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OF GOVERNMENTAL
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.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2009

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

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

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Finance Authority
- 2) Code Citation: 74 Ill. Adm. Code 1100
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1100.800	New
1100.805	New
1100.810	New
1100.815	New
1100.817	New
1100.820	New
1100.825	New
1100.830	New
1100.900	New
1100.905	New
1100.910	New
1100.915	New
1100.917	New
1100.920	New
1100.925	New
1100.930	New
- 4) Statutory Authority: Implementing and authorized by the Illinois Finance Authority Act [20 ILCS 3501]
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking is the result of new legislation that created two programs offering zero-percent interest revolving loan programs. Both programs are jointly administered by the Illinois Finance Authority and the Office of the State Fire Marshal. The Ambulance Revolving Loan Program is for the purchase of ambulances by a fire department, a fire protection district, a township fire department, or a non-profit ambulance service. The Fire Truck Revolving Loan Program is for the purchase of fire trucks by a fire department, a fire protection district or a township fire department.
- 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

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

- 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: Interested persons may present their comments concerning this rulemakings within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:
- Chris Meister, Deputy Director and General Counsel
Illinois Finance Authority
Two Prudential Plaza
180 North Stetson, Suite 2555
Chicago, IL 60601
- 312/651-1310
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Fire departments, fire protection districts or township fire departments.
- B) Reporting, bookkeeping or other procedures required for compliance: Submission of financial statements and tax documentation.
- C) Types of professional skills necessary for compliance: Bookkeeping and accounting skills.
- 14) Regulatory agenda on which this rulemaking was summarized: July 2008 (For the Ambulance Revolving Loan Program.)

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

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

TITLE 74: PUBLIC FINANCE
CHAPTER VIII: ILLINOIS FINANCE AUTHORITYPART 1100
ILLINOIS FINANCE AUTHORITY

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- 1100.710 Bond Programs and Rules Applicable to Each
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- 1100.720 Rules and Guidelines Applicable to the Young Farmer Guarantee Program
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1100.TABLE A Income Limits

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AUTHORITY: Implementing and authorized by the Illinois Finance Authority Act [20 ILCS 3501].

SOURCE: Recodified from the Illinois Farm Development Authority (8 Ill. Adm. Code 1400), the Illinois Development Finance Authority (14 Ill. Adm. Code 1200, 1210, 1220), the Illinois Educational Facilities Authority (23 Ill. Adm. Code 2310, 2320), and the Illinois Rural Bond Bank (47 Ill. Adm. 400, 410, 420) to the Illinois Finance Authority at 31 Ill. Reg. 12104; amended at 33 Ill. Reg. _____, effective _____.

SUBPART H: FIRE TRUCK REVOLVING LOAN PROGRAM

Section 1100.800 Definitions

The following definitions apply in this Subpart:

"Applicant" or "Recipient" means a unit of local government, including any municipality, township, township fire department, or special district such as a fire protection district that operates a fire department or provides fire suppression services itself without contracting those services from another entity.

"Authority" means the Illinois Finance Authority created by the Illinois Finance Authority Act [20 ILCS 3501] or its successor agency.

"Fire Department" means a unit of local government (as defined in Article VII, Section 1 of the Illinois Constitution of 1970 and in 5 ILCS 70/1.28) in Illinois that provides fire suppression within a geographical area.

"Fire Truck" means an emergency vehicle identified as a pumper, ladder, truck, elevating platform, rescue truck, tanker, brush truck, or squad truck.

"Fund" means the Fire Truck Revolving Loan Fund.

"OSFM" means the Office of the State Fire Marshal.

"Program" means the Illinois Fire Truck Revolving Loan Program.

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

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NOTICE OF PROPOSED AMENDMENTS

Section 1100.805 Purpose

- a) OSFM and the Authority shall jointly administer a Program to provide zero-interest loans for the purchase of fire trucks by an applicant. OSFM shall determine loan awards based on equipment needs, financial need, and how recently the applicant has received a previous loan under this Program, supplemented by recommendations from the Authority based on creditworthiness. Loans for the purchase of fire trucks shall not exceed \$250,000 in any single fiscal year to any applicant.
- b) Applicants must also have participated in the National Fire Incident Reporting System (NFIRS) for a minimum of the previous two years. For-profit entities, nonprofit entities, associations and/or not-for-profit corporations are not eligible to apply for a loan under this Program. Units of local government that do not operate fire departments are similarly not eligible (e.g., a municipality that contracts for fire suppression from another municipality or fire district).

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

Section 1100.810 Eligible Expenditures

Subject to the availability of funds, loans are available to be made under the Program for zero-interest loans to applicants for the purchase of fire trucks.

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

Section 1100.815 Loan Application Review

- a) Applications for loans to be made pursuant to the Program shall be submitted to OSFM on forms provided by, and following the procedures established by, OSFM and the Authority. Each application shall be reviewed by OSFM. OSFM will determine, based on equipment needs, financial need, and how recently the applicant has received a previous loan under this Program, which eligible applicant shall be recommended to the Authority to receive a loan under this Program for the purchase of a fire truck.
- b) Applications approved by OSFM will be forwarded to the Authority. The Authority will review the loan application and any information provided in connection with the loan application, including, without limitation, financial

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statements and certifications and assurances provided by officers of the applicant to determine the creditworthiness of the applicant.

- c) The Authority, after completion of its review, will notify OSFM of which loan applications have been approved. OSFM will notify each applicant of the approval or disapproval of its application. Applicants who are not approved may appeal the determination of OSFM or the Authority by following the appeal process established by OSFM (see 41 Ill. Adm. Code 290.60).

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

Section 1100.817 Funding Criteria and Credit Review Process

In addition to the criteria developed by OSFM, the credit review process and funding criteria approved by the Authority for this Program are as follows:

- a) If an applicant is delinquent on a previous fire truck or ambulance loan, it is automatically disqualified from both revolving loan programs (ambulance and fire truck) until it is current on its loan repayment.
- b) Applicants may be eligible for only one revolving loan program loan (ambulance or fire truck) within a given fiscal year.
- c) The applicant must demonstrate its ability to meet at least one of the following minimum debt service coverage requirements:
- 1) General fund revenues or specified revenue stream: 1.25x; or
 - 2) State intercept revenues: 1.25x; or
 - 3) Direct property levy for the loan: 1.0x.
- d) The applicant must submit supporting documentation for the source of repayment as follows:
- 1) For general fund or specified revenues, submit a current board-approved budget that reflects the identified revenue source and amount; or

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- 2) For direct property tax levy, submit a copy of the levy and the ordinance authorizing the levy prior to funding.
- e) If the applicant's repayment source is property tax receipts, the applicant's actual property tax collections over the past three fiscal years must exceed 95% of the total possible tax collection.
- f) The applicant must provide a resolution or ordinance approved by the applicant's board that includes the following approvals:
 - 1) Loan Application (effective FY10);
 - 2) Loan Agreement;
 - 3) Source and amount of repayment;
 - 4) State intercept agreement; and
 - 5) Lien on the fire truck purchased, if required by the Authority.
- g) Each loan must be secured by the applicant's:
 - 1) General funds or, if available, a direct property tax levy;
 - 2) State revenue intercept;
 - 3) Possession of the title to the property; and
 - 4) An Authority lien on the equipment purchased, if the Authority, in its sole discretion, decides to accept such a lien.

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

Section 1100.820 Loan Documents and Servicing

- a) Loan applications approved by OSFM and the Authority will be submitted to the Authority for documentation and funding. Subject to the availability of funds, the Authority will prepare the loan documentation, including, without limitation, a Loan Agreement to evidence the loan.

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- b) The loan documentation will be provided to the applicant for execution. Upon execution of the loan documentation, subject to the availability of funds, the Authority will execute the loan documentation and cause the loan to be funded.
- c) The Authority will retain the executed loan documents and will service funded loans.
- d) The Authority reserves the right to charge an origination/processing fee of up to \$250 per applicant that receives an approved loan.

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

Section 1100.825 Repayment Procedures

- a) Loans shall be repaid within 20 years.
- b) The rate of interest shall be stipulated on the loan application as 0 percent.
- c) Payments on the loan (principal) shall be made by check on an annual basis in 20 equal installments. The Authority will provide invoices to loan recipients on an annual basis.
- d) Loan payments shall be due on November 1 of each year.
 - 1) The first payment shall be due as follows:
 - A) If the time period between the date the loan is funded (the loan funding date) and the immediately following November 1 is 180 days or more, then the first payment shall be due on November 1 immediately following the loan funding date; or
 - B) If the time period between the loan funding date and the immediately following November 1 is less than 180 days, then the first payment shall be due on the second November 1 immediately following the loan funding date.
 - 2) After the first payment is made, succeeding payments shall be due on each November 1 until repaid in full.

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- e) Checks shall be made payable to the "Illinois Finance Authority – Fire Truck Revolving Loan Fund" and mailed to the Illinois Finance Authority, Two Prudential Plaza, 180 North Stetson, Suite 2555, Chicago IL 60601.
- f) Payments not received within 15 calendar days after the due date shall be assessed a penalty of 5 percent per annum of the payment due; however, the late payment penalty shall be waived when the postmark date on the envelope used to submit the payment is dated five days or more before the end of the 15-day grace period.
- g) An applicant may prepay the balance due on the loan in its entirety, without penalty, on any scheduled payment date, provided that the applicant first contacts the Authority to obtain the total amount of the principal due at that time.

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

Section 1100.830 Terms and Conditions of Loan Agreement

A loan application approved by OSFM and the Authority is subject to the following terms:

- a) Orders for payment will be submitted to the Office of the Comptroller by the Authority according to the terms of Section 1100.825 (Repayment Procedures).
- b) Loan proceeds under this Program shall be used exclusively for the purposes listed in Section 1100.805 and shall be expended in accordance with the approved application and the applicant's policies and procedures related to such expenditures. In the event that the loan proceeds are not expended in the manner approved, then the applicant, upon written notification from OSFM, shall be required to submit, by the next payment due date, payment of the outstanding principal of the loan.
- c) Loan proceeds shall be obligated no later than six months following the receipt of the loan.
- d) Use of loan proceeds shall be accounted for in accordance with standard accounting practices. Loan recipients shall submit to OSFM a report detailing how the loan proceeds were used. This expenditure report, to be submitted on a form supplied by OSFM, shall be due not later than nine months following receipt of the loan.

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- e) Loan proceeds shall be included in the applicant's budget.
- f) If the event of a payment default that is not cured within 90 calendar days by payment of the amount owed to the Authority, the Authority shall notify the Office of the Comptroller to deduct the amount owed from any payments by the State to the applicant and the applicant shall be ineligible for additional loans under this Program until it has cured the default by making payment to the Authority of the amount due. OSFM and/or the Authority may avail themselves of all remedies, rights and provisions of law applicable in these circumstances. Failure to exercise any rights or remedies provided by law may not be used as a defense by the applicant in any proceeding brought against it by OSFM or the Authority.

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

SUBPART I: AMBULANCE REVOLVING LOAN PROGRAMSection 1100.900 Definitions

The following definitions apply in this Subpart:

"Ambulance" means an on-road vehicle that is specifically designed, constructed or modified and equipped and is intended to be used for and is maintained or operated for the emergency transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless.

"Applicant" or "Recipient" means a unit of local government, including any municipality, township, township fire department, or special district such as a fire protection district or special ambulance service district that operates a fire department or provides fire suppression services itself without contracting those services from another entity, or an entity that provides ambulance services or emergency medical services that does not earn and distribute taxable business earnings to shareholders or principals of the business and is in good standing as a not-for-profit business with the Illinois Secretary of State.

"Authority" means the Illinois Finance Authority created by the Illinois Finance Authority Act [20 ILCS 3501] or its successor agency.

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"Fire Department" means a unit of local government (as defined in Article VII, Section 1 of the Illinois Constitution of 1970 and in 5 ILCS 70/1.28) in Illinois that provides fire suppression within a geographical area.

"Fund" means the Ambulance Revolving Loan Fund.

"OSFM" means the Office of the State Fire Marshal.

"Program" means the Illinois Ambulance Revolving Loan Program.

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

Section 1100.905 Purpose

- a) OSFM and the Authority shall jointly administer a Program to provide zero-interest loans for the purchase of ambulances by an applicant. OSFM shall determine loan awards based on equipment needs, financial need, and how recently the applicant has received a previous loan under this Program, supplemented by recommendations from the Authority based on creditworthiness. Loans for the purchase of ambulances shall not exceed \$100,000 in any single fiscal year to any applicant.
- b) For-profit entities are not eligible to apply for a loan under this Program. Units of local government that do not operate fire departments are similarly not eligible (e.g., a municipality that contracts for ambulance services from another municipality or fire district).

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

Section 1100.910 Eligible Expenditures

Subject to the availability of funds, loans are available to be made under the Program for zero-interest loans to applicants for the purchase of ambulances.

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

Section 1100.915 Loan Application Review

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- a) Applications for loans to be made pursuant to the Program shall be submitted to OSFM on forms provided by, and following the procedures established by, OSFM and the Authority. Each application shall be reviewed by OSFM. OSFM will determine, based on equipment needs, financial need, and how recently the applicant has received a previous loan under this Program, which eligible applicants shall be recommended to the Authority to receive a loan under this Program for the purchase of an ambulance.
- b) Applications approved by OSFM will be forwarded to the Authority. The Authority will review the loan application and any information provided in connection with the loan application, including, without limitation, financial statements and certifications and assurances provided by officers of the applicant to determine the creditworthiness of the applicant.
- c) The Authority, after completion of its review, will notify OSFM of which loan applications have been approved. OSFM will notify each applicant of the approval or disapproval of its application. Applicants who are not approved may appeal the determination of OSFM or the Authority by following the appeal process established by OSFM (see 41 Ill. Adm. Code 290.60).

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

Section 1100.917 Funding Criteria and Credit Review Process

In addition to the criteria developed by OSFM, the credit review process and funding criteria approved by the Authority for this Program are as follows:

- a) If an applicant is delinquent on a previous fire truck or ambulance loan, it is automatically disqualified from both revolving loan programs (ambulance and fire truck) until it is current on its loan.
- b) Applicants may be eligible for only one program loan (ambulance or fire truck) within a given fiscal year.
- c) The applicant must demonstrate its ability to meet at least one of the following minimum debt service coverage requirements:
 - 1) General fund revenues or specified revenue stream: 1.25x; or

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- 2) State intercept revenues: 1.25x; or
- 3) Direct property levy for the loan: 1.0x.
- d) The applicant must submit supporting documentation for the source of repayment as follows:
 - 1) For general fund or specified revenues, submit a current board-approved budget that reflects the identified revenue source and amount; or
 - 2) For direct property tax levy, submit a copy of the levy prior to funding.
- e) If the applicant's repayment source is property tax receipts, the applicant's actual property tax collections over the past three fiscal years must exceed 95% of the total possible tax collection.
- f) The applicant must provide a resolution or ordinance approved by the applicant's board that includes the following approvals:
 - 1) Loan Application (effective FY10);
 - 2) Loan Agreement;
 - 3) Source and amount of repayment;
 - 4) State intercept agreement; and
 - 5) Lien on the ambulance purchased, if required by the Authority.
- g) Each loan must be secured by the applicant's:
 - 1) General funds or, if available, a direct property tax levy;
 - 2) State revenue intercept;
 - 3) Possession of the title to the property; and
 - 4) An Authority lien on the equipment purchased, if the Authority, in its sole discretion, decides to accept such a lien.

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

Section 1100.920 Loan Documents and Servicing

- a) Loan applications approved by OSFM and the Authority will be submitted to the Authority for documentation and funding. Subject to the availability of funds, the Authority will prepare, without limitation, the Loan Agreement to evidence the loan.
- b) The loan documentation will be provided to the applicant for execution. Upon execution of the Loan Agreement and subsequent documentation, subject to the availability of funds, the Authority will execute the loan documentation and cause the loan to be funded.
- c) The Authority will retain the executed loan documents and will service funded loans.
- d) The Authority reserves the right to charge an origination/processing fee of up to \$100 per applicant that receives an approved loan.

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

Section 1100.925 Repayment Procedures

- a) Loans shall be repaid within 10 years.
- b) The rate of interest shall be stipulated on the loan application as 0 percent.
- c) Payments on the loan (principal) shall be made by check on an annual basis in 10 equal installments. The Authority will provide invoices to loan recipients on an annual basis.
- d) Loan payments shall be due on November 1 of each year.
 - 1) The first payment shall be due as follows:
 - A) If the time period between the date the loan is funded (the loan funding date) and the immediately following November 1 is 180

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days or more, then the first payment shall be due on November 1 immediately following the loan funding date; or

- B) If the time period between the loan funding date and the immediately following November 1 is less than 180 days, then the first payment shall be due on the second November 1 immediately following the loan funding date.
- 2) After the first payment is made, succeeding payments shall be due on each November 1 until repaid in full.
- e) Checks shall be made payable to the "Illinois Finance Authority – Ambulance Revolving Loan Fund" and mailed to the Illinois Finance Authority, Two Prudential Plaza, 180 North Stetson, Suite 2555, Chicago IL 60601.
- f) Payments not received within 15 calendar days after the due date shall be assessed a penalty of 5 percent per annum of the payment due; however, the late payment penalty shall be waived when the postmark date on the envelope used to submit the payment is dated five days or more before the end of the 15-day grace period.
- g) An applicant may prepay the balance due on the loan in its entirety, without penalty, on any scheduled payment date, provided that the applicant first contacts the Authority to obtain the total amount of the principal due at that time.

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

Section 1100.930 Terms and Conditions of Loan Agreement

A loan application approved by OSFM and the Authority is subject to the following terms:

- a) Orders for payment will be submitted to the Office of the Comptroller by the Authority according to the terms of Section 1100.925 (Repayment Procedures).
- b) Loan proceeds under this Program shall be used exclusively for the purposes listed in Section 1100.905 and shall be expended in accordance with the approved application and the applicant's policies and procedures related to such expenditures. In the event that the loan proceeds are not expended in the manner approved, then the applicant, upon written notification from OSFM, shall be

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required to submit, by the next payment due date, payment of the outstanding principal of the loan.

- c) Loan proceeds shall be obligated no later than six months following the receipt of the loan.
- d) Use of loan proceeds shall be accounted for in accordance with standard accounting practices. Loan recipients shall submit to OSFM a report detailing how the loan proceeds were used. This expenditure report, to be submitted on a form supplied by OSFM, shall be due not later than nine months following receipt of the loan.
- e) Loan proceeds shall be included in the applicant's budget.
- f) If the event of a payment default that is not cured within 90 calendar days by payment of the amount owed to the Authority, the Authority shall notify the Office of the Comptroller to deduct the amount owed from any payments by the State to the applicant and the applicant shall be ineligible for additional loans under this Program until it has cured the default by making payment to the Authority of the amount due. OSFM and/or the Authority may avail themselves of all remedies, rights and provisions of law applicable in these circumstances. Failure to exercise any rights or remedies provided by law may not be used as a defense by the applicant in any proceeding brought against it by OSFM or the Authority.

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

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- 1) Heading of the Part: Managed Care Reform & Patient Rights
- 2) Code Citation: 50 Ill. Adm. Code 5420
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
5420.10	Amendment
5420.30	Amendment
5420.80	Amendment
5420.100	Amendment
5420.EXHIBIT A	Amendment
5420.EXHIBIT B	Amendment
5420.EXHIBIT F	New Section
- 4) Statutory Authority: Implementing the Managed Care Reform and Patient Rights Act [215 ILCS 134] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- 5) A Complete Description of the Subjects and Issues Involved: The primary reason for these amendments is to include new Exhibit F to this Part, which will provide another biographical affidavit format for utilization review organizations (URO) to use. Currently URO's are only allowed to use Exhibit E when registering in the State of Illinois. With these amendments, URO's will also be permitted to use a biographical affidavit prepared by the National Association of Insurance Commissioners (NAIC). This option is important because URO's are often required to register in more than one state, and the NAIC format is one that is more universally accepted biographical affidavit for ease of filing. In addition to adding a new Exhibit to this Part, the Division has also made a number of housekeeping changes to accurately reflect the consolidation of our agency under IDFPR.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising 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

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11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Eve Blackwell-Lewis Senior Staff Attorney Department of Financial and Professional Regulation Division of Insurance 320 West Washington, 4 th Floor Springfield, Illinois 62767-0001 217/782-2867	or	Craig Cellini Rules Coordinator Department of Financial and Professional Regulation 320 West Washington 3 rd Floor Springfield, Illinois 62767-0001 217/785-0813
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13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Consistent with Section 5420.20 of this Part and the exceptions noted therein, the following proposed amendments will apply to any person who conducts a utilization review program in this State.
- B) Reporting, bookkeeping or other procedures required for compliance: No new reporting or booking requirements are being added to the Illinois regulation at this time, but instead the inclusion of new Exhibit F will provide an option for URO's to use the nationally accepted NAIC biographical affidavit.
- C) Types of professional skills necessary for compliance: Administrative/Insurance

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 50: INSURANCE

CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER kkk : HEALTH CARE SERVICE PLANS

PART 5420

MANAGED CARE REFORM & PATIENT RIGHTS

Section

5420.10	Purpose
5420.20	Applicability and Scope
5420.30	Definitions
5420.40	Provision of Information
5420.50	Notice of Nonrenewal or Termination
5420.60	Transition of Services
5420.70	Health Care Services, Appeals, Complaints and External Independent Reviews
5420.80	Joint Resolution of Complaints – Division Department of Insurance and Department of Public Health – Notification and Resolution Process
5420.90	Record of Complaints
5420.100	Access and Quality of Care from Providers Without Primary Care Physician Referral or Authorization
5420.110	Emergency Services
5420.120	Post Stabilization Services
5420.130	Registration of Utilization Review Organizations
5420.140	Operational Requirements
5420.EXHIBIT A	Description of Coverage – Cover Page
5420.EXHIBIT B	Description of Coverage – Worksheet
5420.EXHIBIT C	Complaint Reporting Column Descriptions
5420.EXHIBIT D	Application for Registration of a Utilization Review Organization
5420.EXHIBIT E	Utilization Review Organization Officers and Directors Biographical Affidavit
<u>5420.EXHIBIT F</u>	<u>NAIC Utilization Review Organization Officers and Directors Biographical Affidavit</u>

AUTHORITY: Implementing the Managed Care Reform and Patient Rights Act [215 ILCS 134] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Emergency rules adopted at 23 Ill. Reg. 12466, effective September 27, 1999, for a maximum of 150 days; adopted at 24 Ill. Reg. 3374, effective February 10, 2000; amended at 24 Ill. Reg. 9429, effective July 1, 2000; amended at 28 Ill. Reg. 13711, effective September 28,

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2004; amended at 30 Ill. Reg. 6368, effective March 29, 2006; amended at 33 Ill. Reg. _____, effective _____.

Section 5420.10 Purpose

This Part will implement ~~Public Act 91-617~~, the Managed Care Reform and Patient Rights Act [215 ILCS 134] in order to assure: the proper provision of information to enrollees by health care plans; the proper treatment of enrollees by health care plans; the proper treatment of health care providers by health care plans; and the proper oversight of health care plans by the ~~Division~~Department of Insurance.

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

Section 5420.30 Definitions

Act means the Managed Care Reform and Patient Rights Act [215 ILCS 134/~~through 299~~].

Code means the Illinois Insurance Code [215 ILCS 5]~~including any of the Acts in Chapter 215 of the Illinois Compiled Statutes~~.

Department means the Department of Financial and Professional Regulation~~Illinois Department of Insurance~~.

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

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

Health Care Plan means a plan that establishes, operates, or maintains a network of health care providers that has entered into an agreement with the plan to provide health care services to enrollees to whom the plan has the ultimate obligation to arrange for the provision of or payment for services through organizational arrangements for ongoing quality assurance, utilization review programs, or dispute resolution. Nothing in this definition shall be construed to mean that an independent practice association or a physician hospital organization that subcontracts with a health care plan is, for purposes of that subcontract, a health care plan. For purposes of this definition, "health care plan" shall not

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include the following:

- ~~(1)~~ indemnity health insurance policies including those using a contracted provider network;
- ~~(2)~~ health care plans that offer only dental or only vision coverage;
- ~~(3)~~ preferred provider administrators, as defined in Section 370g(g) of the Illinois Insurance Code;
- ~~(4)~~ employee or employer self-insured health benefit plans under the federal Employee Retirement Income Security Act of 1974;
- ~~(5)~~ health care provided pursuant to the Workers' Compensation Act or the Workers' Occupational Diseases Act; and
- ~~(6)~~ not-for-profit voluntary health services plans with health maintenance organization authority in existence as of January 1, 1999 that are affiliated with a union and that only extend coverage to union members and their dependents.

Health Care Provider means any physician, hospital facility, or other person that is licensed or otherwise authorized to deliver health care services. Nothing in the Act shall be construed to define independent practice associations or physician hospital organizations as health care providers.

Long-Standing Relationship means the continuous relationship between an enrollee and his or her primary care physician of not less than 5 years; except in the case of a child 5 years or under who has had a continuous relationship with the same primary care physician since birth, placement for adoption, guardianship or foster care.

Managed Care Organization or ~~(MCO)~~ means a partnership, association, corporation or other legal entity, including but not limited to individual practice associations (IPAs) and Physician Hospital Organizations (PHOs), which delivers or arranges for the delivery of health care services through providers it has contracted with or otherwise made arrangements with to furnish such health care services.

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Ongoing Course of Treatment means the treatment of a condition or disease that requires repeated health care services pursuant to a plan of treatment by a physician because of the potential for changes in the therapeutic regimen.

Person means a corporation, association, partnership, limited liability company, sole proprietorship, or any other legal entity.

Referral Arrangement means that, for each referral or standing referral, a referral arrangement exists between a participating primary care physician and a participating specialist physician or a participating health care provider when a participating primary care physician makes a referral of an enrollee for that referral or standing referral to a participating specialist physician or participating health care provider.

Standing Referral means a written referral from the primary care physician for an ongoing course of treatment pursuant to a treatment plan specifying needed services and time frames developed by a specialist in consultation with the primary care physician and in accordance with procedures developed by the health care plan.

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

Utilization Review Organization means an entity that has established one or more utilization review programs. This definition does not include:

persons providing utilization review program services only to the federal government;

self-insured health plans under the Federal Employee Retirement Income Security Act of 1974 (ERISA); however, this Part does not apply to persons conducting a utilization review program on behalf of these health plans;

hospitals and medical groups performing utilization review activities for internal purposes; however, this Part does apply when the hospital or medical group is conducting utilization review for another person.

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Utilization Review Program means a program established by a person to perform utilization review.

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

Section 5420.80 Joint Resolution of Complaints – ~~Division~~Department of Insurance and Department of Public Health – Notification and Resolution Process

- a) Complaints against health care plans participating in programs administered by the Department of ~~Healthcare and Family Services (HFS)~~Public Aid pursuant to the Public Aid Code shall be resolved under rules published by ~~HFS~~the ~~Department of Public Aid~~. Any complaints against such plans received by the ~~Division~~Department of Insurance or the Department of Public Health shall be referred to ~~HFS~~the ~~Department of Public Aid~~.
- b) Any enrollee or health care provider, on behalf of the enrollee, may file a written complaint against the health care plan through the ~~Division~~Department of Insurance. Complaints received by the Department of Public Health shall be referred to the ~~Division~~Department of Insurance for processing prior to investigation.
- c) The health care plan response shall include documentation and an explanation of all actions taken or not taken that were the basis for the complaint. The respondent shall include documents necessary to support the respondent's position and any additional information requested by the ~~Division~~Department of Insurance and/or the Department of Public Health. Both the ~~Division~~Department of Insurance and the Department of Public Health shall maintain confidentiality of medical records and other pertinent documents.
- d) Quality of care complaints may be referred to the Department of Public Health for investigation.
 - 1) The Department of Public Health shall determine if an on-site investigation is warranted and may request additional information from the complainant, health care provider, or health care plan if the information provided is determined to be incomplete or if additional information is needed to make a determination regarding the complaint.
 - 2) If an investigation is warranted, the Department of Public Health shall

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make available the name, address and telephone number where an enrollee may obtain the status of the complaint.

3) The Department of Public Health shall forward the findings of the investigation to the ~~Division~~Department for final disposition and record keeping.

e) No ~~Division~~Department of Insurance or Department of Public Health publication or release of information shall identify any enrollee, health care provider, or individual complainant.

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

Section 5420.100 Access and Quality of Care from Providers Without Primary Care Physician Referral or Authorization

a) Health care plans that allow enrollees to access health care services from contractual providers without a referral or authorization from the primary care physician (PCP) shall have in place a system for centralized record keeping to track and monitor the provider/enrollee encounters to assure that enrollees are receiving needed services.

b) The health care plan's centralized record keeping system for access and quality of care shall be described in detail, filed with and deemed acceptable by the Director of Public Health. The Director of Public Health shall forward a copy of the approved system for record keeping and the notice of his or her final action with the ~~Division~~Department of Insurance.

c) The health care plan shall be able to retrieve an enrollee's centralized record of the provider/enrollee encounters for review by the ~~Division~~Department and/or Department of Public Health as part of a complaint investigation or inquiry.

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

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Section 5420.EXHIBIT A Description of Coverage – Cover Page

The Managed Care Reform and Patient Rights Act of 1999 established rights for enrollees in health care plans. These rights cover the following:

What emergency room visits will be paid for by your health care plan.

How specialists (both in and out of network) can be accessed.

How to file complaints and appeal health care plan decisions (including external independent reviews).

How to obtain information about your health care plan, including general information about its financial arrangements with providers.

You are encouraged to review and familiarize yourself with these subjects and the other benefit information in the attached Description of Coverage Worksheet. SINCE THE DESCRIPTION OF COVERAGE IS NOT A LEGAL DOCUMENT, for full benefit information please refer to your contract or certificate, or contact your health care plan at the toll free number on the next page. In the event of any inconsistency between your Description of Coverage and contract or certificate, the terms of the contract or certificate will control.

For general assistance and information, please contact the Illinois ~~Division~~Department of Insurance Office of Consumer Health Insurance at _____. (Please be aware that the Office of Consumer Health Insurance will not be able to provide specific plan information. For this type of information you should contact your health care plan directly.)

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

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Section 5420.EXHIBIT B Description of Coverage – Worksheet

Plan:
 Name:
 Address:
 Toll Free Telephone Number:
 Web site (optional)

		<i>Description of Coverage</i>		
Basics	Your Doctor <i>(description of process for selection of physician, PCP and/or WPHCP)</i>			
	Annual Deductible (if applicable)			
	Out-of-Pocket Maximum	<i>Individual</i>		
		<i>Family</i>		
	Lifetime Maximums (if applicable)			
	Preexisting Condition Limitations			
		Description of Coverage	Health Care Plan Covers	You Pay
In the Hospital	Number of Days of Inpatient Care			
	Room & Board			
	Surgeon's Fees			
	Doctor's Visits			
	Medications			
	Other Miscellaneous Charges			
Emergency Care	Emergency Services – <i>(medical conditions of sufficient severity such that a prudent layperson could reasonably expect the absence of immediate medical attention to result in serious jeopardy of the person's health, serious impairment to bodily functions or serious dysfunction of any bodily organ or part.)</i>			
	Emergency Post-stabilization Services			
In the Doctor's Office	Doctor's Office Visits			
	Routine Physical Exams			
	Diagnostic Tests and X-rays			
	Immunizations			

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Allergy Treatment & Testing			
Wellness Care			

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Medical Services	Outpatient Surgery			
	Maternity Care	<i>Hospital Care</i>		
		<i>Physician Care</i>		
	Infertility Services			
	Mental Health	<i>Outpatient</i>		
		<i>Inpatient</i>		
	Substance Abuse	<i>Outpatient</i>		
	<i>Inpatient</i>			
	Outpatient Rehabilitation Services			
Other Services*	Durable Medical Equipment			
	Hospice			
	Home Health Care			
	Prescription Drugs			
	Dental Services			
	Vision Care			

*Copayments and deductibles for these services may not apply to your out of pocket maximums.

Service Area (Boldface Type)

[A summary description of the area to be served by the health care plan.]

Exclusions and Limitations (Boldface Type)

[A summary description of all contract exclusions, exceptions and limitations.]

Pre-certification and Utilization Review (Boldface Type)

[A summary description of the procedures and requirements for pre-certification and other utilization review procedures.]

Emergency Care (Boldface Type)

[A summary description of requirements for and coverage of pre- and post-emergency care.]

Primary Care Physician Selection (Boldface Type)

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[A summary description of procedures and requirements for primary care physician selection.]

Access to Specialty Care (Boldface Type)

[A summary description of referral policies, including standing referrals, and any limitation on access to specialists. This should include access to, and limitations on access to, out of network specialists.]

Out-of-Area Coverage (Boldface Type)

[A summary description of benefits available to the enrollee for out-of-area coverage.]

Financial Responsibility (Boldface Type)

[A summary description to the enrollee of all out-of-pocket expenses, including copayments, deductibles and premiums payable under the policy. When the entire premium is not paid directly by the enrollee, then the enrollee may need to contact the benefit administrator for the level of contribution.]

Continuity of Treatment (Boldface Type)

[A summary description of the health care plan's provision for continuity of treatment in the event that the enrollee's health care provider terminates from the plan during a course of care, including time frames for requesting transitional services.]

Appeals Process (Boldface Type)

[A summary description of the process for health care service appeals, complaints, external independent reviews, administrative complaints and utilization review complaints, including time frames and a phone number to call to receive more information from the health care plan concerning the enrollee's appeal process.]

Any enrollee not satisfied with the health care plan's resolution of any complaint may appeal the final plan decision to the [DivisionDepartment](#) of Insurance, through the Consumer Services Section, at one of the following locations:

320 West Washington Street
Springfield, Illinois 62767-0001

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OR

100 West Randolph Street
Suite 15-100
Chicago, Illinois 60601-3251

You may electronically file your appeal with~~also contact~~ the Division~~Department~~ electronically at <http://www.idfpr.com/DOI/Complaints/Complaints.aspx>~~http://www.state.il.us/ins~~.

Note: External grievance determinations in most cases are not appealable through the Division~~Department~~ of Insurance.

IMPORTANT: In the event of any inconsistency between your Description of Coverage and contract or certificate, the terms of the contract or certificate will control.

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

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Section 5420.EXHIBIT F NAIC Utilization Review Organization Officers and Directors Biographical Affidavit

NAIC BIOGRAPHICAL AFFIDAVIT

Applicant Name: _____

NAIC No: _____

FEIN: _____

To the extent permitted by law, this affidavit will be kept confidential by the State insurance regulatory authority.

(Print or Type)

Full name, address and telephone number of the present or proposed entity under which this biographical statement is being required (Do Not Use Group Names). _____

In connection with the above-named entity, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any question fully.) IF ANSWER IS "NO" OR "NONE", SO STATE.

1. a. Affiant's Full Name (Initials Not Acceptable). _____

b. Maiden Name (if applicable). _____

2. a. Have you ever had your name changed? If yes, give the reason for the change and provide the full name(s).

b. Other names used at any time (including aliases).

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3. a. Are you a citizen of the United States? _____

b. Are you a citizen of any other country; if so, what country? _____

4. Affiant's Occupation or Profession. _____

5. Affiant's business address. _____

Business telephone. _____

6. Education and Training:

<u>College/ University</u>	<u>City/State</u>	<u>Dates Attended (MM/YY)</u>	<u>Degree Obtained</u>
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<u>Graduate Studies:</u>	<u>College/ University</u>	<u>City/State</u>	<u>Dates Attended (MM/YY)</u>	<u>Degree Obtained</u>
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<u>Other Training: Name</u>	<u>City/State</u>	<u>Dates Attended (MM/YY)</u>	<u>Degree/Certification Obtained</u>
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Note: If affiant attended a foreign school, please provide full address and telephone number of the college/university. (If applicable, provide the foreign student identification number in the space provided in the Biographical Affidavit Supplemental Information.)

7. List of memberships in professional societies and associations.

<u>Name of Society/Association</u>	<u>Contact Name</u>	<u>Address of Society/Association</u>	<u>Telephone Number of Society/Association</u>
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8. Present or proposed position with the applicant entity. _____

9. List complete employment record for the past 20 years, whether compensated or otherwise (up to and including present jobs, positions, partnerships, owner of an entity, administrator, manager, operator, directorates or officerships). Please list the most recent first. Attach additional pages if the space provided is insufficient. It is only necessary to provide telephone numbers and supervisory information for the past 10 years.

Beginning/Ending
Dates (MM/YY) _____ = _____ Employer's Name _____
Address _____ City _____ State/Province _____
Country _____ Postal Code _____ Phone _____
Offices/Positions Held _____
Supervisor/Contact _____

Beginning/Ending
Dates (MM/YY) _____ = _____ Employer's Name _____
Address _____ City _____ State/Province _____
Country _____ Postal Code _____ Phone _____
Offices/Positions Held _____
Supervisor/Contact _____

Beginning/Ending
Dates (MM/YY) _____ = _____ Employer's Name _____
Address _____ City _____ State/Province _____
Country _____ Postal Code _____ Phone _____
Offices/Positions Held _____
Supervisor/Contact _____

Beginning/Ending
Dates (MM/YY) _____ = _____ Employer's Name _____
Address _____ City _____ State/Province _____

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Country _____ Postal Code _____ Phone _____
Offices/Positions Held _____
Supervisor/Contact _____

10. a. Have you ever been in a position that required a fidelity bond? _____
If any claims were made on the bond, give details. _____

b. Have you ever been denied an individual or position schedule fidelity bond, or had a Bond canceled or revoked? If yes, give details. _____

11. List any professional, occupational and vocational licenses (including licenses to sell securities), issued by any public or governmental licensing agency or regulatory authority or licensing authority, that you presently hold or have held in the past. For any non-insurance regulatory issuer, identify and provide the name, address and telephone number of the licensing authority or regulatory body having jurisdiction over the licenses issued. Attach additional pages if the space provided is insufficient.

Organization/Issuer of License _____
Address _____ City _____
State/Province _____ Country _____
Postal Code _____
License Type _____ License # _____ Date Issued (MM/YY) _____
Date Expired (MM/YY) _____ Reason for Termination _____
Non-insurance Regulatory Phone Number (if known) _____

Organization/Issuer of License _____
Address _____ City _____
State/Province _____ Country _____
Postal Code _____
License Type _____ License # _____ Date Issued (MM/YY) _____

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Date Expired (MM/YY) _____ Reason for Termination _____

Non-insurance Regulatory Phone Number (if known) _____

12. In responding to the following, if the record has been sealed or expunged, and the affiant has personally verified that the record was sealed or expunged, an affiant may respond "no" to the question. Have you ever:

a. Been refused an occupational, professional, or vocational license or permit by any regulatory authority, or any public administrative or governmental licensing agency?

b. Had any occupational, professional, or vocational license or permit you hold, or have held, subjected to any judicial, administrative, regulatory or disciplinary action?

c. Been placed on probation or had a fine levied against you or your occupational, professional or vocational license or permit in any judicial, administrative, regulatory or disciplinary action? _____

d. Been charged with, or indicted for, any criminal offenses other than civil traffic offenses? _____

e. Pled guilty or nolo contendere, or been convicted of, any criminal offense(s) other than civil traffic offenses? _____

f. Had adjudication of guilt withheld, had a sentence imposed or suspended, had pronouncement of a sentence suspended, or been pardoned, fined or placed on probation for any criminal offenses other than civil traffic offenses?

g. Been subject to a cease and desist letter or order, or enjoined, either temporarily or permanently, in any judicial, administrative, regulatory or disciplinary action, from violating any federal or state law or law of another country regulating the business of insurance, securities or banking, or from carrying out any particular practice or practices in the course of the business of insurance, securities or banking?

h. Been, within the last 10 years, a party to any civil action involving dishonesty, breach of trust or a financial dispute? _____

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i. Had a finding made by the Comptroller of any state or the Federal Government that you have violated any provisions of small loan laws, banking or trust company laws, or credit union laws, or that you have violated any rule or regulation lawfully made by the Comptroller of any state or the Federal Government? _____

j. Had a lien or foreclosure action filed against you or any entity while you were associated with that entity? _____

If the response to any question above is answered "Yes", please provide details, including dates, locations, disposition, etc. Attach a copy of the complaint and filed adjudication or settlement, as appropriate.

13. List any entity subject to regulation by an insurance regulatory authority that you control directly or indirectly. The term "control" (including the terms "controlling", "controlled by" and "under common control with") means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or non-management services, or otherwise, unless the power is the result of an official position with or corporate office held by the person. Control shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing, 10% or more of the voting securities of any other person. _____

If any of the stock is pledged or hypothecated in any way, give details. _____

14. Do [Will] you or members of your immediate family individually or cumulatively subscribe to or own, beneficially or of record, 10% or more of the outstanding shares of stock of any entity subject to regulation by an insurance regulatory authority, or its affiliates? An "affiliate" of, or person "affiliated" with, a specific person is a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified. If the answer is "Yes", please

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identify the company or companies in which the cumulative stock holdings represent 10% or more of the outstanding voting securities.

If any of the shares of stock are pledged or hypothecated in any way, give details.

15. Have you ever been adjudged bankrupt? _____ If yes, provide details _____

16. To your knowledge has any company or entity for which you were an officer or director, trustee, investment committee member, key management employee or controlling stockholder, had any of the following events occur while you served in such capacity? If yes, please indicate and give details. When responding to questions (b) and (c), affiant should also include any events within 12 months after his or her departure from the entity.

a. Been refused a permit, license, or certificate of authority by any regulatory authority or governmental licensing agency? _____

b. Had its permit, license or certificate of authority suspended, revoked, canceled, non-renewed or subjected to any judicial, administrative, regulatory or disciplinary action (including rehabilitation, liquidation, receivership, conservatorship, federal bankruptcy proceeding, state insolvency, supervision or any other similar proceeding)? _____

c. Been placed on probation or had a fine levied against it or against its permit, license or certificate of authority in any civil, criminal, administrative, regulatory or disciplinary action? _____

Note: If an affiant has any doubt about the accuracy of an answer, the question should be answered in the positive and an explanation provided.

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Dated and signed this _____ day of _____, 20____ at _____

I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

(Signature of Affiant)

Date

State of _____ County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____, and: who is personally known to me, or who produced the following identification: _____

[SEAL]

Notary Public

Printed Notary Name

My Commission Expires

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

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- 1) Heading of the Part: Processing, Classification Policies and Review Criteria
- 2) Code Citation: 77 Ill. Adm. Code 1110
- 3)

<u>Section Numbers</u> : 1110.234 1110.APPENDIX B	<u>Proposed Action</u> : Amendment Amendment
---------------------------------------------------------	----------------------------------------------------
- 4) Statutory Authority: 20 ILCS/3960 Illinois Health Facilities Planning Act
- 5) A Complete Description of the Subjects and Issues Involved: Section 1110.234 is updated with provisions for variance to the standards. "Size of the project" shall be appropriate, and within the square footage standards in Section 1110.Appendix B. If there is a deviation, it shall be justified by submitting architectural floor plans, as well as documentation for one of the following: operational needs certified by Medical Director; physical configuration that has constraints exceeding the standards; or governmental requirements that did not exist when the standards were adopted.

Applicants shall comply with the utilization standards in Section 1110.Appendix B. If utilization standards are not met, the proposed variance shall be justified by documenting: clinical encounter times for anticipated procedures in key rooms; preparation and clean up times; operational availability; and other operational factors.

For services where no standards for utilization or square footage exist, applicants shall justify the space in their own terms and methodology.

Standards for square footage and utilization in Section 1110.Appendix B were updated to:

- a) Consolidate standards for acute care bed services including: Medical Surgical, Pediatric, Obstetrics and Long Term Acute Care.
- b) Establish ranges for square footage for Medical Surgical, Pediatric, Obstetric, Long Term Acute Care, Labor Delivery Recovery, Labor Delivery Recovery Postpartum, Acute Mental Illness, Comprehensive Rehabilitation, hospital-based Long Term Care, Intensive Care Unit and Neonatal Intensive Care bed services, as well as the freestanding facilities.

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- c) Differentiate square footage standards for hospital-based departments and freestanding facilities.
 - d) Establish different standards for departmental gross square footage (dgsf) and building gross square footage (bgsf).
 - e) Delete existing standards that are based on per bed units including Central Sterile Supply; Physical Therapy; Respiratory Therapy; Speech; Audiology; Laboratory; and Pharmacy.
 - f) Add square footage and utilization standards for PET equipment, radiation therapy and C-section rooms.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking:
- Utilization reported in the IDPH Annual hospital questionnaires
 - American Institute of Architects (AIA) recommendations
 - Input from health care industry
- 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:

Public Hearing
Michael Bilandic Building
Room No. N505
9:00 a.m. to 12:00 p.m.
Date: May 11, 2009

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

Claire Burman
Coordinator, Rules Development
Illinois Health Facilities Planning Board
122 S Michigan Ave, 7th Floor
Chicago, Illinois 60603

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, Ambulatory Surgery Treatment Centers, Long Term Care Centers, End Stage Renal Dialysis centers, free standing emergency care centers, freestanding birth centers
 - 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 2009

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

HEALTH FACILITIES PLANNING BOARD

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TITLE 77: PUBLIC HEALTH
CHAPTER II: HEALTH FACILITIES PLANNING BOARD
SUBCHAPTER a: ILLINOIS HEALTH CARE FACILITIES PLANPART 1110
PROCESSING, CLASSIFICATION POLICIES AND REVIEW CRITERIA

SUBPART A: GENERAL APPLICABILITY AND PROJECT CLASSIFICATION

Section

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

SUBPART B: REVIEW CRITERIA – DISCONTINUATION

Section

- 1110.110 Introduction (Repealed)
- 1110.120 Discontinuation – Definition (Repealed)
- 1110.130 Discontinuation – Review Criteria

SUBPART C: GENERAL PURPOSE, MASTER DESIGN, AND FACILITY CONVERSION –
INFORMATION REQUIREMENTS AND REVIEW CRITERIA

Section

- 1110.210 Introduction
- 1110.220 Definitions – General Review Criteria (Repealed)
- 1110.230 Project Purpose, Background and Alternatives – Information Requirements
- 1110.234 Project Scope and Size, Utilization and Unfinished/Shell Space – 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

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INVOLVING ESTABLISHMENT OF ADDITIONAL BEDS
OR SUBSTANTIAL CHANGE IN BED CAPACITY

Section

- 1110.310 Introduction (Repealed)
1110.320 Bed Related Review Criteria (Repealed)

SUBPART E: MODERNIZATION REVIEW CRITERIA

Section

- 1110.410 Introduction (Repealed)
1110.420 Modernization Review Criteria (Repealed)

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

Section

- 1110.510 Introduction (Repealed)
1110.520 Medical/Surgical, Obstetric, Pediatric and Intensive Care – Definitions (Repealed)
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 (Repealed)
1110.620 Comprehensive Physical Rehabilitation – Definitions (Repealed)
1110.630 Comprehensive Physical Rehabilitation – Review Criteria

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

Section

- 1110.710 Introduction (Repealed)
1110.720 Acute Mental Illness – Definitions (Repealed)
1110.730 Acute Mental Illness and Chronic Mental Illness – Review Criteria

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

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Section

- 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 –

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CARDIAC CATHETERIZATION

Section

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

SUBPART O: CATEGORY OF SERVICE REVIEW CRITERIA –
IN-CENTER HEMODIALYSIS

Section

- 1110.1410 Introduction (Repealed)
- 1110.1420 Chronic Renal Dialysis – Definitions (Repealed)
- 1110.1430 In-Center Hemodialysis Projects – 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 (Repealed)
- 1110.1720 General Long Term Care – Definitions (Repealed)
- 1110.1730 General Long Term Care – Review Criteria

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SUBPART S: CATEGORY OF SERVICE REVIEW CRITERIA –
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)

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1110.2230 Extracorporeal Shock Wave Lithotripsy – Review Criteria (Repealed)

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

Section

1110.2310 Introduction (Repealed)
1110.2320 Selected Organ Transplantation – Definitions (Repealed)
1110.2330 Selected Organ Transplantation – Review Criteria

SUBPART Y: CATEGORY OF SERVICE REVIEW CRITERIA –
KIDNEY TRANSPLANTATION

Section

1110.2410 Introduction (Repealed)
1110.2420 Kidney Transplantation – Definitions (Repealed)
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 (Repealed)
1110.2530 Subacute Care Hospital Model – Review Criteria
1110.2540 Subacute Care Hospital Model – HFPB 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
(Repealed)
1110.2630 Postsurgical Recovery Care Center Alternative Health Care Model – Review
Criteria
1110.2640 Postsurgical Recovery Care Center Alternative Health Care Model – HFPB
Review

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1110.2650 Postsurgical Recovery Care Center Alternative Health Care Model – Project Completion

SUBPART AB: CATEGORY OF SERVICE REVIEW CRITERIA –
CHILDREN'S COMMUNITY-BASED HEALTH CARE
CENTER ALTERNATIVE HEALTH CARE MODEL

Section

1110.2710 Introduction
1110.2720 Children's Respite Care Center Alternative Health Care Model – Definitions (Repealed)
1110.2730 Children's Community-Based Health Care Center Alternative Health Care Model – Review Criteria
1110.2740 Children's Community-Based Health Care Center Alternative Health Care Model – HFPB Review
1110.2750 Children's Community-Based Health 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 (Repealed)
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 AD: CATEGORY OF SERVICE REVIEW
CRITERIA – LONG TERM ACUTE CARE HOSPITAL BED PROJECTS

Section

1110.2930 Long Term Acute Care Hospital Bed Projects – Review Criteria

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SUBPART AE: CLINICAL SERVICE AREAS OTHER THAN
CATEGORIES OF SERVICE – REVIEW CRITERIA

Section

1110.3030 Clinical Service Areas Other Than Categories of Service – Review Criteria

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

Section

1110.3210 Introduction

1110.3230 Freestanding Emergency Center Medical Services – Review Criteria

1110.APPENDIX A Medical Specialty Eligibility/Certification Boards

1110.APPENDIX B State [Guidelines – Square Footage and Utilization](#) and [National Norms](#)1110.APPENDIX C Statutory Citations for All State and Federal Laws and Regulations
Referenced in Chapter 3

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.

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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. 12332, effective July 18, 2008; amended at 33 Ill. Reg. 3312, effective February 6, 2009; amended at 33 Ill. Reg. _____, effective _____.

SUBPART C: GENERAL PURPOSE, MASTER DESIGN, AND
FACILITY CONVERSION – INFORMATION REQUIREMENTS AND REVIEW CRITERIA

Section 1110.234 Project Scope and Size, Utilization and Unfinished/Shell Space – Review Criteria

a) Size of Project – Review ~~Criteria~~Criterion

1) The applicant shall document that the ~~amount of~~ physical space proposed for the project is necessary ~~and appropriate and not excessive~~. The proposed ~~gross~~-square footage (~~SF~~G~~SF~~) cannot ~~deviate from~~exceed the ~~SF~~G~~SF~~ ~~range indicated in standards of~~ Appendix B, ~~or exceed the SF~~ standard in Appendix B if the standard is a single number, unless ~~SF~~the additional GSF can be justified by documenting, as described in subsection (a)(2). ~~one of the following:~~

2)+ If the project SF is outside the standards in Appendix B, the applicant shall submit architectural floor plans (see HFPB NOTE) of the project identifying all clinical service areas and those clinical service areas or components of those areas that do not conform to the standards. The applicant shall submit documentation of one or more of the following: Additional space is needed due to the scope of services provided, justified by clinical or operational needs, as supported by published data or studies;

A)2) The proposed space is appropriate and neither excessive nor deficient in relation to the scope of services provided, as justified by clinical or operational needs; supported by published data or studies, as available; and certified by the facility's Medical Director; or The existing facility's physical configuration has constraints or impediments and requires an architectural design that results in a size exceeding the standards of Appendix B;

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- B)3) The existing facility's physical configuration has constraints that require an architectural design that exceeds the standards of Appendix B, as documented by architectural drawings delineating the constraints or impediments, in accordance with this subsection (a); or The project involves the conversion of existing bed space that results in excess square footage.
- C) Additional space is mandated by governmental or certification agency requirements that were not in existence when the Appendix B standards were adopted.

HFPB NOTE: Architectural floor plans submitted shall identify clinical service areas or components and shall designate the areas in square footage. Architectural floor plans must be of sufficient accuracy and format to allow measurement. Format may be either a digital drawing format (.dwg file or equivalent) or a measurable paper copy 1/16th scale or larger.

- b) **Project Services Utilization – Review Criterion**
The applicant shall document that, by the end of the second year of operation, the annual utilization of the clinical service areas or equipment shall meet or exceed the utilization standards specified in Appendix B. The number of years projected shall not exceed the number of historical years documented. If the applicant does not meet the utilization standards in Appendix B, or if service areas do not have utilization standards in 77 Ill. Adm. Code 1100, the applicant shall justify its own utilization standard by providing published data or studies, as applicable and available from a recognized source, that minimally include the following:
- 1) Clinical encounter times for anticipated procedures in key rooms (for example, procedure room, examination room, imaging room);
 - 2) Preparation and clean-up times, as appropriate;
 - 3) Operational availability (days/year and hours/day, for example 250 days/year and 8 hours/day); and
 - 4) Other operational factors.

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~~This criterion is applicable only to projects or portions of projects that involve services, functions or equipment for which HFPB has not established utilization standards or occupancy targets in 77 Ill. Adm. Code 1100. The applicant shall document that, in the second year of operation, the annual utilization of the service or equipment shall meet or exceed the utilization standards specified in Appendix B.~~

c) Size of the Project and Utilization:

For clinical service areas for which norms are not listed in Appendix B (for example, central sterile supply, laboratory, occupational therapy, pharmacy, physical therapy, respiratory therapy, cardiac rehabilitation, speech pathology and audiology), the applicant shall document that the proposed departmental gross square footage is necessary and appropriate. The documentation shall consist of:

- 1) Basis for the determination of the space (for example, key rooms, equipment, personnel, utilization, etc.); and
- 2) Methodology applied.

d)e) Unfinished or Shell Space – Review Criterion

If the project includes unfinished space (i.e., shell space) that is to meet an anticipated future demand for service, the applicant ~~shall~~must document that the amount of shell space proposed for each department or clinical service area is justified, and that ~~thesuch~~ space will be consistent with~~not exceed~~ the GSE standards of Appendix B as stated in subsections (a) and (b).~~unless the amount of space is mandated by a governmental or certification agency.~~ The applicant shall provide the following information:

- 1) The total gross square footage of the proposed shell space;
- 2) The anticipated use of the shell space, specifying the proposed SFGSE to be allocated to each department, area or function;
- 3) Evidence that the shell space is being constructed due to:
 - A) Requirements of governmental or certification agencies; or
 - B) Experienced increases in the historical occupancy or utilization of those departments, areas or functions proposed to occupy the shell

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space. The applicant shall provide the historical utilization for the department, area or function for the latest five-year period for which data are available, and, based upon the average annual percentage increase for that period, project the future utilization of the department, area or function through the anticipated date when the shell space will be placed into operation.

~~e)4)~~ Assurances

The applicant shall submit the following:

- 1) Certification that the annual utilization of the service or equipment will meet or exceed the utilization standards specified in Appendix B by the end of the second year of operation.
- 2) For shell space, the applicant shall submit the following:
 - A) Verification that the applicant will submit to HFPB a CON application to develop and utilize the shell space, regardless of the capital thresholds in effect at that time or the categories of service involved;
 - B)2) The ~~anticipated~~estimated date by which the subsequent CON application (to develop and utilize the subject shell space) will be submitted; and
 - C)3) The ~~estimated~~anticipated date when the shell space will be completed and placed into operation.

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

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Section 1110. APPENDIX B State Guidelines – Square Footage and Utilization ~~State and National Norms~~

The following area standards are established for departments, clinical service areas and facilities. All Diagnostic and Treatment utilization numbers are the minimums per unit for establishing more than one unit, except where noted in 77 Ill. Adm. Code 1100. HFPB shall periodically evaluate the guidelines to determine if revisions should be made. Any revisions will be promulgated in accordance with the provisions of the Illinois Administrative Procedure Act [5 ILCS 100].

Definitions pertaining to this Appendix are contained in 77 Ill. Adm. Code 1100.220.

HOSPITAL-BASED SERVICES

For hospitals, area determinations for departments and clinical service areas are to be made in departmental gross square feet (dgsf). Spaces to be included in the applicant's determination of square footage shall include all functional areas minimally required by the Hospital Licensing Act, applicable federal certification, and any additional spaces required by the applicant's operational program.

<u>Service Areas</u>	<u>Square Feet/Unit or Key Room</u>	<u>Annual Utilization/Unit</u>
<u>ACUTE CARE</u>		
<u>Medical-Surgical, Pediatric, Obstetric & Long-Term Acute Care Service</u>	<u>500-660 dgsf/Bed</u>	<u>See 77 Ill. Adm. Code 1100</u>
<u>Newborn Nursery (includes Level I, Level II, and Level II+ with extended neonatal capabilities)</u>	<u>160 dgsf/Obstetrics Bed & LDRP</u>	
<u>Labor Delivery Recovery (LDR)</u>	<u>1120-1600 dgsf/Room</u>	<u>400 Births/LDR Room</u>
<u>Labor Delivery Recovery Post-partum (LDRP)</u>	<u>1120-1600 dgsf/Bed</u>	<u>See 77 Ill. Adm. Code 1100</u>
<u>C-Section Suite</u>	<u>2075 dgsf/OR</u>	<u>800 Procedures/Room</u>
<u>Acute Mental Illness Service</u>	<u>440-560 dgsf/Bed</u>	<u>See 77 Ill. Adm. Code 1100</u>

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Comprehensive Physical Rehabilitation Service	525-660 dgsf/Bed	See 77 Ill. Adm. Code 1100
Hospital-Based Long-Term Care	440-560 dgsf/Bed	See 77 Ill. Adm. Code 1100
CRITICAL CARE		
Intensive Care Service	600-685 dgsf/Bed	See 77 Ill. Adm. Code 1100
Neonatal Intensive Care (NICU) or Level III Nursery	434-568 dgsf/Bed or Bassinet	See 77 Ill. Adm. Code 1100
DIAGNOSTIC AND TREATMENT		
Diagnostic/Interventional Radiology (Excludes portables & mobile equipment/Utilization)		
• General Radiology	1300 dgsf/Unit	8000 procedures
• Fluoroscopy/Tomography/Other X-ray procedures	1300 dgsf/Unit	6500 procedures
• Dedicated Chest	900 dgsf/Unit	9000 procedures
• Mammography	900 dgsf/Unit	5000 visits
• Ultra-Sound	900 dgsf/Unit	3100 visits
• Angiography (Special Procedures)	1800 dgsf/Unit	1800 visits
• CT Scan	1800 dgsf/Unit	7000 visits
• PET	1800 dgsf/Unit	3600 visits
• MRI	1800 dgsf/Unit	2500 procedures
• Nuclear Medicine	1600 dgsf/Unit	2000 visits
Radiation Therapy		
• Accelerator	2400 dgsf/ Accelerator	7500 visits
• Simulator	1800 dgsf/ Simulator	

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Emergency Department	900 dgsf/ Treatment Station	2000 visits/station/year
Cardiac Catheterization	1800 dgsf	See 77 Ill. Adm. Code 1100 for establishment of service 1500 visits/year for additional units
Ambulatory Care	800 dgsf	2000 visits/year
Surgical Operating Suite (Class C)	2750 dgsf/ Operating Room	1500 hrs/Operating Room
Surgical Procedure Suite (Class B)	1100 dgsf/ Procedure Room	1500 hrs/Procedure Room
Post-Anesthesia Recovery Phase I	180 dgsf/Recovery Station	
Post-Anesthesia Recovery Phase II	400 dgsf/Recovery Station	
In-Center Hemodialysis	470 dgsf/Station	See 77 Ill. Adm. Code 1100

OTHER FACILITIES

[The following standards apply to new construction, the development of freestanding facilities, modernization, and the development of facilities in existing structures, including the use of leased space. For new construction, the standards are based upon the inclusion of all building components and are expressed in building gross square feet \(bgsf\). For modernization projects, the standards are based upon interior build-out only and are expressed in departmental gross square feet \(dgsf\). Spaces to be included in the applicant's determination of square footage shall include all functional areas minimally required for the applicable service areas by the appropriate rules required for IDPH licensure and/or federal certification and any additional spaces required by the applicant's operational program.](#)

Service Areas	Square Feet/Unit	Annual Utilization/Unit
General Long-Term Care	435-713 bgsf/Bed 350-570 dgsf/Bed	See 77 Ill. Adm. Code 1100

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<u>ICF/DD Facilities</u>	<u>505-580 bgsf/Bed</u> <u>404-464 dgsf/Bed</u>	<u>See 77 Ill. Adm. Code 1100</u>
<u>Ambulatory Surgical Treatment Center (ASTC)</u> • <u>Operating Room</u> • <u>Procedure Room</u> • <u>Recovery</u>	<u>2075-2750 bgsf/Treatment Room</u> <u>1660-2200 dgsf/Treatment Room</u>	<u>Maximum of 4 recovery stations per operating room</u> <u>1500 hrs of Surgery/OR or Procedure Room</u>
<u>In-Center Hemodialysis</u>	<u>450-650 bgsf/Room</u> <u>360-520 dgsf/Room</u>	<u>See 77 Ill. Adm. Code 1100</u>
<u>Freestanding Emergency Center</u>	<u>840-1170 bgsf/Treatment Station</u> <u>672-936 dgsf/Treatment Station</u>	<u>2000 visits/Treatment Room/year</u>

The following norms are established for gross square footage by department and/or utilization of medical equipment. NOTE: Gross Square Footage indicated as gft².

<u>Department</u>	<u>State Norms</u>
<u>Acute Mental Illness Beds</u>	<u>586 gft²/Bed (Psych)</u>
<u>Ambulatory Care</u>	<u>4.1 Clinic Visits/gft² or 667 gft²/Treatment Room (based upon 2,000 visits per room)</u>
<u>Ambulatory Surgical Treatment Centers</u>	<u>2,750 gft²/Treatment Room (based upon 1,500 hours of surgery per room)</u>
<u>Cardiac Catheterization</u>	<u>1,596 gft²/Laboratory</u>
<u>Central Sterile Supply</u>	<u>18 gft²/Bed (Total)</u>
<u>Conversion of Hosp. Acute Care Beds to Skilled Care</u>	<u>429 gft²/Bed (Total)</u>

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Diagnostic Radiology	1,386 gft ² /Procedure Room or 5.5 Procedures/gft ² (based upon 6,500 procedures/general x-ray room, 2,000 visits per mammography room, 2,000 visits per ultrasound room, 400 procedures per angiography room, and 2,000 visits per special procedures room (computerized tomography, multi-directional tomography, etc.))
Emergency Room	744.6 gft ² /Treatment Room (based upon 2,000 per treatment room per year) or 3.1 visits per gft ²
Hemodialysis	470 gft ² /Room
ICF/DD Facilities—16 or less	369 gft ² /Bed (Total)
ICF/DD Facilities Over 16 Beds)	564 gft ² /Bed (Total)
Intensive Care Beds	603 gft ² /Bed (ICU)
Laboratory (includes blood bank)	225 gft ² /Full Time Equivalent or 36 gft ² /Bed (Total)
Labor Delivery Recovery	23 gft ² /Bed or 4.6 gft ² /Procedure or 1975 gft ² /Needed Delivery Room (based upon 750 Live Births/Delivery Room)
LDRP	1,119 gft ² /Bed
Medical Surgical Beds	401 gft ² /Bed (M-S)
MRI	3,400 gft ² /unit (2,000 visits per MRI)
Neonatal High Risk Beds	355 gft ² /Bed (Neo)
Newborn Nursery	152 gft ² /Bed (Obstetrics)

HEALTH FACILITIES PLANNING BOARD

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Nuclear Medicine	2.9 Procedures/gft² or 1,135 gft²/Treatment Room or 11.7 gft²/Bed (Total) (based upon 2,000 visits per piece of equipment)
Nursing Care Facilities	414 gft²/Bed (Total)
Obstetric Beds	476 gft²/Bed (OB)
Occupational Therapy	4.3 gft²/Bed (Total less ICU and OB)
Pediatric Beds	420 gft²/Bed (Ped)
Pharmacy	12.0 gft²/Bed (Total)
Physical Therapy	7.5 Treatments/gft² or 23 gft²/Bed (M-S, Peds, Rehab, Burn and LTC)
Recovery (Surgical)	180 gft²/Recovery Station (based upon maximum of 4 stations per needed operating room)
Rehabilitation Beds	588 gft²/Bed (Rehab)
Respiratory Therapy	20.5 Procedures/gft² or 8.9 gft²/Bed
Speech Pathology/Audiology	1.8 gft²/Bed (Total)
Surgery	2,078 gft²/Surgical Room (based upon 1,500 hours of surgery per operating room per year)

~~The State Board shall periodically evaluate the norms to determine if revisions should be made. Any revisions shall be promulgated in accordance with the provisions of the Illinois Administrative Procedure Act [5 ILCS 100].~~

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

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Health Facilities Planning Financial and Economic Feasibility Review
- 2) Code Citation: 77 Ill. Adm. Code 1120
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1120.20	Amendment
1120.110	Amendment
1120.120	Amendment
1120.130	Amendment
1120.210	Repealed
1120.310	Renumbered
1120.APPENDIX A	Amendment
- 4) Statutory Authority: 20 ILCS/3960/12 Illinois Health Facilities Planning Act
- 5) A Complete Description of the Subjects and Issues Involved:

Language has been revised in the existing rules to update and clarify financial and economic feasibility standards.

This Part will apply to all applications except those classified as emergency or those without a project cost. No definitions have been added.

The existing rules require all applicants and co-applicants to submit their financial information. The proposed rules require that only the following persons shall submit financial information concerning the proposed project: applicants or co-applicants responsible for funding the project or those guaranteeing the funding of the project.

Identification of applicants, as well as their roles in the project and percentage of involvement, shall be documented.

Charity care reporting requirements have been added as a part of "Background of the Applicant".

Sections on "Availability of Funds", "Financial Viability" and portions of "Economic Feasibility Review Criteria" do not need to be addressed if the applicant has a bond rating of A- or better from Fitch's or Standard and Poor's rating agencies, or A3 or better from

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Moody's. In the existing rules, each of these Sections is applicable unless the applicant has an A bond rating from Fitch's, Moody's or Standard and Poor's rating agencies.

In Section 1120.110(a)(7), "Architectural and Engineering fees", reference has been added for "basic services".

In Section 1120.110(a)(13), "Acquisition of building or other property", if the acquisition is leased property, and the terms of the lease include capital improvements to the property, the capital improvements are to be listed separately.

Applicants shall identify the project development schedule and construction development schedules in the application.

Language has been clarified for mortgages in Section 1120.120 "Availability of funds".

Two sections: (Section 1120.130 Information Requirements for Economic Feasibility and Section 1120.210 Financial Feasibility Review Criteria) have been combined into one (Section 1120.130 Financial Viability – Review Criterion).

Financial viability waivers have been added wherein an applicant does not need to provide financial ratios if:

- the project is completely funded through internal resources such as cash (available when application is deemed complete), securities or received pledges
- current debt financing or project debt financing is or anticipated to be insured by MBIA Inc, or equivalent
- provide a third party surety bond or performance bond letter from an A-rated guarantor (insurance company, bank or investing firm) guaranteeing project completion within approved financial and project criteria.

Standards in Section 1120.Appendix A have been updated as follows:

- Language to clarify calculation of inflation factor has been added.
- A table to adjust Cost Complexity Index for hospitals has been added. Definitions pertaining only to this index have been added to the Appendix.

HEALTH FACILITIES PLANNING BOARD

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- Financial ratios have been updated.
 - Hospitals and long term care facilities have been classified as system; non-system; for-profit; not-for-profit; and governmental facilities, for calculation of ratios.
 - Intermediate care facilities for developmentally disabled will be included in the long term care facility standards.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking:
- R.S Means Building Construction Cost Data publication
 - Professional Services and Fees handbook for Centralized Fee negotiation published by Capital Development Board, Springfield.
 - Moody's, Fitch's, and Standard & Poor's Rating Agency Quarterly Reports
 - Ingenix Financial and Operating Statistics
 - American Institute of Architects B101 – 2007 Standard Form Of Agreement Between Owner and Architect
- 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:

Public Hearing

HEALTH FACILITIES PLANNING BOARD

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Michael Bilandic Building
160 N. LaSalle Street
Room No. N505
9:00 a.m. to 12:00 p.m.
Date: May 11, 2009

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
122 S Michigan Ave, 7th Floor
Chicago, Illinois 60603

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, Ambulatory Surgery Treatment Centers, Long Term Care Centers, End Stage Renal Dialysis centers, free standing emergency care centers, freestanding birth centers
 - B) Reporting, bookkeeping or other procedures required for compliance: No
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: March 2009

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 b: OTHER BOARD RULES

PART 1120
 HEALTH FACILITIES PLANNING FINANCIAL AND
 ECONOMIC FEASIBILITY REVIEW

SUBPART A: STATUTORY AUTHORITY, DEFINITIONS,
INTRODUCTION AND APPLICABILITY AND REVIEW REQUIREMENTS

Section

1120.10 Statutory Authority and Definitions

1120.20 Financial and Economic Feasibility – Introduction and Applicability and Review Requirements

SUBPART B: INFORMATION REQUIREMENTS AND REVIEW CRITERIA

Section

1120.110 Project and Related Cost Data – Review Criteria1120.120 Availability of Funds – Review Criteria~~Information Requirements for Financial Feasibility~~1120.130 Financial Viability – Review Criteria~~Information Requirements for Economic Feasibility~~1120.140~~1120.310~~ Economic Feasibility – Review Criteria

SUBPART C: FINANCIAL FEASIBILITY REVIEW CRITERIA

Section

1120.210 Financial Feasibility Review Criteria (Repealed)

SUBPART D: ECONOMIC FEASIBILITY REVIEW CRITERIA

Section

1120.310 Economic Feasibility Review Criteria (Renumbered)

1120.APPENDIX A Financial and Economic Review Standards

AUTHORITY: Implementing and authorized by the Illinois Health Facilities Planning Act [20

HEALTH FACILITIES PLANNING BOARD

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ILCS 3960].

SOURCE: Emergency amendments at 16 Ill. Reg. 13132, effective August 4, 1992, for a maximum of 150 days; emergency expired on January 1, 1993; adopted at 17 Ill. Reg. 4431, effective March 22, 1993; recodified at 20 Ill. Reg. 2596; amended at 21 Ill. Reg. 15872, effective January 1, 1998; amended at 24 Ill. Reg. 6052, effective April 7, 2000; amended at 27 Ill. Reg. 2960, effective February 21, 2003; amended at 33 Ill. Reg. _____, effective _____.

SUBPART A: STATUTORY AUTHORITY, DEFINITIONS,
INTRODUCTION AND APPLICABILITY ~~AND REVIEW REQUIREMENTS~~

Section 1120.20 Financial and Economic Feasibility – Introduction and Applicability
~~**Applicability and Review Requirements**~~

- a) Introduction
 - 1) This Section contains the review criteria that pertain to the financial and economic feasibility of a project. HFPB shall consider a project's conformance with these criteria (as applicable) as well as a project's conformance with all other applicable review criteria.
 - 2) All applications shall be subject to this Part except for those that are classified as emergency and those that have no estimated project cost.
- b) Financial Information of Applicants and Co-applicants
All the applicants and co-applicants shall be identified, specifying their roles in the project funding or guaranteeing the funding (sole responsibility or shared) and percentage of participation in that funding.
- c) Charity Care
 - 1) All applicants and co-applicants shall indicate the amount of charity care for the latest three audited fiscal years, the cost of charity care and the ratio of that charity care to net patient revenue.
 - 2) If the applicant owns or operates one or more facilities, the reporting shall be for each individual facility located in Illinois. If charity care costs are reported on a consolidated basis, the applicant shall provide

HEALTH FACILITIES PLANNING BOARD

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documentation as to the cost of charity care; the ratio of that charity care to the net patient revenue for the consolidated financial statement; the allocation of charity care costs; and the ratio of charity care cost to net patient revenue for the facility under review.

- 3) If the applicant is not an existing facility, it shall submit the facility's projected patient mix by payer source, anticipated charity care expense and projected ratio of charity care to net patient revenue by the end of its second year of operation.

HFPB NOTE: The following Sections DO NOT need to be addressed by the applicants or co-applicants responsible for funding or guaranteeing the funding of the project if the applicant has a bond rating of A- or better from Fitch's or Standard and Poor's rating agencies, or A3 or better from Moody's (the rating shall be affirmed within the latest 18 month period prior to the submittal of the application):

Section 1120.120 Availability of Funds – Review Criteria

Section 1120.130 Financial Viability – Review Criteria

Section 1120.140 Economic Feasibility – Review Criteria, subsection (a)

d) Project Types and Applicable Review Criteria

- 1) Unless otherwise stated, only the applicants or co-applicants that are responsible for funding or guaranteeing funding of the project shall provide the documentation required by the applicable review criteria.
- 2) For projects owned/operated by the State of Illinois, exclusive of the University of Illinois hospital, the following review criteria apply:
- A) Section 1120.110 Project and Related Cost Data – Review Criteria;
- B) Section 1120.120 Availability of Funds – Review Criteria;
- C) Section 1120.130 Financial Viability – Review Criteria; and
- D) Section 1120.140 Economic Feasibility – Review Criteria;

HEALTH FACILITIES PLANNING BOARD

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- ~~B) Category B—all applications which are not Category A.~~
- 2) ~~Applications submitted by the Department of Human Services and by the Department of Veterans' Affairs shall not be categorized. Those applications must provide the information required by Sections 1120.110 and 1120.120, and be reviewed for conformance with the review criteria of Sections 1120.210(b) and 1120.310(d).~~
- 3) ~~Category B projects which are master design projects shall be reviewed for the financial and economic compliance of the master design costs. The applicant shall comply with all information requirements and be reviewed against the applicable review criteria for Category B projects. In addition the master plan and future construction or modification project(s) associated with the master design shall be reviewed for both financial and economic feasibility. All proposed future projects detailed in the master design project shall also be reviewed as Category B projects subject to the referenced review criteria excluding Conditions of Debt Financing (Section 1120.310(b)), Reasonableness of Project Costs (Section 1120.310(c)), and Reasonableness of Resultant Operating Costs (Section 1120.310(d)).~~
- e) ~~Information Requirements~~
~~Applicants (including co-applicants) other than the Departments of Veterans' Affairs and Human Services must provide the information specified in Table I according to the application's review category. When there are co-applicants to a proposed project, the information required in Table I must be provided for each co-applicant.~~

Table I

Information Requirements	Review Category	
	A	B
Project and Related Cost Data (Section 1120.110)	Yes	Yes
Financial Feasibility (Section 1120.120)	Yes	Yes
Bond Rating or Historical Financial Statements (Section 1120.130(a))	Yes	Yes

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Projected Operating Costs (Section 1120.130(c))	Yes	Yes
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- d) ~~Review Criteria~~
~~Category A and B applications will be reviewed for conformance with the applicable review criteria specified in Table II.~~

Table II

Applicable Review Criteria	Review Category	
	A	B
Financial Viability (Section 1120.210(a))	Yes	Yes
Availability of Funds (Section 1120.210(b))	Yes	Yes
Operating Start Up Costs (Section 1120.210(c))	No	Yes
Reasonableness of Financing Arrangements (Section 1120.310(a))	No	Yes
Conditions of Debt Financing (Section 1120.310(b))	Yes	Yes
Reasonableness of Project Costs (Section 1120.310(c))	Yes	Yes
Projected Operating Costs (Section 1120.310(d))	Yes	Yes
Total Effect on Capital Costs (Section 1120.310(e))	No	Yes
Non-Patient Related Services (Section 1120.310(f))	No	Yes

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

SUBPART B: INFORMATION REQUIREMENTS AND REVIEW CRITERIA**Section 1120.110 Project and Related Cost Data – Review Criteria**

- a) Estimated Total Project Cost

HEALTH FACILITIES PLANNING BOARD

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The applicant shall provide the estimated total project cost, including the amounts for each cost component (line item) applicable to the project. When a project or any component of a project is to be accomplished by lease, donation, gift or any similar means, the fair market value or dollar value that would have been required for purchase, construction or acquisition shall be included in the estimated total project cost. The applicant shall submit documentation as to the fair market or dollar value as defined in 77 Ill. Adm. Code 1130.140. Costs shall be provided for the following components (line items), as applicable:

- 1) Preplanning Costs – those costs incurred prior to the submission of an application, such as development and feasibility studies, market studies, legal fees, bid solicitation, etc.;
- 2) Site Survey and Soil Investigation Fees – the costs for surveying of a proposed project site and related soil investigation fees;
- 3) Site Preparation Costs – costs such as rental of equipment for earthwork, concrete, lifting and hoisting, site drainage, utilities, demolition of existing buildings or structures on site, clearing, grading and related earthwork;
- 4) Off-site Work Costs – all costs related to off-site activities such as drainage, pipes, utilities, sewage, traffic signals, roads and walks;
- 5) Construction and Modernization Contracts – all costs and expenses covered under the construction contract, including major medical and other fixed equipment, contractor's overhead and profit;
- 6) Contingencies – a cost allowance to be used solely for unforeseeable events relating to construction or modernization costs;
- 7) Architectural and Engineering Fees – the costs associated with the design, development of contract documents, and construction administration related to the proposed project, including only those fees defined as "basic services" (source: American Institute of Architects B101-2007 Standard Form Of Agreement Between Owner And Architect);
- 8) Consulting and Other Fees – the costs and charges for the services of various types of consulting and professional expertise, including environmental impact, computer software fees, certificate of need fees,

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etc. (the applicant shall provide a detailed listing of types and amounts of such fees);

- 9) Capital Equipment Not Included in Construction Contracts – the cost of all fixed and movable capital equipment, including any movable major medical equipment and the cost of installation of the equipment, excluding any trade-in allowances on existing equipment, that are not included in construction contracts;
- 10) Bond Issuance Expense – all costs associated with the issuance of bonds to finance a project, including issuer's fees, bond counsel's fees, official statements (feasibility study), official statement printing, printing of bonds, survey of the collateral site, title insurance to property, auditor's fees, trustee fees, underwriters' discount, and government fees (if applicable);
- 11) Net Interest Expense During Construction – the cost representing the difference between interest earned on funds for construction and interest expense on the amount of borrowed funds;
- 12) Other Costs that Are To Be Capitalized – miscellaneous fees, expenses (e.g., asbestos removal, mold treatment, temporary insurance, workers' compensation, surface parking lots, temporary roads or paving, lighting, fencing, security, etc., that are not included in construction contracts) and working capital expenses related to the project (the applicant shall provide a detailed listing of all other fees and expenses and the amount of each);
- 13) Acquisition of Buildings or Other Property (excluding land) – the cost incurred (or the fair market value) for the acquisition of buildings or property for the project. Any acquisition that has occurred within two years prior to the date of application for permit submission must be included as part of project costs.

HFPB NOTE: If the acquisition is by a lease, and the terms of the lease include capital improvements to the property, then those capital improvements are to be listed separately.

- b) Related Project Cost Data and Information Requirements

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The applicant shall provide the following information related to the project, as applicable.

- 1) Land Acquisition Cost – the purchase price or fair market value, whichever is applicable, for the acquisition of land that has been acquired within two years prior to the date of application for permit submission or that will be required in order to undertake the project. Acquisition of land is not included as part of total estimated project costs.
- 2) Operating Start-up Costs – the estimated non-capitalized operating start-up costs, including any estimated initial operating deficit, and any other necessary amounts to make the project operational (AMPO). Any capitalized costs that are related to the start-up costs of a facility must be included in the total estimated project cost.
- 3) Project Development Schedule – a project completion schedule that provides the project start date, the estimated date when one third of the total estimated project cost will be expended, and the anticipated date for completion of the project.

HFPB NOTE: Project completion includes all post-construction activities, including installation of furnishings and equipment, inspections and training of staff. (Applicant should refer to definition of "Project Completion" in 77 Ill. Adm. Code 1130.140.)

- 4) Construction Schedule – a construction schedule that provides the dates for construction start and midpoint of construction and anticipated date for construction completion.
- 5) Debt Service Reserve Fund – the amount that will be placed in a debt service reserve fund and the terms of and conditions on uses of the fund.

a) Estimated Total Project Cost

The applicant shall provide project cost information for each of the following components as is applicable. When a project or any component of a project is to be accomplished by lease, donation, gift or any other means, the fair market value or dollar value which would have been required for purchase, construction, or acquisition shall be included in the estimated total project cost. The applicant shall submit documentation as to the fair market or dollar value in accordance

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~~with the requirements of 77 Ill. Adm. Code 1190.40.~~

- ~~1) Preplanning costs—includes costs incurred prior to the submission of an application, such as development and feasibility studies, market studies, legal fees, bid solicitation, etc.;~~
- ~~2) Site survey and soil investigation fees—includes costs for surrounding surveying of a proposed project site and resulting soil investigation fees;~~
- ~~3) Site preparation—includes costs of rental equipment for earthwork, concrete, lifting and hoisting, site drainage, utilities, demolition of existing structures, clearing, grading and earthwork;~~
- ~~4) Off-site work—includes costs of drainage, pipes, utilities, sewage, roads, and walks;~~
- ~~5) Construction and modernization contracts—includes expenses covered under the construction contract, including major medical and other fixed equipment, contractor's overhead and profit;~~
- ~~6) Contingencies—means an allowance for unforeseeable events relating to construction or modernization;~~
- ~~7) Architectural & engineering fees—includes fees associated with the development and implementation of drawings and design materials for a proposed project;~~
- ~~8) Consulting and other fees—includes charges for the services of various types of consulting and professional expertise, including environmental impact, acoustical studies, computer software fees, etc.;~~
- ~~9) Movable capital equipment not in construction contracts—includes the cost of all movable capital equipment, including any movable major medical equipment and the cost of installation of the equipment, excluding any trade-in allowances on existing equipment;~~
- ~~10) Bond issuance expense—includes all costs associated with the issuance of bonds to finance a project, including issuer's fees, bond counsel's fees, official statements (feasibility study), official statement printing, printing~~

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~~of bonds, survey of the collateral site, title insurance to property, auditor's fees, trustee fees, underwriters' discount, and government fees (if applicable);~~

- ~~11) Net interest expense during construction—means the difference between interest earned on funds for construction and interest expense on the amount of borrowed funds;~~
- ~~12) Other costs which are to be capitalized—includes miscellaneous fees and working capital expenses related to the project; and~~
- ~~13) Acquisition of buildings or other property—includes the cost incurred (or the fair market value) for the acquisition of buildings or property for the project. Any acquisition which has occurred within two years from the date the application for permit is submitted must be included as part of project costs.~~

b) ~~Related Cost Data~~

- ~~1) Land Acquisition Cost
The applicant shall provide the purchase price or fair market value, whichever is applicable, for the acquisition of land that is required in order to undertake the project. Acquisition of land is not a capital expenditure and is not included as part of project costs.~~
- ~~2) Operating Start-up Costs
The applicant shall provide a schedule of estimated non-capitalized operating start-up costs and an estimate of any initial operating deficit.
AGENCY NOTE: Any capitalized costs which are related to the start-up costs of a facility must be included in the total estimated project cost.~~
- ~~3) Construction and Modernization Costs and Schedule
The applicant shall provide a construction or project completion schedule which details the anticipated dates and percent of project construction or modernization completion at the 25th, 50th, 75th, 95th and 100th percentile of project funds expended.~~
- ~~4) Debt Service Reserve Fund
Applicants shall provide the amount that will be placed in a debt service~~

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~~reserve fund and shall also provide the terms and conditions of uses of the fund.~~

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

Section 1120.120 Availability of Funds – Review Criteria Information Requirements for Financial Feasibility

- a) The applicant shall document that financial resources shall be available and be equal to or exceed the estimated total project cost plus any related project costs by providing evidence of the following:
 - 1) Sufficient financial resources from the following sources, as applicable:
 - A) Cash and Securities – statements (e.g., audited financial statements, letters from financial institutions, board resolutions) as to:
 - i) the amount of cash and securities available for the project, including the identification of any security, its value and availability of such funds; and
 - ii) interest to be earned on depreciation account funds or to be earned on any asset from the date of applicant's submission through project completion;
 - B) Pledges – for anticipated pledges, a summary of the anticipated pledges showing anticipated receipts and discounted value, estimated time table of gross receipts and related fundraising expenses, and a discussion of past fundraising experience. Provide a list of confirmed pledges from major donors (over \$100,000);
 - C) Gifts and Bequests – verification of the dollar amount, identification of any conditions of use, and the estimated time table of receipts;
 - D) Debt – a statement of the estimated terms and conditions (including the debt time period, variable or permanent interest rates over the debt time period, and the anticipated repayment schedule)

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for any interim and for the permanent financing proposed to fund the project, including:

- i) For general obligation bonds, proof of passage of the required referendum or evidence that the governmental unit has the authority to issue the bonds and evidence of the dollar amount of the issue, including any discounting anticipated;
 - ii) For revenue bonds, proof of the feasibility of securing the specified amount and interest rate;
 - iii) For mortgages, a letter from the prospective lender attesting to the expectation of making the loan in the amount and time indicated, including the anticipated interest rate and any conditions associated with the mortgage, such as, but not limited to, adjustable interest rates, balloon payments, etc.;
 - iv) For any lease, a copy of the lease, including all the terms and conditions, including any purchase options, any capital improvements to the property and provision of capital equipment;
- E) Governmental Appropriations – a copy of the appropriation Act or ordinance accompanied by a statement of funding availability from an official of the governmental unit. If funds are to be made available from subsequent fiscal years, a copy of a resolution or other action of the governmental unit attesting to this intent;
- F) Grants – a letter from the granting agency as to the availability of funds in terms of the amount and time of receipt;
- G) All Other Funds and Sources – verification of the amount and type of any other funds that will be used for the project.

The applicant must provide (for the health care facility or for the person who controls the health care facility) either the most recent bond rating (that must be less than two years old) from Fitch's, Moody's, or Standard and Poor's rating agencies that documents a rating of "A" or better

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~~or provide evidence of financial resources to fund the project and any related costs as follows:~~

a) ~~Cash and Securities~~

~~The applicant must provide statements (e.g., audited financial statements, letters from financial institutions, board resolutions) as to the amount of cash and securities available for the project. The applicant must provide the identification of any security, its value, and availability of such funds. Interest to be earned or depreciation account funds to be earned on any asset from the date of application submittal through project completion are also considered cash.~~

b) ~~Pledges~~

~~For anticipated pledges, the applicant must provide a letter or report as to the dollar amount feasible showing the discounted value and any conditions or action the applicant would have to take to accomplish this goal. The time period, historical fund raising experience and major contributors also must be specified.~~

c) ~~Gifts and Bequests~~

~~For gifts and bequests available for the project, the applicant must provide verification of the dollar amount and identify any conditions and timing of its use.~~

d) ~~Debt Financing~~

~~The applicant must provide the estimated terms and conditions for the following types of debt financing proposed to fund the project:~~

- ~~1) For general obligation bonds, the applicant must provide proof of passage of the required referendum or evidence that the governmental unit has the authority to issue such bonds and also provide evidence of the dollar amount of the issue and any discounting or shrinkage anticipated;~~
- ~~2) For revenue bonds, the applicant must provide proof of the feasibility of securing the specified amount;~~
- ~~3) For mortgages, the applicant must provide a letter from the prospective lender attesting to the expectation of making the loan in the amount and time indicated;~~
- ~~4) For leases, the applicant must provide a copy of the lease including all the terms and conditions of the lease including any purchase options.~~

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- e) Governmental Appropriations
The applicant must provide a copy of the appropriation Act or ordinance accompanied by a statement of funding availability from an official of the governmental unit. If funds are to be made available from subsequent fiscal years, the applicant must provide a resolution or other action of the governmental unit attesting to this intent.
- f) Grants
The applicant must provide a letter from the granting agency as to the availability of funds in terms of the amount and time of receipt.
- g) All Other Funds and Sources
The applicant must provide verification of the amount and type of any other funds that will be used for the project.

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

Section 1120.130 Financial Viability – Review Criteria Information Requirements for Economic Feasibility

- a) Financial Viability Waiver
The applicant is NOT required to submit financial viability ratios if:
 - 1) all project capital expenditures, including capital expended through a lease, is completely funded through internal resources (cash, securities or received pledges); or
HFPB NOTE: Documentation of internal resources availability shall be available as of the date the application is deemed complete.
 - 2) the applicant's current debt financing or projected debt financing is insured or anticipated to be insured by Municipal Bond Insurance Association Inc. (MBIA), or its equivalent; or
HFPB NOTE: MBIA Inc is a holding company whose subsidiaries provide financial guarantee insurance for municipal bonds and structured financial projects. MBIA coverage is used to promote credit enhancement as MBIA would pay the debt (both principal and interest) in case of the bond issuer's default.

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3) the applicant provides a third-party surety bond or performance bond letter of credit from an A rated guarantor (insurance company, bank or investing firm) guaranteeing project completion within the approved financial and project criteria.

b) Viability Ratios

The applicant or co-applicant that is responsible for funding or guaranteeing funding of the project shall provide viability ratios for the latest three years for which audited financial statements are available and for the first full fiscal year at target utilization, but no more than two years following project completion. When the applicant's facility does not have facility specific financial statements and the facility is a member of a health care system that has combined or consolidated financial statements, the system's viability ratios shall be provided. If the health care system includes one or more hospitals, the system's viability ratios shall be evaluated for conformance with the applicable hospital standards. The latest three years' audited financial statements shall consist of:

- 1) Balance sheet;
- 2) Revenues and expenses statement;
- 3) Changes in fund balance; and
- 4) Changes in financial position.

HFPB NOTE: To develop the above ratios, facilities shall use and submit audited financial statements. If audited financial statements are not available, the applicant shall use and submit Federal Internal Revenue Service tax returns or the Federal Internal Revenue Service 990 report with accompanying schedules. If the project involves the establishment of a new facility and/or the applicant is a new entity, supporting schedules to support the numbers shall be provided documenting how the numbers have been compiled or projected.

c) Variance

Applicants not in compliance with any of the viability ratios shall document that another organization, public or private, shall assume the legal responsibility to meet the debt obligations should the applicant default.

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- a) ~~Bond Rating or Historical Financial Statements~~
The applicant must provide (for the healthcare facility or for the person who controls the healthcare facility) either the most recent bond rating (that must be less than two years old) from Fitch's, Moody's, or Standard and Poor's rating agencies that documents a rating of "A" or better or provide the most recent three years' audited financial statements that include the following:
- 1) ~~Balance sheet;~~
 - 2) ~~Income statement;~~
 - 3) ~~Changes in fund balance; and~~
 - 4) ~~Change in financial position.~~
- b) ~~Projected Capital Costs~~
The applicant must provide the annual projected capital costs (depreciation, amortization, and interest expense) for:
- 1) ~~The first full fiscal year after project completion; or~~
 - 2) ~~The first full fiscal year when the project achieves or exceeds target utilization pursuant to 77 Ill. Adm. Code 1100, whichever is later.~~
- e) ~~Projected Operating Costs~~
The applicant must provide projected operating costs (excluding depreciation and stated in current dollars based on the full-time equivalents (FTEs) and other resource requirements) for the first full fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to 77 Ill. Adm. Code 1100, whichever is later, including:
- 1) ~~Annual operating costs; and~~
 - 2) ~~Annual operating costs change (increase or decrease) attributable to the project~~

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

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- a) The applicant shall document the reasonableness of financing arrangements by submitting a notarized statement signed by an authorized representative that attests to one of the following:
- 1) That the total estimated project costs and related costs will be funded in total with cash and equivalents, including investment securities, unrestricted funds, received pledge receipts and funded depreciation; or
 - 2) That the total estimated project costs and related costs will be funded in total or in part by borrowing because:
 - A) A portion or all of the cash and equivalents must be retained in the balance sheet asset accounts in order to maintain a current ratio of at least 2.0 times; or
 - B) Borrowing is less costly than the liquidation of existing investments, and the existing investments being retained may be converted to cash or used to retire debt within a 60-day period.
- b) Conditions of Debt Financing – Review Criterion
This criterion is applicable only to projects that involve debt financing. The applicant shall document that the conditions of debt financing are reasonable by submitting a notarized statement signed by an authorized representative that attests to the following, as applicable:
- 1) That the selected form of debt financing for the project will be at the lowest net cost available;
 - 2) That the selected form of debt financing will not be at the lowest net cost available, but is more advantageous due to such terms as prepayment privileges, no required mortgage, access to additional indebtedness, term (years), financing costs and other factors;
 - 3) That the project involves (in total or in part) the leasing of equipment or facilities and that the expenses incurred with leasing a facility or equipment are less costly than constructing a new facility or purchasing new equipment.

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c) Reasonableness of Project and Related Costs – Review Criterion

The applicant shall document that the estimated project costs are reasonable and shall document compliance with the following:

- 1) Preplanning costs shall not exceed the standards detailed in Appendix A of this Part.
- 2) Total costs for site survey, soil investigation fees and site preparation shall not exceed the standards detailed in Appendix A unless the applicant documents site constraints or complexities and provides evidence that the costs are similar to or consistent with other projects that have experienced similar constraints or complexities.
- 3) Construction and modernization costs per square foot shall not exceed the standards detailed in Appendix A unless the applicant documents construction constraints or other design complexities and provides evidence that the costs are similar to or consistent with other projects that have experienced similar constraints or complexities.

HFPB NOTE: Construction and modernization costs (i.e., all costs contained in construction and modernization contracts) plus contingencies shall be evaluated for conformance with the standards detailed in Appendix A.

- 4) Contingencies (stated as a percentage of construction costs for the project's stage of architectural development) shall not exceed the standards detailed in Appendix A unless the applicant documents construction constraints or other design complexities and provides evidence that the costs are similar to or consistent with other projects that have experienced similar constraints or complexities.

HFPB NOTE: Contingencies shall be limited in use for construction or modernization (line item) costs only and shall be included in construction and modernization cost per square foot calculations and evaluated for conformance with the standards detailed in Appendix A. If, subsequent to permit issuance, contingencies are proposed to be used for other component (line item) costs, an alteration to the permit (as detailed in 77 Ill. Adm. Code 1130.750) must be approved by HFPB prior to that use.

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- 5) New construction or modernization fees and architectural/engineering fees shall not exceed the fee schedule standards detailed in Appendix A unless the applicant documents construction constraints or other design complexities and provides evidence that the costs are similar to or consistent with other projects that have experienced similar constraints or complexities.
 - 6) The costs of all capitalized equipment not included in construction contracts shall not exceed the standards for equipment as detailed in Appendix A unless the applicant documents the need for additional or specialized equipment due to the scope or complexities of the services to be provided. As documentation, the applicant must provide evidence that the costs are similar to or consistent with other projects of similar scope and complexity, and attest that the equipment will be acquired at the lowest net cost available, or that the choice of higher cost equipment is justified due to such factors as, but not limited to, maintenance agreements, options to purchase, or greater diagnostic or therapeutic capabilities.
 - 7) Building acquisition, net interest expense, and other estimated costs shall not exceed the standards detailed in Appendix A. If Appendix A does not specify a standard for the cost component, the applicant shall provide documentation that the costs are consistent with industry norms based upon a comparison with previously approved projects of similar scope and complexity.
 - 8) Cost Complexity Index (to be applied to hospitals only)
The mix of service areas for new construction and modernization will be adjusted by the table of cost complexity index detailed in Appendix A.
- d) Projected Operating Costs
The applicant shall provide the projected direct annual operating costs (in current dollars per equivalent patient day or unit of service) for the first full fiscal year at target utilization but no more than two years following project completion. Direct costs means the fully allocated costs of salaries, benefits and supplies for the service.
 - e) Total Effect of the Project on Capital Costs

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The applicant shall provide the total projected annual capital costs (in current dollars per equivalent patient day) for the first full fiscal year at target utilization but no more than two years following project completion.

- a) ~~Reasonableness of Financing Arrangements—Review Criterion~~
~~This criterion is not applicable if the applicant has documented a bond rating of "A" or better pursuant to Section 1120.210. An applicant that has not documented a bond rating of "A" or better must document that the project and related costs will be:~~
- ~~1) funded in total with cash and equivalents including investment securities, unrestricted funds, and funded depreciation as currently defined by the Medicare regulations (42 USC 1395); or~~
 - ~~2) funded in total or in part by borrowing because:~~
 - ~~A) a portion or all of the cash and equivalents must be retained in the balance sheet asset accounts in order that the current ratio does not fall below 2.0 times; or~~
 - ~~B) borrowing is less costly than the liquidation of existing investments and the existing investments being retained may be converted to cash or used to retire debt within a 60 day period. The applicant must submit a notarized statement signed by two authorized representatives of the applicant entity (in the case of a corporation, one must be a member of the board of directors) that attests to compliance with this requirement.~~
- b) ~~Conditions of Debt Financing—Review Criterion~~
~~The applicant must certify that the selected form of debt financing the project will be at the lowest net cost available or if a more costly form of financing is selected, that form is more advantageous due to such terms as prepayment privileges, no required mortgage, access to additional indebtedness, term (years), financing costs, and other factors. In addition, if all or part of the project involves the leasing of equipment or facilities, the applicant must certify that the expenses incurred with leasing a facility and/or equipment are less costly than constructing a new facility or purchasing new equipment. Certification of compliance with the requirements of this criterion must be in the form of a notarized statement signed by two authorized representative (in the case of a corporation, one must be a~~

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~~member of the board of directors) of the applicant entity.~~

e) ~~Reasonableness of Project and Related Costs—Review Criterion~~

1) ~~Construction and Modernization Costs~~

~~Construction and modernization costs per square foot for non-hospital based ambulatory surgical treatment centers and for facilities for the developmentally disabled, and for chronic renal dialysis treatment centers projects shall not exceed the standards detailed in Appendix A of this Part unless the applicant documents construction constraints or other design complexities and provides evidence that the costs are similar or consistent with other projects that have similar constraints or complexities. For all other projects, construction and modernization costs per square foot shall not exceed the adjusted (for inflation, location, economies of scale and mix of service) third quartile as provided for in the Means Building Construction Cost Data publication unless the applicant documents construction constraints or other design complexities and provides evidence that the costs are similar or consistent with other projects that have similar constraints or complexities.~~

2) ~~Contingencies~~

~~Contingencies (stated as a percentage of construction costs for the stage of architectural development) shall not exceed the standards detailed in Appendix A of this Part unless the applicant documents construction constraints or other design complexities and provides evidence that the costs are similar or consistent with other projects that have similar constraints or complexities. Contingencies shall be for construction or modernization only and shall be included in the cost per square foot calculation.~~

~~BOARD NOTE: If, subsequent to permit issuance, contingencies are proposed to be used for other line item costs, an alteration to the permit (as detailed in 77 Ill. Adm. Code 1130.750) must be approved by the State Board prior to such use.~~

3) ~~Architectural Fees~~

~~Architectural fees shall not exceed the fee schedule standards detailed in Appendix A of this Part unless the applicant documents construction constraints or other design complexities and provides evidence that the~~

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~~costs are similar or consistent with other projects that have similar constraints or complexities.~~

4) ~~Major Medical and Movable Equipment~~

A) ~~For each piece of major medical equipment, the applicant must certify that the lowest net cost available has been selected, or if not selected, that the choice of higher cost equipment is justified due to such factors as, but not limited to, maintenance agreements, options to purchase, or greater diagnostic or therapeutic capabilities.~~

B) ~~Total movable equipment costs shall not exceed the standards for equipment as detailed in Appendix A of this Part unless the applicant documents construction constraints or other design complexities and provides evidence that the costs are similar or consistent with other projects that have similar constraints or complexities.~~

5) ~~Other Project and Related Costs~~

~~The applicant must document that any preplanning, acquisition, site survey and preparation costs, net interest expense and other estimated costs do not exceed industry norms based upon a comparison with similar projects that have been reviewed.~~

d) ~~Projected Operating Cost—Review Criterion~~

~~The applicant must provide the projected direct annual operating costs (in current dollars per equivalent patient day or unit of service) for the first full fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to 77 Ill. Adm. Code 1100, whichever is later. Direct costs means the fully allocated costs of salaries, benefits, and supplies for the service.~~

e) ~~Total Effect of the Project on Capital Costs—Review Criterion~~

~~The applicant must provide the total projected annual capital costs (in current dollars per equivalent patient day) for the first full fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to 77 Ill. Adm. Code 1100, whichever is later.~~

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- f) ~~Non-patient Related Services—Review Criterion~~
The applicant must document that projects involving non-patient related services (medical office buildings) will be self-supporting and not result in increased charges to patients or that increased charges to patients are justified based upon such factors as, but not limited to, a cost benefit or other analysis which demonstrates that the project will improve the applicant's financial viability.

(Source: Section 1120.140 renumbered from Section 1120.310 and amended at 33 Ill. Reg. _____, effective _____)

SUBPART C: FINANCIAL FEASIBILITY REVIEW CRITERIA

Section 1120.210 Financial Feasibility Review Criteria (Repealed)

~~If an applicant has not documented a bond rating of "A" or better (pursuant to Section 1120.120), then the applicant must address the review criteria in this Section.~~

- a) ~~Financial Viability—Review Criterion~~
- 1) ~~Viability Ratios~~
~~Applicants (including co-applicants) must document compliance with viability ratio standards detailed in Appendix A of this Part or address a variance. Applicants must document compliance for the most recent three years for which audited financial statements are available. For Category B applications, the applicant also must document compliance through the first full fiscal year after project completion or for the first full fiscal year when the project achieves or exceeds target utilization pursuant to 77 Ill. Adm. Code 1100, whichever is later, or address a variance.~~
- 2) ~~Variance for Applications Not Meeting Ratios~~
~~Applicants not in compliance with any of the viability ratios must document that another organization, public or private, shall assume the legal responsibility to meet the debt obligations should the applicant default.~~
- b) ~~Availability of Funds—Review Criterion~~
The applicant must document that financial resources shall be available and be equal to or exceed the estimated total project cost and any related cost.

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- e) ~~Operating Start-up Costs—Review Criterion~~
~~The applicant must document that financial resources shall be available and be equal to or exceed any start-up expenses and any initial operating deficit.~~

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

SUBPART D: ECONOMIC FEASIBILITY REVIEW CRITERIA

Section 1120.310 Economic Feasibility Review Criteria (Renumbered)

(Source: Section 1120.310 renumbered to Section 1120.140 at 33 Ill. Reg. _____, effective _____)

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Section 1120.APPENDIX A Financial and Economic Review Standardsa) Reasonableness of Project and Related Costs Standards1) Preplanning

Costs shall not exceed 1.8% of construction and modernization contracts plus contingencies plus equipment costs.

2) Site Survey and Preparation

Costs shall not exceed 5.0% of construction and contingency costs.

3) New Construction and Modernization Costs per Gross Square Foot (GSF)

Hospital and long-term care (LTC) cost standards are derived from the latest available R.S. Means Building Construction Cost Data (Means) publication and will be adjusted (for inflation and location) for each project to the current year. Cost standards for the other types of facilities are derived from the third quartile costs of previously approved projects and are to be adjusted to the current year based upon historic inflation rates from R.S Means.

HFPB NOTE: Modernization includes the build out of leased space and shall include the cost of all capital improvements contained in the terms of the lease. These standards are based upon 2008 data.

<u>Type of Facility</u>	<u>New Construction</u>	<u>Modernization</u>
<u>Hospital</u>	<u>Adjusted Means 3rd Quartile</u>	<u>70% of Adjusted Means 3rd Quartile</u>
<u>LTC (includes ICF/DD facilities)</u>	<u>Adjusted Means 3rd Quartile</u>	<u>70% of Adjusted Means 3rd Quartile</u>
<u>ESRD</u>	<u>\$207 per gsf</u>	<u>\$145 per gsf</u>
<u>ASTC</u>	<u>\$291 per gsf</u>	<u>\$203 per gsf</u>

4) Contingencies

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Contingency costs for projects (or for components of projects) are based upon a percentage of new construction or modernization costs and are based upon the status of a project's architectural contract documents.

<u>Status of Project</u>	<u>New Construction</u>	<u>Modernization</u>
<u>Contract Documents</u>	<u>Components</u>	<u>Components</u>
<u>Schematics</u>	<u>10%</u>	<u>10-15%</u>
<u>Preliminary</u>	<u>7%</u>	<u>7-10%</u>
<u>Final</u>	<u>3-5%</u>	<u>5-7%</u>

5) New Construction or Modernization Fees & Architectural/Engineering (A&E) Fees

The source for projects or components of projects involving new construction or modernization (total amount of construction and contingencies, A&E fees for hospitals, LTC facilities and ASTCs, A&E fees for ESRDs and outpatient clinical service facilities, and total fees for site work) is: the Professional Services and Fees Handbook for Centralized Fee Negotiation published by the Capital Development Board, 401 South Spring Street, Springfield, Illinois 62706. HFPB shall, for all calculations, consider the latest version of the handbook as released on the Capital Development Board website.

A) Projects or Components of Projects Involving New Construction

<u>Total Amount of Construction and Contingencies</u>	<u>A&E Fees for Hospitals, LTC Facilities, ASTCs</u>	<u>A&E Fees for ESRDs, Outpatient Clinical Service Facilities</u>	<u>Total Fees for Site Work</u>
<u>under \$100,000</u>	<u>10.59-15.89%</u>	<u>9.75-14.63%</u>	<u>7.99-13.70%</u>
<u>\$200,000</u>	<u>9.99-14.99%</u>	<u>9.15-13.73%</u>	<u>7.46-12.78%</u>
<u>\$300,000</u>	<u>9.48-14.22%</u>	<u>8.64-12.96%</u>	<u>6.99-11.99%</u>
<u>\$400,000</u>	<u>9.03-13.55%</u>	<u>8.19-12.29%</u>	<u>6.59-11.30%</u>
<u>\$500,000</u>	<u>8.65-12.99%</u>	<u>7.80-11.72%</u>	<u>6.26-10.72%</u>
<u>\$700,000</u>	<u>8.21-12.33%</u>	<u>7.36-11.06%</u>	<u>5.86-10.05%</u>
<u>\$900,000</u>	<u>7.89-11.85%</u>	<u>7.05-10.59%</u>	<u>5.57-9.55%</u>
<u>\$1,000,000</u>	<u>7.79-11.69%</u>	<u>6.95-10.43%</u>	<u>5.48-9.40%</u>

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<u>\$1,250,000</u>	<u>7.62-11.44%</u>	<u>6.77-10.17%</u>	<u>5.33-9.14%</u>
<u>\$1,500,000</u>	<u>7.49-11.25%</u>	<u>6.64-9.98%</u>	<u>5.21-8.94%</u>
<u>\$1,750,000</u>	<u>7.36-11.06%</u>	<u>6.53-9.81%</u>	<u>5.10-8.74%</u>
<u>\$2,500,000</u>	<u>7.06-10.60%</u>	<u>6.22-9.34%</u>	<u>4.83-8.27%</u>
<u>\$3,000,000</u>	<u>6.89-10.35%</u>	<u>6.04-9.08%</u>	<u>4.67-8.00%</u>
<u>\$5,000,000</u>	<u>6.42-9.64%</u>	<u>5.57-8.37%</u>	<u>4.25-7.29%</u>
<u>\$7,000,000</u>	<u>6.11-9.17%</u>	<u>5.27-7.91%</u>	<u>3.97-6.80%</u>
<u>\$9,000,000</u>	<u>5.94-8.92%</u>	<u>5.09-7.65%</u>	<u>3.82-6.55%</u>
<u>\$10,000,000</u>	<u>5.90-8.86%</u>	<u>5.05-7.59%</u>	<u>3.78-6.48%</u>
<u>\$15,000,000</u>	<u>5.76-8.66%</u>	<u>4.94-7.42%</u>	<u>3.69-6.33%</u>
<u>\$20,000,000</u>	<u>5.64-8.48%</u>	<u>4.84-7.28%</u>	<u>3.62-6.20%</u>
<u>\$25,000,000</u>	<u>5.52-8.28%</u>	<u>4.75-7.13%</u>	<u>3.56-6.10%</u>
<u>\$30,000,000</u>	<u>5.37-8.07%</u>	<u>4.63-6.95%</u>	<u>3.48-5.96%</u>
<u>\$40,000,000</u>	<u>5.12-7.68%</u>	<u>4.42-6.64%</u>	<u>3.34-5.73%</u>
<u>\$50,000,000</u>	<u>4.86-7.30%</u>	<u>4.22-6.34%</u>	<u>3.19-5.48%</u>
<u>\$100,000,000</u> and over	<u>3.59-5.39%</u>	<u>3.16-4.74%</u>	<u>2.46-4.21%</u>

B) Projects or Components of Projects Involving Modernization

<u>Total Amount of Construction and Contingencies</u>	<u>A&E Fees for Hospitals, LTC facilities, ASTCs</u>	<u>A&E Fees for ESRDs, Outpatient Clinical Service facilities</u>	<u>Total Fees for Site Work</u>
<u>under \$100,000</u>	<u>10.76-16.16%</u>	<u>9.92-14.88%</u>	<u>8.12-13.92%</u>
<u>\$200,000</u>	<u>10.16-15.26%</u>	<u>9.31-13.97%</u>	<u>7.58-13.00%</u>
<u>\$300,000</u>	<u>9.65-14.49%</u>	<u>8.80-13.20%</u>	<u>7.12-12.21%</u>
<u>\$400,000</u>	<u>9.20-13.80%</u>	<u>8.34-12.52%</u>	<u>6.71-11.51%</u>
<u>\$500,000</u>	<u>8.81-13.23%</u>	<u>7.96-11.94%</u>	<u>6.37-10.92%</u>
<u>\$700,000</u>	<u>8.36-12.56%</u>	<u>7.50-11.26%</u>	<u>5.97-10.23%</u>
<u>\$900,000</u>	<u>8.04-12.06%</u>	<u>7.18-10.78%</u>	<u>5.67-9.73%</u>
<u>\$1,000,000</u>	<u>7.93-11.91%</u>	<u>7.08-10.62%</u>	<u>5.58-9.57%</u>
<u>\$1,250,000</u>	<u>7.76-11.66%</u>	<u>6.90-10.36%</u>	<u>5.43-9.31%</u>
<u>\$1,500,000</u>	<u>7.63-11.45%</u>	<u>6.76-10.16%</u>	<u>5.31-9.10%</u>
<u>\$1,750,000</u>	<u>7.50-11.26%</u>	<u>6.65-9.99%</u>	<u>5.20-8.91%</u>
<u>\$2,000,000</u>	<u>7.40-11.12%</u>	<u>6.54-9.82%</u>	<u>5.10-8.75%</u>

HEALTH FACILITIES PLANNING BOARD

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<u>\$2,500,000</u>	<u>7.19-10.79%</u>	<u>6.34-9.52%</u>	<u>4.91-8.43%</u>
<u>\$3,000,000</u>	<u>7.02-10.54%</u>	<u>6.16-9.24%</u>	<u>4.76-8.15%</u>
<u>\$5,000,000</u>	<u>6.54-9.82%</u>	<u>5.68-8.52%</u>	<u>4.33-7.42%</u>
<u>\$7,000,000</u>	<u>6.22-9.34%</u>	<u>5.36-8.06%</u>	<u>4.04-6.93%</u>
<u>\$9,000,000</u>	<u>6.04-9.08%</u>	<u>5.19-7.79%</u>	<u>3.89-6.67%</u>
<u>\$10,000,000</u>	<u>6.00-9.02%</u>	<u>5.15-7.73%</u>	<u>3.85-6.61%</u>
<u>\$15,000,000</u>	<u>5.87-8.81%</u>	<u>5.04-7.56%</u>	<u>3.76-6.45%</u>
<u>\$20,000,000</u>	<u>5.74-8.62%</u>	<u>4.93-7.41%</u>	<u>3.69-6.32%</u>
<u>\$25,000,000</u>	<u>5.62-8.44%</u>	<u>4.84-7.26%</u>	<u>3.63-6.21%</u>
<u>\$30,000,000</u>	<u>5.48-8.22%</u>	<u>4.72-7.08%</u>	<u>3.54-6.07%</u>
<u>\$40,000,000</u>	<u>5.21-7.83%</u>	<u>4.50-6.76%</u>	<u>3.41-5.84%</u>
<u>\$50,000,000</u>	<u>4.95-7.43%</u>	<u>4.30-6.46%</u>	<u>3.25-5.58%</u>
<u>\$100,000,000</u> <u>and over</u>	<u>3.65-5.49%</u>	<u>3.22-4.84%</u>	<u>2.50-4.29%</u>

- 6) Capital Equipment Not Included in Construction Contracts
Standards for capital equipment not included in construction contracts are established by type of facility and are derived from the third quartile costs of previously approved projects for which data are available. The standards apply only to the following types of projects: establishment of new facilities, expansion of existing facilities (e.g., bed additions, station additions, or operating/treatment room additions), and modernization of existing facilities involving replacement of existing beds, relocation of existing facilities, replacement of ASTC operating or procedure room equipment, etc. The standards below are calculated for the year 2008. These will be inflated to the current year using the inflation of major medical equipment by the department. (Long Term Care standard includes ICF/DD.)

HFPB NOTE: Modernization includes the build out of leased space and shall include the cost of capital equipment included in the terms of the lease.

<u>Hospitals</u>	<u>LTCs</u> <u>Per Bed</u>	<u>ESRDs</u> <u>Per Station</u>	<u>ASTCs</u> <u>Per Room</u>
<u>N/A</u>	<u>\$6,491</u>	<u>\$39,945</u>	<u>\$353,802</u>

- 7) Inflation Factor

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Costs for construction and modernization contracts and equipment are to be adjusted for projected inflation. The projected inflation rate is to be calculated to the midpoint of construction. For construction midpoint of up to 3 years, the inflation rate shall be an average of the previous 3 years annual inflation rates for construction as determined by R.S Means. For construction midpoints beyond 3 years, the inflation rate shall be the lesser of this rate or 3% for the period of time beyond 3 years.

- 8) Cost Complexity Index (to be applied to hospital projects only)
The mix of service areas or departments for new construction and modernization will be adjusted by the following Cost Complexity Index:

	<u>Service Areas\Departments</u>	<u>Complexity Ratios</u>
<u>1.</u>	<u>Acute Care Beds</u>	<u>1.07</u>
<u>2.</u>	<u>ICU Beds</u>	<u>1.21</u>
<u>3.</u>	<u>Diagnostic And Therapeutic (High)</u>	<u>1.23</u>
<u>4.</u>	<u>Diagnostic And Therapeutic (Medium)</u>	<u>1.11</u>
<u>5.</u>	<u>Diagnostic And Therapeutic (Low)</u>	<u>0.97</u>
<u>6.</u>	<u>Clinical Storage, Processing And Distribution</u>	<u>0.95</u>
<u>7.</u>	<u>Administrative</u>	<u>0.79</u>
<u>8.</u>	<u>Non-Clinical Storage, Processing And Distribution</u>	<u>0.72</u>
<u>9.</u>	<u>Public/Amenities</u>	<u>0.95</u>
<u>10.</u>	<u>Building Components</u>	<u>0.73</u>

For purposes of the Cost Complexity Index table only, the following definitions apply:

- 1) "Acute Care Beds" – bed-related clinical service areas including departments/service areas such as, but not limited to, medical-surgical bed units, labor delivery recovery or labor delivery recovery postpartum units, obstetrics nursing bed units, newborn nursery units, rehabilitation bed units, pediatrics bed units, acute mental illness bed units, long-term care acute bed units, skilled nursing units and other related service areas.

HEALTH FACILITIES PLANNING BOARD

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- 2) "ICU Beds" – intensive care bed unit clinical service areas including departments/service areas such as, but not limited to, medical intensive care, surgical intensive care, burn intensive care, pediatric intensive care, neonatal intensive care units and other related service areas.
- 3) "Diagnostics and Treatment High Resource Intensive" – clinical service areas including departments/service areas such as diagnostic and imaging radiology with fixed equipment like MRI, nuclear medicine, cardiac catheterization, interventional radiology, surgery, vascular laboratory, radiation oncology, operating rooms (Class C), C-section and other related service areas.
- 4) "Diagnostics and Treatment Medium Resource Intensive" – clinical service areas including departments/service areas such as, but not limited to, emergency department, Phase II recovery, clinical laboratory, surgical procedure rooms (Class B), gastro-intestinal laboratory procedures, observation rooms and other related service areas.
- 5) "Diagnostics and Treatment Low Resource Intensive" – clinical service areas including departments/service areas such as, but not limited to, pharmacy, neuro-diagnostics, PT/OT/speech, respiratory therapy, cardiac rehabilitation, cardiac diagnostics, in-patient dialysis, express testing, infusion/transfusion, partial hospital program (outpatient treatment) and other examination room related service areas.
- 6) "Clinical Storage, Processing and Distribution" – clinical service areas including, but not limited to, central sterile processing, pharmacy, biomedical engineering, autopsy, morgue and other related service areas.
- 7) "Administrative" – non-clinical service areas or office-based departments/service areas including, but not limited to, administration/business office, medical library, medical records, human resources, marketing, meeting rooms, family services, registration, admissions, on-call rooms, patient resource coordination center, care management, emergency medical service offices, security, volunteer services, information systems, foundation office and accounting and other related service areas.

HEALTH FACILITIES PLANNING BOARD

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- 8) "Non-Clinical Storage, Processing and Distribution" – non-clinical service areas including departments/service areas such as, but not limited to, storage, helicopter pads, employee facilities, materials management (offices and warehouses), linen holding, housekeeping, shop, ambulance garage, print shop/copy room, maintenance, kitchen/food services, transportation and other related service areas.
- 9) "Public/Amenities" – non-clinical service areas including, but not limited to, lobbies, vertical circulation, reception, gift shop, community meeting rooms and other related service areas.
- 10) "Building Components" – non-clinical service area components or grossing factors including, but not limited to, exterior walls, HVAC, parking garages, boiler plant and other related service areas.

b) Financial Viability Standards1) Current Ratio = Current Assets/Current Liabilities

<u>Type of Hospital:</u>	<u>Standard</u>
<u>Not-For-Profit, System</u>	<u>2.0 or more</u>
<u>Not-For-Profit, Non-System</u>	<u>2.0 or more</u>
<u>For Profit, System</u>	<u>2.0 or more</u>
<u>For-Profit, Non-system</u>	<u>2.0 or more</u>
<u>Governmental</u>	<u>2.0 or more</u>

Type of Long Term Care (including ICF/DD) Facilities:

<u>Not-For-Profit, System</u>	<u>1.5 or more</u>
<u>Not-For-Profit, Non-System</u>	<u>1.5 or more</u>
<u>For-Profit, System</u>	<u>1.5 or more</u>
<u>For-Profit, Non-System</u>	<u>1.5 or more</u>
<u>Governmental</u>	<u>1.5 or more</u>

End Stage Renal Dialysis Facilities 1.5 or more

Ambulatory Surgical Treatment Centers 1.5 or more

HEALTH FACILITIES PLANNING BOARD

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2) Net Margin Percentage = (Net Income/Net Operating Revenues) X 100

<u>Type of Hospital:</u>	<u>Standard</u>
<u>Not-For-Profit, System</u>	<u>3.0% or more</u>
<u>Not-For-Profit, Non-System</u>	<u>3.0% or more</u>
<u>For Profit, System</u>	<u>5.0% or more</u>
<u>For-Profit, Non-system</u>	<u>5.0% or more</u>
<u>Governmental</u>	<u>0% or more</u>

Type of Long Term Nursing Care (including ICF/DD) Facilities:

<u>Not-For-Profit, System</u>	<u>2.5% or more</u>
<u>Not-For-Profit, Non-system</u>	<u>2.5% or more</u>
<u>For-Profit, System</u>	<u>2.5% or more</u>
<u>For-Profit, Non-system</u>	<u>2.5% or more</u>
<u>Governmental</u>	<u>0% or more</u>

End Stage Renal Dialysis Facilities 3.5% or more

Ambulatory Surgical Treatment Centers 3.5% or more

HFPB NOTE: Net Margin Percentage for FOR-PROFITS is before the provision for income taxes. Net income is the excess of revenues over expenses from operations, before non-recurring income/expense.

3) Long-Term Debt to Capitalization = (Long-Term Debt/Long-Term Debt plus Net Assets) X 100

<u>Type of Hospital:</u>	<u>Standard</u>
<u>Not-For-Profit, System</u>	<u>30% or less</u>
<u>Not-For-Profit, Non-System</u>	<u>30% or less</u>
<u>For-Profit, System</u>	<u>10% or less</u>
<u>For-Profit, Non-System</u>	<u>10% or less</u>

HEALTH FACILITIES PLANNING BOARD

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<u>Governmental</u>	<u>NA</u>
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Type of Long-term Nursing Care (including ICB/DD) Facilities:

<u>Not-For-Profit, System</u>	<u>80% or less</u>
<u>Not-For-Profit, Non-system</u>	<u>80% or less</u>
<u>For-Profit, System</u>	<u>50% or less</u>
<u>For-Profit, Non-system</u>	<u>50% or less</u>
<u>Governmental</u>	<u>NA</u>

<u>End Stage Renal Dialysis Facilities</u>	<u>80% or less</u>
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<u>Ambulatory Surgical Treatment Centers</u>	<u>80% or less</u>
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HFPB NOTE: For long-term care facilities and for-profit facilities, the applicant shall explain the rationale of the use of debt rather than the issuance of stock (if this is the case).

- 4) Projected Debt Service Coverage = Net Income plus (Depreciation plus Interest plus Amortization)/Principal Payments plus Interest Expense for the Year of Maximum Debt Service after Project Completion

<u>Type of Hospital:</u>	<u>Standard</u>
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<u>Not-For-Profit, System</u>	<u>2.5 or more</u>
<u>Not-For-Profit, Non-System</u>	<u>2.5 or more</u>
<u>For-Profit, System</u>	<u>2.5 or more</u>
<u>For-Profit, Non-System</u>	<u>2.5 or more</u>
<u>Governmental</u>	<u>2.5 or more</u>

Type of Long-term Nursing Care (including ICF/DD) Facilities:

<u>Not-For-Profit, System</u>	<u>1.5 or more</u>
<u>Not-For-Profit, Non-system</u>	<u>1.5 or more</u>
<u>For-Profit, System</u>	<u>1.5 or more</u>
<u>For-Profit, Non-system</u>	<u>1.5 or more</u>
<u>Governmental</u>	<u>1.5 or more</u>

HEALTH FACILITIES PLANNING BOARD

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applicant includes funds available from a line of credit, documentation shall be provided regarding the terms and conditions of the line.

- 6) Cushion Ratio = (Cash plus Investments plus Board Designated Funds)/(Principal Payments plus Interest Expense) for the year of maximum debt service after project completion

Type of Hospital: Standard

Not-For-Profit, System 7.0 or more

Not-For-Profit, Non-System 7.0 or more

For-Profit, System 7.0 or more

For-Profit, Non-System 7.0 or more

Governmental NA

Type of Long-term Nursing Care (including ICF/DD) Facilities:

Not-For-Profit, System 3.0 or more

Not-For-Profit, Non-system 3.0 or more

For-Profit, System 3.0 or more

For-Profit, Non-system 3.0 or more

Governmental NA

End Stage Renal Dialysis Facilities 3.0 or more

Ambulatory Surgical Treatment Centers 3.0 or more

~~Review Criterion 1120.210(a), Financial Viability~~

~~Current Ratio = Current Assets/Current Liabilities 1.5~~

~~Net Margin Percentage or Net Excess Margin = Net income/Net operating revenue X 100% 3.5% for hospitals and facilities other than long term care 2.5% for long term care facilities~~

~~Percent Debt to Total Capitalization = Long-term debt/Long term debt and unrestricted 60% for hospitals 80% for other facilities~~

HEALTH FACILITIES PLANNING BOARD

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~~fund balance X 100%~~

~~Projected Debt Service Coverage = Net Income + Depreciation + Interest + Amortization/Principal and Interest (for year of maximum debt service after project completion) 1.75 for hospitals and facilities other than long-term care 1.50 for long-term care facilities~~

~~Days Cash on Hand = Cash and Investments + Board Designated Funds/Operating Expense - Depreciation Expense/365 90 days for hospitals 75 days for long-term care facilities 45 days for ambulatory surgical treatment centers, end-stage renal disease facilities, and ICF/DD facilities~~

~~Cushion Ratio = Cash and Investments + Board Designated Funds/Maximum Annual Debt Service 5 for hospitals and facilities other than long-term care 3 for long-term care facilities~~

~~BOARD NOTE: If an applicant operates a hospital and other health care facility(ies) and has combined or consolidated financial statements, all of the hospital standards in this table shall apply to the applicant.~~

~~Review Criterion 1120.310(e), Reasonableness of Project and Related Costs~~

~~Construction and Modernization Costs (per gross square foot)~~

	Hospitals	Gen. LTC	ICF/DD	ESRDs	ASTCs
New Construction Costs	Adjusted Third Quartile from Means	Adjusted Third Quartile from Means	\$130.64	\$133.67	\$200.58
Modernization Costs	70% of above figure	70% of above figure		\$98.03	\$125.06

~~BOARD NOTE: Standards are based upon 2000 data and will be adjusted (inflated or deflated by the lesser of 3% or the latest capital expenditure inflation factor as published pursuant to 77 Ill. Adm. Code 1130.Appendix A) for review purposes to the first fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to 77 Ill. Adm. Code 1100, whichever is later.~~

HEALTH FACILITIES PLANNING BOARD

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Contingencies

Type of Drawing	New Construction	Remodeling
Working drawings/schematics	10%	10-15%
Preliminary working drawings	7%	7-10%
Final working drawings	3-5%	5-7%

CAPITAL DEVELOPMENT BOARD
~~BASIC RATE and/or FIXED FEE SCHEDULE
 FOR ARCHITECTURAL and ENGINEERING COSTS~~

Construction and Contingencies Cost	Hospitals, Nursing Facilities, Developmental Centers, ASTCs, Mental Illness, Laboratories	ESRD, Sheltered Care, Dietary, Laundry, Classrooms, Office Buildings	Site Work
<\$ 100,000	8.00%-15.40%	7.30%-14.15%	6.60%-12.90%
\$ 200,000	7.70%-15.25%	6.95%-13.95%	6.30%-12.70%
\$ 300,000	7.40%-14.90%	6.70%-13.65%	6.10%-12.40%
\$ 400,000	6.80%-14.00%	6.10%-12.75%	5.50%-10.95%
\$ 500,000	6.30%-13.10%	5.65%-11.90%	5.00%-10.70%
\$ 625,000	5.75%-12.65%	5.10%-11.45%	4.60%-10.20%
\$ 750,000	5.40%-12.30%	4.85%-11.10%	4.30%-9.95%
\$ 875,000	5.20%-12.10%	4.50%-10.90%	4.05%-9.70%
\$ 1,000,000	5.00%-11.80%	4.35%-10.55%	3.95%-9.35%
\$ 1,250,000	4.80%-11.30%	4.20%-10.10%	3.75%-9.00%
\$ 1,500,000	4.65%-11.00%	4.05%-9.80%	3.60%-8.65%
\$ 2,000,000	4.50%-10.70%	3.90%-9.50%	3.45%-8.30%
\$ 2,500,000	4.40%-10.25%	3.80%-9.15%	3.40%-7.95%
\$ 3,000,000	4.35%-9.95%	3.75%-8.75%	3.30%-7.70%
\$ 4,000,000	4.30%-9.60%	3.70%-8.45%	3.25%-7.35%
\$ 5,000,000	4.25%-9.25%	3.65%-8.10%	3.15%-7.05%
\$ 7,500,000	4.10%-8.85%	3.50%-7.70%	3.00%-6.45%
\$10,000,000	3.90%-8.45%	3.30%-7.45%	2.80%-6.15%
\$15,000,000	3.75%-8.00%	3.20%-7.00%	2.70%-5.95%
\$20,000,000	3.60%-7.75%	3.10%-6.75%	2.60%-5.70%
\$25,000,000	3.45%-7.45%	2.95%-6.45%	2.50%-5.55%

HEALTH FACILITIES PLANNING BOARD

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\$30,000,000	3.25%–7.10%	2.85%–6.10%	2.40%–5.35%
\$40,000,000	3.05%–6.65%	2.45%–5.65%	2.25%–5.00%
\$50,000,000	2.70%–6.15%	2.35%–5.15%	2.05%–4.65%
>\$50,000,000	2.30%–5.80%	2.00%–5.20%	1.75%–4.45%
Construction and Contingencies Cost	Hospitals, Nursing Facilities, Developmental Centers, ASTCs, Mental Illness, Laboratories	ESRD, Sheltered Care, Dietary, Laundry, Classrooms, Office Buildings	Site Work
<\$ 100,000	7.80%–15.70%	7.00%–14.45%	6.10%–13.25%
\$ 200,000	7.45%–15.50%	6.70%–14.20%	5.85%–13.05%
\$ 300,000	7.20%–15.15%	6.50%–13.90%	5.65%–12.75%
\$ 400,000	6.55%–14.25%	5.85%–13.00%	5.05%–11.30%
\$ 500,000	6.05%–13.35%	5.40%–12.15%	4.80%–11.05%
\$ 625,000	5.50%–12.80%	4.85%–11.60%	4.35%–10.55%
\$ 750,000	5.20%–12.55%	4.55%–11.35%	4.10%–10.25%
\$ 875,000	5.00%–12.30%	4.30%–11.10%	3.85%–10.00%
\$ 1,000,000	4.80%–12.05%	4.15%–10.85%	3.80%–9.75%
\$ 1,250,000	4.60%–11.60%	4.00%–10.40%	3.70%–9.35%
\$ 1,500,000	4.40%–11.20%	3.80%–10.00%	3.60%–9.00%
\$ 2,000,000	4.25%–10.80%	3.65%–9.65%	3.50%–8.65%
\$ 2,500,000	4.20%–10.50%	3.60%–9.40%	3.40%–8.30%
\$ 3,000,000	4.15%–10.30%	3.55%–9.10%	3.30%–8.05%
\$ 4,000,000	4.10%–9.90%	3.50%–8.75%	3.20%–7.70%
\$ 5,000,000	4.05%–9.60%	3.45%–8.45%	3.05%–7.40%
\$ 7,500,000	3.90%–9.00%	3.25%–7.85%	2.95%–6.80%
\$10,000,000	3.80%–8.70%	3.10%–7.70%	2.80%–6.50%
\$15,000,000	3.70%–8.35%	3.00%–7.35%	2.70%–6.30%
\$20,000,000	3.50%–8.05%	2.80%–7.05%	2.65%–6.05%
\$25,000,000	3.40%–7.75%	2.60%–6.75%	2.55%–5.90%
\$30,000,000	3.30%–7.55%	2.50%–6.55%	2.40%–5.70%
\$40,000,000	3.25%–7.25%	2.45%–6.25%	2.30%–5.35%
\$50,000,000	2.90%–6.75%	2.65%–5.75%	2.25%–5.00%
>\$50,000,000	2.50%–6.00%	2.35%–5.40%	2.20%–4.80%

Source: ~~Professional Services and Fees Handbook for Centralized Fee Negotiation published by the Capital Development Board, 401 South Spring Street, Springfield, Illinois 62706.~~

HEALTH FACILITIES PLANNING BOARD

NOTICE OF PROPOSED AMENDMENTS

~~Review Criterion 1120.310(e), Reasonableness of Project and Related Costs~~

~~Moveable Equipment~~

Hospitals	General LTC	ICF/DD	ESRDs	ASTCs
N/A	\$5,139/bed	\$5,012/bed	\$26,485/station	\$361,743/OR

~~BOARD NOTE: Standards are based upon 2000 data and will be adjusted (inflated or deflated by the lesser of 3% or the latest capital expenditure inflation factor as published pursuant to 77 Ill. Adm. Code 1130.Appendix A) for review purposes to the first fiscal year after project completion or the first full fiscal year when the project achieves or exceeds target utilization pursuant to 77 Ill. Adm. Code 1100, whichever is later.~~

~~Review Criterion 1120.310(e), Other Project and Related Costs~~

~~Preplanning—Costs shall not exceed 1.8% of construction, contingencies and equipment costs.
Site survey and preparation—Costs shall not exceed 5.0% of construction and contingency costs.~~

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

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Procedures of the Department of Human Rights
- 2) Code Citation: 56 Ill. Adm. Code 2520
- 3) Section Number: 2520.640 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing Articles 1 through 7B of the Illinois Human Rights Act [775 ILCS 5/Arts. 1 through 7B] and the Intergovernmental Cooperation Act [5 ILCS 220], and authorized by Sections 7-101(A) and 7-105(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A) and 7-105(A)]
- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendment clarifies the Department's procedures on investigating charges filed with local agencies that have a cooperative agreement with the Department.
- 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 Objective: The proposed amendment will not affect units of local government, except for those with a cooperative agreement with the Department.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments in writing within 45 days after publication to:

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

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENT

312/814-6257 or 217/785-5125 (TTY)

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: The amendment will affect any entities subject to the Human Rights Act when a charge is filed with a unit of local government with a cooperative agreement with the Department.
 - 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: The proposed amendment was not contained in the regulatory agenda because it was unanticipated.

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

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENT

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER II: DEPARTMENT OF HUMAN RIGHTS

PART 2520

PROCEDURES OF THE DEPARTMENT OF HUMAN RIGHTS

SUBPART A: INTERPRETATIONS

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

SUBPART B: CHARGE

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

SUBPART C: PROCEDURE UPON CHARGE

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

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

SUBPART D: SETTLEMENTS

Section

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

SUBPART E: ADMINISTRATIVE CLOSURE, DISMISSAL AND DEFAULT

Section

- 2520.550 Administrative Closure
- 2520.560 Dismissal
- 2520.570 Default

SUBPART F: REQUESTS FOR REVIEW

Section

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

SUBPART G: RELATIONS WITH LOCAL HUMAN RIGHTS AGENCIES

Section

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

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

Section

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

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

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

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effective December 28, 2004; amended at 30 Ill. Reg. 1343, effective January 13, 2006; amended at 30 Ill. Reg. 13403, effective July 31, 2006; amended at 30 Ill. Reg. 18715, effective November 20, 2006; amended at 31 Ill. Reg. 12319, effective August 8, 2007; amended at 31 Ill. Reg. 14815, effective October 19, 2007; amended at 32 Ill. Reg. 13482, effective August 1, 2008; amended at 33 Ill. Reg. _____, effective _____.

SUBPART G: RELATIONS WITH LOCAL HUMAN RIGHTS AGENCIES

Section 2520.640 Nature of Cooperative Agreements

A cooperative agreement executed by and between the Department and a local agency may provide for any of the following arrangements, separately or in combination:

- a) Dual-Filing of local charges – The local agency may accept and transmit to the Department a charge over which it has jurisdiction. ~~The~~Such charges shall be accepted by the Department and docketed as Department charges if received by the Department within 180 days following the alleged discrimination and if they meet the requirements of the Act and the Department's rules. Upon acceptance of ~~such~~a charge, the Department will notify the local agency of the docket number it has assigned to the charge. The agreement may provide that the Department shall defer processing ~~such~~a charge for a period not to exceed 180 days from its receipt of the charge, during which period the local agency shall pursue investigation and resolution of the charge and notify the Department of the outcome of those efforts. This agreement shall not preclude the Department, in its discretion, from deferring action for a longer period if the local agency has nearly completed or resolved the matter.

- b) Referral of Department charges – The Department may refer to the local agency charges ~~that~~which the Department has received ~~that~~and docketed ~~which~~ allege violations also within the jurisdiction of the local agency. The local agency shall promptly notify the Department whether it has accepted the referred charge, and, if so, the docket number it has assigned to the charge. If a local agency accepts a charge, the Department shall defer processing the charge until the local agency completes its investigation and issues findings as to the charge. A local agency's notarization ("perfection") of the charge for purposes of the local agency's investigation shall not equate to "perfection" for the Department.~~The agreement may provide that, upon the local agency's acceptance of such a charge, the Department shall defer processing it for a period not to exceed 180 days from the Department's receipt of the charge, during which period the local agency shall~~

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~~pursue investigation and resolution of the charge and notify the Department of the outcome of those efforts. Upon receiving the local agency's findings, the Department shall provide the complainant the opportunity to perfect the charge and to have the Department investigate the complainant's charge. If within 35 days after receiving notice that the complainant may perfect the charge with the Department, the complainant does not notify the Department of the complainant's election to perfect the charge with the Department, the Department may close the complainant's unperfected charge. If the complainant elects to perfect the charge with the Department, at its discretion the Department may adopt the findings of the local agency. This agreement shall not preclude the Department, in its discretion, from deferring action for a longer period if it appears that the local agency has nearly completed or resolved the matter.~~

- c) Transfer of non-jurisdictional charges – The Department and the local agency may agree to transfer, from one to the other, any charges either may receive ~~that~~which are not within the recipient's jurisdiction but may be within the other's jurisdiction. The agreement shall provide that the transferee will accept and docket ~~such~~ a charge if it meets its lawful requirements for a charge and if the transfer is received within its lawful time requirement for the filing of ~~such~~ a charge. The transferee will further agree to promptly notify the transferor whether it has accepted and docketed the charge and, if so, the assigned docket number.

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

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1030.15	Amendment	33 Ill. Reg. 3965, March 20, 2009
1030.97	Amendment	33 Ill. Reg. 4559, March 27, 2009

- 11) Statement of Statewide Policy Objective: The rulemaking will not create or enlarge a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Text of the prepared amendments is posted on the Secretary of State's website, www.sos.il.us/departments/index/home as part of the *Illinois Register*. Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this Notice to:
- Arlene J. Pulley
Office of the Secretary of State
Driver Services Department
2701 South Dirksen Parkway
Springfield, Illinois 62723
- 217-557-4462
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of Professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: the need for this rulemaking was not anticipated at the time the agendas were prepared.

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

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

Section	
1030.1	Definitions
1030.10	What Persons Shall Not be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License/Temporary Visitor's Driver's License
1030.13	Denial of License or Permit
1030.14	Emergency Contact Database
1030.15	Cite for Re-testing
1030.16	Physical and Mental Evaluation
1030.17	Errors in Issuance of Driver's License/Cancellation
1030.18	Medical Criteria Affecting Driver Performance
1030.20	Classification of Drivers – References (Repealed)
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Third-Party Certification Program
1030.63	Religious Exemption for Social Security Numbers
1030.65	Instruction Permits
1030.70	Driver's License Testing/Vision Screening
1030.75	Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lenses
1030.80	Driver's License Testing/Written Test
1030.81	Endorsements
1030.82	Charter Bus Driver Endorsement Requirements
1030.83	Hazardous Material Endorsement
1030.84	Vehicle Inspection
1030.85	Driver's License Testing/Road Test
1030.86	Multiple Attempts – Written and/or Road Tests
1030.88	Exemption of Facility Administered Road Test
1030.89	Temporary Driver's Licenses and Temporary Instruction Permits
1030.90	Requirement for Photograph and Signature of Licensee on Driver's License
1030.91	Disabled Person Identification Card
1030.92	Restrictions

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1030.93	Restricted Local Licenses
1030.94	Duplicate or Corrected Driver's License or Instruction Permit
1030.95	Consular Licenses (Repealed)
1030.96	Seasonal Restricted Commercial Driver's License
1030.97	Invalidation of a Driver's License, Permit and/or Driving Privilege
1030.98	School Bus Commercial Driver's License or Instruction Permit
1030.100	Anatomical Gift Donor (Repealed)
1030.110	Emergency Medical Information Card
1030.115	Change-of-Address
1030.120	Issuance of a Probationary License
1030.130	Grounds for Cancellation of a Probationary License
1030.140	Use of Captured Images
1030.APPENDIX A	Questions Asked of a Driver's License Applicant
1030.APPENDIX B	Acceptable Identification Documents

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

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

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12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159, effective June 29, 1995; amended at 20 Ill. Reg. 3891, effective February 14, 1996; emergency amendment at 20 Ill. Reg. 8358, effective June 4, 1996, for a maximum of 150 days; emergency amendment repealed in response to an objection of the Joint Committee on Administrative Rules at 20 Ill. Reg. 14279; amended at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992, effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1686, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18400, effective December 4, 2000; amended at 25 Ill. Reg. 959, effective January 5, 2001; amended at 25 Ill. Reg. 7742, effective June 5, 2001; amended at 25 Ill. Reg. 12646, effective September 24, 2001; emergency amendment at 25 Ill. Reg. 12658, effective September 24, 2001, for a maximum of 150 days; emergency expired February 20, 2002; amended at 26 Ill. Reg. 9961, effective June 24, 2002; amended at 27 Ill. Reg. 855, effective January 3, 2003; emergency amendment at 27 Ill. Reg. 7340, effective April 14, 2003, for a maximum of 150 days; emergency expired September 10, 2003; emergency amendment at 27 Ill. Reg. 16968, effective October 17, 2003, for a maximum of 150 days; emergency expired March 14, 2004; emergency amendment at 28 Ill. Reg. 384, effective January 1, 2004, for a maximum of 150 days; emergency expired May 29, 2004; amended at 28 Ill. Reg. 8895, effective June 14, 2004; amended at 28 Ill. Reg. 10776, effective July 13, 2004; amended at 29 Ill. Reg. 920, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2469, effective January 31, 2005, for a maximum of 150 days; emergency expired June 29, 2005; amended at 29 Ill. Reg. 9488, effective June 17, 2005; amended at 29 Ill. Reg. 12519, effective July 28, 2005; amended at 29 Ill. Reg. 13237, effective August 11, 2005; amended at 29 Ill. Reg. 13580, effective August 16, 2005; amended at 30 Ill. Reg. 910, effective January 6, 2006; amended at 30 Ill. Reg. 5621, effective March 7, 2006; amended at 30 Ill. Reg. 11365, effective June 15, 2006; emergency amendment at 30 Ill. Reg. 11409, effective June 19, 2006, for a maximum of 150 days; emergency expired November 15, 2006; amended at 31 Ill. Reg. 4782, effective March 12, 2007; amended at 31 Ill. Reg. 5096, effective March 15, 2007; amended at 31 Ill. Reg. 5864, effective March 29, 2007; amended at 31 Ill. Reg. 6370, effective April 12, 2007; amended at 31

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Ill. Reg. 7643, effective May 16, 2007; amended at 31 Ill. Reg. 11342, effective July 18, 2007; amended at 31 Ill. Reg. 14547, effective October 9, 2007; amended at 31 Ill. Reg. 14849, effective October 22, 2007; amended at 31 Ill. Reg. 16543, effective November 27, 2007; amended at 31 Ill. Reg. 16843, effective January 1, 2008; emergency amendment at 32 Ill. Reg. 208, effective January 2, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 6544, effective April 4, 2008; amended at 33 Ill. Reg. 2391, effective January 21, 2009; amended at 33 Ill. Reg. _____, effective _____.

Section 1030.14 Emergency Contact Database

- a) The Illinois Secretary of State shall establish an emergency contact database. Eligible participants are any person for whom an instruction permit, driver's license, or identification card record exists and can be authenticated on the Secretary of State driver's license and identification card database.
- b) For the purposes of this Section, "emergency" is defined as a motor vehicle accident, accident involving another mode of transportation, a natural disaster, a criminal act, or similar unforeseen emergency circumstance in which a victim sustains injuries that render him or her unable to independently communicate with emergency contacts, contact information is not otherwise available, and immediate communication with a next of kin or other designated emergency contact is necessary in order to support the provision of needed emergency medical assistance or needed notification by law enforcement.
- c) Participation in the emergency contact database shall be made available through the Secretary of State's official web site and may be made available, at the discretion of the Secretary, via United States mail. The applicant/participant shall be responsible for initiation of participation in the database, and for modification of and deletion of an existing emergency contact record. Emergency contact records may otherwise be modified only to update applicant/participant name information if it is changed by the applicant/participant on the Secretary of State's driver's license and identification card database. Emergency contact records shall otherwise not be modified and shall otherwise only be deleted when the driver's license or identification record no longer exists on the Secretary of State's driver's license and identification card database.
- d) No more than two contact persons may be selected by each applicant/participant. The applicant shall be responsible for the accuracy and completeness of all information submitted.

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- e) The applicant/participant in the emergency contact database shall provide sufficient information to allow for authentication of the instruction permit, driver's license or identification card record, and shall provide sufficient information regarding each contact's name, address, telephone number if the contact has a telephone, and relationship to the applicant/participant to allow for the identification of and location of his/her chosen contacts by law enforcement accessing the database.
- f) All requests to add, modify or delete a record in the emergency contact database shall be confidential. Information contained in the emergency contact database shall only be released to law enforcement in the course of official duties or pursuant to a court order.

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

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- 1) Heading of the Part: New Teacher Induction and Mentoring
- 2) Code Citation: 23 Ill. Adm. Code 65
- 3)

<u>Section Number</u> :	<u>Proposed Action</u> :
65.20	Amendment
65.130	Amendment
65.140	Amendment
65.160	Amendment
- 4) Statutory Authority: 105 ILCS 5/21A-35
- 5) A Complete Description of the Subjects and Issues Involved: Taken together, these proposed amendments will eliminate the current focus of this program as a pilot program and restructure it along the lines of a continuing grant that will be expanded to encompass new applicants as the level of available funding permits. This change involves not only a change in the program's title but also the deletion of statements related to the three-year funding cycle and a revision indicating when requests for proposals will be issued. In addition, details are being added to certain of the program specifications, including setting the amount to be paid to each mentor. The current minimum of 10 recipient teachers is being eliminated, as is the participation of certain holders of provisional alternative certificates whose programs already entail close supervision and mentoring.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemakings 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 Objective: This rulemaking will not create or enlarge a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this Notice to:

STATE BOARD OF EDUCATION
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Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (S-493)
Springfield, Illinois 62777

217/782-5270

Comments may also be submitted via e-mail, addressed to:

rules@isbe.net

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Charter schools, which are organized as not-for-profit corporations, are eligible for participation in this program.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda in which this rulemaking was summarized: January 2009

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 65

NEW TEACHER INDUCTION AND MENTORING

SUBPART A: GENERAL PROVISIONS

Section

65.10	Purpose and Scope
65.20	Requirements of the Plan; Program Specifications

SUBPART B: BEGINNING TEACHER INDUCTION [GRANTPILOT](#) PROGRAM

Section

65.110	Purpose and Applicability
65.120	Eligible Applicants
65.130	Program Specifications
65.140	Application Procedure
65.150	Criteria for the Review of Initial Applications
65.160	Allocation of Funds

AUTHORITY: Implementing Article 21A of the School Code [105 ILCS 5/Art. 21A] and authorized by Section 21A-35 of the School Code [105 ILCS 5/21A-35].

SOURCE: Emergency rules adopted at 30 Ill. Reg. 11783, effective June 26, 2006, for a maximum of 150 days; adopted at 30 Ill. Reg. 17425, effective October 23, 2006; amended at 33 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 65.20 Requirements of the Plan; Program Specifications

- a) When State funding is available [to support new proposals](#) for any initiative under Article 21A of the School Code, the State Superintendent of Education shall issue a Request for Proposals (RFP) (or, in the case of noncompetitive funding, other application materials) in order to solicit applications from eligible entities. As used in this Part, a "proposal" or "application" means relevant portions of a plan

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for an induction and mentoring program that meets the requirements of Section 21A-20 of the School Code [105 ILCS 5/21A-20], accompanied by the additional materials applicants will be required to submit, as described in the relevant Subpart of this Part.

- b) Each plan shall conform to the requirements of Section 21A-20 of the School Code. In order to demonstrate the alignment required by Section 21A-20(2) of the School Code, each plan shall discuss the relationship among the services and experiences that will be available to new teachers, the content-area standards applicable to their respective fields of certification or assignment (see 23 Ill. Adm. Code 26 and 27), the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24), and the employing entity's existing plans for school improvement and professional development.

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

SUBPART B: BEGINNING TEACHER INDUCTION ~~GRANT~~ PROGRAM**Section 65.130 Program Specifications**

- a) Each program supported with grant funds under this Subpart B shall incorporate:
- 1) mentoring for new teachers that is provided by experienced teachers who have received training to equip them for this role;
 - 2) professional development for recipient teachers, mentors, and administrators who have roles in the program; and
 - 3) formative assessment of new teachers' practice with respect to the Illinois Professional Teaching Standards and the content-area standards relevant to their respective fields of assignment.
- b) ~~Each program shall serve no fewer than 10 new teachers.~~ Each program shall serve no more than 75 new teachers, unless a specific rationale is provided that demonstrates how each new teacher will receive comparable and adequate attention and support.
- c) Each new teacher shall, at the time he or she begins the program, have less than two years' teaching experience and hold an initial or a provisional early childhood, elementary, secondary, special K-12, or special preschool-age 21

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~~certificate. Each new teacher shall, at the time he or she begins the program, be in his or her first year of teaching. Each shall hold an initial certificate, except that a provisional or alternative certificate that is not also titled an "initial" certificate shall be treated as an initial certificate if the holder will qualify for an initial certificate rather than a standard certificate upon completion of all applicable requirements.~~

- d) Each program shall be designed to ensure that each new teacher spends no less than 75 hours in face-to-face contact~~1.5 hours per week in contact~~ with the mentor assigned, either one on one or in another configuration, including both classroom observation of the new teacher by the mentor and other interactions between these individuals. Each mentor who provides at least 75 hours of mentoring service in a grant year shall be paid \$1,200 from grant funds awarded pursuant to this Part.
- e) Each program shall provide for the development of an individual induction plan for each new teacher served and for the provision of professional development that is directly related to the needs identified in the individual plan.

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

Section 65.140 Application Procedure

For purposes of this Subpart, the terms "proposal" and "application" shall have the same meaning.

- a) When State funding is available for new grants under this Subpart, the State Superintendent of Education shall issue a Request for Proposals (RFP) in order to solicit applications from eligible entities.
- b) The RFP shall describe the format that applicants will be required to follow and the information they will be required to submit, including a description of the proposed program, identification of the specific schools in which the induction~~pilot~~ program will be conducted, and the number of new teachers and mentors involved.
- c) The RFP shall indicate the amount or expected amount of the appropriation for the program and shall describe the allowable expenditures and the basis for awarding grants. If matching funds or resources will be required of applicants, the RFP shall describe these requirements.

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- d) The RFP shall include a budget summary and payment schedule, as well as a narrative budget breakdown, i.e., a detailed explanation of each line item of expenditure.
- e) The RFP shall identify the data recipients will be required to collect and report regarding the activities conducted with grant funds and the results of those activities, as well as the timelines for reporting.
- f) The RFP shall include such certifications and assurances as the State Superintendent may require.
- g) The RFP shall specify the deadline for submission of proposals, which shall provide potential applicants with at least 30 days to respond.
- h) Separate applications shall be required for renewal of grant funding. Each application for renewal shall include at least:
 - 1) a description of expenditures and activities during the year just concluded, demonstrating that the project has been implemented in conformance with the approved grant agreement and that the recipient continues to exhibit need for grant funds for this purpose; and
 - 2) an updated budget summary and payment schedule for the renewal year, including a narrative budget breakdown.
- i) Incomplete proposals shall not be considered.

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

Section 65.160 Allocation of Funds

- a) The State Superintendent of Education shall approve initial applications for funding and make final determinations regarding the amounts to be provided based upon the total funds appropriated for this initiative, the amounts necessary to fund the top-ranked proposals, and the need to distribute the benefits of innovative induction models on a statewide basis.
- b) It is the intention of the State Board of Education to approve continuation funding for projects under this Part prior to providing funding for new applicants for a three-year period. Funding for existing grantees for each year the second and third

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~~years~~ shall be contingent upon the availability of funds for the program and evidence presented in renewal proposals that the projects have been implemented in accordance with the approved grant agreements and that the recipients continue to need additional State resources in order to implement their ~~pilot~~ programs. If funds remain available for new programs, an RFP shall be issued as provided in Section 65.140 of this Part.

- e) ~~An entity that has received three years' funding under this Subpart B may subsequently apply as a new applicant.~~

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

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

<u>Section Numbers</u> :	<u>Proposed Action</u> :
100.120	Amendment
100.130	New Section
100.TABLE C	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1
- 5) A Complete Description of the Subjects and Issues Involved: These amendments provide for uniformity in accounting for the federal funds that Illinois school districts will receive under the American Recovery and Reinvestment Act of 2009. New account numbers are being established so that the specific federal sources of funding can be tracked and so that expenditures related to those funds can be distinguished from expenditures of funds from the same sources that were received in the normal course of the federal budget process. In addition, new Section 100.130 will provide districts with information about what to expect as a result of their receipt of this federal funding. This rule identifies basic information related to the topics already covered by Part 100: accounting, budgeting, financial reporting, and auditing.
- 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? Yes
- 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 Objective: This rulemaking will not create or enlarge a State mandate.

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- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this Notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street (S-493)
Springfield, Illinois 62777

217/782-5270

Comments may also be submitted via e-mail, addressed to:

rules@isbe.net

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent Agendas because: the ramifications of Illinois' receipt of federal stimulus funds have only been clarified in recent weeks.

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
 SUBTITLE A: EDUCATION
 CHAPTER I: STATE BOARD OF EDUCATION
 SUBCHAPTER c: FINANCE

PART 100
 REQUIREMENTS FOR ACCOUNTING, BUDGETING,
 FINANCIAL REPORTING, AND AUDITING

Section

100.10	Purpose and Applicability
100.20	Definitions
100.30	General Requirements
100.40	Types of Funds, Basis of Accounting, and Recognition of Transactions
100.50	Intra-Fund and Inter-Fund Transactions
100.60	Capital Assets and Depreciation
100.70	Revolving Funds
100.80	Student Activity Funds
100.90	Submission of Budgets and Deficit Reduction Plans
100.100	Annual Financial Reports
100.110	Annual Audit Requirements
100.120	Provisions Related to Debt
<u>100.130</u>	<u>Requirements Specific to Funds Received Pursuant to the American Recovery and Reinvestment Act of 2009</u>
100.TABLE A	Classification of Funds
100.TABLE B	Balance Sheet Accounts
100.TABLE C	Revenue Accounts
100.TABLE D	Expenditure Accounts
100.TABLE E	"Sources and Uses" Accounts; Miscellaneous
100.TABLE F	Expenditure Object Accounts

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

SOURCE: Old Part repealed at 10 Ill. Reg. 20507, effective December 2, 1986; new Part adopted at 31 Ill. Reg. 14874, effective October 19, 2007; amended at 32 Ill. Reg. 16439, effective September 24, 2008; emergency amendment at 33 Ill. Reg. _____, effective April 17, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. _____, effective _____.

Section 100.120 Provisions Related to Debt

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

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

Section 100.130 Requirements Specific to Funds Received Pursuant to the American Recovery and Reinvestment Act of 2009

This Section applies only to funds received pursuant to P.L. 111-5, the American Recovery and Reinvestment Act of 2009 (ARRA).

- a) Accounting: Treatment of Funds

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- 1) Records of expenditures shall identify the source of the ARRA funds by using the account numbers set forth in Table C of this Part, as well as the applicable funds, functions, and object classes, using the account numbers set forth in Tables A, D, and F of this Part, respectively.
- 2) ARRA General State Aid funds received in account number 4850 (see Table C of this Part) may be deposited into any fund other than the Working Cash Fund and may be spent for any lawful purpose, except as limited by Section 14003 of ARRA. That Section prohibits a local education agency from using Education Stabilization funds for:
 - A) payment of maintenance costs;
 - B) stadiums or other facilities used primarily for athletic contests, exhibitions, or other events for which admission is charged to the general public;
 - C) purchasing or upgrading vehicles;
 - D) improvements to stand-alone facilities whose purpose is not the education of children, including facilities housing central office administration, operations, or logistical support functions; or
 - E) school modernization, renovation, or repair that is inconsistent with State law.
- 3) No Education Stabilization funds or Government Services funds may be used to provide financial assistance to students to attend private elementary or secondary schools, unless the funds are used to provide special education and related services to children with disabilities as authorized by the Individuals with Disabilities Education Improvement Act. (See Section 14011 of ARRA)
- 4) Funds received under any other account number in the range from 4851 through 4880 shall be expended only for the purposes authorized by the relevant federal law, regulations, and guidance.

b) Budgeting

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Each local education agency intending to spend ARRA funds during Fiscal Year 2009 shall amend its budget as necessary, pursuant to the provisions of Section 17-1 of the School Code [105 ILCS 5/17-1] and shall submit the amended budget to the State Superintendent of Education pursuant to Section 100.90 of this Part. Subsequent annual budgets shall address the receipt and disbursement of ARRA funds as provided in Section 17-1 and applicable federal regulations and guidance.

c) Financial Reporting

In order to comply with federal reporting requirements, each local education agency receiving funds under ARRA shall include in its annual financial report, in addition to all other requirements set forth in Section 100.100 of this Part, a detailed schedule of its receipts and disbursements of those funds, as distinct from any other receipts and expenditures for the same purposes made from other sources of funds.

d) Auditing

1) The receipt and disbursement of ARRA funds shall be subject to the audit requirements of Section 100.110 of this Part. In addition to the other applicable requirements of Section 100.110 of this Part, the scope of each audit shall include the schedule of receipts and disbursements required under subsection (c) of this Section.

2) Each local education agency receiving ARRA funds shall review its amended budget to determine whether its increased expenditure of federal funds will make the agency subject to the audit requirements of OMB Circular A-133 (available at www.whitehouse.gov/omb/circulars/index.html) and, if so, shall maintain records accordingly.

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

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Section 100.TABLE C Revenue Accounts

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

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

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

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

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

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Adult Tuition from Other Districts (In-State)	1352	
Adult Tuition from Other Sources (In-State)	1353	
Adult Tuition from Other Sources (In-State)	1354	

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

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

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

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

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

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Payments of Surplus Moneys from TIF Districts	1960	Amounts received from distributions from Tax Increment Financing districts.
Drivers' Education Fees	1970	105 ILCS 5/27-23.
Proceeds from Vendors' Contracts	1980	Proceeds received pursuant to contracts between the district and various vendors.
School Facility Occupation Tax Proceeds	1983	Amounts received from distributions of School Facility Occupation Tax proceeds.
Payment from Other Districts	1991	Amounts representing a district's share of special education or career and technical education building costs.
Sale of Vocational Projects	1992	Amounts representing gain from the sale of vocational projects.
Other Local Fees	1993	Amounts assessed or received from local sources for district programs not classified elsewhere (describe and itemize).
Other Local Revenues	1999	Amounts received from local sources not provided for elsewhere in the 1000 series of accounts.

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

RECEIPTS/REVENUE FROM STATE SOURCES	3000	
General State Aid Section 18-8.05 (GSA)	3001	105 ILCS 5/18-8.05.
General State Aid Hold Harmless/Supplemental	3002	105 ILCS 5/18-8.05j.

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Reorganization Incentives – Deficit Fund Balance	3005	105 ILCS 5/18-8.3.
Reorganization Incentives – Attendance	3010	105 ILCS 5/18-8.05i.
Reorganization Incentives – Salary Difference	3015	105 ILCS 5/18-8.2.
Reorganization Incentives – Certified Salary	3020	105 ILCS 5/18-8.5.
Reorganization Incentives – Feasibility Studies	3021	Amounts received pursuant to appropriations for this purpose.
GSA Fast Growth District Grants	3030	105 ILCS 5/18-8.10.
Emergency Financial Assistance Grants	3050	105 ILCS 5/1B-8 and 1F-62.
Tax Equivalent Grants	3055	105 ILCS 5/18-4.4.
GSA Transition Assistance	3095	Amounts received pursuant to appropriations for this purpose.
Other Unrestricted Grants-In-Aid from State Sources	3099	Amounts received pursuant to other appropriations (describe and itemize).
Special Education – Private Facility Tuition	3100	105 ILCS 5/14-7.02.
Special Education – Extraordinary	3105	105 ILCS 5/14-7.02a.
Special Education – Personnel	3110	105 ILCS 5/14-13.01.
Special Education – Orphanage – Individual	3120	105 ILCS 5/14-7.03.
Special Education – Orphanage – Summer	3130	105 ILCS 5/14-7.03.
Special Education – Summer School	3145	105 ILCS 5/18-4.3.
Philip J. Rock Center and School	3155	105 ILCS 5/14-11.02.

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Educational Materials Center	3156	105 ILCS 5/14-11.01.
Special Education – Other	3199	Amounts received pursuant to other appropriations (describe and itemize).
Career and Technical Education (CTE) – Tech Prep	3200	105 ILCS 5/2-3.115.
CTE – Secondary Program -Improvement (CTEI)	3220	105 ILCS 435.
CTE – WECEP	3225	105 ILCS 5/2-3.66a.
CTE – Agriculture Education	3235	105 ILCS 5/2-3.80.
CTE – Instructor Practicum	3240	105 ILCS 5/2-3.68.
CTE – Student Organizations	3270	Amounts received pursuant to appropriations for student organizations.
CTE – Other	3299	Amounts received pursuant to other appropriations (describe and itemize).
Bilingual Education – Downstate – TPI and TBE	3305	105 ILCS 5/14C-12.
Bilingual Education – Downstate – Transitional Bilingual Education	3310	105 ILCS 5/14C-12.
Gifted Education	3350	105 ILCS 5/Art. 14A.
State Free Lunch and Breakfast	3360	105 ILCS 125/2.
School Breakfast Initiative	3365	105 ILCS 125/2.5.
Driver Education	3370	105 ILCS 5/27-24.2.
Adult Education (from ICCB)	3410	Amounts received from the Community College Board; 105 ILCS 405.
Adult Education – Other	3499	Amounts received pursuant to other appropriations (describe and itemize).
Transportation – Regular/Vocational	3500	105 ILCS 5/29-5.
Transportation – Special Education	3510	105 ILCS 5/14-13.01b.

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Transportation – ROE Bus Driver Training	3520	105 ILCS 5/3-14.23.
Transportation – Other	3599	Amounts received pursuant to other appropriations (describe and itemize).
Learning Improvement – Change Grants	3610	105 ILCS 5/2-3.25, 2-3.63, and 2-3.64.
National Board Certification	3651	105 ILCS 5/21-27.
Administrators Academy	3655	105 ILCS 5/2-3.53.
Scientific Literacy	3660	105 ILCS 5/2-3.94.
Truants' Alternative and Optional Education	3695	105 ILCS 5/2-3.66.
Regional Safe Schools	3696	105 ILCS 5/13A-8.
Early Childhood – Block Grant	3705	105 ILCS 5/1C-2 and 2-3.71.
Reading Improvement Block Grant	3715	105 ILCS 5/2-3.51.
Reading Improvement Block Grant – Reading Recovery	3720	Amounts received from the 2% set-aside under 105 ILCS 5/2-3.51.
Continued Reading Improvement Block Grant	3725	105 ILCS 5/2-3.51a.
Continued Reading Improvement Block Grant	3726	Amounts received from the 2% set aside under 105 ILCS 5/2-3.51a.
ROE/ISC Operations	3730	Amounts received pursuant to 105 ILCS 5/2-3.63, 3-14.23, and 18-6.
ROE Supervisory Expense	3745	Amounts received pursuant to 105 ILCS 5/18-6.
Chicago Teachers Academy for Math & Science (TAMS)	3765	Amounts received pursuant to an appropriation for TAMS.
Chicago General Education Block Grant	3766	105 ILCS 5/1D-1.
Chicago Educational Services Block Grant	3767	105 ILCS 5/1D-1.

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School Safety and Educational Improvement Block Grant	3775	105 ILCS 5/2-3.51.5.
Technology – Learning Technology Centers	3780	105 ILCS 5/2-3.117.
Illinois Government Intern Program	3804	Funds distributed as a grant to Springfield School District 186 to support administration of this program.
State Charter Schools	3815	105 ILCS 5/Art. 27A.
Extended Learning Opportunities (Summer Bridges)	3825	105 ILCS 5/10-20.9a.
Infrastructure Improvements – Planning/Construction	3920	105 ILCS 230/5-35.
School Infrastructure – Maintenance Projects	3925	105 ILCS 230/5-100.
Regular Orphanage Tuition (18-3)	3950	105 ILCS 5/18-3.
Tax Equivalent Grants	3955	105 ILCS 5/18-4.4.
After-School Programs – Mentoring & Student Support	3960	Amounts received pursuant to appropriation.
Advanced Placement Classes	3961	Amounts received pursuant to appropriations.
Arts Education	3962	Amounts received pursuant to appropriations.
Grants to Local Governments, Community Organizations, Not-for-Profit Organizations, and Educational Facilities	3963	Amounts received pursuant to appropriations.
ISBE Special Purpose Trust Fund	3970	105 ILCS 5/2-3.127a.
Class Size Reduction Pilot Project	3981	105 ILCS 5/2-3.136.
Teacher Mentoring Pilot Project	3982	105 ILCS 5/21A-25.

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The "Grow Your Own" Teacher Education Initiative	3983	110 ILCS 48.
Education of Homeless Children and Youth State Grant Program	3984	105 ILCS 45.
Children's Mental Health Partnership	3990	105 ILCS 405/49-15.
Teacher Mentoring Pilot Project	3982	105 ILCS 5/21A-25.
State "On-behalf" Payments	3998	Reserved for on-behalf payments by the State.
Emergency Financial Assistance Grant	3999	105 ILCS 5/1B-8.
Temporary Relocation Expense Grant	3999	105 ILCS 5/2-3.77.
Other Restricted Revenue from State Sources	3999	Amounts received pursuant to other appropriations (describe and itemize).

RECEIPTS/REVENUE FROM FEDERAL SOURCES	4000	
Federal Impact Aid	4001	ESEA Title VIII – Impact Aid (CFDA 84.041).
Other Unrestricted Grants-In-Aid Received Directly from the Federal Government	4009	Amounts received pursuant to other unrestricted appropriations; describe and itemize.
Total Unrestricted Grants Received Directly from the Federal Government	4010	
Head Start	4045	Community Opportunities, Accountability, Training, and Educational Services Act of 1998, Title I (CFDA 93.600).
Construction (Impact Aid)	4050	ESEA, Title VIII (Impact Aid – Facilities Maintenance) (CFDA 84.040).
Magnet	4060	ESEA, Title V, Part C (Magnet Schools Assistance) (CFDA 84.165).

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Other Restricted Grants-In-Aid Received Directly from the Federal Government	4090	Amounts received pursuant to other restricted appropriations; describe and itemize.
Total Restricted Grants Received Directly from the Federal Government	4095	
TOTAL GRANTS RECEIVED DIRECTLY FROM THE FEDERAL GOVERNMENT	4099	Amounts received pursuant to other appropriations.
Title V – Innovation and Flexibility Formula	4100	NCLB, Title V, Part A – State Grants For Innovative Programs (CFDA 84.298).
Title V – SEA Projects	4105	NCLB, Title V, Part A – State Grants For Innovative Programs (CFDA 84.298).
Title V – Rural and Low-Income Schools (REI)	4107	NCLB, Title VI, Part B – Rural Education (CFDA 84.358).
Title V – Other	4199	Amounts received pursuant to other appropriations (describe and itemize).
Breakfast Start-up	4200	Child Nutrition Act – School Breakfast Program for Start-Up (CFDA 10.553).
National School Lunch Program	4210	Child Nutrition Act – National School Lunch Program (CFDA 10.555).
Special Milk Program	4215	Child Nutrition Act – Special Milk Program for Children (CFDA 10.556).
School Breakfast Program	4220	Child Nutrition Act – School Breakfast Program (CFDA 10.553).
Summer Food Service Admin/Program	4225	Child Nutrition Act – Summer Food Service Program for Children (CFDA 10.559).
Child Care Commodity/SFS 13 – Adult Day Care	4226	Child Nutrition Act – Child Care and Adult Food Service Program (CFDA 10.558).
SAE Nutrition Ed. Loan/TNT	4227	Child Nutrition Act of 1966 (42 USC 1771 et seq.) (CFDA 10.574).
Fresh Fruits and Vegetables	4240	Child Nutrition – Cash Payments
Child Nutrition Commodity/Salvage	4250	Child Nutrition Act of 1966 (CFDA 10.550).

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Cash in Lieu of Commodities	4255	Amounts received in lieu of commodities in the food service program.
Food Service – Other	4299	Amounts received pursuant to other appropriations from the U.S. Department of Agriculture for nutrition programs (describe and itemize).
Title I – Low Income	4300	No Child Left Behind Act of 2001 (NCLB; 20 USC 6301 et seq.), Title I, Part A – Improving Academic Achievement of the Disadvantaged (CFDA 84.010).
Title I – Low Income – Neglected, Private	4305	NCLB, Title I, Part D – Neglected and Delinquent (CFDA 84.013).
Title I – Low Income – Delinquent, Private	4306	NCLB, Title I, Part D – Neglected and Delinquent (CFDA 84.013).
Title I – Neglected and Delinquent Juvenile and Adult Corrections (formerly only juvenile)	4315	NCLB, Title I, Part D – Neglected and Delinquent (CFDA 84.013).
Title I – School Improvement and Accountability	4331	NCLB, Title I, Part A
Title I – Comprehensive School Reform	4332	NCLB, Title I, Part F – Comprehensive School Reform (CFDA 84.332).
Title I – Reading First	4334	NCLB, Title I, Part B-1 – Reading First (CFDA 84.357).
Title I – Even Start	4335	NCLB, Title I, Part B-3 – Even Start (CFDA 84.213).
Title I – Reading First SEA Funds	4337	NCLB, Title I, Part B-1 – Reading First SEA Funds (CFDA 84.357).
Title I – School Improvement Grant	4339	NCLB, Title I, Part G (CFDA 84.377)
Title I – Migrant Education	4340	NCLB, Title I, Part C – Education of Migrant Children (CFDA 84.011).
Title I – Other	4399	Amounts received pursuant to other appropriations under Title I of NCLB (describe and itemize).
Title IV – Safe and Drug-Free Schools – Formula	4400	NCLB, Title IV, Part A – Safe and Drug Free Schools (CFDA 84.186).
Title IV – Safe & Drug-Free Schools – State-Level Program	4415	NCLB, Title IV, Part A – Safe and Drug Free Schools (CFDA 84.186).
Title IV – 21 st Century	4421	NCLB, Title IV, Part B – 21 st Century Community Learning Centers (CFDA 84.287).

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Title IV – Other (Describe & Itemize)	4499	Amounts received pursuant to other appropriations under Title IV of NCLB (describe and itemize).
Federal Special Education Preschool Flow-Through	4600	IDEA, Part B – Preschool (CFDA 84.173).
Federal Special Education Preschool Discretionary	4605	IDEA, Part B – Preschool (CFDA 84.173).
Federal Special Education – IDEA Flow-Through/Low Incident	4620	IDEA, Part B (CFDA 84.027).
Federal Special Education – IDEA Room and Board	4625	IDEA, Part B (CFDA 84.027).
Federal Special Education – IDEA Discretionary	4630	IDEA, Part B (CFDA 84.027).
Federal Special Education – IDEA – Part D – Improvement	4631	IDEA, Part D – State Program Improvement Grants for Children with Disabilities (CFDA 84.323).
Federal Special Education – IDEA Title VI C – Deaf/Blind	4635	IDEA, Part D – Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities (CFDA 84.326).
Federal Special Education – IDEA – Other	4699	Amounts received pursuant to other appropriations under IDEA (describe and itemize).
CTE – Perkins – State Leadership	4720	Carl D. Perkins Career and Technical Education Act of 2006 – State Leadership (CFDA 84.048A)
CTE – Perkins – DHS Ed	4740	Carl D. Perkins Career and Technical Education Act of 2006 – Corrections or Institutions (CFDA 84.048A)
CTE – Perkins – Secondary	4745	Carl D. Perkins Career and Technical Education Act of 2006 – Secondary (CFDA 84.048A)
CTE – Perkins Title II – Tech Prep	4770	Carl D. Perkins Career and Technical Education Act of 2006 – Title II – Tech Prep (CFDA 84.243A)
CTE – Other	4799	Amounts received pursuant to other appropriations from federal sources (describe and itemize).
Federal – Adult Education	4810	Adult Education State Grant Program (CFDA 84.002).

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NOTICE OF PROPOSED AMENDMENTS

General State Aid – Education Stabilization (beginning in FY 09); General State Aid – General Stabilization (beginning in FY 10)	4850	Amounts received pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA); see Section 100.130 of this Part.
Title I – Low Income	4851	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Title I – Neglected, Private	4852	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Title I – Delinquent, Private	4853	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Title I – School Improvement (Part A)	4854	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Title I – School Improvement (Part G)	4855	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
IDEA – Part B – Preschool	4856	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
IDEA – Part B – Flow-Through	4857	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Title IID – Technology – Formula	4860	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Title IID – Technology – Competitive	4861	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
McKinney-Vento Homeless Education	4862	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Child Nutrition Equipment Assistance	4863	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Impact Aid Formula Grants	4864	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Impact Aid Competitive Grants	4865	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Qualified Zone Academy Bond Tax Credits	4866	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Qualified School Construction Bond Credits	4867	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Build America Bond Tax Credits	4868	Amounts received pursuant to ARRA; see Section 100.130 of this Part.

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Build America Bond Interest Reimbursement	4869	Amounts received pursuant to ARRA; see Section 100.130 of this Part.
Other ARRA Funds – I	4870	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – II	4871	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – III	4872	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – IV	4873	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – V	4874	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – VI	4875	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – VII	4876	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – VIII	4877	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – IX	4878	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Other ARRA Funds – X	4879	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Other ARRA Funds – XI	4880	Available for recording sources of federal funds received pursuant to ARRA directly from a federal agency or from a State agency other than ISBE; itemize and specify; see Section 100.130 of this Part.
Advanced Placement Fee/International Baccalaureate	4904	ESEA, Title I, Part G – Advanced Placement Program (CFDA 84.330).
Emergency Immigrant Assistance	4905	NCLB, Title III – English Language Acquisition Grants – Immigrant Assistance Grants (CFDA 84.365).
Title III – English Language Acquisition	4909	NCLB, Title III – English Language Acquisition Grants (CFDA 84.365).
Learn & Serve America	4910	National and Community Service Act of 1990 – Learn & Serve America (CFDA 94.004).
Refugee Children School Impact Grants	4915	Refugee Education Assistance Act of 1980, Refugee and Entrant Assistance Discretionary Grants (CFDA 93.576).
McKinney Education for Homeless Children	4920	NCLB, Title X – Education for Homeless Children (CFDA 84.196).
Title II – Teacher Quality	4932	NCLB, Title II, Part A, and ESEA, Title II, Part C, Subpart 1, Chapter B (CFDA 84.350).
Title II – Teacher Quality	4935	ESEA, Title II, Part A – Improving Teacher Quality State Grants (CFDA 84.367).
Title II – Math and Science Initiative	4936	ESEA, Title II, Part B – Math and Science Partnerships (CFDA 84.366).
Federal Charter Schools	4960	NCLB, Title V, Part B – Public Charter Schools.
Title II – Technology – Enhancing Education Formula Grants	4971	ESEA, Title II, Part D, Subparts 1 and 2, as amended – Education Technology State Grants (CFDA 84.318).
Title II – Technology – Enhancing Education Competitive Grants	4972	ESEA, Title II, Part D, Subparts 1 and 2 – Education Technology State Grants (CFDA 84.318).
Safe Routes to School	4980	Section 1404 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Act (P.L. 109-59)

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

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

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Practice in Administrative Hearings
- 2) Code Citation: 89 Ill. Adm. Code 104
- 3) Section Number: 104.272 Adopted Action: Amended
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendment: April 15, 2009
- 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 materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: August 22, 2008; 32 Ill. Reg. 13751
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences Between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were made.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This rulemaking implements provisions that permit the Department to temporarily withhold payments, in whole or part, to a provider or alternate payee upon receipt of credible evidence that the payments may involve fraud or willful misrepresentation. The Department must notify the provider or alternate payee of its intent to withhold and provide the provider or alternate payee an opportunity to request a reconsideration of the withholding
- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

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

217/557-7157

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER a: GENERAL PROVISIONS

PART 104

PRACTICE IN ADMINISTRATIVE HEARINGS

SUBPART A: ASSISTANCE APPEALS

Section

104.1	Assistance Appeals
104.10	Initiation of Appeal Process
104.11	Pre-Appeal Review
104.12	Notice of Hearing
104.20	Conduct of Hearings
104.21	Representation
104.22	Appellant Participation in Hearing
104.23	Evidentiary Requirements
104.30	Subpoenas
104.35	Amendment of Appeal
104.40	Consolidation of Appeals
104.45	Postponement or Continuation of Hearings
104.50	Withdrawal of Appeal
104.55	Closing of Hearing Record
104.60	Dismissal of Appeal
104.70	Final Administrative Decision
104.80	Public Aid Committee

SUBPART B: RESPONSIBLE RELATIVE AND JOINT PAYEE PETITIONS

Section

104.100	Support Order, Responsible Relative and Joint Payee Petitions
104.101	Petition for Hearing
104.102	Conduct of Administrative Support Hearings
104.103	Conduct of Hearings to Contest the Determination of Past-Due Support or of Share of Jointly-Owned Federal or State Income Tax Refunds or Other Joint Federal or State Payments
104.104	Conduct of Other Hearings
104.105	Conduct of Hearings on Petitions for Release from Administrative Paternity

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

Orders

- 104.110 Conduct of Hearings on Joint Owner's Contest of Levy of Jointly-Owned Personal Property

SUBPART C: MEDICAL VENDOR AND ALTERNATE PAYEE HEARINGS

Section

- 104.200 Applicability
104.202 Definitions
104.204 Notice of Denial of An Application
104.206 Notice of Intent to Recover Money
104.207 Notice of Contested Paternity Hearing
104.208 Notice of Intent to Terminate, Suspend or Not Renew Provider Agreement or to Revoke Alternate Payee
104.209 Notice of Intent to Certify Past-Due Support Owed by a Responsible Relative to, or Failure to Comply with a Subpoena or Warrant from, a State Licensing Agency and to Take Disciplinary Action
104.210 Right to Hearing
104.211 Notice of Termination or Suspension Pursuant to Exclusion by the Department of Health and Human Services
104.212 Prior Factual Determinations
104.213 Demand for Judicial Determination of the Existence of the Father and Child Relationship
104.215 Notice of Formal Conference
104.216 Formal Conference on Recovery of Money
104.217 Purpose of Formal Conference
104.220 Notice of Hearing
104.221 Issues at Hearings
104.225 Legal Counsel
104.226 Appearance of Attorney or Other Representative
104.230 Notice, Service and Proof of Service
104.231 Form of Papers
104.235 Discovery
104.240 Conduct of Hearings
104.241 Amendments
104.242 Motions
104.243 Subpoenas
104.244 Burden of Proof
104.245 Witness at Hearings

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

104.246	Evidence at Hearings
104.247	Cross-Examination
104.248	Disqualification of Hearing Officers
104.249	Genetic Testing in Contested Paternity Hearings
104.250	Official Notice
104.255	Computer Generated Documents
104.260	Recommendation of Peer Review Committee
104.270	Time Limits for Hearings
104.271	Continuances and Extensions
104.272	Withholding of Payments During Pendency of Proceedings
104.273	Continuation of Payments During Pendency of Proceedings
104.274	Denial of Payments for Services During Pendency of Proceedings
104.280	Record of Hearings
104.285	Failure to Appear or Proceed
104.290	Recommended Decision
104.295	Director's Decision

SUBPART D: RULES FOR JOINT DEPARTMENT ACTIONS AGAINST
SKILLED NURSING FACILITIES AND INTERMEDIATE CARE
FACILITIES PARTICIPATING IN THE MEDICAID PROGRAM

Section	
104.300	Authority
104.302	Definitions
104.304	Department Actions Against Nursing Homes Facilities
104.310	Certification
104.320	Joint Administrative Hearing
104.330	Facilities Certified Under Both Medicare and Medicaid

SUBPART E: FOOD STAMP ADMINISTRATIVE DISQUALIFICATION HEARINGS

Section	
104.400	Suspected Intentional Violation of the Program
104.410	Advance Notice of Administrative Disqualification Hearing
104.420	Postponement of Hearing
104.430	Administrative Disqualification Hearing Procedures
104.440	Failure to Appear
104.450	Participation While Awaiting a Hearing
104.460	Consolidation of Administrative Disqualification Hearing with Fair Hearing

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

104.470 Administrative Disqualification Hearing Decision and Notice of Decision
104.480 Appeal Procedure

SUBPART F: INCORPORATION BY REFERENCE

Section
104.800 Incorporation by Reference

AUTHORITY: Implementing Sections 11-8 through 11-8.7, 12-4.9 and 12-4.25 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/11-8 through 11-8.7, 12-4.9, 12-4.25 and 12-13].

SOURCE: Filed and effective December 30, 1977; emergency rule at 2 Ill. Reg. 11, p. 151, effective March 9, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 21, p. 10, effective May 26, 1978; amended at 2 Ill. Reg. 33, p. 57, effective August 17, 1978; preemptory amendment at 3 Ill. Reg. 11, p. 38, effective March 1, 1979; amended at 4 Ill. Reg. 21, p.80, effective May 8, 1980; preemptory amendment at 5 Ill. Reg. 1197, effective January 23, 1981; amended at 5 Ill. Reg. 10753, effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 8 Ill. Reg. 5274, effective April 9, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 16979; amended at 8 Ill. Reg. 18114, effective September 21, 1984; amended at 10 Ill. Reg. 10129, effective June 1, 1986; amended at 11 Ill. Reg. 9213, effective April 30, 1987; amended at 12 Ill. Reg. 9142, effective May 16, 1988; amended at 13 Ill. Reg. 3944, effective March 10, 1989; amended at 13 Ill. Reg. 17013, effective October 16, 1989; amended at 14 Ill. Reg. 18836, effective November 9, 1990; amended at 15 Ill. Reg. 5320, effective April 1, 1991; amended at 15 Ill. Reg. 6557, effective April 30, 1991; amended at 16 Ill. Reg. 12903, effective August 15, 1992; amended at 16 Ill. Reg. 16632, effective October 23, 1992; amended at 16 Ill. Reg. 18834, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 659, effective January 7, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 7025, effective April 30, 1993; amended at 18 Ill. Reg. 11260, effective July 1, 1994; amended at 19 Ill. Reg. 1321, effective January 30, 1995; emergency amendment at 19 Ill. Reg. 10268, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 15521, effective October 30, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15711, effective November 6, 1995; amended at 20 Ill. Reg. 1229, effective December 29, 1995; amended at 20 Ill. Reg. 5699, effective March 28, 1996; amended at 20 Ill. Reg. 14891, effective November 1, 1996; emergency amendment at 21 Ill. Reg. 8671, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9306, effective July 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13648, effective October 1, 1997; amended at 21 Ill. Reg. 14977, effective November 7, 1997; emergency amendment at 22 Ill. Reg. 17113, effective September

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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10, 1998, for a maximum of 150 days; amended at 23 Ill. Reg. 2393, effective January 22, 1999; emergency amendment at 23 Ill. Reg. 11734, effective September 1, 1999, for a maximum of 150 days; amended at 24 Ill. Reg. 2418, effective January 27, 2000; amended at 25 Ill. Reg. 5351, effective April 1, 2001; amended at 26 Ill. Reg. 9836, effective June 26, 2002; emergency amendment at 26 Ill. Reg. 11022, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 12306, effective July 26, 2002; amended at 26 Ill. Reg. 17743, effective November 27, 2002; amended at 27 Ill. Reg. 5853, effective March 24, 2003; amended at 27 Ill. Reg. 13771, effective August 1, 2003; amended at 28 Ill. Reg. 2735, effective February 1, 2004; emergency amendment at 29 Ill. Reg. 2735, effective February 7, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 10187, effective June 30, 2005; amended at 31 Ill. Reg. 2387, effective January 19, 2007; amended at 32 Ill. Reg. 16797, effective October 6, 2008; amended at 33 Ill. Reg. 6283, effective April 15, 2009.

SUBPART C: MEDICAL VENDOR AND ALTERNATE PAYEE HEARINGS

Section 104.272 Withholding of Payments During Pendency of Proceedings

- a) Payments on pending and subsequently submitted bills may be withheld during the pendency of the administrative proceeding:
 - 1) Where:
 - A) the administrative proceeding seeks the termination of the provider or revocation of the alternate payee; or
 - B) the administrative hearing is seeking recovery of money and the recovery is at risk due to the financial or other circumstances of the provider or the alternate payee.
 - 2) Where the administrative proceeding is seeking recovery of money only, the withholding shall be limited to the amount sought in the recovery and in conformance with Section 104.273.
- b) A provider or alternate payee may request a full or partial release of withheld payments. The provider must submit a request, in writing, setting forth the reasons the payments should be released, to the Office of Inspector General at either 404 North Fifth Street, Springfield, Illinois 62702, or by e-mail to Oigwebmaster@illinois.gov.state.il.us. The request should set forth the reasons for the request in conformance with subsection (c) of this Section.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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- c) Partial or full release of payments on pending and subsequently submitted bills may be granted, at the discretion of the Inspector General of the Department, based on the following factors:
- 1) The Department has not proceeded in a timely manner in presentation of its case in the administrative proceeding, including, but not limited to, lengthy delays in the availability of Department witnesses, attorneys or Administrative Law Judges.
 - 2) Where it is in the best interests of the recipients of medical assistance. This may include, but is not limited to, access to medical services for recipients or the potential movement of patients from long term care settings.
 - 3) Where, based on the reasons for the initiation of the proceeding, the full or partial release of payments would not be, in the judgment of the Inspector General, detrimental to the recipients or the Department.
 - 4) Whether the ~~provider~~[provider/vendor](#) or alternate payee has caused delays in proceeding in a timely manner, including, but not limited to, delays in the availability of witnesses or attorneys.
- d) The Inspector General will notify the provider or alternate payee in writing of the decision on the request for release of payments.
- e) Payments on pending and subsequently submitted bills will not be released if:
- 1) The basis for the termination or revocation is a criminal conviction.
 - 2) The basis for the termination or revocation is the termination, revocation or denial of a professional license or certification.
 - 3) The provider or alternate payee has had payments suspended pursuant to [305 ILCS 5/12-4.25\(K\)](#) or 42 CFR 455.23.
 - 4) The provider or alternate payee has had payments suspended pursuant to 305 ILCS 5/12-4.25(F-5).

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

- f) The Inspector General may release partial payment when, in the judgment of the Inspector General, full release of payments is not warranted pursuant to subsection (b) of this Section, but a partial release would meet these criteria.
- g) The Inspector General may again institute full or partial withholding of payments after a full or partial release of payments if:
- 1) The ~~provider~~~~vendor~~ or alternate payee has not proceeded in a timely manner in presentation of its case in the administrative proceeding, including, but not limited to, lengthy delays in the availability of witnesses or attorneys.
 - 2) The ~~provider's~~~~vendor's~~ or alternate payee's professional license or certification has been revoked, suspended, denied or otherwise not renewed.
- h) If the ~~provider~~~~vendor~~ is terminated or the alternate payee is revoked as a result of final agency action, payments or credit for any services rendered subsequent to receipt of the notice of intent to terminate shall be denied. The ~~provider~~~~vendor~~ or alternate payee will receive payment or credit for services rendered prior to receipt of the notice of intent to terminate or revoke subject to setoff for recovery of the amount sought in the proceeding.
- i) If the payments have been suspended pursuant to 305 ILCS 5/~~12-4.25(F-5)~~~~12-425(F-5)~~ and the indictment or charge results in conviction, all withheld payments shall be considered forfeited to the Department. If the indictment or charge does not result in conviction, payments pending and subsequently submitted bills will be released, unless the provider is involved in any other proceeding in which payments are being withheld.
- j) If the ~~provider~~~~vendor~~ or alternate payee is convicted of a felony offense of the type described in 305 ILCS 5/~~12-4.25(F-5)~~~~12.425(F-5)~~, the Department may withhold payments from the ~~provider~~~~vendor~~ or alternate payee from the date of conviction until the date the ~~provider~~~~vendor~~ or alternate payee receives a notice of intent to terminate or revoke. Once the ~~provider~~~~vendor~~ or alternate payee receives a notice of intent to terminate or revoke, the Department may continue to withhold payments during the pendency of the administrative proceeding.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENT

- k) If payments have been withheld pursuant to 305 ILCS 5/12-4.25(K), 42 CFR 455.23, or 89 Ill. Adm. Code 140.44, and the Department commences an administrative proceeding that seeks the termination of the provider or revocation of the alternate payee, the Department shall continue to withhold payments during the pendency of the administrative proceeding. If the provider is terminated or alternate payee is revoked as a result of final agency action, the withheld payments shall be denied.

(Source: Amended at 33 Ill. Reg. 6283, effective April 15, 2009)

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 925
- 3) Section Number: 925.APPENDIX A Adopted Action: Amendment
- 4) Statutory Authority: Implementing Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15] and authorized by Section 7-101(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A)]
- 5) Effective Date of Amendment: April 17, 2009
- 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: Section 5-15 of the IAPA allows these rules to be published as adopted rules.
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: Section 5-15 of the IAPA allows these rules to be published as adopted rules.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? None were needed.
- 13) Will rulemaking replace any emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: The amendment updates the Department's organizational chart.
- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF ADOPTED AMENDMENT

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

312/814-6257 or 217/785-5125 (TTY)

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

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF ADOPTED AMENDMENT

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE D: CODE DEPARTMENTS
CHAPTER X: DEPARTMENT OF HUMAN RIGHTSPART 925
RULEMAKING AND ORGANIZATION

SUBPART A: RULEMAKING

Section

- 925.10 Public Information (Repealed)
925.110 Rulemaking
925.120 Petition for Rulemaking (Repealed)

SUBPART B: ORGANIZATION

Section

- 925.210 Structure of the Department
925.220 Administration Division (Repealed)
925.230 Legal Division (Repealed)
925.240 Charge Processing Division (Repealed)
925.250 Compliance Division (Repealed)

925.APPENDIX A Organizational Chart

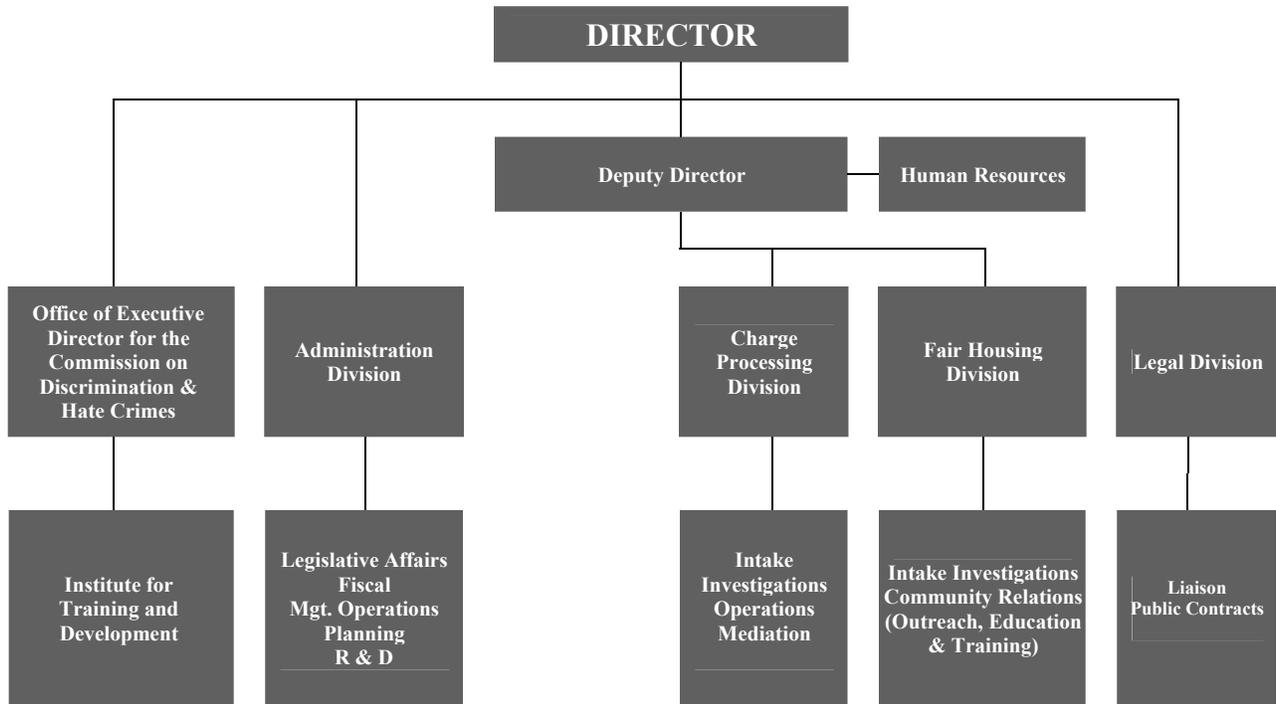
AUTHORITY: Implementing Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15] and authorized by Section 7-101(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A)].

SOURCE: Rulemaking rules adopted at 2 Ill. Reg. 36, p. 32, effective September 1, 1978, by the Fair Employment Practices Commission; transferred to the Department of Human Rights by P.A. 81-1216, effective July 1, 1980; emergency amendment at 4 Ill. Reg. 39, p. 335, effective September 17, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 1627, effective February 9, 1981; repealed by operation of law October 1, 1984; new rules adopted at 8 Ill. Reg. 20689, effective October 10, 1984; amended at 18 Ill. Reg. 525, effective January 4, 1994; amended at 33 Ill. Reg. 6293, effective April 17, 2009.

DEPARTMENT OF HUMAN RIGHTS

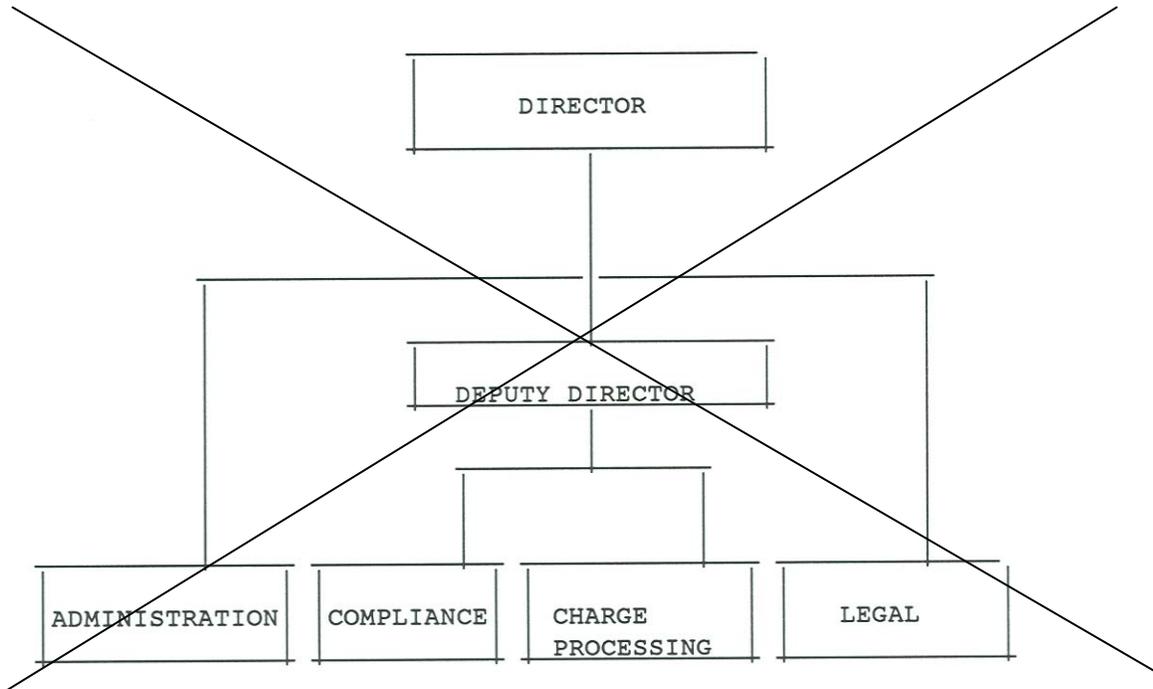
NOTICE OF ADOPTED AMENDMENT

Section 925.APPENDIX A Organizational Chart



DEPARTMENT OF HUMAN RIGHTS

NOTICE OF ADOPTED AMENDMENT



(Source: Amended at 33 Ill. Reg. 6293, effective April 17, 2009)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances
- 2) Code Citation: 41 Ill. Adm. Code 170
- 3) Section Number: 170.420 Adopted Action: Amendment
- 4) Statutory Authority: Implementing the Gasoline Storage Act [430 ILCS 15] and authorized by Section 2 of the Gasoline Storage Act [430 ILCS 15/2]
- 5) Effective Date of Amendment: May 1, 2009
- 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 principal office of the State Fire Marshal, 1035 Stevenson Drive, Springfield, Illinois, and is available for public inspection at that location.
- 9) Notice of Proposed Amendment published in the Illinois Register: October 31, 2008; 32 Ill. Reg. 17019
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary.
- 13) Will this amendment replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending to this Part? No
- 15) Summary and Purpose of amendment: This rulemaking implements a federal requirement pursuant to the federal Energy Policy Act of 2005 concerning State underground storage tank system ("UST") regulatory programs receiving federal funding. European Suction UST piping systems are not exempt from the requirement for under-

OFFICE OF THE STATE FIRE MARSHAL

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dispenser containment for new and replaced tanks and piping, and this rulemaking deletes that exemption for such systems.

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

Shelly Bradley, Manager
Division of Petroleum and Chemical Safety
Office of the State Fire Marshal
1035 Stevenson Dr.
Springfield, IL 62703-4259

Telephone: 217/557-3131
Facsimile: 217/524-9284

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

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT

TITLE 41: FIRE PROTECTION

CHAPTER I: OFFICE OF THE STATE FIRE MARSHAL

PART 170

STORAGE, TRANSPORTATION, SALE AND USE OF PETROLEUM
AND OTHER REGULATED SUBSTANCES

SUBPART A: MISCELLANEOUS

Section

170.10	Definitions
170.11	Incorporation of National Standards
170.15	Bulk Sales Prohibited
170.20	Storage Underground and Limited (Repealed)
170.30	Setting of Tanks (Repealed)
170.40	Clearance Required for Underground Tanks (Repealed)
170.41	Location (Repealed)
170.50	Material and Construction of Tanks (Repealed)
170.60	Venting of Tanks (Repealed)
170.65	Underground Tank Installations (Repealed)
170.70	Fill Pipes (Repealed)
170.71	Registration of Underground Storage Tanks and Payment of Annual Fee (Repealed)
170.72	Late Registration Fee (Repealed)
170.75	Abandonment of Underground Storage Tanks (Renumbered)
170.76	Leaking Underground Tanks (Repealed)
170.80	Unloading Operations
170.90	Pumps (Repealed)
170.91	Labeling of Containers and Pumps
170.100	Piping (Repealed)
170.105	Approval of Plans (Repealed)
170.106	Installer, Repairer or Remover of Underground Storage Tanks (Repealed)
170.107	Tester of Underground Storage Tanks and Cathodic Protection (Repealed)
170.108	Pressure Testing (Repealed)
170.110	Building
170.115	Safe Heat Required
170.120	No Flammable or Combustible Liquids Within Building – Exception
170.130	Greasing Pits
170.140	Wash and Greasing Rooms

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- 170.145 Fire Extinguishers
- 170.150 Self-Service – No Self-Service Without Permit; Procedures and Regulations
- 170.160 Care and Attendance
- 170.170 Fire Extinguishers (Repealed)
- 170.180 Sale of Fireworks
- 170.190 Approval of Plans (Repealed)
- 170.200 Defective Equipment
- 170.210 Deliveries from Portable Tanks Restricted
- 170.211 Dispensing or Delivery of Flammable or Combustible Motor Fuels from Tank Vehicles
- 170.212 Requirements for Permit to Fuel Motor Vehicles from Portable Tank Trucks and Tank Wagons
- 170.310 Unattended Self-Service Other Than Fleet Operations

SUBPART B: UNDERGROUND STORAGE TANKS – TECHNICAL REQUIREMENTS

- Section
- 170.400 Definitions
- 170.410 Incorporations by Reference
- 170.411 USTs Out of Service
- 170.412 Delegation of Authority to Enforce UST Rules and Regulations
- 170.420 Design, Construction, Installation, Upgrade Procedures and Notification of UST Systems
- 170.421 Piping
- 170.422 Clearance Required for Underground Storage Tanks
- 170.423 Pressure Testing of Existing Tanks or Lines
- 170.424 Venting of Tanks
- 170.425 Fill Pipes
- 170.426 Pumps
- 170.427 Defective or Non-Compliant Equipment
- 170.428 General Requirements for UST Fuel Dispensing Systems
- 170.429 Unloading Operations
- 170.430 Interior Lining and Lining Inspection of UST Systems
- 170.431 Limitation on Interior Lining of USTs (Repealed)
- 170.440 Notification Requirements for Purposes of UST Registration
- 170.441 Payment of 1988 Annual UST Fee
- 170.442 UST Registration Fees
- 170.450 Owner/Operator Spill and Overfill Release Control Responsibilities
- 170.460 Corrosion Protection

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170.470	UST Compatibility with Product Stored
170.480	Repairs Allowed
170.481	Emergency Repairs
170.490	Reporting and Recordkeeping
170.500	General Release Detection Requirements for All UST Systems
170.510	Release Detection Requirements for Petroleum UST Systems (Repealed)
170.520	Release Detection Requirements for Hazardous Substance UST Systems
170.530	Methods and Requirements of Release Detection for Tanks
170.540	Methods and Requirements of Release Detection for Piping
170.541	Installer, Repairer, Liner or Remover of USTs and Obtaining Permits
170.542	Site Plans
170.543	Notification and Establishment of Time Certain and Date Certain for Underground Storage Tank Activity
170.544	Tester of Underground Storage Tanks, Cathodic Protection and UST Equipment
170.545	USTs Inside or Under Buildings
170.546	UST Restrictions at Service Stations
170.550	Release Detection and Cathodic Protection Recordkeeping
170.560	Reporting of Suspected Releases
170.570	Investigation Due to Off-Site Impacts (Repealed)
170.580	Release Investigation Reporting, Site Assessment, Initial Response
170.590	Reporting and Cleanup of Spills and Overfills
170.600	Initial Response for UST Systems Containing Petroleum or Hazardous Substances (Repealed)
170.610	Initial Abatement Measures and Site Assessment
170.620	Temporary Out-of-Service Status for UST Systems (Repealed)
170.630	Change-in-Service of UST Systems
170.640	Assessing the Site at Removal of, Previously Removed, or Change-in-Service of, UST Systems
170.650	Applicability to Previously Removed UST Systems (Repealed)
170.660	Removal or Change-in-Service Records
170.670	Removal or Abandonment-in-Place of Underground Storage Tanks
170.672	Pre-'74 and Heating Oil USTs

SUBPART C: UNDERGROUND STORAGE TANKS –
FINANCIAL RESPONSIBILITY REQUIREMENTS

Section	
170.700	Definitions
170.705	Incorporation by Reference

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170.710	Applicability
170.720	Amount
170.730	Mechanisms of Financial Responsibility
170.740	Proof of Financial Responsibility
170.750	Substitution of Financial Responsibility Mechanisms by an Owner or Operator
170.760	Cancellation or Non-Renewal by a Provider of Financial Assurance
170.770	Reporting by Owner or Operator
170.780	Recordkeeping
170.790	Release from the Requirements
170.795	Bankruptcy or Other Incapacity of Owner or Operator, or Provider of Financial Assurance

SUBPART D: UNDERGROUND STORAGE TANKS –
ADMINISTRATIVE PROCEDURE RULES FOR ORDERS ISSUED BY
THE DIVISION OF PETROLEUM AND CHEMICAL SAFETY

Section	
170.800	Definitions
170.810	Grounds and Time for Appeal
170.820	Notice of Hearing
170.830	Appearances
170.840	Official Notice
170.850	Authority of Hearing Officer
170.860	Evidence to be Presented by the Owner to Object to the Denial or Revocation of the Registration of an Underground Storage Tank (UST) (Repealed)
170.870	Briefs
170.880	Transcripts
170.890	Order of the State Fire Marshal
170.900	Authority to Enforce Administrative Orders and Assess Fines
170.910	Suspension or Revocation of the License of a Contractor and Assessment of Fines Against a Contractor or Employee of a Contractor for Violations of Subpart B or E
170.920	Assessment of Fines Against Non-Contractors for Violations of Subpart B
170.930	Assessment of Fines Against an Owner, Operator or Provider for Violations of Subpart C
170.940	Hearing Officer Guidelines for Suspension, Revocation or Assessment of Fines

SUBPART E: LICENSING, CERTIFICATION AND IDENTIFICATION CARDS

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Section

170.1000	Definitions
170.1100	Contractor Licensing
170.1200	Contractor and Employee Certification
170.1300	Possession of OSHA Identification Cards by Certified Individual Contractors and Certified Employees of Contractors
170.APPENDIX A	Checklist for Underground Storage Tank Installation (Repealed)
170.APPENDIX B	Checklist for Underground Storage Tank Reline (Repealed)
170.APPENDIX C	Checklist for Underground Storage Tank Removals (Repealed)
170.APPENDIX D	Checklist for Abandonment-in-Place of Underground Storage Tanks (Repealed)
170.APPENDIX E	Guidelines for Marinas
170.APPENDIX F	Required Job Schedule for Cathodic Protection Upgrade (Repealed)
170.APPENDIX G	Required Job Schedule for Underground Piping Upgrade (Repealed)
170.APPENDIX H	Required Job Schedule for Underground Storage Tank Installation (Repealed)
170.APPENDIX I	Required Checklist for Underground Storage Tank System Upgrade (Repealed)
170.TABLE A	Schedule for Phase-In of Release Detection
170.TABLE B	Manual Tank Gauging: Weekly and Monthly Standards

AUTHORITY: Implementing the Gasoline Storage Act [430 ILCS 15] and authorized by Section 2 of the Gasoline Storage Act [430 ILCS 15/2].

SOURCE: Rules and Regulations Relating to Service Stations filed July 10, 1958; amended March 6, 1963 and April 4, 1977; codified at 5 Ill. Reg. 10692; emergency amendment at 7 Ill. Reg. 1477, effective January 26, 1983, for a maximum of 150 days; emergency expired June 25, 1983; emergency amendment at 8 Ill. Reg. 10058, effective June 29, 1984, for a maximum of 150 days; emergency expired November 26, 1984; amended at 9 Ill. Reg. 9514, effective October 1, 1985; emergency amendment at 10 Ill. Reg. 345, effective January 1, 1986, for a maximum of 150 days; emergency expired June 1, 1986; emergency amendment at 10 Ill. Reg. 12324, effective July 2, 1986, for a maximum of 150 days; emergency expired November 29, 1986; amended at 10 Ill. Reg. 19976, effective January 5, 1987; amended at 12 Ill. Reg. 8023, effective April 26, 1988; emergency amendments at 13 Ill. Reg. 1886, effective January 27, 1989, for a maximum of 150 days; emergency expired June 26, 1989; amended at 13 Ill. Reg. 5669, effective April 21, 1989; amended at 13 Ill. Reg. 7744, effective May 9, 1989; amended at 13 Ill. Reg. 8515, effective May 23, 1989; amended at 13 Ill. Reg. 8875, effective May 24, 1989; amended at 13 Ill. Reg. 14992, effective September 11, 1989; amended at 14 Ill. Reg. 5781,

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effective April 10, 1990; amended at 15 Ill. Reg. 7042, effective April 29, 1991; amended at 16 Ill. Reg. 4845, effective March 12, 1992; emergency amendment at 17 Ill. Reg. 1186, effective January 12, 1993, for a maximum of 150 days; emergency expired June 11, 1993; amended at 19 Ill. Reg. 5467, effective April 1, 1995; amended at 20 Ill. Reg. 4698, effective March 11, 1996; amended at 21 Ill. Reg. 8945, effective July 15, 1997; amended at 22 Ill. Reg. 21339, effective December 1, 1998; amended at 24 Ill. Reg. 12462, effective August 1, 2000; amended at 25 Ill. Reg. 9015, effective July 5, 2001; amended at 27 Ill. Reg. 8164, effective May 1, 2003; emergency amendment at 27 Ill. Reg. 8311, effective May 2, 2003, for a maximum of 150 days; emergency expired September 28, 2003; amended at 32 Ill. Reg. 1428, effective February 1, 2008; emergency amendment at 32 Ill. Reg. 15100, effective September 8, 2008, for a maximum of 150 days; emergency expired February 4, 2009; amended at 33 Ill. Reg. 6298, effective May 1, 2009.

SUBPART B: UNDERGROUND STORAGE TANKS – TECHNICAL REQUIREMENTS

Section 170.420 Design, Construction, Installation, Upgrade Procedures and Notification of UST Systems

- a) Tanks. Any newly installed or replaced underground tank shall be of double-wall construction and equipped with interstitial monitoring that meets the applicable requirements of Section 170.530(g) and 40 CFR 280.43(g) for all permits issued February 1, 2008 and after.
- b) Each tank shall be properly designed, constructed and installed, and any portion underground that routinely contains product shall be protected from corrosion, in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory, as follows:
 - 1) The tank is constructed of fiberglass-reinforced plastic. (The following industry codes, incorporated by reference in Section 170.410, may be used to comply with this subsection (b)(1): UL 1316; UL Canada Standard CAN4-S615; or ASTM D 4021-92.) To prevent penetration of the tank bottom, all non-metallic tanks shall be equipped with steel striker plates on the tank bottom immediately below any opening which might be used for taking dipstick measurements.
 - 2) The tank is constructed of steel and cathodically protected (The following codes and standards, incorporated by reference in Section 170.410, may be used to comply with this subsection (b)(2): STI-P3; UL Canada Standard

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CAN4-S603, CAN4-S603.1 and CAN4-S631; NACE RPO285; or UL 58.)
in the following manner:

- A) Metallic tanks shall be thoroughly coated on the outside with suitable rust-resisting dielectric material.
 - B) All field-installed cathodic protection systems shall be designed by a corrosion expert.
 - C) New impressed current systems shall be designed to allow determination of the systems' operating status by means of permanently installed lights and gauges as required in Section 170.460. Existing impressed current systems must meet these requirements on or before November 1, 2003.
 - D) Cathodic protection systems are operated and maintained in accordance with Section 170.460.
- 3) Steel tanks shall be set on firm foundations and surrounded with at least 12 inches of non-corrosive inert material such as clean sand or gravel, well-tamped in place. The tank shall be placed in the hole with care, since dropping or rolling the tank into the hole can break a weld, puncture or damage the tank or scrape off the protective coating of coated tanks.
- 4) Steel tanks shall be covered with a minimum of three feet of earth. USTs existing on October 1, 1985 shall have been buried so that the tops of the tanks will not be less than two feet below the surface of the ground or shall be under at least 12 inches of earth and a slab of reinforced concrete not less than four inches in thickness; the slab shall be set on a firm, well-tamped earth foundation and shall extend at least one foot beyond the outline of the tank in all directions. When asphaltic or reinforced paving is used as part of the protection, it shall extend at least one foot horizontally beyond the outline of the tank in all directions.
- 5) Either:
- A) The tank is constructed of a steel-fiberglass-reinforced plastic composite (The following industry codes, incorporated by reference in Section 170.410, may be used to comply with this

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subsection (b)(5): Act-100 or UL 1746.); or

- B) The tank construction and corrosion protection are determined by the Office of the State Fire Marshal to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health or the environment than subsections (b)(1) and (2) of this Section. Before the installation of any such tank, its construction and corrosion protection shall be submitted to the Office in writing and is subject to written approval by the Office.
- 6) Re-certified tanks may satisfy the requirements of subsections (b)(1) and (2) of this Section; however, written proof of such re-certification shall be submitted to the Office of the State Fire Marshal and STSS. Re-certified tanks must be reinstalled within 6 months after removal or re-certification, whichever is sooner. Re-certified tanks must have a warranty remaining for at least 5 years. Re-certifications must be conducted by a member of the Steel Tank Institute, Fiberglass Tank Institute, or the original tank manufacturer.
- c) Spill and overfill prevention equipment.
- 1) To prevent spilling and overflowing associated with product transfer to the UST system, owners or operators shall use the following spill and overfill prevention equipment:
- A) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (e.g., a spill catch basin). New or replaced spill prevention equipment must have a minimum 5 gallon capacity and be maintained in a dry, clean state; and
- B) Overfill prevention equipment that:
- i) Automatically shuts off flow into the tank when the tank is no more than 95 percent full;
- ii) Alerts the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or

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triggering a high-level alarm; or

- iii) Provides alternative methods that are no less restrictive than Subpart A or B and no less protective of human health or the environment, as approved in writing by the Office of the State Fire Marshal.
- C) Float vent valves for overfill prevention shall not be allowed on any type suction system.
- 2) Owners or operators are not required to use the spill and overfill prevention equipment specified in subsections (c)(1)(A) and (B), if:
- A) Alternative equipment is used that is determined by the Office of the State Fire Marshal in writing to be no less protective of human health or the environment than the equipment specified in subsections (c)(1)(A) and (B).
 - B) The UST system is filled by transfers of no more than 25 gallons at one time, but shall have spill containment.
- d) Installation tank, piping and upgrade procedures.
- 1) Excavation for USTs shall be made with due care to avoid undermining of foundations of existing structures. All USTs under buildings shall be located with respect to existing building foundations and supports so that the loads carried by the latter cannot be transmitted to the tank.
 - 2) All tanks and piping shall be properly installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions. (Tank and piping system installation practices and procedures described in the following codes, incorporated by reference in Section 170.410, may be used to comply with this subsection (d)(2): API Recommended Practice 1615; PEI Publication RP100; or ANSI B31.3 and B31.4.)
 - 3) Metallic tanks shall not be surrounded or covered by cinders or other material of corrosive effect. Corrosion protection shall be provided in

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accordance with Section 2-3.3 of NFPA 30, incorporated by reference in Section 170.410, where soil resistivity is 10,000 ohm-centimeters or less. Such corrosion protection shall be in accordance with API 1615, incorporated by reference in Section 170.410.

- 4) Secure proper permitting and job schedules for installation, piping or upgrades and obtain a stamped acknowledgement from the OSFM.
- 5) Conduct on-site inspection to ensure accuracy of approved site plans, drawings and actual equipment being installed.
- 6) Provide equipment with sufficient lifting capacity to unload and place USTs into the tank excavation. Tanks shall not be rolled, dropped or dragged.
- 7) Upon delivery at the installation site, tanks and piping shall be inspected to detect any evidence of damage to coatings or structure.
- 8) Upon discovery of any damage to tanks or piping, repairs shall be in accordance with manufacturer's instructions or supervision.
- 9) Prepare excavations to ensure safe movement of equipment and materials. Excavations shall provide adequate space for the installation of tanks, piping and ancillary equipment. Special attention shall be given to sloping, benching, stepping or shoring the sides of the excavation to make it stable.
- 10) Conduct Date and Time Certain inspection by OSFM personnel for testing USTs before installation, as per manufacturer's recommended procedures.
- 11) To prevent flotation of USTs as a result of high water table or flooding, approved anchorage methods or ballasting shall be installed.
- 12) Pipe trenches shall meet manufacturer's specifications and API 1615 Section 10.3.1 for depth, width, slope, spacing and placement of pipe within.
- 13) Pipe installation shall meet manufacturer's specifications and API 1615, Sections 9.3 and 9.4. Joint adhesive and thread sealant shall meet

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manufacturer's requirements for petroleum products, including ethanol or methanol blended gasoline.

- 14) OSFM personnel may conduct Date and Time Certain air test of pipe installation and examine any corrosion protection before backfilling of pipe trenches.
- 15) Wiring of electric pumps and all electrical equipment in connection therewith shall conform to NFPA 70.
- 16) After all work has been completed and the system has been put into service, OSFM personnel may conduct a Date and Time Certain final inspection. This inspection will be conducted on the UST installation, leak detection equipment, spill and overfill equipment and the electrical system. The completed Notification of Underground Storage Tanks form will be ready to present to the OSFM STSS during the final inspection.
- 17) Contractors shall complete the manufacturer's installation checklist for USTs and piping and submit it to the manufacturer or owner as applicable. The contractor shall maintain a copy of the checklist.
- 18) There shall be a minimum of two manufactured slotted or perforated observation wells of at least 4" diameter installed in each new tank field of tanks larger than 1,000 gallons and one well for 1,000 gallon tanks or less and shall have two wells for fields with more than one tank. They shall be placed at opposite ends or opposite corners 1 foot below the invert elevation of lowest UST. Lids shall be securely protected against unauthorized activities. Only one well will be required if groundwater flow direction can be proven and such proof is supplied at the time of permitting and the well is then installed in the downstream location.
- 19) Containments – submersible and dispensers.
 - A) A tank containment sump must be installed at the tank on all new tanks with submersible pumps or American suction piping systems. European suction systems are not required to have [this](#) containment.

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- B) Under-dispenser containment must be installed on all new dispenser installations where there previously was no dispenser.
- C) When an existing dispenser is removed and replaced with another dispenser and equipment used to connect the dispenser to the UST is replaced, under-dispenser containment is required. This equipment may include flex connectors or risers or other transitional components that are beneath the dispenser and connect the dispenser to the piping. ~~European suction systems are not required to have containment.~~
- D) If more than 20' or 50% of a pipe run is replaced, the containments required in subsections (d)(19)(A) and (B) are required.
- E) If an OSFM STSS observes water in a sump and it is in contact with bare metal piping including flex connectors, then corrosion protection must be installed on the metal piping in accordance with Section 170.460 or the sump shall be replaced. In the event the sump is not replaced, the water shall be removed and the sump shall be made water-tight.
- F) A hydrostatic test will be performed on all containment installations as follows (hydrostatic testing does not apply to piping):
- i) All penetrations must be completed prior to testing, including electrical.
 - ii) Containment is to be filled with water to a height that covers the highest penetration by 2".
 - iii) Containment is not to be backfilled (backfilling is allowed for support of containment sump, but not to be installed around the sides of the sump) prior to test.
 - iv) Test duration is 30 min. and performed under PAI Time and Date Certain requirements with no drop in water level.

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- 20) All repairs, installations, upgrades and maintenance of UST systems shall be done in accordance with manufacturer's recommended procedures.
 - 21) Any installation work performed in or around the excavation area must stop at sunset unless adequate lighting is provided.
- e) Certification of installation.
- 1) Contractors shall certify on the UST notification form that:
 - A) The installer has been certified or licensed by the Office of the State Fire Marshal.
 - B) The installation has been approved by the Office of the State Fire Marshal.
 - C) All work listed in the manufacturer's installation checklist has been completed, if applicable.
 - D) All applicable Office of the State Fire Marshal installation requirements, as contained in this Part, have been completed. [Upgrades](#)~~Upgrade~~ are to follow the appropriate Section of the installation guidelines.
 - E) Contractors shall certify on the UST notification form in accordance with Section 170.440(f) that the installer has been certified by the tank and piping manufacturers, if applicable.

(Source: Amended at 33 Ill. Reg. 6298, effective May 1, 2009)

STATE BOARD OF EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

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

<u>Section Numbers:</u>	<u>Emergency Action:</u>
100.130	New Section
100.TABLE C	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1
- 5) Effective Date of Amendments: April 17, 2009
- 6) If this emergency rulemaking is to expire before the end of the 150-day period, please specify the date on which it is to expire: This rule will be in force until replaced by regular rulemaking or until the end of the 150-day period, whichever occurs sooner.
- 7) Date Filed with the Index Department: April 17, 2009
- 8) A copy of the emergency amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Pursuant to authority given to the Governor as part of the implementation of the American Recovery and Reinvestment Act of 2009, a determination has been made to use \$2 billion of the federal stimulus funds being distributed to Illinois (the State Fiscal Stabilization Fund) to make payments of General State Aid to school districts. The first of these payments is due to be disbursed later this month. Significant additional financial resources will also be available to school districts to augment Illinois' share of several existing educational formula grants such as Title I and IDEIA, for a further total of some \$971 million.

The use of these funds is conditioned on stringent tracking and reporting requirements whose details are currently being finalized. It is clear that school districts will have to be able to show what expenditures they make from these sources and to account for those amounts separately from all other amounts. There will be equally stringent reporting requirements with which ISBE must conform. Consequently it is crucial that accounting for these sources of funds be consistent throughout the State. ISBE must provide for the mandatory use by districts of a uniform set of account codes whose use by districts will

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NOTICE OF EMERGENCY AMENDMENTS

be mandatory and must have those codes in place when a portion of the federal stimulus funds is first disbursed.

Failure to collect and report the required information regarding the uses and effects of the stimulus funds could have serious repercussions, possibly including the need to repay funds to the U.S. Department of Education. ISBE therefore finds that failure to have rules in place to govern the necessary accounting and reporting would constitute a threat to the public welfare, warranting emergency rulemaking at this time.

- 10) A Complete Description of the Subjects and Issues Involved: These amendments provide for uniformity in accounting for the federal funds that Illinois school districts will receive under the American Recovery and Reinvestment Act of 2009. New account numbers are being established so that the specific federal sources of funding can be tracked and so that expenditures related to those funds can be distinguished from expenditures of funds from the same sources that were received in the normal course of the federal budget process. In addition, new Section 100.130 will provide districts with information about what to expect as a result of their receipt of this federal funding. This rule identifies basic information related to the topics already covered by Part 100: accounting, budgeting, financial reporting, and auditing.
- 11) Are there any proposed amendments to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 13) Information and questions regarding these emergency amendments shall be directed to:

Debbie Vespa, Division Administrator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

217/785-8779

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

STATE BOARD OF EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
 SUBTITLE A: EDUCATION
 CHAPTER I: STATE BOARD OF EDUCATION
 SUBCHAPTER c: FINANCE

PART 100
 REQUIREMENTS FOR ACCOUNTING, BUDGETING,
 FINANCIAL REPORTING, AND AUDITING

Section

100.10	Purpose and Applicability
100.20	Definitions
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100.40	Types of Funds, Basis of Accounting, and Recognition of Transactions
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AUTHORITY: Implementing and authorized by Sections 2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1 of the School Code [105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1].

SOURCE: Old Part repealed at 10 Ill. Reg. 20507, effective December 2, 1986; new Part adopted at 31 Ill. Reg. 14874, effective October 19, 2007; amended at 32 Ill. Reg. 16439, effective September 24, 2008; emergency amendment at 33 Ill. Reg. 6313, effective April 17, 2009, for a maximum of 150 days.

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Section 100.130 Requirements Specific to Funds Received Pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA)
EMERGENCY

This Section applies only to funds received pursuant to P.L. 111-5, the American Reinvestment and Recovery Act of 2009.

- a) Accounting; Treatment of Funds
- 1) Records of expenditures shall identify the source of the ARRA funds by using the account numbers set forth in Table C of this Part, as well as the applicable funds, functions, and object classes, using the account numbers set forth in Tables A, D, and F of this Part, respectively.
 - 2) ARRA General State Aid funds received in account number 4850 (see Table C of this Part) may be deposited into any fund other than the Working Cash Fund and may be spent for any lawful purpose, except as limited by Section 14003 of the ARRA. That Section prohibits a local education agency from using Education Stabilization funds for:
 - A) payment of maintenance costs;
 - B) stadiums or other facilities used primarily for athletic contests, exhibitions, or other events for which admission is charged to the general public;
 - C) purchasing or upgrading vehicles;
 - D) improvements to stand-alone facilities whose purpose is not the education of children, including facilities housing central office administration, operations, or logistical support functions; or
 - E) school modernization, renovation, or repair that is inconsistent with State law.
 - 3) No Education Stabilization funds or Government Services funds may be used to provide financial assistance to students to attend private elementary or secondary schools, unless the funds are used to provide special education and related services to children with disabilities as

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authorized by the Individuals with Disabilities Education Improvement Act. (Section 14011 of the ARRA)

4) Funds received under any other account number in the range from 4851 through 4880 shall be expended only for the purposes authorized by the relevant federal law, regulations, and guidance.

b) Budgeting

Each local education agency intending to spend ARRA funds during Fiscal Year 2009 shall amend its budget as necessary, pursuant to the provisions of Section 17-1 of the School Code [105 ILCS 5/17-1] and shall submit the amended budget to the State Superintendent of Education pursuant to Section 100.90 of this Part. Subsequent annual budgets shall address the receipt and disbursement of ARRA funds as provided in Section 17-1 and applicable federal regulations and guidance.

c) Financial Reporting

In order to comply with federal reporting requirements, each local education agency receiving funds under the ARRA shall include in its annual financial report, in addition to all other requirements set forth in Section 100.100 of this Part, a detailed schedule of its receipts and disbursements of those funds, as distinct from any other receipts and expenditures for the same purposes made from other sources of funds.

d) Auditing

1) The receipt and disbursement of ARRA funds shall be subject to the audit requirements of Section 100.110 of this Part. In addition to the other applicable requirements of Section 100.110 of this Part, the scope of each audit shall include the schedule of receipts and disbursements required under subsection (c) of this Section.

2) Each local education agency receiving ARRA funds shall review its amended budget to determine whether its increased expenditure of federal funds will make the agency subject to the audit requirements of OMB Circular A-133 (available at www.whitehouse.gov/omb/circulars/index.html) and, if so, shall maintain records accordingly.

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(Source: Added by emergency rulemaking at 33 Ill. Reg. 6313, effective April 17, 2009, for a maximum of 150 days)

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Section 100.TABLE C Revenue Accounts**EMERGENCY**

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

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FICA and Medicare Only Levies	1150	Social Security taxes and the employer's share of Medicare Only payments; 40 ILCS 5/21-110, 110.1.
Area Vocational Construction Purposes Levy	1160	105 ILCS 5/17-2.4.
Summer School Purposes Levy	1170	105 ILCS 5/17-2 and 17-2.1.
Other Tax Levies	1190	Taxes received from other tax levies not specifically identified (describe and itemize).

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

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

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Summer School Tuition from Pupils or Parents (In-State)	1321	
Summer School Tuition from Other Districts (In-State)	1322	
Summer School Tuition from Other Sources (In-State)	1323	
Summer School Tuition from Other Sources (Out-of-State)	1324	
Total CTE Tuition	1330	Amounts received for pupils attending career and technical education programs.
CTE Tuition from Pupils or Parents (In-State)	1331	
CTE Tuition from Other Districts (In-State)	1332	
CTE Tuition from Other Sources (In-State)	1333	
CTE Tuition from Other Sources (Out-of-State)	1334	
Total Special Education Tuition	1340	Amounts received for pupils attending special education programs.
Special Education Tuition from Pupils or Parents (In-State)	1341	
Special Education Tuition from Other Districts (In-State)	1342	
Special Education Tuition from Other Sources (In-State)	1343	
Special Education Tuition from Other Sources (Out-of-State)	1344	
Total Adult Tuition	1350	Amounts received for pupils attending adult/continuing education programs.

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Adult Tuition from Pupils or Parents (In-State)	1351	
Adult Tuition from Other Districts (In-State)	1352	
Adult Tuition from Other Sources (In-State)	1353	
Adult Tuition from Other Sources (In-State)	1354	

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

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Summer School Transportation Fees from Other Sources (In-State)	1423	
Summer School Transportation Fees from Other Sources (Out-of- State)	1424	
Total CTE Transportation Fees	1430	Amounts received for transporting pupils to and from career and technical education classes.
CTE Transportation Fees from Pupils or Parents (In-State)	1431	
CTE Transportation Fees from Other Districts (In- State)	1432	
CTE Transportation Fees from Other Sources (In- State)	1433	
CTE Transportation Fees from Other Sources (Out-of-State)	1434	
Total Special Education Transportation Fees	1440	Amounts received for transporting pupils to and from special education programs.
Special Education Transportation Fees from Pupils or Parents (In- State)	1441	
Special Education Transportation Fees from Other Districts (In-State)	1442	
Special Education Transportation Fees from Other Sources (In-State)	1443	
Special Education Transportation Fees from Other Sources (Out-of- State)	1444	
Total Adult Transportation Fees	1450	Amounts received for transporting pupils to and from adult/continuing education programs.

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Adult Transportation Fees from Pupils or Parents (In-State)	1451	
Adult Transportation Fees from Other Districts (In-State)	1452	
Adult Transportation Fees from Other Sources (In-State)	1453	
Adult Transportation Fees from Other Sources (Out-of-State)	1454	

EARNINGS ON INVESTMENTS	1500	
Interest on Investments	1510	
Gain or Loss on Sale of Investments	1520	Gains or losses realized from the sale of bonds.

FOOD SERVICE	1600	
Sales to Pupils – Lunch	1611	
Sales to Pupils – Breakfast	1612	
Sales to Pupils – A la Carte	1613	
Sales to Pupils – Other	1614	
Sales to Adults	1620	Amounts received from adults for sale of food products and services.
Other Food Service	1690	Amounts received from local sources for other food service activities.

DISTRICT/SCHOOL ACTIVITY INCOME	1700	
Admissions – Athletic	1711	Amounts received from school-sponsored athletic events.
Admissions – Other	1719	Amounts received from admissions to all other school-sponsored events except athletics (describe and itemize).
Fees	1720	Amounts received from pupils for fees such as towel fees, locker fees, and equipment fees (excludes transportation).
Book Store Sales	1730	

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Other District/School Activity Revenue	1790	All other revenue from district or school activities not otherwise specified.
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TEXTBOOK INCOME	1800	
Rentals – Regular Textbooks	1811	
Rentals – Summer School Textbooks	1812	
Rentals – Adult/Continuing Education Textbooks	1813	
Rentals – Other	1819	Describe and itemize.
Total Textbook Rentals	1810	105 ILCS 5/10-22.25.
Sales – Regular Textbooks	1821	
Sales – Summer School Textbooks	1822	
Sales – Adult/Continuing Education Textbooks	1823	
Sales – Other	1829	
Total Textbook Sales	1820	105 ILCS 5/28-8.
Textbooks Other	1890	Textbook revenues not provided for elsewhere in the 1800 series of accounts.

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

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Refund of Prior Years' Expenditures	1950	A refund of an expenditure charged to a prior fiscal year's budget.
Payments of Surplus Moneys from TIF Districts	1960	Amounts received from distributions from Tax Increment Financing districts.
Drivers' Education Fees	1970	105 ILCS 5/27-23.
Proceeds from Vendors' Contracts	1980	Proceeds received pursuant to contracts between the district and various vendors.
School Facility Occupation Tax Proceeds	1983	Amounts received from distributions of School Facility Occupation Tax proceeds.
Payment from Other Districts	1991	Amounts representing a district's share of special education or career and technical education building costs.
Sale of Vocational Projects	1992	Amounts representing gain from the sale of vocational projects.
Other Local Fees	1993	Amounts assessed or received from local sources for district programs not classified elsewhere (describe and itemize).
Other Local Revenues	1999	Amounts received from local sources not provided for elsewhere in the 1000 series of accounts.

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

RECEIPTS/REVENUE FROM STATE SOURCES	3000	
General State Aid Section 18-8.05	3001	105 ILCS 5/18-8.05.

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General State Aid Hold Harmless/Supplemental	3002	105 ILCS 5/18-8.05j.
Reorganization Incentives – Deficit Fund Balance	3005	105 ILCS 5/18-8.3.
Reorganization Incentives – Attendance	3010	105 ILCS 5/18-8.05i.
Reorganization Incentives – Salary Difference	3015	105 ILCS 5/18-8.2.
Reorganization Incentives – Certified Salary	3020	105 ILCS 5/18-8.5.
Reorganization Incentives – Feasibility Studies	3021	Amounts received pursuant to appropriations for this purpose.
GSA Fast Growth District Grants	3030	105 ILCS 5/18-8.10.
Emergency Financial Assistance Grants	3050	105 ILCS 5/1B-8 and 1F-62.
Tax Equivalent Grants	3055	105 ILCS 5/18-4.4.
GSA Transition Assistance	3095	Amounts received pursuant to appropriations for this purpose.
Other Unrestricted Grants-In-Aid from State Sources	3099	Amounts received pursuant to other appropriations (describe and itemize).
Special Education – Private Facility Tuition	3100	105 ILCS 5/14-7.02.
Special Education – Extraordinary	3105	105 ILCS 5/14-7.02a.
Special Education – Personnel	3110	105 ILCS 5/14-13.01.
Special Education – Orphanage – Individual	3120	105 ILCS 5/14-7.03.
Special Education – Orphanage – Summer	3130	105 ILCS 5/14-7.03.
Special Education – Summer School	3145	105 ILCS 5/18-4.3.

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Philip J. Rock Center and School	3155	105 ILCS 5/14-11.02.
Educational Materials Center	3156	105 ILCS 5/14-11.01.
Special Education – Other	3199	Amounts received pursuant to other appropriations (describe and itemize).
Career and Technical Education (CTE) – Tech Prep	3200	105 ILCS 5/2-3.115.
CTE – Secondary Program Improvement (CTEI)	3220	105 ILCS 435.
CTE – WECEP	3225	105 ILCS 5/2-3.66a.
CTE – Agriculture Education	3235	105 ILCS 5/2-3.80.
CTE – Instructor Practicum	3240	105 ILCS 5/2-3.68.
CTE – Student Organizations	3270	Amounts received pursuant to appropriations for student organizations.
CTE – Other	3299	Amounts received pursuant to other appropriations (describe and itemize).
Bilingual Education – Downstate – TPI and TBE	3305	105 ILCS 5/14C-12.
Bilingual Education – Downstate – Transitional Bilingual Education	3310	105 ILCS 5/14C-12.
Gifted Education	3350	105 ILCS 5/Art. 14A.
State Free Lunch and Breakfast	3360	105 ILCS 125/2.
School Breakfast Initiative	3365	105 ILCS 125/2.5.
Driver Education	3370	105 ILCS 5/27-24.2.
Adult Education (from ICCB)	3410	Amounts received from the Community College Board; 105 ILCS 405.
Adult Education – Other	3499	Amounts received pursuant to other appropriations (describe and itemize).
Transportation – Regular/Vocational	3500	105 ILCS 5/29-5.

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Transportation – Special Education	3510	105 ILCS 5/14-13.01b.
Transportation – ROE Bus Driver Training	3520	105 ILCS 5/3-14.23.
Transportation – Other	3599	Amounts received pursuant to other appropriations (describe and itemize).
Learning Improvement – Change Grants	3610	105 ILCS 5/2-3.25, 2-3.63, and 2-3.64.
National Board Certification	3651	105 ILCS 5/21-27.
Administrators Academy	3655	105 ILCS 5/2-3.53.
Scientific Literacy	3660	105 ILCS 5/2-3.94.
Truants' Alternative and Optional Education	3695	105 ILCS 5/2-3.66.
Regional Safe Schools	3696	105 ILCS 5/13A-8.
Early Childhood – Block Grant	3705	105 ILCS 5/1C-2 and 2-3.71.
Reading Improvement Block Grant	3715	105 ILCS 5/2-3.51.
Reading Improvement Block Grant – Reading Recovery	3720	Amounts received from the 2% set-aside under 105 ILCS 5/2-3.51.
Continued Reading Improvement Block Grant	3725	105 ILCS 5/2-3.51a.
Continued Reading Improvement Block Grant	3726	Amounts received from the 2% set aside under 105 ILCS 5/2-3.51a.
ROE/ISC Operations	3730	Amounts received pursuant to 105 ILCS 5/2-3.63, 3-14.23, and 18-6.
ROE Supervisory Expense	3745	Amounts received pursuant to 105 ILCS 5/18-6.
Chicago Teachers Academy for Math & Science (TAMS)	3765	Amounts received pursuant to an appropriation for TAMS.
Chicago General Education Block Grant	3766	105 ILCS 5/1D-1.
Chicago Educational Services Block Grant	3767	105 ILCS 5/1D-1.

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School Safety and Educational Improvement Block Grant	3775	105 ILCS 5/2-3.51.5.
Technology – Learning Technology Centers	3780	105 ILCS 5/2-3.117.
Illinois Government Intern Program	3804	Funds distributed as a grant to Springfield School District 186 to support administration of this program.
State Charter Schools	3815	105 ILCS 5/Art. 27A.
Extended Learning Opportunities (Summer Bridges)	3825	105 ILCS 5/10-20.9a.
Infrastructure Improvements – Planning/Construction	3920	105 ILCS 230/5-35.
School Infrastructure – Maintenance Projects	3925	105 ILCS 230/5-100.
Regular Orphanage Tuition (18-3)	3950	105 ILCS 5/18-3.
Tax Equivalent Grants	3955	105 ILCS 5/18-4.4.
After-School Programs – Mentoring & Student Support	3960	Amounts received pursuant to appropriation.
Advanced Placement Classes	3961	Amounts received pursuant to appropriations.
Arts Education	3962	Amounts received pursuant to appropriations.
Grants to Local Governments, Community Organizations, Not-for-Profit Organizations, and Educational Facilities	3963	Amounts received pursuant to appropriations.
ISBE Special Purpose Trust Fund	3970	105 ILCS 5/2-3.127a.
Class Size Reduction Pilot Project	3981	105 ILCS 5/2-3.136.
The "Grow Your Own" Teacher Education Initiative	3983	110 ILCS 48.

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Children's Mental Health Partnership	3990	105 ILCS 405/49-15.
Teacher Mentoring Pilot Project	3982	105 ILCS 5/21A-25.
State "On-behalf" Payments	3998	Reserved for on-behalf payments by the State.
Emergency Financial Assistance Grant	3999	105 ILCS 5/1B-8.
Temporary Relocation Expense Grant	3999	105 ILCS 5/2-3.77.
Other Restricted Revenue from State Sources	3999	Amounts received pursuant to other appropriations (describe and itemize).

RECEIPTS/REVENUE FROM FEDERAL SOURCES	4000	
Federal Impact Aid	4001	ESEA Title VIII – Impact Aid (CFDA 84.041).
Other Unrestricted Grants-In-Aid Received Directly from the Federal Government	4009	Amounts received pursuant to other unrestricted appropriations; describe and itemize.
Total Unrestricted Grants Received Directly from the Federal Government	4010	
Head Start	4045	Community Opportunities, Accountability, Training, and Educational Services Act of 1998, Title I (CFDA 93.600).
Construction (Impact Aid)	4050	ESEA, Title VIII (Impact Aid – Facilities Maintenance) (CFDA 84.040).
Magnet	4060	ESEA, Title V, Part C (Magnet Schools Assistance) (CFDA 84.165).
Other Restricted Grants-In-Aid Received Directly from the Federal Government	4090	Amounts received pursuant to other restricted appropriations; describe and itemize.
Total Restricted Grants Received Directly from the Federal Government	4095	

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TOTAL GRANTS RECEIVED DIRECTLY FROM THE FEDERAL GOVERNMENT	4099	Amounts received pursuant to other appropriations.
Title V – Innovation and Flexibility Formula	4100	NCLB, Title V, Part A – State Grants For Innovative Programs (CFDA 84.298).
Title V – SEA Projects	4105	NCLB, Title V, Part A – State Grants For Innovative Programs (CFDA 84.298).
Title V – Rural and Low-Income Schools (REI)	4107	NCLB, Title VI, Part B – Rural Education (CFDA 84.358).
Title V – Other	4199	Amounts received pursuant to other appropriations (describe and itemize).
Breakfast Start-up	4200	Child Nutrition Act – School Breakfast Program for Start-Up (CFDA 10.553).
National School Lunch Program	4210	Child Nutrition Act – National School Lunch Program (CFDA 10.555).
Special Milk Program	4215	Child Nutrition Act – Special Milk Program for Children (CFDA 10.556).
School Breakfast Program	4220	Child Nutrition Act – School Breakfast Program (CFDA 10.553).
Summer Food Service Admin/Program	4225	Child Nutrition Act – Summer Food Service Program for Children (CFDA 10.559).
Child Care Commodity/SFS 13 – Adult Day Care	4226	Child Nutrition Act – Child Care and Adult Food Service Program (CFDA 10.558).
SAE Nutrition Ed. Loan/TNT	4227	Child Nutrition Act of 1966 (42 USC 1771 et seq.) (CFDA 10.574).
Child Nutrition Commodity/Salvage	4250	Child Nutrition Act of 1966 (CFDA 10.550).
Cash in Lieu of Commodities	4255	Amounts received in lieu of commodities in the food service program.
Food Service – Other	4299	Amounts received pursuant to other appropriations from the U.S. Department of Agriculture for nutrition programs (describe and itemize).
Title I – Low Income	4300	No Child Left Behind Act of 2001 (NCLB; 20 USC 6301 et seq.), Title I, Part A – Improving Academic Achievement of the Disadvantaged (CFDA 84.010).

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Title I – Low Income – Neglected, Private	4305	NCLB, Title I, Part D – Neglected and Delinquent (CFDA 84.013).
Title I – Low Income – Delinquent, Private	4306	NCLB, Title I, Part D – Neglected and Delinquent (CFDA 84.013).
Title I – Neglected and Delinquent Juvenile and Adult Corrections (formerly only juvenile)	4315	NCLB, Title I, Part D – Neglected and Delinquent (CFDA 84.013).
Title I – Comprehensive School Reform	4332	NCLB, Title I, Part F – Comprehensive School Reform (CFDA 84.332).
Title I – Reading First	4334	NCLB, Title I, Part B-1 – Reading First (CFDA 84.357).
Title I – Even Start	4335	NCLB, Title I, Part B-3 – Even Start (CFDA 84.213).
Title I – Reading First SEA Funds	4337	NCLB, Title I, Part B-1 – Reading First SEA Funds (CFDA 84.357).
Title I – Migrant Education	4340	NCLB, Title I, Part C – Education of Migrant Children (CFDA 84.011).
Title I – Other	4399	Amounts received pursuant to other appropriations under Title I of NCLB (describe and itemize).
Title IV – Safe and Drug-Free Schools – Formula	4400	NCLB, Title IV, Part A – Safe and Drug Free Schools (CFDA 84.186).
Title IV – Safe & Drug-Free Schools – State-Level Program	4415	NCLB, Title IV, Part A – Safe and Drug Free Schools (CFDA 84.186).
Title IV – 21 st Century	4421	NCLB, Title IV, Part B – 21 st Century Community Learning Centers (CFDA 84.287).
Title IV – Other (Describe & Itemize)	4499	Amounts received pursuant to other appropriations under Title IV of NCLB (describe and itemize).
Federal Special Education Preschool Flow-Through	4600	IDEA, Part B – Preschool (CFDA 84.173).
Federal Special Education Preschool Discretionary	4605	IDEA, Part B – Preschool (CFDA 84.173).
Federal Special Education – IDEA Flow-Through/Low Incident	4620	IDEA, Part B (CFDA 84.027).

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Federal Special Education – IDEA Room and Board	4625	IDEA, Part B (CFDA 84.027).
Federal Special Education – IDEA Discretionary	4630	IDEA, Part B (CFDA 84.027).
Federal Special Education – IDEA – Part D – Improvement	4631	IDEA, Part D – State Program Improvement Grants for Children with Disabilities (CFDA 84.323).
Federal Special Education – IDEA Title VI C – Deaf/Blind	4635	IDEA, Part D – Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities (CFDA 84.326).
Federal Special Education – IDEA – Other	4699	Amounts received pursuant to other appropriations under IDEA (describe and itemize).
CTE – Perkins Title III E – Tech Prep	4770	
CTE – Other	4799	Amounts received pursuant to other appropriations from federal sources (describe and itemize).
Federal – Adult Education	4810	Adult Education State Grant Program (CFDA 84.002).
<u>General State Aid – Education Stabilization (beginning in FY 09);</u> <u>General State Aid – General Stabilization (beginning in FY 10)</u>	<u>4850</u>	<u>Amounts received pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA); see Section 100.130 of this Part.</u>
<u>Title I – Low Income</u>	<u>4851</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Title I – Neglected, Private</u>	<u>4852</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Title I – Delinquent, Private</u>	<u>4853</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Title I – School Improvement (Part A)</u>	<u>4854</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Title I – School Improvement (Part G)</u>	<u>4855</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>IDEA – Part B – Preschool</u>	<u>4856</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>

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IDEA – Part B – Flow-Through	4857	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Title IID – Technology – Formula	4860	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Title IID – Technology – Competitive	4861	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
McKinney-Vento Homeless Education	4862	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Child Nutrition Equipment Assistance	4863	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Impact Aid Formula Grants	4864	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Impact Aid Competitive Grants	4865	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Qualified Zone Academy Bond Tax Credits	4866	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Qualified School Construction Bond Credits	4867	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Build America Bond Tax Credits	4868	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Build America Bond Interest Reimbursement	4869	Amounts received pursuant to the ARRA; see Section 100.130 of this Part.
Other ARRA Funds – I	4870	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – II	4871	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – III	4872	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – IV	4873	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.

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Other ARRA Funds – V	4874	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – VI	4875	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – VII	4876	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – VIII	4877	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – IX	4878	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – X	4879	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Other ARRA Funds – XI	4880	Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.
Advanced Placement Fee/International Baccalaureate	4904	ESEA, Title I, Part G – Advanced Placement Program (CFDA 84.330).
Emergency Immigrant Assistance	4905	NCLB, Title III – English Language Acquisition Grants – Immigrant Assistance Grants (CFDA 84.365).
Title III – English Language Acquisition	4909	NCLB, Title III – English Language Acquisition Grants (CFDA 84.365).
Learn & Serve America	4910	National and Community Service Act of 1990 – Learn & Serve America (CFDA 94.004).
Refugee Children School Impact Grants	4915	Refugee Education Assistance Act of 1980, Refugee and Entrant Assistance Discretionary Grants (CFDA 93.576).

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McKinney Education for Homeless Children	4920	NCLB, Title X – Education for Homeless Children (CFDA 84.196).
Title II – Teacher Quality	4932	NCLB, Title II, Part A, and ESEA, Title II, Part C, Subpart 1, Chapter B (CFDA 84.350).
Title II – Teacher Quality	4935	ESEA, Title II, Part A – Improving Teacher Quality State Grants (CFDA 84.367).
Title II – Math and Science Initiative	4936	ESEA, Title II, Part B – Math and Science Partnerships (CFDA 84.366).
Federal Charter Schools	4960	NCLB, Title V, Part B – Public Charter Schools.
Title II – Technology – Enhancing Education Formula Grants	4971	ESEA, Title II, Part D, Subparts 1 and 2, as amended – Education Technology State Grants (CFDA 84.318).
Title II – Technology – Enhancing Education Competitive Grants	4972	ESEA, Title II, Part D, Subparts 1 and 2 – Education Technology State Grants (CFDA 84.318).
Safe Routes to School	4980	Section 1404 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Act (P.L. 109-59)
Medicaid Matching Funds – Administrative Outreach	4991	Social Security Act, Title XIX – Medicaid Matching – Administrative Outreach (CFDA 93.778).
Medicaid Matching Funds – Fee-for-Service Program	4992	Social Security Act, Title XIX – Medicaid Matching – Fee for Service Programs (CFDA 93.778).
Hurricane Emergency Relief	4995	Hurricane Emergency Relief Act.
Other Restricted Grants Received from Federal Government through State	4998	Amounts received pursuant to other federal appropriations (describe and itemize).

(Source: Amended by emergency rulemaking at 33 Ill. Reg. 6313, effective April 17, 2009, for a maximum of 150 days)

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- 1) Heading of the Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
125.190	Amendment
125.260	Amendment
125.380	Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute that Requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act [225 ILCS 650]; the Federal Meat Inspection Act (21 USCA 661); the Federal Poultry Products Inspection Act (21 USCA 454); 74 FR 11463 and 74 FR 11837 (2009)
- 5) Statutory Authority: The Meat and Poultry Inspection Act [225 ILCS 650]
- 6) Effective Date: April 17, 2009
- 7) A Complete Description of the Subjects and Issues Involved: In order to maintain an "equal to" status with the federal meat and poultry products inspection program as required by the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act and as required by Section 16 of the Meat and Poultry Inspection Act, the Department is adopting amendments to the federal meat and poultry products in its rules.

The Food Safety and Inspection Service (FSIS) is amending the Federal meat inspection regulations to require that all cattle that are non-ambulatory disabled at an official establishment, including those that become non-ambulatory disabled after passing ante-mortem inspection, be condemned and disposed of properly. In addition, this rule requires that establishments notify FSIS inspection personnel when cattle become non-ambulatory disabled after passing ante-mortem inspection. FSIS is taking this action to better ensure effective implementation of inspection and humane handling requirements at official establishments.

FSIS is also affirming, without change, its interim final rule requiring a country of origin statement on the label of any meat or poultry product that is a covered commodity, as defined by the Agricultural Marketing Service (AMS), and that is to be sold by a retailer, also as defined by AMS, in accordance with the regulations set out in AMS' final rule, "Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng, and Macadamia Nuts". FSIS is also affirming, without change, the provisions of the interim final rule that

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amended its regulations to provide that it will consider the addition of compliant country of origin statements to the labels of covered meat or poultry products to be generically approved. FSIS is thus conforming its regulations to the AMS final rule. FSIS is not amending its regulations or labeling policies for meat or poultry products that are non-covered commodities.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: April 17, 2009
- 10) A copy of the preemptory amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 11) These preemptory amendments are in compliance with Section 5-150 of the Illinois Administrative Procedure Act.
- 12) Are there any other proposed rulemakings pending to this Part? No
- 13) Statement of Statewide Policy Objective: These preemptory amendments do not affect units of local government.
- 14) Information and questions regarding these preemptory amendments shall be directed to:

Linda Rhodes
Illinois Department of Agriculture
State Fairgrounds, P. O. Box 19281
Springfield, IL 62794-9281

217/785-5713
217/785-4505 (fax)

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

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TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER c: MEAT AND POULTRY INSPECTION ACTPART 125
MEAT AND POULTRY INSPECTION ACTSUBPART A: GENERAL PROVISIONS FOR BOTH
MEAT AND/OR POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals (Repealed)
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation
125.141	Sanitation Standard Operating Procedures (SOP's)
125.142	Hazard Analysis and Critical Control Point (HACCP) Systems
125.143	Imported Products
125.144	Preparation and Processing Operations
125.145	Control of <i>Listeria Monocytogenes</i> in Ready-to-Eat Meat and Poultry Products
125.146	Consumer Protection Standards: Raw Products
125.147	Rules of Practice
125.148	Quantity of Contents Labeling and Procedures and Requirements for Accurate Weights

SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments
125.160	Equine and Equine Products

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125.170	Facilities for Inspection
125.180	Sanitation (Repealed)
125.190	Ante-Mortem Inspection
125.200	Post-Mortem Inspection
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220	Humane Slaughter of Animals
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250	Marking Products and Their Containers
125.260	Labeling, Marking and Containers
125.270	Entry into Official Establishment; Reinspection and Preparation of Product
125.280	Meat Definitions and Standards of Identity or Composition
125.290	Transportation
125.295	Imported Products (Repealed)
125.300	Special Services Relating to Meat and Other Products
125.305	Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section	
125.310	Application of Inspection
125.320	Facilities for Inspection
125.330	Sanitation
125.340	Operating Procedures
125.350	Ante-Mortem Inspection
125.360	Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370	Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380	Labeling and Containers
125.390	Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400	Definitions and Standards of Identity or Composition
125.410	Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act [225 ILCS 650] and Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective

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February 20, 1985; preemptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; preemptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; preemptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; preemptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; preemptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; preemptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; preemptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; preemptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; preemptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; preemptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; preemptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; preemptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; preemptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; preemptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; preemptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; preemptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; preemptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; preemptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; preemptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; preemptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; preemptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; preemptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; preemptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; preemptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; preemptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; preemptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; preemptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; preemptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; preemptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; preemptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; preemptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; preemptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; preemptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; preemptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; preemptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; preemptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; preemptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; preemptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; preemptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; preemptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; preemptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; preemptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; preemptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; preemptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; preemptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; preemptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; preemptory amendment at 16 Ill. Reg. 1899, effective

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March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; preemptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; preemptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; preemptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; preemptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; preemptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; preemptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; preemptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; preemptory amendment at 17 Ill. Reg. 16238, effective September 8, 1993; preemptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; preemptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; preemptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; preemptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; preemptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. 11489, effective July 7, 1994; preemptory amendment at 18 Ill. Reg. 12546, effective July 29, 1994; preemptory amendment at 18 Ill. Reg. 14475, effective September 7, 1994; amended at 18 Ill. Reg. 14924, effective September 26, 1994; preemptory amendment at 18 Ill. Reg. 15452, effective September 27, 1994; preemptory amendment at 19 Ill. Reg. 1342, effective January 27, 1995; preemptory amendment at 19 Ill. Reg. 4765, effective March 13, 1995; preemptory amendment at 19 Ill. Reg. 7067, effective May 8, 1995; preemptory amendment at 19 Ill. Reg. 14896, effective October 6, 1995; preemptory amendment at 19 Ill. Reg. 15766, effective November 10, 1995; preemptory amendment at 19 Ill. Reg. 16866, effective December 22, 1995; preemptory amendment at 20 Ill. Reg. 5091, effective March 19, 1996; preemptory amendment at 20 Ill. Reg. 10403, effective July 17, 1996; amended at 20 Ill. Reg. 11928, effective September 1, 1996; preemptory amendment at 20 Ill. Reg. 12634, effective September 5, 1996; preemptory amendment at 20 Ill. Reg. 15371, effective November 13, 1996; preemptory amendment at 21 Ill. Reg. 1221, effective January 14, 1997; preemptory amendment at 21 Ill. Reg. 1719, effective January 28, 1997; preemptory amendment at 21 Ill. Reg. 6609, effective May 20, 1997; amended at 21 Ill. Reg. 11494, effective August 1, 1997; preemptory amendment at 21 Ill. Reg. 11788, effective August 8, 1997; preemptory amendment at 21 Ill. Reg. 12686, effective August 28, 1997; preemptory amendment at 21 Ill. Reg. 14575, effective October 22, 1997; preemptory amendment at 22 Ill. Reg. 3602, effective February 2, 1998; preemptory amendment at 22 Ill. Reg. 5740, effective March 5, 1998; preemptory amendment at 22 Ill. Reg. 9384, effective May 15, 1998; preemptory amendment at 22 Ill. Reg. 20645, effective November 16, 1998; amended at 23 Ill. Reg. 450, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 3851, effective March 11, 1999; preemptory amendment at 23 Ill. Reg. 10880, effective August 19, 1999; preemptory amendment at 24 Ill. Reg. 3933, effective February 22, 2000; preemptory amendment at 24 Ill. Reg. 5699, effective March 14, 2000; preemptory amendment at 24 Ill. Reg. 6734, effective April 14, 2000; amended at 24 Ill. Reg. 7197, effective April 27, 2000; preemptory amendment at 24 Ill. Reg. 14074, effective August 30, 2000; preemptory amendment at 24 Ill. Reg. 14451, effective September 15, 2000; preemptory amendment at 25 Ill. Reg. 7341, effective April 26, 2001; preemptory amendment at 25 Ill. Reg. 12434, effective September 13, 2001; preemptory amendment at 25

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Ill. Reg. 15444, effective November 19, 2001; preemptory amendment at 26 Ill. Reg. 980, effective January 11, 2002; preemptory amendment at 26 Ill. Reg. 7750, effective May 10, 2002; amended at 27 Ill. Reg. 10205, effective July 1, 2003; preemptory amendment at 27 Ill. Reg. 13634, effective July 28, 2003; emergency amendment at 27 Ill. Reg. 14197, effective August 15, 2003, for a maximum of 150 days; emergency expired January 11, 2004; preemptory amendment at 27 Ill. Reg. 15172, effective September 15, 2003; preemptory amendment at 27 Ill. Reg. 17281, effective November 1, 2003; preemptory amendment at 27 Ill. Reg. 18270, effective November 14, 2003; amended at 28 Ill. Reg. 2131, effective February 1, 2004; preemptory amendment at 28 Ill. Reg. 3513, effective February 6, 2004; preemptory amendment at 28 Ill. Reg. 11934, effective August 5, 2004; preemptory amendment at 28 Ill. Reg. 15694, effective November 30, 2004; preemptory amendment at 28 Ill. Reg. 16368, effective December 6, 2004; preemptory amendment at 29 Ill. Reg. 2479, effective February 1, 2005; amended at 29 Ill. Reg. 5661, effective April 13, 2005; preemptory amendment at 29 Ill. Reg. 15645, effective October 7, 2005; amended at 29 Ill. Reg. 18432, effective October 28, 2005; preemptory amendment at 29 Ill. Reg. 20580, effective November 29, 2005; preemptory amendment at 29 Ill. Reg. 21058, effective December 21, 2005; preemptory amendment at 30 Ill. Reg. 2400, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 16081, effective September 25, 2006; preemptory amendment at 31 Ill. Reg. 5149, effective March 16, 2007; preemptory amendment at 31 Ill. Reg. 12624, effective August 20, 2007; preemptory amendment at 31 Ill. Reg. 16763, effective December 10, 2007; preemptory amendment at 32 Ill. Reg. 590, effective January 1, 2008; preemptory amendment at 32 Ill. Reg. 17831, effective October 30, 2008; preemptory amendment at 33 Ill. Reg. 1230, effective January 5, 2009; preemptory amendment at 33 Ill. Reg. 6338, effective April 17, 2009.

SUBPART B: MEAT INSPECTION

Section 125.190 Ante-Mortem Inspection

- a) The Department incorporates by reference 9 CFR 309.1 through 309.4(a), 309.5 through 309.11, and 309.13 through 309.18 (2004; 69 FR 1862, effective January 12, 2004; 72 FR 38700, effective October 1, 2007; [74 FR 11463, effective April 17, 2009](#)).
- b) In cases of emergency slaughter (see 9 CFR 311.27) and where the inspector cannot be contacted or is unable to return to the establishment, the owner of the animal shall obtain the services of a licensed veterinarian who shall perform an ante-mortem examination on the animal. If upon examination the animal shows no symptoms of disease or abnormal conditions that would prohibit its intended use as human food in accordance with the provisions of this Section, the veterinarian shall prepare a written statement to the effect that the animal is in

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compliance with ante-mortem requirements of this Section and can be slaughtered at the official establishment. The veterinarian's statement shall be kept on file by the official establishment in accordance with Section 125.100. The costs of the veterinary services shall be borne by the owner of the animal.

- c) The Department shall approve treatment programs for diseased animals providing the licensee provides the necessary holding pens where such animals can be kept apart from the other livestock awaiting slaughter and the owner of the animal(s) agrees to the treatment and assumes the cost of such treatment. Following treatment, the animal shall be released from slaughter at the request of the owner or of the official establishment and permitted to be transported from the establishment provided the animal was not infected with a reportable disease (see Section 125.130).
- d) An animal found in a comatose or semicomatose condition shall be set apart from the other livestock and held for further observation at the request of the owner or the official establishment.
- e) "Other responsible official supervision" shall mean under the supervision of a licensed veterinarian or a program employee of the U.S. Department of Agriculture.
- f) At the option of the owner of the animal, any animal identified as a suspect may be reinspected by a veterinarian as set forth in Section 9 of the Act or the animal shall be slaughtered and identified in accordance with the provisions of this Section.
- g) An animal will be withheld from slaughter to permit biological residues to be reduced in accordance with 9 CFR 309.16 when the owner informs the inspector that the animal was taking chemicals or biologics or there is evidence to suggest that the animal was taking chemicals or biologics (e.g., injection marks, chemical odor). The time period for holding such animal shall depend on the withdrawal period of the chemical or biologic that was administered the animal. The inspector shall permit the slaughter of such animal (see 9 CFR 309.16a) when requested by the official establishment or by the owner of the animal.
- h) The inspector shall approve the use by any establishment of any skin tattoo that contains a number identifying the animal or lot. The identifying number for the skin tattoo shall be assigned by the inspector.

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- i) Reference to federal form FSIS 6150-1 shall mean Illinois form V-3. References in the incorporated language to 9 CFR 314 shall be interpreted to mean in accordance with Section 125.230.

(Source: Amended by peremptory rulemaking at 33 Ill. Reg. 6338, effective April 17, 2009)

Section 125.260 Labeling, Marking and Containers

- a) The Department incorporates by reference 9 CFR 317.1 through 317.2(j)(10), 317.2(j)(12) through 317.4(f)(2), 317.5, 317.6, 317.8, 317.10 through 317.13, 317.17 through 317.24, 317.300, 317.302, 317.308, 317.309, 317.312, 317.313, 317.343, 317.344, 317.345, 317.354, 317.356, 317.360, 317.361, 317.362, 317.363, 317.369, 317.380, 317.400 (2004; 69 FR 34913, effective July 31, 2004; 69 FR 48799, effective November 30, 2004; 69 FR 74405, effective January 13, 2005; 71 FR 1683, effective January 11, 2006; 72 FR 9651, effective March 5, 2007; 73 FR 50701, effective September 30, 2008; 73 FR 52189, effective October 9, 2008; 73 FR 75564, effective December 12, 2008; [74 FR 11837, effective March 20, 2009](#)).
- b) The Department shall approve only those abbreviations for marks of inspection as specifically stated in Section 2.26(j)(3) and (k)(3), (4), (5) and (9) of the Act.
- c) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.
- d) The Department shall approve temporary labeling as stated in 9 CFR 317.4(f). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the labels before the expiration of the temporary approval.
- e) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act [225 ILCS 470] and the rules adopted thereto (8 Ill. Adm. Code 600).
- f) Any Type I establishment is authorized to use generically approved labeling for meat and poultry products as defined in subsection (h) of this Section without the

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labeling being submitted for approval to the Department, provided the labeling is in accordance with this Section and shows all mandatory features in a prominent manner as required in 9 CFR 317.2 and 381 and is not otherwise false or misleading.

- g) The Department shall select samples of generically approved labeling from the records maintained by official establishments to determine compliance with labeling requirements. Any finding of false or misleading labeling shall institute the proceedings prescribed in 225 ILCS 650/13.
- h) Generically approved labeling is labeling that complies with the following:
 - 1) Labeling for a product that has a product standard as specified in 9 CFR 319 and 381 or the Standards and Labeling Policy Book and does not contain any special claims such as quality claims, nutrient content claims, health claims, negative claims, geographical origin claims or guarantees, or is not a domestic product labeled in a foreign language;
 - 2) Labeling for single-ingredient products, such as beef steak or lamb chops, that does not contain any special claims such as quality claims, nutrient content claims, health claims, negative claims, geographical origin claims or guarantees or is not a domestic product labeled with a foreign language;
 - 3) Labeling for containers of products sold under contract specifications to federal government agencies that the product is not offered for sale to the general public, provided that the contract specifications include specific requirements with respect to labeling and are made available to the inspector-in-charge;
 - 4) Labeling for shipping containers that contain fully labeled immediate containers, provided that the labeling complies with 9 CFR 316.13 and 381.127;
 - 5) Labeling for products not intended for human food, provided it complies with 9 CFR 325, 381.152(c) and 381.193;
 - 6) Meat inspection legends;
 - 7) Inserts, tags, liners, pasters and similar devices containing printed or graphic matter and for use or to be placed within containers and coverings

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of products, provided the devices contain no reference to product and bear no misleading feature;

- 8) Labeling for consumer test products not intended for sale;
- 9) Labeling that was previously approved by the Department as sketch labeling, and the final labeling was prepared without modification or with the following modifications:
 - A) All features of the labeling are proportionately enlarged or reduced provided that all minimum size requirements specified in applicable regulations are met and the labeling is legible;
 - B) The substitution of any unit of measurement with its abbreviation or the substitution of any abbreviation with its unit of measurement, e.g., "lb." for "pound" or "oz." for "ounce" or of the word "pound" for "lb." or "ounce" for "oz.";
 - C) A master or stock label has been approved where the name and address of the distributor are omitted and the name and address are applied before being used (in that case, the words "prepared for" or similar statement must be shown together with the blank space reserved for the insertion of the name and address when the labels are offered for approval);
 - D) Wrappers or other covers bearing pictorial designs, emblematic designs or illustrations, e.g., floral arrangements, illustrations of animals, fireworks, etc., are used with approved labeling (The use of the designs will not make necessary the application of labeling not otherwise required.);
 - E) A change in the language or the arrangement of directions pertaining to the opening of containers or the serving of the product;
 - F) The addition, deletion or amendment of a dated or undated coupon, a cents-off statement, cooking instructions, packer product code information or the UPC product code information;

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- G) Any change in the name or address of the packer, manufacturer or distributor that appears in the signature line;
- H) Any change in the net weight, provided the size of the net weight statement complies with CFR 317.2 and 318.121;
- I) The addition, deletion or amendment of recipe suggestions for the product;
- J) Any change in punctuation;
- K) Newly assigned or revised establishment numbers for a particular establishment that has been approved by the Department;
- L) The addition or deletion of open dating information;
- M) A change in the type of packaging material on which label is printed;
- N) Brand name changes, provided that there are no design changes, the brand name does not use a term that connotes quality or other product characteristics, the brand name has no geographic significance, and the brand name does not affect the name of the product;
- O) The deletion of the word "new" on new product labeling;
- P) The addition, deletion or amendment of special handling statements, provided that the change is consistent with CFR 317.2(k) and 318.125(a);
- Q) The addition of safe handling instructions as required by CFR 317.2(1) and 381.125(b);
- R) Changes reflecting a change in the quantity of an ingredient shown in the formula without a change in the order of predominance shown on the label, provided that the change in quantity of ingredients complies with any minimum or maximum limits for the use of the ingredients prescribed in CFR 318, 319 and 381.147;

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- S) Changes in the color of the labeling, provided that sufficient contrast and legibility remain;
 - T) A change in the product vignette, provided that the change does not affect mandatory labeling information or misrepresent the content of the package;
 - U) A change in the establishment number by a corporation or parent company for an establishment under its ownership;
 - V) Changes in nutrition labeling that only involve quantitative adjustments to the nutrition labeling information, except for serving sizes, provided the nutrition labeling information maintains its accuracy and consistency;
 - W) Deletion of any claim, and the deletion of non-mandatory features or non-mandatory information; and
 - X) The addition or deletion of a direct translation of the English language into a foreign language for products marked "for export only".
- i) With regard to the incorporated language in 9 CFR 317.6, the extension of time for exhausting existing stocks of labels is not applicable since all labels presently in use are in compliance with the rules of this Part.
 - j) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 9 CFR 317.24 (2004)).
 - k) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.
 - l) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector

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the information required in 9 CFR 317.13 so that the inspector can notify the inspector at the destination point.

- m) Labeling of custom slaughter and/or custom processed meat and/or meat products and the containers containing custom slaughtered and/or custom processed meat and/or meat products shall be as set forth in Section 5 of the Act.
- n) References in the incorporated language to 9 CFR 312 shall be interpreted to mean in accordance with Section 125.90.

(Source: Amended by peremptory rulemaking at 33 Ill. Reg. 6338, effective April 17, 2009)

SUBPART C: POULTRY INSPECTION

Section 125.380 Labeling and Containers

- a) The Department incorporates by reference 381.115 through 381.127, 381.129 through 381.132(f), 381.133, 381.134, 381.136 through 381.140, 381.144(a) through 381.144(d), 381.400, 381.402, 381.408, 381.409, 381.412, 381.413, 381.443; 381.444; 381.445; 381.454; 381.456, 381.460, 381.461, 381.462, 381.463, 381.469, 381.480, 381.500 (2004; 69 FR 28042, effective July 31, 2004; 69 FR 57899, effective November 30, 2004; 69 FR 4405, effective January 13, 2005; 71 FR 1683, effective January 11, 2006; 72 FR 9651, effective March 5, 2007; 73 FR 50701, effective September 30, 2008; 73 FR 52189, effective October 9, 2008; 73 FR 75564, effective December 12, 2008; [74 FR 11837, effective March 20, 2009](#)).
- b) Each shipping container and each immediate container containing inspected and passed poultry and/or poultry products shall be identified in accordance with the labeling provisions of this Section.
- c) Immediate containers of poultry products packed in, bearing or containing any chemical additive shall bear a label naming the additive and the purpose of its use.
- d) Labels for consumer packages shall be approved if the label is not misbranded in accordance with Section 2.20 of the Act and is in compliance with this Section.
- e) The specific statements listed in 9 CFR 381.121 may be added to the label for the shipping container at the option of the licensee.

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- f) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act and the rules adopted thereto (8 Ill. Adm. Code 600).
- g) No labeling or containers that have not been approved shall be used until a final decision is rendered at an administrative hearing in accordance with Section 19 of the Act.
- h) The Department shall approve the manufacture of a device or label containing an official mark of inspection provided the device or label is in compliance with Section 125.90.
- i) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.
- j) The Department shall approve temporary labeling as stated in 9 CFR 381.132(f). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the permanent labels before the expiration of the temporary approval.
- k) A copy of each label submitted for approval shall be accompanied by a statement showing the common or usual names, the kinds and percentages of the ingredients comprising the poultry product and a statement indicating the method or preparation of the product with respect to which the label is to be used. Laboratories used for chemical analysis shall be any approved laboratory as defined in 8 Ill. Adm. Code 20.1.
- l) The Department does not approve terms for generic labeling and considers the approval of terms as generic to be the responsibility of the federal government.
- m) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 9 CFR 317.24 (1997)).
- n) Labels and devices approved for use pursuant to Section 125.90 and this Section shall be disposed of only when such labels or devices have been mutilated or damaged or when the establishment ceases to do business. Such labels and

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devices shall be given to the inspector for disposition.

- o) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 381.138 so that the inspector can notify the inspector at the destination point.
- p) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.
- q) Labeling of custom slaughtered and/or custom processed poultry and/or poultry products and the containers containing custom slaughtered and/or custom processed poultry products shall be as set forth in Section 5 of the Act.
- r) The Department shall approve only those abbreviations for marks of inspection as specifically stated in Section 2.26(j)(3), (4), (5) and (9) of the Act.

(Source: Amended by peremptory rulemaking at 33 Ill. Reg. 6338, effective April 17, 2009)

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- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.APPENDIX A TABLE E Peremptory Action: Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Section 310.Appendix A Table E to reflect the Agreement between the Departments of Corrections, Human Services, State Police, Veterans Affairs and Transportation, and Local 330, General Chauffeurs, Sales Drivers and Helpers (Fox Valley) (RC-020) signed February 23, 2009 and the rate Memorandum of Understanding (Fox Valley) (RC-020) signed March 17, 2009. The pay rates are increased by 0.5% effective July 1, 2008, by 2.0% effective January 1, 2009, by 3.0% effective July 1, 2009 and by 2.0% effective January 1, 2010.
- 5) Statutory Authority: Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)] and by Sections 4, 6, 15 and 21 of the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21]
- 6) Effective Date: April 15, 2009
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A Table E, the full scale and new hire rate tables effective July 1, 2007 and January 1, 2008 are removed. The full scale and new hire rate tables effective July 1, 2008, January 1, 2009, July 1, 2009 and January 1, 2010 are added.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: April 15, 2009
- 10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.
- 11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?
Yes

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Ill. Reg. Citation:</u>
310.47	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.80	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.100	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.130	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.220	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.260	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.270	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.410	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.490	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.500	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE A	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE B	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE D	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPEODIX A TABLE F	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE H	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE I	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE J	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE K	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE N	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE O	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE R	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE V	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE W	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE X	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE Y	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX A TABLE Z	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX D	Amendment	33 Ill. Reg. 4588; April 3, 2009
310.APPENDIX G	Amendment	33 Ill. Reg. 4588; April 3, 2009

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

14) Information and questions regarding this peremptory amendment shall be directed to:

Mr. Jason Doggett

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Manager
Compensation Section
Division of Technical Services and Agency Training and Development
Bureau of Personnel
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The full text of the Peremptory Amendment begins on the next page:

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

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

SUBPART B: SCHEDULE OF RATES

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

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

SUBPART C: MERIT COMPENSATION SYSTEM

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

310.APPENDIX A Negotiated Rates of Pay

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

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

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

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

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ILCS 415/8 and 8a].

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

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

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

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

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

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

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Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; preemptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21, 2007; preemptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; preemptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; preemptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; preemptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; preemptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; preemptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; preemptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; preemptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; preemptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; preemptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; preemptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; preemptory amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; preemptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; preemptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; preemptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; preemptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009.

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE E RC-020 (Teamsters Local #330)****Full Scale Rates**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>	<u>October 1, 2007 Mo.</u>
Highway Maintainer (Snowbirds)	18639	RC-020	Q	3575.00

NOTE: Snowbirds are all, except those in Kankakee County, seasonal, full-time Highway Maintainers whose primary function is snow removal.

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>	<u>July 1, 2008</u>		<u>January 1, 2009</u>	
				<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
Bridge Mechanic	05310	RC-020	Q	5089	29.25	5191	29.83
Bridge Tender	05320	RC-020	B	4812	27.66	4908	28.21
Heavy Construction Equipment Operator	18465	RC-020	Q	5160	29.66	5263	30.25
Heavy Construction Equipment Operator (Bridge Crew)	18465	RC-020	Q	3235	30.09	5340	30.69
Highway Maintainer	18639	RC-020	Q	5054	29.05	5155	29.63
Highway Maintainer (Bridge Crew)	18639	RC-020	Q	5130	29.48	5233	30.07
Highway Maintainer (Drill Rig)	18639	RC-020	Q	5160	29.66	5263	30.25
Highway Maintenance Lead Worker	18659	RC-020	Q	5193	29.84	5297	30.44
Highway Maintenance Lead Worker (Bridge Crew)	18659	RC-020	Q	5267	30.27	5372	30.87
Highway Maintenance Lead Worker (Lead Lead Worker)	18659	RC-020	Q	5246	30.15	5351	30.75
Highway Maintenance Lead Worker (Lead Lead Worker) (Bridge Crew)	18659	RC-020	Q	5320	30.57	5426	31.18
Labor Maintenance Lead Worker	22809	RC-020	B	4951	28.45	5050	29.02
Laborer (Maintenance)	23080	RC-020	B	4891	28.11	4989	28.67

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<u>Maintenance Equipment Operator</u>	<u>25020</u>	<u>RC-020</u>	<u>B</u>	<u>4989</u>	<u>28.67</u>	<u>5089</u>	<u>29.25</u>
<u>Maintenance Equipment Operator</u>	<u>25020</u>	<u>RC-020</u>	<u>Q</u>	<u>5160</u>	<u>29.66</u>	<u>5263</u>	<u>30.25</u>
<u>Maintenance Worker (DHS)</u>	<u>25500</u>	<u>RC-020</u>	<u>B</u>	<u>4995</u>	<u>28.71</u>	<u>5095</u>	<u>29.28</u>
<u>Maintenance Worker (DOT, not Emergency Patrol)</u>	<u>25500</u>	<u>RC-020</u>	<u>B</u>	<u>4930</u>	<u>28.33</u>	<u>5029</u>	<u>28.90</u>
<u>Power Shovel Operator (Maintenance)</u>	<u>33360</u>	<u>RC-020</u>	<u>Q</u>	<u>5160</u>	<u>29.66</u>	<u>5263</u>	<u>30.25</u>
<u>Power Shovel Operator (Maintenance) (Bridge Crew)</u>	<u>33360</u>	<u>RC-020</u>	<u>Q</u>	<u>5235</u>	<u>30.09</u>	<u>5340</u>	<u>30.69</u>
<u>Silk Screen Operator</u>	<u>41020</u>	<u>RC-020</u>	<u>B</u>	<u>5098</u>	<u>29.30</u>	<u>5200</u>	<u>29.89</u>

New Hire Rates

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>
<u>Highway Maintainer</u>	<u>18639</u>	<u>RC-020</u>	<u>Q</u>

Highway Maintainer

<u>New Hire Between the Dates</u>	<u>July 1, 2008</u>		<u>On employee's "new hire" anniversary July- December 2008</u>		<u>January 1, 2009</u>		<u>On employee's "new hire" anniversary January-June 2009</u>	
	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
<u>(7/1/04-12/31/04)</u>	<u>4801</u>	<u>27.59</u>	Full Scale					
<u>(1/1/05-6/30/05)</u>	<u>4801</u>	<u>27.59</u>			<u>4897</u>	<u>28.14</u>	Full Scale	
<u>(7/1/05-12/31/05)</u>	<u>4549</u>	<u>26.14</u>	<u>4801</u>	<u>27.59</u>	<u>4897</u>	<u>28.14</u>		
<u>(1/1/06-6/30/06)</u>	<u>4549</u>	<u>26.14</u>			<u>4640</u>	<u>26.67</u>	<u>4897</u>	<u>28.14</u>
<u>(7/1/06-12/31/06)</u>	<u>4296</u>	<u>24.69</u>	<u>4549</u>	<u>26.14</u>	<u>4640</u>	<u>26.67</u>		
<u>(1/1/07-6/30/07)</u>	<u>4296</u>	<u>24.69</u>			<u>4382</u>	<u>25.18</u>	<u>4640</u>	<u>26.67</u>
<u>(7/1/07-12/31/07)</u>	<u>4043</u>	<u>23.24</u>	<u>4296</u>	<u>24.69</u>	<u>4382</u>	<u>25.18</u>		
<u>(1/1/08-6/30/08)</u>	<u>4043</u>	<u>23.24</u>			<u>4124</u>	<u>23.70</u>	<u>4382</u>	<u>25.18</u>
<u>(7/1/08-12/31/08)</u>	<u>4043</u>	<u>23.24</u>			<u>4124</u>	<u>23.70</u>		
<u>(1/1/09-6/30/09)</u>					<u>4124</u>	<u>23.70</u>		

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Highway Maintainer (Bridge Crew)

<u>New Hire Between the Dates</u>	<u>July 1, 2008</u>		<u>On employee's "new hire" anniversary July- December 2008</u>		<u>January 1, 2009</u>		<u>On employee's "new hire" anniversary January-June 2009</u>	
	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
<u>(7/1/04-12/31/04)</u>	<u>4874</u>	<u>28.01</u>	Full Scale					
<u>(1/1/05-6/30/05)</u>	<u>4874</u>	<u>28.01</u>			<u>4971</u>	<u>28.57</u>	Full Scale	
<u>(7/1/05-12/31/05)</u>	<u>4617</u>	<u>26.53</u>	<u>4874</u>	<u>28.01</u>	<u>4971</u>	<u>28.57</u>		
<u>(1/1/06-6/30/06)</u>	<u>4617</u>	<u>26.53</u>			<u>4710</u>	<u>27.07</u>	<u>4971</u>	<u>28.57</u>
<u>(7/1/06-12/31/06)</u>	<u>4361</u>	<u>25.06</u>	<u>4617</u>	<u>26.53</u>	<u>4710</u>	<u>27.07</u>		
<u>(1/1/07-6/30/07)</u>	<u>4361</u>	<u>25.06</u>			<u>4448</u>	<u>25.56</u>	<u>4710</u>	<u>27.07</u>
<u>(7/1/07-12/31/07)</u>	<u>4104</u>	<u>23.59</u>	<u>4361</u>	<u>25.06</u>	<u>4448</u>	<u>25.56</u>		
<u>(1/1/08-6/30/08)</u>	<u>4104</u>	<u>23.59</u>			<u>4186</u>	<u>24.06</u>	<u>4448</u>	<u>25.56</u>
<u>(7/1/08-12/31/08)</u>	<u>4104</u>	<u>23.59</u>			<u>4186</u>	<u>24.06</u>		
<u>(1/1/09-6/30/09)</u>					<u>4186</u>	<u>24.06</u>		

Highway Maintainer (Drill Rig)

<u>New Hire Between the Dates</u>	<u>July 1, 2008</u>		<u>On employee's "new hire" anniversary July- December 2008</u>		<u>January 1, 2009</u>		<u>On employee's "new hire" anniversary January-June 2009</u>	
	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
<u>(7/1/04-12/31/04)</u>	<u>4902</u>	<u>28.17</u>	Full Scale					
<u>(1/1/05-6/30/05)</u>	<u>4902</u>	<u>28.17</u>			<u>5000</u>	<u>28.74</u>	Full Scale	
<u>(7/1/05-12/31/05)</u>	<u>4644</u>	<u>26.69</u>	<u>4902</u>	<u>28.17</u>	<u>5000</u>	<u>28.74</u>		
<u>(1/1/06-6/30/06)</u>	<u>4644</u>	<u>26.69</u>			<u>4737</u>	<u>27.22</u>	<u>5000</u>	<u>28.74</u>
<u>(7/1/06-12/31/06)</u>	<u>4386</u>	<u>25.21</u>	<u>4644</u>	<u>26.69</u>	<u>4737</u>	<u>27.22</u>		
<u>(1/1/07-6/30/07)</u>	<u>4386</u>	<u>25.21</u>			<u>4474</u>	<u>25.71</u>	<u>4737</u>	<u>27.22</u>
<u>(7/1/07-12/31/07)</u>	<u>4128</u>	<u>23.72</u>	<u>4386</u>	<u>25.21</u>	<u>4474</u>	<u>25.71</u>		
<u>(1/1/08-6/30/08)</u>	<u>4128</u>	<u>23.72</u>			<u>4210</u>	<u>24.20</u>	<u>4474</u>	<u>25.71</u>
<u>(7/1/08-12/31/08)</u>	<u>4128</u>	<u>23.72</u>			<u>4210</u>	<u>24.20</u>		
<u>(1/1/09-6/30/09)</u>					<u>4210</u>	<u>24.20</u>		

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>	<u>July 1, 2009</u>		<u>January 1, 2010</u>	
				<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
<u>Bridge Mechanic</u>	<u>05310</u>	<u>RC-020</u>	<u>Q</u>	<u>5347</u>	<u>30.73</u>	<u>5454</u>	<u>31.34</u>
<u>Bridge Tender</u>	<u>05320</u>	<u>RC-020</u>	<u>B</u>	<u>5055</u>	<u>29.05</u>	<u>5156</u>	<u>29.63</u>
<u>Heavy Construction Equipment Operator</u>	<u>18465</u>	<u>RC-020</u>	<u>Q</u>	<u>5421</u>	<u>31.16</u>	<u>5529</u>	<u>31.78</u>
<u>Heavy Construction Equipment Operator (Bridge Crew)</u>	<u>18465</u>	<u>RC-020</u>	<u>Q</u>	<u>5500</u>	<u>31.61</u>	<u>5610</u>	<u>32.24</u>
<u>Highway Maintainer</u>	<u>18639</u>	<u>RC-020</u>	<u>Q</u>	<u>5310</u>	<u>30.52</u>	<u>5416</u>	<u>31.13</u>
<u>Highway Maintainer (Bridge Crew)</u>	<u>18639</u>	<u>RC-020</u>	<u>Q</u>	<u>5390</u>	<u>30.98</u>	<u>5498</u>	<u>31.60</u>
<u>Highway Maintainer (Drill Rig)</u>	<u>18639</u>	<u>RC-020</u>	<u>Q</u>	<u>5421</u>	<u>31.16</u>	<u>5529</u>	<u>31.78</u>
<u>Highway Maintenance Lead Worker</u>	<u>18659</u>	<u>RC-020</u>	<u>Q</u>	<u>5456</u>	<u>31.36</u>	<u>5565</u>	<u>31.98</u>
<u>Highway Maintenance Lead Worker (Bridge Crew)</u>	<u>18659</u>	<u>RC-020</u>	<u>Q</u>	<u>5533</u>	<u>31.80</u>	<u>5644</u>	<u>32.44</u>
<u>Highway Maintenance Lead Worker (Lead Lead Worker)</u>	<u>18659</u>	<u>RC-020</u>	<u>Q</u>	<u>5512</u>	<u>31.68</u>	<u>5622</u>	<u>32.31</u>
<u>Highway Maintenance Lead Worker (Lead Lead Worker) (Bridge Crew)</u>	<u>18659</u>	<u>RC-020</u>	<u>Q</u>	<u>5589</u>	<u>32.12</u>	<u>5701</u>	<u>32.76</u>
<u>Labor Maintenance Lead Worker</u>	<u>22809</u>	<u>RC-020</u>	<u>B</u>	<u>5202</u>	<u>29.90</u>	<u>5306</u>	<u>30.49</u>
<u>Laborer (Maintenance)</u>	<u>23080</u>	<u>RC-020</u>	<u>B</u>	<u>5139</u>	<u>29.53</u>	<u>5242</u>	<u>30.13</u>
<u>Maintenance Equipment Operator</u>	<u>25020</u>	<u>RC-020</u>	<u>B</u>	<u>5242</u>	<u>30.13</u>	<u>5347</u>	<u>30.73</u>
<u>Maintenance Equipment Operator</u>	<u>25020</u>	<u>RC-020</u>	<u>Q</u>	<u>5421</u>	<u>31.16</u>	<u>5529</u>	<u>31.78</u>
<u>Maintenance Worker (DHS)</u>	<u>25500</u>	<u>RC-020</u>	<u>B</u>	<u>5248</u>	<u>30.16</u>	<u>5353</u>	<u>30.76</u>
<u>Maintenance Worker (DOT, not Emergency Patrol)</u>	<u>25500</u>	<u>RC-020</u>	<u>B</u>	<u>5180</u>	<u>29.77</u>	<u>5284</u>	<u>30.37</u>
<u>Power Shovel Operator (Maintenance)</u>	<u>33360</u>	<u>RC-020</u>	<u>Q</u>	<u>5421</u>	<u>31.16</u>	<u>5529</u>	<u>31.78</u>
<u>Power Shovel Operator (Maintenance) (Bridge Crew)</u>	<u>33360</u>	<u>RC-020</u>	<u>Q</u>	<u>5500</u>	<u>31.61</u>	<u>5610</u>	<u>32.24</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

<u>Silk Screen Operator</u>	<u>41020</u>	<u>RC-020</u>	<u>B</u>	<u>5356</u>	<u>30.78</u>	<u>5463</u>	<u>31.40</u>
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New Hire Rates

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>
<u>Highway Maintainer</u>	<u>18639</u>	<u>RC-020</u>	<u>Q</u>

Highway Maintainer

<u>New Hire Between the Dates</u>	<u>July 1, 2009</u>		<u>On employee's "new hire" anniversary July- December 2009</u>		<u>January 1, 2010</u>		<u>On employee's "new hire" anniversary January-June 2010</u>	
	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
<u>(7/1/05-12/31/05)</u>	<u>5045</u>	<u>28.99</u>	<u>Full Scale</u>					
<u>(1/1/06-6/30/06)</u>	<u>5045</u>	<u>28.99</u>			<u>5145</u>	<u>29.57</u>	<u>Full Scale</u>	
<u>(7/1/06-12/31/06)</u>	<u>4779</u>	<u>27.47</u>	<u>5045</u>	<u>28.99</u>	<u>5145</u>	<u>29.57</u>		
<u>(1/1/07-6/30/07)</u>	<u>4779</u>	<u>27.47</u>			<u>4874</u>	<u>28.01</u>	<u>5145</u>	<u>29.57</u>
<u>(7/1/07-12/31/07)</u>	<u>4514</u>	<u>25.94</u>	<u>4779</u>	<u>27.47</u>	<u>4874</u>	<u>28.01</u>		
<u>(1/1/08-6/30/08)</u>	<u>4514</u>	<u>25.94</u>			<u>4604</u>	<u>26.46</u>	<u>4874</u>	<u>28.01</u>
<u>(7/1/08-12/31/08)</u>	<u>4248</u>	<u>24.41</u>	<u>4514</u>	<u>25.94</u>	<u>4604</u>	<u>26.46</u>		
<u>(1/1/09-6/30/09)</u>	<u>4248</u>	<u>24.41</u>			<u>4333</u>	<u>24.90</u>	<u>4604</u>	<u>26.46</u>
<u>(7/1/09-12/31/09)</u>	<u>4248</u>	<u>24.41</u>			<u>4333</u>	<u>24.90</u>		
<u>(1/1/10-6/30/10)</u>					<u>4333</u>	<u>24.90</u>		

Highway Maintainer (Bridge Crew)

<u>New Hire Between the Dates</u>	<u>July 1, 2009</u>		<u>On employee's "new hire" anniversary July- December 2009</u>		<u>January 1, 2010</u>		<u>On employee's "new hire" anniversary January-June 2010</u>	
	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
<u>(7/1/05-12/31/05)</u>	<u>5121</u>	<u>29.43</u>	<u>Full Scale</u>					
<u>(1/1/06-6/30/06)</u>	<u>5121</u>	<u>29.43</u>			<u>5223</u>	<u>30.02</u>	<u>Full Scale</u>	
<u>(7/1/06-12/31/06)</u>	<u>4851</u>	<u>27.88</u>	<u>5121</u>	<u>29.43</u>	<u>5223</u>	<u>30.02</u>		

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

<u>(1/1/07-6/30/07)</u>	<u>4851</u>	<u>27.88</u>			<u>4948</u>	<u>28.44</u>	<u>5223</u>	<u>30.02</u>
<u>(7/1/07-12/31/07)</u>	<u>4582</u>	<u>26.33</u>	<u>4851</u>	<u>27.88</u>	<u>4948</u>	<u>28.44</u>		
<u>(1/1/08-6/30/08)</u>	<u>4582</u>	<u>26.33</u>			<u>4673</u>	<u>26.86</u>	<u>4948</u>	<u>28.44</u>
<u>(7/1/08-12/31/08)</u>	<u>4312</u>	<u>24.78</u>	<u>4582</u>	<u>26.33</u>	<u>4673</u>	<u>26.86</u>		
<u>(1/1/09-6/30/09)</u>	<u>4312</u>	<u>24.78</u>			<u>4398</u>	<u>25.28</u>	<u>4673</u>	<u>26.86</u>
<u>(7/1/09-12/31/09)</u>	<u>4312</u>	<u>24.78</u>			<u>4398</u>	<u>25.28</u>		
<u>(1/1/10-6/30/10)</u>					<u>4398</u>	<u>25.28</u>		

Highway Maintainer (Drill Rig)

<u>New Hire Between the Dates</u>	<u>July 1, 2009</u>		<u>On employee's "new hire" anniversary July- December 2009</u>		<u>January 1, 2010</u>		<u>On employee's "new hire" anniversary January-June 2010</u>	
	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
<u>(7/1/05-12/31/05)</u>	<u>5150</u>	<u>29.60</u>	Full Scale					
<u>(1/1/06-6/30/06)</u>	<u>5150</u>	<u>29.60</u>			<u>5253</u>	<u>30.19</u>	Full Scale	
<u>(7/1/06-12/31/06)</u>	<u>4879</u>	<u>28.04</u>	<u>5150</u>	<u>29.60</u>	<u>5253</u>	<u>30.19</u>		
<u>(1/1/07-6/30/07)</u>	<u>4879</u>	<u>28.04</u>			<u>4976</u>	<u>28.60</u>	<u>5253</u>	<u>30.19</u>
<u>(7/1/07-12/31/07)</u>	<u>4608</u>	<u>26.48</u>	<u>4879</u>	<u>28.04</u>	<u>4976</u>	<u>28.60</u>		
<u>(1/1/08-6/30/08)</u>	<u>4608</u>	<u>26.48</u>			<u>4700</u>	<u>27.01</u>	<u>4976</u>	<u>28.60</u>
<u>(7/1/08-12/31/08)</u>	<u>4337</u>	<u>24.93</u>	<u>4608</u>	<u>26.48</u>	<u>4700</u>	<u>27.01</u>		
<u>(1/1/09-6/30/09)</u>	<u>4337</u>	<u>24.93</u>			<u>4423</u>	<u>25.42</u>	<u>4700</u>	<u>27.01</u>
<u>(7/1/09-12/31/09)</u>	<u>4337</u>	<u>24.93</u>			<u>4423</u>	<u>25.42</u>		
<u>(1/1/10-6/30/10)</u>					<u>4423</u>	<u>25.42</u>		

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>	<u>July 1, 2007</u>		<u>January 1, 2008</u>	
				<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
Bridge Mechanic	05310	RC-020	Q	4907.00	28.20	5064.00	29.10
Bridge Tender	05320	RC-020	B	4631.00	26.61	4788.00	27.52
Highway Maintainer	18639	RC-020	Q	4872.00	28.00	5029.00	28.90
Highway Maintainer (Bridge Crew)	18639	RC-020	Q	4946.12	28.43	5103.12	29.33

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Highway Maintainer (Drill Rig)	18639	RC-020	Q	4977.00	28.60	5134.00	29.51
Highway Maintenance Lead Worker	18659	RC-020	Q	5010.00	28.79	5167.00	29.70
Highway Maintenance Lead Worker (Bridge Crew)	18659	RC-020	Q	5083.63	29.22	5240.63	30.12
Highway Maintenance Lead Worker (Lead Lead Worker)	18659	RC-020	Q	5063.00	29.10	5220.00	30.00
Highway Maintenance Lead Worker (Lead Lead Worker) (Bridge Crew)	18659	RC-020	Q	5136.94	29.52	5293.94	30.42
Labor Maintenance Lead Worker	22809	RC-020	B	4769.00	27.41	4926.00	28.31
Laborer (Maintenance)	23080	RC-020	B	4710.00	27.07	4867.00	27.97
Maintenance Equipment Operator	25020	RC-020	B	4807.00	27.63	4964.00	28.53
Maintenance Equipment Operator	25020	RC-020	Q	4977.00	28.60	5134.00	29.51
Maintenance Worker (DOT, not Emergency Patrol)	25500	RC-020	B	4748.00	27.29	4905.00	28.19
Power Shovel Operator (Maintenance)	33360	RC-020	Q	4977.00	28.60	5134.00	29.51
Power Shovel Operator (Maintenance) (Bridge Crew)	33360	RC-020	Q	5051.66	29.03	5208.66	29.93
Silk Screen Operator	41020	RC-020	B	4916.00	28.25	5073.00	29.16

New Hire Rates

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>
Highway Maintainer	18639	RC-020	Q

Highway Maintainer**New Hire
Between the
Dates**

<u>July 1, 2007</u>	<u>On-employee's "new hire" anniversary July- December 2007</u>	<u>January 1, 2008</u>	<u>On-employee's "new hire" anniversary January-June</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

2008

	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
(7/1/03-12/31/03)	4588	26.37	Full Scale					
(1/1/04-6/30/04)	4588	26.37			4745	27.27	Full Scale	
(7/1/04-12/31/04)	4368	25.10	4574	26.29	4731	27.19		
(1/1/05-6/30/05)	4368	25.10			4525	26.01	4731	27.19
(7/1/05-12/31/05)	4146	23.83	4362	25.07	4519	25.97		
(1/1/06-6/30/06)	4146	23.83			4303	24.73	4519	25.97
(7/1/06-12/31/06)	3902	22.43	4133	23.75	4290	24.66		
(1/1/07-6/30/07)	3902	22.43			4059	23.33	4290	24.66
(7/1/07-12/31/07)	3862	22.20			4019	23.10		
(1/1/08-6/30/08)					4019	23.10		

Highway Maintainer (Bridge Crew)

<u>New Hire</u> <u>Between the</u> <u>Dates</u>	<u>July 1, 2007</u>		<u>On-employee's</u> <u>"new hire"</u> <u>anniversary July-</u> <u>December 2007</u>		<u>January 1, 2008</u>		<u>On-employee's</u> <u>"new hire"</u> <u>anniversary</u> <u>January-June 2008</u>	
	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
(7/1/03-12/31/03)	4656.52	26.76	Full Scale					
(1/1/04-6/30/04)	4656.52	26.76			4813.52	27.66	Full Scale	
(7/1/04-12/31/04)	4450.02	25.57	4667.02	26.82	4824.02	27.72		
(1/1/05-6/30/05)	4450.02	25.57			4607.02	26.48	4824.02	27.72
(7/1/05-12/31/05)	4209.17	24.19	4429.17	25.46	4586.17	26.36		
(1/1/06-6/30/06)	4209.17	24.19			4366.17	25.09	4586.17	26.36
(7/1/06-12/31/06)	3961.30	22.77	4196.30	24.12	4353.30	25.02		
(1/1/07-6/30/07)	3961.30	22.77			4118.30	23.67	4353.30	25.02
(7/1/07-12/31/07)	3921.70	22.54			4078.70	23.44		
(1/1/08-6/30/08)					4078.70	23.44		

Highway Maintainer (Drill Rig)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

<u>New Hire Between the Dates</u>	<u>July 1, 2007</u>		<u>On-employee's "new hire" anniversary July-December 2007</u>		<u>January 1, 2008</u>		<u>On-employee's "new hire" anniversary January-June 2008</u>	
	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>	<u>Mo.</u>	<u>Hr.</u>
(7/1/03-12/31/03)	4687	26.94	Full Scale					
(1/1/04-6/30/04)	4687	26.94			4844	27.84	Full Scale	
(7/1/04-12/31/04)	4482	25.76	4702	27.02	4859	27.93		
(1/1/05-6/30/05)	4482	25.76			4639	26.66	4859	27.93
(7/1/05-12/31/05)	4236	24.34	4457	25.61	4614	26.52		
(1/1/06-6/30/06)	4236	24.34			4393	25.25	4614	26.52
(7/1/06-12/31/06)	3986	22.91	4222	24.26	4379	25.17		
(1/1/07-6/30/07)	3986	22.91			4143	23.81	4379	25.17
(7/1/07-12/31/07)	3946	22.68			4103	23.58		
(1/1/08-6/30/08)					4103	23.58		

(Source: Amended by preemptory rulemaking at 33 Ill. Reg. 6354, effective April 15, 2009)

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 April 14, 2009 through April 20, 2009 and have been scheduled for review by the Committee at its May 19, 2009 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
5/28/09	<u>Department of Corrections</u> , Moms and Babies Program (20 Ill. Adm. Code 475)	2/20/09 33 Ill. Reg. 3232	5/19/09
5/29/09	<u>Department of Healthcare and Family Services</u> , Child Support Enforcement (89 Ill. Adm. Code 160)	2/13/09 33 Ill. Reg. 3030	5/19/09
5/31/09	<u>Pollution Control Board</u> , Control of Emissions from Large Combustion Sources (35 Ill. Adm. Code 225)	12/5/08 32 Ill. Reg. 18507	5/19/09

ILLINOIS ADMINISTRATIVE CODE
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Rules acted upon in Volume 33, Issue 18 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

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