contractual relationship in which I relinquish and release any right, title, claim or cause of action on behalf of myself, my heirs, executors, administrators and assigns to any and all prize winnings that might otherwise accrue as a result of my purchase and/or play of Illinois Lottery gaming products. Specifically, I acknowledge that, during the term of this contract, I agree to waive any right to claim a prize pursuant to the Illinois Lottery Law [20 ILCS 1605] and

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the administrative rules promulgated thereunder (11 Ill. Adm. Code 1770). I understand and agree that any lottery prize that would otherwise be due me shall be deemed void and uncollectible and that any such prize shall be deemed to be an unclaimed prize within the meaning of Section 19 of the Illinois Lottery Law [20 ILCS 1605/19] and handled in accordance with the requirements for disposition of all such funds held by Lottery.

I understand and agree that I will not seek to hold Lottery liable in any way should I continue to play Lottery games at any venue in the State of Illinois despite this Agreement. I further understand and acknowledge that I am not entitled to a refund of any purchase price even though any Illinois Lottery product purchased by me is deemed void and uncollectible. In other words, I understand and agree that I cannot collect any prize nor can I receive a refund for any lottery product purchased.

I agree to indemnify Lottery, its board members, business partners, officers, employees, agents, retailers, affiliates, contractors and licensees, and their heirs, successors and assigns from any liability Lottery, or any of those persons or entities named, may incur relating to this request. Specifically, I, for myself and my family members, heirs and legal representatives, hereby release and forever discharge Lottery, its board members, business partners, officers, employees, agents, retailers and affiliates, and their heirs, successors and assigns, and those with whom Lottery and those persons or entities named may lawfully share information regarding this Agreement, including any contractor or Internet Services Provider that offers services on behalf of these persons and entities (collectively, the "Released Parties"), from any and all claims in law or equity that I now have or may have in the future against any or all of the Released Parties arising out of, or by reason of, the performance or nonperformance of this Self-Exclusion Request, or any other matter relating to it, including the release of information contained in this Agreement. I further agree, in consideration for the Released Parties' efforts to implement my exclusion, to indemnify and hold harmless the Released Parties to the fullest extent permitted by law from any and all liabilities, judgments, damages, and expenses of any kind, including reasonable attorneys' fees, resulting from or in connection with the performance or nonperformance of this self-exclusion request.

I understand and intend that this release be general in nature and broadly construed, and that it shall extend to the Illinois Lottery, its officers, board members, business partners, employees, agents, retailers, affiliates, contractors and licensees, and their heirs, successors and assigns.

I further request, should any prize payment be made to me in error, that, to the extent practical and feasible, the Illinois Lottery, its officers, board members, business partners,

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employees, agents, retailers, affiliates, contractors and licensees, and their heirs, successors and assigns, and they hereby are authorized to, confiscate or stop any such payment and to pursue any appropriate legal remedies for breach of this Agreement, thereby depriving me of the benefit of the prize payment.

Signed this _____ day of _____, 2

PLAYER

State of _____)

County of _____)

I, _____, a Notary Public, in and for the County and State aforesaid, do hereby certify that _____, who acknowledged to me that she/he is the person described as "Player" in the above and foregoing "Illinois Lottery Self-Exclusion from Play and Prize Payment Agreement", appeared before me on the date shown immediately above his/her signature, signed this Agreement in my presence, and declared the act of signing to be of his/her own free will and accord.

Notary Public

(SEAL)

Signed this _____ day of _____, 2

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ILLINOIS LOTTERY

By: _____

Its: _____

State of Illinois)

)

County of _____)

I, _____, a Notary Public, in and for the County and State aforesaid, do hereby certify that _____, a person known to me to be a duly-authorized officer of the Illinois Lottery, appeared before me on the date shown immediately above his/her signature, signed this Agreement in my presence for and on behalf of the Illinois Lottery, and declared the act of signing to be of his/her own free will and accord and for the uses and purposes set forth in the Illinois Lottery Self-Exclusion from Play and Prize Payment Agreement.

Notary Public

(SEAL)

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

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NOTICE OF ADOPTED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Adopted 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 8a]
- 5) Effective Date of Amendments: January 11, 2008
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection. Copies of all Pay Plan amendments and collective bargaining contracts are available upon request from the Division of Technical Services and Agency Training and Development.
- 9) Notice of Proposal Published in the Illinois Register: November 2, 2007; 31 Ill. Reg. 14619
- 10) Has JCAR issued a Statement of Objection to these amendments? No

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- 11) Differences between proposal and final version: In the table of contents and main source note, changes are because of intervening rulemakings (the adoption of proposed amendments at 31 Ill. Reg. 16094, effective November 20, 2007; proposed amendments at 31 Ill. Reg. 16792, effective December 13, 2007; and peremptory amendments at 32 Ill. Reg. 598, effective December 27, 2007).

In Sections 310.40, 310.47, 310.110, 310.130, 310.290, 310.410, 310.490, 310.Appendix B, and 310.Appendix D, changes are because bargaining units have petitioned to represent Salary Grade or Merit Compensation (MC) classification titles and, with respect to the titles, CMS is to take no action. As memoranda of understanding are signed, peremptory amendments will reflect the titles' bargaining unit pay grade assignments. If positions are exempted from bargaining unit representation by the Illinois Labor Relations Board, proposed amendments will reflect the titles' MS range assignments. Over time, proposed amendments will remove references to Salary Grade pay grades and MC ranges.

In Section 310.260, changes are because clarification is needed in the streamlining of salary schedules. All, not just Salary Grade, non-bargaining unit trainee program titles are assigned to MS ranges.

In Section 310.290, changes are because clarification is needed to identify the titles assigned to out-of-state rates effective January 1, 2008. In addition to the Executive II title that has positions that remain assigned to out-of-state rates because the title has been petitioned for representation by a bargaining unit, the broadbanded Public Service Administrator (that also has been petitioned for representation by a bargaining unit) and Senior Public Service Administrator titles have positions assigned to out-of-state rates.

In Section 310.295, other changes are because clarification is needed to identify the titles assigned to foreign service rates effective January 1, 2008. All, not just Salary Grade, non-bargaining unit titles that have foreign service positions are assigned to MS ranges.

In Section 310.410, the Revenue Audit Supervisor title is removed from the table effective January 1, 2008 because a Memorandum of Understanding was signed December 6, 2007. No position within the title was excluded from the bargaining unit by the Illinois Labor Relations Board, so no Merit Compensation range is assigned to the title. Peremptory amendments were adopted December 27, 2007 reflecting the bargaining unit pay grade assignment. The Office Administrator III title and its salary grade pay grade assignment are removed because the title has been petitioned for representation by a bargaining unit. The following titles retain their MC range

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assignments because they have been petitioned for representation by bargaining units: Corrections Leisure Activities Specialist IV; Data Processing Supervisor II; Data Processing Supervisor III; Dietary Manager I; Dietary Manager II; Executive II; Executive Secretary III; Human Services Casework Manager; Internal Security Investigator I; Internal Security Investigator II; Mental Health Administrator I; Mental Health Administrator II; Office Administrator III; Police Lieutenant; Security Officer Chief; Security Officer Lieutenant; Security Therapy Aide IV; Statistical Research Supervisor; Telecommunications Supervisor; and Waterways Construction Supervisor I. The following titles with MS range assignments are added because agencies have requested temporary, provisional, or emergency appointments to positions within the titles: Automotive Mechanic; Educator; Revenue Tax Specialist I; Revenue Tax Specialist II; Revenue Tax Specialist Trainee; and Storekeeper II. A typographical error is corrected so that the Foreign Service Economic Development Representative title in the MS range assignment table matches the title in the classification specification.

In Section 310.490, because titles assigned to MC ranges have been petitioned for by bargaining units, the reference to MC ranges in the overtime guide continues. The subsection (q) is added because the differential paid to employees in positions formerly assigned to a foreign service rate will be paid the same differential within the Merit Compensation System.

- 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 rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: 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 (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 and Office Administrator III titles assigned to the pay grade 11 were petitioned for bargaining unit representation and, therefore, no change for those titles shall occur.

In Section 310.47 (In-Hiring Rate), the pay range and in-hiring rate are adjusted for the titles formerly assigned to Salary Grade pay grades. The titles are Commerce

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Commission Police Officer Trainee, Internal Auditor Trainee, and Products and Standards Inspector Trainee.

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), a change clarifies that "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 effective for the entire fiscal year 2008. The only exception is that the Schedule of Salary Grades (Appendix B) pay grade 11 remains in effect.

In Section 310.220 (Negotiated Rate) in 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)" is added.

In Section 310.260 (Trainee Rate), effective January 1, 2008, the Trainee Programs assigned to non-bargaining-unit rates 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) in subsection (d), effective January 1, 2008, the out-of-state positions assigned to non-bargaining-unit rates 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 Executive II, Public Service Administrator and Senior Public Service Administrator titles remain subject to out-of-state rates.

In Section 310.295 (Foreign Service Rate) in subsection (d), effective January 1, 2008, the foreign service rate positions assigned to non-bargaining-unit rates 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 subsection (b) are subject to the Merit

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Compensation System, except for the Data Processing Supervisor I and Office Administrator III titles. 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, unless the title has been petitioned for bargaining unit representation. The petitioned titles are: Corrections Leisure Activity Specialist IV; Data Processing Supervisor II; Data Processing Supervisor III; Dietary Manager I; Dietary Manager II; Executive II; Executive Secretary III; Human Services Casework Manager; Internal Security Investigator I; Internal Security Investigator II; Mental Health Administrator I; Mental Health Administrator II; Police Lieutenant; Security Officer Chief; Security Officer Lieutenant; Security Therapy Aide IV; Statistical Research Supervisor; Telecommunications Supervisor; and Waterways Construction Supervisor I. 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 Sections 8b.18(a) and (b) and 8b.19(a) and (b)] that define term appointments. 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. Because of the petitioned titles, only the MC-02, MC-03, MC-04, MC-05, MC-07, and MC-09 salary ranges remain in effect on or after January 1, 2008.

In Section 310.490 (Other Pay Provisions) in subsection (d)(2)(A) and effective January 1, 2008, the indicators of the merit compensation salary ranges 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 MS-23 and MS-24 are added.

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 that the Data Processing Supervisor I and Office Administrator III titles that remain assigned to Salary Grade pay grade 11 and Salary Grade pay grade 11 remain in

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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. Information is provided on titles continuing to be assigned MC ranges. 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.

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

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

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

- 17) Do these amendments 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 Amendments begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

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

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
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 Equivalents
310.530	Implementation
310.540	Annual Merit Increase and Bonus Guidechart
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
310.APPENDIX A	Negotiated Rates of Pay
310.TABLE A	RC-104 (Conservation Police Supervisors, Laborers' – ISEA Local #2002)
310.TABLE B	VR-706 (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)
310.TABLE Y	RC-063 (Educators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
310.TABLE AB	VR-007 (Plant Maintenance Engineers, Operating Engineers) (Repealed)
310.APPENDIX B	Schedule of Salary Grade Pay Grades – Monthly Rates of Pay
310.APPENDIX C	Medical Administrator Rates
310.APPENDIX D	Merit Compensation System Salary Schedule
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

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

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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 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; peremptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008.

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 and Office Administrator III titles remain assigned to the salary grade pay grade 11 and salary grade pay grade 11 remains in effect.

(Source: Amended at 32 Ill. Reg. 1082, effective January 11, 2008)

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

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to the agency, facilities, counties or other criteria. The supporting justifications 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 Bachelor's degree in accredited civil engineering program, add \$40/quarter work

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		experience up to 8, add \$60 if passed Engineering Intern exam, and add \$40/quarter master's 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

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Police Lieutenant	MC-09	\$3,450
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 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</u>

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

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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>Police Lieutenant</u>	<u>MC-09</u>	<u>\$3,450</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	\$2,400

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technology program	
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. 1082, effective January 11, 2008)

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 and Office Administrator III titles remain assigned to salary grade pay grade 11.

(Source: Amended at 32 Ill. Reg. 1082, effective January 11, 2008)

Section 310.130 Effective Date

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This Pay Plan Narrative (Subpart A), Schedule of Rates (Subpart B), Merit Compensation 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 salary grade pay grade 11 to which the Data Processing Supervisor I and Office Administrator III titles remain assigned.

(Source: Amended at 32 Ill. Reg. 1082, effective January 11, 2008)

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. 1082, effective January 11, 2008)

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 are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D).

(Source: Amended at 32 Ill. Reg. 1082, effective January 11, 2008)

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 are assigned to the Merit Compensation System (Subpart C) and to rates within the Merit Compensation System Salary Schedule (Appendix D), except for Executive II, Public Service Administrator and Senior Public Service Administrator positions.

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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 Tax Specialist I				
(States Other Than California and New Jersey)	2751	3803	2834	3917
(CA, NJ)	3110	4299	3203	4428

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Revenue Tax Specialist Trainee

(States Other Than California and New
Jersey)
(CA, NJ)

2546	3468	2622	3572
2878	3921	2964	4039

Senior Public Service Administrator

(States Other Than California and New
Jersey)
(CA, NJ)

4939	11607	4939	11607
5584	13121	5584	13121

(Source: Amended at 32 Ill. Reg. 1082, effective January 11, 2008)

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.
 - 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

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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 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 Executive II	5126	9654	5126	11295
Foreign Service Economic Development Representative	3400	6130	3400	7172

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Office Assistant (Foreign Service)	2256	2976	2324	3065
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(Source: Amended at 32 Ill. Reg. 1082, effective January 11, 2008)

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
Court Reporter Supervisor	09903	MC-08
Data Processing Supervisor II	11436	MC-04
Data Processing Supervisor III	11437	MC-07

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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
Plumbing Consultant	32910	MC-09
Police Lieutenant	32977	MC-09
Private Secretary I	34201	MC-02

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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
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

<u>Title</u>	<u>Title Code</u>	<u>Salary Plan</u>
<u>Corrections Leisure Activities Specialist IV</u>	<u>09814</u>	<u>MC-07</u>
<u>Data Processing Supervisor II</u>	<u>11436</u>	<u>MC-04</u>
<u>Data Processing Supervisor III</u>	<u>11437</u>	<u>MC-07</u>

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<u>Dietary Manager I</u>	<u>12501</u>	<u>MC-03</u>
<u>Dietary Manager II</u>	<u>12502</u>	<u>MC-05</u>
<u>Executive II</u>	<u>13852</u>	<u>MC-07</u>
<u>Executive Secretary III</u>	<u>14033</u>	<u>MC-02</u>
<u>Human Services Casework Manager</u>	<u>19788</u>	<u>MC-07</u>
<u>Internal Security Investigator I</u>	<u>21731</u>	<u>MC-04</u>
<u>Internal Security Investigator II</u>	<u>21732</u>	<u>MC-07</u>
<u>Mental Health Administrator I</u>	<u>26811</u>	<u>MC-05</u>
<u>Mental Health Administrator II</u>	<u>26812</u>	<u>MC-07</u>
<u>Police Lieutenant</u>	<u>32977</u>	<u>MC-09</u>
<u>Security Officer Chief</u>	<u>39875</u>	<u>MC-04</u>
<u>Security Officer Lieutenant</u>	<u>39876</u>	<u>MC-02</u>
<u>Security Therapy Aide IV</u>	<u>39904</u>	<u>MC-05</u>
<u>Statistical Research Supervisor</u>	<u>42745</u>	<u>MC-07</u>
<u>Telecommunications Supervisor</u>	<u>45305</u>	<u>MC-07</u>
<u>Waterways Construction Supervisor I</u>	<u>49061</u>	<u>MC-05</u>

<u>Title</u>	<u>Title Code</u>	<u>Salary Range</u>
<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>

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<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 Mechanic</u>	<u>03700</u>	<u>MS-12</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 Vocational School Supervisor</u>	<u>09880</u>	<u>MS-20</u>
<u>Court Reporter Supervisor</u>	<u>09903</u>	<u>MS-26</u>
<u>Data Processing Assistant</u>	<u>11420</u>	<u>MS-04</u>
<u>Data Processing Technician</u>	<u>11440</u>	<u>MS-06</u>
<u>Deck Hand</u>	<u>11500</u>	<u>MS-14</u>
<u>Disability Claims Analyst</u>	<u>12540</u>	<u>MS-22</u>
<u>Economic Development Representative Trainee</u>	<u>12939</u>	<u>MS-10</u>
<u>Educational Media Program Specialist</u>	<u>12980</u>	<u>MS-16</u>
<u>Educator</u>	<u>13100</u>	<u>MS-25</u>
<u>Electrical Engineer</u>	<u>13180</u>	<u>MS-30</u>
<u>Employment Security Field Office Supervisor</u>	<u>13600</u>	<u>MS-22</u>
<u>Engineering Technician IV</u>	<u>13734</u>	<u>MS-24</u>
<u>Equine Investigator</u>	<u>13840</u>	<u>MS-09</u>
<u>Executive I</u>	<u>13851</u>	<u>MS-20</u>
<u>Executive Secretary I</u>	<u>14031</u>	<u>MS-08</u>
<u>Executive Secretary II</u>	<u>14032</u>	<u>MS-11</u>
<u>Facility Fire Chief</u>	<u>14433</u>	<u>MS-13</u>
<u>Fingerprint Technician Trainee</u>	<u>15209</u>	<u>MS-05</u>

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<u>Fire Certification Specialist</u>	<u>15285</u>	<u>MS-16</u>
<u>Fire Protection Specialist I</u>	<u>15351</u>	<u>MS-14</u>
<u>Foreign Service Economic Development Executive I</u>	<u>15871</u>	<u>MS-32</u>
<u>Foreign Service Economic Development Executive II</u>	<u>15872</u>	<u>MS-34</u>
<u>Foreign Service Economic Development Representative</u>	<u>15875</u>	<u>MS-30</u>
<u>Governmental Career Trainee</u>	<u>17325</u>	<u>MS-09</u>
<u>Guard II</u>	<u>17682</u>	<u>MS-08</u>
<u>Guard Supervisor</u>	<u>17685</u>	<u>MS-11</u>
<u>Guardianship Supervisor</u>	<u>17720</u>	<u>MS-24</u>
<u>Highway Construction Supervisor I</u>	<u>18525</u>	<u>MS-24</u>
<u>Highway Construction Supervisor II</u>	<u>18526</u>	<u>MS-28</u>
<u>Highway Maintainer</u>	<u>18369</u>	<u>MS-10</u>
<u>Historical Library Chief of Acquisitions</u>	<u>18987</u>	<u>MS-22</u>
<u>Historical Research Specialist</u>	<u>19008</u>	<u>MS-23</u>
<u>Human Resources Assistant</u>	<u>19690</u>	<u>MS-05</u>
<u>Human Resources Associate</u>	<u>19691</u>	<u>MS-08</u>
<u>Human Resources Trainee</u>	<u>19694</u>	<u>MS-04</u>
<u>Human Rights Mediator</u>	<u>19771</u>	<u>MS-20</u>
<u>Human Services Caseworker</u>	<u>19785</u>	<u>MS-14</u>
<u>Information Services Intern</u>	<u>21160</u>	<u>MS-12</u>
<u>Information Services Specialist II</u>	<u>21162</u>	<u>MS-21</u>
<u>Information Systems Analyst I</u>	<u>21165</u>	<u>MS-25</u>
<u>Information Systems Analyst II</u>	<u>21166</u>	<u>MS-29</u>
<u>Inhalation Therapy Supervisor</u>	<u>21260</u>	<u>MS-07</u>
<u>Insurance Analyst I</u>	<u>21561</u>	<u>MS-06</u>
<u>Insurance Company Claims Examiner I</u>	<u>21601</u>	<u>MS-16</u>
<u>Internal Auditor I</u>	<u>21721</u>	<u>MS-20</u>
<u>Internal Auditor Trainee</u>	<u>21726</u>	<u>MS-09</u>
<u>International Marketing Representative I</u>	<u>21761</u>	<u>MS-20</u>
<u>Janitor I</u>	<u>21951</u>	<u>MS-12</u>
<u>KidCare Supervisor</u>	<u>22003</u>	<u>MS-24</u>
<u>Laborer (Maintenance)</u>	<u>23080</u>	<u>MS-14</u>
<u>Laundry Manager I</u>	<u>23191</u>	<u>MS-11</u>
<u>Liability Claims Adjuster Trainee</u>	<u>23375</u>	<u>MS-09</u>
<u>Librarian II</u>	<u>23402</u>	<u>MS-20</u>

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<u>Licensed Practical Nurse II</u>	<u>23552</u>	<u>MS-08</u>
<u>Lottery Regional Coordinator</u>	<u>24504</u>	<u>MS-24</u>
<u>Maintenance Worker</u>	<u>25500</u>	<u>MS-15</u>
<u>Management Operations Analyst I</u>	<u>25541</u>	<u>MS-22</u>
<u>Management Operations Analyst II</u>	<u>25542</u>	<u>MS-23</u>
<u>Management Operations Analyst Trainee</u>	<u>25545</u>	<u>MS-12</u>
<u>Manpower Planner III</u>	<u>25593</u>	<u>MS-23</u>
<u>Manuscripts Manager</u>	<u>25610</u>	<u>MS-22</u>
<u>Meat and Poultry Inspector</u>	<u>26070</u>	<u>MS-10</u>
<u>Mental Health Administrator Trainee</u>	<u>26817</u>	<u>MS-12</u>
<u>Mental Health Program Administrator</u>	<u>26908</u>	<u>MS-40</u>
<u>Methods and Procedures Advisor III</u>	<u>27133</u>	<u>MS-24</u>
<u>Mine Rescue Station Assistant</u>	<u>28150</u>	<u>MS-07</u>
<u>Natural Resource Technician I</u>	<u>28851</u>	<u>MS-07</u>
<u>Office Administrator IV</u>	<u>29994</u>	<u>MS-13</u>
<u>Office Administrator V</u>	<u>29995</u>	<u>MS-17</u>
<u>Office Aide</u>	<u>30005</u>	<u>MS-02</u>
<u>Office Assistant</u>	<u>30010</u>	<u>MS-04</u>
<u>Office Associate</u>	<u>30015</u>	<u>MS-05</u>
<u>Office Clerk</u>	<u>30020</u>	<u>MS-03</u>
<u>Office Coordinator</u>	<u>30025</u>	<u>MS-06</u>
<u>Office Occupations Trainee</u>	<u>30075</u>	<u>MS-01</u>
<u>Office Specialist</u>	<u>30080</u>	<u>MS-08</u>
<u>Pension and Death Benefits Technician I</u>	<u>30961</u>	<u>MS-10</u>
<u>Pharmacist Technician</u>	<u>32008</u>	<u>MS-04</u>
<u>Physician Assistant</u>	<u>32210</u>	<u>MS-27</u>
<u>Plumbing Consultant</u>	<u>32910</u>	<u>MS-28</u>
<u>Police Officer Trainee</u>	<u>32985</u>	<u>MS-06</u>
<u>Polygraph Examiner Trainee</u>	<u>33005</u>	<u>MS-12</u>
<u>Private Secretary I</u>	<u>34201</u>	<u>MS-13</u>
<u>Private Secretary II</u>	<u>34202</u>	<u>MS-18</u>
<u>Products and Standards Inspector Trainee</u>	<u>34605</u>	<u>MS-09</u>
<u>Psychology Intern</u>	<u>35660</u>	<u>MS-15</u>
<u>Public Administration Intern</u>	<u>35700</u>	<u>MS-15</u>
<u>Public Aid Family Support Specialist II</u>	<u>35842</u>	<u>MS-20</u>

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<u>Public Aid Staff Development Specialist III</u>	<u>36073</u>	<u>MS-22</u>
<u>Public Health Program Specialist III</u>	<u>36613</u>	<u>MS-24</u>
<u>Public Service Trainee</u>	<u>37025</u>	<u>MS-01</u>
<u>Radiologic Technologist Chief</u>	<u>37505</u>	<u>MS-17</u>
<u>Real Estate Professions Examiner</u>	<u>37760</u>	<u>MS-27</u>
<u>Registered Nurse - Advanced Practice</u>	<u>38135</u>	<u>MS-27</u>
<u>Rehabilitation Workshop Supervisor III</u>	<u>38196</u>	<u>MS-20</u>
<u>Reimbursement Officer II</u>	<u>38200</u>	<u>MS-20</u>
<u>Reproduction Service Supervisor I</u>	<u>38201</u>	<u>MS-13</u>
<u>Reproduction Service Supervisor II</u>	<u>38202</u>	<u>MS-18</u>
<u>Reproduction Service Technician III</u>	<u>38205</u>	<u>MS-08</u>
<u>Research Fellow, Option B</u>	<u>38211</u>	<u>MS-19</u>
<u>Resident Physician</u>	<u>38270</u>	<u>MS-15</u>
<u>Residential Care Program Supervisor I</u>	<u>38271</u>	<u>MS-22</u>
<u>Revenue Senior Special Agent</u>	<u>38557</u>	<u>MS-29</u>
<u>Revenue Special Agent</u>	<u>38558</u>	<u>MS-21</u>
<u>Revenue Tax Specialist I</u>	<u>38571</u>	<u>MS-09</u>
<u>Revenue Tax Specialist II</u>	<u>38572</u>	<u>MS-12</u>
<u>Revenue Tax Specialist III</u>	<u>38573</u>	<u>MS-16</u>
<u>Revenue Tax Specialist Trainee</u>	<u>38575</u>	<u>MS-07</u>
<u>Seed Analyst Trainee</u>	<u>39953</u>	<u>MS-07</u>
<u>Sign Shop Foreman</u>	<u>41000</u>	<u>MS-22</u>
<u>Site Technician I</u>	<u>41131</u>	<u>MS-07</u>
<u>Site Technician II</u>	<u>41132</u>	<u>MS-09</u>
<u>Social Worker Intern</u>	<u>41430</u>	<u>MS-15</u>
<u>Staff Development Specialist I</u>	<u>41771</u>	<u>MS-20</u>
<u>Staff Development Technician II</u>	<u>41782</u>	<u>MS-17</u>
<u>State Mine Inspector-At-Large</u>	<u>42240</u>	<u>MS-31</u>
<u>Statistical Research Specialist III</u>	<u>42743</u>	<u>MS-22</u>
<u>Storekeeper II</u>	<u>43052</u>	<u>MS-10</u>
<u>Storekeeper III</u>	<u>43053</u>	<u>MS-11</u>
<u>Student Intern</u>	<u>43190</u>	<u>MS-01</u>
<u>Student Worker</u>	<u>43200</u>	<u>MS-01</u>
<u>Supervising Vehicle Testing Compliance Officer</u>	<u>43680</u>	<u>MS-22</u>
<u>Support Service Worker</u>	<u>44238</u>	<u>MS-03</u>

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<u>Switchboard Chief Operator</u>	<u>44410</u>	<u>MS-11</u>
<u>Switchboard Operator I</u>	<u>44411</u>	<u>MS-03</u>
<u>Technical Advisor I</u>	<u>45251</u>	<u>MS-20</u>
<u>Technical Advisor II</u>	<u>45252</u>	<u>MS-24</u>
<u>Technical Advisor III</u>	<u>45253</u>	<u>MS-29</u>
<u>Telecommunications Systems Technician Trainee</u>	<u>45314</u>	<u>MS-05</u>
<u>Utility Engineer I</u>	<u>47451</u>	<u>MS-20</u>
<u>Utility Engineer II</u>	<u>47452</u>	<u>MS-24</u>
<u>Vehicle Emissions Compliance Supervisor</u>	<u>47583</u>	<u>MS-20</u>
<u>Veterans Nursing Assistant - Certified</u>	<u>47750</u>	<u>MS-05</u>
<u>Waterways Construction Supervisor II</u>	<u>49062</u>	<u>MS-24</u>

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. 1082, effective January 11, 2008)

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

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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, 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. Classes in salary ranges ~~MC-06~~MC-6 and below

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and, effective January 1, 2008, classes in salary ranges MS-23 and 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. Classes in MC-07MC-7 and above and, 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.

- e) Equivalent Earned Time –

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- 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 assignment, as approved by the Director of Central Management Services. The

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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 (not mentioned in subsection (i)(1)) of over 14 days will be placed at the

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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.
- n) Bilingual Pay – Individual positions whose job descriptions require the use of sign

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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 the employee on the lowest step in the higher pay grade that is at least

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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.

- q) International Differential Pay - For positions with a headquarters outside of the United States, a differential shall be made once a month to the base salary of the employee residing outside the United States to compensate for a change in the currency exchange rate.

(Source: Amended at 32 Ill. Reg. 1082, effective January 11, 2008)

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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 Therapist Therapist Supervisor	21260	RC-028	11
Intermittent Unemployment Insurance Technician (Hourly)	21690	RC-028	06H

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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

Effective July 1, 2007
Bargaining Unit: RC-028

Pay Plan
Grade Code

STEPS

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		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
09.5	S	2703	2767	2834	2904	2992	3094	3191	3299	3393	3562	3704

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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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
15	B	3087	3168	3254	3342	3490	3634	3776	3930	4076	4321	4494

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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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Bargaining Unit: RC-028

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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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

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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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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. 1082, effective January 11, 2008)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED 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 and Office Administrator III titles that remain 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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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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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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

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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

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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	2576	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

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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. 1082, effective January 11, 2008)

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Section 310.APPENDIX D Merit Compensation System Salary Schedule

Effective January 1, 2008, the titles or positions within a title assigned to the Merit Compensation System (Subpart C) and to rates within MC salary ranges are assigned to rates within the MS salary ranges in the Merit Compensation System Salary Schedule (Appendix D). The only exceptions are the Executive Secretary III and Security Officer Lieutenant titles that remain assigned to MC-02, the Dietary Manager I title that remains assigned to MC-03, the Data Processing Supervisor II, Internal Security Investigator I and Security Officer Chief titles that remain assigned to MC-04, the Dietary Manager II, Mental Health Administrator I, Security Therapy Aide IV, and Waterways Construction Supervisor I titles that remain assigned to MC-05, the Corrections Leisure Activity Specialist IV, Data Processing Supervisor III, Executive II, Human Services Casework Manager, Internal Security Investigator II, Mental Health Administrator II, Statistical Research Supervisor and Telecommunications Supervisor titles that remain assigned to MC-07, and the Police Lieutenant title that remains assigned to MC-09. The only MC ranges that remain effective January 1, 2008 are MC-02, MC-03, MC-04, MC-05, MC-07, and MC-09.

~~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

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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
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>

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

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. 1082, effective January 11, 2008)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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- 1) Heading of the Part: Department of Children and Family Services Scholarship Program
- 2) Code of Citation: 89 Ill. Adm. Code 312
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
312.30	Amended
312.50	Amended
312.60	Amended
312.80	Amended
312.90	Amended
312.100	Amended
- 4) Statutory Authority: 20 ILCS 505/8
- 5) Effective Date of Amendments: January 30, 2008
- 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 agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 13, 2007; 31 Ill Reg. 9699
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: Recommendations made by the Joint Committee on Administrative Rules resulted in edits for purposes of clarification or continuity of information and the restoration or addition of the following information: (1) a scoring mechanism for scholarship application information in Section 212.60(b); and (2) Scholarship Awards Selection Committee membership criteria in Section 212.60(a). The public did not comment on the proposed rule changes.
- 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

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: Amendments to the Department of Children and Family Scholarship Program enhance the ability of scholarship recipients to meet their educational goals. Other amendments address changes in the program's administrative structure, provide clarification, and/or provide an expanded explanation of program requirements or benefits.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Jeff Osowski
Office of Child and Family Policy
Department of Children and Family Services
406 E. Monroe, Station #65
Springfield, Illinois 62703-1498

Telephone: 217/524-1983
TDD: 217/524-3715
e-Mail: cfpolicy@idcfs.state.il.us

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER a: SERVICE DELIVERY

PART 312

DEPARTMENT OF CHILDREN AND FAMILY SERVICES SCHOLARSHIP PROGRAM

Section

312.10	Purpose
312.20	Definitions
312.30	Description
312.40	Eligibility Requirements
312.50	Application
312.60	Selection
312.70	Service Planning and Living Arrangements
312.80	Ongoing Eligibility Requirements
312.90	Benefits
312.100	Discharge from the Scholarship Program

AUTHORITY: Implementing and authorized by Section 8 of the Children and Family Services Act [20 ILCS 505/8].

SOURCE: Old Part adopted by emergency rulemaking at 20 Ill. Reg. 924, effective December 29, 1995, for a maximum of 150 days; emergency expired May 27, 1996; new Part adopted at 23 Ill. Reg. 6784, effective June 1, 1999; amended at 28 Ill. Reg. 8456, effective June 4, 2004; amended at 32 Ill. Reg. 1144, effective January 30, 2008.

Section 312.30 Description

The DCFS Scholarship Program provides a maximum of 48 scholarships each year, four of which are awarded to children of veterans. Scholarship recipients receive up to four consecutive years of supplemental services and maintenance payments (see Section 312.90) that will include annual tuition and fee waivers if the student attends an Illinois State community college or university. Scholarships do not cover room, board, or dormitory fees. Students may attend other colleges or universities, if scholarships are awarded them, and receive the same maintenance benefits as those students attending State-supported community colleges or universities.

~~Department scholarships awarded to college students shall be prorated based on the age of the student so that scholarship benefits do not extend beyond the school year in which the youth becomes 21 years of age.~~

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(Source: Amended at 32 Ill. Reg. 1144, effective January 30, 2008)

Section 312.50 Application

- a) The application package will contain the following:
- 1) completed DCFS Scholarship Program Student Application, CFS 438;
 - 2) transcript of high school grades through the first semester of the senior year and class standing information or copy of GED and score. College student applicants are only required to~~must also~~ submit a transcript of their college grades provided by the college or university directly to the DCFS Office of Education and Transition Services (OETS);
 - 3) ACT or SAT test and score; and
 - 4) three letters of recommendation from persons unrelated to the applicant.
- b) ~~Other supporting documentation may be attached to the application at the discretion of the applicant.~~
- be) Applications must be postmarked~~are due to the Education Coordinator for the Office of Education and Transition Services (OETS)~~ no later than March 31 ~~or the next working day~~. Applications received with a postmark after ~~that the due~~ date will be ineligible for consideration.

(Source: Amended at 32 Ill. Reg. 1144, effective January 30, 2008)

Section 312.60 Selection

- a) The Office of Education and Transition Services OETS Business Manager and Education Coordinator ~~shall coordinate the Scholarship Awards Selection Committee (SASC). Members of the SASC~~ are appointed by the Deputy Director of Service Intervention and shall include the following: Deputy Director, Division of Field Operations; Deputy Director, Division of Placement/Permanency; Deputy Director, Division of Service Intervention; Deputy Director, Division of Child Protection; Deputy Director, Division of Performance Monitoring/Quality Assurance; DCFS Regional Administrators; a

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representative from the Director's Office; DCFS Legislative Liaison; Chairperson, Child Welfare Advisory Committee; Chairperson, DCFS Advisory Committee; Chairperson, Child Care Association of Illinois; Chairperson, Illinois Foster Parent Association; Chairperson, Statewide Foster Care Advisory Council; President, Council on Adoptable Children; and a representative of the Walter and Connie Payton Foundation. ~~Department staff and representatives of the Child Welfare Advisory Committee, DCFS Advisory Committee, Child Care Association of Illinois, Illinois Foster Parent Association, Statewide Foster Care Advisory Council, Council on Adoptable Children and the Walter and Connie Payton Foundation.~~

- b) The SASC shall meet in April to evaluate each applicant's scholastic record; ACT, SAT or GED test scores; community and extracurricular activities; letters of recommendation; and interest in higher education. SASC members shall assign an assessed value of 0 to 20 points to each area of consideration and the applicants with the highest composite scores shall be recommended to the Director to receive a Department Scholarship. Applicants will be notified no later than May 20 of their award status.

(Source: Amended at 32 Ill. Reg. 1144, effective January 30, 2008)

Section 312.80 Ongoing Eligibility Requirements

Scholarship recipients are required to take a minimum of 12 credit hours per semester or quarter, maintain a "C" grade point average and provide a copy of their semester or quarter grades to their caseworker and OETS Business OfficeManager. Recipients who are under the care of the Department shall also notify their caseworkers and the OETS Business Office manager if they transfer to another school, change their address, attend summer school or withdraw from school. Youth who are no longer the legal responsibility of the Department shall submit the above-required documentation to the OETS Business OfficeManager. Scholarship recipients are responsible for filing a FAFSA form and applying for other forms of financial aid annually, if needed, and for paying their own room and board, as well as other costs not covered by the Department scholarship.

(Source: Amended at 32 Ill. Reg. 1144, effective January 30, 2008)

Section 312.90 Benefits

- a) Tuition and Fee Waiver

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The OETS Business Office will request a waiver of tuition and mandatory fees for scholarship youth that attend an Illinois State university or community college if the youth does not have a tuition and/or fee scholarship from another source. If the student attends an Illinois State community college or university and does not have a tuition or fee scholarship from another source, the OETS Business Office will request a waiver of tuition and fees. Students who choose to attend other colleges or universities will receive a maintenance grant, but will not receive a waiver of tuition and fees.

b) Monthly Grant Stipend

1) Youth must provide their caseworkers with written verification of their acceptance/enrollment in a college or university and their school address prior to the beginning of their initial semester or quarter. Caseworkers will verify the information and forward it to the OETS Business Office. Youth that no longer have a legal relationship with the Department must forward the information directly to the OETS Business Office. The OETS Business Office will forward payment information to the Central Payment Unit (CPU). Grant payments will be effective the first day the youth is at school and continue throughout the school year. Youth will receive their first payments the following month. The amount will be prorated based on the day of the month the youth was first located at the school.

2) Caseworkers must provide youth with an explanation of the financial and security benefits of having their grant checks directly deposited and assist the youth with completing the C-95, Authorization for Deposit of Recurring Payments. Youth who do not choose direct deposit will have their grant checks mailed directly to them. Youth are required to report their address change immediately to the OETS Business Office (5415 N. University, Peoria IL 61615, 309/693-5150, facsimile 309/693-5433) and their caseworker to ensure timely receipt of correspondence and their grant payments.

A) Summer School

The OETS will discontinue grant payments through the summer unless the youth is enrolled in summer school and taking a minimum of six college credit hours, or participating in an approved internship program. Youth that choose to continue their education through the summer months must submit an official

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class schedule or documentation of participation in an approved internship program to the OETS Business Office and their caseworker no later than the first Monday in May so that their grant payments will not be disrupted.

B) Terminating Payment

i) When a youth no longer meets the requirements to remain in the DCFS Scholarship Program, the youth's caseworker will notify the OETS Business Office immediately. Youth who are no longer the legal responsibility of the Department shall notify the OETS Business Office when they no longer meet the requirements of the program. The OETS Business Office will notify the CPU of the effective payment termination date for the youth.

ii) The OETS Business Office will notify the youth in writing 30 days prior to stopping grant payments for any reason other than summer breaks. If the youth has a legal relationship with the Department and resides in Cook County, the Cook County Public Guardian will also receive a copy of the termination notification. Youth may request a review of the decision to suspend or discharge them from the Scholarship Program in accordance with 89 Ill. Adm. Code 337 (Service Appeal Process). If the youth's grant does not continue during the appeals process, it will be issued retroactively if the youth's appeal is successful.

C) Marriage or Termination of Guardianship

Marriage or termination of guardianship does not terminate a Department scholarship. The Department will continue to make monthly grant payments to the youth, and the youth's medical needs will continue to be met under the Medicaid program. Stipend payments, which are equal to the DCFS standard board rate for youth of this age (see 89 Ill. Adm. Code 356.30(b)(3)), begin on the first day of school and terminate at the end of the school year. The stipend payments may continue through the summer months if the student attends summer school and maintains an academic load of 6 credit hours.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

- c) ~~Initial Expenses/Start-Up Grant~~
This is a \$200 one time grant youth will receive upon entrance into the DCFS Scholarship Program. The purpose of the grant is to assist the youth with their initial college living expenses. Youth will receive the Start-Up Grant payment in July.
~~This is a one-time grant that is equal to the standard board rate for youth this age (see 89 Ill. Adm. Code 356.30(b)(3)). This grant will assist scholarship recipients with their initial college living expenses.~~
- d) Medical and Dental Payments
- 1) Medical and dental services are available to DCFS scholarship youth for whom the Department is legally responsible. Medical and dental services are provided through the Department of Healthcare and Family Services Medical Assistance Program via the DCFS issued medical card.
- 2) Medical case management services are provided to pregnant and parenting youth and their children, zero to five years of age, through the Department of Human Services.
~~Scholarship recipients are eligible for an Illinois Public Aid Medical card while attending college.~~
- e) Mandatory Supplies Fee and Book Payments
The Department may pay for required textbooks and supplies for youth that do not have sufficient resources to purchase the required items.
~~When it is documented that the student does not have sufficient resources to purchase required textbooks and/or pay student fees, and the Department has legal responsibility for the student, the Department may make these payments.~~
- f) ~~Guardianship Termination or Marriage~~
~~Termination of guardianship or marriage followed by guardianship termination does not terminate a four-year scholarship, provided that the recipient continues to meet academic eligibility criteria.~~

(Source: Amended at 32 Ill. Reg. 1144, effective January 30, 2008)

Section 312.100 Discharge from the Scholarship Program

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

- a) Students will be discharged from the Scholarship Program~~scholarship program~~ for the following reasons:
- 1) completion of ~~a bachelor degree program or~~ four years in the Scholarship Program~~scholarship program or attainment of age 21~~;
 - 2) failure to enroll in school;
 - 3) failure to maintain a "C" grade point average;
 - 4) failure to maintain an academic load of 12 credit hours each semester or quarter during the fall and spring semesters;
 - 5) withdrawal from school; or
 - 6) dismissal from school due to disciplinary reasons.
- b) With the exception of a scholarship recipient completing ~~a bachelor degree program or~~ four years in the Scholarship Program~~scholarship program or attaining age 21~~, the Deputy Director of the Division of Service Intervention may waive the requirement to discharge a scholarship recipient when the recipient provides information mitigating the reason or reasons for discharge (family illness or other emergency that necessitated withdrawing from the program and college or university for the semester/quarter/term).

(Source: Amended at 32 Ill. Reg. 1144, effective January 30, 2008)

PROCUREMENT POLICY BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: General Policies
- 2) Code Citation: 2 Ill. Adm. Code 3002
- 3)

<u>Section Number:</u>	<u>Adopted Action</u>
3002.410	Added
- 4) Statutory Authority: Illinois Procurement Code [30 ILCS 500]
- 5) Effective Date of Rulemaking: February 1, 2008
- 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: None Published. This is an adopted filing for required internal rulemaking under Section 5-15 of the Illinois Administrative Procedure Act.
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None. This is an adopted rulemaking under Section 5-15 of the Illinois Administrative Procedure Act.
- 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 proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Procurement Policy Board is adopting a new Section to regulate the conduct of establishing and holding meetings of the Board under the requirements of the Open Meetings Act.
- 16) Information and questions regarding this adopted amendment shall be directed to:

PROCUREMENT POLICY BOARD

NOTICE OF ADOPTED AMENDMENT

Matt Brown
Executive Director
Illinois Procurement Policy Board
511 West Capital, Suite 102
Springfield IL 62704

Telephone: 217/785-3988

Facsimile: 217/557-9927

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

PROCUREMENT POLICY BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER LX: PROCUREMENT POLICY BOARDPART 3002
GENERAL POLICIES

Section

3002.100	Authority and Purpose
3002.200	Definitions
3002.300	Agenda
3002.400	Meetings of the Board
3002.410	Open Meetings Act Compliance
3002.500	Board Review
3002.600	Publication of Notices, Proposals and Action by the Board
3002.700	Comments from the Public
3002.800	Petition to the Board by Public
3002.900	Submission of Complaints
3002.1000	Obtaining Other Information
3002.1100	Coordination with State Agencies and the General Assembly
3002.1200	Coordination with the Joint Committee, Administrative Code Division and CPOs
3002.1300	Proposed Contract Review

AUTHORITY: Implementing and authorized by the Illinois Procurement Code [30 ILCS 500].

SOURCE: Adopted at 23 Ill. Reg. 6895, effective June 1, 1999; amended at 25 Ill. Reg. 14390, effective October 24, 2001; amended at 29 Ill. Reg. 812, effective January 1, 2005; amended at 32 Ill. Reg. 1153, effective February 1, 2008.

[Section 3002.410 Open Meetings Act Compliance](#)**[a\) Introduction](#)**

- [1\) *The Illinois Open Meetings Act \[5 ILCS 120/1\] sets forth the public policy of the State of Illinois that public bodies exist to aid in the conduct of the people's business and that the people have a right to be informed as to the conduct of their business. It is also the public policy of the State that its citizens be given advance notice of and the right to attend all meetings at*](#)**

PROCUREMENT POLICY BOARD

NOTICE OF ADOPTED AMENDMENT

which any business of a public body is discussed or acted upon in any way.

- 2) It is the intent of the Act:
 - A) to ensure that the actions of public bodies be taken openly and that their deliberations be conducted openly;
 - B) to protect the citizen's right to know; and
 - C) that provisions for exceptions to the open meeting requirements be strictly construed against closed meetings. [5 ILCS 120/1]
- 3) By means of this Section, the Board has established procedures to conduct its business in accordance with the Open Meetings Act.

b) Definitions

- 1) "Employee" - A person employed by the Board whose relationship with the Board constitutes an employer-employee relationship under the usual common law rules, and who is not an independent contractor. [5 ILCS 120/2(d)]
- 2) "Executive Director" – The Executive Director of the Procurement Policy Board.
- 3) "Meeting" – Any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of 3 members of the Board held for the purpose of discussing Board business. [5 ILCS 120/1.02]
- 4) "Recording Secretary" – Shall mean the Executive Director of the Procurement Policy Board or designee.

c) Quorum Requirements for Meetings by Physical Presence

The Board may conduct business only if there is a quorum established at a meeting. A quorum for the Board is 3 members of the Board. Three members must be physically present at a single location to constitute a quorum for purposes

PROCUREMENT POLICY BOARD

NOTICE OF ADOPTED AMENDMENT

of conducting business of the Board. If, however, an open meeting of the Board is held simultaneously at one of its offices (or if its offices lack equipment for video conferencing, then in another location in a public building) and one or more other locations in a public building, which may include other of its offices, through an interactive video conference and public notice is provided as required under the Open Meetings Act for all locations, then members physically present in those locations all count toward determining a quorum. "Public building" means any building or portion of a building owned or leased by any public body. [5 ILCS 120/2.01] Action by the Board may only be taken so long as a quorum is present at the time the action is taken.

d) Attendance by a Means Other Than Physical Presence

1) If a quorum of the members of the Board is physically present as required by subsection (c), a majority of the quorum may allow a member of that body to attend the meeting (and participate in any discussion, vote or other action of the Board) by other means if the member is prevented from physically attending because of:

A) personal illness or disability;

B) employment purposes or the business of the public body; or

C) a family or other emergency. [5 ILCS 120/7(a)]

2) If a member wishes to attend a meeting by other means, the member must notify the Recording Secretary of the Board before the meeting unless advance notice is impractical. "Other means" shall mean by audio or video conference or any additional means as from time to time allowed by statute. [5 ILCS 120/7(b)]

3) If a quorum is established pursuant to subsection (c), then a member attending by phone conference or other means allowed by this subsection (d) is not required to be located in a public building.

4) The limitations of this subsection (d) shall not apply to closed meetings of the Board. [5 ILCS 120/7(d)]

e) Meetings; Public Notice; Agenda; Regular Meetings; Special Meetings

PROCUREMENT POLICY BOARD

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- 1) Time of Meeting Generally. *All open meetings shall be held at specified times and places that are convenient and open to the public. No open meeting shall be held on a legal holiday unless the regular meeting day falls on that holiday. [5 ILCS 120/2.01]*
- 2) Public Notice by Posting. *Public notice shall be given by posting a copy of the notice at the principal office of the Board.*
- 3) News Media Request. *Any news medium may file with the Executive Director of the Board an annual request for public notice of all meetings of the Board, and copies of the notice to be posted shall be given to those news media. [5 ILCS 120/2.02(b)] The Executive Director shall maintain an updated list of all news media that have filed annual requests and shall be responsible for seeing that requesting news media receive the notices mandated by the Open Meetings Act and by this policy.*
- 4) Regular Meetings. *The Board shall hold regular meetings throughout the year in accordance with a schedule developed by the Chair of the Board.*
 - A) Agenda of Regular Meetings. *An agenda for each regular meeting shall be posted in accordance with subsection (e)(2) at least 48 hours in advance of the holding of the meeting. However, this requirement shall not preclude the consideration of items not specifically set forth in the agenda. Action may be taken on a non-agenda item only if germane to a subject on the agenda. The validity of an action that is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda. [5 ILCS 120/2.02(a)]*
 - B) Schedule of Regular Meetings. *At the beginning of each calendar year, the Executive Director, at the direction of the Chair, shall prepare and make available a schedule of all its regular meetings for such fiscal or calendar year, listing the times and places of such meetings. [5 ILCS 120/2.02(a)]*
 - C) Cancellation or Change in Regular Meeting Date. *If a regular meeting is cancelled or if a change is made in a regular meeting date, at least 10 days' notice of the change shall be given by*

PROCUREMENT POLICY BOARD

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publication in the official State newspaper or newspaper in general circulation in the area in which the Board functions. Notice of the change shall also be posted at the principal office of the Board. Notice of the change shall also be given to those news media that have filed with the Executive Director an annual request for notice of meetings. [5 ILCS 120/2.03] A regular meeting of the Board may be cancelled or changed by the Chair.

- D) Change in Location. The Chair may change the location of any regular meeting. Notice of the change shall be given in the same manner as a cancellation or change in a regular meeting as set forth in subsection (e)(4)(C). If the location change is only a change in the room number of the same public building, then no notice is necessary other than a posted notice placed at the originally scheduled room no later than at the time of the beginning of the scheduled meeting.
- 5) Special Meetings. Special meetings may be called by the Chair or at the request of any two of the members. The Chair shall designate the location of the special meeting, which shall be in either Springfield, Illinois or Chicago, Illinois. Public notice of any special meeting shall be given at least 48 hours before the meeting. [5 ILCS 120/2.02(a)]
- A) Agenda of Special Meetings. An agenda of a special meeting shall be included with the public notice of the meeting. However, the validity of any action taken by the Board that is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda. [5 ILCS 120/2.02(a)]
- B) News Media Notice. Those news media that have filed an annual request for notice shall be given the same notice of any special meeting in the same manner as is given to members of the Board, provided that those news media have given the Executive Director an address or telephone number within Illinois at which notice may be given. [5 ILCS 120/2.02(b)]
- 6) Rescheduled or Reconvened Meetings. Public notice of any rescheduled or reconvened meeting shall be given at least 48 hours before the meeting.

PROCUREMENT POLICY BOARD

NOTICE OF ADOPTED AMENDMENT

- A) Exception to Notice Requirement. *No public notice is required to be given of any reconvened meeting if the meeting was open to the public and either:*
- i) the meeting is to be reconvened within 24 hours; or
 - ii) an announcement of the time and place of the reconvened meeting is made at the original meeting and there is no change in the agenda. [5 ILCS 120/2.02(a)]
- B) Agenda of Rescheduled or Reconvened Meeting. *An agenda of a rescheduled or reconvened meeting shall also be included with the public notice of the meeting. However, the validity of any action taken by the Board that is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda. [5 ILCS 120/2.02(a)]*
- C) News Media Notice. *Those news media that have filed an annual request for notice shall be given the same notice of any rescheduled or reconvened meeting in the same manner as is given to members of the Board, provided that those news media have given the Executive Director an address or telephone number within Illinois at which notice may be given. [5 ILCS 120/2.02(b)]*
- 7) Emergency Meeting. *Any emergency meeting may be called by the Chair or by request of any three members of the Board. The Chair shall designate the location of the emergency meeting, which shall be in Springfield, Illinois or Chicago, Illinois. Notice of an emergency meeting shall be given as soon as is practicable. In any event, prior to an emergency meeting being held, notice shall be given to those news media that have filed an annual request for notice. [5 ILCS 120/2.02(a)] Those news media that have filed an annual request for notice shall be given the same notice of any emergency meeting in the same manner as is given to members of the Board, provided that those news media have given the Executive Director an address or telephone number within Illinois at which notice may be given. [5 ILCS 120/2.02(b)]*
- f) Recording of Meeting

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- 1) *Any person may record by tape, film or other means the proceedings at any open meeting, provided oral or written notice is given to the Executive Director or the Chair of the Board prior to the start of the meeting. Recording the proceedings shall be subject to the provisions of subsection (f)(2) and the provisions of Section 8-701 of the Code of Civil Procedure [735 ILCS 120/8-701]. [5 ILCS 120/2.05] If notice has been given to the Executive Director or the Chair of the Board that a person will be recording the proceedings, the Executive Director or the Chair of the Board shall announce at the time the meeting is called to order that notice has been received that the proceedings of the meeting are being recorded.*
 - 2) *If any witness at any meeting required to be open under the Open Meetings Act refuses to testify on the grounds that he or she may not be compelled to testify if any portion of his or her testimony is to be broadcast or televised or if motion pictures are to be taken, then the authority holding the meeting shall prohibit any such recording during the testimony of the witness. Nothing in this subsection (f) shall be construed to extend the right to refuse to testify at any meeting not subject to the provisions of Section 8-701 of the Code of Civil Procedure. [5 ILCS 120/2.05]*
- g) Closed Meetings
- 1) Subject. The Board may hold closed meetings to consider subjects set forth in 5 ILCS 120/2(c), including but not limited to:
 - A) *The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Board, including hearing testimony on a complaint lodged against an employee to determine its validity [5 ILCS 120/2(c)(1)];*
 - B) *Collective negotiating matters between the Board and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees [5 ILCS 120/2(c)(2)];*
 - C) *The purchase or lease or sale of real property owned by the Board or being sought for the use of the Board and the setting of the sale or rent amount [5 ILCS 120/2(c)(5) and (6)];*

PROCUREMENT POLICY BOARD

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- D) *Emergency security procedures and the use of personnel and equipment to respond to actual danger to the safety of employees, staff, or public property, provided that a description of the actual danger shall be made a part of the motion to close the meeting [5 ILCS 120/2(c)(8)];*
- E) *Litigation, when an action against, affecting or on behalf of the Board has been filed and is pending before a court or administrative tribunal, or when the Board finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting [5 ILCS 120/2(c)(11)];*
- F) *The classification and discussion of matters classified as confidential or continued confidential by the State Employees Suggestion Award Board (see 20 ILCS 405/67.28) [5 ILCS 120/2(c)(20)]; and*
- G) *Discussion of minutes of closed meetings, whether for purposes of approval by the Board of the minutes or for purposes of semi-annual review of the minutes [5 ILCS 120/2(c)(21)].*
- 2) *Procedure*
- A) *Vote. Upon the majority vote of a quorum of the Board present at an open meeting, the Board may hold a meeting closed to the public or may close a portion of a meeting to the public. The motion to close a meeting, or a portion thereof, shall state a citation to the specific exemption set forth in Section 2 of the Open Meetings Act. The vote of each member shall be taken by roll call vote, shall be publicly disclosed, and shall be recorded and entered into the minutes of the meeting.*
- B) *Subject. Only topics specified in the vote to close may be considered during the closed meeting.*
- C) *Series of Meetings. A single vote may be taken with respect to a series of meetings, a portion or portions of which are proposed to*

PROCUREMENT POLICY BOARD

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be closed to the public, provided each meeting in the series involves the same particular matters and is scheduled to be held within no more than 3 months after the vote. [5 ILCS 120/2a]

h) Minutes of Meetings

1) Open Meetings

- A) Content. The Board shall keep written minutes of all open meetings. The minutes shall include:
- i) the date, time and place of the meeting;
 - ii) the members of the Board recorded as either present or absent, and whether the members were physically present or present by means of video or audio conference; and
 - iii) a summary of discussion on all matters proposed, deliberated, or decided and a record of any votes taken. [5 ILCS 120/2.06(a)]
- B) Public Inspection. The minutes of any open meeting shall be available for public inspection within 7 days after the approval of the minutes by the Board. [5 ILCS 120/2.06(b)]
- C) An electric recording of a meeting may be taken by the Board for the sole purpose of assisting in the preparation of accurate minutes of the meeting. The recording itself shall not be retained and is not intended to be kept as the official record of the meeting. The written minutes as approved by the members of the Board shall be the only official record of the meeting intended to be preserved. The electronic recording is only for temporary purposes and is not appropriate for presenting for purposes of the Illinois State Records Act.

2) Closed Meetings

- A) Content. The Board shall keep both a verbatim recording and written minutes of all closed meetings. The minutes shall include:

PROCUREMENT POLICY BOARD

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- i) *the date, time and place of the meeting;*
 - ii) *the members of the Board recorded as either present or absent; and*
 - iii) *a summary of discussion on all matters proposed, deliberated or decided and a record of any votes taken. [5 ILCS 120/2.06(a)]*
- B) Public Inspection. The minutes of any closed meeting shall be available for public inspection only after the Board determines, in accordance with subsection (h)(2)(C), that it is no longer necessary to protect the public interest or the privacy of an individual by keeping the minutes confidential.
- C) Semiannual Review. The Board shall semiannually review minutes of all closed meetings. At such meetings a determination shall be made, and reported in an open session, that either:
- i) *the need for confidentiality still exists as to all or a part of those minutes; or*
 - ii) *the minutes or portions thereof no longer require confidential treatment and are available for public inspection. [5 ILCS 120/2.06(d)]*
- i) Voting
Voting at any open meeting shall be by voice vote. No secret ballot shall be utilized.

(Source: Added at 32 Ill. Reg. 1153, effective February 1, 2008)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Heading of the Part: Pay Plan

Code Citation: 80 Ill. Adm. Code 310

Section Numbers: 310.40 310.295
310.110 310.410
310.130 310.490
310.220 310.APPENDIX B
310.260 310.APPENDIX D
310.290

Date Originally Published in the Illinois Register: 11/2/07
31 Ill. Reg. 14619

At its meeting on January 9, 2008, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommended that, in the future, CMS be more timely in adopting rulemakings so that the rule is in effect before the provisions contained in the rule are applied.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF REFUSAL TO MODIFY TO MEET THE OBJECTION OF
THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Supplemental Reports for Accident and Health Insurers
- 2) Code Citation: 50 Ill. Adm. Code 937
- 3)

<u>Section Numbers</u> :	<u>Action</u> :
937.10	Refusal
937.20	Refusal
937.30	Refusal
937.40	Refusal
937.50	Refusal
937.EXHIBIT A	Refusal
937.EXHIBIT B	Refusal
937.EXHIBIT C	Refusal
- 4) Date Notice of Proposed Rules Published in the Register: July 27, 2007; 31 Ill. Reg. 10546
- 5) Date JCAR Statement of Objection and Filing Prohibition Published in the Register: 31 Ill. Reg. 14606
- 6) Summary of Action Taken by the Agency: The Division respectfully disagrees with the Committee's objection to Part 937. For the reasons summarized below, the purported objections of the Committee are legally and factually unfounded.

Sections 136 [215 ILCS 5/136] and 401 [215 ILCS 5/401] of the Illinois Insurance Code provide the Director both specific and general authority to request all Part 937 data, including quarterly reports. Section 136 provides that the Director "shall have such power to make such modifications and additions" to the annual statement as he "may deem desirable or necessary to ascertain the conditions and affairs of the company." [215 ILCS 5/136]. These same companies also submit quarterly reports pursuant to Section 136 authority. Part 937 seeks to collect annual and quarterly basic premium, loss, and enrollment data, all of which relate directly to company conditions and undoubtedly relate to company affairs.

Section 401 provides additional authority for Part 937 data requests by authorizing the Director to "make reasonable rules and regulations as may be necessary for making effective" state insurance laws. [215 ILCS 5/401]. Collection of this data protects consumers and promotes the public interest and welfare.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF REFUSAL TO MODIFY TO MEET THE OBJECTION OF
THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

Part 937 in no way involves regulation of the insurance marketplace or insurance rates. Any claim to the contrary is false.

For these reasons and pursuant to Section 5-110 of the Administrative Procedure Act [5 ILCS 100/5-110] and Section 220.1200 of Title 1 of the Illinois Administrative Code (1 Ill. Adm. Code 220.1200), the Division hereby responds to the Committee's objection by refusing to modify or withdraw Part 937.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION AND FILING PROHIBITION
TO PROPOSED RULEMAKING

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

Heading of the Part: Medical Payment

Code Citation: 89 Ill. Adm. Code 140

Section Number: 140.6

Date Originally Published in the Illinois Register: 10/5/07
31 Ill. Reg. 13570

At its meeting on January 9, 2008, the Joint Committee on Administrative Rules voted to object to the above proposed rulemaking and prohibit its filing with the Secretary of State. The Committee found that the adoption of this rulemaking would constitute a serious threat to the public interest. The reason for the Objection and Prohibition is as follows:

JCAR objected to and prohibited filing of the rulemaking because, given the Department's own estimate that the State will experience a shortfall of at least \$861 million in its ability to pay this fiscal year's claims under the medical assistance program, it is not in the public interest to further increase the State's financial obligations under medical assistance by, at this time, expanding the program to offer preventive care to adults.

The proposed rulemaking may not be filed with the Secretary of State or enforced by the Department of Healthcare and Family Services for any reason following receipt of this certification and statement by the Secretary of State for as long as the Filing Prohibition remains in effect.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION AND FILING PROHIBITION
TO PROPOSED RULEMAKING

DEPARTMENT OF PUBLIC HEALTH

Heading of the Part: Smoke Free Illinois Code

Code Citation: 77 Ill. Adm. Code 975

Section Numbers: 77.10 77.80
77.20 77.90
77.30 77.100
77.40 77.110
77.50 77.120
77.60 77.130
77.70

Date Originally Published in the Illinois Register: 10/5/07
31 Ill. Reg. 13672

At its meeting on January 9, 2008, the Joint Committee on Administrative Rules voted to object to the above proposed rulemaking and prohibit its filing with the Secretary of State. The Committee found that the adoption of this rulemaking would constitute a serious threat to the public interest and welfare. The reason for the Objection and Prohibition is as follows:

JCAR objected to and prohibited filing of the rulemaking because it contains no process by which an accused violator can argue that no violation occurred, appeal a finding of a violation, or appeal the amount of the imposed fine. An alleged violator's only options are to pay the fine or challenge enforcement action through the circuit court. Lack of due process threatens the public interest and welfare.

The proposed rulemaking may not be filed with the Secretary of State or enforced by the Department of Public Health for any reason following receipt of this certification and statement by the Secretary of State for as long as the Filing Prohibition remains in effect.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

Pursuant to the provisions of 20 ILCS 1605/7.1, the Illinois Department of Revenue, Lottery Division, shall publish each January in the Illinois Register a list of all game-specific rules, play instructions, directives, operations manuals, brochures, or other game-specific publications issued by the Division during the previous year. Following is the list of game-specific materials published by the Lottery during calendar year 2007.

Standard Instant Game Rules

Millionaire Raffle Drawing Procedures 3/14/2007

Millionaire Raffle Drawing Procedures 7/31/2007

Hot Seats Promotion Official Rules & Procedures (with Chicago Bulls)

Big Ticket to Universal Orlando Resort Promotion Official Rules & Procedures

Big Ticket to Universal Orlando Resort Promotion Official Drawing Procedures

Big Ticket to Universal Orlando Resort Promotional Poster

Wheel of Fortune® 2nd Chance Promotion Official Rules & Procedures

Wheel of Fortune® 2nd Chance Promotion Official Drawing Procedures

Pac-Man® Second Chance Promotion Official Rules & Procedures

Million Dollar Summer 2nd Chance Promotion Official Rules & Procedures

Million Dollar Summer Promotion Drawing Procedures

Million Dollar Summer Promotion Kickoff Official Rules & Procedures

Hot Seats Promotion Official Rules & Procedures (with Chicago Fire)

Green Ball Double Draw Promotion Official Rules and Procedures (August 2007)

On-Line Drawing Procedures Supplemental Instructions for Green Ball Double Draw

State Fair Concert Ticket Second Chance Drawings Official Rules & Procedures

Million Dollar Summer Finale Show Official Rules

\$10,000 Finale Sweepstakes Official Rules and Regulations (Million Dollar Summer)

Deal or No Deal™ 2nd Chance Promotion Official Rules & Procedures

Green Ball Double Draw Promotion Official Rules & Procedures (December 2007)

On-Line Drawing Procedures Supplemental Instructions for Green Ball Double Draw

On Line Game Rules revised as of 11/1/2007

Instant Game Prize List

2007 Winning Numbers Lists (Pick 3, Pick 4, Little Lotto, Lotto, Mega Millions, Millionaire Raffle)

2007 Winning Numbers in Order Drawn (Little Lotto, Lotto, Mega Millions)

Lottery Financial History, Sales by Game/Where Your Dollar Goes

Official How to Play brochure (Mega Millions, Lotto, Little Lotto, Pick 3/Pick 4 and Instant)

Chances of Winning Lotto, Little Lotto or Mega Millions

Lotto and Little Lotto Subscription Forms

Record North American Jackpots

Top Big Game/Mega Millions Jackpots

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

Top Lotto Jackpots
Top Illinois Jackpots
Retailer Newsletter

Copies of the foregoing may be obtained by submitting a written request to:

Freedom of Information Officer
Illinois Department of Revenue
101 West Jefferson, MC 6-595
Springfield, Illinois 62702

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

2. Summary of information:

Index of Department of Revenue sales tax Private Letter Rulings and General Information Letters issued for the Fourth 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:

Aircraft Use Tax	Manufacturer's Purchase Credit
Claims for Credit	Manufacturing Machinery & Equipment
Construction Contractors	Medical Appliances
Exempt Organizations	Miscellaneous
Farm Machinery & Equipment	Occasional Sale
	Repairs
Food	Returns
Food, Drugs & Medical Appliances	Sale at Retail
	Sale for Resale
Gross Receipts	Sale of Service
Interstate Commerce	Service Occupation Tax
Leasing	Telecommunications Excise Tax
Local Taxes	Use Tax

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 50¢ 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/.

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for \$3.00.

3. Name and address of person to contact concerning this information:

Marie Keeney
Legal Services Office
101 West Jefferson Street
Springfield, Illinois 62794
Telephone: 217/782-2844

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

AIRCRAFT USE TAX

- ST 07-0138-GIL 10/22/2007 Aircraft Use Tax liability is incurred on aircraft acquired by gift, transfer, or non-retail purchase after June 30, 2003. See 86 Ill. Adm. Code 152.101.
- ST 07-0142-GIL 10/24/2007 The Aircraft Use Tax Law applies to non-retail transactions, gifts, or transfers of aircraft. See 86 Ill. Adm. Code 152.101.

CLAIMS FOR CREDIT

- ST 07-0143-GIL 10/24/2007 The Department's regulation at 86 Ill. Adm. Code 130.1501 describes the procedures used to obtain a credit for sales tax that is erroneously paid.

CONSTRUCTIONS CONTRACOTRS

- ST 07-0147-GIL 10/26/2007 When a construction contractor permanently affixes tangible personal property to real property, the contractor is deemed the end user of that tangible personal property. As the end user, the contractor incurs Use Tax on the cost price of that tangible personal property. See 86 Ill. Adm. Code 130.1940 and 86 Ill. Adm. Code 130.2075.
- ST 07-0150-GIL 12/07/2007 The Department's regulation at 86 Ill. Adm. Code 130.2076 sets forth specific rules for sales to purchasers performing contracts with governmental bodies. This letter discusses this regulation and also the Manufacturer's Purchase Credit.
- ST 07-0157-GIL 12/31/2007 This letter concerns installation of security systems. See 86 Ill. Adm. Code 130.1940.

EXEMPTIONS ORGANIZATIONS

- ST 07-0134-GIL 10/22/2007 This letter concerns the length of an annual Christmas tree sale by an exempt organization. See 86 Ill. Adm. Code 130.2005.

DEPARTMENT OF REVENUE

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FARM MACHINERY & EQUIPMENT

ST 07-0156-GIL 12/31/2007 This letter concerns the taxability of RFID ear tags and ear tag applicators used in production agricultural. See 86 Ill. Adm. Code 130.305.

FOOD

ST 07-0154-GIL 12/31/2007 This letter concerns the tax rate applicable for food for immediate consumption. See 86 Ill. Adm. Code 130.310.

FOOD, DRUGS AND MEDICAL APPLIANCES

ST 07-0160-GIL 12/31/2007 Medicines and medical appliances are not taxed at the normal State rate of 6.25%. These items are taxed at a lower State rate of 1%. See 86 Ill. Adm. Code 130.310(c).

GROSS RECEIPTS

ST 07-0145-GIL 10/24/2007 A caterer incurs Retailers' Occupation Tax liability on his entire receipts from his catering service without any deduction for his costs of doing business. See 86 Ill. Adm. Code 130.410 and 130.2145.

ST 07-0165-GIL 12/31/2007 Proceeds from mandatory service charges that are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed are not subject to tax. See 86 Ill. Adm. Code 130.2145(d).

INTERSTATE COMMERCE

ST 07-0167-GIL 12/31/2007 This letter discusses the Interstate Commerce exemption. See 86 Ill. Adm. Code 130.605.

DEPARTMENT OF REVENUE

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LEASING

- ST 07-0136-GIL 10/22/2007 This letter discusses leases and leasing related charges. 86 Ill. Adm. Code 130.220.
- ST 07-0149-GIL 11/29/2007 Lessors of tangible personal property under true leases in Illinois are deemed end users of the property to be leased. See 86 Ill. Adm. Code 130.220.

LOCAL TAXES

- ST 07-0139-GIL 10/22/2007 If a sale is made in a jurisdiction that imposes a local occupation tax, that local jurisdiction's tax will be incurred. See 86 Ill. Adm. Code 270.115(b).

MANUFACTURER'S PURCHASE CREDIT

- ST 07-0144-GIL 10/24/2007 This letter discusses sales for resale and whether MPC credits can be applied toward purchases of packaging material. See 86 Ill. Admin. Code 130.331.
- ST 07-0153-GIL 12/31/2007 The State of Illinois provides a manufacturer's purchase credit in addition to the exemption for manufacturing machinery and equipment. See 86 Ill. Adm. Code 130.331.

MANUFACTURING MACHINERY & EQUIPMENT

- ST 07-0135-GIL 10/22/2007 Mold release agents do not generally qualify for the manufacturing machinery and equipment exemption. See 86 Ill. Adm. Code 130.330.
- ST 07-0148-GIL 11/15/2007 Machinery and equipment that is used primarily (over 50% of the time) in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease is exempt from Retailers' Occupation Tax. See 86 Ill. Adm. Code 130.330.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

MEDICAL APPLICANCES

ST 07-0155-GIL 12/31/2007 Medicines and medical appliances are not taxed at the general State rate of 6.25%. These items are taxed at a lower State rate of 1%. See 86 Ill. Adm. Code 130.310.

ST 07-0166-GIL 12/31/2007 Medical tools, devices and equipment used for diagnostic or treatment purposes do not qualify for the reduced State rate of tax for medical appliances. See 86 Ill. Adm. Code 130.310(c).

MISCELLANEOUS

ST 07-0151-GIL 12/18/2007 The Illinois Department of Revenue does not administer locally imposed food and beverage taxes.

OCCASIONAL SALE

ST 07-0133-GIL 10/02/2007 A person does not incur Retailers' Occupation Tax liability on the gross receipts from an isolated or occasional sale. See 86 Ill. Adm. Code 130.110.

REPAIRS

ST 07-0161-GIL 12/31/2007 This letter concerns the taxability of maintenance agreements. See 86 Ill. Adm. Code 140.101.

RETURNS

ST 07-0140-GIL 10/22/2007 This letter concerns consolidation of businesses on a single sales tax return.

SALE AT RETAIL

DEPARTMENT OF REVENUE

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ST 07-0137-GIL 10/22/2007 Illinois Retailers' Occupation Tax is imposed only upon sales tangible personal property and does not apply to sales of intangibles. See 86 Ill. Adm. Code 130.101.

SALE FOR RESALE

ST 07-0141-GIL 10/24/2007 The Department's regulation at 86 Ill. Adm. Code 130.1405 describes the requirements for Certificates of Resale.

SALE OF SERVICE

ST 07-0146-GIL 10/26/2007 If no tangible personal property is transferred incident to the sales of services, then no Service Occupation Tax or Use Tax would be incurred on the sales of those services. See 86 Ill. Adm. Code 140.101.

SERVICES OCCUPATION TAX

ST 07-0158-GIL 12/31/2007 This letter concerns tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code 140.01.

ST 07-0162-GIL 12/31/2007 This letter concerns tax imposed on tangible personal property transferred incident to sales of service. See 86 Ill. Adm. Code Part 140.

TELECOMMUNICATIONS EXCISE TAX

ST 07-0159-GIL 12/31/2007 This letter concerns the furnishing of financial information by the Department to municipalities pursuant to 35 ILCS 630/15.

USE TAX

ST 07-0152-GIL 12/19/2007 The Use Tax does not apply to the use in this State of tangible personal property which has been acquired outside this State by a

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

nonresident individual who then brings the property into this State for use here, and who has used the property outside this State for more than 90 days. See 86 Ill. Adm. Code 150.315.

- ST 07-0163-GIL 12/31/2007 Prepaid telephone calling arrangements are considered tangible personal property subject to tax imposed under the Retailers' Occupation Tax Act and Use Tax Act, regardless of the form in which those arrangements may be embodied, transmitted, or fixed by any method now known or hereafter developed. See 86 Ill. Adm. Code 130.101.
- ST 07-0164-GIL 12/31/2007 By giving away tangible personal property in Illinois, the donor makes a taxable use of the property and is subject to Use Tax on the cost price of the property purchased to be given away. See 86 Ill. Adm. Code 150.305(c).

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 January 8, 2008 through January 14, 2008 and have been scheduled for review by the Committee at its February 14, 2008 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>
2/20/08	<u>Department of Natural Resources, Sport Fishing Regulations for the Waters of Illinois (17 Ill. Adm. Code 810)</u>	11/16/07 31 Ill. Reg. 15142	2/14/08
2/22/08	<u>Illinois Emergency Management Agency, Use of X-Rays in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (32 Ill. Adm. Code 360)</u>	8/3/07 31 Ill. Reg. 10742	2/14/08
2/22/08	<u>Department of Natural Resources, Disabled Hunting Method Authorizations (17 Ill. Adm. Code 760)</u>	11/9/07 31 Ill. Reg. 15019	2/14/08
2/24/08	<u>Department of Children and Family Services, Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services (89 Ill. Adm. Code 431)</u>	7/13/07 31 Ill. Reg. 9708	2/14/08
2/24/08	<u>Department of Children and Family Services, Permanency Planning (89 Ill. Adm. Code 315)</u>	6/15/07 31 Ill. Reg. 8384	2/14/08
2/27/08	<u>Department of Human Services, Child Care (89 Ill. Adm. Code 50)</u>	9/21/07 31 Ill. Reg. 13270	2/14/08

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

2/27/08	<u>Department of Healthcare and Family Services,</u> Medical Assistance Programs (89 Ill. Adm. Code 120)	11/26/07 31 Ill. Reg. 15424	2/14/08
2/27/08	<u>Department of Human Services,</u> Fiscal/ Administrative Recordkeeping and Require- ments (89 Ill. Adm. Code 509)	10/12/07 31 Ill. Reg. 14208	2/14/08
2/27/08	<u>Department of Human Services,</u> Grants and Grant Funds Recovery (89 Ill. Adm. Code 511)	10/12/07 31 Ill. Reg. 14231	2/14/08
2/27/08	<u>Department of Revenue,</u> Income Tax (86 Ill. Adm. Code 100)	11/26/07 31 Ill. Reg. 15744	2/14/08

PROCLAMATIONS

2007-428**Jim Thome Day**

WHEREAS, on January 12, 2008, Jim Thome of the Chicago White Sox will sponsor an annual benefit named after his mother Joyce, which raises much-needed funds for Children's Hospital of Illinois and is one of the area's premier fundraising events. Mr. Thome also sponsors an annual golf invitational benefit for them in the summer; and

WHEREAS, the largest pediatric hospital in Illinois outside of Chicago, Children's Hospital cares for critically ill and injured children in over 60 counties. Mr. Thome has been working with them for the past 13 years, during which time his charitable events have brought in more than \$1.7 million for the hospital's services and programs; and

WHEREAS, in September of 2007, Mr. Thome made baseball history by hitting his 500th career home run off Los Angeles pitcher Dustin Moseley. Mr. Thome is only the 23rd major leaguer to reach that remarkable milestone; and

WHEREAS, Mr. Thome is also considered one of the most complete power hitters of the decade due to his ability to create extra base hits, maintain a solid batting average for a power hitter (his career batting average is .281), and ability to get on base; and

WHEREAS, Mr. Thome's community involvement and contribution to baseball over the years have earned him the respect and admiration of his fellow players and fans alike, as well as the communities that have benefited from his goodwill and generosity:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim January 12, 2008 as **JIM THOME DAY** in Illinois in honor and recognition of Mr. Thome, a true leader on and off the baseball field.

Issued by the Governor December 27, 2007

Filed by the Secretary of State January 11, 2008.

2008-1**Gubernatorial Proclamation**

Severe storms moved through Illinois on Monday, January 7, 2008. These spring-like thunderstorms dumped heavy rains that has now resulted in flooding along numerous rivers and streams in northern and eastern Illinois. The City of Watseka in Iroquois County and the City of

PROCLAMATIONS

Pontiac in Livingston County continue to be severely impacted by the flooding. People in the flooded sections of Watseka and Pontiac have evacuated from their homes and businesses. The State of Illinois is assisting in the evacuation and flood fight.

In the interest of aiding the citizens of Illinois and the impacted local governments responsible for ensuring public health and safety, I hereby proclaim that a disaster exists in the State of Illinois and specifically declare Iroquois County and Livingston County as a State Disaster Areas pursuant to the provisions of Section 3305/7 of the Illinois Emergency Management Agency Act, 20ILCS 3305/7.

This gubernatorial proclamation of disaster will assist the Illinois Emergency Management Agency in coordinating State resources to support local governments in disaster response and recovery operations. This proclamation will also make possible the request for federal assistance to supplement the State's efforts if it is deemed necessary to protect public health and safety and to assist in recovery.

Date: January 9, 2008

Filed: January 9, 2008

2008-2**Peace Corps Week**

WHEREAS, in 1961, President John F. Kennedy established the Peace Corps in hopes of promoting world peace and friendship through volunteer work in developing countries; and

WHEREAS, since its inception, more than 190,000 men and women from across the United States, including over seven thousand from Illinois, have served as Peace Corps volunteers in 139 different countries; and

WHEREAS, Peace Corps volunteers have made significant contributions around the world in agriculture, business development, information technology, education, health and HIV/AIDS, and the environment, and have improved the lives of individuals and communities around the world; and

WHEREAS, Peace Corps volunteers have strengthened the ties of friendship and understanding between the people of the United States and those of other countries; and

WHEREAS, Peace Corps volunteers, enriched by their experiences overseas, have brought to their communities throughout the United States a deeper understanding of other cultures and traditions; and

PROCLAMATIONS

WHEREAS, it is indeed fitting to recognize Peace Corps as an enduring symbol of our nation's commitment to encouraging progress, creating opportunity, and expanding development at the grass-roots level across the globe:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 26 through March 4, 2007 as **PEACE CORPS WEEK** in Illinois, and encourage all citizens to recognize and appreciate the significant and lasting impact that these volunteers have made across the world.

Issued by the Governor January 2, 2008

Filed by the Secretary of State January 11, 2008.

2008-3**African American History Month**

WHEREAS, Dr. Carter G. Woodson, a noted intellectual of his time, founded the Association for the Study of Afro-American Life and History (ASALH) in 1915. Eleven years later, Dr. Woodson created Negro History Week to celebrate the many contributions of African Americans to American culture and customs; and

WHEREAS, Dr. Woodson designated the second week of February as Negro History Week to coincide with the birthdays of Abraham Lincoln and Frederick Douglass, in honor of their considerable impact on African American history. In 1976, ASALH extended the celebration for the entire month of February; and

WHEREAS, there have been several milestone events in African American history during February, including: passage of the 15th Amendment in 1870, which granted African Americans the right to vote; the inauguration of the first African American Senator, Hiram Revels, also in 1870; and the founding of the National Association for the Advancement of Colored People in 1909; and

WHEREAS, throughout African American History Month, organizations all across the country celebrate African American history with seminars, plays, concerts, art shows, films, dance performances, family workshops, and other expressions of creativity and pride. Here in Illinois, we are proud to join in these spirited commemorations:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 2008 as **AFRICAN AMERICAN HISTORY MONTH** in Illinois, and encourage all

PROCLAMATIONS

citizens to learn about the wonderful contributions that African Americans have made to our state, and to the nation as a whole.

Issued by the Governor January 2, 2008

Filed by the Secretary of State January 11, 2008.

2008-4**Land Surveyors Month**

WHEREAS, the profession of land surveying is one of the oldest technical services associated with our society. Each year, our complex civilization depends more and more on land surveyors' skills and accuracy to determine property rights, method of design and construction; and

WHEREAS, the skills of George Washington, as a land surveyor, had a considerable influence on his job as Commander-in-Chief of our Revolutionary Forces, as the winning our nation's independence depended heavily on his planning of military operations and choice of selected battle sites; and

WHEREAS, more than 80 years later, when our country was threatened by a cruel division, another great President and former land surveyor, Abraham Lincoln, also used his land surveying skills to direct the war that preserved our nation; and

WHEREAS, it is important that we recognize the two "Land Surveyor Presidents," George Washington and Abraham Lincoln, during the Illinois Professional Land Surveyors Association 51st Annual Conference, which will held in Springfield, Illinois, February 20 – 23, 2008 as we celebrate the birthdays of each President:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim March 2007 as LAND SURVEYORS' MONTH in Illinois in recognition of the important services provided by land surveyors, and to congratulate the Illinois Professional Land Surveyors Association for their years of service to the profession of land surveying.

Issued by the Governor January 9, 2008

Filed by the Secretary of State January 11, 2008.

2008-5**Four Chaplains Sunday**

PROCLAMATIONS

- WHEREAS, on February 3, 1943, four United States Army lieutenants and chaplains sacrificed their lives in one of the most inspiring acts of heroism during the Second World War; and
- WHEREAS, once a luxury coastal liner, the U.S.A.T. Dorchester set out with three escort ships on February 2 for an American base in Greenland. Less than 150 miles from its destination, the ship was attacked by a German submarine shortly after midnight; and
- WHEREAS, aboard the U.S.A.T. Dorchester, panic and chaos set in. The blast killed scores of men, and many more were seriously wounded. Alerted that the Dorchester was taking on water and sinking rapidly, the captain gave the order to abandon ship; and
- WHEREAS, those who were capable made their way towards the deck through the darkness. Once topside, men jumped from the ship for lifeboats. Some were overcrowded and capsized. Others drifted away before soldiers and sailors could get in them; and
- WHEREAS, through the pandemonium, Reverend George L. Fox, Rabbi Alexander D. Goode, Reverend John P. Washington and Reverend Clark V. Poling spread out among the soldiers to calm the frightened, tend the wounded and guide the disoriented toward safety; and
- WHEREAS, at one point, Rabbi Goode gave away his own gloves to a comrade who had the bad fortune of forgetting his. Shortly thereafter, the chaplains opened a storage locker filled with lifejackets and began distributing them; and
- WHEREAS, it was then that John Ladd witnessed an astonishing sight. When they ran out of lifejackets, the chaplains removed theirs and gave them to four frightened young men. John said, "It was the finest thing I have seen or hope to see this side of heaven;" and
- WHEREAS, as the ship went down, other survivors in nearby rafts saw the chaplains with arms linked and braced against the slanting deck. They were also heard offering prayers; and
- WHEREAS, the Dorchester sunk less than 27 minutes after it was struck. Of the 902 men aboard, 672 died, including all four chaplains. When news reached American shores, the nation was stunned by the magnitude of the tragedy and heroic conduct of the chaplains; and

PROCLAMATIONS

WHEREAS, all four chaplains were posthumously awarded the Distinguished Service Cross and Purple Heart, as well as a Special Medal of Heroism specially authorized for them by Congress. Every year, the Combined Veterans Association of Illinois sponsors a memorial service for them which will be held this year at the Main Chapel of the Edward Hines VA Medical Center in Hines, Illinois on February 3, 2008:

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 3, 2008 as **FOUR CHAPLAINS SUNDAY** in Illinois in honor and remembrance of the four brave and courageous chaplains who selflessly made the ultimate sacrifice to save the lives of others.

Issued by the Governor January 10, 2008

Filed by the Secretary of State January 11, 2008.

2008-6**American Heart Month**

WHEREAS, cardiovascular disease is the nation's leading cause of death, accounting for 36 percent of all deaths in the United States. Nearly 2,400 Americans die of cardiovascular disease every day, an average of one person every 37 seconds; and

WHEREAS, heart disease is also the number one killer in Illinois, responsible for the deaths of more than 30,000 people in the state every year; and

WHEREAS, the direct and indirect costs associated with cardiovascular disease are estimated to reach \$448.8 billion in the U.S. in 2008; and

WHEREAS, in 2008 it is estimated that 770,000 Americans will have a new coronary attack, 430,000 Americans will have a recurrent heart attack, and an additional 175,000 Americans will have a silent first heart attack; and

WHEREAS, the research is clear that today there are tools and techniques available to save lives, including CPR and automated external defibrillators (AEDs); and

WHEREAS, this year the American Heart Association will celebrate February as American Heart Month by promoting education and awareness of cardiovascular disease:

PROCLAMATIONS

THEREFORE, I, Rod R. Blagojevich, Governor of the State of Illinois, do hereby proclaim February 2008 as **AMERICAN HEART MONTH** in Illinois in support of the American Heart Association's important campaign.

Issued by the Governor January 10, 2008

Filed by the Secretary of State January 11, 2008.

ILLINOIS ADMINISTRATIVE CODE

Issue Index - With Effective Dates

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