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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 2012

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 27, 2011	January 6, 2012
2	January 3, 2012	January 13, 2012
3	January 9, 2012	January 20, 2012
4	January 17, 2012	January 27, 2012
5	January 23, 2012	February 3, 2012
6	January 30, 2012	February 10, 2012
7	February 6, 2012	February 17, 2012
8	February 14, 2012	February 24, 2012
9	February 21, 2012	March 2, 2012
10	February 27, 2012	March 9, 2012
11	March 5, 2012	March 16, 2012
12	March 12, 2012	March 23, 2012
13	March 19, 2012	March 30, 2012
14	March 26, 2012	April 6, 2012
15	April 2, 2012	April 13, 2012
16	April 9, 2012	April 20, 2012
17	April 16, 2012	April 27, 2012
18	April 23, 2012	May 4, 2012
19	April 30, 2012	May 11, 2012

20	May 7, 2012	May 18, 2012
21	May 14, 2012	May 25, 2012
22	May 21, 2012	June 1, 2012
23	May 29, 2012	June 8, 2012
24	June 4, 2012	June 15, 2012
25	June 11, 2012	June 22, 2012
26	June 18, 2012	June 29, 2012
27	June 25, 2012	July 6, 2012
28	July 2, 2012	July 13, 2012
29	July 9, 2012	July 20, 2012
30	July 16, 2012	July 27, 2012
31	July 23, 2012	August 3, 2012
32	July 30, 2012	August 10, 2012
33	August 6, 2012	August 17, 2012
34	August 13, 2012	August 24, 2012
35	August 20, 2012	August 31, 2012
36	August 27, 2012	September 7, 2012
37	September 4, 2012	September 14, 2012
38	September 10, 2012	September 21, 2012
39	September 17, 2012	September 28, 2012
40	September 24, 2012	October 5, 2012
41	October 1, 2012	October 12, 2012
42	October 9, 2012	October 19, 2012
43	October 15, 2012	October 26, 2012
44	October 22, 2012	November 2, 2012
45	October 29, 2012	November 9, 2012
46	November 5, 2012	November 16, 2012
47	November 13, 2012	November 26, 2012
48	November 19, 2012	November 30, 2012
49	November 26, 2012	December 7, 2012
50	December 3, 2012	December 14, 2012
51	December 10, 2012	December 21, 2012
52	December 17, 2012	December 28, 2012

Editor's Note: The Secretary of State Index Department is providing this opportunity to remind you that the next filing period for your Regulatory Agenda will occur from October 15, 2012 to January 2, 2013.

Editor's Note 2: As a reminder, the Secretary of State's office will be closed on December 24th and 25th for the holidays. The filing deadline for that week will be on Wednesday, December

26th at noon for the *Illinois Register*. Do not wait until the last minute to file your rulemakings, as a courtesy.

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Selection of Architects/Engineers (A/E)
- 2) Code Citation: 44 Ill. Adm. Code 1000
- 3) Section Number: 1000.140 Proposed Action: Amendment
- 4) Statutory Authority: Implementing the Capital Development Board Act [20 ILCS 3105] and authorized by Sections 9.06 and 16 of that Act, Article 30 and Section 1-15.25 of the Illinois Procurement Code [30 ILCS 500/Art. 30 and 1-15.25] and Section 20 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act [30 ILCS 535/20]
- 5) A Complete Description of the Subjects and Issues Involved: The rulemaking provides that the Capital Development Board will consider minority and female enterprise participation in selecting architects and engineers. It also describes the criteria CDB will use in deciding whether to place goals for minority and female participation for architects and engineers on CDB projects. Finally, the amended describes the criteria CDB will consider in determining whether architects and engineers have made a good faith effort to meet such goals.
- 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 amendments pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking in writing for a period of 45 days following publication of this Notice. All comments must be in writing and should be addressed to:

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT

Thomas Klein
General Counsel
Capital Development Board
401 S. Spring Street
3rd Floor Stratton Building
Springfield, Illinois 62706

Telephone: 217/782-0700
E-Mail: Thomas.klein@illinois.gov
Facsimile: 217/524-0565

Comments submitted by small business should be identified as such.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Small architectural and engineering businesses will be affected
 - B) Reporting, bookkeeping or other procedures required for compliance: Affected firms will need to report minority and female business enterprises participation to CDB.
 - C) Types of Professional skills necessary for compliance: Licensed Design Professionals
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the matter that is the subject of this rulemaking was not known at the time the agendas were submitted.

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

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT
AND PROPERTY MANAGEMENT
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER XII: CAPITAL DEVELOPMENT BOARDPART 1000
SELECTION OF ARCHITECTS/ENGINEERS (A/E)

Section	
1000.100	Definitions
1000.110	Purpose
1000.120	Selection Procedures
1000.130	Selection Committee
1000.140	Evaluation Procedures
1000.150	Preliminary Evaluations
1000.160	Interviews
1000.170	Delegation of Evaluations
1000.180	Public Notice
1000.190	Submittal Requirements
1000.200	Small Projects
1000.210	Emergency Projects

AUTHORITY: Implementing the Capital Development Board Act [20 ILCS 3105] and authorized by Sections 9.06 and 16 of that Act, Article 30 and Section 1-15.25 of the Illinois Procurement Code [30 ILCS 500/Art. 30 and 1-15.25] and Section 20 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act [30 ILCS 535/20].

SOURCE: Adopted at 2 Ill. Reg. 30, p. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, p. 233, effective February 14, 1980; amended at 5 Ill. Reg. 1890, effective February 17, 1981; amended and codified at 8 Ill. Reg. 20332, effective October 1, 1984; amended at 9 Ill. Reg. 17338, effective October 29, 1985; amended at 12 Ill. Reg. 17815, effective October 25, 1988; Part repealed and new Part adopted at 22 Ill. Reg. 1176, effective January 1, 1998; amended at 24 Ill. Reg. 11618, effective July 24, 2000; amended at 25 Ill. Reg. 11774, effective August 10, 2001; amended at 26 Ill. Reg. 2610, effective February 8, 2002; amended at 37 Ill. Reg. _____, effective _____.

Section 1000.140 Evaluation Procedures

- a) In making its recommendations, the selection committee may consider, among

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT

others:

- 1) The A/E's qualifications.
 - 2) The ability of professional personnel submitted by the A/E.
 - 3) The A/E's past record and experience.
 - 4) The prior performance of the A/E on CDB professional services agreements.
 - 5) The willingness of the firm to meet time requirements.
 - 6) The location of the project relative to the firm's place of business.
 - 7) The results of preliminary evaluations performed by CDB staff.
 - 8) The current work load of the A/Es and their prior selections by CDB.
 - 9) References.
 - 10) Interviews conducted with the A/Es.
 - 11) Minority and/or female ownership of the A/E and the consultants.
- b) For projects with an estimated basic services fee of \$75,000 or more, the CDB Fair Employment Practices department shall set goals for minority and female owned business enterprises, which will be described in the CDB Professional Services Bulletin. The goals shall be based on the availability of minority and female owned business enterprises in the area capable of doing the work. CDB may waive goals for a particular project if it determines that no minority and female owned business enterprises would be available to perform the type of work involved in the area of the project or if the work involved does not lend itself to the use of consultants. No A/E that fails to meet the goal shall be considered unless it provides sufficient evidence to CDB within 7 days after submitting its proposal that, after making a good faith effort, it was unable to find sufficient minority or female owned business enterprises willing and able to perform the work.

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT

- c) An A/E attempting to demonstrate that it made a good faith effort to meet minority and female business enterprise goals shall submit:
- 1) All information indicating why the specified goal cannot be met;
 - 2) A list of all minority and female business enterprises that were contacted;
 - 3) Copies of all solicitation letters to minority and female business enterprises. Letters shall contain, at a minimum:
 - A) Project title and location;
 - B) Classification of work items for which consultants are sought;
 - C) Date, time and place responses are due;
 - D) Returnable acknowledgement of the solicitation;
 - 4) Evidence, such as a log, of telephone contact, including time and date of call, telephone number, and name of person spoken to;
 - 5) Any other evidence of good faith effort or other relevant information in support of the request.
- d) In determining if a firm has submitted sufficient evidence that it made a good faith effort to find sufficient minority or female owned business enterprises willing and able to perform the work, CDB shall consider:
- 1) The number of minority and female owned business enterprises contacted (including any log of communications provided to CDB);
 - 2) Whether the work to be allocated to minority and female owned business enterprises was selected in order to increase the likelihood of achieving the specified goal;
 - 3) Whether the firm negotiated in good faith with minority and female owned business enterprises without imposing conditions that are not imposed on other business enterprises or denying benefits that are offered to other business enterprises;

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT

4) Whether the firm engaged CDB's Fair Employment Practices Division to provide referrals.

eb) In no case shall the committee, prior to selecting an A/E for negotiation, seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>
310.210	Amendment
310.410	Amendment
310.500	Amendment
310.600	Amendment
310.APPENDIX A TABLE C	Amendment
310.APPENDIX A TABLE AB	Amendment
310.APPENDIX B TABLE C	Amendment
310.APPENDIX B TABLE N	Amendment
310.APPENDIX B TABLE W	Amendment
310.APPENDIX B TABLE Y	Amendment
310.APPENDIX B TABLE AB	Amendment
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 20 ILCS 415/8a]
- 5) A Complete Description of the Subjects and Issues Involved: In the table of contents, the heading for Sections 310.Appendix A Table C and 310.Appendix B Tables C and Y are updated.

Section 310.210 is affected by the Certification of Results of Election (Case Number S-RD-12-010) issued by the Illinois Labor Relations Board State Panel on August 23, 2012. Effective that date, the Sign Hanger and Sign Hanger Foreman titles are not represented by the Sheet Metal Workers International Association or covered by the Agreement between the Department of Central Management Services of the State of Illinois and Sheet Metal Workers International Association signed June 12, 2009. The employees shall not be paid for pension above the prevailing rate of wages, and shall be paid overtime and holiday pay.

In Section 310.410, the Cancer Registrar II title is assigned to MS-14. The Educator Trainee title is assigned MS-09. Existing MS- rates assigned to the following ninety-six titles are changed: Activity Therapist Supervisor; Actuary III; Aircraft Pilot II; Architect; Arson Investigator I; Arson Investigator II; Assignment Coordinator; Auto and Body Repairer; Automotive Mechanic; Bank Examiner III; Boiler Safety Specialist; Bridge Mechanic; Bridge Tender; Building Services Worker; Child Welfare Administrative Case Reviewer; Child Welfare Court Facilitator; Child Welfare Senior Specialist; Child Welfare Staff Development Coordinator IV; Civil Engineer IV; Civil Engineer Trainee; Conservation Grant Administrator III; Conservation Police Lieutenant;

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Conservation Police Officer II; Conservation Police Sergeant; Correctional Counselor I; Correctional Counselor II; Correctional Counselor III; Corrections Apprehension Specialist; Corrections Industries Marketing Representative; Corrections Leisure Activities Specialist I; Corrections Leisure Activities Specialist II; Corrections Leisure Activities Specialist III; Corrections Parole Agent; Corrections Senior Parole Agent; Criminal Intelligence Analyst Specialist; Deck Hand; Disability Appeals Officer; Document Examiner; Educational Diagnostician; Educator – Provisional; Electrical Engineer; End-User Computer Services Specialist I; End-User Computer Systems Analyst; Engineering Technician I; Environmental Engineer IV; Environmental Protection Engineer IV; Environmental Protection Specialist IV; Facility Firefighter; Ferry Operator I; Ferry Operator II; Financial Institutions Examiner III; Flight Safety Coordinator; Forensic Scientist III; Health Services Investigator I, Option B - Controlled Substance Inspector; Health Services Investigator II, Option A - General; Hearing and Speech Advanced Specialist; Highway Construction Supervisor I; Highway Construction Supervisor II; Highway Maintainer; Historical Library Chief Of Acquisitions; Human Rights Mediator; International Marketing Representative I; Juvenile Justice Youth and Family Specialist Option 1; Juvenile Justice Youth and Family Specialist Option 2; Juvenile Justice Youth and Family Specialist Supervisor; Labor Maintenance Lead Worker; Laborer (Maintenance); Landscape Architect; Laundry Manager I; Licensed Practical Nurse I; Licensed Practical Nurse II; Maintenance Equipment Operator; Maintenance Worker; Manuscripts Manager; Mental Health Administrator Trainee; Physician Specialist - Option E; Plumbing Consultant; Police Officer I; Police Officer II; Police Officer III; Power Shovel Operator; Psychologist III; Real Estate Professions Examine; Registered Nurse - Advanced Practice; Rehabilitation Workshop Supervisor III; Resource Planner III; Revenue Auditor III; Security Officer Chief; Security Therapy Aide IV; Sign Shop Foreman; Silk Screen Operator; Social Service Program Planner IV; Social Worker IV; Terrorism Research Specialist III; Vehicle Emission Compliance Supervisor; and Waterways Construction Supervisor II.

In Section 310.500, the Option definition is expanded to include two examining options, 9A and 9B, and clarifying Option 8C.

In Section 310.600, the references to the RC-150 bargaining unit are removed. The Illinois Labor Relations Board issued a Certification of Unit Clarification (Case Number S-UC-(S)-12-008) on June 29, 2012. The Clarification abolishes the RC-150 bargaining unit for the Public Service Administrator title Option 6 positions and includes the Public Service Administrator title Option 6 positions in either the RC-062 or RC-063 bargaining unit.

The Section 310.Appendix A Table C heading is updated.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

In Section 310.Appendix A Table AB, rate tables no longer in effect are removed and a Note is added. Based on the Clarification identified above and until a Memorandum of Understanding assigns rates within the RC-062 and RC-063 bargaining units, the employees appointed to positions with a work location not at the Departments of Corrections, Human Services, Juvenile Justice, Natural Resources or Public Health or Human Rights Commission and allocated to the Public Service Administrator title Option 6 positions formerly represented by the RC-150 are paid at the RC-150 rates that were effective June 28, 2012.

The Section 310.Appendix B Table C heading is updated.

In Section 310.Appendix B Table N, the administrative law judge function at the Departments of Healthcare and Family Services and Human Services is added to the Public Service Administrator title Option 8L positions assigned to frozen RC-010-24 rates.

In Section 310.Appendix B Table W, the Department of Healthcare and Family Services positions with the Option 7 and the positions with Options 9A and 9B are added to the Public Service Administrator title assigned to the frozen RC-062-24 rates. The Note also is changed to contain Options 9A and 9B.

In Section 310.Appendix B Table Y, the heading and title table are changed to add the Educator Trainee titles. The frozen rate tables assigned based on the 12- and 9-month are added for the Educator Trainee title.

In Section 310.Appendix B Table AB, a Note is added. Based on the Clarification identified above and until a Memorandum of Understanding assigns rates within the RC-062 and RC-063 bargaining units, the employees appointed to positions with a work location at the Departments of Corrections, Human Services, Juvenile Justice, Natural Resources or Public Health or Human Rights Commission and allocated to the Public Service Administrator title Option 6 positions formerly represented by the RC-150 are paid at the frozen-RC-150-bargaining-unit rates that were effective June 28, 2012.

6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None besides the previously noted Certification of Unit Clarification (Case Number S-UC-(S)-12-008) issued by the Illinois Labor Relations Board on June 29, 2012 and the Certification of Results of Election (Case Number S-RD-12-010) issued by the Illinois Labor Relations Board State Panel on August 23, 2012.

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Do these proposed amendments contain incorporations by reference? No
- 10) 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	36 Ill. Reg. 4991, April 6, 2012
310.130	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.600	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.630	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.640	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.660	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.670	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.Appendix A Table S	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.Appendix A Table W	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.Appendix A Table AA	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.Appendix B Table S	Amendment	36 Ill. Reg. 4991, April 6, 2012
310.Appendix B Table W	Amendment	36 Ill. Reg. 4991, April 6, 2012

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

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

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

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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: The changes to Section 310.410 were in the July, 2012 regulatory agenda. Other changes were not in the last two regulatory agendas.

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

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

SUBPART B: SCHEDULE OF RATES

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

SUBPART C: MERIT COMPENSATION SYSTEM

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

SUBPART D: FROZEN NEGOTIATED-RATES-OF-PAY DUE TO
FISCAL YEAR APPROPRIATIONS AND EXPIRED SALARY SCHEDULES IN
COLLECTIVE BARGAINING UNIT AGREEMENTS

Section

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

310.600	Jurisdiction
310.610	Pay Schedules
310.620	In-Hiring Rate
310.630	Definitions
310.640	Increases in Pay
310.650	Other Pay Provisions
310.660	Effective Date
310.670	Negotiated Rate
310.680	Trainee Rate
310.690	Educator Schedule for Frozen RC-063 and Frozen HR-010
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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' – ISEA Local #2002)
310.TABLE C	RC-056 (Site Superintendents and Departments of Veterans' Affairs , Natural Resources, Human Services and Agriculture and , Historic Preservation Agency and Agriculture -Managers, IFPE)
310.TABLE D	HR-001 (Teamsters Local #700)
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)
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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 (Departments of Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

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)
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310.TABLE R	Frozen RC-042-Rates-of-Pay (Residual Maintenance Workers, AFSCME)
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310.TABLE V	Frozen CU-500-Rates-of-Pay (Corrections Meet and Confer Employees)
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310.TABLE Y	Frozen RC-063-Rates-of-Pay (Educators <u>and Educator Trainees</u> , AFSCME)
310.TABLE Z	Frozen RC-063-Rates-of-Pay (Physicians, AFSCME)
310.TABLE AB	Frozen RC-150-Rates-of-Pay (Public Service Administrators Option 6, AFSCME)
310.TABLE AD	Frozen RC-184-Rates-of-Pay (Public Service Administrators Option 8X Department of Natural Resources, SEIU Local 73)
310.TABLE AE	Frozen RC-090-Rates-of-Pay (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294)
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 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

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Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 3230, effective January 24, 1986; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory 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; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; 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 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;

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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 February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 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,

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1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; 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

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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, 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

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days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2684, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 13, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective 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

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amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; preemptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; preemptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill. Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days; 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

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amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; preemptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; preemptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; preemptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; preemptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; preemptory amendment at 33 Ill. Reg. 6724, effective May 1, 2009; preemptory amendment at 33 Ill. Reg. 9138, effective June 12, 2009; emergency amendment at 33 Ill. Reg. 9432, effective July 1, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 10211, effective July 1, 2009; preemptory amendment at 33 Ill. Reg. 10823, effective July 2, 2009; preemptory amendment at 33 Ill. Reg. 11082, effective July 10, 2009; preemptory amendment at 33 Ill. Reg. 11698, effective July 23, 2009; preemptory amendment at 33 Ill. Reg. 11895, effective July 31, 2009; preemptory amendment at 33 Ill. Reg. 12872, effective September 3, 2009; amended at 33 Ill. Reg. 14944, effective October 26, 2009; preemptory amendment at 33 Ill. Reg. 16598, effective November 13, 2009; preemptory amendment at 34 Ill. Reg. 305, effective December 18, 2009; emergency amendment at 34 Ill. Reg. 957, effective January 1, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 1425, effective January 5, 2010; preemptory amendment at 34 Ill. Reg. 3684, effective March 5, 2010; preemptory amendment at 34 Ill. Reg. 5776, effective April 2, 2010; preemptory amendment at 34 Ill. Reg. 6214, effective April 16, 2010; amended at 34 Ill. Reg. 6583, effective April 30, 2010; preemptory amendment at 34 Ill. Reg. 7528, effective May 14, 2010; amended at 34 Ill. Reg. 7645, effective May 24, 2010; preemptory amendment at 34 Ill. Reg. 7947, effective May 26, 2010; preemptory amendment at 34 Ill. Reg. 8633, effective June 18, 2010; amended at 34 Ill. Reg. 9759, effective July 1, 2010; preemptory amendment at 34 Ill. Reg. 10536, effective July 9, 2010; preemptory amendment at 34 Ill. Reg. 11864, effective July 30, 2010; emergency amendment at 34 Ill. Reg. 12240, effective August 9, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 13204, effective August 26, 2010; preemptory amendment at 34 Ill. Reg. 13657, effective September 8, 2010; preemptory amendment at 34 Ill. Reg. 15897, effective September 30, 2010; preemptory amendment at 34 Ill. Reg. 18912, effective November 15, 2010; preemptory amendment at 34 Ill. Reg. 19582, effective December 3, 2010; amended at 35 Ill. Reg. 765, effective December 30, 2010; emergency amendment at 35 Ill. Reg. 1092, effective January 1, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 2465, effective January 19, 2011; preemptory amendment at 35 Ill. Reg. 3577, effective February 10, 2011; emergency amendment at 35 Ill. Reg. 4412, effective February 23, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 4803, effective March 11, 2011; emergency amendment at 35 Ill. Reg. 5633, effective March 15, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 5677, effective March 18, 2011; amended at 35 Ill. Reg. 8419, effective May 23, 2011; amended at 35 Ill. Reg. 11245, effective June 28, 2011; emergency amendment at 35 Ill. Reg. 11657, effective July 1, 2011, for a maximum of 150 days; emergency expired November 27, 2011; preemptory amendment at 35 Ill. Reg. 12119, effective June 29, 2011; preemptory amendment at 35 Ill. Reg. 13966, effective July 29, 2011; preemptory

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amendment at 35 Ill. Reg. 15178, effective August 29, 2011; emergency amendment at 35 Ill. Reg. 15605, effective September 16, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 15640, effective September 15, 2011; preemptory amendment at 35 Ill. Reg. 19707, effective November 23, 2011; amended at 35 Ill. Reg. 20144, effective December 6, 2011; amended at 36 Ill. Reg. 153, effective December 22, 2011; preemptory amendment at 36 Ill. Reg. 564, effective December 29, 2011; preemptory amendment at 36 Ill. Reg. 3957, effective February 24, 2012; preemptory amendment at 36 Ill. Reg. 4158, effective March 5, 2012; preemptory amendment at 36 Ill. Reg. 4437, effective March 9, 2012; amended at 36 Ill. Reg. 4707, effective March 19, 2012; amended at 36 Ill. Reg. 8460, effective May 24, 2012; preemptory amendment at 36 Ill. Reg. 10518, effective June 27, 2012; emergency amendment at 36 Ill. Reg. 11222, effective July 1, 2012, for a maximum of 150 days; preemptory amendment at 36 Ill. Reg. 13680, effective August 15, 2012; preemptory amendment at 36 Ill. Reg. 13973, effective August 22, 2012; preemptory amendment at 36 Ill. Reg. 15498, effective October 16, 2012; amended at 36 Ill. Reg. 16213, effective November 1, 2012; preemptory amendment at 36 Ill. Reg. 17138, effective November 20, 2012; amended at 37 Ill. Reg. _____, effective _____.

SUBPART B: SCHEDULE OF RATES

Section 310.210 Prevailing Rate

- a) Prevailing rate means the rate of pay for each class and locality certified as being correct by the Director of the Illinois Department of Labor and approved by the Director of Central Management Services or as established under the Prevailing Wage Act [820 ILCS 130]. The following are prevailing rate classes:

Baker	Roofer
Barber	Sewage Plant Operator
Beautician	Sign Hanger
Brickmason	Sign Hanger Foreman
Carpenter	Sign Painter
Carpenter Foreman	Sign Painter Helper
Cement Finisher	Stationary Engineer
Electrician	Stationary Engineer – Assistant Chief
Highway Construction Equipment Operator	Stationary Engineer – Chief
Laborer	Stationary Fireman
Laborer (Building)	Steamfitter
Laborer Foreman	Teacher of Barbering
Machinist	Teacher of Beauty Culture

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Maintenance Worker (Power Plant)	Tinsmith
Painter	Trades Tender
Plasterer	Water Plant Operator
Plumber	

- b)** Effective January 1, 2006, employees shall be paid an additional 4.00% above the prevailing rate of wages for employees on the standard pension formula and 5.5% above the prevailing rate of wages for employees on the alternative pension formula, minus the per hour costs of fringe benefits.
- c)** Effective January 1, 2011, newly hired employees into positions at the Department of Human Services allocated to the Barber, Beautician, Brickmason, Carpenter, Carpenter Foreman, Cement Finisher, Electrician, Machinist, Maintenance Worker (Power Plant), Painter, Plasterer, Plumber, Sewage Plant Operator, Sign Hanger, Sign Hanger Foreman, Sign Painter, Sign Painter Helper, Stationary Engineer, Stationary Engineer – Assistant Chief, Stationary Engineer – Chief, Stationary Fireman, Steamfitter, Teacher of Barbering, Teacher of Beauty Culture, Tinsmith and Water Plant Operator titles shall be paid an additional 4.00% above the prevailing rate of wages, minus the per hour costs of fringe benefits. Newly hired employees are employees hired on or after January 1, 2011 who have never been a member of the State Employees' Retirement System (SERS) or any other reciprocal retirement system. Other reciprocal retirement systems are the Chicago Teachers' Pension Fund, County Employees' Annuity and Benefit Fund of Cook County, Forest Preserve District Employees' Annuity and Benefit Fund of Cook County, General Assembly Retirement System (GARS), Illinois Municipal Retirement Fund (IMRF), Judges Retirement System (JRS), Laborers' Annuity and Benefit Fund of Chicago, Metropolitan Water Reclamation District Retirement Fund, Municipal Employees Annuity and Benefit Fund of Chicago, State Universities Retirement System (SURS) and Teachers' Retirement System of the State of Illinois (TRS).
- d)** Effective August 23, 2012, the Sign Hanger and Sign Hanger Foreman titles are not represented by the Sheet Metal Workers International Association or covered by the Agreement between the Department of Central Management Services of the State of Illinois and Sheet Metal Workers International Association signed June 12, 2009. The employees shall not be paid the additional 4.00% above the prevailing rate of wages for employees on the standard pension formula and 5.5% above the prevailing rate of wages for employees on the alternative pension formula, minus the per hour costs of fringe benefits. All overtime and/or holiday

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pay shall be set by the Cook County Prevailing Wage Rates.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.410 Jurisdiction

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

Title	Title Code	Salary Range
Account Clerk I	00111	MS-03
Account Clerk II	00112	MS-04
Account Technician I	00115	MS-07
Account Technician II	00116	MS-09
Account Technician Trainee	00118	MS-04
Accountant	00130	MS-11
Accountant Advanced	00133	MS-14
Accountant Supervisor	00135	MS-19
Accounting and Fiscal Administration Career Trainee	00140	MS-09
Activity Program Aide I	00151	MS-04
Activity Program Aide II	00152	MS-05
Activity Therapist	00157	MS-12
Activity Therapist Coordinator	00160	MS-16
Activity Therapist Supervisor	00163	MS-23 MS-24
Actuarial Assistant	00187	MS-14
Actuarial Examiner	00195	MS-14
Actuarial Examiner Trainee	00196	MS-10
Actuarial Senior Examiner	00197	MS-21
Actuary I	00201	MS-23
Actuary II	00202	MS-31
Actuary III	00203	MS-33 MS-36
Administrative Assistant I	00501	MS-16
Administrative Assistant II	00502	MS-21

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Administrative Services Worker Trainee	00600	MS-02
Agricultural Executive	00800	MS-23
Agricultural Land and Water Resources Supervisor	00811	MS-25
Agricultural Market News Assistant	00804	MS-09
Agricultural Marketing Generalist	00805	MS-11
Agricultural Marketing Reporter	00807	MS-19
Agricultural Marketing Representative	00810	MS-19
Agricultural Products Promoter	00815	MS-10
Agriculture Land and Water Resource Specialist I	00831	MS-11
Agriculture Land and Water Resource Specialist II	00832	MS-16
Agriculture Land and Water Resource Specialist III	00833	MS-23
Aircraft Dispatcher	00951	MS-09
Aircraft Lead Dispatcher	00952	MS-11
Aircraft Pilot I	00955	MS-21
Aircraft Pilot II	00956	MS-28 MS-27
Aircraft Pilot II – Dual Rating	00957	MS-29
Animal and Animal Products Investigator	01072	MS-11
Animal and Animal Products Investigator Trainee	01075	MS-09
Apiary Inspector	01215	MS-03
Apparel/Dry Goods Specialist I	01231	MS-04
Apparel/Dry Goods Specialist II	01232	MS-05
Apparel/Dry Goods Specialist III	01233	MS-10
Appraisal Specialist I	01251	MS-11
Appraisal Specialist II	01252	MS-14
Appraisal Specialist III	01253	MS-19
Appraisal Specialist Trainee	01255	MS-09
Arbitrator	01401	MS-33
Architect	01440	MS-28 MS-27
Arson Investigations Trainee	01485	MS-12
Arson Investigator I	01481	MS-15 MS-18
Arson Investigator II	01482	MS-20 MS-23
Arts Council Associate	01523	MS-09
Arts Council Program Coordinator	01526	MS-19
Arts Council Program Representative	01527	MS-12
Assignment Coordinator	01530	MS-23 MS-25
Assistant Automotive Shop Supervisor	01565	MS-11
Assistant Reimbursement Officer	02424	MS-05

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Audio Visual Technician I	03501	MS-04
Audio Visual Technician II	03502	MS-06
Auto and Body Repairer	03680	MS-13 MS-11
Automotive Attendant I	03696	MS-03
Automotive Attendant II	03697	MS-03
Automotive Mechanic	03700	MS-13 MS-11
Automotive Parts Warehouse Specialist	03734	MS-11
Automotive Parts Warehouse	03730	MS-11
Automotive Shop Supervisor	03749	MS-18
Bank Examiner I	04131	MS-14
Bank Examiner II	04132	MS-21
Bank Examiner III	04133	MS-28 MS-27
Behavioral Analyst Associate	04355	MS-12
Behavioral Analyst I	04351	MS-16
Behavioral Analyst II	04352	MS-21
Boat Safety Inspection Supervisor	04850	MS-22
Boiler Safety Specialist	04910	MS-26 MS-28
Breath Alcohol Analysis Technician	05170	MS-15
Bridge Mechanic	05310	MS-17 MS-15
Bridge Tender	05320	MS-18 MS-15
Building Construction Inspector I	05541	MS-18
Building Construction Inspector II	05542	MS-20
Building Services Worker	05616	MS-05 MS-04
Building/Grounds Laborer	05598	MS-08
Building/Grounds Lead I	05601	MS-10
Building/Grounds Lead II	05602	MS-12
Building/Grounds Maintenance Worker	05613	MS-09
Building/Grounds Supervisor	05605	MS-12
Business Administrative Specialist	05810	MS-14
Business Manager	05815	MS-19
Buyer	05900	MS-19
Buyer Assistant	05905	MS-07
<u>Cancer Registrar II</u>	<u>05952</u>	<u>MS-14</u>
Canine Specialist	06500	MS-20
Capital Development Board Account Technician	06515	MS-08
Capital Development Board Art In Architecture Technician	06533	MS-09
Capital Development Board Construction Support Analyst	06520	MS-08

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Capital Development Board Media Technician	06525	MS-11
Capital Development Board Project Technician	06530	MS-09
Cartographer III	06673	MS-28
Chaplain I	06901	MS-14
Chaplain II	06902	MS-21
Check Issuance Machine Operator	06920	MS-06
Check Issuance Machine Supervisor	06925	MS-08
Chemist I	06941	MS-14
Chemist II	06942	MS-21
Chemist III	06943	MS-25
Child Development Aide	07184	MS-07
Child Protection Advanced Specialist	07161	MS-21
Child Protection Associate Specialist	07162	MS-14
Child Protection Specialist	07163	MS-19
Child Support Specialist I	07198	MS-14
Child Support Specialist II	07199	MS-16
Child Support Specialist Trainee	07200	MS-09
Child Welfare Administrative Case Reviewer	07190	MS-28 MS-27
Child Welfare Advanced Specialist	07215	MS-21
Child Welfare Associate Specialist	07216	MS-14
Child Welfare Court Facilitator	07196	MS-28 MS-27
Child Welfare Nurse Specialist	07197	MS-22
Child Welfare Senior Specialist	07217	MS-28 MS-27
Child Welfare Specialist	07218	MS-19
Child Welfare Staff Development Coordinator I	07201	MS-16
Child Welfare Staff Development Coordinator II	07202	MS-21
Child Welfare Staff Development Coordinator III	07203	MS-23
Child Welfare Staff Development Coordinator IV	07204	MS-28 MS-27
Children and Family Service Intern, Option 1	07241	MS-09
Children and Family Service Intern, Option 2	07242	MS-12
Civil Engineer I	07601	MS-22
Civil Engineer II	07602	MS-26
Civil Engineer III	07603	MS-30
Civil Engineer IV	07604	MS-31 MS-27
Civil Engineer Trainee	07607	MS-16 MS-15
Clerical Trainee	08050	MS-01
Clinical Laboratory Associate	08200	MS-05

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Clinical Laboratory Phlebotomist	08213	MS-04
Clinical Laboratory Technician I	08215	MS-07
Clinical Laboratory Technician II	08216	MS-09
Clinical Laboratory Technologist I	08220	MS-19
Clinical Laboratory Technologist II	08221	MS-21
Clinical Laboratory Technologist Trainee	08229	MS-11
Clinical Pharmacist	08235	MS-32
Clinical Psychologist	08250	MS-29
Clinical Psychology Associate	08255	MS-19
Clinical Services Supervisor	08260	MS-31
Commerce Commission Police Officer I	08451	MS-18
Commerce Commission Police Officer II	08452	MS-22
Commerce Commission Police Officer Trainee	08455	MS-10
Commerce Commission Police Sergeant	08457	MS-24
Commodities Inspector	08770	MS-08
Communications Dispatcher	08815	MS-06
Communications Equipment Technician I	08831	MS-16
Communications Equipment Technician II	08832	MS-21
Communications Equipment Technician III	08833	MS-23
Communications Systems Specialist	08860	MS-29
Community Management Specialist I	08891	MS-12
Community Management Specialist II	08892	MS-16
Community Management Specialist III	08893	MS-21
Community Planner I	08901	MS-12
Community Planner II	08902	MS-16
Community Planner III	08903	MS-21
Compliance Officer	08919	MS-11
Conservation Education Representative	09300	MS-09
Conservation Grant Administrator I	09311	MS-19
Conservation Grant Administrator II	09312	MS-23
Conservation Grant Administrator III	09313	MS-28 MS-27
Conservation Police Lieutenant	09340	MS-23 MS-22
Conservation Police Officer I	09341	MS-18
Conservation Police Officer II	09342	MS-19 MS-18
Conservation Police Officer Trainee	09345	MS-06
Conservation Police Sergeant	09347	MS-22 MS-20
Conservation/Historic Preservation Worker	09317	MS-01

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Construction Program Assistant	09525	MS-09
Construction Supervisor I	09561	MS-10
Construction Supervisor II	09562	MS-14
Cook I	09601	MS-04
Cook II	09602	MS-07
Correctional Casework Supervisor	09655	MS-25
Correctional Counselor I	09661	MS-12 MS-13
Correctional Counselor II	09662	MS-16 MS-18
Correctional Counselor III	09663	MS-21 MS-22
Correctional Lieutenant	09673	MS-24
Correctional Officer	09675	MS-11
Correctional Officer Trainee	09676	MS-08
Correctional Sergeant	09717	MS-16
Corrections Apprehension Specialist	09750	MS-21 MS-22
Corrections Clerk I	09771	MS-11
Corrections Clerk II	09772	MS-13
Corrections Clerk III	09773	MS-18
Corrections Food Service Supervisor I	09793	MS-13
Corrections Food Service Supervisor II	09794	MS-18
Corrections Food Service Supervisor III	09795	MS-21
Corrections Grounds Supervisor	09796	MS-16
Corrections Identification Supervisor	09800	MS-24
Corrections Identification Technician	09801	MS-13
Corrections Industries Marketing Representative	09803	MS-16 MS-18
Corrections Industry Lead Worker	09805	MS-16
Corrections Industry Supervisor	09807	MS-21
Corrections Laundry Manager I	09808	MS-18
Corrections Laundry Manager II	09809	MS-20
Corrections Leisure Activities Specialist I	09811	MS-12 MS-13
Corrections Leisure Activities Specialist II	09812	MS-16 MS-18
Corrections Leisure Activities Specialist III	09813	MS-21 MS-22
Corrections Leisure Activities Specialist IV	09814	MS-25
Corrections Locksmith	09818	MS-16
Corrections Maintenance Craftsman	09821	MS-16
Corrections Maintenance Supervisor	09822	MS-20
Corrections Maintenance Worker	09823	MS-12
Corrections Medical Technician	09824	MS-12

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Corrections Nurse I	09825	MS-20
Corrections Nurse II	09826	MS-25
Corrections Parole Agent	09842	MS-16 MS-18
Corrections Residence Counselor I	09837	MS-13
Corrections Residence Counselor II	09838	MS-20
Corrections Senior Parole Agent	09844	MS-21 MS-22
Corrections Supply Supervisor I	09861	MS-13
Corrections Supply Supervisor II	09862	MS-18
Corrections Supply Supervisor III	09863	MS-21
Corrections Transportation Officer I	09871	MS-13
Corrections Transportation Officer II	09872	MS-20
Corrections Utilities Operator	09875	MS-16
Corrections Vocational Instructor	09879	MS-16
Corrections Vocational School Supervisor	09880	MS-20
Court Reporter	09900	MS-12
Court Reporter Supervisor	09903	MS-26
Crime Scene Investigator	09980	MS-25
Criminal Intelligence Analyst I	10161	MS-19
Criminal Intelligence Analyst II	10162	MS-23
Criminal Intelligence Analyst Specialist	10165	MS-28 MS-27
Criminal Justice Specialist I	10231	MS-14
Criminal Justice Specialist II	10232	MS-23
Criminal Justice Specialist Trainee	10236	MS-10
Curator Of The Lincoln Collection	10750	MS-14
Data Processing Administrative Specialist	11415	MS-11
Data Processing Assistant	11420	MS-04
Data Processing Operator	11425	MS-03
Data Processing Operator Trainee	11428	MS-02
Data Processing Specialist	11430	MS-09
Data Processing Supervisor I	11435	MS-08
Data Processing Supervisor II	11436	MS-11
Data Processing Supervisor III	11437	MS-19
Data Processing Technician	11440	MS-06
Data Processing Technician Trainee	11443	MS-04
Day Care Licensing Representative I	11471	MS-14
Day Care Licensing Representative II	11472	MS-19
Deck Hand	11500	MS-15 MS-14

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Dental Assistant	11650	MS-07
Dental Hygienist	11700	MS-11
Dentist I	11751	MS-29
Dentist II	11752	MS-33
Developmental Disabilities Council Program Planner I	12361	MS-09
Developmental Disabilities Council Program Planner II	12362	MS-14
Developmental Disabilities Council Program Planner III	12363	MS-19
Dietary Manager I	12501	MS-14
Dietary Manager II	12502	MS-19
Dietitian	12510	MS-12
Disability Appeals Officer	12530	MS-28 MS-27
Disability Claims Adjudicator I	12537	MS-14
Disability Claims Adjudicator II	12538	MS-19
Disability Claims Adjudicator Trainee	12539	MS-10
Disability Claims Analyst	12540	MS-25
Disability Claims Specialist	12558	MS-21
Disaster Services Planner	12585	MS-21
Document Examiner	12640	MS-28 MS-27
Drafting Worker	12749	MS-08
Drug Compliance Investigator	12778	MS-31
Economic Development Representative I	12931	MS-16
Economic Development Representative II	12932	MS-21
Economic Development Representative Trainee	12939	MS-10
Educational Diagnostician	12965	MS-09 MS-10
Educational Media Program Specialist	12980	MS-16
Educator	13100	MS-26
Educator – Provisional	13105	MS-10 MS-09
Educator Aide	13130	MS-08
<u>Educator Trainee</u>	<u>13148</u>	<u>MS-09</u>
Electrical Engineer	13180	MS-28 MS-30
Electroencephalograph Technician	13300	MS-05
Electronic Equipment Installer/Repairer	13340	MS-07
Electronic Equipment Installer/Repairer Lead Worker	13345	MS-09
Electronics Technician	13360	MS-12
Elevator Inspector	13495	MS-21
Elevator Operator	13500	MS-05
Emergency Response Lead Telecommunicator	13540	MS-10

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Emergency Response Telecommunicator	13543	MS-08
Employment Security Field Office Supervisor	13600	MS-23
Employment Security Manpower Representative I	13621	MS-09
Employment Security Manpower Representative II	13622	MS-11
Employment Security Program Representative	13650	MS-11
Employment Security Program Representative – Intermittent	13651	MS-11
Employment Security Service Representative	13667	MS-14
Employment Security Specialist I	13671	MS-11
Employment Security Specialist II	13672	MS-14
Employment Security Specialist III	13673	MS-21
Employment Security Tax Auditor I	13681	MS-16
Employment Security Tax Auditor II	13682	MS-21
End-User Computer Systems Analyst	13693	MS-31
End-User Computer Services Specialist I	13691	MS-24 MS-25
End-User Computer Services Specialist II	13692	MS-28
End-User Computer Systems Analyst	13693	MS-30
Energy and Natural Resources Specialist I	13711	MS-12
Energy and Natural Resources Specialist II	13712	MS-16
Energy and Natural Resources Specialist III	13713	MS-21
Energy and Natural Resources Specialist Trainee	13715	MS-09
Engineering Technician I	13731	MS-10 MS-09
Engineering Technician II	13732	MS-13
Engineering Technician III	13733	MS-20
Engineering Technician IV	13734	MS-30
Environmental Engineer I	13751	MS-12
Environmental Engineer II	13752	MS-16
Environmental Engineer III	13753	MS-21
Environmental Engineer IV	13754	MS-28 MS-27
Environmental Equipment Operator I	13761	MS-09
Environmental Equipment Operator II	13762	MS-11
Environmental Health Specialist I	13768	MS-11
Environmental Health Specialist II	13769	MS-14
Environmental Health Specialist III	13770	MS-19
Environmental Protection Associate	13785	MS-09
Environmental Protection Engineer I	13791	MS-12
Environmental Protection Engineer II	13792	MS-16
Environmental Protection Engineer III	13793	MS-21

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Environmental Protection Engineer IV	13794	MS-28 MS-27
Environmental Protection Geologist I	13801	MS-12
Environmental Protection Geologist II	13802	MS-16
Environmental Protection Geologist III	13803	MS-21
Environmental Protection Legal Investigator I	13811	MS-10
Environmental Protection Legal Investigator II	13812	MS-11
Environmental Protection Legal Investigator Specialist	13815	MS-13
Environmental Protection Specialist I	13821	MS-11
Environmental Protection Specialist II	13822	MS-14
Environmental Protection Specialist III	13823	MS-19
Environmental Protection Specialist IV	13824	MS-28 MS-27
Environmental Protection Technician I	13831	MS-05
Environmental Protection Technician II	13832	MS-07
Equal Pay Specialist	13837	MS-16
Equine Investigator	13840	MS-09
Executive I	13851	MS-19
Executive II	13852	MS-23
Executive Secretary I	14031	MS-08
Executive Secretary II	14032	MS-11
Executive Secretary III	14033	MS-14
Explosives Inspector I	14051	MS-11
Explosives Inspector II	14052	MS-18
Facility Assistant Fire Chief	14430	MS-10
Facility Fire Chief	14433	MS-13
Facility Fire Safety Coordinator	14435	MS-09
Facility Firefighter	14439	MS-07 MS-09
Ferry Operator I	14801	MS-18 MS-16
Ferry Operator II	14802	MS-19 MS-17
Financial Institutions Examiner I	14971	MS-14
Financial Institutions Examiner II	14972	MS-21
Financial Institutions Examiner III	14973	MS-28 MS-27
Financial Institutions Examiner Trainee	14978	MS-10
Fingerprint Technician	15204	MS-10
Fingerprint Technician Supervisor	15208	MS-18
Fingerprint Technician Trainee	15209	MS-05
Fire Certification Specialist	15285	MS-16
Fire Prevention Inspector I	15316	MS-13

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Fire Prevention Inspector II	15317	MS-20
Fire Prevention Inspector Trainee	15320	MS-10
Fire Protection Specialist I	15351	MS-14
Flight Safety Coordinator	15640	MS-28 MS-27
Florist II	15652	MS-08
Foreign Service Economic Development Executive I	15871	MS-32
Foreign Service Economic Development Executive II	15872	MS-34
Foreign Service Economic Development Representative	15875	MS-30
Forensic Science Administrator I	15911	MS-31
Forensic Science Administrator II	15912	MS-32
Forensic Scientist I	15891	MS-19
Forensic Scientist II	15892	MS-23
Forensic Scientist III	15893	MS-28 MS-27
Forensic Scientist Trainee	15897	MS-12
Gaming Licensing Analyst	17171	MS-10
Gaming Senior Special Agent	17191	MS-29
Gaming Special Agent	17192	MS-21
Gaming Special Agent Trainee	17195	MS-11
Geographic Information Specialist I	17271	MS-21
Geographic Information Specialist II	17272	MS-29
Geographic Information Trainee	17276	MS-12
Governmental Career Trainee	17325	MS-09
Graduate Pharmacist	17345	MS-23
Graphic Arts Designer	17366	MS-11
Graphic Arts Designer Advanced	17370	MS-14
Graphic Arts Designer Supervisor	17365	MS-19
Graphic Arts Technician	17400	MS-09
Grounds Supervisor	17549	MS-18
Guard I	17681	MS-04
Guard II	17682	MS-06
Guard III	17683	MS-09
Guard Supervisor	17685	MS-11
Guardianship Representative	17710	MS-16
Guardianship Supervisor	17720	MS-24
Habilitation Program Coordinator	17960	MS-16
Handicapped Services Representative I	17981	MS-08
Health Facilities Surveillance Nurse	18150	MS-22

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Health Facilities Surveyor I	18011	MS-14
Health Facilities Surveyor II	18012	MS-21
Health Facilities Surveyor III	18013	MS-23
Health Information Associate	18045	MS-07
Health Information Technician	18047	MS-09
Health Services Investigator I, Option A – General	18181	MS-21
Health Services Investigator I, Option B – Controlled Substance Inspector	18182	MS-23 MS-25
Health Services Investigator II, Option A – General	18185	MS-28 MS-27
Health Services Investigator II, Option B – Controlled Substance Inspector	18186	MS-28
Health Services Investigator II, Option C – Pharmacy	18187	MS-32
Health Services Investigator II, Option D – Pharmacy/Controlled Substance Inspector	18188	MS-32
Hearing and Speech Advanced Specialist	18227	MS-28 MS-27
Hearing and Speech Associate	18231	MS-19
Hearing and Speech Specialist	18233	MS-23
Hearing and Speech Technician I	18261	MS-04
Hearing and Speech Technician II	18262	MS-06
Hearings Referee	18300	MS-29
Hearings Referee – Intermittent	18301	MS-29
Heavy Construction Equipment Operator	18465	MS-18
Highway Construction Supervisor I	18525	MS-25 MS-24
Highway Construction Supervisor II	18526	MS-30 MS-28
Highway Maintainer	18639	MS-18 MS-16
Highway Maintenance Lead Worker	18659	MS-18
Historical Documents Conservator I	18981	MS-10
Historical Exhibits Designer	18985	MS-12
Historical Library Chief Of Acquisitions	18987	MS-21 MS-22
Historical Research Editor II	19002	MS-11
Historical Research Specialist	19008	MS-23
Housekeeper II	19602	MS-03
Human Relations Representative	19670	MS-14
Human Resources Assistant	19690	MS-05
Human Resources Associate	19691	MS-08
Human Resources Trainee	19694	MS-04
Human Rights Investigator I	19774	MS-14
Human Rights Investigator II	19775	MS-19

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Human Rights Investigator III	19776	MS-21
Human Rights Mediation Supervisor	19769	MS-23
Human Rights Mediator	19771	MS-16 MS-20
Human Rights Specialist I	19778	MS-11
Human Rights Specialist II	19779	MS-14
Human Rights Specialist III	19780	MS-19
Human Services Casework Manager	19788	MS-23
Human Services Caseworker	19785	MS-14
Human Services Grants Coordinator I	19791	MS-11
Human Services Grants Coordinator II	19792	MS-16
Human Services Grants Coordinator III	19793	MS-23
Human Services Grants Coordinator Trainee	19796	MS-09
Human Services Sign Language Interpreter	19810	MS-14
Iconographer	19880	MS-09
Industrial and Community Development Representative I	21051	MS-16
Industrial and Community Development Representative II	21052	MS-21
Industrial Commission Reporter	21080	MS-14
Industrial Commission Technician	21095	MS-08
Industrial Services Consultant I	21121	MS-11
Industrial Services Consultant II	21122	MS-14
Industrial Services Consultant Trainee	21125	MS-08
Industrial Services Hygienist	21127	MS-21
Industrial Services Hygienist Technician	21130	MS-14
Industrial Services Hygienist Trainee	21133	MS-09
Information Services Intern	21160	MS-12
Information Services Specialist I	21161	MS-16
Information Services Specialist II	21162	MS-21
Information Systems Analyst I	21165	MS-25
Information Systems Analyst II	21166	MS-29
Information Systems Analyst III	21167	MS-32
Information Technology/Communications Systems Specialist I	21216	MS-21
Information Technology/Communications Systems Specialist II	21217	MS-31
Inhalation Therapist	21259	MS-05
Inhalation Therapy Supervisor	21260	MS-08
Institutional Helper	21460	MS-05
Institutional Maintenance Worker	21465	MS-05
Instrument Designer	21500	MS-19

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Insurance Analyst I	21561	MS-06
Insurance Analyst II	21562	MS-09
Insurance Analyst III	21563	MS-11
Insurance Analyst IV	21564	MS-14
Insurance Analyst Trainee	21566	MS-04
Insurance Company Claims Examiner I	21601	MS-16
Insurance Company Claims Examiner II	21602	MS-21
Insurance Company Field Staff Examiner	21608	MS-14
Insurance Company Financial Examiner Trainee	21610	MS-10
Insurance Performance Examiner I	21671	MS-11
Insurance Performance Examiner II	21672	MS-16
Insurance Performance Examiner III	21673	MS-23
Intermittent Clerk	21686	MS-02
Intermittent Laborer (Maintenance)	21687	MS-08
Intermittent Unemployment Insurance Representative	21689	MS-09
Intermittent Unemployment Insurance Technician	21690	MS-04
Internal Auditor I	21721	MS-16
Internal Auditor Trainee	21726	MS-09
Internal Security Investigator I	21731	MS-19
Internal Security Investigator II	21732	MS-25
International Marketing Representative I	21761	MS-11 MS-20
Janitor I	21951	MS-13
Janitor II	21952	MS-14
Juvenile Justice Chief of Security	21965	MS-31
Juvenile Justice Specialist	21971	MS-20
Juvenile Justice Specialist Intern	21976	MS-13
Juvenile Justice Supervisor	21980	MS-27
Juvenile Justice Youth and Family Specialist Option 1	21991	MS-19 MS-20
Juvenile Justice Youth and Family Specialist Option 2	21992	MS-23 MS-25
Juvenile Justice Youth and Family Specialist Supervisor	21995	MS-28 MS-29
Kidcare Supervisor	22003	MS-23
Labor Conciliator	22750	MS-23
Labor Maintenance Lead Worker	22809	MS-16 MS-15
Laboratory Assistant	22995	MS-03
Laboratory Associate I	22997	MS-07
Laboratory Associate II	22998	MS-09
Laboratory Equipment Specialist	22990	MS-19

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Laboratory Quality Specialist I	23021	MS-21
Laboratory Quality Specialist II	23022	MS-25
Laboratory Research Scientist	23025	MS-29
Laboratory Research Specialist I	23027	MS-21
Laboratory Research Specialist II	23028	MS-25
Laborer (Maintenance)	23080	MS-15 MS-14
Land Acquisition Agent I	23091	MS-12
Land Acquisition Agent II	23092	MS-19
Land Acquisition Agent III	23093	MS-25
Land Reclamation Specialist I	23131	MS-11
Land Reclamation Specialist II	23132	MS-16
Landscape Architect	23145	MS-28 MS-27
Landscape Planner	23150	MS-21
Laundry Manager I	23191	MS-10 MS-11
Legal Research Assistant	23350	MS-10
Liability Claims Adjuster I	23371	MS-11
Liability Claims Adjuster II	23372	MS-19
Liability Claims Adjuster Trainee	23375	MS-09
Librarian I	23401	MS-14
Librarian II	23402	MS-19
Library Aide I	23421	MS-03
Library Aide II	23422	MS-04
Library Aide III	23423	MS-05
Library Associate	23430	MS-09
Library Technical Assistant	23450	MS-07
Licensed Practical Nurse I	23551	MS-09 MS-07
Licensed Practical Nurse II	23552	MS-10 MS-09
Licensing Assistant	23568	MS-05
Licensing Investigator I	23571	MS-10
Licensing Investigator II	23572	MS-13
Licensing Investigator III	23573	MS-15
Licensing Investigator IV	23574	MS-20
Life Sciences Career Trainee	23600	MS-09
Liquor Control Special Agent I	23751	MS-13
Liquor Control Special Agent II	23752	MS-14
Local Historical Services Representative	24000	MS-16
Local Housing Advisor I	24031	MS-11

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Local Housing Advisor II	24032	MS-14
Local Housing Advisor III	24033	MS-19
Local Revenue and Fiscal Advisor I	24101	MS-12
Local Revenue and Fiscal Advisor II	24102	MS-16
Local Revenue and Fiscal Advisor III	24103	MS-21
Lock and Dam Tender	24290	MS-07
Locksmith	24300	MS-16
Lottery Commodities Distributor II	24402	MS-09
Lottery Regional Coordinator	24504	MS-21
Lottery Sales Representative	24515	MS-14
Lottery Telemarketing Representative	24520	MS-06
Maintenance Equipment Operator	25020	MS-18 MS-17
Maintenance Worker	25500	MS-16 MS-15
Management Operations Analyst I	25541	MS-19
Management Operations Analyst II	25542	MS-23
Management Operations Analyst Trainee	25545	MS-12
Management Systems Specialist	25583	MS-25
Manpower Planner I	25591	MS-11
Manpower Planner II	25592	MS-16
Manpower Planner III	25593	MS-23
Manpower Planner Trainee	25597	MS-09
Manuscripts Manager	25610	MS-21 MS-22
Meat and Poultry Inspector	26070	MS-10
Meat and Poultry Inspector Supervisor	26073	MS-13
Meat and Poultry Inspector Trainee	26075	MS-07
Mechanical Engineer I	26201	MS-12
Mechanical Engineer II	26202	MS-16
Mechanical Engineer III	26203	MS-21
Medical Administrator I Option C	26400	MS-60
Medical Administrator I Option D	26401	MS-62
Medical Administrator II Option C	26402	MS-61
Medical Administrator II Option D	26403	MS-64
Medical Administrator III	26404	MS-65
Medical Administrator IV	26405	MS-66
Medical Administrator V	26406	MS-67
Medical Assistance Consultant I	26501	MS-10
Medical Assistance Consultant II	26502	MS-14

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Medical Assistance Consultant III	26503	MS-21
Mental Health Administrator I	26811	MS-19
Mental Health Administrator II	26812	MS-23
Mental Health Administrator Trainee	26817	MS-14 MS-12
Mental Health Program Administrator	26908	MS-63
Mental Health Recovery Support Specialist I	26921	MS-16
Mental Health Recovery Support Specialist II	26922	MS-19
Mental Health Specialist I	26924	MS-09
Mental Health Specialist II	26925	MS-11
Mental Health Specialist III	26926	MS-14
Mental Health Specialist Trainee	26928	MS-08
Mental Health Technician I	27011	MS-04
Mental Health Technician II	27012	MS-05
Mental Health Technician III	27013	MS-06
Mental Health Technician IV	27014	MS-07
Mental Health Technician V	27015	MS-08
Mental Health Technician VI	27016	MS-09
Mental Health Technician Trainee	27020	MS-03
Meteorologist	27120	MS-19
Methods and Procedures Advisor I	27131	MS-11
Methods and Procedures Advisor II	27132	MS-14
Methods and Procedures Advisor III	27133	MS-23
Methods and Procedures Career Associate I	27135	MS-08
Methods and Procedures Career Associate II	27136	MS-09
Methods and Procedures Career Associate Trainee	27137	MS-06
Metrologist Associate	27146	MS-12
Microbiologist I	27151	MS-14
Microbiologist II	27152	MS-21
Microfilm Laboratory Technician I	27175	MS-04
Microfilm Laboratory Technician II	27176	MS-06
Microfilm Operator I	27181	MS-03
Microfilm Operator II	27182	MS-04
Microfilm Operator III	27183	MS-05
Mine Rescue Station Assistant	28150	MS-07
Motorist Assistance Specialist	28490	MS-05
Musician	28805	MS-05
Natural Resource Technician I	28851	MS-07

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Natural Resource Technician II	28852	MS-10
Natural Resources Advanced Specialist	28833	MS-23
Natural Resources Coordinator	28831	MS-12
Natural Resources Education Program Coordinator	28834	MS-23
Natural Resources Grant Coordinator	28835	MS-20
Natural Resources Manager I	28836	MS-23
Natural Resources Manager II	28837	MS-26
Natural Resources Manager III	28838	MS-30
Natural Resources Site Manager I	28841	MS-23
Natural Resources Site Manager II	28842	MS-26
Natural Resources Specialist	28832	MS-19
Nursing Act Assistant Coordinator	29731	MS-25
Nutritionist	29820	MS-19
Occupational Therapist	29900	MS-16
Occupational Therapist Program Coordinator	29908	MS-21
Occupational Therapist Supervisor	29910	MS-25
Office Administrative Specialist	29990	MS-09
Office Administrator I	29991	MS-04
Office Administrator II	29992	MS-06
Office Administrator III	29993	MS-08
Office Administrator IV	29994	MS-11
Office Administrator V	29995	MS-12
Office Aide	30005	MS-02
Office Assistant	30010	MS-04
Office Associate	30015	MS-05
Office Clerk	30020	MS-03
Office Coordinator	30025	MS-06
Office Occupations Trainee	30075	MS-01
Office Specialist	30080	MS-08
Optometrist	30300	MS-11
Oral Health Consultant	30317	MS-19
Paralegal Assistant	30860	MS-11
Pension and Death Benefits Technician I	30961	MS-09
Pension and Death Benefits Technician II	30962	MS-21
Pest Control Operator	31810	MS-07
Pharmacy Lead Technician	32009	MS-06
Pharmacy Services Coordinator	32010	MS-32

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Pharmacy Technician	32011	MS-04
Photographer I	32085	MS-08
Photographer II	32086	MS-11
Photographer III	32087	MS-12
Photographic Technician I	32091	MS-08
Photographic Technician II	32092	MS-11
Photographic Technician III	32093	MS-12
Physical Therapist	32145	MS-16
Physical Therapist Program Coordinator	32153	MS-21
Physical Therapy Aide I	32191	MS-03
Physical Therapy Aide II	32192	MS-05
Physical Therapy Aide III	32193	MS-08
Physician	32200	MS-36
Physician Assistant	32210	MS-27
Physician Specialist – Option A	32221	MS-37
Physician Specialist – Option B	32222	MS-38
Physician Specialist – Option C	32223	MS-61
Physician Specialist – Option D	32224	MS-63
Physician Specialist – Option E	32225	MS-65 MS-64
Plant and Pesticide Specialist I	32501	MS-15
Plant and Pesticide Specialist II	32502	MS-20
Plant and Pesticide Specialist Supervisor	32506	MS-20
Plumbing Consultant	32910	MS-28 MS-27
Plumbing Inspector	32915	MS-22
Podiatrist	32960	MS-11
Police Lieutenant	32977	MS-31
Police Officer I	32981	MS-15 MS-18
Police Officer II	32982	MS-20 MS-22
Police Officer III	32983	MS-24 MS-26
Police Officer Trainee	32985	MS-06
Police Training Specialist	32990	MS-16
Polygraph Examiner I	33001	MS-20
Polygraph Examiner II	33002	MS-24
Polygraph Examiner III	33003	MS-28
Polygraph Examiner Trainee	33005	MS-12
Power Shovel Operator	33360	MS-18 MS-16
Private Secretary I	34201	MS-13

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Private Secretary II	34202	MS-18
Procurement Representative	34540	MS-06
Products and Standards Inspector	34603	MS-11
Products and Standards Inspector Trainee	34605	MS-09
Program Integrity Auditor I	34631	MS-14
Program Integrity Auditor II	34632	MS-21
Program Integrity Auditor Trainee	34635	MS-09
Project Designer	34725	MS-21
Property and Supply Clerk I	34791	MS-03
Property and Supply Clerk II	34792	MS-04
Property and Supply Clerk III	34793	MS-05
Property Consultant	34900	MS-12
Psychologist Associate	35626	MS-12
Psychologist I	35611	MS-16
Psychologist II	35612	MS-23
Psychologist III	35613	MS-28 MS-27
Psychology Intern	35660	MS-15
Public Administration Intern	35700	MS-11
Public Aid Eligibility Assistant	35825	MS-05
Public Aid Investigator	35870	MS-21
Public Aid Investigator Trainee	35874	MS-11
Public Aid Lead Casework Specialist	35880	MS-16
Public Aid Program Quality Analyst	35890	MS-21
Public Aid Quality Control Reviewer	35892	MS-16
Public Aid Quality Control Supervisor	35900	MS-21
Public Aid Staff Development Specialist I	36071	MS-12
Public Aid Staff Development Specialist II	36072	MS-16
Public Aid Staff Development Specialist III	36073	MS-22
Public Health Educator	36430	MS-21
Public Health Educator Associate	36434	MS-11
Public Health Program Specialist I	36611	MS-11
Public Health Program Specialist II	36612	MS-14
Public Health Program Specialist III	36613	MS-21
Public Health Program Specialist Trainee	36615	MS-09
Public Information Coordinator	36750	MS-19
Public Information Officer I	37001	MS-09
Public Information Officer II	37002	MS-11

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Public Information Officer III	37003	MS-21
Public Information Officer IV	37004	MS-25
Public Safety Inspector	37007	MS-14
Public Safety Inspector Trainee	37010	MS-07
Public Service Trainee	37025	MS-01
Race Track Maintainer I	37551	MS-10
Race Track Maintainer II	37552	MS-12
Radiologic Technologist	37500	MS-08
Radiologic Technologist Chief	37505	MS-17
Radiologic Technologist Program Coordinator	37507	MS-09
Railroad Safety Specialist I	37601	MS-21
Railroad Safety Specialist II	37602	MS-25
Railroad Safety Specialist III	37603	MS-29
Railroad Safety Specialist IV	37604	MS-32
Ranger	37725	MS-10
Real Estate Investigator	37730	MS-21
Real Estate Professions Examiner	37760	MS-28 MS-27
Recreation Worker I	38001	MS-09
Recreation Worker II	38002	MS-11
Refrigeration and Air Conditioning Repairer	38119	MS-12
Registered Nurse – Advanced Practice	38135	MS-26 MS-27
Registered Nurse I	38131	MS-18
Registered Nurse II	38132	MS-22
Rehabilitation Case Coordinator I	38141	MS-05
Rehabilitation Case Coordinator II	38142	MS-07
Rehabilitation Counselor	38145	MS-16
Rehabilitation Counselor Aide I	38155	MS-06
Rehabilitation Counselor Aide II	38156	MS-08
Rehabilitation Counselor Senior	38158	MS-21
Rehabilitation Counselor Trainee	38159	MS-12
Rehabilitation Services Advisor I	38176	MS-23
Rehabilitation Workshop Instructor I	38192	MS-05
Rehabilitation Workshop Instructor II	38193	MS-09
Rehabilitation Workshop Supervisor I	38194	MS-09
Rehabilitation Workshop Supervisor II	38195	MS-11
Rehabilitation Workshop Supervisor III	38196	MS-14 MS-20
Rehabilitation/Mobility Instructor	38163	MS-21

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Rehabilitation/Mobility Instructor Trainee	38167	MS-12
Reimbursement Officer I	38199	MS-11
Reimbursement Officer II	38200	MS-14
Reproduction Service Supervisor I	38201	MS-10
Reproduction Service Supervisor II	38202	MS-18
Reproduction Service Technician I	38203	MS-03
Reproduction Service Technician II	38204	MS-06
Reproduction Service Technician III	38205	MS-08
Research Economist I	38207	MS-19
Research Fellow, Option B	38211	MS-19
Research Scientist I	38231	MS-10
Research Scientist II	38232	MS-14
Research Scientist III	38233	MS-23
Resident Physician	38270	MS-15
Residential Care Program Supervisor I	38271	MS-22
Residential Care Worker	38277	MS-09
Residential Care Worker Trainee	38279	MS-05
Resource Planner I	38281	MS-16
Resource Planner II	38282	MS-21
Resource Planner III	38283	MS-28 MS-27
Retirement System Disability Specialist	38310	MS-21
Revenue Audit Supervisor	38369	MS-32
Revenue Auditor I	38371	MS-14
Revenue Auditor II	38372	MS-21
Revenue Auditor III	38373	MS-28 MS-27
Revenue Auditor Trainee	38375	MS-09
Revenue Collection Officer I	38401	MS-12
Revenue Collection Officer II	38402	MS-16
Revenue Collection Officer III	38403	MS-21
Revenue Collection Officer Trainee	38405	MS-09
Revenue Computer Audit Specialist	38425	MS-29
Revenue Senior Special Agent	38557	MS-29
Revenue Special Agent	38558	MS-21
Revenue Special Agent Trainee	38565	MS-11
Revenue Tax Specialist I	38571	MS-09
Revenue Tax Specialist II	38572	MS-11
Revenue Tax Specialist III	38573	MS-16

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Revenue Tax Specialist Trainee	38575	MS-07
Safety Responsibility Analyst	38910	MS-09
Safety Responsibility Analyst Supervisor	38915	MS-11
School Psychologist	39200	MS-21
Security Guard I	39851	MS-13
Security Guard II	39852	MS-14
Security Officer	39870	MS-10
Security Officer Chief	39875	MS-13 MS-15
Security Officer Lieutenant	39876	MS-11
Security Officer Sergeant	39877	MS-10
Security Therapy Aide I	39901	MS-10
Security Therapy Aide II	39902	MS-11
Security Therapy Aide III	39903	MS-13
Security Therapy Aide IV	39904	MS-16 MS-18
Security Therapy Aide Trainee	39905	MS-06
Seed Analyst I	39951	MS-09
Seed Analyst II	39952	MS-10
Seed Analyst Trainee	39953	MS-07
Senior Ranger	40090	MS-11
Shift Supervisor	40800	MS-31
Sign Shop Foreman	41000	MS-12 MS-22
Silk Screen Operator	41020	MS-17 MS-16
Site Assistant Superintendent I	41071	MS-12
Site Assistant Superintendent II	41072	MS-16
Site Interpreter	41090	MS-07
Site Interpretive Coordinator	41093	MS-10
Site Security Officer	41115	MS-06
Site Services Specialist I	41117	MS-12
Site Services Specialist II	41118	MS-16
Site Superintendent I	41211	MS-20
Site Superintendent II	41212	MS-25
Site Superintendent III	41213	MS-29
Site Technician I	41131	MS-07
Site Technician II	41132	MS-09
Small Engine Mechanic	41150	MS-10
Social Service Aide I	41281	MS-05
Social Service Aide II	41282	MS-08

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Social Service Aide Trainee	41285	MS-03
Social Service Community Planner	41295	MS-08
Social Service Consultant I	41301	MS-19
Social Service Consultant II	41302	MS-21
Social Service Program Planner I	41311	MS-12
Social Service Program Planner II	41312	MS-16
Social Service Program Planner III	41313	MS-23
Social Service Program Planner IV	41314	MS-28 MS-27
Social Services Career Trainee	41320	MS-09
Social Worker I	41411	MS-16
Social Worker II	41412	MS-21
Social Worker III	41413	MS-23
Social Worker IV	41414	MS-28 MS-27
Social Worker Intern	41430	MS-15
Staff Development Specialist I	41771	MS-19
Staff Development Technician I	41781	MS-09
Staff Development Technician II	41782	MS-12
Staff Pharmacist	41787	MS-31
State Mine Inspector	42230	MS-21
State Mine Inspector-At-Large	42240	MS-31
State Police Crime Information Evaluator	41801	MS-08
State Police Evidence Technician I	41901	MS-09
State Police Evidence Technician II	41902	MS-10
State Police Field Specialist I	42001	MS-19
State Police Field Specialist II	42002	MS-23
Statistical Research Specialist I	42741	MS-09
Statistical Research Specialist II	42742	MS-11
Statistical Research Specialist III	42743	MS-16
Statistical Research Supervisor	42745	MS-23
Statistical Research Technician	42748	MS-08
Storage Tank Safety Specialist	43005	MS-19
Storekeeper I	43051	MS-11
Storekeeper II	43052	MS-12
Storekeeper III	43053	MS-13
Stores Clerk	43060	MS-03
Student Intern	43190	MS-01
Student Worker	43200	MS-01

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Supervising Vehicle Testing Compliance Officer	43680	MS-22
Support Service Coordinator I	44221	MS-07
Support Service Coordinator II	44222	MS-09
Support Service Lead	44225	MS-04
Support Service Worker	44238	MS-03
Switchboard Chief Operator	44410	MS-11
Switchboard Operator I	44411	MS-03
Switchboard Operator II	44412	MS-04
Switchboard Operator III	44413	MS-06
Technical Advisor Advanced Program Specialist	45256	MS-31
Technical Advisor I	45251	MS-19
Technical Advisor II	45252	MS-23
Technical Advisor III	45253	MS-29
Technical Manager I	45261	MS-18
Telecommunications Specialist	45295	MS-12
Telecommunications Supervisor	45305	MS-23
Telecommunications Systems Analyst	45308	MS-16
Telecommunications Systems Technician I	45312	MS-07
Telecommunications Systems Technician II	45313	MS-10
Telecommunications Systems Technician Trainee	45314	MS-05
Telecommunicator	45321	MS-09
Telecommunicator – Command Center	45316	MS-10
Telecommunicator Call Taker	45322	MS-11
Telecommunicator Lead Call Taker	45323	MS-14
Telecommunicator Lead Specialist	45327	MS-16
Telecommunicator Lead Worker	45324	MS-11
Telecommunicator Lead Worker – Command Center	45318	MS-12
Telecommunicator Specialist	45326	MS-12
Telecommunicator Trainee	45325	MS-07
Terrorism Research Specialist I	45371	MS-19
Terrorism Research Specialist II	45372	MS-23
Terrorism Research Specialist III	45373	MS-28 MS-27
Terrorism Research Specialist Trainee	45375	MS-11
Transportation Officer	45830	MS-11
Truck Weighing Inspector	46100	MS-10
Unemployment Insurance Adjudicator I	47001	MS-08
Unemployment Insurance Adjudicator II	47002	MS-10

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Unemployment Insurance Adjudicator III	47003	MS-12
Unemployment Insurance Revenue Analyst I	47081	MS-12
Unemployment Insurance Revenue Analyst II	47082	MS-16
Unemployment Insurance Revenue Specialist	47087	MS-10
Unemployment Insurance Special Agent	47096	MS-19
Utility Engineer I	47451	MS-20
Utility Engineer II	47452	MS-24
Vehicle Compliance Inspector	47570	MS-15
Vehicle Emission Compliance Inspector	47580	MS-10
Vehicle Emission Compliance Supervisor	47583	MS-12 MS-20
Vehicle Emission Quality Assurance Auditor	47584	MS-10
Vehicle Permit Evaluator	47585	MS-08
Veterans Educational Specialist I	47681	MS-12
Veterans Educational Specialist II	47682	MS-16
Veterans Educational Specialist III	47683	MS-25
Veterans Employment Representative I	47701	MS-11
Veterans Employment Representative II	47702	MS-14
Veterans Nursing Assistant – Certified	47750	MS-05
Veterans Service Officer	47800	MS-11
Veterans Service Officer Associate	47804	MS-10
Veterinarian I	47901	MS-19
Veterinarian II	47902	MS-23
Veterinarian III	47903	MS-25
Veterinary Consumer Safety Officer	47911	MS-20
Veterinary Pathologist	47916	MS-29
Veterinary Supervisor I	47917	MS-25
Veterinary Supervisor II	47918	MS-26
Vision/Hearing Consultant I	47941	MS-14
Vision/Hearing Consultant II	47942	MS-23
Vision/Hearing Consultant III	47943	MS-25
Vital Records Quality Control Inspector	48000	MS-10
Vocational Instructor	48200	MS-09
Volunteer Services Coordinator I	48481	MS-10
Volunteer Services Coordinator II	48482	MS-14
Volunteer Services Coordinator III	48483	MS-19
Wage Claims Specialist	48770	MS-06
Warehouse Claims Specialist	48780	MS-22

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Warehouse Examiner	48881	MS-13
Warehouse Examiner Specialist	48882	MS-18
Warehouse Examiner Supervisor	48786	MS-20
Waterways Construction Supervisor I	49061	MS-14
Waterways Construction Supervisor II	49062	MS-19 MS-24
Weatherization Specialist I	49101	MS-11
Weatherization Specialist II	49102	MS-16
Weatherization Specialist III	49103	MS-23
Weatherization Specialist Trainee	49105	MS-09
Well Inspector I	49421	MS-11
Well Inspector II	49422	MS-18
Workers Compensation Insurance Compliance Investigator	49640	MS-23

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

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 310.500 Definitions

The following are definitions of certain terms and are for purposes of clarification as they affect the Merit Compensation System only.

"Adjustment in Salary" – A change in salary occasioned by previously committed error or oversight, or required in the best interest of the agency or the state as defined in Sections 310.470 and 310.480.

"Base Salary" – The dollar amount of pay of an employee as determined under the provisions of the Merit Compensation System. Base salary does not include commission, incentive pay, bilingual pay, longevity pay, overtime pay, shift differential pay or deductions for time not worked.

"Bilingual Pay" – The dollar amount per month, or percentage of the employee's monthly base salary, paid in addition to the employee's base salary when the individual position held by the employee has a job description that requires the use of sign language, Braille, or another second language (e.g., Spanish), or that requires the employee to be bilingual.

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"Creditable Service" – All service in full or regularly scheduled part-time pay status beginning with the date of initial employment or the effective date of the last in-range or promotional salary increase. Reevaluations (Sections 310.460(c) and 310.480(d)), reallocations (Sections 310.460(b) and 310.480(b)), adjustments (Sections 310.470, 310.480(e) and 310.495(c)) and interim assignments (Section 310.490(p)) shall not change the creditable service date.

"Comparable Classes" – Two or more classes that are in the same salary range.

"Demotion" – The assignment for cause of an employee to a vacant position in a class in a lower salary range than the former class.

"Differential" – The additional compensation added to the base salary of an employee resulting from conditions of employment imposed during the normal schedule of work.

"Entrance Base Salary" – The initial base salary assigned to an employee upon entering State service.

"Maximum Rate of Pay" – The highest rate of pay for a given salary range.

"Minimum Rate of Pay" – The lowest rate of pay for a given salary range. Normally the minimum rate of pay represents the salary to be paid a qualified employee who is appointed to a position in a class assigned to a given salary range.

"Option" – The denotation of directly-related education, experience and/or knowledge, skills and abilities required to qualify for the position allocated to the classification. The requirements may meet or exceed the requirements indicated in the classification specification. The following options are for the Public Service Administrator classification and have a negotiated pay grade and/or a broad-banded salary range assigned:

1	=	General Administration/Business Marketing/Labor/Personnel
2	=	Fiscal Management/Accounting/Budget/Internal Audit/Insurance/Financial
2B	=	Financial Regulatory
2C	=	Economist

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3	=	Management Information System/Data Processing/ Telecommunications
3J	=	Java Application Developer
3N	=	Wide Area Networks
4	=	Physical Sciences/Environment
6	=	Health and Human Services
6B	=	Day Care Quality Assurance
6C	=	Health Statistics
6D	=	Health Promotion/Disease Prevention
6E	=	Laboratory Specialist
6F	=	Infectious Disease
6G	=	Disaster/Emergency Medical Services
7	=	Law Enforcement/Correctional
8A	=	Special License – Architect License
8B	=	Special License – Boiler Inspector License
8C	=	Special License – Certified Public Accountant/ Certified Internal Auditor
8D	=	Special License – Federal Communications Commission License/National Association of Business and Educational Radio
8E	=	Special License – Engineer (Professional)
8F	=	Special License – Federal Aviation Administration Medical Certificate/First Class
8G	=	Special License – Clinical Professional Counselor
8H	=	Special License – Environmental Health Practitioner
8I	=	Special License – Professional Land Surveyor License
8J	=	Special License – Registered American Dietetic Association/Public Health Food Service Sanitation Certificate/Licensed Dietitian
8K	=	Special License – Licensed Psychologist
8L	=	Special License – Law License
8N	=	Special License – Registered Nurse License
8O	=	Special License – Occupational Therapist License
8P	=	Special License – Pharmacist License
8Q	=	Special License – Religious Ordination by Recognized Commission
8R	=	Special License – Dental Hygienist
8S	=	Special License – Social Worker/Clinical Social Worker
8T	=	Special License – Administrative Certificate issued by

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		the Illinois State Board of Education
8U	=	Special License – Physical Therapist License
8V	=	Special License – Audiologist License
8W	=	Special License – Speech-Language Pathologist License
8X	=	Special License – Blaster Certificate
8Y	=	Special License – Plumbing License
8Z	=	Special License – Special Metrologist Training
<u>9A</u>	=	<u>Special License – Certified Internal Auditor</u>
<u>9B</u>	=	<u>Special License – Certified Information Systems Auditor</u>
9G	=	Special License – Registered Professional Geologist License

The following options are for the Senior Public Service Administrator classification and have a negotiated pay grade and/or a broad-banded salary range assigned:

1	=	General Administration/Business Marketing/Labor/Personnel
2	=	Fiscal Management/Accounting/Budget/ Internal Audit/Insurance/Financial
2B	=	Financial Regulatory
3	=	Management Information System/Data Processing/Telecommunications
4	=	Physical Sciences/Environment
5	=	Agriculture/Conservation
6	=	Health and Human Services
7	=	Law Enforcement/Correctional
8A	=	Special License – Architect License
8B	=	Special License – Boiler Inspector License
8C	=	Special License – Certified Public Accountant/Certified Internal Auditor/Certified Information Systems Auditor
8D	=	Special License – Dental License
8E	=	Special License – Engineer (Professional)
8F	=	Special License – Clinical Professional Counseling
8G	=	Special License – Geologist License
8H	=	Special License – Environmental Health Practitioner
8I	=	Special License – Illinois Auctioneer License

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8K	=	Special License – Licensed Psychologist
8L	=	Special License – Law License (Illinois)
8M	=	Special License – Veterinary Medicine License
8N	=	Special License – Nurse (Registered IL) License
8O	=	Special License – Occupational Therapist License
8P	=	Special License – Pharmacist License
8Q	=	Special License – Nursing Home Administration License
8R	=	Special License – Real Estate Brokers License
8S	=	Special License – Social Worker/Clinical Social Worker
8T	=	Special License – Illinois Teaching Certificate (Type 75)/General Administrative Certificate (Type 61) issued by the Illinois State Board of Education
8Z	=	Special License – Certified Real Estate Appraisal License

Other classification titles contain an option and the option also may denote differences in the distinguishing features of work indicated in the classification specification. The classification titles containing an option are:

Children and Family Service Intern, Option 1
Children and Family Service Intern, Option 2
Health Services Investigator I, Option A – General
Health Services Investigator I, Option B – Controlled Substance Inspector
Health Services Investigator II, Option A – General
Health Services Investigator II, Option B – Controlled Substance
Inspector
Health Services Investigator II, Option C – Pharmacy
Health Services Investigator II, Option D – Pharmacy/Controlled
Substance Inspector
Juvenile Justice Youth and Family Specialist Option 1
Juvenile Justice Youth and Family Specialist Option 2
Medical Administrator I Option C
Medical Administrator I Option D
Medical Administrator II Option C
Medical Administrator II Option D
Physician Specialist – Option A
Physician Specialist – Option B
Physician Specialist – Option C
Physician Specialist – Option D

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Physician Specialist – Option E
Research Fellow, Option B

"Performance Review" – The required review of an employee's on-the-job performance as measured by a specific set of criteria.

"Performance Review Date" – The date on which the annual merit increase and bonus shall be made effective if a performance review indicates it is appropriate. Actual performance review procedures are to be completed prior to the effective date of any recommendation to allow sufficient time for the records to be processed by the originating agency.

"Promotion" – The appointment of an employee, with the approval of the agency and the Department of Central Management Services, to a vacant position in a class in a higher salary range than the former class.

"Reallocation" – The change in the classification of a position resulting from significant changes in assigned duties and responsibilities.

"Reclassification" – The assignment of a position or positions to a different classification based on creation of a new classification or the revision of existing class specification, and approved by the Civil Service Commission.

"Reevaluation" – The assignment of a different salary range to a class of positions based upon a change in relation to other classes or to the labor market.

"Salary Range" – The dollar values encompassed by the minimum and maximum rates of pay of a salary range assigned to a class title.

"Transfer" – The assignment of an employee to a vacant position in a class having the same salary range.

"Work Year" – That period of time determined by the agency and filed with the Department of Central Management Services in accordance with 80 Ill. Adm. Code 303.300.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

SUBPART D: FROZEN NEGOTIATED-RATES-OF-PAY DUE TO

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

FISCAL YEAR APPROPRIATIONS AND EXPIRED SALARY SCHEDULES IN
COLLECTIVE BARGAINING UNIT AGREEMENTS**Section 310.600 Jurisdiction**

The Frozen Negotiated-Rates-of-Pay due to Fiscal Year Appropriations (Subpart D) shall apply to the positions and employees represented by the CU-500, HR-010, RC-006, RC-009, RC-010, RC-014, RC-023, RC-028, RC-029, RC-042, RC-056, RC-062, RC-063, RC-090, RC-104, RC-110, ~~RC-150~~, RC-184 or VR-704 bargaining units and with work location located at the Departments of Corrections, Human Services, Juvenile Justice, Natural Resources or Public Health or the Human Rights Commission. The positions and employees shall be covered by the provisions of the Narrative (Subpart A) and Schedule of Rates (Subpart B) except as provided in the sections of Subpart D. The Departments of Human Rights, Labor and Revenue, Criminal Justice Information Authority, Deaf and Hard of Hearing Commission, Guardianship and Advocacy Commission, Historic Preservation Agency and Prisoner Review Board are removed from the work locations where frozen negotiated-rates-of-pay are effective during fiscal year 2012.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE C RC-056 (Site Superintendents and Departments of Veterans' Affairs, Natural Resources, Human Services and Agriculture and, Historic Preservation Agency and Agriculture Managers, IFPE)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Agricultural Executive	00800	RC-056	20
Agricultural Land and Water Resources Supervisor	00811	RC-056	21
Natural Resources Education Program Coordinator	28834	RC-056	20
Natural Resources Grant Coordinator	28835	RC-056	19
Natural Resources Manager I	28836	RC-056	20
Natural Resources Manager II	28837	RC-056	22
Natural Resources Manager III	28838	RC-056	24
Natural Resources Site Manager I	28841	RC-056	20
Natural Resources Site Manager II	28842	RC-056	22
Plant and Pesticide Specialist Supervisor	32506	RC-056	19

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Security Officer Chief (See Note)	39875	RC-056	16
Security Officer Lieutenant (See Note)	39876	RC-056	14
Site Superintendent I	41211	RC-056	19
Site Superintendent II	41212	RC-056	21
Site Superintendent III	41213	RC-056	23
Veterinary Consumer Safety Officer	47911	RC-056	19
Veterinary Pathologist	47916	RC-056	23
Veterinary Supervisor I	47917	RC-056	21
Veterinary Supervisor II	47918	RC-056	22
Warehouse Examiner Supervisor	48786	RC-056	19

Effective July 1, 2011

<u>Pay Grade</u>	<u>Pay Plan Code</u>	STEPS							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
14	B	3831	3982	4155	4308	4471	4732	4826	5020
14	Q	3995	4157	4339	4501	4673	4945	5043	5246
16	B	4198	4383	4566	4757	4946	5238	5346	5560
16	Q	4383	4581	4770	4969	5170	5477	5698	5927
19	B	4907	5139	5377	5605	5838	6191	6311	6566
20	B	5183	5424	5683	5928	6174	6550	6679	6946
21	B	5478	5742	6009	6284	6547	6954	7094	7376
22	B	5795	6076	6365	6659	6936	7367	7515	7816
23	B	6151	6467	6774	7087	7394	7858	8014	8335
24	B	6348	6679	6998	7322	7646	8104	8287	8617

Effective January 1, 2012

<u>Pay Grade</u>	<u>Pay Plan Code</u>	STEPS							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
14	B	3879	4032	4207	4362	4527	4791	4886	5083
14	Q	4045	4209	4393	4557	4731	5007	5106	5312
16	B	4250	4438	4623	4816	5008	5303	5413	5630
16	Q	4438	4638	4830	5031	5235	5545	5769	6001

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19	B	4968	5203	5444	5675	5911	6268	6390	6648
20	B	5248	5492	5754	6002	6251	6632	6762	7033
21	B	5546	5814	6084	6363	6629	7041	7183	7468
22	B	5867	6152	6445	6742	7023	7459	7609	7914
23	B	6228	6548	6859	7176	7486	7956	8114	8439
24	B	6427	6762	7085	7414	7742	8205	8391	8725

NOTE: An employee newly hired to a position that was previously covered by the alternative formula for pension benefits prior to January 1, 2011 and, effective January 1, 2011, is covered by the standard formula for pension benefits (see the Illinois Pension Code [40 ILCS 5/1-160(g) and 14-110(b)]) shall be placed on the Pay Plan Code B salary grade assigned to the classification to which the position is allocated. An employee newly hired is an employee hired on or after January 1, 2011 who has never been a member of the State Employees' Retirement System (SERS) or any other reciprocal retirement system. Other reciprocal retirement systems are the Chicago Teachers' Pension Fund, County Employees' Annuity and Benefit Fund of Cook County, Forest Preserve District Employees' Annuity and Benefit Fund of Cook County, General Assembly Retirement System (GARS), Illinois Municipal Retirement Fund (IMRF), Judges Retirement System (JRS), Laborers' Annuity and Benefit Fund of Chicago, Metropolitan Water Reclamation District Retirement Fund, Municipal Employees Annuity and Benefit Fund of Chicago, State Universities Retirement System (SURS) and Teachers' Retirement System of the State of Illinois (TRS).

Effective July 1, 2011, the Step 8 rate is increased by \$50/month for employees who have been on Step 8 for 1 year effective July 1, 2010 or are not eligible for the longevity increase as stated and have attained 10 years of continuous service and have 3 or more years creditable service at Step 8.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE AB RC-150 (Public Service Administrators Option 6, AFSCME)**

Title	Title Code	Bargaining Unit	Pay Grade
Public Service Administrator, Option 6	37015	RC-150	24

~~Effective July 1, 2011~~
Bargaining Unit: RC-150

~~For employees who by May 1, 2011~~
do not submit for retirement prior to January 1, 2012

<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>STEPS</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
24	B	6281	6614	6963	7294	7633	7975	8477	8815
24	Q	6565	6916	7275	7626	7973	8335	8859	9214
24	S	6647	6993	7353	7704	8057	8418	8938	9296

~~For employees who by May 1, 2011~~
submit for retirement prior to January 1, 2012

<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>STEPS</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
24	B	6404	6743	7099	7437	7782	8132	8643	8988
24	Q	6693	7051	7417	7775	8130	8499	9032	9394
24	S	6778	7130	7497	7855	8215	8583	9114	9479

~~Effective January 1, 2012~~

<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>STEPS</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>

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24	B	6360	6697	7050	7385	7728	8075	8583	8925
24	Q	6647	7002	7366	7721	8073	8439	8970	9329
24	S	6730	7080	7445	7800	8158	8523	9050	9412

Effective ~~June 28, 2012~~ February 1, 2012

Pay Grade	Pay Plan Code	S T E P S							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
24	B	6487	6831	7191	7533	7883	8237	8755	9104
24	Q	6780	7142	7513	7875	8234	8608	9149	9516
24	S	6865	7222	7594	7956	8321	8693	9231	9600

NOTE: The Illinois Labor Relations Board issued a Certification of Unit Clarification on June 29, 2012. The Clarification abolishes the RC-150 bargaining unit for the Public Service Administrator title Option 6 positions and includes the Public Service Administrator title Option 6 positions in either the RC-062 or RC-063 bargaining unit. Until a Memorandum of Understanding assigns rates within the RC-062 and RC-063 bargaining units, the employees appointed to positions with a work location not at the Departments of Corrections, Human Services, Juvenile Justice, Natural Resources or Public Health or Human Rights Commission and allocated to the Public Service Administrator title Option 6 positions formerly represented by the RC-150 are paid at the RC-150 rates that were effective June 28, 2012.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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Section 310.APPENDIX B Frozen Negotiated-Rates-of-Pay**Section 310.TABLE C Frozen RC-056-Rates-of-Pay (Site Superintendents and Departments of Veterans' Affairs, Natural Resources, Human Services and Agriculture and, Historic Preservation Agency and Agriculture Managers, IFPE)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Agricultural Executive	00800	RC-056	20
Agricultural Land and Water Resources Supervisor	00811	RC-056	21
Natural Resources Education Program Coordinator	28834	RC-056	20
Natural Resources Grant Coordinator	28835	RC-056	19
Natural Resources Manager I	28836	RC-056	20
Natural Resources Manager II	28837	RC-056	22
Natural Resources Manager III	28838	RC-056	24
Natural Resources Site Manager I	28841	RC-056	20
Natural Resources Site Manager II	28842	RC-056	22
Plant and Pesticide Specialist Supervisor	32506	RC-056	19
Security Officer Chief (See Note)	39875	RC-056	16
Security Officer Lieutenant (See Note)	39876	RC-056	14
Site Superintendent I	41211	RC-056	19
Site Superintendent II	41212	RC-056	21
Site Superintendent III	41213	RC-056	23
Veterinary Consumer Safety Officer	47911	RC-056	19
Veterinary Pathologist	47916	RC-056	23
Veterinary Supervisor I	47917	RC-056	21
Veterinary Supervisor II	47918	RC-056	22
Warehouse Examiner Supervisor	48786	RC-056	19

Effective July 1, 2011

<u>Pay Grade</u>	<u>Pay Plan Code</u>	S T E P S							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>

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14	B	3684	3829	3995	4142	4299	4550	4640	4827
14	Q	3841	3997	4172	4328	4493	4755	4849	5044
16	B	4037	4214	4390	4574	4756	5037	5140	5346
16	Q	4214	4405	4587	4778	4971	5266	5479	5699
19	B	4718	4941	5170	5389	5613	5953	6068	6313
20	B	4984	5215	5464	5700	5937	6298	6422	6679
21	B	5267	5521	5778	6042	6295	6687	6821	7092
22	B	5572	5842	6120	6403	6669	7084	7226	7515
23	B	5914	6218	6513	6814	7110	7556	7706	8014
24	B	6104	6422	6729	7040	7352	7792	7968	8286

NOTE: An employee newly hired to a position that was previously covered by the alternative formula for pension benefits prior to January 1, 2011 and, effective January 1, 2011, is covered by the standard formula for pension benefits (see the Illinois Pension Code [40 ILCS 5/1-160(g) and 14-110(b)]) shall be placed on the Pay Plan Code B salary grade assigned to the classification to which the position is allocated. An employee newly hired is an employee hired on or after January 1, 2011 who has never been a member of the State Employees' Retirement System (SERS) or any other reciprocal retirement system. Other reciprocal retirement systems are the Chicago Teachers' Pension Fund, County Employees' Annuity and Benefit Fund of Cook County, Forest Preserve District Employees' Annuity and Benefit Fund of Cook County, General Assembly Retirement System (GARS), Illinois Municipal Retirement Fund (IMRF), Judges Retirement System (JRS), Laborers' Annuity and Benefit Fund of Chicago, Metropolitan Water Reclamation District Retirement Fund, Municipal Employees Annuity and Benefit Fund of Chicago, State Universities Retirement System (SURS) and Teachers' Retirement System of the State of Illinois (TRS).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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Section 310.APPENDIX B Frozen Negotiated-Rates-of-Pay**Section 310.TABLE N Frozen RC-010-Rates-of-Pay (Professional Legal Unit, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Hearings Referee	18300	RC-010	23
Hearings Referee – Intermittent	18301	RC-010	23H
Public Service Administrator, Option 8L Departments of Central Management Services, Children and Family Services, Healthcare and Family Services, Labor, Public Health and Revenue, Environmental Protection Agency, Illinois Gaming Board, Guardianship and Advocacy Commission and Pollution Control Board and administrative law judge function at the Departments of Healthcare and Family Services and Human Services	37015	RC-010	24
Technical Advisor Advanced Program Specialist	45256	RC-010	24
Technical Advisor I	45251	RC-010	18
Technical Advisor II	45252	RC-010	20
Technical Advisor III	45253	RC-010	23

NOTE: The positions allocated to the Public Service Administrator title that are assigned to the frozen negotiated RC-010 pay grade have the Option 8L. See the definition of option in Section 310.50.

Effective July 1, 2011
Bargaining Unit: RC-010

<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>STEPS</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
18	B	4388	4599	4814	5033	5237	5448	5772	6004
18	Q	4583	4811	5032	5261	5475	5693	6035	6275

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20	B	4885	5133	5371	5626	5872	6115	6485	6745
20	Q	5106	5363	5616	5882	6135	6390	6781	7051
23	B	5785	6092	6405	6708	7017	7322	7784	8096
23	Q	6050	6369	6695	7009	7334	7653	8131	8456
23H	B	35.60	37.49	39.42	41.28	43.18	45.06	47.90	49.82
24	B	6158	6484	6826	7151	7483	7819	8311	8642

(Source: Amended at 37 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 310.APPENDIX B Frozen Negotiated-Rates-of-Pay**Section 310.TABLE W Frozen RC-062-Rates-of-Pay (Technical Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Accountant	00130	RC-062	14
Accountant Advanced	00133	RC-062	16
Accountant Supervisor	00135	RC-062	18
Accounting and Fiscal Administration Career Trainee	00140	RC-062	12
Activity Therapist	00157	RC-062	15
Activity Therapist Coordinator	00160	RC-062	17
Activity Therapist Supervisor	00163	RC-062	20
Actuarial Assistant	00187	RC-062	16
Actuarial Examiner	00195	RC-062	16
Actuarial Examiner Trainee	00196	RC-062	13
Actuarial Senior Examiner	00197	RC-062	19
Actuary I	00201	RC-062	20
Actuary II	00202	RC-062	24
Agricultural Market News Assistant	00804	RC-062	12
Agricultural Marketing Generalist	00805	RC-062	14
Agricultural Marketing Reporter	00807	RC-062	18
Agricultural Marketing Representative	00810	RC-062	18
Agriculture Land and Water Resource Specialist I	00831	RC-062	14
Agriculture Land and Water Resource Specialist II	00832	RC-062	17
Agriculture Land and Water Resource Specialist III	00833	RC-062	20
Aircraft Pilot I	00955	RC-062	19
Aircraft Pilot II	00956	RC-062	22
Aircraft Pilot II – Dual Rating	00957	RC-062	23
Appraisal Specialist I	01251	RC-062	14
Appraisal Specialist II	01252	RC-062	16
Appraisal Specialist III	01253	RC-062	18
Arts Council Associate	01523	RC-062	12
Arts Council Program Coordinator	01526	RC-062	18
Arts Council Program Representative	01527	RC-062	15
Assignment Coordinator	01530	RC-062	20
Bank Examiner I	04131	RC-062	16
Bank Examiner II	04132	RC-062	19
Bank Examiner III	04133	RC-062	22

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Behavioral Analyst Associate	04355	RC-062	15
Behavioral Analyst I	04351	RC-062	17
Behavioral Analyst II	04352	RC-062	19
Business Administrative Specialist	05810	RC-062	16
Business Manager	05815	RC-062	18
Buyer	05900	RC-062	18
Cancer Registrar II	05952	RC-062	16
Capital Development Board Account Technician	06515	RC-062	11
Capital Development Board Art in Architecture Technician	06533	RC-062	12
Capital Development Board Construction Support Analyst	06520	RC-062	11
Capital Development Board Project Technician	06530	RC-062	12
Chemist I	06941	RC-062	16
Chemist II	06942	RC-062	19
Chemist III	06943	RC-062	21
Child Protection Advanced Specialist	07161	RC-062	19
Child Protection Associate Specialist	07162	RC-062	16
Child Protection Specialist	07163	RC-062	18
Child Support Specialist I	07198	RC-062	16
Child Support Specialist II	07199	RC-062	17
Child Support Specialist Trainee	07200	RC-062	12
Child Welfare Associate Specialist	07216	RC-062	16
Child Welfare Staff Development Coordinator I	07201	RC-062	17
Child Welfare Staff Development Coordinator II	07202	RC-062	19
Child Welfare Staff Development Coordinator III	07203	RC-062	20
Child Welfare Staff Development Coordinator IV	07204	RC-062	22
Children and Family Service Intern – Option I	07241	RC-062	12
Children and Family Service Intern – Option II	07242	RC-062	15
Clinical Laboratory Technologist I	08220	RC-062	18
Clinical Laboratory Technologist II	08221	RC-062	19
Clinical Laboratory Technologist Trainee	08229	RC-062	14
Communications Systems Specialist	08860	RC-062	23
Community Management Specialist I	08891	RC-062	15
Community Management Specialist II	08892	RC-062	17
Community Management Specialist III	08893	RC-062	19
Community Planner I	08901	RC-062	15
Community Planner II	08902	RC-062	17
Community Planner III	08903	RC-062	19

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Conservation Education Representative	09300	RC-062	12
Conservation Grant Administrator I	09311	RC-062	18
Conservation Grant Administrator II	09312	RC-062	20
Conservation Grant Administrator III	09313	RC-062	22
Construction Program Assistant	09525	RC-062	12
Correctional Counselor I	09661	RC-062	15
Correctional Counselor II	09662	RC-062	17
Correctional Counselor III	09663	RC-062	19
Corrections Apprehension Specialist	09750	RC-062	19
Corrections Industries Marketing Representative	09803	RC-062	17
Corrections Leisure Activities Specialist I	09811	RC-062	15
Corrections Leisure Activities Specialist II	09812	RC-062	17
Corrections Leisure Activities Specialist III	09813	RC-062	19
Corrections Parole Agent	09842	RC-062	17
Corrections Senior Parole Agent	09844	RC-062	19
Criminal Intelligence Analyst I	10161	RC-062	18
Criminal Intelligence Analyst II	10162	RC-062	20
Criminal Intelligence Analyst Specialist	10165	RC-062	22
Criminal Justice Specialist I	10231	RC-062	16
Criminal Justice Specialist II	10232	RC-062	20
Criminal Justice Specialist Trainee	10236	RC-062	13
Curator of the Lincoln Collection	10750	RC-062	16
Data Processing Supervisor I	11435	RC-062	11
Data Processing Supervisor II	11436	RC-062	14
Data Processing Supervisor III	11437	RC-062	18
Day Care Licensing Representative I	11471	RC-062	16
Developmental Disabilities Council Program Planner I	12361	RC-062	12
Developmental Disabilities Council Program Planner II	12362	RC-062	16
Developmental Disabilities Council Program Planner III	12363	RC-062	18
Dietary Manager I	12501	RC-062	16
Dietary Manager II	12502	RC-062	18
Dietitian	12510	RC-062	15
Disability Appeals Officer	12530	RC-062	22
Disability Claims Adjudicator I	12537	RC-062	16
Disability Claims Adjudicator II	12538	RC-062	18
Disability Claims Adjudicator Trainee	12539	RC-062	13

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Disability Claims Analyst	12540	RC-062	21
Disability Claims Specialist	12558	RC-062	19
Disaster Services Planner	12585	RC-062	19
Document Examiner	12640	RC-062	22
Economic Development Representative I	12931	RC-062	17
Economic Development Representative II	12932	RC-062	19
Educational Diagnostician	12965	RC-062	12
Educator – Provisional	13105	RC-062	12
Employment Security Field Office Supervisor	13600	RC-062	20
Employment Security Manpower Representative I	13621	RC-062	12
Employment Security Manpower Representative II	13622	RC-062	14
Employment Security Program Representative	13650	RC-062	14
Employment Security Program Representative – Intermittent	13651	RC-062	14H
Employment Security Service Representative	13667	RC-062	16
Employment Security Service Representative (Intermittent)	13667	RC-062	16H
Employment Security Specialist I	13671	RC-062	14
Employment Security Specialist II	13672	RC-062	16
Employment Security Specialist III	13673	RC-062	19
Employment Security Tax Auditor I	13681	RC-062	17
Employment Security Tax Auditor II	13682	RC-062	19
Energy and Natural Resources Specialist I	13711	RC-062	15
Energy and Natural Resources Specialist II	13712	RC-062	17
Energy and Natural Resources Specialist III	13713	RC-062	19
Energy and Natural Resources Specialist Trainee	13715	RC-062	12
Engineering Technician IV (Department of Public Health)	13734	RC-062	18
Environmental Health Specialist I	13768	RC-062	14
Environmental Health Specialist II	13769	RC-062	16
Environmental Health Specialist III	13770	RC-062	18
Environmental Protection Associate	13785	RC-062	12
Environmental Protection Specialist I	13821	RC-062	14
Environmental Protection Specialist II	13822	RC-062	16
Environmental Protection Specialist III	13823	RC-062	18
Environmental Protection Specialist IV	13824	RC-062	22
Equal Pay Specialist	13837	RC-062	17
Executive I	13851	RC-062	18
Executive II	13852	RC-062	20

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Financial Institutions Examiner I	14971	RC-062	16
Financial Institutions Examiner II	14972	RC-062	19
Financial Institutions Examiner III	14973	RC-062	22
Financial Institutions Examiner Trainee	14978	RC-062	13
Fire Protection Specialist I	15351	RC-062	16
Flight Safety Coordinator	15640	RC-062	22
Forensic Scientist I	15891	RC-062	18
Forensic Scientist II	15892	RC-062	20
Forensic Scientist III	15893	RC-062	22
Forensic Scientist Trainee	15897	RC-062	15
Gaming Licensing Analyst	17171	RC-062	13
Gaming Senior Special Agent	17191	RC-062	23
Gaming Special Agent	17192	RC-062	19
Gaming Special Agent Trainee	17195	RC-062	14
Guardianship Representative	17710	RC-062	17
Habilitation Program Coordinator	17960	RC-062	17
Handicapped Services Representative I	17981	RC-062	11
Health Facilities Surveyor I	18011	RC-062	16
Health Facilities Surveyor II	18012	RC-062	19
Health Facilities Surveyor III	18013	RC-062	20
Health Information Administrator	18041	RC-062	15
Health Services Investigator I – Opt. A	18181	RC-062	19
Health Services Investigator I – Opt. B	18182	RC-062	20
Health Services Investigator II – Opt. A	18185	RC-062	22
Health Services Investigator II – Opt. B	18186	RC-062	22
Health Services Investigator II – Opt. C	18187	RC-062	25
Health Services Investigator II – Opt. D	18188	RC-062	25
Historical Documents Conservator I	18981	RC-062	13
Historical Exhibits Designer	18985	RC-062	15
Historical Research Editor II	19002	RC-062	14
Human Relations Representative	19670	RC-062	16
Human Resources Representative	19692	RC-062	17
Human Resources Specialist	19693	RC-062	20
Human Rights Investigator I	19774	RC-062	16
Human Rights Investigator II	19775	RC-062	18
Human Rights Investigator III	19776	RC-062	19
Human Rights Mediator	19771	RC-062	17
Human Rights Specialist I	19778	RC-062	14
Human Rights Specialist II	19779	RC-062	16

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Human Rights Specialist III	19780	RC-062	18
Human Services Casework Manager	19788	RC-062	20
Human Services Caseworker	19785	RC-062	16
Human Services Grants Coordinator I	19791	RC-062	14
Human Services Grants Coordinator II	19792	RC-062	17
Human Services Grants Coordinator III	19793	RC-062	20
Human Services Grants Coordinator Trainee	19796	RC-062	12
Human Services Sign Language Interpreter	19810	RC-062	16
Iconographer	19880	RC-062	12
Industrial and Community Development Representative I	21051	RC-062	17
Industrial and Community Development Representative II	21052	RC-062	19
Industrial Services Consultant I	21121	RC-062	14
Industrial Services Consultant II	21122	RC-062	16
Industrial Services Consultant Trainee	21125	RC-062	11
Industrial Services Hygienist	21127	RC-062	19
Industrial Services Hygienist Technician	21130	RC-062	16
Industrial Services Hygienist Trainee	21133	RC-062	12
Information Technology/Communication Systems Specialist I	21216	RC-062	19
Information Technology/Communication Systems Specialist II	21217	RC-062	24
Instrument Designer	21500	RC-062	18
Insurance Analyst III	21563	RC-062	14
Insurance Analyst IV	21564	RC-062	16
Insurance Company Claims Examiner II	21602	RC-062	19
Insurance Company Field Staff Examiner	21608	RC-062	16
Insurance Company Financial Examiner Trainee	21610	RC-062	13
Insurance Performance Examiner I	21671	RC-062	14
Insurance Performance Examiner II	21672	RC-062	17
Insurance Performance Examiner III	21673	RC-062	20
Intermittent Unemployment Insurance Representative	21689	RC-062	12H
Internal Auditor I	21721	RC-062	17
Internal Security Investigator I, not Department of Corrections	21731	RC-062	18
Internal Security Investigator II, not Department of Corrections	21732	RC-062	21

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International Marketing Representative I, Department of Agriculture	21761	RC-062	14
Juvenile Justice Youth and Family Specialist, Option 1	21991	RC-062	18
Juvenile Justice Youth and Family Specialist, Option 2	21992	RC-062	20
KidCare Supervisor	22003	RC-062	20
Labor Conciliator	22750	RC-062	20
Laboratory Equipment Specialist	22990	RC-062	18
Laboratory Quality Specialist I	23021	RC-062	19
Laboratory Quality Specialist II	23022	RC-062	21
Laboratory Research Specialist I	23027	RC-062	19
Laboratory Research Specialist II	23028	RC-062	21
Land Acquisition Agent I	23091	RC-062	15
Land Acquisition Agent II	23092	RC-062	18
Land Acquisition Agent III	23093	RC-062	21
Land Reclamation Specialist I	23131	RC-062	14
Land Reclamation Specialist II	23132	RC-062	17
Liability Claims Adjuster I	23371	RC-062	14
Liability Claims Adjuster II	23372	RC-062	18
Library Associate	23430	RC-062	12
Life Sciences Career Trainee	23600	RC-062	12
Liquor Control Special Agent II	23752	RC-062	15
Local Historical Services Representative	24000	RC-062	17
Local Housing Advisor I	24031	RC-062	14
Local Housing Advisor II	24032	RC-062	16
Local Housing Advisor III	24033	RC-062	18
Local Revenue and Fiscal Advisor I	24101	RC-062	15
Local Revenue and Fiscal Advisor II	24102	RC-062	17
Local Revenue and Fiscal Advisor III	24103	RC-062	19
Lottery Regional Coordinator	24504	RC-062	19
Lottery Sales Representative	24515	RC-062	16
Management Operations Analyst I	25541	RC-062	18
Management Operations Analyst II	25542	RC-062	20
Manpower Planner I	25591	RC-062	14
Manpower Planner II	25592	RC-062	17
Manpower Planner III	25593	RC-062	20
Manpower Planner Trainee	25597	RC-062	12
Medical Assistance Consultant I	26501	RC-062	13

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Medical Assistance Consultant II	26502	RC-062	16
Medical Assistance Consultant III	26503	RC-062	19
Mental Health Administrator I	26811	RC-062	18
Mental Health Administrator II	26812	RC-062	20
Mental Health Administrator Trainee	26817	RC-062	16
Mental Health Recovery Support Specialist I	26921	RC-062	17
Mental Health Recovery Support Specialist II	26922	RC-062	18
Mental Health Specialist I	26924	RC-062	12
Mental Health Specialist II	26925	RC-062	14
Mental Health Specialist III	26926	RC-062	16
Mental Health Specialist Trainee	26928	RC-062	11
Meteorologist	27120	RC-062	18
Methods and Procedures Advisor I	27131	RC-062	14
Methods and Procedures Advisor II	27132	RC-062	16
Methods and Procedures Advisor III	27133	RC-062	20
Methods and Procedures Career Associate I	27135	RC-062	11
Methods and Procedures Career Associate II	27136	RC-062	12
Methods and Procedures Career Associate Trainee	27137	RC-062	09
Metrologist Associate	27146	RC-062	15
Microbiologist I	27151	RC-062	16
Microbiologist II	27152	RC-062	19
Natural Resources Advanced Specialist	28833	RC-062	20
Natural Resources Coordinator	28831	RC-062	15
Natural Resources Specialist	28832	RC-062	18
Oral Health Consultant	30317	RC-062	18
Paralegal Assistant	30860	RC-062	14
Pension and Death Benefits Technician I	30961	RC-062	12
Pension and Death Benefits Technician II	30962	RC-062	19
Plumbing Consultant (Department of Public Health)	32910	RC-062	22
Police Training Specialist	32990	RC-062	17
Program Integrity Auditor I	34631	RC-062	16
Program Integrity Auditor II	34632	RC-062	19
Program Integrity Auditor Trainee	34635	RC-062	12
Property Consultant	34900	RC-062	15
Public Aid Investigator	35870	RC-062	19
Public Aid Investigator Trainee	35874	RC-062	14
Public Aid Lead Casework Specialist	35880	RC-062	17
Public Aid Program Quality Analyst	35890	RC-062	19
Public Aid Quality Control Reviewer	35892	RC-062	17

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Public Aid Quality Control Supervisor	35900	RC-062	19
Public Aid Staff Development Specialist I	36071	RC-062	15
Public Aid Staff Development Specialist II	36072	RC-062	17
Public Health Educator Associate	36434	RC-062	14
Public Health Program Specialist I	36611	RC-062	14
Public Health Program Specialist II	36612	RC-062	16
Public Health Program Specialist III	36613	RC-062	19
Public Health Program Specialist Trainee	36615	RC-062	12
Public Information Coordinator	36750	RC-062	18
Public Information Officer I	37001	RC-062	12
Public Information Officer II	37002	RC-062	14
Public Information Officer III	37003	RC-062	19
Public Information Officer IV	37004	RC-062	21
Public Safety Inspector	37007	RC-062	16
Public Safety Inspector Trainee	37010	RC-062	10
Public Service Administrator, Option 8Z	37015	RC-062	19
Public Service Administrator, Options 2, 7 Gaming Board and Departments Department of <u>Healthcare and Family Services and Revenue,</u> 8C, and 8F executive chief pilot function Department of Transportation, <u>9A and 9B</u>	37015	RC-062	24
Public Service Administrator, Options 8B and 8Y	37015	RC-062	23
Railroad Safety Specialist I	37601	RC-062	19
Railroad Safety Specialist II	37602	RC-062	21
Railroad Safety Specialist III	37603	RC-062	23
Railroad Safety Specialist IV	37604	RC-062	25
Real Estate Investigator	37730	RC-062	19
Real Estate Professions Examiner	37760	RC-062	22
Recreation Worker I	38001	RC-062	12
Recreation Worker II	38002	RC-062	14
Rehabilitation Counselor	38145	RC-062	17
Rehabilitation Counselor Senior	38158	RC-062	19
Rehabilitation Counselor Trainee	38159	RC-062	15
Rehabilitation Services Advisor I	38176	RC-062	20
Rehabilitation Workshop Supervisor I	38194	RC-062	12
Rehabilitation Workshop Supervisor II	38195	RC-062	14
Rehabilitation Workshop Supervisor III	38196	RC-062	16
Reimbursement Officer I	38199	RC-062	14
Reimbursement Officer II	38200	RC-062	16

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Research Economist I	38207	RC-062	18
Research Scientist I	38231	RC-062	13
Research Scientist II	38232	RC-062	16
Research Scientist III	38233	RC-062	20
Residential Services Supervisor	38280	RC-062	15
Resource Planner I	38281	RC-062	17
Resource Planner II	38282	RC-062	19
Resource Planner III	38283	RC-062	22
Retirement System Disability Specialist	38310	RC-062	19
Revenue Audit Supervisor (IL)	38369	RC-062	25
Revenue Audit Supervisor (states other than IL and not assigned to RC-062-29)	38369	RC-062	27
Revenue Audit Supervisor (See Note)	38369	RC-062	29
Revenue Auditor I (IL)	38371	RC-062	16
Revenue Auditor I (states other than IL and not assigned to RC-062-21)	38371	RC-062	19
Revenue Auditor I (See Note)	38371	RC-062	21
Revenue Auditor II (IL)	38372	RC-062	19
Revenue Auditor II (states other than IL and not assigned to RC-062-24)	38372	RC-062	22
Revenue Auditor II (See Note)	38372	RC-062	24
Revenue Auditor III (IL)	38373	RC-062	22
Revenue Auditor III (states other than IL and not assigned to RC-062-26)	38373	RC-062	24
Revenue Auditor III (See Note)	38373	RC-062	26
Revenue Auditor Trainee (IL)	38375	RC-062	12
Revenue Auditor Trainee (states other than IL and not assigned to RC-062-15)	38375	RC-062	13
Revenue Auditor Trainee (See Note)	38375	RC-062	15
Revenue Collection Officer I	38401	RC-062	15
Revenue Collection Officer II	38402	RC-062	17
Revenue Collection Officer III	38403	RC-062	19
Revenue Collection Officer Trainee	38405	RC-062	12
Revenue Computer Audit Specialist (IL)	38425	RC-062	23
Revenue Computer Audit Specialist (states other than IL and not assigned to RC-062-27)	38425	RC-062	25
Revenue Computer Audit Specialist (See Note)	38425	RC-062	27
Revenue Senior Special Agent	38557	RC-062	23
Revenue Special Agent	38558	RC-062	19

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Revenue Special Agent Trainee	38565	RC-062	14
Revenue Tax Specialist I	38571	RC-062	12
Revenue Tax Specialist II (IL)	38572	RC-062	14
Revenue Tax Specialist II (states other than IL, CA or NJ)	38572	RC-062	17
Revenue Tax Specialist II (CA or NJ)	38572	RC-062	19
Revenue Tax Specialist III	38573	RC-062	17
Revenue Tax Specialist Trainee	38575	RC-062	10
Site Assistant Superintendent I	41071	RC-062	15
Site Assistant Superintendent II	41072	RC-062	17
Site Interpretive Coordinator	41093	RC-062	13
Site Services Specialist I	41117	RC-062	15
Site Services Specialist II	41118	RC-062	17
Social Service Consultant I	41301	RC-062	18
Social Service Consultant II	41302	RC-062	19
Social Service Program Planner I	41311	RC-062	15
Social Service Program Planner II	41312	RC-062	17
Social Service Program Planner III	41313	RC-062	20
Social Service Program Planner IV	41314	RC-062	22
Social Services Career Trainee	41320	RC-062	12
Social Worker I	41411	RC-062	17
Staff Development Specialist I	41771	RC-062	18
Staff Development Technician I	41781	RC-062	12
Staff Development Technician II	41782	RC-062	15
State Mine Inspector	42230	RC-062	19
State Police Field Specialist I	42001	RC-062	18
State Police Field Specialist II	42002	RC-062	20
Statistical Research Specialist I	42741	RC-062	12
Statistical Research Specialist II	42742	RC-062	14
Statistical Research Specialist III	42743	RC-062	17
Storage Tank Safety Specialist	43005	RC-062	18
Telecommunications Specialist	45295	RC-062	15
Telecommunications Systems Analyst	45308	RC-062	17
Telecommunications Systems Technician I	45312	RC-062	10
Telecommunications Systems Technician II	45313	RC-062	13
Terrorism Research Specialist I	45371	RC-062	18
Terrorism Research Specialist II	45372	RC-062	20
Terrorism Research Specialist III	45373	RC-062	22
Terrorism Research Specialist Trainee	45375	RC-062	14

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Unemployment Insurance Adjudicator I	47001	RC-062	11
Unemployment Insurance Adjudicator II	47002	RC-062	13
Unemployment Insurance Adjudicator III	47003	RC-062	15
Unemployment Insurance Revenue Analyst I	47081	RC-062	15
Unemployment Insurance Revenue Analyst II	47082	RC-062	17
Unemployment Insurance Revenue Specialist	47087	RC-062	13
Unemployment Insurance Special Agent	47096	RC-062	18
Vehicle Emission Compliance Supervisor, Environmental Protection Agency	47583	RC-062	15
Veterans Educational Specialist I	47681	RC-062	15
Veterans Educational Specialist II	47682	RC-062	17
Veterans Educational Specialist III	47683	RC-062	21
Veterans Employment Representative I	47701	RC-062	14
Veterans Employment Representative II	47702	RC-062	16
Volunteer Services Coordinator I	48481	RC-062	13
Volunteer Services Coordinator II	48482	RC-062	16
Volunteer Services Coordinator III	48483	RC-062	18
Wage Claims Specialist	48770	RC-062	09
Weatherization Specialist I	49101	RC-062	14
Weatherization Specialist II	49102	RC-062	17
Weatherization Specialist III	49103	RC-062	20
Weatherization Specialist Trainee	49105	RC-062	12
Workers Compensation Insurance Compliance Investigator	49640	RC-062	20

NOTE: The positions allocated to the Public Service Administrator title that are assigned to a frozen negotiated RC-062 pay grade have the following Options: 2; 7; 8B; 8C; 8F; 8Y; ~~and 8Z~~; 9A; and 9B. The positions allocated to the Senior Public Service Administrator title that are assigned to a frozen negotiated RC-062 pay grade have the Option 7. See the definition of option in Section 310.50.

For the Revenue Tax Specialist II position classification title only – The pay grade assigned to the employee is based on the location of the position and the residence held by the employee. In the same position classification, the employee holding a position and residence outside the boundaries of the State of Illinois is assigned to a different pay grade than the pay grade assigned to the employee holding a position within the boundaries of the State of Illinois. The pay grade assigned to the employee holding a position located within the boundaries of the State of Illinois is the pay grade with the (IL) indication next to the position classification. The pay grade assigned to the

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employee holding the position located outside the boundaries of the State of Illinois is determined by the location of the employee's residence or position location (e.g., IL, CA or NJ or a state other than IL, CA or NJ). If the employee's residence moves to another state while the employee is in the same position located outside the boundaries of the State of Illinois, or moves into another position located outside the boundaries of the State of Illinois in the same position classification, the base salary may change depending on the location of the employee's new residence. In all cases, change in base salary shall be on a step for step basis (e.g., if the original base salary was on Step 5 in one pay grade, the new base salary will also be on Step 5 of the newly appropriate pay grade).

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

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

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

Effective July 1, 2011
Bargaining Unit: RC-062

Pay Grade	Pay Plan Code	S T E P S							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
09	B	3035	3129	3229	3329	3436	3537	3705	3853
09	Q	3159	3255	3361	3464	3576	3683	3860	4016
09	S	3224	3323	3429	3535	3649	3755	3933	4091
10	B	3132	3248	3343	3454	3563	3673	3861	4017

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10	Q	3259	3377	3480	3599	3711	3827	4031	4192
10	S	3326	3445	3551	3668	3781	3905	4106	4270
11	B	3249	3359	3467	3593	3711	3826	4029	4190
11	Q	3379	3500	3614	3743	3869	3990	4206	4374
11	S	3446	3568	3682	3815	3941	4066	4281	4451
12	B	3379	3504	3618	3753	3876	4020	4235	4403
12	Q	3518	3648	3769	3914	4046	4193	4423	4599
12	S	3586	3718	3839	3988	4124	4272	4501	4681
12H	B	20.79	21.56	22.26	23.10	23.85	24.74	26.06	27.10
12H	Q	21.65	22.45	23.19	24.09	24.90	25.80	27.22	28.30
12H	S	22.07	22.88	23.62	24.54	25.38	26.29	27.70	28.81
13	B	3507	3635	3774	3915	4057	4210	4443	4621
13	Q	3652	3785	3934	4089	4238	4394	4644	4829
13	S	3722	3859	4011	4167	4313	4474	4724	4913
14	B	3656	3795	3943	4117	4266	4428	4686	4874
14	Q	3812	3957	4119	4296	4458	4628	4898	5092
14	S	3882	4035	4192	4374	4536	4708	4975	5172
14H	B	22.50	23.35	24.26	25.34	26.25	27.25	28.84	29.99
14H	Q	23.46	24.35	25.35	26.44	27.43	28.48	30.14	31.34
14H	S	23.89	24.83	25.80	26.92	27.91	28.97	30.62	31.83
15	B	3802	3970	4133	4294	4470	4636	4915	5110
15	Q	3967	4140	4313	4487	4673	4845	5134	5341
15	S	4040	4218	4389	4567	4752	4923	5215	5423
16	B	3979	4157	4342	4521	4711	4899	5188	5395
16	Q	4152	4342	4538	4727	4922	5119	5424	5642
16	S	4232	4420	4618	4809	5001	5200	5499	5719

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16H	B	24.49	25.58	26.72	27.82	28.99	30.15	31.93	33.20
16H	Q	25.55	26.72	27.93	29.09	30.29	31.50	33.38	34.72
16H	S	26.04	27.20	28.42	29.59	30.78	32.00	33.84	35.19
17	B	4170	4361	4562	4756	4949	5149	5455	5674
17	Q	4350	4559	4769	4967	5169	5381	5700	5930
17	S	4429	4639	4849	5050	5249	5458	5784	6014
18	B	4388	4599	4814	5033	5237	5448	5772	6004
18	Q	4583	4811	5032	5261	5475	5693	6035	6275
18	S	4660	4886	5110	5340	5555	5775	6111	6357
19	B	4624	4860	5089	5324	5550	5781	6133	6378
19	J	4624	4860	5089	5324	5550	5781	6133	6378
19	Q	4832	5080	5315	5569	5800	6044	6408	6665
19	S	4914	5160	5397	5647	5881	6124	6486	6746
20	B	4885	5133	5371	5626	5872	6115	6485	6745
20	Q	5106	5363	5616	5882	6135	6390	6781	7051
20	S	5187	5443	5693	5960	6214	6470	6857	7131
21	B	5159	5425	5687	5952	6223	6482	6887	7162
21	U	5159	5425	5687	5952	6223	6482	6887	7162
21	Q	5392	5671	5942	6221	6505	6777	7197	7485
21	S	5472	5747	6020	6302	6583	6854	7277	7568
22	B	5454	5739	6018	6304	6595	6869	7297	7589
22	Q	5698	5998	6292	6586	6891	7181	7625	7928
22	S	5781	6074	6371	6665	6972	7263	7706	8014
23	B	5785	6092	6405	6708	7017	7322	7784	8096
23	Q	6050	6369	6695	7009	7334	7653	8131	8456
23	S	6127	6446	6774	7090	7413	7731	8212	8538
24	B	6158	6484	6826	7151	7483	7819	8311	8642

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24	J	6158	6484	6826	7151	7483	7819	8311	8642
24	Q	6436	6780	7132	7476	7817	8172	8685	9033
24	S	6517	6856	7209	7553	7899	8253	8763	9114
25	B	6564	6922	7287	7651	8014	8379	8917	9274
25	J	6564	6922	7287	7651	8014	8379	8917	9274
25	Q	6857	7234	7612	7998	8378	8757	9319	9692
25	S	6938	7313	7692	8074	8454	8833	9397	9775
26	B	7003	7387	7780	8173	8554	8938	9515	9895
26	U	7003	7387	7780	8173	8554	8938	9515	9895
27	B	7477	7884	8300	8720	9129	9539	10155	10562
27	J	7477	7884	8300	8720	9129	9539	10155	10562
27	U	7477	7884	8300	8720	9129	9539	10155	10562
28	B	7845	8270	8709	9150	9579	10008	10656	11084
29	U	8232	8679	9138	9603	10052	10503	11182	11629

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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Section 310.APPENDIX B Frozen Negotiated-Rates-of-Pay**Section 310.TABLE Y Frozen RC-063-Rates-of-Pay (Educator and Educator Trainees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>
Educator	13100	RC-063
<u>Educator Trainee</u>	<u>13148</u>	<u>RC-063</u>

Effective July 1, 2011

<u>12- Month Lane</u>	<u>Educational Level</u>	<u>Pay Plan Code</u>	<u>STEPS</u>							
			<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
01	BA	E	4260	4460	4655	4868	5119	5357	5812	6044
01	BA	L	4323	4522	4724	4943	5196	5436	5897	6132
01	BA	P	4398	4604	4800	5018	5273	5518	5975	6214
02	BA + 8 Hours	E	4373	4575	4780	5032	5291	5540	6008	6250
02	BA + 8 Hours	L	4439	4642	4850	5104	5366	5622	6098	6340
02	BA + 8 Hours	P	4518	4723	4928	5184	5446	5700	6173	6420
03	BA + 16 Hours	E	4477	4691	4930	5192	5442	5718	6202	6449
03	BA + 16 Hours	L	4542	4760	5002	5268	5523	5801	6292	6544
03	BA + 16 Hours	P	4621	4837	5081	5347	5601	5882	6371	6626
04	BA + 24 Hours	E	4579	4810	5079	5348	5623	5894	6405	6661
04	BA + 24 Hours	L	4647	4880	5154	5426	5707	5980	6496	6759
04	BA + 24 Hours	P	4727	4958	5232	5502	5787	6060	6580	6843
05	MA	E	4697	4946	5228	5507	5797	6068	6597	6862
05	MA	L	4765	5018	5303	5587	5881	6163	6695	6964
05	MA	P	4845	5096	5381	5664	5959	6240	6774	7044
06	MA + 16 Hours	E	4781	5062	5341	5622	5913	6189	6730	6999
06	MA + 16 Hours	L	4852	5134	5419	5702	6003	6279	6830	7101
06	MA + 16 Hours	P	4929	5215	5496	5786	6079	6363	6904	7181
07	MA + 32 Hours	E	4928	5205	5493	5778	6065	6347	6893	7169
07	MA + 32 Hours	L	5001	5283	5573	5865	6158	6440	6991	7272

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07 MA + 32 Hours P 5080 5361 5653 5942 6238 6519 7073 7355

Effective July 1, 2011

9- Month Lane	Educational Level	Pay Plan Code	S T E P S							
			<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
01	BA	M	3145	3318	3499	3672	3861	4040	4432	4609
01	BA	O	3145	3318	3499	3672	3861	4040	4432	4609
02	BA + 8 Hours	M	3244	3418	3606	3792	3988	4178	4577	4761
02	BA + 8 Hours	O	3244	3418	3606	3792	3988	4178	4577	4761
03	BA + 16 Hours	M	3327	3523	3721	3915	4102	4308	4726	4915
03	BA + 16 Hours	O	3327	3523	3721	3915	4102	4308	4726	4915
04	BA + 24 Hours	M	3420	3627	3830	4033	4243	4444	4878	5075
04	BA + 24 Hours	O	3420	3627	3830	4033	4243	4444	4878	5075
05	MA	M	3525	3731	3940	4152	4368	4575	5021	5223
05	MA	O	3525	3731	3940	4152	4368	4575	5021	5223
06	MA + 16 Hours	M	3609	3818	4028	4241	4460	4664	5118	5321
06	MA + 16 Hours	O	3609	3818	4028	4241	4460	4664	5118	5321
07	MA + 32 Hours	M	3719	3927	4139	4355	4574	4782	5242	5452
07	MA + 32 Hours	O	3719	3927	4139	4355	4574	4782	5242	5452

Educator Trainee

<u>12-Month Lane</u>	<u>Educational Level</u>	<u>Pay Plan Code</u>	<u>Rates</u>
<u>1</u>	<u>BA</u>	<u>E</u>	<u>3779</u>
<u>1</u>	<u>BA</u>	<u>L</u>	<u>3835</u>
<u>1</u>	<u>BA</u>	<u>P</u>	<u>3905</u>
<u>2</u>	<u>BA + 8 Hours</u>	<u>E</u>	<u>3779</u>
<u>2</u>	<u>BA + 8 Hours</u>	<u>L</u>	<u>3835</u>
<u>2</u>	<u>BA + 8 Hours</u>	<u>P</u>	<u>3905</u>
<u>3</u>	<u>BA + 16 Hours</u>	<u>E</u>	<u>3880</u>
<u>3</u>	<u>BA + 16 Hours</u>	<u>L</u>	<u>3916</u>
<u>3</u>	<u>BA + 16 Hours</u>	<u>P</u>	<u>4005</u>

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<u>4</u>	<u>BA + 24 Hours</u>	<u>E</u>	<u>3968</u>
<u>4</u>	<u>BA + 24 Hours</u>	<u>L</u>	<u>4024</u>
<u>4</u>	<u>BA + 24 Hours</u>	<u>P</u>	<u>4095</u>
<u>5</u>	<u>MA</u>	<u>E</u>	<u>4057</u>
<u>5</u>	<u>MA</u>	<u>L</u>	<u>4118</u>
<u>5</u>	<u>MA</u>	<u>P</u>	<u>4189</u>
<u>6</u>	<u>MA + 16 Hours</u>	<u>E</u>	<u>4162</u>
<u>6</u>	<u>MA + 16 Hours</u>	<u>L</u>	<u>4222</u>
<u>6</u>	<u>MA + 16 Hours</u>	<u>P</u>	<u>4297</u>
<u>7</u>	<u>MA + 32 Hours</u>	<u>E</u>	<u>4237</u>
<u>7</u>	<u>MA + 32 Hours</u>	<u>L</u>	<u>4300</u>
<u>7</u>	<u>MA + 32 Hours</u>	<u>P</u>	<u>4371</u>

<u>9-Month</u>		<u>Pay Plan</u>	
<u>Lane</u>	<u>Educational Level</u>	<u>Code</u>	<u>Rates</u>
<u>1</u>	<u>BA</u>	<u>M</u>	<u>2871</u>
<u>1</u>	<u>BA</u>	<u>O</u>	<u>2871</u>
<u>2</u>	<u>BA + 8 Hours</u>	<u>M</u>	<u>2961</u>
<u>2</u>	<u>BA + 8 Hours</u>	<u>O</u>	<u>2961</u>
<u>3</u>	<u>BA + 16 Hours</u>	<u>M</u>	<u>3037</u>
<u>3</u>	<u>BA + 16 Hours</u>	<u>O</u>	<u>3037</u>
<u>4</u>	<u>BA + 24 Hours</u>	<u>M</u>	<u>3121</u>
<u>4</u>	<u>BA + 24 Hours</u>	<u>O</u>	<u>3121</u>
<u>5</u>	<u>MA</u>	<u>M</u>	<u>3217</u>
<u>5</u>	<u>MA</u>	<u>O</u>	<u>3217</u>
<u>6</u>	<u>MA + 16 Hours</u>	<u>M</u>	<u>3294</u>
<u>6</u>	<u>MA + 16 Hours</u>	<u>O</u>	<u>3294</u>
<u>7</u>	<u>MA + 32 Hours</u>	<u>M</u>	<u>3395</u>
<u>7</u>	<u>MA + 32 Hours</u>	<u>O</u>	<u>3395</u>

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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Section 310.APPENDIX B Frozen Negotiated-Rates-of-Pay**Section 310.TABLE AB Frozen RC-150-Rates-of-Pay (Public Service Administrators Option 6, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Public Service Administrator, Option 6	37015	RC-150	24

Effective July 1, 2011
Bargaining Unit: RC-150

<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>S T E P S</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
24	B	6158	6484	6826	7151	7483	7819	8311	8642
24	Q	6436	6780	7132	7476	7817	8172	8685	9033
24	S	6517	6856	7209	7553	7899	8253	8763	9114

NOTE: [The Illinois Labor Relations Board issued a Certification of Unit Clarification on June 29, 2012. The Clarification abolishes the RC-150 bargaining unit for the Public Service Administrator title Option 6 positions and includes the Public Service Administrator title Option 6 positions in either the RC-062 or RC-063 bargaining unit. Until a Memorandum of Understanding assigns rates within the RC-062 and RC-063 bargaining units, the employees appointed to positions with a work location at the Departments of Corrections, Human Services, Juvenile Justice, Natural Resources or Public Health or Human Rights Commission and allocated to the Public Service Administrator title Option 6 positions formerly represented by RC-150 are paid at the frozen-RC-150-bargaining-unit rates that were effective June 28, 2012.](#)

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Background Checks
- 2) Code Citation: 89 Ill. Adm. Code 385
- 3)

<u>Section Number:</u> 385.APPENDIX A	<u>Proposed Actions</u> Amend
--	----------------------------------
- 4) Statutory Authority: Child Care Act of 1969 [225 ILCS 10], Childrens Product Safety Act [430 ILCS 125], Abused and Neglected Child Reporting Act [325 ILS 5/3], Carbon Monoxide Alarm Detector Act [430 ILCS 135/10], and Section 5 of the Missing Children Records Act [325 ILCS 50/5]
- 5) A Complete Description of the Subjects and Issues Involved: PA 97-874 requires that the Department amend this Part, effective July 31, 2012 to bar licensure of applicants with access to confidential financial information and have been convicted of committing or attempting to commit felony offences of financial nature.
- 6) Published studies and 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 amendments pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand the State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

Jeff Osowski
Office of Child and Family Policy
Department of Children and Family Services
406 E. Monroe, Station #65

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Springfield, Illinois 62701-1498

Telephone: 217/524-1983

TDD: 217/524-3715

Fax: 217/557-0692

E-Mail: CFPolicy@idcfs.state.il.us

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

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses affected: This rulemaking affects home-operated child care businesses that are subject to licensure by the Department.
 - B) Reporting, bookkeeping or other procedures required for compliance: The ability to retain records of compliance or non-compliance
 - C) Types of professional skills necessary for compliance: The ability to understand and comply with licensing regulations affecting childrens health and safety
- 14) Regulatory Agenda on which this rulemaking was summarized: The rulemaking was not included on either of the 2 most recent regulatory agendas because the need for the rulemaking was not anticipated at the time the agendas were published.

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

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TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER d: LICENSING ADMINISTRATIONPART 385
BACKGROUND CHECKS

Section	
385.10	Purpose
385.20	Definitions
385.30	Applicability of This Part
385.40	Authorization for Background Checks
385.50	Child Abuse or Child Neglect
385.60	Criminal Convictions and Pending Criminal Charges
385.70	Disposition of Background Checks
385.80	Appeal of Decision to Deny License or Permit Based on Background Check Information
385.90	Records to be Maintained by the Child Care Facility
385.100	Confidentiality of Background Check Information
385.110	Severability of This Part
385.APPENDIX A	Criminal Convictions Preventing Licensure, Employment, Residence in a Family Home in Which a Child Care Facility Operates, or Placement with Relatives
385.APPENDIX B	Matrix of Persons Subject to Background Checks Under Part 385

AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10]; Section 5(a)(3)(A) and (F) and (v) of the Children and Family Services Act [20 ILCS 505/5(a)(3)(A) and (F) and (v)]; and Section 55a(34) of the Civil Administrative Code [20 ILCS 2605/55a(34)] Adam Walsh Child Protection and Safety Act (42 USC 16911).

SOURCE: Emergency rules adopted at 10 Ill. Reg. 19123, effective October 29, 1986, for a maximum of 150 days; adopted at 11 Ill. Reg. 6398, effective March 31, 1987; amended at 13 Ill. Reg. 5917, effective May 1, 1989; emergency amendment at 20 Ill. Reg. 3930, effective March 1, 1996, for a maximum of 150 days; modified in response to Joint Committee on Administrative Rules objection at 20 Ill. Reg. 5712; emergency expired July 28, 1996; amended at 21 Ill. Reg. 4444, effective April 1, 1997; emergency amendment at 28 Ill. Reg. 1167, effective January 1, 2004, for a maximum of 150 days; emergency expired May 29, 2004; amended at 28 Ill. Reg. 13432, effective September 30, 2004; amended at 33 Ill. Reg. 4117, effective February 27, 2009;

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amended at 36 Ill. Reg. 2136, effective January 30, 2012; amended at 37 Ill. Reg. _____,
effective _____.

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Section 385.APPENDIX A Criminal Convictions Preventing Licensure, Employment, Residence in a Family Home in Which a Child Care Facility Operates, or Placement with Relatives

- a) Criminal Convictions Preventing Licensure, Employment, or Residence in a Family Home in Which a Child Care Facility Operates
- If any person subject to background checks has been included in the Illinois Sex Offender Registry or convicted of committing or attempting to commit one or more of the following serious criminal offenses under the Criminal Code of 1961 [720 ILCS 5] or under any earlier Illinois criminal law or code or an offense in another state, the elements of which are similar and bear a substantial relation to any of the criminal offenses specified below, this conviction will serve as a bar to: receiving a license or permit to operate as a child care facility and renewal of an existing license to operate a child care facility; residing in a family home in which a child care facility operates; obtaining employment or continuing in employment in a licensed child care facility which allows access to children as part of the duties; and obtaining a contract or agreement providing services on behalf of the Department that allows unsupervised access to children.

In addition to the list of crimes in this Appendix A, no applicant may receive a license from the Department to operate a foster family home, and no adult person may reside in a foster family home licensed by the Department, who has been convicted of committing or attempting to commit any of the offenses listed in 89 Ill. Adm. Code 402.Appendix A (Criminal Convictions Which Prevent Licensure), which is a more inclusive list of crimes.

The offenses that serve as a bar to licensure, residence in a family home in which a child care facility operates, employment that allows access to children in any child care facility subject to licensing, or providing services that allow unsupervised access to children include:

OFFENSES DIRECTED AGAINST THE PERSON

HOMICIDE

- *Murder*
- *Solicitation of murder*
- *Solicitation of murder for hire*
- *Intentional homicide of an unborn child*

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- *Voluntary manslaughter of an unborn child*
- *Involuntary manslaughter*
- *Reckless homicide*
- *Concealment of a homicidal death*
- *Involuntary manslaughter of an unborn child*
- *Reckless homicide of an unborn child*
- *Drug induced homicide [225 ILCS 10/4.2(b)]*

KIDNAPPING AND RELATED OFFENSES

- *Kidnapping*
- *Aggravated kidnapping*
- *Aggravated unlawful restraint*
- *Forcible detention*
- *Child abduction*
- *Aiding and abetting child abduction*
- *Harboring a runaway [225 ILCS 10/4.2(b)]*

SEX OFFENSES UNDER ARTICLE 11 OF THE CRIMINAL CODE OF 1961,
EXCEPT OFFENSES DESCRIBED IN SECTIONS 11-7, 11-8, 11-12 AND 11-
13

- *Indecent solicitation of a child*
- *Indecent solicitation of an adult*
- *Public indecency*
- *Sexual exploitation of a child*
- *Custodial sexual misconduct*
- *Presence within school zone by child sex offenders*
- *Approaching, contacting, residing, or communicating with a child within a public park zone by child sex offenders*
- *Sexual relations within families*
- *Prostitution*
- *Soliciting for a prostitute*
- *Soliciting for a juvenile prostitute*
- *Solicitation of a sexual act*
- *Pandering*
- *Keeping a place of prostitution*
- *Keeping a place of juvenile prostitution*
- *Patronizing a prostitute*

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- *Patronizing a juvenile prostitute*
- *Pimping*
- *Juvenile pimping*
- *Exploitation of a child*
- *Obscenity*
- *Child pornography*
- *Harmful material*
- *Tie-in sales of obscene publications to distributors*
- *Posting of identifying information on a pornographic internet site [720 ILCS 5/Art. 11]*

BODILY HARM

- *Heinous battery*
- *Aggravated battery with a firearm*
- *Aggravated battery of a child*
- *Tampering with food, drugs, or cosmetics*
- *Hate crime*
- *Stalking*
- *Aggravated stalking*
- *Threatening public officials*
- *Home invasion*
- *Vehicular invasion*
- *Drug induced infliction of great bodily harm*
- *Criminal sexual assault*
- *Aggravated criminal sexual assault*
- *Predatory criminal sexual assault of a child*
- *Criminal sexual abuse*
- *Aggravated sexual abuse*
- *Criminal transmission of HIV*
- *Criminal abuse or neglect of an elderly or disabled person*
- *Child abandonment*
- *Endangering the life or health of a child*
- *Ritual mutilation*
- *Ritualized abuse of a child*
- *Any violation of the Methamphetamine Control and Community Protection Act [720 ILCS 646] [225 ILCS 10/4.2(b)]*

Final approval for licensure shall not be granted if the record check reveals a

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felony conviction for child abuse or neglect, for spousal abuse, for a crime against children, or for a crime involving violence, including rape, sexual assault or homicide, but not including other felony convictions for physical assault or battery, or if there is a felony conviction for physical assault, battery or a drug-related offense committed within the past 5 years. [20 ILCS 505/5(v-1) and (v-2)]

Waiver of Convictions for Placement with Relatives

Criminal convictions that were waived by the Director for the initial placement in accordance with provisions in Section 7(b) of the Children and Family Services Act [20 ILCS 505/7(b)] and 89 Ill. Adm. Code 301.Appendix A(b) and (c) are deemed waived for a final placement decision. If additional criminal convictions appear as a result of the fingerprint results, a new waiver request shall be submitted to the Director or designee.

b) Additional Convictions that Bar Licensure of or Employment in a Child Care Facility

In addition to the requirements of subsection (a), no new applicant and, on the date of licensure renewal, no current licensee may operate or receive a license from the Department to operate, no person may be employed by, and no adult person may reside in a child care facility licensed by the Department who has been convicted of committing or attempting to commit any of the following offenses or an offense in any other jurisdiction the elements of which are similar to and bear a substantial relationship to any of the following offenses:

*OFFENSES DIRECTED AGAINST THE PERSON**BODILY HARM*

- *Felony aggravated assault*
- *Vehicular endangerment*
- *Felony domestic battery*
- *Aggravated battery*
- *Heinous battery*
- *Aggravated battery with a firearm*
- *Aggravated battery of an unborn child*
- *Aggravated battery of a senior citizen*
- *Intimidation*
- *Compelling organization membership of persons*
- *Abuse and gross neglect of a long term care facility resident*

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- *Felony violation of an order of protection*

OFFENSES AFFECTING PUBLIC HEALTH, SAFETY, AND DECENCY

- *Felony unlawful use of weapons*
- *Aggravated discharge of a firearm*
- *Reckless discharge of a firearm*
- *Unlawful use of metal piercing bullets*
- *Unlawful sale or delivery of firearms on the premises of any school*
- *Disarming a police officer*
- *Obstructing justice*
- *Concealing or aiding a fugitive*
- *Armed violence*
- *Felony contributing to the criminal delinquency of a juvenile*

DRUG OFFENSES

- *Possession of more than 30 grams of cannabis*
- *Manufacture of more than 10 grams of cannabis*
- *Cannabis trafficking*
- *Delivery of cannabis on school grounds*
- *Unauthorized production of more than 5 cannabis sativa plants*
- *Calculated criminal cannabis conspiracy*
- *Unauthorized manufacture or delivery of controlled substances*
- *Controlled substance trafficking*
- *Manufacture, distribution or advertisement of look-alike substances*
- *Calculated criminal drug conspiracy*
- *Street gang criminal drug conspiracy*
- *Permitting unlawful use of a building*
- *Delivery of controlled, counterfeit, or look-alike substances to persons under age 18, or at truck stops, rest stops, or safety rest areas, or on school property*
- *Using, engaging, or employing persons under 18 to deliver controlled, counterfeit, or look-alike substances*
- *Delivery of controlled substances*
- *Sale or delivery of drug paraphernalia*
- *Felony possession, sale, or exchange of instruments adapted for use of a controlled substance or cannabis by subcutaneous injection*
- *Felony possession of a controlled substance [225 ILCS 10/4.2(b-1)]*

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- c) In addition to any other provision of this Section, for applicants with access to confidential financial information or who submit documentation to support billing, no applicant whose initial application was considered after July 31, 2012 may receive a license from the Department or a child care facility licensed by the Department who has been convicted of committing or attempting to commit any of the following felony offenses:
- 1) financial institution fraud under Section 17-10.6 of the Criminal Code of 1961;
 - 2) identity theft under Section 16-30 of the Criminal Code of 1961;
 - 3) financial exploitation of an elderly person or a person with a disability under Section 17-56 of the Criminal Code of 1961;
 - 4) computer tampering under Section 17-51 of the Criminal Code of 1961;
 - 5) aggravated computer tampering under Section 17-52 of the Criminal Code of 1961;
 - 6) computer fraud under Section 17-50 of the Criminal Code of 1961;
 - 7) deceptive practices under Section 17-1 of the Criminal Code of 1961;
 - 8) forgery under Section 17-3 of the Criminal Code of 1961;
 - 9) State benefits fraud under Section 17-6 of the Criminal Code of 1961;
 - 10) mail fraud and wire fraud under Section 17-24 of the Criminal Code of 1961;
 - 11) theft under Section 16-1(1.1) through (11) of the Criminal Code of 1961. [225 ILCS 10.4.2(b-1.5)]
- de) Exception Applicable to Child Care Facilities Other than Foster Family Homes Notwithstanding subsection (a), *the Department may issue a new child care facility license or may renew the existing child care facility license of an applicant, or an applicant who has an adult residing in a home child care facility*

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who was convicted of an offense described in subsection (b), or the Department may approve the employment of a person by a child care facility who was convicted of an offense described in subsection (b), provided that all of the following requirements are met:

- 1) *The relevant criminal offense or offenses occurred more than 5 years prior to the date of application or renewal, except for drug offenses. The relevant drug offense must have occurred more than 10 years prior to the date of application or renewal, unless the applicant or prospective employee has passed a drug test, arranged and paid for by the child care facility, no less than 5 years after the offense;*
- 2) *The Department must conduct a background check and assess all convictions and recommendations of the child care facility in accordance with Section 385.60(d), (e) and (f) and determine if a waiver is applicable in accordance with subsection (de)(1);*
- 3) *The applicant meets all other requirements and qualifications to obtain a license to operate the pertinent type of child care facility. [225 ILCS 10/4.2(b-2)*

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services
- 2) Code Citation: 89 Ill. Adm. Code 431
- 3) Section Number: 431.30 Proposed Action: Amend
- 4) Statutory Authority: 20 ILCS 505/35.1
- 5) A complete description of the subjects and issues involved: The Department of Children and Family Services will maintain all unfounded reports of child abuse and neglect for a minimum of 12 months following the date of the final finding.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of statewide policy objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3].
- 12) Time, place and manner in which interested parties may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

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

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Telephone: 217/524-1983

TDD: 217/524-3715

FAX: 217/557-0692

E-Mail address: cfpolicy@idcfs.state.il.us

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

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

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

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TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER f: GENERAL ADMINISTRATIONPART 431
CONFIDENTIALITY OF PERSONAL INFORMATION OF PERSONS SERVED
BY THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Section	
431.15	Purpose
431.20	Definitions
431.30	Maintenance of Records
431.40	Required Consents Prior to Disclosure of Personal Information
431.50	Client Access to Records Which Contain Personal Information
431.60	Subject Access to Records of Child Abuse and Neglect Investigations
431.70	Denial of Requests to Access Information
431.80	Disclosure of Records of Child Abuse and Neglect Investigations
431.85	Public Disclosure of Information Regarding the Abuse or Neglect of a Child
431.90	Disclosure of Personal Information Without Consent
431.100	Disclosure of Information of a Mental Health Nature
431.110	Disclosure of Information Regarding Acquired Immunodeficiency Syndrome (AIDS)
431.120	Removal of Records Prohibited
431.130	Impoundment of Records by the Office of the Inspector General (Repealed)
431.140	Applicability of This Part

AUTHORITY: Implementing Section 35.1 of the Children and Family Services Act [20 ILCS 505/35.1], the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110], Sections 11 and 11.1 of the Abused and Neglected Child Reporting Act [325 ILCS 5/11 and 11.1], the AIDS Confidentiality Act [410 ILCS 305], and the Protection and Advocacy for Mentally Ill Persons Act [405 ILCS 45]; and authorized by Section 5 of the Children and Family Services Act [20 ILCS 505/5] and Section 11.1 of the Abused and Neglected Child Reporting Act [325 ILCS 5/11.1].

SOURCE: Adopted and codified at 5 Ill. Reg. 7815, effective August 3, 1981; amended at 6 Ill. Reg. 15517, effective January 1, 1983; amended at 10 Ill. Reg. 21647, effective December 31, 1986; amended at 11 Ill. Reg. 12613, effective August 1, 1987; amended at 13 Ill. Reg. 2407, effective March 1, 1989; amended at 15 Ill. Reg. 24, effective December 31, 1990; recodified at 18 Ill. Reg. 7951; amended at 19 Ill. Reg. 17082, effective December 15, 1995; amended at 23

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Ill. Reg. 677, effective January 15, 1999; amended at 27 Ill. Reg. 1130, effective January 15, 2003; amended at 28 Ill. Reg. 317, effective December 31, 2003; amended at 32 Ill. Reg. 7088, effective May 1, 2008; amended at 37 Ill. Reg. _____, effective _____.

Section 431.30 Maintenance of Records

- a) The Department, through its institutions, facilities and various offices shall maintain a record on all persons receiving services from the Department, either directly or through the purchase of services, and on all persons for whom a child abuse or neglect report has been indicated ~~or~~ unfounded, or for whom a decision about the report has not yet been made. Upon request from the subjects of the report, the Department may keep records of unfounded reports of child abuse or neglect to prevent future harassment of the subjects. Additionally, in accordance with Section 7.17 of the Abused and Neglected Child Reporting Act [325 ILCS 5/7.17], the Department may maintain case records containing identifying information related to child abuse or neglect reports.
- b) The retention schedule for indicated, unfounded, undetermined and pending child abuse and neglect records is based on the seriousness of the allegations described in 89 Ill. Adm. Code 300, Appendix B, as follows:
- 1) 50 Years
All reports where allegations regarding the death of the child subject (Allegation #1/#51) or sexual penetration (Allegation #19) were indicated shall be retained for 50 years after the report was indicated.
 - 2) 20 Years
 - A) The following allegations involving the serious physical injury, sexual molestation or sexual exploitation of the child subject shall be retained for 20 years.

#2/#52	Head Injuries
#4/#54	Internal Injuries
#5/#55	Burns/Scalding (Third Degree Burns Only)
#7/#57	Wounds
#9/#59	Bone Fractures (Multiple or Spiral Fractures Only)

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#16	Torture
#18	Diseases Transmitted Sexually
#20	Sexual Exploitation
#21	Sexual Molestation
#81	Failure to Thrive
#83	Malnutrition
#85	Medical Neglect of Disabled Infants

- B) The following allegations may be retained for 20 years, depending on the seriousness of the injury.

#6/ #56	Poison/Noxious Substances
#9/ #59	Bone Fractures (Other than Multiple or Spiral Fractures)
#11/ #61	Cuts, Bruises, Welts, Abrasions and Oral Injuries
#12/ #62	Human Bites
#13/ #63	Sprains, Dislocations
#14	Typing/Close Confinement
#15/ #65	Substance Misuse
#75	Abandonment/Desertion
#79	Medical Neglect

- C) The following factors shall be used to determine whether to retain any of the ~~above~~ allegations in subsection (b)(2)(B) for 20 years:

- i) Extent of the injuries. Are the injuries limited to one spot on the child's body or are there multiple injuries on many parts of the child's body?
- ii) Long-term effects of the injuries. Will the child be left with scars, deformities or permanent disabilities?
- iii) Medical treatment required. Does the child require hospitalization, surgery, emergency medical treatment or other major medical treatment as a result of the injuries?
- iv) Pattern or chronicity of injuries. Is there an ongoing history or pattern of harsh punishment or neglect that

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resulted in injury? Are there severe injuries at different stages of healing?

D) If none of the ~~above~~-factors in subsection (b)(2)(C) are present, the allegations shall be retained for 5five years.

3) 5 Years

The following indicated allegations shall be retained for 5five years.

#17/ # 67	Mental Injury
#10/ # 60	Substantial Risk of Physical Injury
#22	Substantial Risk of Sexual Injury
#74	Inadequate Supervision
#76	Inadequate Food
#77	Inadequate Shelter
#78	Inadequate Clothing
#82	Environmental Neglect
#84	Lock-Out

4) Subsequent Indicated Reports

All subsequent indicated reports involving any of the same subjects or the sibling or offspring shall be maintained after the last report was indicated in accordance with retention periods specified in this Section.

5) Unfounded Allegations

A) All identifying information concerning records of unfounded reports involving the death (Allegation #1/~~#~~51), sexual abuse (Allegations #18, 19, 20, 21) or serious physical injury (e.g., Allegations #2/~~#~~52, 4/~~#~~54, 5/~~#~~55, 7/~~#~~57, 9/~~#~~59) of a child shall be maintained in the State Central Register for 3three years after the date the final finding report is entered. All identifying information about unfounded reports made by mandated reporters involving Allegations #6/~~#~~56, 11/~~#~~61, 12/~~#~~62, 13/~~#~~63, 14, 15/~~#~~56, 75; and 79 shall be retained by the SCR for 12 months after the date the final finding report is entered. Additionally, those unfounded reports of physical injury made by mandated reporters not retained by the State Central Register for 3three years shall be retained for 12 months after the date the final finding report is entered.

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- B) All identifying information concerning unfounded reports involving Allegations #17/~~#67~~, 10/~~#60~~, 22, 74, 76, 77, 78, 82, and 84 made by a mandated reporter shall be maintained by the SCR for 60 days after the final finding report is entered. All identifying information concerning unfounded reports not retained for ~~3~~three years made by non-mandated reporters shall be retained by the SCR for ~~12 months~~30 days after the final finding report is entered. All identifying information concerning any unfounded report involving Department wards shall be retained for ~~12 months~~60 days regardless of reporting source.
- C) If the alleged perpetrator or caretaker requests, in writing, within 10 days after the date on the SCR-generated notice, that a record of the unfounded report be retained as evidence of false reporting, the SCR computer and hard copy files and the local index shall be maintained. Written requests postmarked more than 10 days after the date on the SCR notice and oral requests, that are not confirmed in writing, shall not be honored. The child abuse and neglect investigative file shall also be maintained. SCR will notify the local investigative unit when to destroy records of these unfounded false reports.
- 6) Pending and Undetermined Reports
Child abuse and neglect reports that are pending or undetermined shall remain in the SCR computer and hard copy files, the local index, and the child abuse and neglect investigative file until a decision is reached.
- c) The retention schedule for indicated child abuse and neglect records involving juvenile perpetrators (persons under the age of 18 years) is as follows:
- 1) If, after an investigation, reports are indicated and children between the ages of 10 and 18 are determined to be the perpetrator, reports that carry a ~~5 year~~five-year retention schedule will be expunged from the State Central Register after ~~5~~five years or at the perpetrator's 21st birthday, whichever is sooner.
 - 2) In the event that the same child between the ages of 10 and 18 is determined to be an indicated perpetrator of another report that requires a

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Five year retention schedule, the information concerning the previous reports and the subsequent report will be maintained at the State Central Register for a period of five years after the date of the subsequent report or until the perpetrator's 21st birthday, whichever is sooner.

- 3) Reports that carry a 20 or 50 year retention schedule will be expunged from the State Central Register after five years or at the perpetrator's 23rd birthday, whichever is sooner.
 - 4) In the event that same child between the ages of 10 and 18 is subsequently determined to be an indicated perpetrator of an allegation carrying a 20 or 50 year retention schedule, the information concerning the previous reports and the subsequent report will be maintained at the State Central Register for a period of five years after the date of the subsequent report or until the perpetrator's 23rd birthday, whichever is sooner.
- d) All retained records shall be of a confidential nature and shall not be made available to the general public, except as provided for in Section 431.85.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Permit Fees for National Pollutant Discharge Elimination System Permits and Domestic Sewage Sludge Generator or Sludge User Permits
- 2) Code Citation: 35 Ill. Adm. Code 325
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
325.205	Amended
325.410	Amended
325.430	Amended
- 4) Statutory Authority: Implementing and authorized by Section 12.5 of the Environmental Protection Act, 415 ILCS 5/12.5
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking will update Section 325.205 to reflect new, statutorily created National Pollutant Discharge Elimination System (NPDES) permit fees for Concentrated Animal Feeding Operations (CAFOs). PA 97-962, which amends the Environmental Protection Act, 415 ILCS 5/12.5(e), creates fee categories for large, medium and small CAFOs. The Illinois EPA now seeks to amend Section 325.205 to ensure consistency with the statute. The Agency also seeks to modify Section 325.430 to require a permit holder to sign permit termination or modification requests. The remaining amendments to Sections 325.410 and 325.430 are nonsubstantive clean up amendments.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace any emergency rulemaking currently in effect?
No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed amendment contain incorporations by reference? No
- 10) Are there any other proposed amendments pending on this Part? No
- 11) Statement of Statewide Policy Objectives: These rulemaking does not create or expand a State mandate under the State Mandates Act [30 ILCS 805].

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- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on the proposed rules may submit them in writing by no later than 45 days after publication of this Notice to:
- Joanne M. Olson, Assistant Counsel
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19726
Springfield, Illinois 62794-9276
- 217/782-5544
joanne.olson@illinois.gov
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: This rulemaking is not expected to impact small businesses, small municipalities and not for profit corporations because the amendment updates Section 325.205 to conform to a statutory change in the Environmental Protection Act.
- 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 Public Act creating the NPDES fees for CAFOS was signed into law after the July 2011 regulatory agenda was published. Therefore the Illinois EPA was unable to include this proposed change in the last two regulatory agendas.

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

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WATER POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 325

PERMIT FEES FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMITS AND DOMESTIC SEWAGE SLUDGE
GENERATOR OR SLUDGE USER PERMITS

SUBPART A: GENERAL

Section	
325.100	Purpose
325.105	Applicability
325.110	Definitions
325.115	Relation to Other Fees and Fee Systems
325.120	Severability

SUBPART B: PROCEDURES FOR DETERMINATION AND PAYMENT OF FEES FOR
NPDES PERMITS AND SLUDGE GENERATOR OR SLUDGE USER PERMITS

Section	
325.205	Amount of the Fee
325.210	Proration of Fees
325.215	One Time Annual Fee Payments for Construction Site Stormwater Discharges
325.220	Manner of Payment
325.230	Deposit of Fee Payments
325.235	Refunds

SUBPART C: PROCEDURES FOR PROCESSING PERMIT APPLICATIONS AND
NOTICES OF INTENT FOR WHICH FEES APPLY

Section	
325.310	Notices of Intent to Pursue Coverage Under General NPDES Permits Not Containing the Entire Fee
325.315	Modifications to Notices of Intent for General NPDES Permits
325.320	Modifications to NPDES Permits and Sludge Generator or Sludge User Permits

SUBPART D: NOTICES, TERMINATIONS AND TRANSFER OF OWNERSHIP

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Section

325.410	Annual Fee Notices for Existing Permits and Permit Renewals
325.420	Initial Annual Fee Notices for New Permits
325.425	Due Dates
325.430	Terminations of NPDES Permits and Sludge Generator and Sludge User Permits
325.435	Transfer of Ownership and Fees

SUBPART E: ~~RESOLUTION~~ RESOLUTION OF DISPUTES

325.510	Request for Reconsideration
325.520	Agency Response
325.530	Appeal of Final Agency Action

SUBPART F: FAILURE TO COMPLY WITH SECTION 12.5 OF THE ACT

Section

325.605	Failure to Pay Annual NPDES and Sludge Generator or Sludge User Discharge Fees
325.610	Interest on Unpaid Fees
325.620	Collection Procedures for Unpaid Fees

AUTHORITY: Implementing and authorized by Section 12.5 of the Environmental Protection Act [415 ILCS 5/12.5].

SOURCE: Adopted at 34 Ill. Reg. 10056, effective June 29, 2010; amended at 37 Ill. Reg. _____, effective _____.

SUBPART B: PROCEDURES FOR DETERMINATION AND PAYMENT OF FEES FOR NPDES PERMITS AND SLUDGE GENERATOR OR SLUDGE USER PERMITS

Section 325.205 Amount of the Fee

- a) Except when no fee is due pursuant to Section 325.215 for construction site stormwater discharges, each permit holder or applicant subject to this Part pursuant to Section 325.105 shall pay an annual fee to the Agency for any discharge that requires an NPDES permit pursuant to Section 12(f) of the Act and for all activities requiring a sludge generator or sludge user permit pursuant to Section 12(b) of the Act.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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- 1) *The initial annual fee for discharges under a new NPDES permit or for activity under a new individual sludge generator or sludge user permit must be remitted to the Agency prior to the issuance of the permit. [415 ILCS 5/12.5(c)]*
- 2) *The initial annual fee for discharges or other activity under a general NPDES permit must be remitted to the Agency as part of the application for coverage under that general permit. [415 ILCS 5/12.5(c)]*
- b) *The annual fees applicable to discharges under NPDES permits are as follows:*
 - 1) *For NPDES permits for publicly owned treatment works, other facilities for which the wastewater being treated and discharged is primarily domestic sewage, and wastewater discharges from the operation of public water supply treatment facilities, the fee is:*
 - A) *\$500 for facilities with a Design Average Flow rate of less than 100,000 gallons per day;*
 - B) *\$2,500 for facilities with a Design Average Flow rate of at least 100,000 gallons per day but less than 500,000 gallons per day;*
 - C) *\$7,500 for facilities with a Design Average Flow rate of at least 500,000 gallons per day but less than 1,000,000 gallons per day;*
 - D) *\$15,000 for facilities with a Design Average Flow rate of at least 1,000,000 gallons per day but less than 5,000,000 gallons per day;*
 - E) *\$30,000 for facilities with a Design Average Flow rate of at least 5,000,000 gallons per day but less than 10,000,000 gallons per day; and*
 - F) *\$50,000 for facilities with a Design Average Flow rate of 10,000,000 gallons per day or more. [415 ILCS 5/12.5(e)(1)]*
 - 2) *For NPDES permits for treatment works or sewer collection systems that include combined sewer overflow outfalls, in addition to the fees in subsection (b)(1) of this Section, the fee is:*

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- A) *\$1,000 for systems serving a tributary population of 10,000 or less;*
 - B) *\$5,000 for systems serving a tributary population that is greater than 10,000 but not more than 25,000; and*
 - C) *\$20,000 for systems serving a tributary population that is greater than 25,000. [415 ILCS 5/12.5(e)(2)]*
- 3) *For NPDES permits for mines, the fee is \$5,000. [415 ILCS 5/12.5(e)(3) and (4)]*
- 4) *For NPDES permits for industrial activity, other than mines, where toxic substances are not regulated, the fee is:*
- A) *\$1,000 for a facility with a Design Average Flow rate that is not more than 10,000 gallons per day;*
 - B) *\$2,500 for a facility with a Design Average Flow rate that is more than 10,000 gallons per day but not more than 100,000 gallons per day; and*
 - C) *\$10,000 for a facility with a Design Average Flow rate that is more than 100,000 gallons per day. [415 ILCS 5/12.5(e)(5)]*
- 5) *For NPDES permits for industrial activity, other than mines, where toxic substances are regulated, the fee is:*
- A) *\$15,000 for a facility with a Design Average Flow rate that is not more than 250,000 gallons per day; and*
 - B) *\$20,000 for a facility with a Design Average Flow rate that is more than 250,000 gallons per day. [415 ILCS 5/12.5(e)(6)]*
- 6) *For NPDES permits for industrial activity classified by USEPA as a major discharge, other than mines, the fee is:*

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- A) *\$30,000 for a facility where toxic substances are not regulated; and*
- B) *\$50,000 for a facility where toxic substances are regulated. [415 ILCS 5/12.5(e)(7)]*
- 7) *For NPDES permits for municipal separate storm sewer systems, the fee is \$1,000. [415 ILCS 5/12.5(e)(8)]*
- 8) *For NPDES permits for industrial storm water, the fee is \$500. [415 ILCS 5/12.5(e)(9)]*
- 9) *For NPDES permits for construction site storm water, the fee:*
 - A) *for applications received before January 1, 2010 is \$500;*
 - B) *for applications received on or after January 1, 2010 is:*
 - i) *\$250 if less than 5 acres are disturbed; and*
 - ii) *\$750 if 5 or more acres are disturbed. [415 ILCS 5/12.5(e)(10)]*
- 10) *For NPDES permits for a Concentrated Animal Feeding Operation (CAFO), the fee is:*
 - A) \$750 for a Large CAFO as defined in 40 CFR 122.23(b)(4);*
 - B) \$350 for a Medium CAFO as defined in 40 CFR 122.23(b)(6); and*
 - C) \$150 for a Small CAFO as defined in 40 CFR 122.23(b)(9). [415 ILCS 5/12.5(e)(11)]*
- c) *The annual fee for activities under a permit that authorizes applying sludge on land is:*
 - 1) *\$2,500 for a sludge generator permit.*
 - 2) *\$5,000 for a sludge user permit. [415 ILCS 5/12.5(f)]*

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(Source: Amended at 37 Ill. Reg. _____, effective _____)

SUBPART D: NOTICES, TERMINATIONS AND TRANSFER OF OWNERSHIP

Section 325.410 Annual Fee Notices for Existing Permits and Permit Renewals

- a) Each year *the Agency shall send a fee notice by mail to each existing permit holder subject to a fee under this Part at his or her address of record. The notice shall state the amount of the applicable annual fee and the date by which payment is required.* [415 ILCS 5/12.5(b)] The address of record is the address provided on the permit application or a billing address provided on a subsequent address correction form submitted to the Agency.
- b) *Except as provided in Section 325.420 with respect to initial fees under new permits and as provided in Section 325.320 for certain modifications of existing permits, fees payable under this Part are due by the date specified in the fee notice, which shall be no less than 30 days after the date the fee notice is mailed by the Agency.* [415 ILCS 5/12.5(b)]
- c) The Agency may send second notices for unpaid fees and interest prior to initiating referral to the Comptroller's Offset System pursuant to 15 ILCS 405/10.05, referral to the Department of Revenue's Debt Collection Bureau pursuant to 30 ILCS 210 or other collection procedures.
- d) In the event the Agency inadvertently sends a fee notice to a permit holder whose NPDES, sludge generator or sludge user permit has expired and is not lawfully administratively continued because the NPDES permit holder did not apply for renewal not less than~~within~~ 180 days prior to~~of~~ the permit expiration date or the sludge generator or sludge user permit holder did not apply for renewal not less than~~within~~ 90 days prior to~~of~~ the permit expiration date, payment of a fee by the recipient of the notice will not be construed as indicia of possession of a valid NPDES or sludge generator or sludge user permit.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 325.430 Terminations of NPDES Permits and Sludge Generator and Sludge User Permits

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- a) It shall be the obligation of every permit holder required to pay a fee pursuant to this Part to notify the Agency, in writing, of the cessation of or reduction in operation at the facility or completion or termination of the permitted activity and to request modification or termination of all appropriate permits.
- b) ~~Termination and permit modification~~ Notifications and requests ~~under this Section~~ shall be on forms prescribed by the Agency and signed by the permit holder. All termination requests and permit modifications must be sent to:
- Illinois Environmental Protection Agency
Division of Water Pollution Control
P. O. Box 19276
Springfield, Illinois 62794-9276
- c) The permit holder remains liable for annual discharge fees provided in the fee notice billing statement mailed by the Agency until the expiration date specified in the permit unless a request for termination of the facility's permit or permits is made in writing ~~asto the address~~ provided in subsection (b) of this Section prior to the due date contained in the annual fee notice.
- d) Submittal ~~Timely submittal~~ of a termination request before the due date contained in the annual fee notice will stay the accrual of interest while the termination request is under review by the Agency.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Aid to the Aged, Blind or Disabled
- 2) Code Citation: 89 Ill. Adm. Code 113
- 3) Section Number: 113.141 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Article III and authorized by Sections 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13] and P.A. 97-869
- 5) A Complete Description of the Subjects and Issues involved: In accordance with provisions of P.A. 97-869, this rulemaking establishes that the exemption for funds in an irrevocable prepaid funeral/burial trust "shall be adjusted annually for any increase in the Consumer Price Index (CPI)." As a result, the exempt amount in an Aid to the Aged, Blind or Disabled (AABD) client's irrevocable prepaid burial fund will be increased by the annual Consumer Price Index increase. This revision brings the language in the rule in alignment with the language of the law in the SMART Act which was signed into law on June 14, 2012. Currently the Administrative Rules states that the irrevocable prepaid funeral/burial trust fund amount will be increased annually by 3% to determine the amount of the exemption. This rulemaking also updates the irrevocable prepaid burial fund exemption from \$4,000 to \$5,874 for the 2013 fiscal year.
- 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 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 rulemaking

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within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762

217/785-9772

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Businesses that provide funeral and burial services.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because it was not anticipated by the Department with the two most recent regulatory agendas were published.

The full text of the Proposed Amendment is identical to that of the Emergency Amendment for this rulemaking and begins in this issue of the *Illinois Register* on page 17567:

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- 1) Heading of the Part: Illinois Water Well Construction Code
- 2) Code Citation: 77 Ill. Adm. Code 920
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
920.10	Amend
920.15	Amend
920.20	Amend
920.30	Amend
920.40	Amend
920.50	Amend
920.60	Amend
920.70	Amend
920.90	Amend
920.120	Amend
920.130	Amend
920.140	Amend
920.150	Amend
920.160	Amend
920.180	Amend
920.200	New
920.210	New
920.220	New
920.230	New
920.240	New
920.250	New
920.TABLE C	New
920.ILLUSTRATION A	Amend
920.ILLUSTRATION E	Amend
920.ILLUSTRATION H	Amend
- 4) Statutory Authority: Illinois Water Well Construction Code [415 ILCS 30]
- 5) A Complete Description of the Subjects and Issues Involved: Amendments to this Part clarify existing provisions and add new requirements to implement PA 97-363, which amended the Water Well and Pump Installation Contractor's License Act and the Illinois Water Well Construction Code to include new provisions and amend existing provisions governing closed loop wells and to add requirements for closed loop well contractor certification. Existing definitions are clarified and new definitions are added for Closed

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Loop Well System, Modification, Creviced, Consolidated Formation and Flowing Artesian Well. Definitions are amended and added to conform to the Environmental Protection Act. The definition for Closed Loop Well is being amended, and definitions for Closed Loop Well Contractor, Ground Heat Exchange Borehole, Ground Heat Exchange System and Horizontal Closed Loop Well are added. Section 920.15 is amended to update incorporated and referenced materials. Section 920.20 is amended to update statutory and regulatory references. Section 920.30 is amended to clarify existing requirements and terminology.

The amendment to Section 920.40 will delete the NSF International Standard Number 56, since it has been discontinued. Section 920.50 deletes existing requirements for minimal lateral separation distances, which will be incorporated into the new Section 920. Table C. Existing requirements and terminology in Sections 920.60 and 920.70 are clarified.

The amendments to Section 920.90 clarify the requirements for the installation of plastic well casing and grouting procedures and establishes requirements for bored well construction materials. Section 920.120 is amended to allow water well contractors to prepare a well for sealing before notifying the Department or local health department as to the date that the well would be sealed. Sealing of a non-producing well is clarified to protect the water bearing formation.

Sections 920.130, 920.150 and 920.160 are amended to implement P.A. 97-0363.

Section 920.140 is amended to update a reference to the Department's hearing rules. Other amendments establish requirements for approved local health departments having agent agreements with the Department.

Existing requirements for closed loop wells are clarified in Section 920.180. Sections 920.200, 920.210, 920.220, 920.230, 920.240 and 920.250 are added.

Section 920. Table C combines the setback requirements between closed loop wells, water wells and sources of contamination, and establishes setback requirements between sources of contamination and closed-loop wells using United States Pharmacopeia (USP) food grade propylene glycol as the coolant and closed loop wells using other coolants. Amendments to Section 920. Illustrations A, E, and H bring them in line with other proposed changes to the Part.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

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The Department anticipates adoption of the rulemaking approximately six to nine months after publication of the notice in the *Illinois Register*.

- 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 any incorporations by reference? Yes
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rule making 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 these rules within 45 days after this issue of the *Illinois Register* to:

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

Telephone: 217/782-2043
e-mail: dph.rules@illinois.gov

- 13) Initial Regulatory Flexibility Analysis: These rules may have an impact on small businesses. Any small business commenting on these rules shall indicate their status as such in their comments.
 - A) Type of Small Businesses, Small Municipalities, and Not-For-Profit Corporations Affected: Water well contractors and closed-loop well contractors.

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- B) Reporting, Bookkeeping or Other Procedures Required for Compliance: Manufacturers of bored well cement tile, fiberglass casing and buried slabs must provide documentation that the standards for these construction materials are met. A closed loop well construction report will be required to be submitted by the registered closed loop well contractor at the completion of an installation.
 - C) Types of Professional Skills Necessary for Compliance: Water well driller's license and closed-loop well contractor's certification and registration.
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2012

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

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TITLE 77: PUBLIC HEALTH
 CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
 SUBCHAPTER r: WATER AND SEWAGE

PART 920

~~ILLINOIS~~ WATER WELL CONSTRUCTION CODE

Section	
920.10	Definitions
920.15	Incorporated and/or Referenced Materials
920.20	Scope
920.30	General Requirements
920.40	Design Factors
920.50	Location
920.60	Drilled Wells in Unconsolidated Formations
920.70	Drilled Well Construction in Consolidated Formations
920.80	Special Type Wells
920.90	Construction Materials and Other Requirements
920.100	Finishing and Testing
920.110	Modification of Wells
920.120	Abandoned Wells
920.130	<u>Water Well</u> Permit Requirements
920.140	Administrative Hearings
920.150	Designation of Agents of the Department
920.160	Issuance of Water Well <u>and Closed Loop Well</u> Permits by Units of Local Government or Local Health Departments
920.170	Monitoring Wells
920.180	<u>Closed Loop</u> Closed Loop Wells
920.190	Assurance of Potable Water Supply
<u>920.200</u>	<u>Closed Loop Well System Permit Requirements</u>
<u>920.210</u>	<u>Examination for Closed Loop Well Contractor Certification and Fees</u>
<u>920.220</u>	<u>Closed Loop Contractor Registration, Renewal and Fees</u>
<u>920.230</u>	<u>Registered Closed Loop Well Contractor Responsibility</u>
<u>920.240</u>	<u>Closed Loop Well Continuing Education Sessions</u>
<u>920.250</u>	<u>Approval of Closed Loop Well Third Party Organizations</u>
ILLUSTRATION A	Unconsolidated Formations: Oversized Drill Hole
ILLUSTRATION B	Unconsolidated Formations: Mechanically Driven Casing
ILLUSTRATION C	Gravel Pack Construction
ILLUSTRATION D	Crevice Formations: Earth Cover Less Than 30 Feet Thick

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ILLUSTRATION E	Crevised Formations: Earth Mantle Cover Over 30 Feet Thick – Oversized Drill Hole
ILLUSTRATION F	Crevised Formations: Earth Cover Over 30 Feet Thick – Mechanically Driven Casing
ILLUSTRATION G	Bored or Dug Well – Well Not Finished With Buried Slab
ILLUSTRATION H	Bored or Dug Well – Buried Slab Construction
ILLUSTRATION I	Installation of a Driven Well
ILLUSTRATION J	Sealing an Abandoned Well – Extending into a Crevised Formation
ILLUSTRATION K	Sealing an Abandoned Dug or Bored Well
ILLUSTRATION L	Sealing an Abandoned Well Extending into More Than One Water Bearing Formation
ILLUSTRATION M	Sealing an Abandoned Buried Slab Bored Well
TABLE A	Steel Casing and Liner Pipe Weights and Dimensions
TABLE B	Plastic Casing and Liner Pipe Specifications
TABLE C	Minimal Lateral Distances in Feet Between Water Wells, Closed-Loop Wells, and Sources of Contamination

AUTHORITY: Implementing and authorized by the Illinois Water Well Construction Code [415 ILCS 30].

SOURCE: Adopted September 12, 1973; amended at 2 Ill. Reg. 42, p.35, effective October 16, 1978; rules repealed, new rules adopted and codified at 7 Ill. Reg. 9633, effective August 1, 1983; amended at 12 Ill. Reg. 2990, effective January 13, 1988; amended at 13 Ill. Reg. 11796, effective July 1, 1989; amended at 14 Ill. Reg. 228, effective January 1, 1990; amended at 14 Ill. Reg. 14871, effective September 1, 1990; amended at 15 Ill. Reg. 18188, effective January 1, 1992; amended at 18 Ill. Reg. 17684, effective November 30, 1994; amended at 22 Ill. Reg. 3973, effective April 1, 1998; amended at 24 Ill. Reg. 11934, effective August 1, 2000; amended at 37 Ill. Reg. _____, effective _____.

Section 920.10 Definitions

"Abandoned Well" means a water or monitoring well ~~that~~[which](#) is no longer used to supply water, or ~~that~~[which](#) is in such a state of disrepair that the well or boring has the potential for transmitting contaminants into an aquifer or otherwise threatens the public health or safety.

"Act" means the Illinois Water Well Construction Code [415 ILCS 30].

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"Annular Space" means the opening between a well-hole excavation and the well casing or between a casing pipe and a liner pipe.

"Aquifer" means saturated (with groundwater) soils and geologic materials which are sufficiently permeable to readily yield economically useful quantities of water to wells, springs, or streams under ordinary hydraulic gradients. (Section 3(b) of the Illinois Groundwater Protection Act [415 ILCS 55/3(b)])

~~"Aquifer" means a water bearing formation that transmits water in sufficient quantity to supply a well.~~

"Bentonite Grout" means a manufactured grout product ~~that~~^{which} is a mixture of sodium bentonite and water mixed at the manufacturer's recommended ratio; a mixture of granulated sodium bentonite and water ~~that~~^{which} consists of a minimum of 20 ~~percent solid~~^{% solids} bentonite clay and water that is equivalent to 9.4 pounds/gallon; ~~a mixture of granulated sodium bentonite and clean drilling mud and water, weighing a maximum of 8.6 pounds/gallon, which consists of a minimum of 20% solids bentonite clay and clean drilling mud equivalent to 9.6 pounds/gallon;~~ or sodium bentonite in the granulated or chip form. All bentonite products shall comply with National Sanitation Foundation (NSF) International requirements.

~~"Borehole Boring"~~ also known as "drill hole" means an excavation that is drilled, cored, driven, dug, or otherwise constructed ~~that~~^{which} penetrates an aquifer or ~~that~~^{which} may degrade the quality of the aquifer.

"Cement" means a mixture consisting of cement, sand and water in the proportion of one bag of cement (94 pounds) and an equal volume of dry sand to not more than 6 gallons of clean water.

"Chemical Injection System" means any device or combination of devices having hose, pipe or other methods of conveyance ~~that~~^{which} connect directly to any water well through which a mixture of water, pesticides and fertilizers ~~is~~^{are} mixed or ~~is~~^{are} drawn and applied to land, crops, ~~and~~ or plants at agricultural, nursery, turf, golf course, or greenhouse sites.

"Closed Loop Well" means a sealed, watertight loop of pipe buried outside of a building foundation intended to re-circulate a liquid solution through a heat exchanger but is limited to the construction of the borehole and the grouting of

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the borehole and does not include the piping and appurtenances used in any other capacity. "Closed loop well" does not include any horizontal closed loop well systems where grouting is not necessary by law or standard industry practice. (Section 3(h) of the Act)

~~"Closed Loop Well" means a sealed, watertight loop of pipe buried outside of a building foundation which is intended to recirculate a liquid solution through a heat exchanger.~~

"Closed Loop Well Contractor" means any person who installs closed loop wells for another person. "Closed loop well contractor" does not include the employee of a closed loop contractor. (Section 3(j) of the Act)

"Closed Loop Well System" means a clustered group of closed loop wells that serve the same facility.

~~*"Community Water System" means a public water system which serves at least 15 service connections used by residents or regularly serves at least 25 residents for at least 60 days per year. (Section 9(a)(1) of the Illinois Groundwater Protection Act) [415 ILCS 55/9(a)(1)].*~~

~~"Consolidated Formation" means a geological formation ~~that~~which is firm ~~such as~~ rock referred to as bedrock.~~

"Construction" means all acts necessary to ~~obtain~~obtaining ground water by wells, including excavation of the well, but excluding the installation of permanent pumps and pumping equipment.

~~*"Contaminant" means any physical, chemical, biological, or radiological substance or matter in water. (Section 9(a)(2) of the Illinois Groundwater Protection Act [415 ILCS 55/9(a)(2)].*~~

"Crevice, Consolidated Formation" is a consolidated formation characterized by fractures.

"Department" means the Illinois Department of Public Health.

"Driven Water Well" means a well constructed by joining a drive point with lengths of pipe and then driving or jetting the assembly into the ground with

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percussion equipment or by hand.

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

"Established Ground Surface" means the elevation of the ground surface at the site of the well.

"Finished Ground Surface" means the final or permanent elevation of the ground surface at the site of the well.

"Flowing Artesian Well" means a well in which the water from the confined aquifer rises above the finished ground surface.

"Ground Heat Exchange Borehole" or "GHEX Borehole" means the same as a "closed loop well".

"Ground Heat Exchange System" or "GHEX System" means a single borehole or a clustered group of boreholes that serve the same facility.

"Ground Water" means water of underground aquifers, streams, channels, artesian basins, reservoirs, lakes and other water under the surface of the ground, whether percolating or otherwise. (Section 2(2) of the Illinois Water Well and Pump Installation Contractor's License Act)

"Horizontal Closed Loop Well System" means any open cut excavation where a watertight loop of pipe is buried outside of a building foundation that is intended to re-circulate a liquid solution through a heat exchanger.

"Mechanically Driven" means a procedure by which a casing is fitted with a drive shoe and driven with a force sufficient to firmly seat the casing in rock or to the desired depth in unconsolidated formations.

"Modification" means the alteration of the structure of an existing water well, including, but not limited to: deepening; installing a pitless unit or adapter; eliminating a buried suction line; installing a liner; replacing, repairing or extending casing; or replacing a well screen. Pertaining to closed loop wells, "modification" also means any alteration to the construction of the borehole of an existing closed loop well, including, but not limited to, deepening, replacing

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~~vertical piping or regrouting any change, replacement, or other alteration of a water well. This includes, but is not limited to deepening of a well, replacing or repairing a casing, repair or replacement of well screen, installation of a pitless adapter and any other changes of a well structure.~~

"Monitoring Well" means a water well intended for the purpose of determining ~~ground water~~ groundwater quality or quantity.

"Neat Cement Grout" means a mixture consisting of one bag of cement (94 pounds) to not more than ~~six~~ six gallons of clean water. ~~Bentonite Additives such as bentonite or aquajel~~ or similar ~~material~~ materials may be added up to ~~6 percent~~ 6 percent by dry weight to increase fluidity or to control shrinkage.

"Non-Community Water System" means a public water system which is not a community water system, and has at least 15 service connections used by nonresidents, or regularly serves 25 or more nonresident individuals daily for at least 60 days per year. (Section 9(a)(4) of the Illinois Groundwater Protection Act [415 ILCS 55/9(a)(4)].

"Pitless Adapter Unit" means a factory assembled device consisting of a pitless well adapter, a mechanism ~~that~~ which attaches to the well casing, and a well casing riser in a single unit, for the purpose of preventing contaminants from entering the well.

"Pitless Well Adapter" means an assembly of parts ~~that~~ which will permit water to pass through the wall of the well casing or extension ~~of the wall thereof~~; provides access to the well and to the parts of the water system within the well; and provides for the transportation of the water and the protection of the well and water ~~in the well~~ therein, from surface or near surface contamination. Parts or appurtenances to a pitless well adapter include, but are not limited to, the vent, the ~~device or devices~~ device(s) on or in the wall of the casing, and the cap or cover on top of the casing or casing extension.

"Potable" means generally fit for human consumption in accordance with accepted water supply principles and practices. (Section 3(h) of the Illinois Groundwater Protection Act)

"Potential Primary Source" means any unit at a facility or site not currently subject to a removal or remedial action which:

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is utilized for the treatment, storage, or disposal of any hazardous or special waste (as defined in Section 3 of the Environmental Protection Act) not generated at the site; or

is utilized for the disposal of municipal waste not generated at the site, other than landscape waste (as defined in Section 3 of the Environmental Protection Act) and construction and demolition debris; or

is utilized for the landfilling, land treating, surface impounding or piling of any hazardous or special waste (as defined in Section 3 of the Environmental Protection Act) that is generated on the site or at other sites owned, controlled or operated by the same person; or

stores or accumulates at any time more than 75,000 pounds above ground, or more than 7,500 pounds below ground, of any hazardous substances. (Section ~~3.3453-59~~ of the Environmental Protection Act [~~415 ILCS 5/3-59~~])

"Potential Route" means abandoned and improperly plugged wells of all kinds (i.e., those wells not plugged in accordance with this Part), drainage wells, all injection wells, including closed-loop heat pump wells, and any excavation for the discovery, development or production of stone, sand or gravel. This term does not include closed-loop heat pump wells using United States Pharmacopeia (USP) food grade propylene glycol. (Section 3.350 of the Environmental Protection Act)

"Potential Secondary Source" means any unit at a facility or a site not currently subject to a removal or remedial action, other than a potential primary source, which:

is utilized for the landfilling, land treating, or surface impounding of waste that is generated on the site or at other sites owned, controlled or operated by the same person, other than livestock and landscape waste, and construction and demolition debris; or

stores or accumulates at any time more than 25,000 but not more than 75,000 pounds above ground, or more than 2,500 but not more than 7,500 pounds below ground, of any hazardous substances; or

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stores or accumulates at any time more than 25,000 gallons above ground, or more than 500 gallons below ground, of petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance; or

stores or accumulates pesticides, fertilizers, or road oils for purposes of commercial application or for distribution to retail sales outlets; or stores or accumulates at any time more than 50,000 pounds of any de-icing agent; or

is utilized for handling livestock waste or for treating domestic wastewaters other than private sewage disposal systems as defined in the Private Sewage Disposal Licensing Act ~~[225 ILCS 225]~~. (Section ~~3.3553-60~~ of the Environmental Protection Act ~~[415 ILCS 5/3.60]~~)

~~*"Potential Route" means abandoned and improperly plugged wells of all kinds, (i.e., those wells not plugged in accordance with the provisions of this Part) drainage wells, all injection wells, including closed loop heat pump wells, and any excavation for the discovery, development or production of stone, sand or gravel. (Section 3.58 of the Environmental Protection Act [415 ILCS 5/3.58])*~~

"Pressure Grouting" means the placement of grout by a method using positive pressure to displace drilling fluids.

"Private Water System" means any supply which provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single family dwelling. (Section 9(a)(5) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/9(a)(5)]~~)

"Public Water System" means a system for the provision to the public of ~~pip~~ed water for human consumption through pipes or other constructed conveyances, if the system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. A public water system is either a community water system (CWS) or a non-community water system (non-CWS). The term "public water system" includes any collection, treatment, storage or distribution facilities under control of the operator of such system and used primarily in connection with such system and any collection or pretreatment storage facilities not under such control which are used primarily in connection

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with such system. (Section 9(a)(6) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/9(a)(6)]~~)

"Pumping Water Level" means the ~~depth to~~elevation of the water surface in a well from the ground surface, top of casing or other established datum when water is discharged by pumping.

"Semi-Private Water System" means a water supply which is not a public water system, yet which serves a segment of the public other than an owner-occupied single family dwelling. (Section 9(a)(7) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/9(a)(7)]~~)

"Site" means any location, place, tract of land, and facilities, including but not limited to buildings, and improvements used for purposes subject to regulation under the Environmental Protection Act. (Section ~~3.4603-43~~ of the Environmental Protection Act ~~[415 ILCS 5/3.43]~~)

"Tremie Method" means ~~an industry method of applying grout to the annular space by~~ pumping grout through a pipe that is inserted into the annular space to fill the space ~~with grout~~ from the bottom upward to the ground surface until the annular opening is filled or to the point of pitless adapter attachment.

"Unconsolidated Formation" means a geological formation above bedrock, such as sand or gravel, ~~that~~which is caving in nature.

"Undesirable Water" means water that contains contamination that exceeds Class I Groundwater Standards adopted in the Groundwater Quality Standards Code (35 Ill. Adm. Code 620, Subpart B).

"Unit" means any device, mechanism, equipment, or area (exclusive of land utilized only for agricultural production). (Section ~~3.5153-62~~ of the Environmental Protection Act ~~[415 ILCS 5/3.62]~~)

"Water-Bearing Formation" means any geologic formation ~~that~~which contains water.

~~"Well Cap" means that portion of the pitless well adapter used to enclose the atmospheric termination of the casing, which shall overlap the top of the casing extension with a downward flange.~~

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"Water Well" means any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of ~~the such~~ excavation is for the location, diversion, artificial re-charge, or acquisition of ground water, except monitoring wells.

"Well" means a bored, drilled or driven shaft, or dug hole, the depth of which is greater than the largest surface dimension. (Section 3.555 of the Environmental Protection Act)

"Well Cap" means that portion of the pitless well adapter used to enclose the atmospheric termination of the casing, which shall overlap the top of the casing extension with a downward flange.

"Well Seal" means an arrangement or device used to establish a watertight closure at the junction of a well pump or piping with the well casing cover at the upper terminal of the well, the purpose of which is to prevent contaminated water or other material from entering the well.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.15 Incorporated ~~and/or~~ Referenced Materials

The following ~~rules, federal and State regulations,~~ standards, and statutes are incorporated or referenced in ~~various Sections of~~ this Part.

- a) The following standards are incorporated by reference:
- 1) ~~NSF International, Standard 56, Pitless Well Adapters (November 1992) and published by:~~

NSF International
3475 Plymouth Road, P.O. Box 1468
Ann Arbor, Michigan 48106
 - 1)2) National Sanitation Foundation/American National Standards Institute (NSF/ANSI) NSF International, Standard NSF/ANSI 14-2010a1990, Plastic Piping System Components and Related Materials, and Standard NSF/ANSI 61-2010a, Drinking Water System Components – Health

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Effects, and published by:

NSF International
789 N. Dixboro Road
P.O. Box 130140
3475 Plymouth Road, P.O. Box 1468
Ann Arbor, Michigan 48113-014048106

Referenced in Section 920.90

- 2)3) American Society for Testing and Materials (ASTM) International required standards ASTM A53/A53M-10, Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless (2010); ASTM A589/A589M-06, Standard Specification for Seamless and Welded Carbon Steel Water-Well Pipe (2006); ASTM F480-06be1, Standard Specification for Thermoplastic Well Casing Pipe and Couplings Made in Standard Dimension Ratios (SDR), SCH 40 and SCH 80 (2006); ASTM D3035-10, Standard Specification for Polyethylene (PE Plastic Pipe (DR-PR)) Based on Controlled Outside Diameter (2010); ASTM C564-11, Standard Specification for Rubber Gaskets for Cast Iron Soil Pipe and Fittings (2011); and ASTM F477-10, Standard Specification for Elastomeric Seals (Gaskets) for Joining Plastic Pipe (2010); published by are listed under Sections 920.90 and 920.180. List of approved steel and plastic well casing standards may be obtained from:

American Society for Testing and Materials International
100 Barr Harbor Drive
P.O. Box C700
West Conshohocken, Pennsylvania 19428-2959
1916 Race Street
Philadelphia, PA 19103

Referenced in Sections 920.90 and 920.180

- 3)4) Underwriter's Laboratories, Inc., Standard for Safety-UL 1995 (2005)~~(1990)~~, UL Standard for Safety Heating and Cooling Equipment, and published by:

Underwriter's Laboratories, Inc.

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333 Pfingster Road
Northbrook, Illinois 60062-2096

Referenced in Section 920.90

- 4) American Petroleum Institute API SPEC 5L-2011, Specification for Line Pipe, published by:

American Petroleum Institute
1220 L Street, NW
Washington, D.C. 20005-4070

Referenced in Section 920.90

- b) The following statutes and rules are referenced:
- 1) Environmental Protection Act, Title IV, Public Water Supplies [415 ILCS 5/Title IV]}
 - 2) Illinois Water Well and Pump Installation Contractor's License Act [225 ILCS 345]
 - 3) Private Sewage Disposal Licensing Act [225 ILCS 225]
 - 4) Illinois Groundwater Protection Act [415 ILCS 55]
 - 5) Groundwater Quality Standards Code (35 Ill. Adm. Code 620, Subpart B)
 - 6) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)
 - 7) Drinking Water Systems Code (77 Ill. Adm. Code 900)
 - 8) Illinois Water Well Pump Installation Code (77 Ill. Adm. Code 925)
- c) All incorporations by reference of ~~federal regulations and~~ the standards of nationally recognized organizations refer to the ~~regulations and~~ standards on the date specified and do not include any amendments or editions~~additions or deletions~~ subsequent to the date specified.

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- d) All materials incorporated by reference are available for inspection and copying at the Department's Central Office, Division of Environmental Health, 525 West Jefferson --Third Floor, Springfield, Illinois 62761.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.20 Scope

~~This~~The Part ~~hereby prescribed~~, provides minimum standards for the location, construction and modification of water wells, monitoring wells and closed loop wells ~~that~~which are not otherwise subject to regulation under the Environmental Protection Act, Title IV, Public Water Supplies (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1014-1019) ~~[415 ILCS 5/Title IV]~~. ~~No~~After the effective date of adoption of this Part, no water well, monitoring well or closed loop well as defined in this Part~~above~~ shall be constructed or modified contrary to the provisions of this Part.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.30 General Requirements

- a) Authorized Constructor. Water wells subject to this Part shall be constructed only by persons having a valid license under the Illinois Water Well and Pump Installation Contractor's License Act ~~[225 ILCS 345]~~ unless exempt under ~~provisions of~~ that Act.
- b) Reports. Within 30 days after a water well has been constructed or deepened, the contractor shall submit a report of construction to the Department, an approved unit of local government or local health department (see Sections 920.150 and 920.160) on ~~such~~ forms ~~as are~~ prescribed and furnished by the Department.
- c) Variance-
- 1) If conditions exist at a proposed installation site ~~that~~which preclude compliance with ~~the requirements of~~ this Part, a variance shall be requested and shall be approved before well construction begins. The contractor may request a variance by submitting to the Department or an approved unit of local government or a local health department, ~~approved under Section 920.150 and 920.160~~, a written request outlining a specific proposal to be used in lieu of compliance with this Part. The request shall

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include a plot plan of the property, showing lot size, the location of sewers, septic tanks, buildings, seepage fields, and other sources of contamination on the property and adjacent property, with distances shown to the proposed well. A description of geological and soil conditions shall also be included. The Department or approved local health department ~~will~~ shall approve the variance if the proposal is in accordance with accepted public health and sanitary engineering principles and practices, and if the resulting water well installation can be expected to provide a continuously safe and sanitary water supply. The Department or approved local health department will notify the applicant in writing of its decision either to grant or deny the variance.

- 2) Examples of location problems that would preclude compliance with this Part would be the proposed location of a well too close to septic tanks, buildings, sewer lines, or barnyards.
- 3) Examples of public health and engineering principles that would be considered in issuing a variance would be ground surface conditions, depth of the water table, the location of sources of contamination, the ability of the existing soil to remove ~~-bacteria~~, and geologic conditions.
- 4) After a well has been drilled for which a variance has been issued, the contractor shall submit ~~two~~ 2 water samples to the Department laboratory for analysis. The first sample shall be submitted within 30 days after the pump is installed and operated; the second sample shall be submitted within 60 days after start-up of the pump, but not less than 30 days after collection of the first sample.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.40 Design Factors

The design of each well shall include the following:

- a) Natural Protection. Location of the well shall include ~~use~~ utilization of every natural protection available to promote sanitary conditions.
- b) ~~Geologic~~ Geological Formations. The well construction shall be adapted to the geologic formations and ground water conditions at the site, but shall comply with

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~~the requirements in~~ this Part.

- c) Undesirable ~~Geologic~~Geological Formations. Water-bearing formations shall be excluded by installing casing or a liner and properly sealing when ~~thesueh~~ formations contain undesirable water. When a contaminated formation is to be excluded, the liner ~~shall~~must be grouted in place, in accordance with Section 920.90(h), from 10 feet below the bottom of the contaminated formation to at least 10 feet above the top of the contaminated formation. When multiple water-bearing formations of different static water levels are penetrated in the construction of a water well and the lower water-bearing formation has sufficient yield for the water well, the upper water-bearing formations shall be excluded by installing casing or a liner and properly sealing to prevent the dewatering of the upper water-bearing formations.
- d) Capacity. ~~The well shall be capable of producing~~Capability of the well to produce as much of the desired water quantity as the aquifer or aquifers can safely furnish.
- e) Durability. Construction methods and materials shall provide a durable well capable of maintaining safe water and protecting the aquifer.
- f) Pitless Well Adapters. No well casing shall be cut off or cut into below ground surface except to install a pitless well adapter below the frost level. Pitless well adapters or pitless units installed on plastic well casing shall be pressurized at the point of attachment with the well casing, unless the pitless unit is solvent welded onto the plastic casing and the riser casing of the pitless unit is plastic. Pitless well adapters installed on steel well casing shall be pressurized at the point of attachment with the well casing, unless the pitless unit is threaded or welded onto the well casing. The annular opening between the well casing and the well ~~borehole~~bore hole or any excavation made to install the pitless adapter shall be filled with earth to minimize settling and shall be mounded to provide drainage away from the well. The contractor installing the pitless well adaptor shall be responsible for the installation of the earth backfill. ~~Pitless well adapters shall comply with the requirements of the NSF International Standard Number 56 entitled Pitless Well Adapters and shall be tested and approved as meeting this standard by Allied Laboratories, 716 North Iowa Avenue, Villa Park, Illinois, and shall be listed by the Department as meeting this standard.~~ A list of approved pitless well adapters will be periodically updated and a copy of this list may be obtained from the Department.

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- g) Well Caps. There shall be no openings through the well cap except for a factory-installed vent, air line connection, and power supply wiring unless a proposal is submitted to and approved by the Department. The proposal ~~shall~~must show that any entrance into the well cap is watertight. In addition, well caps shall:
- 1) Prevent surface water from entering the water supply~~;~~
 - 2) Be secured in position~~;~~
 - 3) Be removable only with tools; ~~and only~~.
 - 4) Be resistant to weathering and corrosion.
- h) Chemical Injection System. Where a chemical injection system is directly connected to a water well used for irrigation, a backflow device shall be installed in accordance with Section 925.40 of the Illinois Water Well Pump Installation Code (~~77 Ill. Adm. Code 925~~).
- i) Vents. Vent piping shall be of adequate size to allow equalization of air pressure in the well. For wells that are greater than ~~4~~four inches in diameter, the vent shall be not less than ~~1/2~~one-half inch in diameter. Vent openings shall be located ~~so~~in such a manner as to prevent contamination of the well and shall be reasonably ~~tamper proof~~tamper-proof. The vent opening shall be turned down, secured in position, and screened with not less than 24-mesh durable screen or filtered ~~so~~in such a manner as to prevent the entry of insects. The vent opening shall terminate at least 8 inches above finished grade, or 24 inches above maximum high water level in areas where flooding occurs. Wells shall be properly vented~~Particular attention shall be given to proper venting of wells~~ in areas where toxic or inflammable gases are known to be a characteristic of the water. If ~~determined that~~ either of these types of gases are present, all vents located in buildings shall be extended to discharge outside of the building at a height where the vent will not be a hazard. Venting is required on all wells except driven water wells and flowing wells.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.50 Location

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- a) General. In establishing the location of a well, the constructor shall ~~consider~~give ~~consideration to~~ sources of contamination ~~that~~which exist on or adjacent to the ~~location of the well~~premises where the well is to be located. As far as possible, the well shall be located on ground ~~that~~which is higher than sources of contamination and shall have ready access for repairs, maintenance, treatment and inspection. All water wells, except monitoring wells, shall be located in accordance with the minimum distances ~~specified in Table C in subsection (b)~~ and shall be constructed in accordance with ~~the requirements of~~ this Part.

- b) Relation to Sources of Contamination. Determination of minimum lateral distances to locate a well from potential sources of contamination, involves evaluation of the character and location of the sources of contamination, types of geologic formations present, depth to the aquifer, direction of ground water flow, effect on the ground water movement by well pumping, and possibilities of flooding of the site by surface waters. Based on practice and experience, accepted minimum lateral distances for some common sources of pollution with respect to a well ~~are established in Table C. have been established. The lack of specific distances for other possible sources of contamination such as streams, refuse disposal sites, excavations, waste treatment facilities, buried oil and gasoline storage tanks, improperly constructed wells and cisterns, does not minimize their potential hazards. These~~ Other soil conditions or other sources of contamination shall ~~must~~ be evaluated in each particular situation and a distance arrived at based on the pertinent facts. The Department may be called on for assistance in determining a proper distance.

1) ~~The following minimum lateral distances shall apply for the common sources of contamination listed:~~

LATERAL DISTANCES SOURCES OF CONTAMINATION	FOR CLAY AND LOAM SOILS
Cess Pools	150 Feet
Closed Loop Wells	200 Feet
Closed Loop Wells (Private Well Only)	

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where the owner of both the private water well and the closed loop heat pump well is the same)	-75 Feet
Leaching Pit	100 Feet
Pit Privy	-75 Feet
Subsurface Seepage Pipe/Tile From Private Sewage Systems	-75 Feet
Manure Piles	-75 Feet
Septic Tank	-50 Feet
Barnyard or Animal Confinement Lot	-50 Feet
Sewers. A well may be located to within 10 feet of a sewer provided the sewer consists of cast iron pipe with water tight mechanical joints or rubber gasket sealed joints which meet ASTM Standard C564- 88, or schedule 40 PVC pipe or heavier with solvent welded water	

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tight joints or elastomeric seals (gaskets) used for push-on joints which meet ASTM Standard F477- 76	50 Feet
Footing Drains (No connection to a sewer or a sump handling sewage)	10 Feet
Pump House Floor Drain	2 Feet
Pits, Crawl Spaces or Basements	5 Feet
Lakes, Ponds, Streams or Cisterns	25 Feet
Potential Primary Source, Potential Secondary Source, or Potential Route	200 Feet
Potential Primary Source, Potential Secondary Source, or Potential Route, where the owner of the source or route is the same as the private well	75 Feet
Abandoned Wells	200 Feet

- 2) ~~When the upper formations are more pervious, the lateral distances shall~~

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~~be increased (i.e., double the distance for highly pervious gravel formations). (See subsections (b)(3) and (4) for additional requirements.)~~

- 1)3) Prohibitions. ~~No~~Beginning January 1, 1990, ~~no~~ new water well may be located within 200 feet of any potential primary or potential secondary source or any potential route, unless some other distance is allowed or required in ~~Table C~~subsection (b)(1). ~~If~~Where the owner is the same for both the well to serve the private water system and a potential secondary source or a potential route, the well shall be no closer than 75 feet from the potential route or potential secondary source, unless some other distance is allowed or required in ~~Table C~~subsection (b)(1).
- 2)4) ~~If~~Where the owner of a water well is the same owner of a potential primary source, potential secondary source, or ~~a~~potential route, the Department ~~will~~shall allow a variance to the minimum separation distances required between a water well and a potential primary source, potential secondary source, or ~~a~~potential route if ~~the owner of a demonstration is provided by the owner of the potable water well demonstrates~~ that applicable protective measures will be ~~used~~utilized to minimize the potential for contamination of the well, and if the resulting well installation can be expected to provide a continuously safe and sanitary water supply in compliance with the Act, this Part and the Department's Drinking Water Systems Code (~~77 Ill. Adm. Code 900~~). ~~Protective~~Applicable protective measures may include ensuring ~~that~~ sources of contamination are down grade from the water source or isolation of the potential source of contamination ~~so in such a manner~~ as to prevent a route of contamination of the ground water, or isolating the potential source of contamination to prevent accidental introduction of contaminants into ground water. ~~To~~In order to obtain a variance, the owner ~~shall~~must comply with Section 920.30(c). (~~See~~ Section 6(a) of the Act.)-
- c) ~~Floodwater~~Flood Water. Locations subject to flooding shall be avoided. If no reasonable alternate site exists, wells may be constructed in flood zones ~~if~~providing special protective construction is included. The casing of the well shall terminate not less than ~~2~~two feet above the maximum known flood water elevation.
- d) Relation to Building. With respect to buildings, pits, and basements, the location

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of a well shall be as follows:

- 1) Adjacent to Building. When a well must be located adjacent to a building, it shall be ~~so~~-located so that the center line of the well extended vertically will clear any projection from the building by not less than ~~2~~two feet.
- 2) Pits and Basements. New wells shall not be constructed in pits or basements.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.60 Drilled Wells in Unconsolidated Formations

- a) General. Unconsolidated formations such as sand and gravel may extend to or near the ground surface. Generally, however, they lie below the ground surface at varying depths and are covered by an overburden of earth. The kind, nature and depth of the overburden are factors in determining how a well shall be constructed.
- b) Unconsolidated Formations. When wells are constructed in unconsolidated formations, a casing shall be installed the entire depth of the formation. Wells constructed in unconsolidated formations shall have a minimum of 20 feet of permanent casing.
 - 1) ~~When wells are constructed in unconsolidated formations, a casing shall be installed the entire depth of the formation. Such wells shall have a minimum of 20 feet of permanent casing.~~ When an oversized drill hole is constructed for the installation of the casing, the diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. If plastic well casing is installed, it shall be installed as required in Section 920.90(g). After the well casing is installed, the annular space shall be grouted as provided in Section 920.90(h). The annular space is from within a maximum of 10 feet of the top of the screen to finished ground surface. The tremie pipe shall be installed to the bottom of the annular space. No device shall be installed to prevent the tremie pipe from being installed into the annular space or to prevent the grout from filling the annular space. Excessive development and washing shall not be used to induce collapse of the borehole wall or to reduce the amount of open annular space. ~~The tremie pipe shall be installed~~

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~~when the casing is installed. The casing shall be grouted to a minimum depth of 60 feet, or within 10 feet above the top of the screen when the top of the screen is less than 70 feet below ground level. All wells with less than 25 feet of casing shall be grouted for a minimum of 15 feet below ground level. If plastic well casing is installed, it shall be installed as required in Section 920.90(g). After the casing is installed, the annular space shall be grouted as provided in Section 920.90(h). (See Illustration A.)~~

- 2) When the casing is installed by mechanically driving the casing, an oversized hole shall be constructed to a depth of at least 10 but not more than 20 feet to allow removal of the drive nipple and installation of a joint of casing. While the casing is being driven, the bottom of the oversized hole shall be filled with granulated bentonite or natural clay mixture. After the casing is installed, either the open annular space that exists around the well casing shall be ~~either~~ grouted as required in Section 920.90(h) or, when the diameter of the oversized hole is a minimum of 3 inches greater than the outer diameter of the casing or coupling, the open annular space that exists around the well casing can be filled with bentonite or natural clay. (See Illustration B.)

- c) Gravel Pack Construction. When an ~~oversized~~over-sized drill hole is constructed to permit the placement of a gravel pack around the well screen, the diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. The annular opening between the casing and drill hole shall be grouted in accordance with Section 920.90(h). If a permanent outer casing is installed, it shall extend to a depth of at least 20 feet and the annular opening between the drill hole and the outer casing shall be grouted in accordance with Section 920.90(h). The annular opening between inner and outer casings shall be sealed at the top of the casing. The seal shall be made in such a manner as to prevent water or contaminants from entering the annular space between the inner and outer casing. If plastic well casing is installed, it shall be installed as required in Section 920.90(g). (See Illustration C.)
 - 1) All gravel placed in the well shall be clean and shall be, washed and disinfected prior to placement, or provisions shall be made for disinfection in place.
 - 2) Gravel refill pipes may be installed if they terminate above ground surface

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and are provided with watertight caps.

- 3) Wells designed for placement of an artificial gravel pack shall be provided with an adequate screen having openings sized on the basis of the grain size of the gravel. The well shall be developed to ~~ensure~~insure free entry of water without sediment.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.70 Drilled Well Construction in Consolidated Formationsa) Drift or Earth Cover Less Than 30 Feet in Thickness

- 1) The well casing shall extend to a depth of at least 40 feet below finished ground surface. The diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. The annular space shall be pressure grouted as provided for in Section 920.90(h). If plastic casing is installed, it shall be installed in accordance with Section 920.90(g). (See Illustration D.)
- 2) If a well is drilled to obtain water below the upper bedrock formation, it shall comply with subsection (a)(1) and the well casing shall be seated firmly in rock. When a liner is installed through the casing, the annular space between the casing and the liner shall be pressure grouted in accordance with Section 920.90(h). If the upper bedrock formation is a water-bearing formation, the liner shall be installed in accordance with Section 920.40(c).

~~a) Creviced Formations—Drift or Earth Cover Less Than 30 Feet. A creviced or cracked formation, which is the upper bedrock formation and is overlain by a mantle of earth having a thickness less than 30 feet, shall be used as a source of groundwater supply when constructed by one of the following methods:~~

- 1) ~~Where the drift or earth cover is less than 30 feet in thickness, the well casing shall extend to a depth of at least 40 feet below ground level. The diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. The annular space shall be pressure grouted as provided for in Section 920.90(h). If plastic casing is installed, it shall be installed in accordance~~

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~~with Section 920.90(g).~~

- 2) ~~Where the well is drilled to obtain water from a lower formation the casing shall extend at least through the creviced formation and be seated in firm rock. The diameter of the drill hole through the creviced formation shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. The annular space shall be pressure grouted as provided in Section 920.90(h). When an outer casing is left in place, the annular space between the casings shall be pressure grouted and the annular opening around the outer casing shall be grouted in accordance with Section 920.90(h). If plastic casing is installed, it shall be installed in accordance with Section 920.90(g). (See Illustration D.)~~
- b) Drift or Earth Cover Over 30 Feet in Thickness-
- 1) ~~When an oversized drill hole is constructed for the installation of the casing and the annular space is to be grouted through a tremie pipe installed in the annular space, the diameter of the drill hole shall be a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater. After the casing is installed, the annular space shall be grouted as provided for in Section 920.90(h). The annular space shall be grouted from the bottom of the casing to ground level. The tremie pipe shall be installed to the bottom of the annular space. No device shall be installed to prevent the tremie pipe from being installed into the annular space or to prevent the grout from filling the annular space.The tremie pipe shall be installed when the casing is installed and casing grouted to a minimum depth of 60 feet. When the casing is less than 60 feet, the entire length of casing shall be grouted. When grout is pumped into the annular space through the inside of the casing, the diameter of the drill hole shall be a minimum of 2 inches greater than the outer diameter of the casing or coupling, whichever is greater. If plastic well casing is installed, it shall be installed as required in Section 920.90(g). After the casing is installed, the annular space shall be grouted as provided for in Section 920.90(h). (See Illustration E.)~~
 - 2) ~~When grout is pumped into the annular space through the inside of the casing, the diameter of the drill hole shall be a minimum of 2 inches greater than the outer diameter of the casing or coupling, whichever is greater. The entire length of casing shall be grouted as provided in~~

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Section 920.90(h). If plastic well casing is installed, it shall be installed as required in Section 920.90(g).

- ~~32~~) When the casing is installed by mechanically driving the casing, an oversized hole shall be constructed to a depth of at least 10 but not more than 20 feet to allow ~~the~~ removal of the drive nipple and installation of a joint of casing. While the casing is being driven, the bottom of the oversized hole shall be filled with granulated bentonite or natural clay mixture. After the casing is installed, either the annular space that exists around the well casing shall be ~~either~~ grouted as required in Section 920.90(h) or, when the diameter of the oversized hole is a minimum of 3 inches greater than the outer diameter of the casing or coupling, whichever is greater, the annular space that exists around the well casing can be filled with bentonite or natural clay. (See Illustration F.)
- c) Flowing Artesian Well. A well that is constructed in a location where flowing artesian conditions are encountered or expected to occur shall be grouted to protect the artesian aquifer, prevent erosion of overlying geologic materials, and confine the flow to within the casing. Initial drilling operations shall extend into but not through the formation confining the water. The casing shall be installed and the annular opening between drill hole and casing shall be pressure grouted in accordance with Section 920.90(h). If plastic casing is installed, it shall be installed in accordance with Section 920.90(g). The hole shall then be extended into the artesian formation. Flow control from the well shall be provided by valved pipe connections, watertight pump connections, or receiving reservoirs set at an altitude corresponding to the artesian head. The flowing well discharge control shall be provided to conserve ground water and to prevent the loss of artesian head by preventing or reducing continuous discharges. A flow discharge pipe, where installed, shall not be directly connected to a sewer or other source of contamination.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.90 Construction Materials and Other Requirements

- a) Casing and Liner Pipe. In selection of casing and liner pipe, consideration shall be given to the stress to which the pipe will be subjected during construction and the corrosiveness of the water with which it comes in contact. Used or ~~rejected~~reject pipe shall not be used.

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- 1) Steel well casing shall meet one of the following standards: ASTM A53/A53M-10, ASTM 589/A589M-06 American Society For Testing Materials (ASTM) A-53-93A or B, A-589-93, or API SPEC 5L-2011, American Petroleum Institute 5L, March, 1982 Edition and shall conform to the minimum standards given in Table A.
 - 2) Plastic well casing and liners shall meet the requirements of ASTM F480-06~~Standard F480-94~~ and the NSF/ANSI 14-2010a~~NSF International Standard Number 14-1990~~, Plastic Piping System Components and Related Materials. Evidence of compliance shall be inclusion in the current NSF listing and display of the NSF seal on each section of casing, and marking the casing in accordance with the requirements of ASTM Standard F-480-9406~~bel~~.
 - 3) Plastic well casing and liners shall~~must~~ be Standard Dimension Ratio (SDR) rated and conform to the minimum requirements given in Table B.
- b) Outer Casing. Casing intended for construction purposes only shall be of weight and design ~~as~~ necessary to be watertight and permit installation without distortion or rupture to the specified depth and shall be removed upon completion of the well.
 - c) Joints. All casing and liner pipe joints shall be watertight. When the water well casing is to be extended, the joint shall be a threaded coupling or welded if the casing is metal, or the joint shall be solvent welded if the casing material is plastic. When plastic well casing is installed, the pipe spigot and socket shall be cleaned and treated with a cleaner primer. Other types of plastic joints may be evaluated and approved by the Department on the basis of NSF/ANSI 14-2010a, NSF/ANSI 61-2010a, and laboratory pressurization tests for leakage. A pressurized connection shall be used when steel casing is used to extend plastic casing when the connection is within 20 feet of the ground surface. ~~Other types of joints may be evaluated and approved by the Department.~~
 - d) Screens. Screen openings shall provide the maximum amount of open area consistent with the strength of the screen and the grading of the water-bearing formation or gravel pack. The openings shall permit maximum transmitting ability without clogging or jamming. Screens shall be made of non-corrosive material.

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- e) Drive Shoe. Pipe that is to be driven shall be equipped with a drive shoe.
- f) Grouting Guides. Casing that is to be pressure grouted in the drill hole or annular opening shall be provided with a centering shoe and shall have sufficient guides or centralizers to permit the unobstructed flow and deposition of the thickness of grout specified.
- g) Plastic Casing Installations. There shall be no penetrations through the ~~inner~~ casing. A formation packer ~~may~~shall be installed just above the screen on unconsolidated formation wells or just above the bottom of the casing. A coupling shall be cemented on the bottom of the casing to stabilize it in the hole. A section of steel well casing, a minimum of 5 feet in length and meeting the requirements of subsection (a)(1)nipple 5 to 10 feet long may be used on the bottom of the casing in lieu of the coupling. In rock wells, the casing shall be set into the firm rock a minimum of 3 feet to prevent leaking around the end of the casing. In areas where the water is obtained at the rock surface, the casing shall be set just above the rock.
- h) Grouting. Procedures and materials for grouting shall be as follows:
- 1) Grout Material. Grout shall be bentonite grout; or neat cement grout as described in Section 920.10. The Department will maintain a list of water well grouts on its website.
 - 2) Prohibitions. Shale traps, cementing baskets, packers or other devices shall not be used to suspend grout above an open annular space. Excessive development and washing, shoveling of cuttings, or other activities shall not be used to induce collapse of the borehole wall or to reduce the amount of open annular space surrounding the permanent well casing.
 - 3) Application. Grouting~~When grouting~~ through the inside of the casing, ~~the grouting~~ shall be performed so that the grout fills the annular opening from the bottom to the surface. ~~If~~When grouting through a tremie pipe ~~that~~ is installed in the annular space, grout shall be pumped through the tremie pipe until grout completely fills the annular space to the surface. Bentonite, ~~aquajel~~, or similar material~~materials~~ may be added to the annular opening in the manner indicated for grouting, prior to the cement

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grouting, to seal any small crevices or fissures and assure that the annular space is open. If the grout settles below the ground surface or the point of pitless adapter attachment, ~~it is the responsibility of~~ the water well contractor who constructed the well ~~shall to~~ grout from the depth of settling to the surface or the point of pitless adapter attachment. If the grout has settled, the annular space shall be grouted as required in this subsection Section 920.90(h). When the grout has settled less than 20 feet, the annular space can be grouted with bentonite chips.

- 4) Grouting Time. The annular space shall be grouted when the drill rig is on the drill site.
- 53) Setting Time. Drilling operations shall not be resumed until the cement grout has set. Neat cement grout shall set for at least 48 hours. Setting time may be reduced from 48 hours by the addition of manufacturers' approved chemicals and following manufacturers' recommendations for setting time. If the casing is fitted with a drive shoe on the bottom of the casing and driven to a firm seat into the consolidated formation, the set time can be reduced to one hour. Bentonite grout shall set for a minimum of one+ hour from the start of placement of the grout at the bottom of the annular opening by tremie method~~Tremie Method~~ or one+ hour after completion of grouting by other methods.
- i) Plumbness and Alignment. The bore of the hole shall be sufficiently plumb and straight to receive the casing without binding. The casing shall be sufficiently plumb and straight so that it will not interfere with installation and operation of the pump.
- j) Construction Water. Water used in the drilling process shall be obtained from a source that~~which~~ will not result in contamination of the well. All ~~of the such~~ water shall be treated so as to maintain a free chlorine residual as an extra precaution.
- k) Cement Tile for Bored Wells. The minimum wall thickness shall be 2 inches. The minimum strength of the concrete shall be 4,000 pounds per square inch (psi). Before pouring the concrete, #10 gage reinforcement wire mesh with a grid size of 6 inches by 6 inches shall be installed in the concrete casing form. The concrete tile shall be formed to have overlapping joints on the top and bottom.

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- l) Fiberglass Casing for Bored Wells. Fiberglass casing for bored wells shall meet the requirement for NSF/ANSI Standard 61 and be installed no deeper than 120 feet. The manufacturer shall certify that the fiberglass casing can withstand loads at depths of 120 feet with a 2:1 load factor. Certification shall be in the form of a letter from a professional or structural engineer registered in Illinois. If the casing is buried, the top of the casing shall not be installed deeper than 30 feet below ground surface.
- m) Buried Slab for Bored Wells. The manufacturer shall certify that the buried slab shall withstand loads at depths to which it will be installed with a 2:1 load factor. Certification shall be in the form of a letter from a professional or structural engineer registered in Illinois. The design, including dimensions and type of reinforcement, shall be submitted to the Department along with the certification letter. The slab shall not be installed before Department approval is issued, based on compliance with this Section. If the buried slab is constructed of fiberglass material, it shall meet NSF/ANSI Standard 61.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.120 Abandoned Wells

- a) Abandonment of Wells:-
- 1) The owner of a water well, boring, or monitoring well shall assure that ~~asuch~~ well is sealed within 30 days after it is abandoned and when the well is no longer used to supply water or is in such a state of disrepair that the well or boring has the potential for transmitting contaminants into an aquifer or otherwise threatens the public health or safety. The Department ~~will~~ grant an extension of this time ~~if provided~~ the owner submits a written request to the Department indicating the reasons for the request and an estimate of time in which the well will be either sealed or reused. ~~For~~ ~~In granting~~ an extension ~~to be granted, the owner shall assure;~~ the Department ~~must be assured~~ that applicable protective measures will be taken and ~~that~~ the methods and materials will be in compliance with the Act and this Part. Applicable protective measures may include ensuring that sources of contamination are down grade from the water source, ensuring isolation of the potential source of contamination ~~so in such a manner~~ as to prevent a route of contamination of the ground water, or isolating the potential source of contamination to prevent accidental

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introduction of contaminants into ground water.

- 2) Water wells shall be sealed by a licensed water well driller pursuant to the Water Well and Pump Installation Contractor's License Act. An individual who is not ~~so~~-licensed may seal a well if:

A) ~~The, provided the~~ well is located on land ~~that~~which is owned or leased by ~~the~~such individual; ~~and~~

B) ~~The land~~ is used by ~~the~~such individual for farming purposes or as ~~the~~such individual's place of abode; and

C) ~~A provided a~~ request is made to the Department or local health department prior to the commencement of sealing indicating how the water well is to be sealed and the materials to be used. The Department or local health department ~~will~~shall grant approval when requested prior to the commencement of sealing if the methods and materials are in compliance with this Section.

- b) Sealing Requirements. Where geologic data does not exist for a particular abandoned drilled water well, ~~the~~such water well shall be sealed, from the bottom up to where the well casing is removed, with neat cement grout or any bentonite product manufactured for water well sealing. Water wells, borings, or monitoring wells ~~that~~which are abandoned shall be disinfected by introducing a sufficient amount of chlorine to produce 100 parts per million of chlorine in the water in the well and shall be sealed by placing the sealing materials from the bottom of the well to the surface by methods that will avoid segregation or dilution of material, in accordance with the following requirements:

- 1) Non-creviced, Consolidated ~~Formations~~formations. Wells extending into non-creviced sandstone, or other water-bearing consolidated formations shall be sealed by filling the well with disinfected clean pea gravel or limestone chips to within 10 feet below the top of the water-bearing formation or to within 10 feet of the bottom of the casing, whichever is less. Neat cement grout or any bentonite product manufactured for water well sealing shall be placed for a minimum of 20 feet above this point. The upper part of the well to where the well casing is removed shall be sealed by neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for ~~such~~-sealing if:

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~~provided~~ the upper part of the well is dry. (See Illustration J.)

- 2) Creviced ~~Formations~~formations. Wells extended into creviced formations shall be sealed by filling with disinfected clean pea gravel or limestone chips to within 10 feet below the top of the water-bearing formation or to within 10 feet below the bottom of the casing, whichever is less. Neat cement grout or any bentonite product manufactured for water well sealing shall be placed for a minimum of 20 feet above this point. The upper part of the well to where the well casing is removed shall be sealed by neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for ~~such~~ sealing ~~if, provided~~ the upper part of the well is dry. ~~If~~Where the earth cover is less than 30 feet, the hole shall be grouted from 10 feet below the creviced formation to where the well casing is removed. (See Illustration J.)
- 3) Unconsolidated ~~Formations~~formations. ~~If~~In the event the water-bearing formation consists of coarse gravel and producing wells are located nearby, the well shall be sealed by filling with disinfected clean pea gravel or limestone chips to 10 feet below the top of water-bearing formation. Neat cement grout or any bentonite product manufactured for water well sealing shall be placed for a minimum of 20 feet above this point. The upper part of the well to where the well casing is removed shall be sealed by neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for ~~such~~ sealing ~~if,~~ ~~provided~~ the upper part of the well is dry. Abandoned dug and bored wells shall be sealed by using one of the following methods:
 - A) Filling with disinfected clean pea gravel or limestone chips to within 20 feet below the top of the casing. The upper part of the well to where the well casing is removed shall be sealed for a minimum of 20 feet by filling with neat cement grout, any bentonite product manufactured for water well sealing, or impervious material such as clay. Concrete or cement may be used for ~~such~~ sealing ~~if, provided~~ the upper part of the well is dry;
 - B) Placing a one foot layer of any bentonite product manufactured for water well sealing at the bottom of the well, followed by alternating layers of agricultural limestone (limestone fines) and any bentonite product manufactured for water well sealing. The

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alternating layers of agricultural lime shall be ~~5~~five to ~~7~~seven feet thick and the alternating layers of any bentonite product manufactured for water well sealing shall be ~~6~~six inches thick. The uppermost or top layer shall be agricultural lime; ~~or~~

- C) Completely ~~filling~~filling with concrete, cement grout, or impervious material such as clay. (See Illustration K.)
- 4) More than ~~One Water-Bearing Formation~~~~one water-bearing formation~~. ~~If~~Where wells extend into more than one water-bearing formation, each water-bearing formation shall be sealed independently in the manner described in this Section. Neat cement grout or any bentonite product manufactured for water well sealing shall be placed a minimum of 10 feet above and below at all intermittent water-bearing formations except artesian wells and artesian formations. Disinfected clean pea gravel or limestone chips shall be placed in each water-bearing formation between plugs. When the lower formation has an upflow of water into the upper formation, a pressure seal is required to shut off the upflow while a neat cement plug at least 50 feet in length is pumped in place and allowed to set. The upper part of the well to where the well casing is removed shall be sealed with neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for ~~such~~sealing ~~if~~provided the upper part of the well is dry. (See Illustration L.)
- 5) Artesian ~~Wells~~wells. ~~A~~In such wells, a cement retainer shall be used with pressure grouting equipment ~~used~~utilized to place cement grout. Neat cement grout, ~~containing~~bentonite ~~or aquajel~~from 2% to 6% by dry weight, shall be placed for a minimum of 10 feet below and 10 feet above the water bearing formation. The upper part of the well to where the well casing is removed shall be filled with neat cement grout or any bentonite product manufactured for water well sealing. Concrete or cement may be used for ~~such~~sealing ~~if~~provided the upper part of the well is dry.
- 6) Buried ~~Slab Bored Wells~~~~slab bored wells~~. ~~Wells~~Such wells shall be sealed by filling with disinfected clean pea gravel or limestone chips to within ~~1~~one foot below the buried slab. The upper part of the well to where the casing is removed shall be sealed with neat cement or any bentonite product manufactured for water well sealing.

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- 7) In lieu of filling the well with disinfected clean pea gravel or limestone chips as required in subsections (b)(1) through (6) ~~of this Section~~, wells may be sealed by grouting from the bottom up by using neat cement grout or any bentonite product manufactured for water well sealing. This material shall be applied the full depth of the well and shall terminate within 2 feet of the ground surface. Concrete grout may be used in the upper part of the well ~~if, provided~~ the upper part of the well is dry.
- c) Non-Producing ~~Well~~well. ~~If~~Where a water well is drilled and a water-bearing formation is not located, the ~~water well driller shall fill the~~ water well ~~shall be filled~~ with clay, or neat cement containing bentonite, ~~aquajel~~ or similar materials from 2% to 6% by weight, or pure bentonite in any form, ~~by the water well driller~~ not more than 10 calendar days after the well has been drilled. If a water well is drilled and a water-bearing formation is located, but the yield from the formation is not sufficient, or if the water well is to be sealed for any other reason, the water well shall be sealed in accordance with all provisions of this Part regulating the sealing of water wells.
- d) The well casing or liner shall be removed to at least 2 feet below final grade, except where the well terminates with a concrete slab ~~that~~which is part of a building floor. ~~If~~Where the well terminates in a slab ~~that~~which is part of a building floor, the sealing material shall be placed flush with the floor. The pump and drop pipe shall be removed.
- e) Notification-
- 1) The Department, approved local health department, or approved unit of local government shall be notified by telephone or in writing at least 48 hours prior to the commencement of any work to seal a water well or monitoring well. Preparation of the abandoned well, such as pulling the pumping unit, may be completed prior to notification.
- 2) When a water, boring or monitoring well is sealed, the individual performing the sealing shall submit a sealing form ~~shall be submitted to~~ the Department or approved local health department ~~by the individual performing the sealing~~ not more than 30 days after the well is sealed. The following information shall be submitted on a form~~forms~~ provided by the Department:

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- A) ~~The~~ date ~~that~~ the water, boring or monitoring well was drilled;
- B) ~~Depth~~ and diameter of the water, boring or monitoring well;
- C) ~~Location~~ of the water, boring or monitoring well;
- D) ~~Type~~ of sealing method used;
- E) ~~Original~~ water well permit number if available;
- F) ~~Date that~~ the water, boring or monitoring well was sealed;
- G) ~~Type~~ of water well (bored, dug, driven or drilled);
- H) ~~Whether~~ the formation is clear of obstructions;
- I) ~~Casing~~ record (explanation of the required removal); and
- J) ~~Water~~ well driller's license number and name.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.130 Water Well Permit Requirements

- a) Permit. A permit to construct, ~~or~~ deepen, modify or seal a water well shall~~must~~ be obtained from the Department or approved local health department prior to construction.
- b) Application. Application for a permit shall be made on the forms provided by the Department or approved local health department. All applications for permit shall include a plan and drawing of the proposed construction. At a minimum the plan shall~~must~~ include:
 - 1) ~~A~~ drawing indicating lot size, direction of slope, location of property lines, and distances from proposed well construction to septic tanks, abandoned wells, property lines, seepage fields, sewers, and all other sources of contamination, and an indication of the type of contamination source;

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- 2) ~~Water~~water well driller's license number and name;
 - 3) ~~Estimated~~estimated daily pumping capacity if greater than 100,000 gallons per day;
 - 4) ~~The~~the location of the water well, including, county, city, street address or lot number, township, range, directions to the site (i.e., subdivision lot number, highway number, secondary roads, signs to follow, etc.), and section;
 - 5) ~~Name~~name and address of the owner of the well;
 - 6) ~~Type~~type of well to be constructed (bored, dug, drilled or driven);
 - 7) ~~An~~an estimate of the depth of the well;
 - 8) ~~Type~~type of well (i.e., non-potable use well, such as an irrigation, livestock or industrial water well, private water well, semi-private water well, or non-community public water well); and
 - 9) ~~Proposed~~proposed aquifer.
- c) Expiration. A permit is void if construction has not commenced within one year ~~after the~~of date of issuance.
- d) Water Well Fee. The fee to be paid for a permit to construct, ~~or~~ deepen, modify or seal a water well shall ~~not exceed~~be \$100-~~00~~.
- e) The Department ~~will~~shall grant permit requests ~~that~~which meet the requirements of the Act and this Part. The Department's standards for denial of a permit request are set forth in subsection (f).
- f) Ground Water~~Groundwater~~ Contamination-
- 1) The Department ~~will~~shall deny the approval of a permit request when available information indicates that the ground water~~groundwater~~ aquifer contains contamination ~~that~~which exceeds the Class I ground water~~groundwater~~ standards adopted in the Groundwater Quality Standards Code (~~35 Ill. Adm. Code 620~~). A potential public health

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problem may be detected on the basis of a sanitary survey, laboratory analyses, location of known sources of pollution, condition of water supply, type of construction or information from previous well owners ~~that~~which might indicate the water would be too hazardous to drink.

- 2) The Department ~~will~~shall grant approval of a request for a permit when approved treatment is shown to reduce contaminant levels below the levels of recognized health advisories or established by the Department and the federal government and referenced in this subsection (f)(2) below. ~~Treatment~~Such treatment includes, but is not limited to, sampling for additional contaminants, more frequent sampling for contaminants, or imposing ~~of~~ maximum contaminant levels specified in the ~~Department's~~ Drinking Water Systems Code (~~77 Ill. Adm. Code 900~~), or in recognized public health advisories concerning the safety of drinking water issued by the Department or USEPA.
- g) Notification. Any person who constructs, ~~or~~ deepens, modifies or seals a water well for which a permit has been issued under this Part shall notify the Department, ~~or~~ approved local health department, or approved unit of local government by telephone or in writing at least two days prior to commencement of the work.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.140 Administrative Hearings

All administrative hearings shall be conducted in accordance with the Department's ~~Rules of Practice and Procedure~~Procedures in Administrative Hearings (~~77 Ill. Adm. Code 100~~).

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.150 Designation of Agents of the Department

- a) The Department may designate and use full-time municipal, district, county, or multi-county health departments as its agents for the purpose of performing inspections of water well and closed loop well system construction, investigating complaints, inspecting existing water wells and closed loop well systems and inspecting the work of water well drillers and closed loop well contractors. ~~Health~~Such health departments ~~that~~which desire approval as an agent shall make

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~~asuch~~ request in writing to the Department.

- b) The Department ~~will~~ designate ~~asuch~~ health ~~department~~ departments as its agent ~~if provided~~ the health department agrees to do the following:
- 1) ~~Issue~~ permits for the construction, deepening, modification or sealing of all ~~new~~-water wells and closed loop well systems;
 - 2) ~~Perform~~ inspections of all water wells and closed loop well systems for which the health department has issued a permit; ~~has been issued by the health department,~~
 - 3) ~~Inspect~~ all non-community public water supplies; ~~and~~
 - 4) ~~Inspect~~ the sealing of all abandoned water wells; and
 - 5) ~~Enter~~ into a written agreement with the Department for the conduct of an inspection program.
- c) Required Information. An approved local health department that has a written agent agreement with the Department in accordance with subsection (b) shall submit to the Department and the Prairie Research Institute-Illinois State Water Survey the information listed in Section 920.130(b) for each water well permit issued and shall submit to the Department the information listed in Section 920.200(b) for each closed loop well system permit issued. This information shall be submitted within 30 days after the date of issuance of the permit and shall be submitted on forms provided by the Department.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.160 Issuance of Water Well and Closed Loop Well Permits by Units of Local Government or Local Health Departments

- a) Approval-
- 1) A unit of local government or local health department may issue water well construction, deepening, modification or sealing permits and closed loop well permits if:

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- A) ~~the unit provided such units~~ of local government or local health department ~~adopts adopt~~ an ordinance ~~that; which~~
- i) requires the unit of local government or local health department to issue water well and closed loop well permits; ~~and which~~
 - ii) establishes a system for the inspection of water well construction and regulation; and
- B) ~~the provided such~~ ordinance is approved by the Department.
- 2) The unit of local government or local health department ~~shall may~~ charge a water well construction, deepening, modification or sealing permit fee not to exceed \$100-00. The unit of local government or local health department shall charge a closed loop well construction, modification or sealing permit fee as required in Section 920.200(d).
- b) ~~To In order to~~ receive approval of an ordinance, the unit of local government or local health department ~~shall must~~ submit to the Department a request for approval ~~from the Department~~ and ~~must~~ submit a copy of ~~the such~~ ordinance, including all amendments. The Department will approve the ordinance if the ordinance shall be approved by the Department provided the ordinance:
- 1) ~~Has~~ been adopted by the unit of local government or local health department and ~~is shall be~~ in effect;
 - 2) ~~Adopts this Part adopts the Illinois Water Well Construction Code (77 Ill. Adm. Code 920)~~ and the Illinois Water Well Pump Installation Code; and (77 Ill. Adm. Code 925)
 - 3) ~~Requires requires the inspection by~~ the unit of local government or local health department to inspect of each water well for which a permit is issued and each closed loop well system for which a permit is issued, and the sealing of each abandoned water well, ~~boring~~, or monitoring well within its jurisdiction. The unit of local government or local health department shall enter into a written agreement with the Department to conduct inspections.

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- c) Required Information. An approved unit of local government or local health department ~~that which~~ has an ordinance approved by the Department in accordance with subsection (a) ~~of this Section~~ shall submit ~~to the Department~~ the information listed in Section 920.130(b) ~~of this Part to the Illinois State Water Survey~~ for each water well permit issued. This information shall be submitted within 30 days ~~after of issuance of~~ the date of issuance of the permit and shall be submitted on forms provided by the Department ~~or approved local health department~~.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.180 Closed Loop~~Closed-Loop~~ Wells

- a) Construction. ~~For each closed loop~~Each closed-loop well, ~~the borehole, containing the heat exchanger piping,~~ shall be grouted from the bottom of the borehole to the bottom of the header-piping trench and, in the case of directional bores, the surface of the ground. ~~Department approved closed loop well grouts shall meet the requirement for NSF/ANSI 61-2010a and shall have permeability from (1 x 10⁻⁹) to (1 x 10⁻⁷) centimeters per second. The Department will maintain a list of approved closed loop well grouts on its website. Closed loop wells that are constructed in a manner that leaves a casing in the ground shall be grouted in a manner consistent with water wells. Closed loops as required in Section 920.90(h).~~ Closed-loop wells shall not be located closer to water wells and sources of contamination than the minimum separation distances specified in Table C. ~~closer than 200 feet from a water well, except when the well is a private water system well and when the owner is the same for both the water well and the closed-loop well, in which case the water well shall not be closer than 75 feet from the closed-loop well.~~
- b) Piping Pressure. ~~The liquid in the closed-loop piping shall be maintained under pressure. The equipment shall be designed to shut down if there is any pressure loss in the system. The installer shall pressure test the well loop as recommended by the manufacturer or according to the engineer's specifications.~~ system must be pressure tested at a minimum pressure of 20 pounds per square inch by the installer after installation to ensure that there are no leaks in the piping or in the equipment system.
- c) Coolant. The solution used as the coolant or the liquid ~~that which~~ is pumped through the ~~closed loop~~closed-loop well piping ~~shall~~must be methanol, ethanol,

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United States Pharmacopeia food grade propylene glycol, calcium chloride or waterethylene glycol. Ethanol and methanol shall be used in concentrations of 20% or less. USP food grade propylene glycol shall be used in a concentration from 15% to 25%. Inhibitors and additives shall be listed with a third party, such as NSF White Book Listing, and be approved by the Department. These chemicals may be used only in concentrations of 20% or less. When copper piping is usedutilized, the refrigeranteoolant shall be R-134a, R-290hydrochlorofluorocarbon-22, or any equivalent refrigerant with less ozone depletion potential. A permanent sign shall be attached to the circulating pump specifying the refrigerant or coolant used.

- d) Borehole Piping or Other Department Approved Piping. Piping shall be watertight with a minimum of 160 psi pressure-rated high density polyethylene or equivalent manufactured for the purpose of use in a ground heat exchange system. The Department will maintain a list of approved closed loop well piping on its website. All plastic piping shall be watertight and shall conform to ASTM D2666-89, D2447-89, D3035-91. All copper piping system and joints used in direct expansion heat pump systems shall be watertight and conform to UL 1995. All joints in plastic piping shall be heat fusion welded.
- e) Sealing Requirements for Abandoned Closed Loop WellsAbandonment. All vertical piping in closed loop wells which is abandoned shall be physically disconnected from the horizontal piping and sealed with neat cement grout or any bentonite product manufactured for water well sealing by pressure grouting. All horizontal piping which is abandoned shall be removed or the coolant must be drained from the piping and disposed of off site in accordance with State and local laws.
- 1) Coolant. All coolant shall be removed from the closed loop well system and disposed of off-site in accordance with State and local laws.
 - 2) Vertical Piping. All abandoned vertical piping in closed loop wells shall be sealed with neat cement grout, any bentonite product manufactured for water well sealing by pressure grouting or Department approved grout described in subsection (a). The sealing grout shall be pumped into the supply of the loop until the sealing grout is flowing out of the return of the loop.

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- 3) Horizontal Piping. The horizontal piping may be left in place or removed after the coolant is removed from it.
- 4) Closed loop wells that pose a threat to public health, as determined by the Department and its agents, shall be brought into compliance with this Section or sealed according to subsections (e)(1) and (2).
- ~~f) Horizontal Piping Distances to Water Wells. Horizontal piping in a closed-looped system shall not be closer than 25 feet to any water well.~~
- ~~g) Distances to Sources of Contamination. Closed loop wells shall not be closer to the sources of contamination listed in Section 920.50(b)(1) than the distances to water wells specified in this Section.~~

(Source: Amended at 37 Ill. Reg. _____, effective _____)

Section 920.200 Closed Loop Well System Permit Requirements

- a) Permit. A permit to construct, modify or seal a closed loop well system shall be obtained from the Department, approved local health department or approved unit of local government prior to performing the work.
- b) Application. Application for a permit shall be made on the forms provided by the Department, approved local health department or approved unit of local government. All applications for permits shall include a plan and drawing of the proposed construction. At a minimum, the plan shall include:
 - 1) Name and address of the owner of the closed loop well system;
 - 2) Closed loop well contractor's registration number and name;
 - 3) The location of the closed loop well system, geographical location of the site using global positioning equipment and a description including county, city, street address, subdivision lot number, township, range, section and directions to the site (i.e., highway number, secondary roads, signs to follow, etc.). Changes in location of the closed loop well system shall be approved by the issuing party prior to construction;

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- 4) Type of facility to be served (e.g., single family residence, apartment building, business, factory, school);
 - 5) The number and depth of the closed loop boreholes;
 - 6) The coolant to be used in the closed loop well system;
 - 7) A drawing indicating lot size, location of property lines, and distances from proposed closed loop well system construction to water wells, septic tanks, abandoned wells, property lines, seepage fields, sewers, and all other sources of contamination, if they are within 200 feet of any closed loop well.
- c) Expiration. A permit shall be void if construction has not commenced within one year after date of issuance.
 - d) Closed Loop Well System Permit Fee. The fee to be paid to the Department for a permit to construct or modify each individual closed loop well system shall be \$100 for the first 10 closed loop well boreholes drilled and \$10 for each additional borehole drilled. The fee to be paid to the Department for a permit to abandon each individual closed loop well system using up to 10 closed loop wells shall be \$100 and \$10 for each additional closed loop well after 10. A unit of local government or local health department having an approved ordinance in accordance with Section 920.160 shall set its own fees for permits to construct, modify or seal an abandoned closed loop well system.
 - e) The Department, approved local health department or approved unit of local government will grant permit requests that meet the requirements of the Act and this Part.
 - f) Notification. Any closed loop well contractor who constructs, modifies or seals a closed loop well for which a permit has been issued under this Part shall notify the Department, approved unit of local government or approved local health department by telephone or in writing at least two days prior to commencement of the work.
 - g) Within 30 days after a closed well system is completed or abandoned and sealed, the closed loop well contractor shall submit a report of the completion or sealing

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on a form prescribed by the Department, approved local health department or approved unit of local government.

h) Variance

- 1) If conditions exist at a proposed installation site that preclude compliance with this Part, a variance shall be requested and shall be approved before well construction begins. The closed loop well contractor may request a variance by submitting to the Department or an approved unit of local government or local health department a written request outlining a specific proposal to be used in lieu of compliance with this Part. The request shall include a plot plan of the property, showing lot size, the location of sewers, septic tanks, buildings, seepage fields, and other sources of contamination on the property and adjacent property, with distances shown to the proposed closed loop well. A description of geologic and soil conditions shall also be included. The Department or approved local health department will approve the variance if the proposal is in accordance with accepted public health and sanitary engineering principles and practices. The Department or approved local health department will notify the applicant in writing of its decision either to grant or deny the variance.
- 2) Examples of location problems that would preclude compliance with this Part would be the proposed location of a well too close to septic tanks, buildings, sewer lines or barnyards.
- 3) Examples of public health and engineering principles that would be considered in issuing a variance would be ground surface conditions, depth of the water table, location of sources of contamination, ability of the existing soil to remove bacteria, and geologic conditions.

(Source: Added at 37 Ill. Reg. _____, effective _____)

Section 920.210 Examination for Closed Loop Well Contractor Certification and Fees

a) Applications

- 1) Each person who desires to apply for admittance to the examination for closed loop contractor certification shall file an application for

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examination on forms provided by the Department. Forms may be obtained by writing to the Illinois Department of Public Health, Division of Environmental Health, 525 W. Jefferson Street, Springfield IL 62761.

- 2) The Department will establish examination dates and locations. A completed application, a current photograph of the applicant, proof of 180 days working as a geothermal well driller and a fee of \$175 shall be filed with the Department at least 45 days prior to the examination date.
- 3) Members of the Closed Loop Well Contractors Certification Board shall be allowed to take the examination.

b) Examination Requirements and Results

- 1) Examination Content. The examination for a closed loop well contractor certification will test the applicant's knowledge of the location of closed loop wells in relation to water wells and sources of contamination, drilling of boreholes, installation of vertical closed loop well piping, and grouting of the borehole.
- 2) Passing Grade. The examination shall consist of questions with a grade value of 100 points. To successfully pass the examination, a grade of not less than 70 shall be obtained.
- 3) Notification of Results. The Department will notify each examinee by letter of the results of his or her examination.
- 4) Failure to Pass. Any person who fails to pass the examination shall be admitted to a subsequent regularly scheduled examination after filing a new examination application and fee with the Department in accordance with subsection (a).
- 5) Review of Examinations. Individuals may not review their examinations once they have been taken.

c) Any person holding a valid water well contractor's license issued under the Water Well and Pump Installation Contractor's License Act may apply and receive, without examination or fee, a closed loop well contractor's certification. As part

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of the application, the person shall submit a copy of his or her current Water Well Contractor's License.

- d) Any person who installs horizontal closed loop wells using only the open trench method shall be exempt from certification under this Section.
- e) Certification shall expire if the person holding the certifications fails to register within two years after becoming certified or a registered person allows his or her registration to lapse for more than three years.

(Source: Added at 37 Ill. Reg. _____, effective _____)

Section 920.220 Closed Loop Contractor Registration, Renewal and Fees

- a) Registration Required. All closed loop well contractors shall hold a certificate of registration as a closed loop well contractor issued by the Department. All closed loop well contractors shall annually file an application to renew their registrations with the Department.
- b) Application. An individual may apply for registration as a closed loop well contractor on forms provided by the Department and shall submit the registration application fee of \$100 to the Department.
- c) Certification by an Approved Organization. An applicant for registration under this Section shall provide verification of certification by an organization approved by the Department. The Department shall keep a list of approved organizations posted on the Department's website.
- d) Closed Loop Well Contractor Certification by the Department. An applicant for registration shall submit proof of certification under Section 920.210 unless specifically exempt from certification in Section 920.210(c).
- e) Renewal Fee. The fee to be paid for the annual renewal of a closed loop well contractor registration shall be \$100. All license renewals shall be made by November 30 of each year.
- f) Late Fee. The late fee to be paid for a registration annual renewal submitted after November 30 shall be \$25.

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- g) Expiration. A registration issued under this Section shall expire on December 31 of the year issued, except that an original license issued after October 1 and before December 31 shall expire on December 31 of the following year.
- h) Continuing Education Required. All renewals and reinstatements of a closed loop well contractor registration shall be made on forms prescribed by the Department, and shall include documentation that the contractor has attended at least six hours of approved continuing education in the preceding two years that is approved in accordance with Section 920.240.
- i) Reinstatement. The fee to be paid for the reinstatement of a closed loop well contractor registration that has expired for a period of less than three years shall be \$50 plus all lapsed renewal fees
- j) Restoration. A registration that has expired for more than three years may be restored by taking and passing the written closed loop well contractor certification exam and paying the required fees.

(Source: Added at 37 Ill. Reg. _____, effective _____)

Section 920.230 Registered Closed Loop Well Contractor Responsibility

- a) Closed Loop Well Construction. An individual who is not registered under the Act may perform labor and services in connection with the installation of a closed loop well, provided that the labor and services are performed at the direction and under the personal supervision of a registered closed loop well contractor. In order for the registered closed loop well contractor to perform personal supervision, the registered closed loop well contractor shall visit the work site at least once, and as often as necessary, to assure that the unregistered individual is performing work in compliance with this Part.
- b) The registered closed loop well contractor shall visit the work site when requested by the Department. If the work is performed by an unregistered individual, under the supervision of a registered closed loop well contractor, the registered closed loop well contractor shall sign the closed loop well construction report, indicate that a closed loop well contractor has personally supervised the work, and indicate the name of the unregistered person supervised.

(Source: Added at 37 Ill. Reg. _____, effective _____)

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Section 920.240 Closed Loop Well Continuing Education Sessions

- a) Approval of Continuing Education Sessions. Each entity that has established or proposes to present a continuing education session under the Act shall request Department approval by submitting its continuing education program to the Department. Requests shall be submitted to the Department no later than 60 days before the date the program begins. Continuing education sessions shall not be presented until at least 30 days after Department approval. A list of approved continuing education sessions will be available from the Department. The Department will approve sessions that address at least one of the following topics:
- 1) Closed loop well construction in general;
 - 2) Grouting Products and Procedures;
 - 3) Code Requirements, Ground Water Protection, Coolants;
 - 4) Geological Topics, Strata;
 - 5) Safety hazards associated with the closed loop well construction industry;
 - 6) Other relevant information necessary for the continued improvement of knowledge of a closed loop water well contractor; or
 - 7) New Technologies.
- b) Minimum Classroom Hours for Continuing Education Sessions. A continuing education session shall have a minimum of two classroom contact hours of closed loop well topics.
- c) Requests for Approval. When requesting approval, the entities shall submit the following information to the Department:
- 1) Title of session;
 - 2) Sponsoring organization;
 - 3) Location of session;

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- 4) Names and qualifications of instructors or presenters; and
- 5) Brief description of each topic and the amount of time for each topic.
- d) Contact Hours. Total classroom contact hours excluding breaks (a classroom contact hour is 60 minutes).
- e) Attendance. The entity shall provide, upon request, the methodology used to verify attendance. Attendance records shall be retained for three years after the continuing education session.
- f) Certificate. A certificate of completion shall be issued for each participant enrolled in a continuing education course. The certificate shall contain the participant's name, course completed, dates, hours completed and location of course.

(Source: Added at 37 Ill. Reg. _____, effective _____)

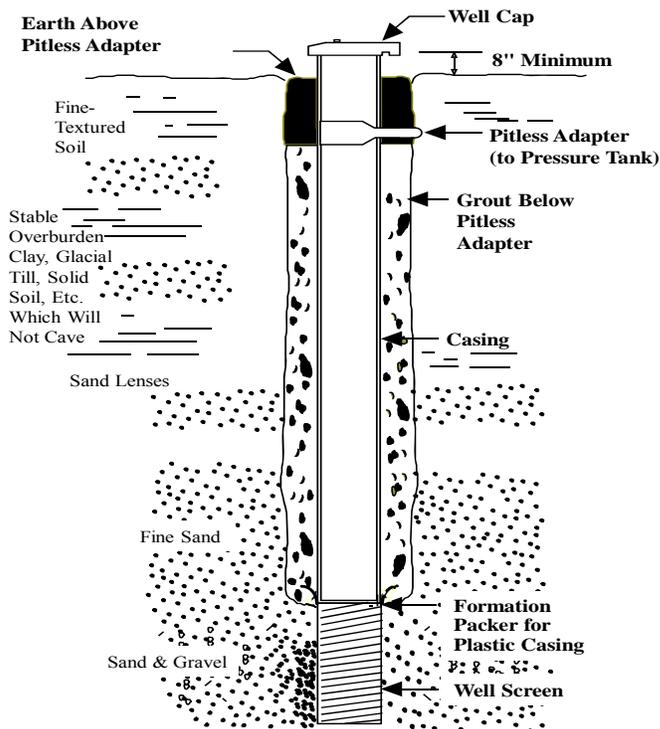
Section 920.250 Approval of Closed Loop Well Third Party Organizations

- a) Approval of Third Party Organizations as Described in 920.220(c). The Department, with the advice of the Closed Loop Well Contractor's Advisory Board, shall make the decision to approve organizations dedicated to promoting top quality and safe closed loop installations.
- b) Requests for Approval. When requesting approval, the entities shall submit the following information to the Department:
 - 1) The organization's mission statement; and
 - 2) Proof that the organization can meet the requirements of Section 920.240.

(Source: Added at 37 Ill. Reg. _____, effective _____)

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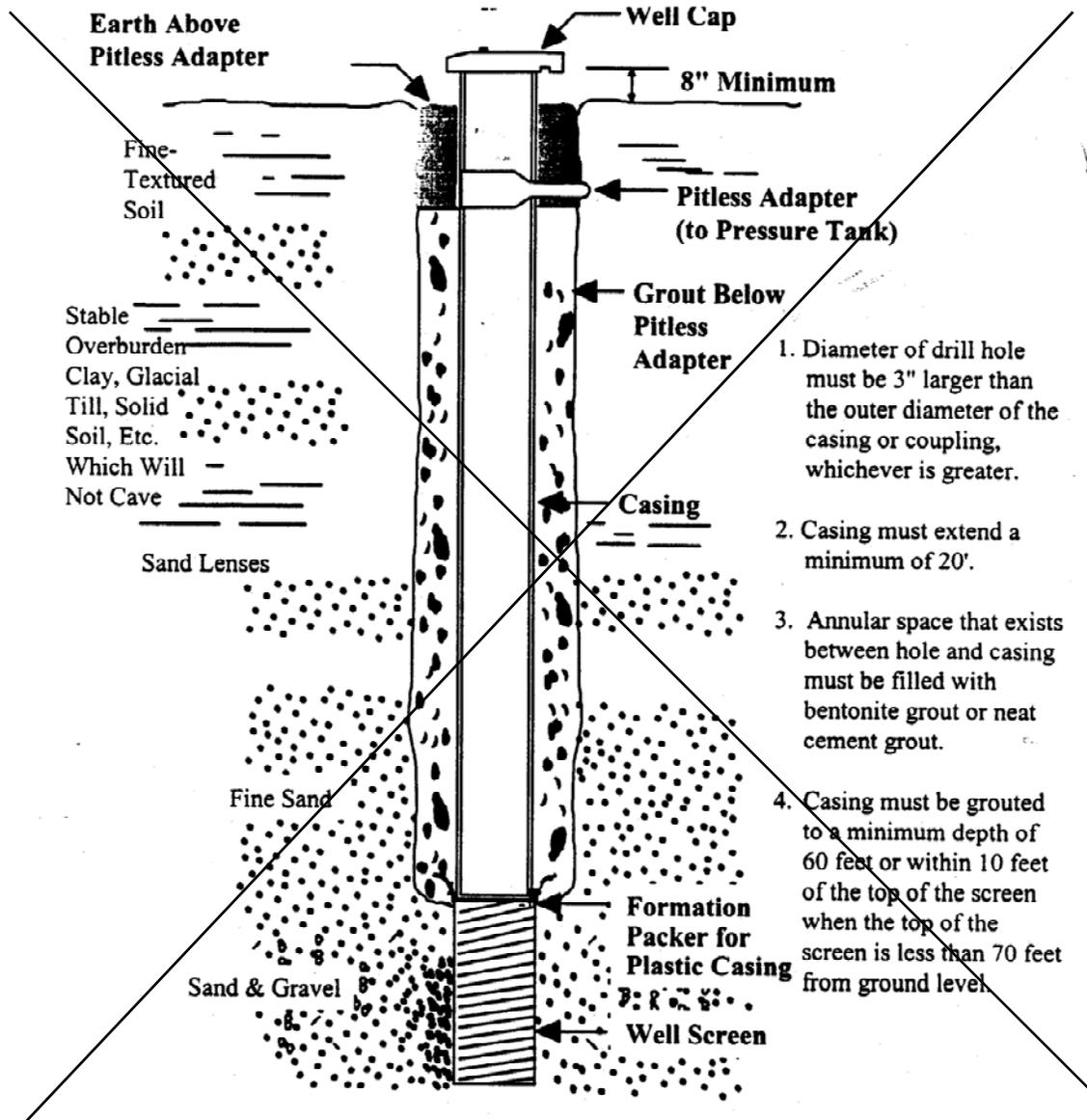
NOTICE OF PROPOSED AMENDMENTS

Section 920. ILLUSTRATION A Unconsolidated Formations: Oversized Drill Hole

1. Diameter of drill hole must be 3" larger than the outer diameter of the casing or coupling, whichever is greater.
2. Casing must extend a minimum of 20'.
3. Annular space that exists between hole and casing must be filled with bentonite grout or neat cement grout within a maximum of 10 feet of the top of the screen to finished ground surface.

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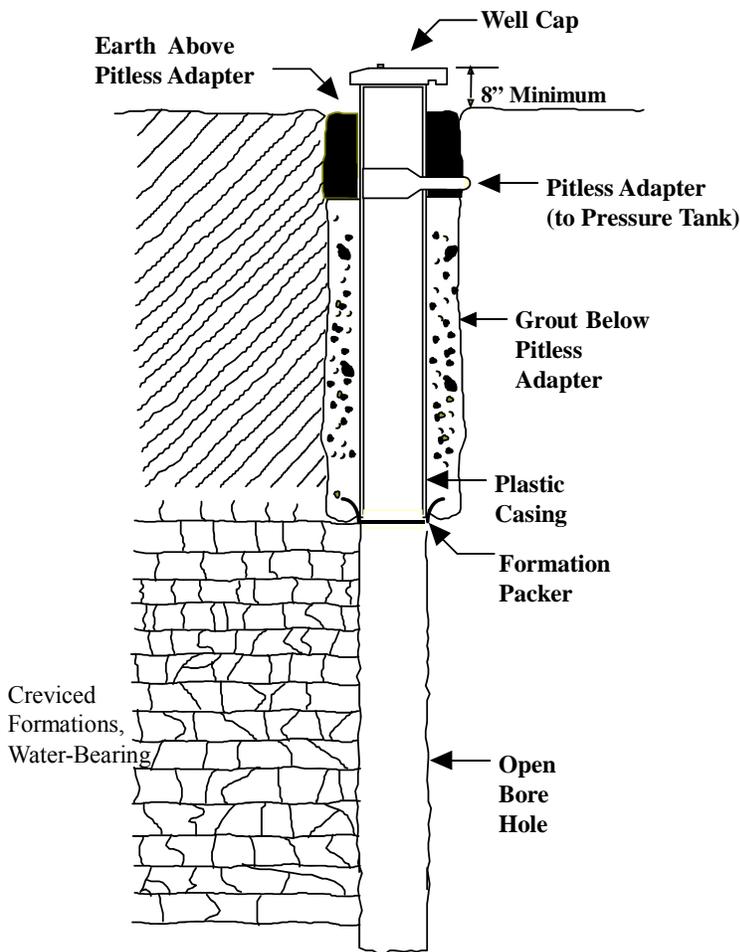
NOTICE OF PROPOSED AMENDMENTS



(Source: Amended at 37 Ill. Reg. _____, effective _____)

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Section 920. ILLUSTRATION E Creviced Formations: Earth Mantle Cover Over 30 Feet Thick – Oversized Drill Hole

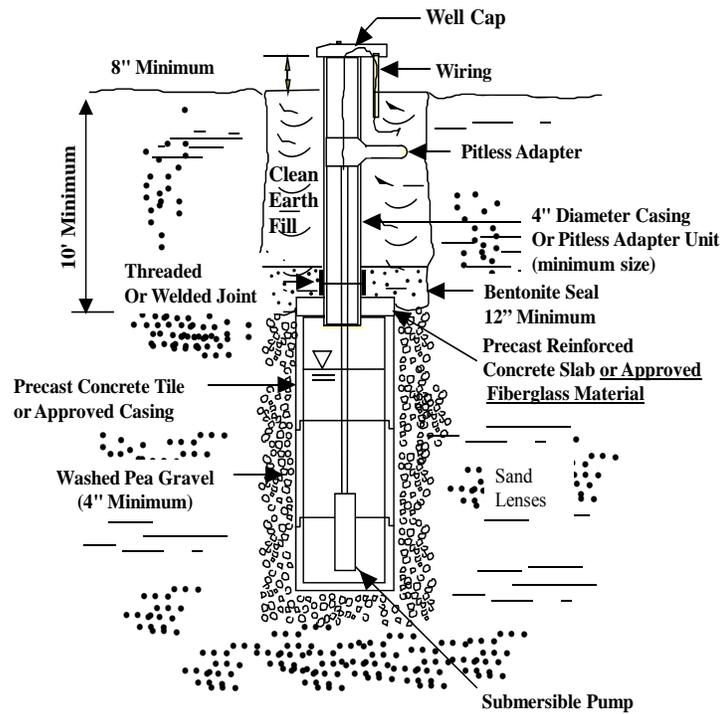
1. When a tremie pipe is used to grout, the diameter of the drill hole must be at least 3" larger than the outer diameter of the casing or coupling, whichever is greater.
2. When grout is pumped through the inside of the casing, the diameter of the bore hole must be at least 2" larger than the outer casing or coupling, whichever is greater.
3. The annular space ~~that exists between the drill hole and the casing~~ must be grouted from the bottom of the casing to ground level to a minimum depth of 60 feet.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

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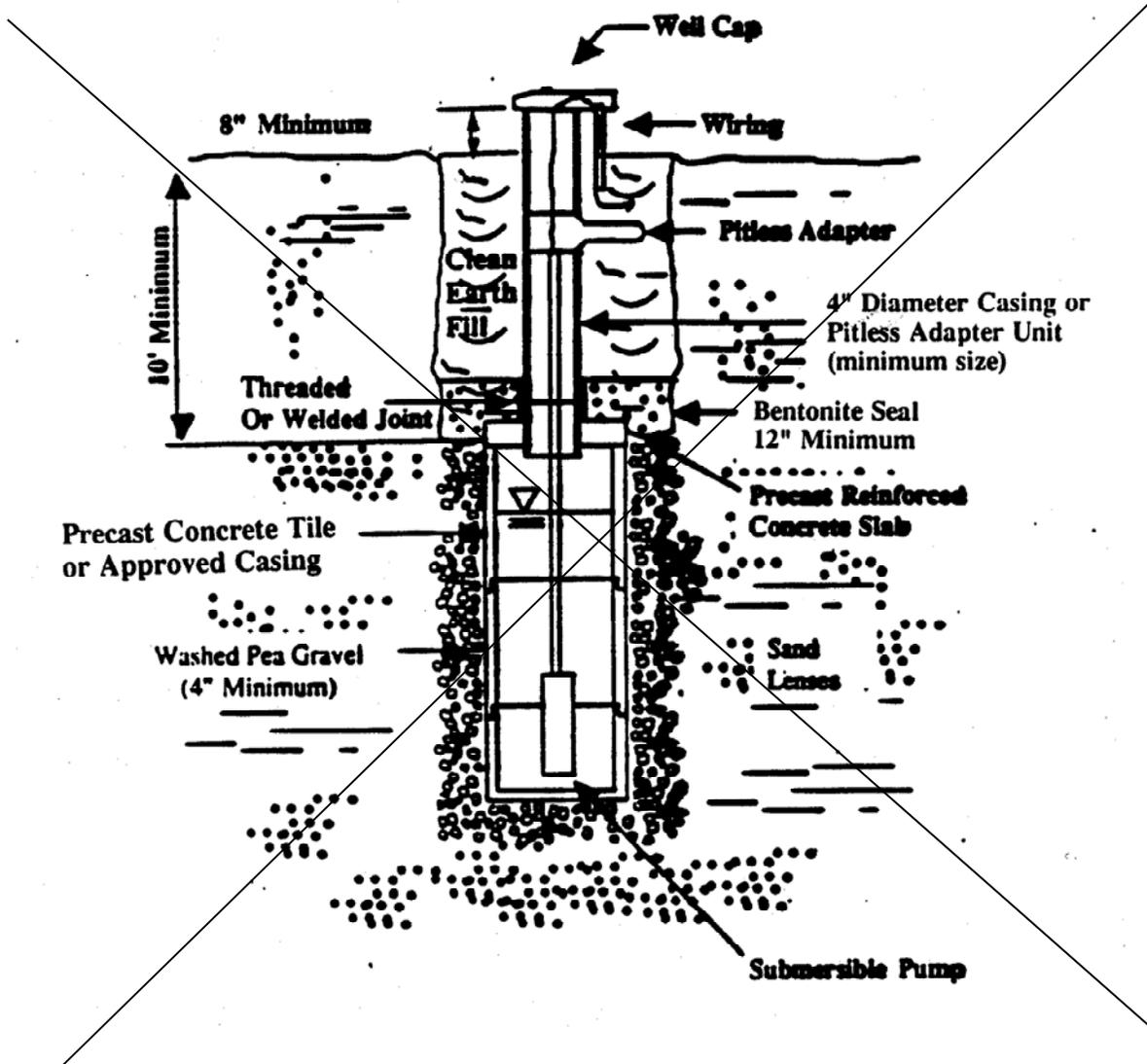
NOTICE OF PROPOSED AMENDMENTS

Section 920.ILLUSTRATION H Bored or Dug Well – Buried Slab Construction



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(Source: Amended at 37 Ill. Reg. _____, effective _____)

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Section 920. Table C Minimal Lateral Distances in Feet Between Water Wells, Closed-Loop Wells, and Sources of Contamination

<u>SOURCES OF CONTAMINATION OR EXISTING WATER WELL</u>	<u>MINIMUM LATERAL DISTANCES FOR CLAY AND LOAM SOILS (FEET)</u>		
	<u>WATER WELL</u>	<u>PROPOSED CLOSED LOOP WELL</u>	
		<u>USP FOOD GRADE PROPYLENE GLYCOL</u>	<u>OTHER AUTHORIZED COOLANTS</u>
<u>Cesspool</u>	<u>150</u>	<u>150</u>	<u>150</u>
<u>Closed Loop Well</u>			
<u>Vertical – USP Food Grade Propylene Glycol</u>	<u>25</u>	<u>NA</u>	<u>NA</u>
<u>Vertical – Other Authorized Coolants</u>	<u>200</u>	<u>NA</u>	<u>NA</u>
<u>Water Well</u>	<u>NA</u>	<u>25</u>	<u>200</u>
<u>Water Well (where the owner of the closed loop well and a water well serving a private water supply is the same)</u>	<u>NA</u>	<u>25</u>	<u>75</u>
<u>Leaching Pit</u>	<u>100</u>	<u>100</u>	<u>100</u>
<u>Pit Privy</u>	<u>75</u>	<u>75</u>	<u>75</u>
<u>Subsurface Seepage Pipe/Tile From Private Sewage Systems</u>	<u>75</u>	<u>75</u>	<u>75</u>
<u>Manure Pile</u>	<u>75</u>	<u>75</u>	<u>75</u>
<u>Septic Tank</u>	<u>50</u>	<u>50</u>	<u>50</u>
<u>Barnyard or Animal Confinement Lot</u>	<u>50</u>	<u>50</u>	<u>50</u>
<u>Footing Drains (No connection to a sewer or sump handling sewage is allowed.)</u>	<u>10</u>	<u>NA</u>	<u>NA</u>
<u>Pump House Floor Drain</u>	<u>2</u>	<u>NA</u>	<u>NA</u>
<u>Pit, Crawl Space or Basement</u>	<u>5</u>	<u>NA</u>	<u>NA</u>
<u>Lake, Pond or Stream</u>	<u>25</u>	<u>25</u>	<u>25</u>
<u>Potential Primary Source, Potential Secondary Source, or Potential Route</u>	<u>200</u>	<u>200</u>	<u>200</u>

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<u>Potential Primary Source, Potential Secondary Source, or Potential Route (where the owner of the source or route, and a water well serving a private water supply or closed loop well, is the same)</u>	<u>75</u>	<u>75</u>	<u>75</u>
<u>Abandoned Wells</u>	<u>200</u>	<u>200</u>	<u>200</u>
<u>Sewers¹</u>	<u>50</u>	<u>50</u>	<u>50</u>

¹ A water well or closed loop well may be located to within 10 feet of a sewer provided the sewer consists of cast iron pipe with watertight mechanical joints or rubber gasket sealed joints that meet ASTM Standard C564-11, SDR 26 PVC pipe or schedule 40 PVC pipe or heavier with solvent welded watertight joints or elastomeric seals (gaskets) used for push-on joints that meet ASTM Standard F477-10.

(Source: Added at 36 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Medication
- 2) Code Citation: 11 Ill. Adm. Code 603
- 3) Section Number: 603.160 Proposed Action: Amend
- 4) Statutory Authority: Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)]
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking updates the most recent version of the RCI drug guidelines, October 2012, version 4.01.
- 6) Published studies or reports and sources of underlying data used to compose this rulemaking: None
- 7) Will this proposed 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 in this Part? No
- 11) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days after this notice, to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph
Suite 7-701
Chicago, Illinois 60601

312/814-5017

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- 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 which this rulemaking was summarized: July 2012

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

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NOTICE OF PROPOSED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER c: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 603
MEDICATION

Section

603.10	Pre-Race Saliva Tests
603.20	Racing Soundness Exam
603.30	Foreign Substances and Pharmaceutical Aids Banned
603.40	Twenty-four Hour Ban
603.50	Trainer Responsibility
603.55	Prima Facie Evidence
603.60	Permitted Use of Foreign Substances and Threshold Levels
603.70	Furosemide
603.75	Environmental Contaminants
603.80	Needles, Syringes and Injectables
603.90	Drugs, Chemicals and Prescription Items
603.100	Detention Barn
603.110	Test Samples
603.120	Referee Samples
603.130	Laboratory Findings and Reports
603.140	Distribution of Purses
603.150	Post Mortems
603.160	Penalties
603.170	Veterinarian's Records
603.180	Carbon Dioxide Tests
603.190	Erythropoietin and Darbepoietin Antibody Testing Program
603.200	Out of Competition Testing
603.210	Androgenic-Anabolic Steroids (AAS)

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 21 Ill. Reg. 3232, effective March 4, 1997; amended at 22 Ill. Reg. 2217, effective January 1, 1998; amended at 22 Ill. Reg. 3594, effective February 1, 1998; amended at 25 Ill. Reg. 15611, effective December 1, 2001; amended at 26 Ill. Reg. 12360, effective August

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1, 2002; amended at 27 Ill. Reg. 5027, effective March 7, 2003; amended at 27 Ill. Reg. 7331, effective April 15, 2003; amended at 28 Ill. Reg. 1374, effective January 19, 2004; amended at 28 Ill. Reg. 4751, effective March 1, 2004; emergency amendment at 28 Ill. Reg. 7565, effective May 11, 2004, for a maximum of 150 days; emergency expired October 7, 2004; amended at 28 Ill. Reg. 11250, effective August 1, 2004; amended at 28 Ill. Reg. 15790, effective December 1, 2004; emergency amendment at 29 Ill. Reg. 2779, effective February 22, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 4116, effective February 25, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 5726, effective April 8, 2005; amended at 29 Ill. Reg. 12265, effective July 24, 2005; amended at 29 Ill. Reg. 14038, effective September 1, 2005; emergency amendment at 30 Ill. Reg. 14371, effective August 21, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18729, effective November 20, 2006; amended at 31 Ill. Reg. 1478, effective January 1, 2007; emergency amendment at 31 Ill. Reg. 6680, effective April 23, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 12982, effective September 1, 2007; amended at 32 Ill. Reg. 7397, effective May 1, 2008; amended at 33 Ill. Reg. 12571, effective August 25, 2009; expedited correction at 34 Ill. Reg. 9551, effective August 25, 2009; emergency amendment at 35 Ill. Reg. 265, effective December 17, 2010, for a maximum of 150 days; emergency amendment at 35 Ill. Reg. 2810, effective February 1, 2011, for a maximum of 150 days; amended at 35 Ill. Reg. 7400, effective April 25, 2011; amended at 35 Ill. Reg. 8485, effective May 23, 2011; emergency amendment at 35 Ill. Reg. 15296, effective September 6, 2011, for a maximum of 150 days; emergency rule repealed by emergency amendment at 35 Ill. Reg. 18434, effective October 24, 2011, for the remainder of the 150 days; emergency amendment at 35 Ill. Reg. 18959, effective October 25, 2011, for a maximum of 150 days; amended at 36 Ill. Reg. 330, effective January 1, 2012; emergency amendment at 36 Ill. Reg. 3290, effective February 15, 2012, for a maximum of 150 days; emergency amendment at 36 Ill. Reg. 6057, effective April 6, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 8967, effective June 1, 2012; amended at 36 Ill. Reg. 12815, effective August 1, 2012; amended at 36 Ill. Reg. 17078, effective November 28, 2012; emergency amendment at 36 Ill. Reg. 17131, effective November 28, 2012, for a maximum of 150 days; amended at 37 Ill. Reg. _____, effective _____.

Section 603.160 Penalties

- a) Any person who administers or conspires to administer any foreign substance to any horse in violation of this Part shall be subject to a fine and/or license suspension or revocation and the purse money won may be re-distributed.
- b) Penalties for violations of this Part shall be based on the following criteria:
 - 1) the nature of the foreign substance; e.g., cough medicine, steroid, narcotic,

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- stimulant, depressant, etc.;
- 2) the accessibility of the drug; e.g., can be purchased over the counter, only with a prescription, only with a license for controlled substances, cannot be purchased in this country;
 - 3) the age and experience of the violator;
 - 4) whether the violator has ever been the subject of a medication ruling in this or any other racing jurisdiction;
 - 5) what action, if any, was taken by the violator to avoid the violation;
 - 6) the purse of the race.
- c) Any person who violates any provision of this Part for which no specific penalty is provided may be penalized by the stewards or the Board in accordance with the provisions for penalties contained elsewhere in this Chapter or in the Illinois Horse Racing Act of 1975. When imposing penalties, the stewards or the Board shall consider all relevant factors including, but not limited to those specified in this Part.
- d) In harness racing, any trainer suspended for a violation of this Part shall, upon notice of the violation, submit to the Stewards a current stable list on a form provided by the Board.
- 1) The horses on the stable list shall be placed on the Steward's List unless:
 - A) The owner of each horse on the stable list secures the services of a trainer approved by the Stewards; and
 - B) The approved trainer stables the horses on the stable list on the grounds of an organization licensee for the full term of the penalized trainer's suspension;
 - 2) Horses on the stable list shall be permitted to leave to race in other racing jurisdictions or for medical reasons.
- e) Penalties for Class 4 and 5 drug violations:

ILLINOIS RACING BOARD

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- 1) Class 4 as defined in the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances (ARCI, 1510 Newtown Pike, Suite 210, Lexington KY 40511; [October 2012 version 4.01](#)~~December 2011 version 3.00~~; this incorporation includes no later amendments or editions). Except as provided in Sections 603.60 and 603.70 of this Part, upon finding of a Class 4 substance, the trainer shall be subject to a fine and/or license suspension or revocation and the purse money won may be re-distributed according to the criteria set forth in subsection (e)(3).
- 2) Class 5 as defined in the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances. Except as provided in Sections 603.75 and 603.60(c) of this Part, upon finding of a Class 5 substance, the trainer shall be subject to a fine and/or license suspension or revocation and the purse money won may be re-distributed according to the criteria set forth in subsection (e)(3).
- 3) In determining a disqualification and purse redistribution under this subsection (e), the Stewards shall use the following criteria:
 - A) A recommendation by the Board veterinarian and/or Board chemist regarding the significance of the concentration of the drug or metabolite present and the estimated withdrawal time.
 - B) A recommendation by industry experts, including equine pharmacologists and equine physiologists, regarding the effect of the drug on the horse in the concentration found and/or estimated withdrawal times.
 - C) Repeat violations of these medication and prohibited substance rules by the same trainer or with respect to the same horse.
 - D) Prior violations of similar rules in other racing jurisdictions by the same trainer or with respect to the same horse.
 - E) The criteria set forth in subsection (b).

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- 4) The provisions of this subsection (e) shall be applied retroactively when substantively applicable, including all actions pending before the Board, without regard to when the cause of action accrued; provided, however, that this subsection (e)(4) shall not operate to affect rights of individuals that have fully vested prior to April 23, 2007.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section Number: 1010.195 Proposed Action:
New Section
- 4) Statutory Authority: Chapter 3 of the Illinois Vehicle Code (625 ILCS 5/3) and authorized by Section 2-104(b) of the Illinois Vehicle Code
- 5) Complete Description of the Subjects and Issues Involved: The rulemaking addresses the procedures the office will use when dealing with a vehicle that is applying for an Illinois title from another state where a natural disaster has caused flooding that may affect the branding of the vehicle.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency amendments 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? Yes

<u>Section Number</u> :	<u>Proposed Action</u> :	<u>Illinois Register Citation</u> :
1010.245	Amendment	36 Ill. Reg.13525; August 31, 2012
- 11) Statement of Statewide Policy Objectives: The proposed amendments do not require expenditures by units of local government.
- 12) Time, Place and Manner in Which Interested Persons May Comment on this Proposed Rulemaking: Written comments may be submitted within 45 days to:

Cynthia Grant
Assistant General Counsel
Office of the General Counsel
298 Howlett Building

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

Springfield, IL 62756

217/785-3094

cgrant@ilsos.net

The Department will consider all written comments it receives during the first notice period (45 days after the date of publication in this *Illinois Register* as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40]).

- 13) Initial Regulatory Flexibility Analysis: None
- 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 most recent regulatory agendas because the Department did not anticipate the need for this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the Emergency Amendment of this Part, and can be found in this issue of the *Illinois Register* on Page 17580.

ILLINOIS EMERGENCY MANAGEMENT AGENCY

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Registration and Operator Requirements for Radiation Installations
- 2) Code Citation: 32 Ill. Adm. Code 320
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
320.10	Amendment
320.20	Amendment
320.60	Amendment
320.70	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 24.7, 25 and 25.1 of the Radiation Protection Act of 1990 [420 ILCS 40/24.7, 25 and 25.1]
- 5) Effective Date of Rulemaking: November 30, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file at the Agency's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection
- 9) Notice of Proposal published in the Illinois Register: 36 Ill. Reg. 13354; August 24, 2012
- 10) Has JCAR issued a Statement of Objection to these Amendments? No
- 11) Differences between Proposal and Final Version:

Section 320.10(c) – after "machines and" added "with interlocked doors and shielded sufficiently to meet the requirements of 32 Ill. Adm. Code 340.310(a)".

Section 320.10(d)(2) in the 1st column, 2nd row of the table, before the period, added "with interlocked doors and shielded sufficiently to meet the requirements of 32 Ill. Adm. Code 340.310(a)".

Section 320.10, added a new subsection (e)

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- "e) All radiation installations are subject to inspection at all times. The frequency of inspections is based on the associated radiation hazards located at the installation. Class A installations should expect to be inspected approximately once every 5 years. Class B should expect to be inspected approximately once every 2 years. Class C and D installations should expect to be inspected once annually."
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Agency is proposing this rulemaking to: change all references of "Department" or the "Illinois Department of Nuclear Safety" to "Agency" or "Illinois Emergency Management Agency" pursuant to Executive Order #12 (2003); make revisions to x-ray installation classifications; increase the registration fees of all classes to cover the cost of the x-ray registration and inspection program; and include additional quality assurance requirements for Class D facilities that use digital imaging systems.
- 16) Information and questions regarding this rulemaking shall be directed to:
- Louise Michels
Staff Attorney
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, Illinois 62704
- 217/785-9876

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

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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TITLE 32: ENERGY

CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER b: RADIATION PROTECTION

PART 320

REGISTRATION AND OPERATOR REQUIREMENTS
FOR RADIATION INSTALLATIONS

Section	
320.10	Registration
320.15	Incorporations by Reference (Repealed)
320.20	Amendments and Changes in Status
320.30	Discontinued Use (Repealed)
320.40	Exemptions
320.50	Noncompliance (Repealed)
320.60	Requirements for All Operators of Radiation Installations
320.70	Additional Requirements for Operators of Class D Radiation Installations

AUTHORITY: Implementing and authorized by Sections 24.7, 25 and 25.1 of the Radiation Protection Act of 1990 [420 ILCS 40/24.7, 25 and 25.1].

SOURCE: Filed April 20, 1974 by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; codified at 7 Ill. Reg. 11278; amended at 10 Ill. Reg. 17529, effective September 25, 1986; amended at 14 Ill. Reg. 13644, effective August 13, 1990; amended at 18 Ill. Reg. 3363, effective February 22, 1994; amended at 20 Ill. Reg. 6912, effective May 1, 1996; amended at 23 Ill. Reg. 14488, effective January 1, 2000; amended at 27 Ill. Reg. 3465, effective February 17, 2003; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 36 Ill. Reg. 17376, effective November 30, 2012.

Section 320.10 Registration

- a) For purposes of registration pursuant to this Part, the phrase "radiation installation" shall mean any location or facility where radiation machines are located.
- b) Installation Registration
 - 1) Any operator of a radiation installation shall register [thatsueh](#) radiation

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installation with the Illinois Emergency Management Agency (~~Agency~~)Department of Nuclear Safety (~~Department~~). The operator shall register the installation, before the installation is placed in operation, on a form prescribed by the Agency that~~Department which~~ shall include:

- A) The operator's name;
 - B) The location and confines of the radiation installation; and
 - C) The type, manufacturer, model, serial number and room location of radiation machines possessed.
- 2) Radiation machines that are located in a single building or in a group of buildings that are contiguous to one another, and used by the same operator, shall be treated as a single radiation installation unless requested otherwise in writing by the operator and approved by the Agency~~Department~~.
- c) Installation Classifications
Radiation installations shall be divided into the following 4 classes:
- 1) Class A – Class A shall include dental offices and veterinary offices with radiation machines used solely for diagnosis, all installations using commercially manufactured cabinet radiographic/fluoroscopic radiation machines with interlocked doors and shielded sufficiently to meet the requirements of 32 Ill. Adm. Code 340.310(a) and radiation machines used as gauges. ~~Class A – Class A shall include dental offices and veterinary offices with radiation machines used solely for diagnosis and all installations using commercially manufactured cabinet radiographic/fluoroscopic radiation machines.~~ [420 ILCS 40/25(f)] ~~Class A installations shall be inspected at intervals not exceeding 5 years.~~
 - 2) Class B – Class B shall include offices or clinics of persons licensed under the Medical Practice Act of 1987 [225 ILCS 60] or the Podiatric Medical Practice Act of 1987 [225 ILCS 100] with radiation machines used solely for diagnosis and all installations using spectroscopy radiation machines, noncommercially manufactured cabinet radiographic/fluoroscopic radiation machines, portable radiographic/fluoroscopic units, diffraction radiation machines, non-cabinet baggage/package fluoroscopic radiation

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machines and electronic beam welders. Test booths, bays or rooms used by manufacturing, assembly or repair facilities for testing radiation machines shall be categorized as Class B radiation installations. ~~Class B— Class B shall include offices or clinics of persons licensed under the Medical Practice Act of 1987 or the Podiatric Medical Practice Act of 1987 with radiation machines used solely for diagnosis and all installations using spectroscopy radiation machines, noncommercially manufactured cabinet radiographic/fluoroscopic radiation machines, portable radiographic/fluoroscopic units, non-cabinet baggage/package fluoroscopic radiation machines and electronic beam welders. [420 ILCS 40/25(f)] Class B installations shall be inspected at intervals not exceeding 2 years.~~

- 3) Class C – Class C shall include installations using open radiography radiation machines and closed radiographic/fluoroscopic radiation machines. ~~Class C – Class C shall include installations using diffraction radiation machines, open radiography radiation machines, closed radiographic/fluoroscopic radiation machines and radiation machines used as gauges. Test booths, bays, or rooms used by manufacturing, assembly or repair facilities for testing radiation machines shall be categorized as Class C radiation installations. [420 ILCS 40/25(f)] Class C installations shall be inspected at intervals not exceeding 1 year.~~
- 4) Class D – Class D shall include all hospitals and other facilities using mammography, computed tomography (CT), or therapeutic radiation machines. ~~Class D – Class D shall include all hospitals and other facilities using mammography, computed tomography (CT), or therapeutic radiation machines. [420 ILCS 40/25(f)] Class D installations shall be inspected at intervals not exceeding 1 year.~~
- 5) Radiation installations for which more than one class is applicable shall be assigned a classification based on the radiation machines' use and associated radiation hazard.

d) Machine Registration

- 1) Every operator of a radiation installation shall register radiation machines annually on a form prescribed by the Agency~~Department~~.

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- 2) An annual registration fee for each machine possessed on January 1 of each year shall be submitted with the registration form. This fee, based on the type of facility and radiation machines possessed, is listed in this subsection (d)(2) as follows:

Facility Type	Fee Per Radiation Machine
Class A – Dental and veterinary offices.	\$5035
Class A – <u>X-ray gauges and installations</u> only using commercially manufactured cabinet radiation machines <u>with interlocked doors and shielded sufficiently to meet the requirements of 32 Ill. Adm. Code 340.310(a).</u>	\$7550
Class B – Offices or clinics of persons licensed under the Medical Practice Act, and all installations using portable radiographic/fluoroscopic units.	\$17540
Class B – Podiatric offices.	\$10070
Class B – All installations using spectroscopy, non-commercially manufactured cabinet units, non-cabinet baggage/package units, <u>diffraction radiation machines</u> and/or electron beam welders. <u>Also, installations with test booths, bays or rooms used by manufacturing, assembly or repair facilities for testing radiation machines.</u>	\$17540

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Class C – Installations using ~~diffraction~~, open or closed radiography machines, ~~x-ray gauges, and installations with test booths, bays or rooms used by manufacturing, assembly or repair facilities for testing radiation machines.~~ \$~~250~~70

Class D – All hospitals and other facilities using mammography, computed tomography (CT), or therapeutic radiation machines. \$10070

- 3) ~~Radiation installations for which more than one class is applicable shall be assigned the classification requiring the most frequent inspection [420 ILCS 40/25(f-1)] and resultant fee.~~
- 4) ~~Radiation installation not specified as Class A, B, C or D shall be assigned an inspection interval, classification and resultant fee by the Department, based on the radiation machines' use and associated radiation hazard.~~
- 35) ~~The AgencyDepartment shall bill the operator for the registration fee as soon as practical after January 1. The registration fee shall be due and payable within 60 days after the date of billing. If after 60 days the registration fee is not paid, the AgencyDepartment may issue an order directing the operator of the installation to cease use of all radiation machines or take other appropriate enforcement action as provided in Section 36 of the Act. Fees collected under this Section are not refundable. [420 ILCS 40/24.7]~~
- e) All radiation installations are subject to inspection at all times. The frequency of inspections is based on the associated radiation hazards located at the installation. Class A installations should expect to be inspected approximately once every 5 years. Class B should expect to be inspected approximately once every 2 years. Class C and D installations should expect to be inspected approximately once annually.

(Source: Amended at 36 Ill. Reg. 17376, effective November 30, 2012)

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Section 320.20 Amendments and Changes in Status

- a) Operators of radiation installations ~~that~~^{which} have been registered pursuant to Section 320.10 ~~of this Part~~ shall notify the ~~Agency~~^{Department} within 30 days after the installation of any new, used or relocated radiation machines, or the reactivation of any radiation machines.
- b) If any operator discontinues using radiation machines, the operator shall notify the ~~Agency~~^{Department} within 30 days after ~~the~~^{such} discontinuance. The notification shall include the date of discontinuance and the disposition of the radiation machines.
- c) Within 30 days after changing the operator of a radiation installation, the new operator shall notify the ~~Agency~~^{Department}.

(Source: Amended at 36 Ill. Reg. 17376, effective November 30, 2012)

Section 320.60 Requirements for All Operators of Radiation Installations

Operators of radiation installations shall:

- a) Assure that all radiation machines are maintained and operated in accordance with standards established by the ~~Agency~~^{Department} to protect the public health and safety as set forth in this Part and in 32 Ill. Adm. Code 310, 340, 350, 360, 370, 380, 390, 400, 401, 405 and 410.
- b) Assure that all persons who use a radiation machine to administer ionizing radiation to human beings are licensed in accordance with the requirements of 32 Ill. Adm. Code 360.10, accredited by the ~~Agency~~^{Department} or exempt from ~~those~~^{such} requirements in accordance with 32 Ill. Adm. Code 401.30.

(Source: Amended at 36 Ill. Reg. 17376, effective November 30, 2012)

Section 320.70 Additional Requirements for Operators of Class D Radiation Installations

- a) Each operator of a Class D radiation installation shall utilize the services of an individual, registered with the ~~Agency~~^{Department} pursuant to 32 Ill. Adm. Code 410, to implement and maintain a comprehensive radiation protection program.

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Activities related to diagnostic radiation producing machines shall be performed by a registered diagnostic imaging specialist. Activities related to therapeutic radiation machines shall be performed by a registered therapeutic radiological physicist. Each operator shall ensure that registered individuals:

- 1) Conduct an annual performance evaluation of all radiation machines.
- 2) Determine and document in a report to the facility that the radiation machines evaluated are being maintained and operated in accordance with standards established by the [AgencyDepartment](#) to protect the public health as set forth in 32 Ill. Adm. Code: Chapter II, Subchapters b and d. Noncompliance items shall be readily identified in the report.
- 3) Establish and oversee the equipment-related quality assurance practices. Specifically, these quality assurance practices shall include as a minimum:
 - A) For therapeutic radiation machines, compliance with the quality assurance requirements specified in 32 Ill. Adm. Code 360.110(d) or 360.120(e).
 - B) For computed tomography machines, compliance with the quality assurance requirements specified in 32 Ill. Adm. Code 360.75.
 - C) For mammography machines, compliance with the quality assurance requirements specified in 32 Ill. Adm. Code 370.100.
- 4) Establish and oversee a quality assurance program for the film processors. The program shall include specifications for processor cleaning and maintenance and procedures to ensure the processor is optimized and properly maintained.

AGENCY NOTE: The [AgencyDepartment](#) recommends daily sensitometry and densitometry evaluation for processors used in facilities with heavy workloads. However, the diagnostic imaging specialist or therapeutic radiological physicist is the individual best qualified to determine the appropriate quality assurance program for each processor, based on its workload and conditions of use.

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- 5) Users of digital imaging acquisition systems shall follow a quality assurance/quality control protocol for image processing established by the manufacturer and:
- A) The registrant shall include the protocol in its operating and safety procedures.
 - B) The registrant shall document the frequency at which the quality assurance/quality control protocol is performed. Documentation shall include the date and initials of the individual completing the document and shall be maintained at the site where performed for inspection by the Agency.
 - C) The protocol shall include but not be limited to the following:
 - i) Cleaning and erasure of all imaging plates;
 - ii) Quality control phantom analysis;
 - iii) Evaluation of repeat/retake x-ray examinations;
 - iv) Review of dose index values.
- b) Each operator of a Class D radiation installation shall maintain and have available for review by the Agency~~Department~~:
- 1) Accurate and thorough radiation machine evaluation reports.
 - 2) Records of quality assurance testing performed.
 - 3) Records of calibrations, maintenance or repair.
 - 4) Records of corrective action taken for items of non-compliance.
 - 5) Records of film processor cleaning and maintenance.
 - 6) Records of digital imaging quality control.
- c) The records and reports required by this Section shall be maintained for a period

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of at least [one+](#) inspection cycle.

(Source: Amended at 36 Ill. Reg. 17376, effective November 30, 2012)

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- 1) Heading of the Part: Fees for Radioactive Material Licensees
- 2) Code Citation: 32 Ill. Adm. Code 331
- 3) Section Number: 331.110 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Section 11 of the Radiation Protection Act of 1990 [420 ILCS 40/11]
- 5) Effective Date of Rulemaking: November 30, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference is on file at the Agency's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection
- 9) Notice of Proposal published in the Illinois Register: 36 Ill. Reg. 13364; August 24, 2012
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and purpose of rulemaking: This proposed amendment clarifies references to affected use categories. The current rule cites to a Section that does not exist. This proposed amendment does not change fee structure nor does it add new categories.
- 16) Information and questions regarding this rulemaking shall be directed to:

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Louise Michels
Staff Attorney
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, Illinois 62704

217/785-9876

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 32: ENERGY

CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER b: RADIATION PROTECTION

PART 331

FEES FOR RADIOACTIVE MATERIAL LICENSEES

Section

331.10	Purpose
331.20	Scope
331.30	Definitions
331.110	Exemptions
331.115	Radioactive Material Recovery and Remediation Fee
331.120	Payment of Fees
331.125	Implementation (Repealed)
331.130	Refunds of Full Cost Recovery Deposits
331.200	Full Cost Recovery
331.210	Schedule of Fees For Radioactive Material Licenses (Repealed)
331.310	Failure by Applicant or Licensee to Pay Prescribed Fee
331.APPENDIX A	Schedule of License Fees (Repealed)
331.TABLE A	License Fees – Jan. 1, 1988-Dec. 31, 1988 (Repealed)
331.TABLE B	License Fees – Jan. 1, 1989-Dec. 31, 1989 (Repealed)
331.TABLE C	License Fees – Jan. 1, 1990-Dec. 31, 1990 (Repealed)
331.APPENDIX B	Fee Schedule For Radioactive Material Licenses (Repealed)
331.APPENDIX C	Fee Schedule For Sealed Source And Device Evaluations (Repealed)
331.APPENDIX D	Fee Schedule For Radioactive Material Licenses (Repealed)
331.APPENDIX E	Primary Material Use Categories for Radioactive Material Licensees
331.APPENDIX F	Fee Schedule for Radioactive Material Licensees

AUTHORITY: Implementing and authorized by Section 11 of the Radiation Protection Act of 1990 [420 ILCS 40/11].

SOURCE: Adopted at 10 Ill. Reg. 17239, effective September 25, 1986; amended at 11 Ill. Reg. 20570, effective January 1, 1988; amended at 15 Ill. Reg. 90, effective January 1, 1991; amended at 16 Ill. Reg. 11479, effective July 7, 1992; amended at 18 Ill. Reg. 12131, effective August 1, 1994; emergency amendment at 21 Ill. Reg. 4309, effective March 19, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 10968, effective July 28, 1997; amended at 22 Ill. Reg. 6951, effective April 1, 1998; amended at 23 Ill. Reg. 5585, effective April 23, 1999; amended at 25

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Ill. Reg. 8266, effective July 1, 2001; amended at 26 Ill. Reg. 14274, effective September 16, 2002; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 33 Ill. Reg. 4298, effective March 9, 2009; amended at 36 Ill. Reg. 17387, effective November 30, 2012.

Section 331.110 Exemptions

No fees as described in Sections 331.115 and 331.120 shall be required for:

- a) Persons who possess radioactive material pursuant to 32 Ill. Adm. Code 330.210 or 330.220, except for primary material use categories 209A and B as described in Appendix E(a), (c), (d), (e) and (g).
- ~~b)~~ ~~Persons who possess radioactive material pursuant to 32 Ill. Adm. Code 330.220(b), except for generally licensed devices as defined in Section 331.30.~~
- ~~b)e)~~ A license for possession and use of radioactive material issued to an agency of a state, county or municipal government or any political subdivision of these governments. This exemption does not apply to licenses for which the license fee is based on full cost recovery, licenses that authorize distribution of radioactive material or licenses authorizing testing for leakage or contamination as a service, or instrument calibration services to any person other than an agency or political subdivision of a state, county or municipal government.
- ~~c)d)~~ A license for possession and use of radioactive material issued to an educational institution as defined in Section 331.30. This exemption does not apply to licenses for which the license fee is based on full cost recovery, licenses authorizing commercial distribution of radioactive material, licenses authorizing human use of radioactive material, licenses authorizing veterinary use of radioactive material, or licenses authorizing remunerated testing of sealed sources for leakage or contamination or remunerated instrument calibration services to any person.

AGENCY NOTE: Commercial distribution does not include transfer of material to other licensees for the purposes of collaborative research and development.

AGENCY NOTE: Remunerated services refer to persons not affiliated with the licensee. For example, this does not include contractual arrangements between different agencies within the same licensee.

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- d)e) An application to amend a materials license for which the license fee is not based on full cost recovery, that would not change the primary material use category to a category with a higher fee, or add additional permanent jobsites.
- e)f) A general license or specific license authorizing the use of source material as prefabricated shielding only for devices and containers, provided, however, that all other licensed material in the device or container shall be subject to the fees prescribed in Appendix F.
- f)g) An application to change the status of a sealed source or device evaluation from "active" to "inactive". Upon request of the manufacturer or distributor, an evaluation is designated "inactive" by the Agency when those sources and devices are no longer manufactured or distributed, or when the evaluation is superseded by another evaluation.
- g)h) An application to change the company name or address listed on a sealed source or device evaluation.

(Source: Amended at 36 Ill. Reg. 17387, effective November 30, 2012)

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- 1) Heading of the Part: Quality Standards and Certification Requirements for Facilities Performing Mammography
- 2) Code Citation: 32 Ill. Adm. Code 370
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
370.50	Amendment
370.60	Amendment
370.80	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 10 of the Radiation Protection Act of 1990 [420 ILCS 40]
- 5) Effective Date of Rulemaking: November 30, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file at the Agency's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection
- 9) Notice of Proposal published in the Illinois Register: 36 Ill. Reg. 13369; August 24, 2012
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between Proposal and Final Version: In Section 370.50 (b)(1)(C) changed "shall authorize" to "authorizes", changed "Nor" to "No" and consolidated the text.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This proposed rulemaking increases the annual mammography certification fee to cover increased program costs, ensuring continued

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compatibility with the U.S. Food and Drug Administration's Mammography Quality Standards Act, 21 CFR Part 900, and will allow the Agency to require that facilities only perform mammography with a radiographic unit accredited by an approved accrediting body.

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

Louise Michels
Staff Attorney
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, Illinois 62704

217/785-9876

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

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TITLE 32: ENERGY

CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER b: RADIATION PROTECTION

PART 370

QUALITY STANDARDS AND CERTIFICATION REQUIREMENTS
FOR FACILITIES PERFORMING MAMMOGRAPHY

Section	
370.10	Scope
370.20	Definitions
370.30	Incorporations by Reference
370.40	Exemptions
370.50	Requirements for Certification
370.60	Fees
370.70	Personnel Requirements
370.80	Equipment Requirements
370.90	Medical Records and Mammography Reports
370.100	Quality Assurance Requirements
370.110	Equipment Quality Assurance Tests
370.120	Additional Administrative Requirements
370.130	Mammography Medical Outcomes Audit
370.140	Additional Mammography Review and Patient Notification
370.145	Notification Requirements for Mobile Mammography Facilities Certified by Another Certifying Entity
370.150	Revocation of Accreditation and Revocation of Accreditation Body Approval
370.160	Suspension, Revocation or Denial of Certificates
370.165	Failure of Mobile Mammography Facilities Certified by Another Certifying Entity to Meet Requirements
370.170	Mammography Units Used for Localization or Biopsy Procedures
370.APPENDIX A	Mammography Dose Measurement Protocol
370.APPENDIX B	Mammography Phantom Image Evaluation
370.TABLE A	Mammography Dose Evaluation Table

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

SOURCE: Old Part repealed at 15 Ill. Reg. 10846, effective July 15, 1991; new Part adopted by emergency rule at 22 Ill. Reg. 14972, effective August 3, 1998, for a maximum of 150 days;

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adopted at 22 Ill. Reg. 21915, effective December 3, 1998; amended at 24 Ill. Reg. 18258, effective December 1, 2000; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 29 Ill. Reg. 20963, effective December 16, 2005; amended at 33 Ill. Reg. 2224, effective January 23, 2009; amended at 36 Ill. Reg. 17392, effective November 30, 2012.

Section 370.50 Requirements for Certification

- a) Except as otherwise provided in subsection (b)(1)(C) ~~of this Section~~ and Section 370.40 ~~of this Part~~, a certificate issued by the Agency is required for lawful operation of all mammography facilities subject to the provisions of this Part. Facilities performing mammography shall meet the requirements of Sections 370.70, 370.80, 370.90, 370.100, 370.110, 370.120 and 370.130 ~~of this Part~~ and be accredited by an FDA-approved accreditation body. Each mammography unit shall be accredited by or have an application pending for accreditation with an FDA-approved accrediting body.

AGENCY NOTE: Currently, the only FDA-approved accrediting body in Illinois is the American College of Radiology.

AGENCY NOTE: Except for provisional certificates and interim notices, the term of certificates issued under this Section shall be for 3 years.

- b) Application.
- 1) Certificates.
- A) In order to qualify for a certificate, a facility shall apply to an accreditation body.
- B) Following the Agency's receipt of the accreditation body's decision to accredit a facility, the Agency may issue a certificate to the facility, or renew an existing certificate, if the Agency determines that the facility has satisfied the requirements for certification or recertification.
- C) An interim notice authorizes the facility to perform mammography until the facility receives its certificate but in no case for more than 45 days. No more than one interim notice may be issued to a

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facility per application for certification. The Agency may issue an interim notice of mammography certification by facsimile to a facility if a delay is anticipated in providing a certificate to the facility under one or more of the following circumstances:

- i) The Agency has been notified by an accreditation body that the facility meets the requirements for a provisional or provisional reinstatement certificate and delivery of the certificate may take more than 24 hours;
- ii) The Agency has been notified by an accreditation body that the facility has completed accreditation or reaccreditation and delivery of the certificate to the facility may take more than 24 hours; or
- iii) The Agency has been notified by an accreditation body that the facility has timely submitted an application for accreditation or reaccreditation but the completion of the accreditation process may extend beyond the expiration date of a facility's existing certificate through no fault of the facility.

~~An interim notice shall authorize the facility to perform mammography until the facility receives its certificate but in no case for more than 45 days. No more than one interim notice may be issued to a facility per application for certification.~~

- 2) Provisional certificates. A new facility is eligible to apply for a provisional certificate. The provisional certificate will enable the facility to perform mammography and to obtain the clinical images needed to complete the accreditation process.
 - A) To receive a provisional certificate, a facility shall apply and submit the required information to an FDA-approved accreditation body.
 - B) Following the Agency's receipt of the accreditation body's decision that a facility has submitted the required information, the Agency

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may issue a provisional certificate to a facility upon determination that the facility has satisfied the requirements for provisional certification. A provisional certificate shall be effective for up to 6 months from the date of issuance. A provisional certificate cannot be renewed, but a facility may apply for a 90 day extension of the provisional certificate.

- C) In the event the facility is denied accreditation by the accrediting body with time remaining on the provisional certificate, the provisional certificate expires immediately with the denial and the facility must stop performing mammography.
- 3) Extension of provisional certificate.
- A) To apply for a 90 day extension to a provisional certificate, a facility shall submit to its accreditation body a statement of what the facility is doing to obtain certification and evidence that there would be a significant adverse impact on access to mammography in the geographic area served if such facility did not obtain an extension.
 - B) Following the Agency's receipt of the accreditation body's decision that a facility has submitted the required information, the Agency may issue a 90 day extension of the provisional certificate to the facility upon determination that the facility has satisfied the requirements for the 90 day extension.
 - C) There can be no renewal of a provisional certificate beyond the 90-day extension.
- c) Reinstatement policy. A previously certified facility that has allowed its certificate to expire, that has been refused a renewal of its certificate by FDA or the Agency, or that has had its certificate suspended or revoked by FDA or the Agency, may apply for reinstatement. If reinstated, the facility will be eligible for a provisional certificate.
- 1) Unless prohibited from reinstatement under subsection (c)(4)-~~of this Section~~, a facility applying for reinstatement shall:

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- A) Contact an FDA-approved accreditation body to determine the requirements for reapplication for accreditation;
 - B) Fully document its history as a previously provisionally certified or certified mammography facility, including the following information:
 - i) Name and address of the facility under which it was previously provisionally certified or certified;
 - ii) Name of previous owner/lessor;
 - iii) Facility identification number assigned to the facility under its previous certification; and
 - iv) Expiration date of the most recent provisional certificate or certificate; and
 - C) Justify application for reinstatement of accreditation by submitting to the accreditation body a corrective action plan that details how the facility has corrected deficiencies that contributed to the lapse, denial of renewal or revocation of its certificate.
- 2) The Agency may issue a provisional certificate to a previously certified facility:
- A) Following the Agency's receipt of the accreditation body's decision that a facility has adequately corrected, or is in the process of correcting, pertinent deficiencies at the facility; and
 - B) The Agency determines that the facility has taken sufficient corrective action since the lapse, denial of renewal or revocation of its previous certificate.
- 3) After receiving the provisional certificate, the facility may lawfully resume performing mammography services while completing the requirements for certification.
- 4) If a facility's certificate was revoked on the basis of an act described in

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Section 370.160 ~~of this Part~~, no person who owned or operated that facility at the time the act occurred may own or operate a mammography facility within 2 years after the date of revocation.

- d) Appeals of adverse accreditation or reaccreditation decisions. The appeals procedures described in this subsection (d) are available only for adverse accreditation or reaccreditation decisions that preclude certification or recertification by the Agency.
- 1) Upon learning that a facility has failed to become accredited or reaccredited, the Agency will notify the facility that the Agency is unable to certify that facility without proof of accreditation.
 - 2) A facility that has been denied accreditation or reaccreditation is entitled to an appeals process from the accreditation body. A facility shall avail itself of the accreditation body's appeal process before appealing that decision to the FDA.
 - 3) In the event that a facility, after availing itself of the accreditation body's appeal process, receives an adverse accreditation or reaccreditation decision, the facility may appeal that decision to the FDA. In order to appeal, the facility shall send a request for reconsideration to the FDA

(Source: Amended at 36 Ill. Reg. 17392, effective November 30, 2012)

Section 370.60 Fees

- a) Except as provided in subsection (b) ~~of this Section~~, the Agency shall assess each certified mammography installation an annual certification fee of ~~\$1,300~~\$750 in each State fiscal year (July 1-June 30). The Agency shall bill the mammography installation for the annual fee after July 1. The annual fee shall be due and payable within 60 days after the date of billing. Failure to pay the required fee may result in revocation of the certificate.

AGENCY NOTE: The annual fee described in subsection (a) ~~of this Section~~ applies to both fully and provisionally certified mammography installations.

- b) A new mammography installation issued an initial provisional certificate after December 31 of any State fiscal year shall not be required to pay a certification

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fee for that State fiscal year.

(Source: Amended at 36 Ill. Reg. 17392, effective November 30, 2012)

Section 370.80 Equipment Requirements

The equipment requirements of this Section are intended to ensure that mammography equipment is capable of producing quality mammograms over the full range of clinical conditions.

- a) Prohibited equipment. Radiographic equipment designed for general purpose shall not be used for mammography. Mammography shall only be performed with a special purpose radiation machine specifically designed for and used solely for mammography procedures.
- b) General. All radiographic equipment used for mammography shall be certified under the "Performance Standards for Diagnostic X-Ray Systems and their Major Components", published at 21 CFR 1020.30, effective as of April 1, ~~2012~~1997. Each radiographic unit used for mammography shall be accredited by an approved accrediting body or have an application for accreditation pending with an approved accrediting body.
- c) Motion of tube-image receptor assembly.
 - 1) The assembly shall be capable of being fixed in any position where it is designed to operate. Once fixed in any such position, it shall not undergo unintended motion.
 - 2) The mechanism ensuring compliance with subsection (c)(1)-~~of this Section~~ shall not fail in the event of power interruption.
- d) Image receptor sizes.
 - 1) Systems using screen-film image receptors shall provide, at a minimum, for operation with image receptors of 18 x 24 centimeters (cm) and 24 x 30 cm.
 - 2) Systems using screen-film image receptors shall be equipped with moving grids matched to all image receptor sizes provided.

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- 3) Systems used for magnification procedures shall be capable of operation with the grid removed from between the source and image receptor.
- e) Beam limitation and light fields.
- 1) All systems shall have beam-limiting devices.
 - 2) For any mammography system with a light beam that passes through the x-ray beam-limiting device, the light shall provide an average illumination of not less than 160 lux (15 foot candles) at 100 cm or the maximum source-image receptor distance (SID), whichever is less.
- f) Magnification.
- 1) Systems used to perform noninterventional problem solving procedures shall have radiographic magnification capability available for use by the operator.
 - 2) Systems used for magnification procedures shall provide, at a minimum, at least one magnification value within the range of 1.4 to 2.0.
- g) Focal spot selection.
- 1) When more than one focal spot is provided, the system shall indicate, prior to exposure, which focal spot is selected.
 - 2) When more than one target material is provided, the system shall indicate, prior to exposure, the preselected target material.
 - 3) When the target material and/or focal spot is selected by a system algorithm that is based on the exposure or on a test exposure, the system shall display, after the exposure, the target material and/or focal spot actually used during the exposure.
- h) Compression. All mammography systems shall incorporate a compression device.
- 1) Application of compression. Each system shall provide:

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- A) An initial power-driven compression activated by hands-free controls operable from both sides of the patient; and
 - B) Fine adjustment compression controls operable from both sides of the patient.
- 2) Compression paddle.
- A) Systems shall be equipped with different sized compression paddles that match the sizes of all full-field image receptors provided for the system. Compression paddles for special purposes, including those smaller than the full size of the image receptor (for "spot compression") may be provided. ~~The Such~~ compression paddles for special purposes are not subject to the requirements of subsections (h)(2)(D) and (h)(2)(E) ~~of this Section~~.
 - B) Except as provided in subsection (h)(2)(C) ~~of this Section~~, the compression paddle shall be flat and parallel to the breast support table and shall not deflect from parallel by more than 1.0 cm at any point on the surface of the compression paddle when compression is applied.
 - C) Equipment intended by the manufacturer's design to not be flat and parallel to the breast support table during compression shall meet the manufacturer's design specifications and maintenance requirements.
 - D) The chest wall edge of the compression paddle shall be straight and parallel to the edge of the image receptor.
 - E) The chest wall edge may be bent upward to allow for patient comfort but shall not appear on the image.
- i) Technique factor selection and display.
- 1) Manual selection of milliamperere seconds (mAs) or at least one of its component parts (milliamperere (mA) and/or time) shall be available.

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- 2) The technique factors (peak tube potential in kilovolt (kV) and either tube current in mA and exposure time in seconds or the product of tube current and exposure time in mAs) to be used during an exposure shall be indicated before the exposure begins, except when automatic exposure controls (AEC) are used, in which case the technique factors that are set prior to the exposure shall be indicated.
 - 3) Following AEC mode use, the system shall indicate the actual kilovoltage peak (kVp) and mAs used during the exposure. The mAs may be displayed as mA and time.
- j) Automatic exposure control.
- 1) Each screen-film system shall provide an AEC mode that is operable in all combinations of equipment configuration provided, e.g., grid, nongrid, magnification, nonmagnification and various target-filter combinations.
 - 2) The positioning or selection of the detector shall permit flexibility in the placement of the detector under the target tissue.
 - A) The size and available positions of the detector shall be clearly indicated at the x-ray input surface of the breast compression paddle.
 - B) The selected position of the detector shall be clearly indicated.
 - 3) The system shall provide means for the operator to vary the selected optical density from the normal (zero) setting.
- k) X-ray film. The facility shall use x-ray film for mammography that has been designated by the film manufacturer as appropriate for mammography.
- l) Intensifying screens. The facility shall use intensifying screens for mammography that have been designated by the screen manufacturer as appropriate for mammography and shall use film that is matched to the screen's spectral output as specified by the manufacturer.
- m) Film processing solutions. For processing mammography films, the facility shall use chemical solutions that are capable of developing the films used by the

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facility in a manner equivalent to the minimum requirements specified by the film manufacturer.

- n) Lighting. The facility shall make special lights for film illumination, i.e., hot-lights, capable of producing light levels greater than that provided by the view box, available to the interpreting physicians.
- o) Film masking devices. Facilities shall ensure that film masking devices that can limit the illuminated area to a region equal to or smaller than the exposed portion of the film are available to all interpreting physicians interpreting for the facility.

(Source: Amended at 36 Ill. Reg. 17392, effective November 30, 2012)

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- 1) Heading of the Part: Long Term Care Reimbursement Changes
- 2) Code Citation: 89 Ill. Adm. Code 153
- 3) Section Number: 153.100 Adopted Action:
Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective date of rulemaking: December 1, 2012
- 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 the *Illinois Register*: June 1, 2012; 36 Ill. Reg. 8128
- 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 agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Proposed Citation:</u>
153.126	Amendment	36 Ill. Reg. 7966; May 25, 2012
- 15) Summary and Purpose of Rulemaking: This amendment provides for exceptions to the rate freeze and clarifies that when a non-profit facility changes ownership, requests for the real estate tax component to be added to the capital rate must be made in writing. The amendment also outlines what must be submitted and when the change in capital rate will

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occur. Further, clarifies how facilities that have been assigned a median tax rate can have the rate recalculated based upon the first full tax bill received by that facility.

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

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

217/782-1233

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

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TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER e: GENERAL TIME-LIMITED CHANGES

PART 153

LONG TERM CARE REIMBURSEMENT CHANGES

Section

153.100	Reimbursement for Long Term Care Services
153.125	Long Term Care Facility Rate Adjustments
153.126	Long Term Care Facility Medicaid Per Diem Adjustments
153.150	Quality Assurance Review (Repealed)

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

SOURCE: Emergency rules adopted at 18 Ill. Reg. 2159, effective January 18, 1994, for maximum of 150 days; adopted at 18 Ill. Reg. 10154, effective June 17, 1994; emergency amendment at 18 Ill. Reg. 11380, effective July 1, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16669, effective November 1, 1994; emergency amendment at 19 Ill. Reg. 10245, effective June 30, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16281, effective November 27, 1995; emergency amendment at 20 Ill. Reg. 9306, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14840, effective November 1, 1996; emergency amendment at 21 Ill. Reg. 9568, effective July 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13633, effective October 1, 1997; emergency amendment at 22 Ill. Reg. 13114, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16285, effective August 28, 1998; amended at 22 Ill. Reg. 19872, effective October 30, 1998; emergency amendment at 23 Ill. Reg. 8229, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12794, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13638, effective November 1, 1999; emergency amendment at 24 Ill. Reg. 10421, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15071, effective October 1, 2000; emergency amendment at 25 Ill. Reg. 8867, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 14952, effective November 1, 2001; emergency amendment at 26 Ill. Reg. 6003, effective April 11, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 12791, effective August 9, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 11087, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17817, effective November 27, 2002; emergency amendment at 27 Ill. Reg. 11088, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18880, effective November 26, 2003; emergency amendment at 28 Ill. Reg. 10218,

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effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 15584, effective November 24, 2004; emergency amendment at 29 Ill. Reg. 1026, effective January 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 4740, effective March 18, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 6979, effective May 1, 2005; amended at 29 Ill. Reg. 12452, effective August 1, 2005; emergency amendment at 30 Ill. Reg. 616, effective January 1, 2006, for a maximum of 150 days; emergency amendment modified pursuant to the Joint Committee on Administrative Rules Objection at 30 Ill. Reg. 7817, effective April 7, 2006, for the remainder of the maximum 150 days; amended at 30 Ill. Reg. 10417, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 11853, effective July 1, 2006, for a maximum of 150 days; emergency expired November 27, 2006; amended at 30 Ill. Reg. 14315, effective August 18, 2006; emergency amendment at 30 Ill. Reg. 18779, effective November 28, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 6954, effective April 26, 2007; emergency amendment at 32 Ill. Reg. 535, effective January 1, 2008, for a maximum of 150 days; emergency amendment at 32 Ill. Reg. 4105, effective March 1, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 7761, effective May 5, 2008; amended at 32 Ill. Reg. 9972, effective June 27, 2008; amended at 33 Ill. Reg. 9347, effective July 1, 2009; emergency amendment at 34 Ill. Reg. 17462, effective November 1, 2010, for a maximum of 150 days; amended at 35 Ill. Reg. 6171, effective March 28, 2011; amended at 35 Ill. Reg. 19524, effective December 1, 2011; emergency amendment at 36 Ill. Reg. 10416, effective July 1, 2012 through June 30, 2013; amended at 36 Ill. Reg. 17405, effective December 1, 2012.

Section 153.100 Reimbursement for Long Term Care Services

- a) Notwithstanding the provisions set forth in 89 Ill. Adm. Code 140, 144 and 147 for reimbursement of long term care services, effective January 18, 1994, reimbursement rates for long term care facilities (SNF/ICF and ICF/MR) and day training providers will remain at the levels in effect on January 18, 1994, except as otherwise provided in this Section.
- b) Capital and support rates in effect on January 18, 1994, will be adjusted based on final audits of cost report data in accordance with 89 Ill. Adm. Code 140.582(b) and 140.590.
- c) Capital rates will be increased for major capital improvements in accordance with 89 Ill. Adm. Code 140.560(c) and (e).
- d) New facilities which are assigned median rates in accordance with 89 Ill. Adm. Code 140.560(b) will have rates recalculated based upon receipt of their first cost report and 89 Ill. Adm. Code 147.150.

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- e) Requests for IOCs upon which rate determinations are based upon a Medicaid resident being transferred from a State operated facility for persons with developmental disabilities to a community setting will be considered on a case-by-case basis.
- f) Fiscal year 1996 support rates may change based on the first cost report filed by new ownership reflecting six months or more of the new ownership's operation for any facility which changed ownership between July 1, 1992, and January 18, 1994. Only changes in ownership in arms-length transactions between unrelated parties will be recognized for this rate change. The new support rate for those facilities will be calculated in accordance with 89 Ill. Adm. Code 140.560 and 140.561. Support rates for facilities which qualify under this exception will not be decreased by the provisions in this Section. The capital rates of facilities which changed ownership between July 1, 1992, and January 18, 1994, will not be subject to changes in the capital rate based on the provisions of 89 Ill. Adm. Code 140.571(b)(4), but can still be affected by the provisions of subsection (d) of this Section.
- g) For those for-profit facilities whose fiscal year 1994 capital rate does not include a real estate tax component because it is based upon a non-profit facility's cost report, effective July 1, 1995, the real estate tax component will be added to the capital rate based upon the fiscal year 1994 median real estate tax rate for the geographic area in which the home is located.
- h) For any capital rate increases for real estate tax additions made after December 31, 2011, if a non-profit facility that changes ownership on or after July 1, 1995, and the new owner is a for-profit facility, the facility must request in writing the real estate tax component will be added to the capital rate effective with the change of ownership as recognized by the Illinois Department of Public Health. The request shall include the "Notice of Assessment" or the first real estate tax bill from the applicable county. The information from the county must indicate the initial date of tax assessment on the long term care facility site and building. In order to provide for efficient, accurate and timely rate adjustments, the facility shall submit its request within two years after the change in ownership date. The real estate tax component shall be added to the new owner's rate effective with the date of initial tax assessment determined by the county that was included in the facility's request. The effective date cannot go back beyond the change of ownership date as recognized by IDPH. The real estate tax component will be

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added at the geographic area median tax rate in effect for the month in which the real estate tax becomes effective. If the request is not received by the Department within two years after the IDPH change in ownership date, the real estate tax component shall be added effective the first day after the month subsequent to receipt of the facility's completed request.

- i) For those non-profit facilities whose fiscal year 1994 capital rate includes a real estate tax component based upon a for-profit facility's cost report, effective July 1, 1995, the real estate tax component of the capital rate will be removed (unless the non-profit facility rents the home from an unrelated for-profit entity).
- j) If a for-profit facility changes ownership on or after July 1, 1995, and the new owner is a non-profit facility, the real estate tax component will be removed from the capital rate effective with the date of change in ownership as recognized by the Illinois Department of Public Health. The real estate tax component will not be removed for a non-profit facility that rents the facility from an unrelated for-profit entity.
- k) The flat per diem paid to ICFs/MR to cover the cost of non-emergency dental services pursuant to 89 Ill. Adm. Code 144.275 and 144.300 will be increased from \$.30 to \$.40.
- l) Day training provider rates shall be increased by three percent for services provided on or after July 1, 1996.
- m) Effective for services provided on or after July 1, 1996, facilities which are located in an area which has changed geographic designation due to unique labor force factors shall have rates recalculated based upon the ceilings and norms of the newly designated geographic area.
- n) Long term care facilities that have been assigned a median tax rate on the basis of geographic area in accordance with 89 Ill. Adm. Code 140.560(b) and subsections (~~gm~~) and (~~hn~~) of this Section shall subsequently have those rates recalculated based upon the first full tax bill received by that facility. The revised rate will be the greater of the recalculated rate or the rate in effect from the aforementioned Section and subsections. Rates revised in accordance with this subsection shall result in payments retroactive to the applicable effective date of the updated rate July 1, 1997, for those facilities whose first full tax bill is received by the Department no later than September 30, 1998. The updated rateRates for

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~~facilities whose first full tax bill is received after September 30, 1998,~~ will be effective the first day of the month subsequent to receipt by the Department of the facility's completed request on the date the Department receives the first full tax bill. The facility shall request in writing that its tax rate be updated with the first full tax bill. This tax bill must be included with the request made to the Department. In order to calculate the potential tax rate, the real estate tax from the first full tax bill for the long term care property will be divided by the greater of the annualized capital days (see 89 Ill. Adm. Code 140.570(b)(3)) from the cost report used to calculate the remainder of the capital rate in accordance with 89 Ill. Adm. Code 140.570 through 140.574, or 93 percent of annualized bed days based upon the number of licensed beds available at the end of the period covered by the tax bill. No inflation factor will be used for this calculation.

- o) Interim IOCs may be conducted in an ICF/MR, at the facility's written request, if there has been a change in the resident population of at least 25 percent since the last IOC used to set the rate. A facility is limited to one request in any 12 month period. The rate effective date will be the first day of the month following the month of the facility's written request. The written request must contain documentation supporting the change in the resident population.
- p) Interim IOCs may be conducted for developmental training services when the population of an ICF/MR changes by at least 25 percent since the last IOC used to set the rate. The ICF/MR is limited to one request in any 12 month period. The rate effective date will be the first day of the month following the month of the facility's written request. Documentation must be submitted supporting the change in the resident population.
- q) Rates shall be adjusted for an ICF/MR entering into a downsizing agreement with the Department of Human Services, under the provisions of 89 Ill. Adm. Code 140.560, with the rate effective on the date a benchmark for such downsizing is achieved.
- r) For an ICF/MR with 16 or fewer licensed beds, rate changes shall be made in the program active treatment rate component to reflect an increase of 13 hours of base nursing and nurse supervision for administration of medication by unlicensed direct service staff, effective for services provided on or after January 1, 2000.
- s) The nursing component of a nursing facility's per diem shall be adjusted in accordance with 89 Ill. Adm. Code 147.150.

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- t) Effective for any capital rates calculated with an effective date of July 1, 2006 or later, the capital rates shall be adjusted based upon audits of cost report data in accordance with the updates and clarifications contained in 89 Ill. Adm. Code 140.534 and 140.560.

(Source: Amended at 36 Ill. Reg. 17405, effective December 1, 2012)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Hospital Licensing Requirements
- 2) Code Citation: 77 Ill. Adm. Code 250
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
250.160	Amended
250.330	Amended
250.1510	Amended
250.1810	Amended
250.1820	Amended
250.1830	Amended
250.1845	New
250.1850	Amended
250.1860	Repealed
250.1870	Amended
- 4) Statutory Authority: Hospital Licensing Act [210 ILCS 85]
- 5) Effective Date of Rulemaking: December 3, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 6, 2012; 36 Ill. Reg. 9
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposal and Final Version: The following changes were made in response to comments received during the first notice or public comment period:

In Section 250.160(a)(1)(G), "2005" was changed to "2011".

In Section 250.1510(b)(1)(A) and (B), "medical record" was changed to "health information ~~medical record~~".

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In Section 250.1510(a)(2), "shall" was inserted and "are to" was stricken.

In Section 250.330(a), (b) and (c), the strike-out was removed from "with clinical privileges recommended by the hospital medical staff and granted by the hospital governing board".

In Section 250.1510, (b)(1)(A), "or contracted" was inserted after "employed".

In Section 250.1820(d), "three" was inserted after "every" and "two" was stricken.

In Section 250.1820(e)(1), "A Non-Birthing Center hospitals do not provide perinatal services, but have a functioning emergency department. A letter of agreement shall delineate, but is not limited to, guidelines for transfer/transport of perinatal patients who are transferred to an appropriate perinatal care hospital in accordance with the non-birthing center hospital's letter of agreement with an Administrative Perinatal Center." was inserted and the rest of the subsection was re-lettered accordingly.

In Section 250.1820(e)(1)(C), "do not operate an SCN but do operate an NICU" was changed to "do operate an SCN but do not operate a NICU".

In Section 250.1820(f)(3)(A)(ii), "above" was deleted in the first line; "...before entering the nursery, and between patients" was changed to "...before entering the nursery at the beginning of a shift, and before handling infants for the first time and between patients. Hands shall be washed before and after touching each infant, and after touching any object." In the last sentence, "anything other than clear" was inserted after "or" and "not" was inserted after "is".

In Section 250.1820(g)(6), "Patient" was replaced with "A gynecologic and obstetric patient's".

In Section 250.1830(a), "a non-stable" was inserted after the semi-colon and "the" was stricken. "Stable infants shall be placed, and remain in, direct skin-to-skin contact with their mother immediately after delivery to optimally support infant breastfeeding and to promote mother/infant bonding." was inserted after the fourth sentence (ending in "warm").

In Section 250.1830(e)(1)((E)(iv), "pursuant to AAP recommendations" was inserted before the period.

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In Section 250.1830(f), "or LPN" as inserted after "nurse".

In Section 250.1830(f)(2)(A), "Both shall be registered nurses" was changed to "One shall be a registered nurse and one shall be a registered nurse or an LPN".

In Section 250.1830(f)(6)(C)(i), "obstetrical and maternal-fetal medicine" was deleted, and the strike-out was removed from "neonatology" in the second sentence.

In Section 250.1830(f)(6)(C)(ii), the strike-out line was removed from "consultation".

In Section 250.1830(g)(3), "pursuant to AAP recommendations" was inserted after "infant".

In Section 250.1830(g)(5), "if the infant is at less than 39 weeks of gestation, or 38 weeks of gestation for twins" was inserted.

In Section 250.1830(g)(8), "to" was inserted after "soluble", "-1.0" was inserted after "0.5", and "miligrams" was changed to "milligrams"; "once he or she is age appropriate" was changed to "shortly after birth, but usually within the first hour after delivery".

In Section 250.1830(g)(10), "pursuant to the requirements of the Hospital Infant Feeding Act" was inserted at the end of the subsection.

In Section 250.1830(h)(2)(D), "medical" was stricken and "physical" was added; "after" was changed to "before".

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

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any proposed rulemakings pending on this Part? No

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- 15) Summary and Purpose of Rulemaking: The Hospital Licensing Requirements regulate hospitals, including all aspects of obstetric and neonatal care.

This rulemaking updates Subpart O of the Hospital Licensing Requirements, which contains the Sections on obstetric and neonatal care and obstetric departments. The amendments update the requirements to reflect current industry and regulatory standards. Additionally, a new Section, 250.1845, containing minimum requirements for caesarean births was added, and Section 250.1860 (Special Programs) was repealed. Section 250.160 (Incorporated and Referenced Materials) was amended to incorporate new industry standards and relevant State statutes and rules.

In other amendments, Section 250.330 (Orders for Medications and Treatments) was amended to add a 72-hour deadline for signing telephone orders, and Section 250.1510 (Medical Records) was amended to clarify who may authenticate telephone orders. Section 250.160 (Incorporated and Referenced Materials) was updated to add professional guidelines to the list of private and professional association standards.

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

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
e-mail: dph.rules@illinois.gov

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 250

HOSPITAL LICENSING REQUIREMENTS

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- 250.110 Application for and Issuance of Permit to Establish a Hospital
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- 250.330 Orders for Medications and Treatments
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250.420 Personnel Records
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- Section
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250.520 Blood and Blood Components
250.525 Designated Blood Donor Program
250.530 Proficiency Survey Program (Repealed)
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AUTHORITY: Implementing and authorized by the Hospital Licensing Act [210 ILCS 85].

SOURCE: Rules repealed and new rules adopted August 27, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 21, p. 49, effective May 16, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 45, p. 85, effective November 6, 1978; amended at 3 Ill. Reg. 17, p. 88, effective April 22, 1979; amended at 4 Ill. Reg. 22, p. 233, effective May 20, 1980; amended at 4 Ill. Reg. 25, p. 138, effective June 6, 1980; amended at 5 Ill. Reg. 507, effective December 29, 1980; amended at 6 Ill. Reg. 575, effective December 30, 1981; amended at 6 Ill. Reg. 1655, effective January 27, 1982; amended at 6 Ill. Reg. 3296, effective March 15, 1982; amended at 6 Ill. Reg. 7835 and 7838, effective June 17, 1982; amended at 7 Ill. Reg. 962, effective January 6, 1983; amended at 7 Ill. Reg. 5218 and 5221, effective April 4, 1983 and April 5, 1983; amended at 7 Ill. Reg. 6964, effective May 17, 1983; amended at 7 Ill. Reg. 8546, effective July 12, 1983; amended at 7 Ill. Reg. 9610, effective August 2, 1983; codified at 8 Ill. Reg. 19752; amended at 8 Ill. Reg. 24148, effective November 29, 1984; amended at 9 Ill. Reg. 4802, effective April 1, 1985; amended at 10 Ill. Reg. 11931, effective September 1, 1986; amended at 11 Ill. Reg. 10283, effective July 1, 1987; amended at 11 Ill. Reg. 10642, effective July 1, 1987; amended at 12 Ill. Reg. 15080, effective October 1, 1988; amended at 12 Ill. Reg. 16760, effective October 1, 1988; amended at 13 Ill. Reg. 13232, effective September 1, 1989; amended at 14 Ill. Reg. 2342, effective February 15, 1990; amended at 14 Ill. Reg. 13824, effective September 1, 1990; amended at 15 Ill. Reg. 5328,

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effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993; amended at 18 Ill. Reg. 11945, effective July 22, 1994; amended at 18 Ill. Reg. 15390, effective October 10, 1994; amended at 19 Ill. Reg. 13355, effective September 15, 1995; emergency amendment at 20 Ill. Reg. 474, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 3234, effective February 15, 1996; amended at 20 Ill. Reg. 10009, effective July 15, 1996; amended at 22 Ill. Reg. 3932, effective February 13, 1998; amended at 22 Ill. Reg. 9342, effective May 20, 1998; amended at 23 Ill. Reg. 1007, effective January 15, 1999; emergency amendment at 23 Ill. Reg. 3508, effective March 4, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9513, effective August 1, 1999; amended at 23 Ill. Reg. 13913, effective November 15, 1999; amended at 24 Ill. Reg. 6572, effective April 11, 2000; amended at 24 Ill. Reg. 17196, effective November 1, 2000; amended at 25 Ill. Reg. 3241, effective February 15, 2001; amended at 27 Ill. Reg. 1547, effective January 15, 2003; amended at 27 Ill. Reg. 13467, effective July 25, 2003; amended at 28 Ill. Reg. 5880, effective March 29, 2004; amended at 28 Ill. Reg. 6579, effective April 15, 2004; amended at 29 Ill. Reg. 12489, effective July 27, 2005; amended at 31 Ill. Reg. 4245, effective February 20, 2007; amended at 31 Ill. Reg. 14530, effective October 3, 2007; amended at 32 Ill. Reg. 3756, effective February 27, 2008; amended at 32 Ill. Reg. 4213, effective March 10, 2008; amended at 32 Ill. Reg. 7932, effective May 12, 2008; amended at 32 Ill. Reg. 14336, effective August 12, 2008; amended at 33 Ill. Reg. 8306, effective June 2, 2009; amended at 34 Ill. Reg. 2528, effective January 27, 2010; amended at 34 Ill. Reg. 3331, effective February 24, 2010; amended at 34 Ill. Reg. 19031, effective November 17, 2010; amended at 34 Ill. Reg. 19158, effective November 23, 2010; amended at 35 Ill. Reg. 4556, effective March 4, 2011; amended at 35 Ill. Reg. 6386, effective March 31, 2011; amended at 35 Ill. Reg. 13875, effective August 1, 2011; amended at 36 Ill. Reg. 17413, effective December 3, 2012.

SUBPART A: GENERAL

Section 250.160 Incorporated and Referenced Materials

- a) The following regulations and standards are incorporated in this Part:
 - 1) Private and professional association standards:
 - A) American Society for Testing and Materials (ASTM), Standard No. E90-99 (2002): Standard Test Method for Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions and Elements, which may be obtained from the American Society for Testing and Materials, 100 Barr Harbor

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Drive, West Conshohocken, Pennsylvania 19428-2959. (See Section 250.2420.)

- B) The following standards of the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), which may be obtained from the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc., 1791 Tullie Circle, N.E., Atlanta, Georgia 30329: (See Section 250.2480.)
- i) ASHRAE Handbook of Fundamentals (2005);
 - ii) ASHRAE Handbook for HVAC Systems and Equipment (2004);
 - iii) ASHRAE Handbook-HVAC Applications (2003).
- C) The following standards of the National Fire Protection Association (NFPA), which may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169:
- i) NFPA 101 (2000): Life Safety Code; (See Sections 250.2420, 250.2450, 250.2460, 250.2470, and 250.2490.)
 - ii) NFPA 10 (1998): Standards for Portable Fire Extinguishers; (See Section 250.1980.)
 - iii) NFPA 13 (1999): Standards for the Installation of Sprinkler Systems; (See Sections 250.2490 and 250.2670.)
 - iv) NFPA 14 (2000): Standard for the Installation of Standpipe, Private Hydrants and Hose Systems; (See Sections 250.2490 and 250.2670.)
 - v) NFPA 25 (1998): Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems;
 - vi) NFPA 30 (1996): Flammable and Combustible Liquids Code; (See Section 250.1980.)

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- vii) NFPA 45 (1996): Standard on Fire Protection for Laboratories Using Chemicals;
- viii) NFPA 54 (1999): National Fuel Gas Code;
- ix) NFPA 70 (1999): National Electrical Code; (See Sections 250.2440 and 250.2500.)
- x) NFPA 72 (1999): National Fire Alarm Code;
- xi) NFPA 80 (1999): Standard for Fire Doors and Fire Windows; (See Section 250.2450.)
- xii) NFPA 82 (1999): Standard on Incinerators and Waste and Linen Handling Systems and Equipment; (See Section 250.2440.)
- xiii) NFPA 90A (1999): Standard for Installation of Air Conditioning and Ventilating Systems; (See Sections 250.2480 and 250.2660.)
- xiv) NFPA 96 (1998): Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations; (See Section 250.2660.)
- xv) NFPA 99 (1999): Standard for Health Care Facilities; (See Sections 250.1410, 250.1910, 250.1980, 250.2460, 250.2480, 250.2490 and 250.2660.)
- xvi) NFPA 101-A (2001): Guide on Alternative Approaches to Life Safety; (See Section 250.2620.)
- xvii) NFPA 110 (1999): Standard for Emergency and Standby Power Systems;
- xviii) NFPA 220 (1999): Standard on Types of Building Construction; (See Sections 250.2470 and 250.2620.)

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- xix) NFPA 221 (1997): Standard for Fire Walls and Fire Barrier Walls;
 - xx) NFPA 241 (1996): Standard for Safeguarding Construction, Alteration and Demolition Operations;
 - xxi) NFPA 255 and 258 (2000): Standard Method of Test of Surface Burning Characteristics of Building Materials, and Recommended Practice for Determining Smoke Generation of Solid Materials; (See Section 250.2480.)
 - xxii) NFPA 701 (1999): Standard Methods of Fire Tests for Flame Propagation of Textiles and Films. (See Sections 250.2460 and 250.2650.)
- D) American Academy of Pediatrics and American College of Obstetricians and Gynecologists, Guidelines for Perinatal Care, Sixth Edition (2007), which may be obtained from the American College of Obstetricians and Gynecologists Distribution Center, P.O. Box 933104, Atlanta, Georgia 31193-3104 (800-762-2264). (See Section 250.1820.)
- E) American College of Obstetricians and Gynecologists, Guidelines for Women's Healthcare, Third Edition (2007), which may be obtained from the American College of Obstetricians and Gynecologists Distribution Center, P.O. Box 933104, Atlanta, Georgia 31193-3104 (800-762-2264). (See Section 250.1820.)
- F) [American Academy of Pediatrics \(AAP\), Red Book: Report of the Committee on Infectious Diseases, 28th Edition \(2009\), which may be obtained from the American Academy of Pediatrics, 141 Northwest Point Blvd., Elk Grove Village, Illinois 60007. \(See Section 250.1820.\)](#)
- G) [American Academy of Pediatrics and the American Heart Association, 2011 American Heart Association \(AHA\) Guidelines for Cardiopulmonary Resuscitation \(CPR\) and Emergency Cardiovascular Care \(ECC\) of Pediatric and Neonatal Patients: Neonatal Resuscitation Guidelines, which may be obtained from](#)

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[the American Academy of Pediatrics, 141 Northwest Point Blvd., Elk Grove Village, Illinois 60007, or at \[pediatrics.aappublications.org/cgi/reprint/117/5/e1029.pdf\]\(#\). \(See Section 250.1830.\)](#)

- H) [National Association of Neonatal Nurses, Position Statement #3009 Minimum RN Staffing in NICUs, which may be obtained from the National Association of Neonatal Nurses, 4700 W. Lake Ave., Glenview, Illinois 60025, or at \[nann.org/pdf/08_3009_rev.pdf\]\(#\). \(See Section 250.1830.\)](#)
- ~~J)F)~~ National Council on Radiation Protection and Measurements (NCRP), Report 49: Structural Shielding Design and Evaluation for Medical Use of X-rays and Gamma Rays of Energies up to 10 MeV (1976) and NCRP Report 102: Medical X-Ray, Electron Beam and Gamma-Ray Protection for Energies Up to 50 MeV (Equipment Design, Performance and Use) (1989), which may be obtained from the National Council on Radiation Protection and Measurements, 7910 Woodmont Ave., Suite 800, Bethesda, Maryland 20814-3095. (See Sections 250.2440 and 250.2450.)
- ~~J)G)~~ DOD Penetration Test Method MIL STD 282 (1995): Filter Units, Protective Clothing, Gas-mask Components and Related Products: Performance Test Methods, which may be obtained from Naval Publications and Form Center, 5801 Tabor Avenue, Philadelphia, Pennsylvania 19120. (See Section 250.2480.)
- ~~K)H)~~ National Association of Plumbing-Heating-Cooling Contractors (PHCC), National Standard Plumbing Code (2003), which may be obtained from the National Association of Plumbing-Heating-Cooling Contractors, 180 S. Washington Street, P.O. Box 6808, Falls Church, Virginia 22046 (703-237-8100).
- ~~L)I)~~ The International Code Council, International Building Code (2000), which may be obtained from the International Code Council, 4051 Flossmoor Road, Country Club Hills, Illinois 60477-5795. (See Section 250.2420.)
- ~~M)J)~~ American National Standards Institute, Specifications for Making

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Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped (1968), which may be obtained from the American National Standards Institute, 25 West 433rd Street, 4th Floor, New York, New York 10036. (See Section 250.2420.)

~~N)K)~~ Accreditation Council for Graduate Medical Education, Essentials of Accredited Residencies in Graduate Medical Education (1997), which may be obtained from the Accreditation Council for Graduate Medical Education, 515 North State Street, Suite 2000, Chicago, Illinois 60610. (See Section 250.315.)

~~O)J)~~ ~~The Joint Commission on Accreditation of Healthcare Organizations~~, 2006 Hospital Accreditation Standards (HAS), Standard PC.3.10, which may be obtained from the Joint Commission on Accreditation of Healthcare Organizations, One Renaissance Boulevard, Oakbrook Terrace, Illinois 60181. (See Section 250.1035.)

~~P)M)~~ National Quality Forum, Safe Practices for Better Health Care (2009), which may be obtained from the National Quality Forum, 601 13th Street, NW, Suite 500 North, Washington DC 20005, or from www.qualityforum.org.

2) Federal Government Publications:

A) Department of Health and Human Services, United States Public Health Service, Centers for Disease Control and Prevention, "Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings 2007" and "Guidelines for Infection Control in Health Care Personnel, 1998, which may be obtained from National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. (See Section 250.1100.)

B) Department of Health and Human Services, United States Public Health Service, Centers for Disease Control and Prevention, "Guidelines for Environmental Infection Control in Health-Care Facilities: Recommendations – Animals in Health Care Facilities", "Morbidity and Mortality Weekly Report", June 6, 2003/Vol.

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52/No. RR-10, which may be obtained from the Centers for Disease Control and Prevention, 1600 Clifton Road, MS K-95, Atlanta, Georgia 30333.

- C) Department of Health and Human Services, United States Public Health Services, Centers for Disease Control and Prevention, "Guidelines for Hand Hygiene in Health-Care Settings", October 25, 2002, which may be obtained from the National Technical Information Services (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161.
 - D) Department of Health and Human Services, United States Public Health Service, Centers for Disease Control and Prevention, "Guidelines for Disinfection and Sterilization in Healthcare Facilities, 2008", which may be obtained from the Centers for Disease Control and Prevention, 1600 Clifton Road, Atlanta, Georgia 30333.
 - E) [National Center for Health Statistics and World Health Organization, Geneva, Switzerland, "International Classification of Diseases", 10th Revision, Clinical Modification \(ICD-10-CM\) \(1990\), Version for 2007, which can be accessed at http://www.who.int/classifications/icd/en/.](http://www.who.int/classifications/icd/en/)
- 3) Federal Regulations
- A) 45 CFR 46.101, To What Does the Policy Apply? (October 2010).
 - B) 45 CFR 46.103(b), Assuring Compliance with this Policy – Research Conducted or Supported by any Federal Department or Agency (October 2010).
 - C) 42 CFR 482, Conditions of Participation for Hospitals (October 2010).
 - D) 21 CFR, Food and Drugs (April 2010).
- b) All incorporations by reference of federal regulations and guidelines and the standards of nationally recognized organizations refer to the regulations,

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guidelines and standards on the date specified and do not include any editions or amendments subsequent to the date specified.

- c) The following statutes and State regulations are referenced in this Part:
- 1) State of Illinois statutes:
 - A) Hospital Licensing Act [210 ILCS 85].
 - B) Illinois Health Facilities Planning Act [20 ILCS 3960].
 - C) Medical Practice Act of 1987 [225 ILCS 60].
 - D) Podiatric Medical Practice Act of 1987 [225 ILCS 100].
 - E) Pharmacy Practice Act of 1987 [225 ILCS 85].
 - F) Physicians Assistant Practice Act of 1987 [225 ILCS 95].
 - G) Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25].
 - H) X-ray Retention Act [210 ILCS 90].
 - I) Safety Glazing Materials Act [430 ILCS 60].
 - J) Mental Health and Developmental Disabilities Code [405 ILCS 5].
 - K) Nurse Practice Act [225 ILCS 65].
 - L) Health Care Worker Background Check Act [225 ILCS 46].
 - M) MRSA Screening and Reporting Act [210 ILCS 83].
 - N) Hospital Report Card Act [210 ILCS 88].
 - O) Illinois Adverse Health Care Events Reporting Law of 2005 [410 ILCS 522].
 - P) Smoke Free Illinois Act [410 ILCS 82].

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- Q) Health Care Surrogate Act [775 ILCS 540].
- R) [Perinatal HIV Prevention Act \[410 ILCS 335\]](#).
- S) [Hospital Infant Feeding Act \[210 ILCS 81\]](#).

2) State of Illinois rules:

- A) Department of Public Health, Illinois Plumbing Code (77 Ill. Adm. Code 890).
- B) Department of Public Health, Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545).
- C) Department of Public Health, Control of Communicable Diseases Code (77 Ill. Adm. Code 690).
- D) Department of Public Health, Food Service Sanitation Code (77 Ill. Adm. Code 750).
- E) Department of Public Health, Public Area Sanitary Practice Code (77 Ill. Adm. Code 895).
- F) Department of Public Health, Maternal Death Review (77 Ill. Adm. Code 657).
- G) Department of Public Health, Control of Sexually Transmissible Diseases Code (77 Ill. Adm. Code 693).
- H) Department of Public Health, Control of Tuberculosis Code (77 Ill. Adm. Code 696).
- I) Department of Public Health, Health Care Worker Background Check Code (77 Ill. Adm. Code 955).
- J) Department of Public Health, Language Assistance Services Code (77 Ill. Adm. Code 940).

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- K) [Department of Public Health, Regionalized Perinatal Health Care Code \(77 Ill. Adm. Code 640\).](#)
- L) [Health Facilities and Services Review Board, Narrative and Planning Policies \(77 Ill. Adm. Code 1100\).](#)
- M) [Health Facilities and Services Review Board, Processing, Classification Policies and Review Criteria \(77 Ill. Adm. Code 1110\).](#)
- N)~~K)~~ Department of Public Health, Private Sewage Disposal Code (~~77~~ Ill. Adm. Code 905).
- O)~~L)~~ Capital Development Board, Illinois Accessibility Code (71 Ill. Adm. Code 400).
- P)~~M)~~ State Fire Marshal, Boiler and Pressure Vessel Safety (41 Ill. Adm. Code 120).
- Q)~~N)~~ State Fire Marshal, Fire Prevention and Safety (41 Ill. Adm. Code 100).
- R)~~O)~~ Illinois Emergency Management Agency, Standards for Protection Against Radiation (32 Ill. Adm. Code 340).
- S)~~P)~~ Illinois Emergency Management Agency, Use of X-rays in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (32 Ill. Adm. Code 360).

3) [Federal Statute:](#)

[Health Insurance Portability and Accountability Act of 1996 \[110 USC 1936\].](#)

(Source: Amended at 36 Ill. Reg. 17413, effective December 3, 2012)

SUBPART C: THE MEDICAL STAFF

Section 250.330 Orders for Medications and Treatments

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- a) No medication, treatment or diagnostic test shall be administered to a patient except on the written order of a member of the medical staff, a house staff member under the supervision of a member of the medical staff, or allied health personnel with clinical privileges recommended by the hospital medical staff and granted by the hospital governing board, with the exception of influenza and pneumococcal polysaccharide vaccines, which may be administered per medical staff-approved hospital policy that includes an assessment for contraindications.
- 1) The staff-approved *influenza and pneumococcal immunization policy shall include, but not be limited to, the following:*
 - A) *Procedures for identifying patients age 65 or older and, at the discretion of the hospital, other patients at risk;*
 - B) *Procedures for offering immunization against influenza virus when available between September 1 and April 1, and against pneumococcal disease upon admission or discharge, to patients age 65 or older, unless contraindicated; and*
 - C) *Procedures for ensuring that patients offered immunization, or their guardians, receive information regarding the risks and benefits of vaccination.*
 - 2) *The hospital shall provide a copy of its influenza and pneumococcal immunization policy to the Department upon request. (Section ~~6.266.25~~ of the Act)*
- b) Verbal orders shall be signed before the member of the medical staff, the house staff member or allied health personnel with clinical privileges recommended by the hospital medical staff and granted by the hospital governing board leaves the area. Telephone orders shall be used sparingly and countersigned by the ordering practitioner or another practitioner who is responsible for the care of the patient as soon as practicable pursuant to a hospital policy approved by the medical staff, but no later than 72 hours after the order was given.
- c) Members of the ~~medical staff~~Medical Staff, house staff members or allied health personnel with clinical privileges recommended by the hospital medical staff and granted by the hospital governing board shall give orders for medication and

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treatment only to the licensed, registered or certified professional persons who are authorized by law to administer or dispense the medication or treatment in the course of practicing their identified specific discipline.

- d) The medical directors of the laboratory, radiology or other diagnostic services may respectively authorize the performance of diagnostic tests and procedures at the request of other than members of the medical staff in accordance with policies approved by the medical staff and governing board.
- e) The medical director of the physical therapy or rehabilitation department may authorize the provision of physical therapy or rehabilitation services or treatments at the request of other than members of the medical staff in accordance with policies approved by the medical staff and governing board.

(Source: Amended at 36 Ill. Reg. 17413, effective December 3, 2012)

SUBPART L: RECORDS AND REPORTS

Section 250.1510 Medical Records

- a) Facilities
 - 1) ~~The hospital shall maintain~~ Suitable medical record facilities, with adequate supplies and equipment, ~~shall be maintained by the hospital.~~
 - 2) Medical records shall be stored safely. Medical records ~~shall~~ are to be handled so as to assure safety from water seepage or fire damage and are to be safeguarded from unauthorized use.
- b) Organization
 - 1) Responsible Personnel
 - A) ~~It is recommended that a~~ qualified ~~health information~~ medical record practitioner (registered ~~health information~~ medical record administrator or accredited ~~health information~~ medical record technician) shall be employed ~~or contracted~~ as the director of the medical records department.

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- B) The director of the medical records department shall participate in educational programs relative to health information~~medical record~~ activities, ~~in~~-on-the-job training and orientation of other medical record personnel, and in-service health information~~medical record~~ educational programs. Professional consultation services ~~shall~~should be provided for the health information~~medical record~~ practitioner.
- 2) An adequate, accurate, timely, and complete medical record shall be maintained for each patient. Minimum requirements for medical record content are as follows:
- A) Patient~~patient~~ identification and admission information;
- B) The~~history of the~~ patient as to chief complaints, present illness and pertinent medical~~past~~ history, family history, and social history;
- C) A physical examination report;
- D) Provisional~~provisional~~ diagnosis;
- E) Diagnostic~~diagnostic~~ and therapeutic reports on laboratory test results, x-ray findings, any surgical procedure performed, any pathological examination, any consultation, and any other diagnostic or therapeutic procedure performed;
- F) Orders~~orders~~ and progress notes made by the attending physician and, when applicable, by other members of the medical staff and allied health personnel;
- G) Observation~~observation~~ notes and vital sign charting made by nursing personnel; and
- H) Conclusion~~conclusions~~ as to the primary and any associated diagnoses; brief clinical resume; disposition at discharge, including to include instructions and/or medications; and any autopsy findings on a hospital death.
- 3) For record requirements pertaining to obstetric~~maternity~~ patients and

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newborn infants, see Section 250.1830(hi).

- 4) A committee of the organized medical staff shall be responsible for reviewing medical records to ensure adequate documentation, completeness, promptness, and clinical pertinence.
 - 5) The hospital shall establish requirements~~Requirements~~ for the completion of medical records and for the retention period for medical records ~~shall be established.~~ Definite~~It is recommended that definite~~ policies and procedures pertaining to the use of medical records and the release of medical record information shall be issued, and discharge diagnoses shall be expressed in ~~acceptable~~ terminology of a recognized disease nomenclature.
- c) Authentication of Medical Record Entries
- 1) All entries into the medical record shall be authenticated by the individual who made or authorized the entry. "Authentication," for purposes of this Section, means identification of the author of a medical record entry by that author, and confirmation that the contents are what the author intended, except that telephone orders may be authenticated by the ordering practitioner or another practitioner who is responsible for the care of the patient and who is authorized to write orders pursuant to Section 250.330.
 - 2) Medical record entries shall include all notes, orders or observations made by direct patient care providers and any other individuals required to make ~~thesuch~~ entries in the medical record, and written interpretive reports of diagnostic tests or specific treatments, including, but not limited to, radiologic or electrocardiographic reports, operative reports, reports of pathologic examination of tissue and other similar reports. The medical record may include entries that are transmitted by facsimile machine, provided that the faxed copies are will be maintained on non-thermal paper and that the faxed copies are will be dated and authenticated pursuant to in ~~accordance with~~ hospital policy approved by the medical staff.
 - 3) Written signatures or initials and electronic signatures or computer-generated signature codes are acceptable as authentication. All signatures or initials, whether written, electronic, or computer-generated, shall

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include the initials of the signer's credentials.

- 4) ~~If in order for~~ a hospital ~~uses to employ~~ electronic signatures or computer-generated signature codes for authentication purposes, the hospital's medical staff and ~~governing board shall~~ ~~Board must~~ adopt a policy that permits authentication by electronic or computer-generated signature. The policy shall identify those categories of the medical staff, allied health staff or other personnel within the hospital who are authorized to authenticate patient records using electronic or computer-generated signatures.
- 5) At a minimum, the policy shall include adequate safeguards to ensure confidentiality, including, but not limited to, the following:
 - A) Each user ~~shall~~ ~~must~~ be assigned a unique identifier that is generated through a confidential access code.
 - B) The hospital ~~shall~~ ~~must~~ certify in writing that each identifier is kept strictly confidential. This certification ~~shall~~ ~~must~~ include a commitment to terminate a user's use of a particular identifier if it is found that the identifier has been misused. "Misused" shall mean that the user has allowed another person or persons to use his or her personally assigned identifier, or that the identifier has otherwise been inappropriately used.
 - C) The user ~~shall~~ ~~must~~ certify in writing that he or she is the only person with user access to the identifier and the only person authorized to use the signature code.
 - D) The hospital ~~shall~~ ~~must~~ monitor the use of identifiers periodically and take corrective action as needed. The process by which the hospital will conduct the monitoring shall be described in the policy.
- 6) A system employing the use of electronic signatures or computer-generated signature codes for authentication shall include a verification process to ensure that the content of authenticated entries is accurate. The verification process shall include, at a minimum, the following provisions:

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- A) The system shall require completion of certain designated fields for each type of document before the document may be authenticated, with no blanks, gaps or obvious contradictory statements appearing within those designated fields. The system shall also require that ~~correction or supplementation of~~ previously authenticated entries ~~are corrected or supplemented~~ shall be made by additional entries, separately authenticated and made ~~after subsequent in time to~~ the original entry.
- B) The system ~~shall allow~~ must make an opportunity available to the user to verify that the document is accurate and that the signature has been properly recorded.
- C) The hospital ~~shall~~ must, as part of its quality assurance activities, periodically sample records generated by the system to verify the accuracy and integrity of the system.
- 7) A user may terminate authorization for use of electronic or computer-generated signature upon written notice to the Director of Medical Records or other person designated by the hospital's policy.
- 8) Each report generated by a user ~~shall~~ must be separately authenticated.
- d) Indexing
- 1) A patient index that serves as a key to the location of the medical record of each person who is or has been an inpatient shall be maintained as a perpetual master index, ~~using either a card index or a computer facility~~ system. A daily register of patients admitted to the hospital and babies born in the hospital shall be maintained.
- 2) Medical records shall be classified and indexed according to diagnoses, surgical procedures, and physician, and other indices shall be developed as deemed necessary for the advancement of medical care.
- 3) ~~The It is recommended that the latest edition of the~~ "International Classification of Diseases ~~shall,~~ or an adaptation thereof, be used as the statistical classification for purposes of uniformity and compatability of data between and among hospitals.

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- e) Preservation
- 1) All original medical records or photographs of ~~such~~ records shall be preserved in accordance with Section 6.17 of the Act ~~hospital policy based on American Hospital Association recommendations and legal opinion.~~
 - 2) The hospital shall have a policy for the preservation of patient medical records ~~if in the event of the closure of~~ the hospital closes.

(Source: Amended at 36 Ill. Reg. 17413, effective December 3, 2012)

SUBPART O: OBSTETRIC MATERNITY AND NEONATAL SERVICE**Section 250.1810 Applicability of Other Provisions of this Part ~~other Parts of these regulations~~**

The requirements ~~regulations~~ set forth elsewhere in this Part ~~publication~~ (excluding Subpart P and Subpart Q), shall apply to the operation of obstetric maternity hospitals and to obstetric maternity and neonatal departments of general hospitals.

(Source: Amended at 36 Ill. Reg. 17413, effective December 3, 2012)

Section 250.1820 Obstetric Maternity and Neonatal Service (Perinatal Service)

- a) Chief of Obstetric and Pediatric Services
- 1) ~~Each hospital should have an organized obstetric staff with a chief of obstetric service who is either certified or qualified in obstetrics or a physician who is interested in and regularly practicing obstetrics as chief of the maternity service, and document a source for obstetric consultation available on a 24-hour basis. The chief's level of qualification and expertise is to be appropriate to level of care rendered in the facility.~~
 - 2) ~~The chief's responsibilities shall include:~~
 - A) ~~the general supervision of the care of the perinatal patients assigned to the unit;~~

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- B) ~~the establishment of criteria for admissions;~~
- C) ~~the adherence to licensing requirements;~~
- D) ~~the adoption by the medical staff of standards of practice and privileges;~~
- E) ~~the identification of clinical conditions and procedures requiring consultation;~~
- F) ~~the arrangement of conferences held at regular intervals (quarterly is suggested as a minimum interval) to review operations, complications, and mortality;~~
- G) ~~assurance that the clinical records, consultations and reports are properly completed and analyzed;~~
- H) ~~the provision for exchange of information between medical, administrative and nursing staffs.~~

- 3) ~~Each hospital should have an organized pediatric staff with a chief of service who is either certified or qualified in pediatrics or a physician who is interested in and regularly practicing neonatology as chief of the neonatology service and a source for neonatology consultation available on a 24-hour basis. This physician's responsibilities shall include subsections (a)(2)(A) through (H) of this Section, as relates to the care of newborn infants.~~

a)b) Provision of Care

- 1) All hospitals ~~licensed described or considered~~ as general hospitals by the ~~Illinois Department of Public Health~~ shall provide for the admission, medical care, transfer or discharge of obstetric and neonatal patients.
- 2) No hospital shall fail to provide such care without the ~~expressed~~ written consent of the Director ~~or the Director's designee of the Illinois Department of Public Health.~~

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- 3) Each ~~licensed~~ hospital providing ~~maternity and~~ perinatal services shall comply with the perinatal care standards ~~in promulgated by the Department (Regionalized Perinatal Health Care Code, 77 Ill. Adm. Code 640).~~

~~b)~~e) Location

- 1) ~~Obstetric Maternity~~ and neonatal services shall be located and arranged to provide maximum protection for ~~obstetric mothers~~ and neonatal patients from infection and cross-infection from ~~one another~~, patients in other services of the hospital ~~and staff and visitors~~.
- 2) ~~Obstetric Hospital maternity~~ and neonatal facilities shall be located in the hospital so as to prevent through traffic to any other part of the hospital.

~~c)~~d) Adequacy of Services

- ~~1)~~ The hospital shall have well-organized ~~obstetric maternity~~ and neonatal services ~~that are~~ adequately supervised by qualified personnel ~~and~~ with the necessary space, facilities, equipment and personnel to ~~provide~~ ~~obstetric perform or make available maternity~~ and neonatal services ~~in compliance with commensurate with the hospital's designated level of care pursuant to the Regionalized Perinatal Health Care Code needs of the population in the hospital service area.~~
- 2) ~~Total live births generated by the hospital service area will determine the size of the postpartum nursing unit (number of rooms and beds), which in turn will be related to space allotments for delivery rooms, nurseries and other facilities. The size of the unit will affect medical and nursing care plans for the maternity and neonatal service.~~

~~d)~~e) ~~Obstetric Maternity~~ and Neonatal Service Plan

- 1) Hospitals providing ~~obstetric maternity~~ and neonatal services ~~shall~~ ~~must~~ develop a plan for the management of the obstetric and neonatal patients that meets the requirements of this Subpart ~~and the requirements of the Regionalized Perinatal Health Care Code applicable to the hospital's level of care, as designated by the Department~~. The plan ~~shall~~ ~~must~~ be developed by the nursing department and medical staff and ~~shall~~ ~~must~~ be approved by the governing authority of the hospital.

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- 2) The hospital's written ObstetricMaternity and Neonatal Service Plan and level of care shall be known to medical staff and nursing personnel ~~and more specifically~~ to obstetricmaternity and nursery personnel. A copy of the Plan shall be available in each obstetricmaternity and nursery unit and in every relevant hospital service area; the Plan ~~shall~~must be reviewed at least every ~~three~~two years and revised as indicated by the review.

~~e)f)~~ Levels of Care

- 1) Care shall be provided to obstetricMaternity and neonatal patients ~~should be identified~~ according to the following levels level of specialized care as defined in the Regionalized Perinatal Health Care Code: required.
- A) Non-Birthing Center hospitals do not provide perinatal services, but have a functioning emergency department. A letter of agreement shall delineate, but is not limited to, guidelines for transfer/transport of perinatal patients who are transferred to an appropriate perinatal care hospital in accordance with the non-birthing center hospital's letter of agreement with an Administrative Perinatal Center.
- BA) Level I hospitals provide care to low-risk pregnant women and newborns, operate general care nurseries and do not operate a Neonatal Intensive Care Unit (NICU) or a Special Care Nursery (SCN).or Primary Perinatal Care means the minimal level of care provided to the healthy or low-risk patient.
- CB) Level II hospitals provide care to women and newborns at moderate risk, operate intermediate care nurseries and do not operate a NICU or an SCN.or intermediate perinatal care means the level of care provided to a mother, fetus or newborn infant that is less than tertiary or the greatest degree of intensive care but that is a greater degree of intensity than normal or general care.
- D) Level II hospitals with Extended Neonatal Capabilities (IIE) provide care to women and newborns at moderate risk and do operate an SCN but do not operate a NICU.

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~~E)C)~~ Level III hospitals care for patients requiring increasingly complex care, operate a NICU, and provide ~~or intensive perinatal care means the level of care providing close medical and surgical coordination,~~ multidisciplinary consultation and supervision ~~for~~ provided to those patients with medical and surgical problems that require highly specialized treatment and highly trained personnel.

2) Service Management Plan

A) A service management plan ~~shall~~ must be provided for ~~all the primary, intermediate and intensive~~ levels of care for all patients. The plan ~~shall~~ must provide for consultation services and ~~shall~~ establish the ~~availability of such~~ services ~~for to stimulate~~ early diagnosis of ~~obstetric, maternal,~~ fetal and neonatal problems. The plan shall include an infection control risk assessment and policy and procedures if the hospital allows water births. Hospitals that are not designated ~~Services unable~~ to provide all ~~three~~ levels of care ~~shall of patients must~~ maintain plans for the safe transfer ~~of certain categories~~ of patients who require a higher level of care to hospitals with more specialized facilities, services and personnel, pursuant to the Regionalized Perinatal Health Care Code.

B) When the condition permits, a patient may be transferred from the ~~Level III tertiary care~~ facility to a Level II ~~an intermediate care~~ facility that is nearest the family residence or another facility that can provide the appropriate level of care, in accordance with the Regionalized Perinatal Health Care Code. ~~A neonatal patient should be transferred to a nursery nearest the family's home that is able to provide an appropriate level of care.~~

~~f)g)~~ Infection Control

1) The hospital shall follow procedures approved by the hospital's infection control committee, including procedures for the isolation of known or suspected cases of infectious disease in the obstetric and neonatal departments.

2) The hospital shall establish policies and procedures for infection control in the obstetric and neonatal departments that are consistent with the

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Guidelines for Perinatal Care; Section 250.1100 of this Part; the Control of Tuberculosis Code; and the recommendations in the American Academy of Pediatrics Red Book, Report of the Committee on Infectious Diseases.

- 1) ~~The facility shall establish policies and procedures that include the use of universal precautions and address isolation techniques and facilities. The policies and procedures must be well known to all personnel performing services in the maternity and newborn service areas. A copy of the procedures must be placed in each maternity and nursery unit and in relevant hospital service areas.~~
 - A) ~~There must be a continuing program of instruction for all personnel on the mode of spread of infection.~~
 - B) ~~The policies and procedures relative to the criteria for isolation and aseptic techniques must be enforced.~~
- 3)2) The policy for infection control in the obstetric and neonatal departments shall include, but not be limited to, the following Infection Control Requirements:
 - A) ~~Professional and ancillary maternity and nursery personnel who have contact with patients shall be free of transmissible disease.~~
 - A)B) Health assessment of personnel shall:
 - i) ~~Health assessment of nursery personnel shall be performed at a frequency determined by the Infection Control Committee and shall include screening for tuberculosis in accordance with Section 690.720 of the Control of Communicable Diseases Code (77 Ill. Adm. Code 690).~~
 - i)ii) Show evidence of prior rubella infection or rubella vaccination and comply with the health assessment and immunization requirements of Section 250.450 (Personnel Health Requirements). Health care personnel in obstetric and neonatal services shall comply with any additional requirements for health and immunizations,

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pursuant to the hospital's policies and procedures for infection control in the obstetric department; shall be required of nursery personnel.

- ~~E)~~ Except that hair must be properly covered or controlled, caps, beard bags, and masks are not needed for routine nursery activities. Caps, beard bags and masks are required in the delivery room, and for surgical procedures including umbilical vessel catheterization.
- ~~D)ii)~~ Wash hands~~Handwashing~~ to the elbows with an antiseptic agent ~~using~~by a procedure developed and posted by the ~~infection control committee~~Infection Control Committee is ~~required~~ before entering the nursery at the beginning of a shift, and before handling infants for the first time, and between patients. Hands shall be washed before and after touching each infant and after touching any object. Fingernails shall be kept short. Artificial fingernails or anything other than clear polish is not acceptable;
- ~~E)iii)~~ Remove all~~All~~ rings, watches and bracelets ~~shall be removed before~~ hand washing~~handwashing~~ and entering the nursery.
- ~~B)F)~~ The ~~hospital's infection control committee~~facility's Infection Control Committee shall establish a dress code for ~~full and part-time~~ employees and visitors in compliance with the "Guidelines for Perinatal Care."
- ~~G)~~ ~~In the normal care nursery, infants with suspected infections are moved to a transition nursery for observation.~~
- ~~H)~~ ~~Individual isolation technique is applied to the infected or potentially infected maternity or newborn infant. A closed isolette does not constitute isolation, nor is it a part of isolation technique.~~
- ~~C)H)~~ An infected newborn shall be placed in an isolation room with separate scrub facilities if the following conditions are not met in the newborn nursery (see Section 250.2440(h) for additional requirements):~~Movement of an infected newborn to a separate~~

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~~isolation room is not necessary if there is~~

- i) ~~Adequate~~Adequate nursing and medical staff for unhurried movement between patients; ~~and~~
- ii) ~~Adequate~~Adequate time for thorough hand washing; ~~handwashing~~ between patients and gowning;
- iii) ~~Sufficient~~Sufficient space (~~4 to 6~~four to six feet) for easy movement between patients so that staff will not ~~and to remove temptation to~~ move from one patient to another without hand washing; ~~handwashing~~.
- iv) ~~A~~A continuing program of instruction for all nursery personnel on the mode of spread of infections; ~~and~~
- v) ~~At least if there are~~At least two sinks for each nursery room. ~~If these conditions are not met, an isolation room with separate scrub facilities is necessary for the infected patient. See Section 250.2440(h) for additional requirements.~~

~~D)F)~~ The hospital shall develop infection control guidelines consistent with the Guidelines for Perinatal Care for infants ~~Infants~~ born outside the hospital, other than transfers, or under conditions not aseptic, or born of mothers with membranes ruptured 24 hours or more, or born of mothers suspected of harboring infectious disease, ~~shall be cared for in the mother's private room, an observation or transition room, or in the primary care area~~ with careful attention to proper aseptic technique of attending personnel and to conditions described in subsection ~~(f)(3)(C)(g)(2)(f)~~ of this Section.

~~E)K)~~ Infection control for the obstetric department shall include procedures for ~~The physician in charge and the nursing supervisor with the Infection Control Committee should establish a program of disinfection~~ of patient areas. ~~Clear descriptions of cleaning and disinfection methods should be incorporated into the patient care procedures manual. Incubators and bassinets are to be~~

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~~disinfected upon an infant's discharge, and other nursery and delivery equipment cleaned and sterilized by specific procedures consistent with Guidelines for Perinatal Care recommendations of the American Academy of Pediatrics, American College of Obstetrics and Gynecology and outlined in the unit's procedures manual.~~

- F) Policies and procedures for water births shall include an infection control risk assessment by the hospital's infection control committee to identify potential sources of infection for the mother and infant and recommendations for mitigating infections during water deliveries. The policies and procedures shall be provided to the Department, upon request.

g)h) Combined Facilities

- 1) Obstetric and clean gynecologic service facilities may be combined in accordance with a plan that complies with the requirements of this Subpart. The combined service program, its functional operations and detailed ~~requirements shall~~rules and regulations must be approved by the ~~hospital obstetric and newborn service, medical staff and governing authority~~Hospital Maternity and Newborn Service, Medical Staff and Governing Authority.
- 2) In combined programs, ~~caesarean~~Cesarean section and obstetrically related surgery, other than vaginal delivery, ~~shall~~may be carried out in a designated and approved operating or delivery room. In combined programs, vaginal deliveries ~~shall~~may be carried out only in designated and approved delivery rooms or designated and approved operating rooms used solely for obstetric and/or clean gynecologic procedures.
- 3) Gynecologic service and ~~obstetric~~maternity service may be provided ~~for~~ in a combined ~~Obstetric~~Maternity and Gynecologic Service, or clean gynecologic cases may be admitted to the postpartum nursing unit of ~~an obstetrica~~maternity service in accordance with the hospital's Obstetric and Neonatal~~Maternity~~ Service Plan.
- 4) Only members of the medical staff with appropriate privileges may admit and care for patients in ~~such~~ combined service areas. Admission

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~~shall~~Such admissions ~~must~~ be strictly controlled and be subject to the final authority delineated in the medical staff bylaws and approved by the hospital governing authority. ~~The~~There shall be close surveillance of the services ~~by the~~ hospital's infection control committee shall provide close surveillance of the services.

- 5) Patients admitted to combined service facilities of hospitals with approved programs shall be limited to:
 - A) Obstetric patients admitted for delivery;
 - B) Clean obstetric complications (regardless of month of gestation); and. Refer to Section 250.1830(g)(2).
 - ~~C) Other noninfectious complications of pregnancy.~~
 - C)D) Selected clean gynecologic patients.
- 6) A gynecologic and obstetric patient's eligibility for admission shall comply with the hospital's infection control policy. ~~Patients not eligible for admission include those:~~
 - A) ~~with an active, acute or chronic infectious condition;~~
 - B) ~~patients housed on other services of the hospital;~~
 - C) ~~requiring radium or radiation isotope therapy, excluding external radiation therapy.~~
- 7) ~~On~~There shall, ~~on~~ a daily basis, ~~be~~ unoccupied reserve beds in the combined facilities shall be ready in readiness for use by obstetric patients, pursuant to hospital policy. ~~This unoccupied reserve shall be not less than 10% of the average daily census for obstetric patients.~~
- 8) Patients admitted to the combined services may be taken to x-ray or other hospital facilities for diagnostic procedures, if the before or after surgery, so long as there is no evidence that such procedures do not pose an infection risk or other hazard ~~may be hazardous~~ to the patient or to other patients on the combined service.

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- 9) Patients may receive postpartum or immediate postoperative care in the general recovery room prior to being returned to the combined service floor if the following conditions ~~exist~~prevail (refer to Section 250.1320(a)):
- A) The recovery room or intensive care unit is a separate unit adjacent to or part of the general surgical operating suite and ~~or~~ delivery suite;-
 - B) The recovery room or intensive care unit contains no patients with known or suspected infectious or communicable disease or other adverse conditions;-
 - C) The recovery room is under the direct supervision of the anesthesia service (see Section 250.1410); and chairman of anesthesiology of the hospital. ~~In separate maternity recovery rooms such supervision is provided by the obstetrician in charge or a qualified designated physician.~~
 - D) Health care professionals providing care to post-surgical obstetric or gynecologic patients in a separate recovery room have training consistent with that required for health care professionals providing care in the general recovery room.
- 10) Nursing care of all patients shall be supervised by a registered ~~professional~~ nurse qualified to provide ~~such~~ supervision.
- 11) Nursing care of all patients may be ~~provided~~given by the same personnel.
- 12) Visiting regulations for obstetric patients shall apply to all patients admitted to the combined facilities: ~~(refer~~Refer to Section 250.1830(k)).

h) i) Activity Records

- 1) The hospital shall establish and keep ~~the necessary~~ daily records, including a Patient Log and the ~~Obstetric~~Maternity Services Daily Census Report, from which required reports can be prepared.

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- 2) The Patient Log shall contain, at a minimum, the following data on each patient admitted to the department other than obstetricmaternity patients:
- A) Name of patient or hospital patient number;
 - B) Age;
 - C) Attending physician's name;
 - D) Date of admission;
 - E) Admitting diagnosis;
 - F) Operative procedure;
 - G) Discharge diagnosis;
 - H) Date of discharge;
 - I) Days stay;
 - J) Transferred off floor
Yes ___ Date _____; No ___ ; and
 - K) Reason for transfer.
- 3) An ObstetricA-Maternity Service Daily Census Report shall be kept, that, which for each day of the month, gives the patient census (at the census-taking hour) of:
- A) obstetric patients, including patients with clean obstetric complications;
 - B) gynecologic patients;
 - C) empty beds in the department; and
 - D) total patients.

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- 4) The hospital shall submit required reports pursuant to the Regionalized Perinatal Health Care Code, including a supplement to its monthly Perinatal Activities Report to the Department. The report form shall be provided by the Department. Refer to Section 250.1830(i)(1).

(Source: Amended at 36 Ill. Reg. 17413, effective December 3, 2012)

Section 250.1830 General Requirements for All Obstetric ~~Maternity~~ Departments

- a) The temperature and humidity in the nurseries and in the delivery suite shall be maintained at a level best suited for the protection of mothers and infants ~~mother and baby as determined by the responsible people in the maternity department and~~ as recommended by the Guidelines for Perinatal Care ~~American Academy of Pediatrics and ACOG~~. Chilling of the neonate shall be avoided; a non-stable ~~the~~ neonate shall, immediately after birth, be ~~immediately~~ placed in an approved radiant heat source that is ready to receive the infant and that allows access for resuscitation efforts. The radiant heat source shall comply with the recommendations of the Guidelines for Perinatal Care. When the neonate has been stabilized, if the mother wishes to hold her newborn, a radiant heater or pre-warmed blankets shall be available to keep the neonate warm. Stable infants shall be placed, and remain, in direct skin-to-skin contact with their mother immediately after delivery to optimally support infant breastfeeding and to promote mother/infant bonding. Personnel shall be available who are trained to use the equipment to maintain a neutral thermal environment for the neonate ~~shall be available~~. For general temperature and humidity requirements, see Section 250.2480(d)(1). In general, a temperature between 72 degrees and 76 degrees and relative humidity between 35% and 60% are acceptable.
- b) Linens and Laundry: Linens shall be cleaned and disinfected in compliance with the Guidelines for Perinatal Care.
- 1) Nursery linens shall be washed separately from other hospital linens.
 - 2) ~~Soiled linens shall be discarded into impervious plastic bags placed in hampers that are easy to clean and disinfect. Chutes from nursery to laundry shall be used only if a system of negative air pressure exists.~~
 - 3) ~~Plastic bags of soiled diapers (reusable or disposable) and other linens~~

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~~shall be sealed and removed from the nursery at least every eight hours.~~

- 4) ~~Linens shall be transported to the nursery in an enclosed unit or otherwise protected from contamination.~~
- 2)5) ~~No new unlaundered garments shall be used in the nursery. Linen used in observation and special care nurseries shall be autoclaved.~~
- c) Sterilizing equipment, as required in Section 250.1090, shall be available. Sterilizing equipment This may be provided in the obstetricmaternity department or in a central sterilizing unit, provided that flash sterilizing equipment or adequate sterile supplies and instruments are provided in the obstetricmaternity department.
- d) Accommodations and facilities for obstetric patients~~mothers~~
 - 1) The hospital shall identify specific rooms and beds, adjacent when possible to other obstetricmaternity facilities, as obstetricmaternity rooms and beds. These rooms and beds shall be used exclusively for obstetricmaternity patients or for combined obstetricmaternity and clean gynecological service beds in accordance with Section 250.1820(~~gh~~).
 - 2) ~~Patient~~Whenever feasible, adjacent patient rooms and beds that are adjacent to another nursing unit may be used for clean cases as part of the adjacent nursing unit. may be used as "swing beds" to be made a part of another nursing unit. ~~Adjacent rooms and beds may be used for clean cases.~~ A corridor partition with doors is recommended to provide a separation between the obstetricmaternity beds and ~~maternity~~ facilities and the non-obstetricnonmaternity rooms. The doors shall be kept closed except when in active use as a passageway.
 - 3) Facilities shall be available for the immediate isolation of all patients in whom an infectious condition ~~or other conditions~~ inimical to the safety of other obstetricmaternity and neonatal patients ~~existare thought to exist~~.
 - 4) ~~It is preferred that labor rooms be private or two bed rooms.~~ Labor rooms shall be convenient~~conveniently located with reference~~ to the delivery rooms and shall have facilities for examination and preparation of patients. Each room used for labor, delivery and postpartum (see Section 250.1870)

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shall include a bathroom equipped with a toilet and a shower. The bathroom also shall include a sink, unless a sink is located in the patient room. The bathroom shall be directly accessible from the patient room without going through the corridor.

- 5) Delivery rooms shall be equipped and staffed to provide emergency resuscitation for infants pursuant to the recommendation of the American Academy of Pediatrics and ACOG and shall comply with the American Academy of Pediatrics/American Health Association's American Heart Association (AHA) Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiovascular Care (ECC) of Pediatric and Neonatal Patients: Neonatal Resuscitation Guidelines. ~~Equipment shall include an infant size positive pressure bag with capability of 100% O₂ delivery; bag and mask with attachment for oxygen; laryngoscope with 0- and 1-size blades; endotracheal tubes sizes 2.5, 3.0, and 3.5 millimeters or equivalent; oral airways; and an appropriate device to provide a source of continuous suction for aspiration of the pharynx and stomach. An umbilical vessel catheterization tray shall be available. Only personnel qualified and trained to do so shall use this equipment.~~
 - 6) If only one delivery room is available and in use~~required~~, one labor room shall be arranged as an emergency delivery room and shall have a minimum clear floor area of 180 square feet.
 - 7) ~~A recovery room is recommended.~~ The patient shall be kept under close observation until her condition is stabilized following delivery. Observations at established time intervals shall be recorded in a part of the patient's medical record chart. A recovery area shall be provided. Emergency equipment and supplies shall be available for use in the recovery area. ~~Continuing education for personnel providing recovery room care shall be provided. Refer to Section 250.1410(g).~~
- e) Accommodations and facilities for infants
- 1) Level I nurseries~~Primary Care Nurseries~~:
 - A) A clean nursery or nurseries shall be provided, near the mothers' rooms, with adequate lighting and ventilation. ~~There shall be a~~ minimum of 30 square feet of floor area for each bassinet and 3

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feet between bassinets shall be provided. Equipment shall be provided to prevent direct draft on the infants. ~~Individual~~Because one nursing staff person is required for every six to eight normal infants, individual nursery rooms shall have a capacity of six to eight neonates or 12 to 16 neonates. The normal newborn infant care area in a smaller hospital shall limit room size to eight neonates, with a minimum of so that two ~~or more~~ rooms ~~are~~ available to permit cohorting in the presence of infection.

- B) Bassinets equipped to provide for the medical examination of the newborn infant and for the storage of necessary supplies and equipment shall be provided in a number to exceed obstetric beds by at least 20% to accommodate multiple births, extended stay, and fluctuating patient loads. Bassinets shall be separated by a minimum of 3 feet, measuring from the edge of one bassinet to the edge of the adjacent one.
- C) A glass observation window shall be provided through which infants~~babies~~ may be viewed.
- D) Resuscitation equipment as described in subsection (e)(1)(E)(iii) for the delivery suite and below, and personnel trained to use it, shall be available in the nursery at all times.
- E) Each ~~primary care~~ nursery shall have necessary equipment immediately available on hand ~~equipment necessary~~ to stabilize the sick infant prior to transfer. Equipment~~Such equipment~~ shall consist of:
- i) A heat source capable of maintaining the core temperature of even the smallest infant at 98 degrees (an incubator, or preferably a radiant heat source);
 - ii) Equipment with the ability to monitor bedside blood sugar frequently ~~(Dextrostix)~~;
 - iii) A resuscitation tray containing equipment pursuant to the American Heart Association (AHA) Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency

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Cardiovascular Care (ECC) of Pediatric and Neonatal Patients: Neonatal Resuscitation Guidelines at least a laryngoscope, 0- and 1-size blades, endotracheal tubes of various neonatal sizes, infant size positive pressure bag and appropriate sized masks, gavage tubes, and an umbilical vessel catheterization tray; and

- iv) Equipment for delivery of 100% oxygen concentration, and the ability to measure delivered oxygen in fractional inspired concentrations (FI O₂) pursuant to AAP recommendations. The oxygen analyzer shall be calibrated and serviced according to the manufacturer's instructions at least monthly by the hospital's respiratory therapy department or other responsible personnel trained to perform the task.
- F) Consultation and Referral Protocols shall comply with the Regionalized Perinatal Health Care Code.:
- i) ~~Each primary care nursery shall have a clearly designated Level II or Level III nursery to which it refers patients and from which it seeks consultation and advice. The telephone number of the Level II or Level III nursery and the name of the nursery director shall be posted in the nursery. A log of communication between the general nursery and the referral nursery shall be maintained by the head nurse of the general nursery.~~
 - ii) ~~Protocols for management of certain disease states, and for consultation and referral shall be developed by the nursery director in conjunction with the director of the Level II or Level III unit to which referrals are sent.~~
 - iii) ~~These protocols shall spell out details for local management of disease states and specific transfer criteria. These protocols shall be maintained in the nursery.~~
- 2) Level II and Level III nurseries ~~Intermediate and Intensive Care Nurseries~~ shall comply with the Regionalized Perinatal Health Care Code.

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~~Cribs meet all of the conditions described above except that infant cribs shall be separated by 4 to 6 feet of space to allow for ease of movement of additional personnel, and to allow space for additional equipment used in care of infants in these areas. New buildings or additions or material alterations to existing buildings that affect the Level II with Extended Neonatal Capabilities nursery shall provide at least 70 square feet of space for each infant. There shall be 80 to 100 square feet of space for each infant cared for in the Level III or Intensive Care area.~~

- 3) A Level III nursery shall be 80 to 100 square feet of space for each infant.
 - 4)3) Facilities shall be available for the immediate isolation of all newborn infants who have or are suspected of having an infectious disease.
 - 5)4) When an infectious condition exists or is suspected of existing~~is thought to exist~~, the infant shall be isolated in accordance with policies and procedures established and approved by the hospital and consistent with recommended procedures of the Guidelines for Perinatal Care~~ACOG, AAP,~~ and the Control of Communicable Diseases Code.
- f) The personnel requirements and recommendations set forth in Subpart D apply to the operation of the obstetric maternity department, in addition to the following:
- 1) Each hospital shall have a staffing plan for nursing personnel providing care for obstetric and neonatal patients. The registered nursing components of the plan shall comply with Section 250.1130 of this Part, with requirements for the level of perinatal care, as designated in accordance with the Regionalized Perinatal Health Care Code, the Guidelines for Perinatal Care, the National Association of Neonatal Nurses' (NANN) Position Statement #3009 Minimum RN Staffing in NICUs, and the following parameters~~Nursing Staff—General Requirements:~~
 - A) Nursing supervision by a registered ~~professional~~ nurse shall be provided for the entire 24-hour period for each occupied unit of the obstetric maternity and neonatal services. This nurse shall have education and experience in obstetric maternity and/or neonatal nursing.

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- B) At least one ~~registered nurse~~~~maternity or neonatal nurse~~ trained in ~~obstetric~~~~maternity~~ and nursery care shall be assigned to the care of mothers and infants at all times. To prepare for an unexpected delivery~~When infants are present in the nursery~~, at least one ~~registered nurse or LPN~~~~person~~ trained to give care to ~~the~~ newborn infants shall be assigned at all times to the nursery with duties restricted to the care of the infants. Infants shall never be left unattended.
- C) A registered ~~professional~~ nurse shall be in attendance at all deliveries, and ~~shall~~~~must~~ be available to monitor the mother's general condition and that of the fetus during labor, ~~and~~ for at least two hours after delivery, and longer if complications occur.
- D) Nursing personnel providing care for obstetric and other patients shall be instructed on a continuing basis in the proper technique to prevent cross-infection. When it is necessary for the same nurse to care for both ~~obstetric~~~~maternity~~ and ~~non-obstetric~~~~nonmaternity~~ patients in the gynecologic unit, proper technique shall be followed.
- E) Obstetric and neonatal department nurses providing input to the hospital's nursing care committee pursuant to Section 250.1130 of this Part shall, prior to proposing their recommendations for the hospital's written staffing plan, consider the staffing standards listed in subsection (f)(1) of this Section.~~Nursing personnel are permitted to be assigned to the maternity neonatal division only for an entire shift.~~
- F) Temporary relief from outside the ~~obstetric and~~~~maternity~~ neonatal division by qualified personnel shall be permitted as necessary according to appropriate infection control policy.
- 2) Nursing ~~staff~~~~Staff~~ – Level I ~~requirements~~~~or Primary Care~~ for occupied units. These units shall meet the following requirements in addition to General Care Requirements in Section 250.1830(f)(1).
- A) At least two nursing personnel shall be assigned per shift. One shall be a registered nurse and one shall be a registered nurse or an

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~~LPN, Labor and Delivery Unit Staffing shall be planned to ensure that the total nursing personnel on each shift is equal to one half the average number of deliveries per 24 hours. At least half of the personnel on each shift shall be R.N.s, and at no time shall the nursing staff on any shift be fewer than two. The nursing staff of the labor and post delivery recovery area shall not have other responsibilities in the labor/delivery suite except for emergencies.~~

~~B) Postpartum and General Care Newborn Unit:~~

- ~~i) If these units are organized as separate nursing units, staffing shall be based on a formula of one nursing personnel per six to eight patients and shall ensure one R.N. per unit per shift.~~
- ~~ii) If the units are combined as a rooming in or modified rooming in unit, the nursing staff shall be planned to provide one nursing personnel per four mother baby units and shall never be staffed at fewer than two nursing personnel per shift. One shall be an R.N.~~

~~B)C) The capability to provide neonatal resuscitation in the delivery room shall be demonstrated by the current completion of a nationally recognized neonatal resuscitation program by medical, nursing and respiratory care staff or a hospital rapid response team, in accordance with the requirements of the Regionalized Perinatal Health Care Code. At least one member of the nursing staff on each shift, who is skilled in cardiopulmonary resuscitation of the newborn, shall be immediately available to the delivery suite and newborn nursery area.~~

~~C) Hospitals shall have the capability for continuous electronic maternal-fetal monitoring for patients, with staff available 24 hours a day, including physician and nursing, who are knowledgeable of electronic maternal-fetal monitoring use and interpretation. Physicians and nurses shall complete a competence assessment in electronic maternal-fetal monitoring every two years, in accordance with the Regionalized Perinatal Health Care Code.~~

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- ~~D) Changes in medical staff regulations, where applicable, shall be provided to permit the perinatal medicine service to fully utilize the services of specially trained paramedical and nursing personnel where these personnel are needed and/or desired.~~
- 3) Nursing staff~~Staff~~ – Level II Intermediate Perinatal Care~~requirements for occupied units~~Requirements. These units shall meet the following requirements for Level I in subsection (f)(2)~~in addition to General Care Requirements in Section 250.1830(f)(1)~~. Nursery personnel may be shared with the Level I nursery as needed.
- 4) Nursing staff – Level II with Extended Neonatal Capabilitiesrequirements for occupied units. In addition to the requirements in subsection (f)(3), the obstetric-newborn nursing services shall be directed by a full-time registered nurse experienced in perinatal nursing. Preference shall be given to registered nurses with a master's degree.
- A) ~~Labor and delivery shall include at least one registered professional nurse on each shift who must be competent in the use of continuous electronic fetal monitoring techniques.~~
- B) ~~Intermediate Care Nursery:~~
- i) ~~A staffing ratio of one licensed nursing personnel per three or four infants shall be available.~~
- ii) ~~Nursing personnel may be shared with the general care nursery as needed.~~
- iii) ~~There shall never be fewer than two licensed nursing personnel available in the general and intermediate care nurseries, at least one of whom is an R.N.~~
- 5)4) Nursing staff~~Staff~~ – Level III requirements for occupied units~~Tertiary Perinatal Care~~. These units shall meet the following requirements in addition to requirements~~Intermediate Care Requirements~~ in subsection (f)(3). Half of all neonatal intensive care direct nursing care hours shall be provided by registered nurses who have two years or more of nursing experience in a Level III NICU. All neonatal intensive care direct nursing

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care hours shall be provided or supervised by registered nurses who have advanced neonatal intensive care training and documented competence in neonatal pathophysiology and care technologies used in the NICU.

- A) ~~Staffing patterns on each shift shall be such that a 1:1 ratio between patients who require intensive care during labor and delivery and a registered professional nurse who is competent, by virtue of training and/or experience, in the care of high risk obstetric patients can be maintained as necessary. A ratio of at least one registered professional nurse to 1½ patients shall be maintained at all times.~~
- B) ~~Neonatal intensive care nursing on a 1:1 basis shall be available as indicated. A ratio of at least one registered professional nurse to 1½ patients shall be maintained at all times.~~

6)5) ~~Medical personnel~~ Personnel

- A) Each hospital providing obstetric services shall have an organized obstetric staff with a chief of obstetric service. The chief's level of qualification and expertise shall be appropriate to the hospital's designated level of care. The responsibilities of the chief of obstetric services shall include the following requirements, as they relate to the care of obstetric patients:
- i) General supervision of the care of the perinatal patients assigned to the unit;
 - ii) Establishment of criteria for admissions;
 - iii) Adherence to licensing requirements;
 - iv) Adoption, by the medical staff, of standards of practice and privileges;
 - v) Identification of clinical conditions and procedures requiring consultation;

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- vi) Arrangement of conferences, held at least quarterly, to review operations, complications and mortality;
 - vii) Assurance that the clinical records, consultations and reports are properly completed and analyzed; and
 - viii) Provision for exchange of information between medical, administrative and nursing staffs.
- B) Each hospital providing pediatric services shall have an organized pediatric staff with a chief of pediatric service. The chief's level of qualification and expertise shall be appropriate to the hospital's designated level of care. The responsibilities of the chief of pediatric services shall include those listed in subsection (f)(6)(A) of this Section, as they relate to the care of newborn infants.
- C)A) Level I shall comply with the Regionalized Perinatal Health Care Code or Primary Care:
- i) One physician shall be Chief of ~~Obstetrical~~ Neonatal Care. He or she shall be a board certified or board qualified ~~obstetric~~ pediatrician. ~~If~~ Where this is not possible, a physician with experience and regular practice may be the Chief and be responsible for ~~obstetrical~~ neonatal care and available on a 24-hour basis, and a source of pediatric and/or neonatology consultation shall be documented when indicated.
 - ii) One physician shall be Chief of Pediatric Service. He or she shall ~~The director of obstetrical service shall~~ be a board certified or board qualified pediatrician ~~obstetrician~~. ~~If~~ Where this is not possible, a physician with experience and regular practice may be the Chief and be responsible for pediatric ~~obstetric~~ care and available on a 24-hour basis, and a source of neonatology ~~obstetric~~ consultation shall be documented when indicated.
- D)B) Level II shall comply with the Regionalized Perinatal Health Care Code or Intermediate Care:

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- i) A board certified ~~obstetrician~~pediatrician with special interest and training in neonatal/perinatal medicine or a certified neonatologist shall be Chief of ~~Obstetrical~~Neonatal Care. A board certified ~~pediatrician~~obstetrician shall be Chief of ~~Neonatal~~Obstetrical Care. Obstetrical anesthesia shall be directed by a board certified anesthesiologist with experience and competence in obstetrical anesthesia. Hospital staff shall also include a pathologist and an "on call" radiologist 24 hours a day. Specialized medical and surgical consultation shall be readily available.
 - ii) ~~Other staff: Laboratory and X-ray technicians in the hospital shall be readily available at all times. In addition, a respiratory therapist may be part of the staff.~~
- E) Level II With Extended Neonatal Capabilities: Staffing shall comply with the Regionalized Perinatal Health Care Code.
- F) ~~C) Level III or Intensive Care: Staffing shall comply with the Regionalized Perinatal Health Care Code.~~
- i) ~~The Chief of Neonatal Pediatrics shall be eligible for certification by the American Board of Pediatrics' subspecialty board of neonatal/perinatal medicine, and is responsible for care in intensive care areas. Only physicians eligible for certification in neonatal/perinatal medicine shall be responsible for care of infants in the Intensive Care area, but other physicians shall be encouraged to participate. The Chief shall be full time with the hospital service. There shall be sufficient number of qualified or certified neonatologists to assure availability of such care at all times. The chief of obstetric/perinatal service at the Level III facility shall be a board certified obstetrician and preferably certified in fetal/maternal medicine.~~
 - ii) ~~Pediatric medical and surgical subspecialists shall be~~

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~~available for consultation. An anesthesiologist with special training in maternal fetal and neonatal anesthesia shall be in charge of anesthesia services. A pathologist and radiologist with experience in interpretation of radiographs of neonatal patients shall be members of the hospital staff.~~

6) ~~Nutritionist Staff:~~

A) ~~For Level II units, a registered dietitian with professional experience and/or course work that relates to perinatal maternal and newborn dietary management shall be available.~~

B) ~~For Level III units, a registered dietitian with professional experience and/or course work that relates to perinatal maternal and newborn dietary management shall be available.~~

g) Practices and procedures for care of mothers and infants:

1) The hospital shall follow procedures approved by the infection control committee for the isolation of known or suspected cases of infectious disease in the obstetric department.~~effect all necessary precautionary measures against the admission to the maternity department of actual or suspected infectious patients.~~

2) Patients with clean obstetric complications (regardless of month of gestation), such as pregnancy-induced hypertension~~toxemia of pregnancy~~ for observation and treatment, placenta previa~~praevia~~ for observation or delivery, ectopic pregnancy, and hypertensive heart disease in a pregnant patient, may be admitted to the obstetric~~maternity~~ department and be subject to~~under~~ the same requirements~~rules~~ as any other obstetric~~maternity~~ case. (See Section 250.1820(g)~~(h)~~(6)~~(B)~~.)

3) The physician shall determine whether a prenatal serological test for syphilis and a test for HIV have~~has~~ been done on each mother and the results recorded. If no tests have~~such test has~~ been done before the admission of the patients, the test~~test~~ shall be performed as soon as possible pursuant to the Perinatal HIV Prevention Act. Specimens for a syphilis test may be submitted in appropriate containers to an Illinois Department of Public Health laboratory for testing without charge.

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Mothers shall be tested for Group B streptococcus prior to delivery and for Hepatitis B prior to discharge of either mother or infant, pursuant to AAP recommendations.

- 4) No ~~obstetric~~maternity patient under the effect of an analgesic or an anesthetic, in the second stage of active labor or delivery, shall be left unattended at any time.
- 5) Fetal lung maturity shall be established and documented prior to elective inductions and ~~caesarean~~Cesarean sections if the infant is at less than 39 weeks of gestation, or 38 weeks of gestation for twins. The hospital shall establish a written policy and procedure concerning the administration of oxytocic drugs.
 - A) Oxytocin shall be used for the contraction stress test only when qualified personnel, determined by the hospital staff and administration, can attend the patient closely. Written policies and procedures shall be available to the team members assuming this responsibility. ~~It is recommended that Oxytocin be administered by controlled infusion.~~
 - B) The oxytocin solution shall be administered intravenously via a controlled infusion device, using both a primary intravenous solution and a secondary oxytocin solution.
 - ~~C)B)~~ Oxytocin shall be used for medical induction or stimulation of labor only when qualified personnel, determined by the hospital staff and administration, can attend the patient closely. Written policies and procedures shall be available to the team members assuming this responsibility. ~~The~~It is recommended that the following shall be included in these policies:
 - i) ~~An~~The attending physician shall evaluate the patient for induction or stimulation, especially with regard to indications.
 - ii) The physician or other individuals starting the ~~oxytocin~~Oxytocin shall be familiar with its effect and complications and be qualified to identify both maternal

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and fetal complications.

- iii) A qualified physician shall be immediately available as is necessary to manage any complication effectively.
- iv) ~~The intravenous route is the only acceptable mode of administration. It is recommended that an infusion pump, or other device for accurate control of the rate of flow, and a two-bottle system, one of which contains no Oxytocin substance, be used.~~
- iv)*) During ~~oxytocin~~Oxytocin administration, the fetal heart rate; the resting uterine tone; and the frequency, duration and intensity of contractions shall be monitored electronically and recorded. Maternal blood pressure and pulse shall be monitored and recorded at intervals comparable to the dosage regimen; that is, at 30 to 60 minute intervals, when the dosage is evaluated for maintenance, increase or decrease. Evidence of maternal and fetal surveillance shall be documented.

6) Identification of infants:

- A) While the neonate is still in the delivery room, the nurse in the delivery room shall prepare identical identification bands for both the mother and the neonate, as outlined in the hospital's policy. Wrist bands alone may be used; however, it is recommended that both wrist and ankle bands be used on the neonate. The hospital shall not use footprinting and fingerprinting alone as methods of patient identification. The bands shall indicate the mother's admission number, the neonate's gender, the date and time of birth, and any other information required by hospital policy. Delivery room personnel shall review the bands prior to securing them on the mother and the neonate to ensure that the information on the bands is identical. The nurse in the delivery room shall securely fasten the bands on the neonate and the mother without delay as soon as he/she has verified the information on the identification bands. The birth records and identification bands shall be checked again before the neonate leaves the delivery room.

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- B) If the condition of the neonate does not allow the placement of identification bands, the identification bands shall accompany the neonate and shall be attached as soon as possible, as outlined in the hospital's policy. Identification bands ~~shall be affixed to the bassinet or incubator until they are placed on the infant and~~ shall not be left unattached and unattended in the nursery.
- C) When the neonate is taken to the nursery, both the delivery room nurse and the admitting nursery nurse shall check the neonate's identification bands and birth records, verify the gender of the neonate, and sign the neonate's medical record. The admitting nurse shall complete the bassinet card and attach it to the bassinet.
- D) When the neonate is taken to the mother, the nurse shall check~~examine~~ the mother's and the neonate's identification bands, verify the gender of the neonate and verify that the information on the bands is identical.
- E) The umbilical cord (cords, with multiple births) shall be identified according to hospital policy (e.g., by the use of a different number of clamps) so that umbilical cord blood specimens are correctly labeled. All umbilical cord blood samples shall be labeled correctly with an indication that these are a sample of the neonate's umbilical cord blood and not the blood of the mother.
- F) The hospital shall develop a newborn infant security system. This system shall include instructions to the mother regarding safety precautions designed to avoid abduction ~~when her newborn infant is rooming in~~. Electronic sensor devices may be included as well.
- 7) Within one hour after delivery, ~~a one-percent silver nitrate solution or~~ ophthalmic ointment or drops containing tetracycline or erythromycin shall be instilled into the eyes of the newborn infant as a preventive against ophthalmia neonatorum. The eyes shall~~Do not be irrigated~~irrigate immediately. ~~This solution may be obtained free of charge from the Department.~~

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- 8) A single parenteral dose of vitamin K-1, water soluble to 0.5-1.0 milligrams, shall be given to the infant, shortly after birth, but usually within the first hour after delivery, as a prophylaxis against hemorrhagic disorder in the first days of life.
- 9)8) Each infant shall be given complete individual cribside care. The use of a common bath table is prohibited. Scales shall be adequately protected to prevent cross-infection.
- 10)9) Artificial feedings and formula changes shall not be instituted except by written order of the attending physician, pursuant to the requirements of the Hospital Infant Feeding Act.
- 11)10) Facilities for drug services. See Section 250.2130(a).
- 12)11) Newborn Transport of newborn infants shall be transported from the delivery room to the nursery ~~shall be done~~ in a safe manner. Adequate support systems (heating, oxygen, suction) shall be incorporated into the transport units for ~~these~~ infants (e.g., to x-ray). Chilling of the newborn and cross-infection shall be avoided. ~~If~~Where travel is excessive and through other areas, special transport incubators may be required. The method of transporting infants from the nursery to the mothers shall be individual, safe and free from cross-infection hazards.
- 13)12) The stay of the mother and the infant~~baby~~ in the hospital after delivery shall be planned to allow the identification of problems and to reinforce instructions in preparation for the infant's care at home. The mother and infant shall be carefully observed for a sufficient period of time and assessed prior to discharge to ensure that their conditions are stable. Healthy infants shall be discharged from the hospital simultaneously with the mother, or to other persons authorized by the mother, ~~(by the mother)~~ ~~personnel~~ if the mother remains in the hospital for an extended stay. Follow-up shall be provided~~It is recommended that there be a provision for follow-up~~ for the mothers and infants~~babies~~ discharged within 48~~24~~ hours after delivery, including. ~~This follow-up shall include~~ a face-to-face encounter with a health care provider who will assess the condition of mother and infant~~baby~~ and arrange for intervention if problems are identified.

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- ~~14)~~13) When a patient's condition permits, an infant may be transferred from an intensive care nursery to the referring nursery or to another nursery that is nearest the home and at which an appropriate level of care may be provided. Transfers shall be conducted pursuant to the Regionalized Perinatal Health Care Code.
- ~~15)~~14) The hospital shall have a policy regarding circumcisions performed by a Mohel. ~~Circumcisions by a Mohel shall be performed under aseptic conditions. Such circumcisions shall not be performed in the delivery room. A registered nurse or physician shall be in attendance, and attendance by visitors shall be limited.~~
- ~~16)~~15) Circumcisions shall not be performed in the delivery room or within the first six hours after birth. A physician may order and perform a circumcision when the infant is over the age of six hours and, in the physician's professional judgment, is healthy and stable.
- 16) ~~A single parenteral dose of vitamin K-1, water soluble 0.5 mgm, shall be given to the infant soon after birth as a prophylaxis against hemorrhagic disorder in the first days of life.~~
- 17) The hospital shall ~~comply with the~~adhere to the practices prescribed in Guidelines for Perinatal Care and Guidelines for Women's Health Care (~~American College of Obstetricians and Gynecologists~~) (see Section 250.160).
- h) Medical ~~records~~Records
- 1) Obstetric records:
- A) Adequate, accurate, and complete medical records shall be maintained for each patient. The medical records shall include findings during the prenatal period, which shall be available in the ~~obstetric~~maternity department prior to the patient's admission and shall include medical and obstetric history, observations and proceedings during labor, delivery and the postpartum period, and laboratory and x-ray findings.
- B) Records shall be maintained in accordance with hospital medical

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records policies and procedures, including the applicable requirements of the Health Insurance Portability and Accountability Act and the minimum observations and laboratory tests outlined in Guidelines for Perinatal Care and Guidelines for Women's Health Care. The physician director of the obstetricmaternity department shall require all physicians delivering obstetricobstetries care to send copies of the prenatal records, including laboratory reports, to the obstetricobstetrical unit at or before 37 weeks of gestation, including updates from that time until admission.

- 2) Infant records. Accurate and complete medical records shall be maintained for each infant. The medical records shall include:
- A) History of maternal health and prenatal course, including mother's HIV status, if known.
 - B) Description of labor, including drugs administered, method of delivery, complications of labor and delivery, and description of placenta and amniotic fluid.
 - C) Time of birth and condition of infant at birth, including the Apgar score at one and five minutes, the age at which respiration became spontaneous and sustained, a description of resuscitation if required, and a description of abnormalities and problems occurring from birth until transfer from the delivery room.
 - D) Report of a complete and detailed physical examination within 24 hours following birth; report of a physicalmedical examination within 24 hours beforeof discharge and daily during any remaining hospital stayone at least every three days during the hospital stay.
 - E) Physical measurements, including length, weight and head circumference at birth, and weight every day; temperature twice daily.
 - F) Documentation of infant feeding: intake, content, and amount if by formula.

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- G) Clinical course during hospital stay, including treatment rendered and patient response; clinical note of status at discharge.
- 3) The hospital shall keep a record of births that contains data sufficient to duplicate the birth certificate. The requirement may be met by:
- A) by-retaining the yellow "hospital copy" of the birth certificate properly bound in chronological order, or
 - B) by-retaining this copy with the individual medical record.
- i) Reports
- 1) Each hospital that provides obstetric and neonatal services~~maternity service~~ shall submit a monthly perinatal activities report to its affiliated Administrative Perinatal Center on forms provided for this purpose by the Department. This report shall be signed by a representative of the department preparing the document and shall be mailed not later than the 15th of the following month.
 - 2) Maternal death report~~Death Report~~
 - A) The hospital shall submit an immediate report of the occurrence of a maternal death to the Department, in accordance with the Department's rules titled Maternal Death Review ~~(77 Ill. Adm. Code 657)~~. Maternal death is the death of any woman dying of any cause whatsoever while pregnant or within one year after termination of the pregnancy, irrespective of the duration of the pregnancy at the time of the termination or the method by which it was terminated. A death shall be reported regardless of whether the death occurred in the obstetric department~~maternity division~~ or any other section of the hospital, or whether the patient was delivered in the hospital where death occurred, or elsewhere.
 - B) The filing of this report shall in no way preclude the necessity of filing a death certificate or of including the death on the Perinatal~~Maternity~~ Activities Report.
 - 3) The hospital shall comply with the laws of the State and the

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~~rules~~regulations of the Department ~~in as regards~~ the preparation and filing of birth, ~~death~~stillbirth, and fetal death certificates.

- 4) Epidemic and communicable disease reporting~~Communicable Disease Reporting~~
- A) The hospital shall develop a protocol for the management and reporting of infections consistent with the Control of Communicable Diseases Code, the Perinatal HIV Prevention Act, and with Guidelines for Perinatal Care and Guidelines for Women's Health Care, and as approved by the infection control committee~~Infection Control Committee~~. These policies shall be known to obstetric~~maternity~~ and nursery personnel.
- B) The facility shall particularly address those infections specifically related to mothers and infants, including but not limited to, methicillin-resistant Staphylococcus Aureus occurring in infants under 61 days of age, ophthalmia neonatorum, and perinatal hepatitis B infection.
- j) Breast milk
The hospital shall provide the mother with information regarding lactation, the nutritional benefits of breast milk and lactation support organizations within the area. The hospital shall include, at a minimum, a lactation support staff with certification or experience in lactation training. The lactation support staff shall attend annual continuing education in relation to lactation counseling and training.
- kj) Formula
The hospital shall have a policy for the preparation of formula by hospital staff when hospital-prepared formula is needed in place of commercially-prepared formula. Adequate space, equipment and procedures for processing, handling and storing commercially-prepared formula shall be provided.
- l) ~~If pasteurized, commercially prepared formula is used exclusively and no formula is prepared by the hospital, a formula room and formula room equipment are not required. However, adequate space, equipment and procedures acceptable to the Department for processing, handling and storing of commercially prepared formula shall be provided. Procedures and aseptic techniques shall be established and enforced. Provisions shall~~

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~~be made for the preparation of special formula.~~

- ~~1)2)~~ All hospitals providing ~~obstetricmaternity~~ or pediatric services that prepare their own formula shall provide a well-ventilated and well-lighted formula room, which shall be adequately supervised and used exclusively for the preparation of formulas.
- ~~2)3)~~ Equipment shall include hand-washing facilities with hot and cold running water with knee, foot or elbow controlled valves; a double-section sink for washing and rinsing bottles; facilities for storing cleaning equipment, refrigeration facilities; utensils in good condition for preparation of formulas; cupboard and work space and a work table; an autoclave and a supply of individual formula bottles, nipples and protecting caps, adequate to prepare a 24-hour supply of formula and water for each infant. Procedures shall be established by the hospital and enforced.

~~1)k)~~ Visiting ~~policyregulations~~

- 1) The visiting ~~requirementsregulations~~ set forth in Subpart B shall apply to ~~obstetricmaternity~~ departments, except as modified in this subsection ~~(l)~~.
- 2) ~~Each obstetric department shall have a visting policy that complies with the Guidelines for Perinatal Care and is approved by the hospital's infection control committee. It is recommended that visitors be limited to two per patient at any one time.~~
- 3) ~~The visiting policy shall cover all programs in the obstetric department. Contact with the infant shall be restricted to the father, or one other adult selected by the mother, except as provided in subsection (k)(4) of this Section or as part of a rooming in program as provided in Section 250.1850.~~
- 4) ~~The visiting policy shall comply with the hospital's infection control policy and shall include signage instructing visitors to wash their hands. Siblings and grandparents may have contact with the infant only if the hospital has established specific policies and procedures for such a program. The program shall include:~~
- ~~A) Approval of the program by the hospital's Infection Control~~

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~~Committee and Governing Board;~~

- ~~B) A requirement for written consent of the mother for visitation by specific siblings or grandparents;~~
 - ~~C) A procedure for hand washing by visitors prior to having contact with the infant; and~~
 - ~~D) A policy on the location where visitation will occur.~~
- 5) ~~The presence of the father or individual selected by the mother in the delivery room shall be discretionary with the individual hospital. If the father or the individual selected by the mother of the baby is to be admitted to the delivery room of any hospital, the hospital shall first have adopted a policy statement on the matter that includes the following conditions:~~
- ~~A) Written consent of both the mother and the attending physician;~~
 - ~~B) Prior orientation preparation of the father of the baby or the selected individual and mother to this experience; and~~
 - ~~C) Application of safeguards against the introduction of infection or other hazard by the father of the baby or selected individual.~~
- 6) ~~Visiting hours shall not correspond with periods during which infants are with the mothers or with periods during which mothers are receiving nursing care, nor interfere with the care of patients.~~
- 7) ~~Visitors shall neither sit nor place their clothing upon the beds.~~
- m)† *Every hospital shall demonstrate to the Department that the following have been adopted:*
- 1) *Procedures designed to reduce the likelihood that an infant patient will be abducted from the hospital. The procedures may include, but need not be limited to, architectural plans to control access to infant care areas, video camera observation of infant care areas, and procedures for identifying hospital staff and visitors.*

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- 2) *Procedures designed to aid in identifying allegedly abducted infants who are recovered. The procedures may include, but need not be limited to, footprinting infants by staff who have been trained in that procedure, photographing infants, and obtaining and retaining blood samples for genetic testing. (Section 6.15 of the Act)*

(Source: Amended at 36 Ill. Reg. 17413, effective December 3, 2012)

Section 250.1845 Caesarean Birth

- a) A hospital may permit the father or a support person to be present at a delivery by caesarean birth if the program is part of the hospital's Obstetric and Neonatal Service Plan. Nothing in this Part shall be construed to require a hospital to permit the father or a support person to attend caesarean births. This Part does not vest any right upon any lay person to attend a caesarean birth. The operating physician shall always have the right to exclude a father or support person from a caesarean birth for any reason. For the purposes of this Section, a support person is the husband of the mother, the father of the infant, or any other person selected by the mother, who is acceptable to the physician and meets the requirements of the hospital's policies.
- b) The hospital's Obstetric and Neonatal Service Plan shall include:
 - 1) Criteria for admitting the father or other support person to the delivery by caesarean birth;
 - 2) Education, counseling or other preparation furnished to the mother and father or to the support person attending a caesarean birth; and
 - 3) Operating room procedures and assignments for caesarean birth.

(Source: Added at 36 Ill. Reg. 17413, effective December 3, 2012)

Section 250.1850 Single Room Postpartum Care of Mother and Infant~~**Rooming-In Care of Mother and Infant**~~

The following requirements apply when postpartum care is provided to a mother and her infant in the same room:

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- a) The patient's room shall be of sufficient size and arrangement for the bedside care of the mother and infant.
- b) The patient's room shall be equipped with a toilet, a hand-washing lavatory and a supply of clean towels.
- c) Equipment and supplies shall include:
 - 1) Separate equipment and supplies for the mother and the infant;
 - 2) Separate enclosed storage space for the infant's clean linen, equipment and supplies; and
 - 3) Adequate covered containers for the infant's soiled linen.
- d) Single room postpartum care for the mother and infant shall meet the following requirements:
 - 1) The hospital's obstetric and neonatal service plan shall establish the conditions of the mother and infant that are appropriate for mother and infant postpartum care in the same room.
 - 2) All nursing care of the mother and infant shall be given by the same nurse on each shift.
 - 3) Adequate observation and nursing care shall be assured.
 - 4) The care of mothers and infants shall include procedures to prevent cross-infection, emphasizing conscientious hand washing by parents, visitors and personnel, and the careful handling of soiled linen.
 - 5) Adequate nursery facilities shall be provided for periods when infants are not with their mothers.
- a) ~~Rooming in care of newborn infants is permissible under these regulations. The rooming in plan may be either:~~
 - 1) ~~continuous with the infant at the bedside constantly; or~~

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- 2) ~~intermittent—in which the infant is removed from the mother's bedside to the nursery during visiting and night hours.~~

~~Programs which permit the presence of the baby's father in the room with the infant, during feeding or otherwise, shall be considered as an intermittent rooming-in program.~~

- b) ~~Whichever plan is used, the following requirements and recommendations apply.~~

1) ~~Personnel~~

A) ~~There shall be sufficient personnel who understand and can carry out the procedures necessary for a successful rooming-in experience.~~

B) ~~It is recommended that all nursing care of the mother and infant unit be given by one nurse.~~

2) ~~Physical facilities~~

A) ~~The patient's room must be of sufficient size and arrangement for bedside care of mother and infant.~~

B) ~~The room must be equipped with handwashing lavatory, with a supply of soap and clean towels.~~

3) ~~Equipment and supplies~~

A) ~~Mother and infant shall have individual equipment and supplies.~~

B) ~~Individual enclosed storage space shall be provided for the infant's clean linen, equipment, and supplies.~~

C) ~~Adequate covered containers shall be provided for the infant's soiled linen.~~

4) ~~Policies and procedures for rooming-in~~

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- A) ~~A policy should be established by the medical staff and approved by the governing authority as to the condition of the mother and infant when rooming-in may be initiated.~~
- B) ~~The procedures of individual care of mothers and of infants shall be established to prevent cross-infection, stressing conscientious handwashing by parents and personnel and careful handling of soiled linen.~~
- C) ~~Adequate observation and nursing care must be assured.~~
- D) ~~A planned parent education routine is desirable.~~
- E) ~~Visiting shall be restricted to the father of the infant or one other adult selected by the mother. Grandparents and siblings may visit if the hospital has a program for such visitation which has been approved as provided in Section 250.1830(k)(4).~~
- F) ~~Visitors must wash their hands.~~

(Source: Amended at 36 Ill. Reg. 17413, effective December 3, 2012)

Section 250.1860 Special Programs (Repealed)

- a) ~~Attendance at Caesarean Births (Limited waiver of Section 250.1305(a))~~
 - 1) ~~A hospital may permit the father or a support person to be present at a delivery by Caesarean Birth if such a program is approved by the Department as part of the hospital's Maternity and Neonatal Service Plan. However, nothing in these rules shall be construed to require a hospital to permit the father or a support person to attend Caesarean Births. These rules do not vest any right upon any lay person to attend a Caesarean Birth. Presence at Caesarean Birth is a privilege which may be extended only when the best of conditions exist, in accordance with the medical judgment of the responsible physician, and proper education and counseling (a structured formal written orientation as to what is expected to transpire in the surgery) have taken place. At most the acceptance into the program shall be an intent to extend this privilege. The operating physician shall always have the right to exclude a father or support person~~

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~~from a Caesarean Birth for any reason.~~

- 2) ~~Each hospital desiring to implement a program to permit fathers and support persons to attend Caesarean Births shall submit an application to the Department. The application shall include:~~
 - A) ~~a description of the plan to implement the program;~~
 - B) ~~documentation of administration and affected staff approval;~~
 - C) ~~policies and procedures applicable to this program, including:~~
 - i) ~~criteria for admission to the program;~~
 - ii) ~~consent forms;~~
 - iii) ~~education, counseling, and other preparation furnished the mother and father or support person;~~
 - iv) ~~operating room procedures and assignments;~~
 - v) ~~post-delivery evaluations.~~
- 3) ~~Upon submission of the application, the application shall be reviewed by Department program personnel. Based upon the submitted plan, required to be compatible with the approved Maternity and Neonatal Service Plan, the Department shall issue an approval within 30 days of the submission of the application, or notify the hospital in writing of the specific reasons and concerns why the program is disapproved.~~
- 4) ~~A record system (Refer to Section 250.1820(i)) shall be maintained that identifies all patients with the father or a support person present at Caesarean Births and includes provisions for reporting to the Department:~~
 - A) ~~the number of patients participating in the program;~~
 - B) ~~the number of patients denied admission to the program and the reasons for denial;~~

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- ~~C) all complications experienced.~~
- 5) ~~For the purposes of this Section, a support person is the husband of the mother, the father of the infant, or any other person selected by the mother, who is acceptable to the physician and meets the requirements of the hospital's policies.~~
- b) **Birthing Room Programs**
 - 1) **Establishment of Birthing Room Program**
 - A) ~~A hospital may provide a Birthing Room program if such a program is approved by the Department as part of the hospital's Maternity and Neonatal Service Plan.~~
 - B) ~~Nothing in these rules shall be construed to require a hospital to provide Birthing Rooms. These rules do not vest any right upon any person to admittance to a Birthing Room. Admission to a Birthing Room is a privilege which may be extended only when the best of conditions exist, in accordance with the medical judgment of the responsible physician, and proper education and counseling (a structured formal written orientation as to what is expected to transpire in the birthing room) have taken place. The attending physician shall always have the right to exclude anyone from a Birthing Room for any reason.~~
 - 2) ~~Each hospital desiring to implement a Birthing Room program shall submit an application to the Department. The application shall include:~~
 - A) ~~a description of the plan to implement the program;~~
 - B) ~~documentation of administration and affected staff approval;~~
 - C) ~~policies and procedures applicable to this program, including:~~
 - i) ~~criteria for admission to the program;~~
 - ii) ~~consent forms;~~

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- iii) ~~education, counseling, and other preparation furnished the mother, and any other persons (if any) who will be present in the Birthing Room;~~
 - iv) ~~post-delivery evaluations.~~
- 3) ~~Upon submission of the application, the application shall be reviewed by Department program personnel. Based upon the submitted plan, required to be compatible with the approved Maternity Neonatal Service Plan and appropriate physical location of the Birthing Room, the Department shall issue an approval within 30 days of the submission of the application, or notify the hospital in writing of the specific reasons and concerns why the program is disapproved.~~
- 4) ~~A record system (Refer to Section 250.1820(i)) shall be maintained that identifies all patients using the Birthing Room and those in attendance. It shall include provisions for reporting to the Department:~~
- A) ~~the number of patients participating in the program;~~
 - B) ~~the number of patients denied admission to the program and the reasons for denial;~~
 - C) ~~all complications experienced.~~

(Source: Repealed at 36 Ill. Reg. 17413, effective December 3, 2012)

Section 250.1870 Labor, Delivery, Recovery and Postpartum~~Single Room Maternity~~ Care

- a) Hospitals may establish a labor, delivery, recovery and postpartum~~single room maternity~~ care program in compliance with this Section. The labor, delivery, recovery and postpartum~~single room maternity~~ care program may include the hospital's entire obstetric~~maternity~~ service or a specific portion of the hospital's obstetric~~maternity~~ service.
- b) General Description
- 1) A labor, delivery, recovery and postpartum~~single room maternity~~ care program provides labor, delivery, recovery, and postpartum care for a

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mother in ~~one~~ single room. The combination of functions in ~~one~~ single room is designed to reduce the movement of the mother within the hospital.

- 2) The ~~labor, delivery, recovery and postpartum~~ single room maternity care program ~~shall~~ must be coordinated with other ~~obstetric~~ maternity services of the hospital. Facilities for emergency ~~caesarean~~ Cesarean deliveries ~~shall~~ must be available. ~~Labor, delivery, recovery and postpartum~~ Single rooms may be used in hospitals at all Level designations for all levels of maternity care, except for caesarean other than Cesarean deliveries, based on the hospital's program.
 - 3) Rooms used for ~~labor, delivery, recovery and postpartum~~ single room maternity care ~~shall~~ must include facilities for care of the infant during delivery and ~~immediately~~ after birth. ~~Such rooms may also include facilities for rooming in of the infant.~~
- c) Program ~~Operation~~ Establishment
- 1) The ~~labor, delivery, recovery and postpartum obstetric~~ single room maternity service program shall be ~~part of submitted to the Department as an amendment to the hospital's maternity and neonatal services plan and shall. The amendment shall~~ include all of the policies and procedures ~~that for operation of the program which~~ are required by this Section.
 - 2) The hospital shall have policies and procedures for assessing the level of risk for each patient, for determining which patients may not qualify for labor, delivery, recovery and postpartum care, and for referring patients to another hospital.
 - 2) ~~The program shall be approved by the Board of the hospital prior to submission to the Department.~~
 - 3) ~~Architectural plans for any remodeling or changes in room functions which are required for operation of the program shall be submitted to the Department for review as provided in Section 250.2420.~~
 - 3)4) Any increases or decreases in the number of beds in the hospital's ~~obstetric~~ maternity service ~~that~~ which occur as a result of the establishment

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of a labor, delivery, recovery and postpartum single room maternity care program may also require the approval of the Illinois Health Facilities and Services Review Planning Board. (See Refer to the rules of the Illinois Health Facilities Planning Board at 77 Ill. Adm. Code 1100 and 1110.)-

- 5) ~~The hospital shall not implement the program prior to approval of the program and any architectural plans by the Department.~~
- d) Designation of Rooms. The labor, delivery, recovery and postpartum single room maternity care program shall designatespecify the specific rooms thatwhich will be used for labor, delivery, recovery and postpartum single room maternity care. These rooms may be used as patient rooms for other obstetricmaternity patients in the obstetric departmentmaternity unit at times when they are not being used for labor, delivery, recovery and postpartum single room maternity care.
- e) Staffing Requirements
 - 1) The program shall include a staffing plan thatwhich meets the nursing needs of the patients.
 - 2) The program shall include provisions for specialized orientation and training for nurses and other health care personnel in the operation of the labor, delivery, recovery and postpartum single room maternity care program, including the care of both mothers and infants.
- f) ~~Visiting Requirements. The program shall include specific policies and procedures concerning visiting. These policies and procedures shall include the following:~~
 - 1) ~~A requirement that the consent of the mother and the physician be obtained for each visitor who will be permitted in the room during delivery.~~
 - 2) ~~Provisions for prior orientation and education for visitors who will be permitted in the room during delivery.~~
 - 3) ~~A requirement for gowning and handwashing by all visitors who are present in the room during delivery.~~

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- 4) ~~Provisions for visiting during labor, recovery, and postpartum care of the mother which comply with Section 250.1830(k).~~
- 5) ~~Provisions for visiting during rooming in of the infant which comply with Section 250.1850.~~

~~f)g)~~ Physical Plant Requirements

- 1) Each room used for ~~labor, delivery, recovery and postpartum~~single room maternity care shall be ~~considered a private room. Occupancy by two patients, the mother and the infant, shall be permitted~~a single patient room. Rooms for multiple patients are not ~~otherwise permitted~~ for labor, delivery, recovery and postpartum care.
- 2) Architectural plans for new construction or remodeling that are required for the establishment or continued operation of a labor, delivery, recovery and postpartum care program shall be submitted to the Department for review and approval pursuant to the requirements of this Section and Section 250.2420. The hospital shall not implement the program prior to the Department's approval of the program and of the architectural plans.
~~Minimum Room Sizes~~
- 3)A) Each room used for ~~labor, delivery, recovery and postpartum~~single room maternity care shall include a minimum dimension of 12 feet and a minimum clear area of 250 square feet except as provided in ~~subsections (f)(4)(g)(2)(B) or (f)(6)(g)(2)(C)~~ subsections (f)(4)(g)(2)(B) or (f)(6)(g)(2)(C) of this Section.
- 4)B) Rooms ~~that which~~ were approved for use as "birthing rooms" by the Department prior to September 1, 1990, may continue to be used for ~~labor, delivery, recovery and postpartum~~single room maternity care. The hospital ~~shall continue to comply with~~must follow the ~~requirement of this Part~~requirement of this ~~policies and procedures under which the rooms were approved.~~
- 5) At least one delivery room with a minimum clear area of not less than 300 square feet shall be available for more complex deliveries and unanticipated risks. The delivery room shall be in the obstetric unit, on the same level as the rooms in which labor, delivery, recovery and postpartum care is provided, and accessible without passing through any areas used for functions other than labor, delivery, recovery and postpartum care, and

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without traversing any obstacles. In determining the accessibility of the delivery room, the Department will consider factors including, but not limited to, traffic patterns, corridor width, corridor width changes and the number of turns.

6) ~~C)~~ The Department will approve rooms that~~Rooms which~~ contain a minimum dimension of 10 feet and a minimum clear area of 180 square feet ~~will be approved by the Department~~ for labor, delivery, recovery and postpartum~~single room maternity~~ care, when the hospital demonstrates that all of the following conditions are met:

A) i) Policies and procedures for assessing the level of risk for each patient, for determining which patients may not qualify for labor, delivery, recovery and postpartum ~~utilize single room maternity~~ care, and for referring patients to other hospitals~~facilities~~ have been established and are being followed.

B) ii) The hospital participates in a Regional Perinatal Network and has been approved for Level I, ~~or~~ Level II, or Level II extended neonatal care. The hospital does not provide Level III care as described in the ~~Department's rules entitled "Regionalized Perinatal Health Care Code" (77 Ill. Adm. Code 640).~~

~~iii) At least one delivery room with a minimum clear area of not less than 300 square feet is available for more complex deliveries and unanticipated risks. The delivery room must be in the maternity unit, on the same level as the rooms in which single room maternity care is provided, and accessible without passing through any areas used for functions other than single room maternity care, labor, or delivery, and without traversing any obstacles. In determining the accessibility of the delivery room the Department will consider factors such as traffic patterns, corridor width, corridor width changes, and number of turns.~~

C) iv) The medical staff of the hospital has approved the use of the rooms for labor, delivery, recovery and postpartum~~single room maternity~~ care based on ~~the~~their medical staff's judgment that this~~such~~ care

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can be provided safely within the rooms.

- ~~7)D)~~ For the purposes of this subsection ~~(f)(g)~~, clear area shall include only useable space within the patient room and shall not include entry or vestibule areas, ~~space required for door swings~~, or space for fixed, immovable furniture. The bathroom shall not be included in calculating the clear area of the patient room.
- ~~8)3)~~ Staff ~~hand-washing sink~~ Handwashing Sink
- A) Each room used for labor, delivery, recovery and postpartum~~single room maternity~~ care shall have direct access to a hand-washing~~handwashing~~ sink for the exclusive purpose of staff hand washing~~handwashing~~ prior to and during the delivery process. The sink may be used for other purposes at other times.
- B) The staff hand-washing~~handwashing~~ sink ~~shall~~must be adequate in size and appropriately equipped to allow thorough hand washing~~handwashing~~.
- C) The staff hand-washing~~handwashing~~ sink may be located in the room, in the adjacent bathroom (if the bathroom is not shared with another patient room), or directly outside the room.
- ~~9)4)~~ Bathroom
- A) Each room used for labor, delivery, recovery and postpartum~~single room maternity~~ care shall include a bathroom equipped with a toilet and ~~with~~ a shower or bathtub. The bathroom shall also include a sink, unless a sink is located in the patient room.
- B) The bathroom shall be directly accessible from the patient room without going through the corridor.
- ~~C) Bathrooms may be shared by no more than two patient rooms.~~
- ~~10)5)~~ An area for gowning by staff and visitors prior to delivery shall be provided within or immediately adjacent to each room used for labor, delivery, recovery and postpartum~~single room maternity~~ care.

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- 11)6) Rooms used for postpartum care of the mother shall also comply with the patient room requirements of Section 250.2630(d)(1) ~~or~~ Section 250.2440(d)(1), as applicable.
- 12)7) Adequate nursery facilities shall be provided for periods when infants are not with their mothers, ~~rooming-in of infants is not utilized, when individual mothers choose not to participate in rooming-in of the infant, and when intermittent rooming-in of infants is utilized.~~ (See Sections 250.1830(e), 250.1850, 250.2440(h), and 250.2630(h).)
- 13)8) Each room used for labor, delivery, recovery and postpartum ~~single room maternity~~ care shall also comply with the following requirements:
- A) ~~The mechanical~~ Mechanical requirements for patient rooms in Section 250.2480(e)(8) or Section 250.2660.
- B) ~~The electrical~~ Electrical requirements for patient rooms in Section 250.2500 or Section 250.2680.
- 14)9) Wall, floor, and ceiling finishes shall be cleanable. All finishes shall be able to withstand cleaning and treatment with chemicals and disinfectants.

g)h) Equipment Requirements

- 1) All equipment necessary for delivery, for emergency care of the mother, for infant care, and for infant resuscitation shall be available to each room used for labor, delivery, recovery and postpartum ~~single room maternity~~ care.
- 2) A complete set of delivery and infant care equipment shall be provided for every four or fewer rooms used for labor, delivery, recovery and postpartum ~~single room maternity~~ care. For example: if four rooms are used, one complete set of equipment shall be provided; if five to eight rooms are used, two sets of equipment shall be provided; if nine to twelve rooms are used, three sets of equipment shall be provided.
- 3) Equipment may be stored in an equipment alcove or closet in the room, or in a separate equipment storage room. ~~The~~ However, the equipment

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~~shall~~**must** be accessible for use without passing through another patient room. Each equipment storage area shall be located on the same floor and not more than 75 feet from each of the rooms served by the equipment storage area.

- i) ~~The policies and procedures approved by the Department in the amendment to the hospital's maternity and neonatal services plan shall be followed in the operation of the program. The program shall also be operated in accordance with all other requirements of this Part, unless specifically modified by this Section.~~

(Source: Amended at 36 Ill. Reg. 17413, effective December 3, 2012)

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- 1) Heading of the Part: Emergency Medical Services and Trauma Center Code
- 2) Code Citation: 77 Ill. Adm. Code 515
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
515.APPENDIX L	Amended
515.APPENDIX O	Amended
- 4) Statutory Authority: Emergency Medical Services (EMS) Systems Act [210 ILCS 50]
- 5) Effective Date of Rulemaking: December 3, 2012
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposed Amendments Published in Illinois Register: July 27, 2012; 36 Ill. Reg. 11937
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: The following changes were made in response to comments received during the first notice or public comment period:

In Section 515.Appendix O, deleted "Appendix" and inserted "APPENDIX".

In Section 515.APPENDIX O, deleted "Disaster Preparedness" and inserted "disaster preparedness".

In Section 515.APPENDIX O, deleted "both of".

In addition, various typographical, grammatical and form changes were made in response to the comments from JCAR.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

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- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Section 515.APPENDIX L provides the equipment list required by all Emergency Departments Approved for Pediatrics (EDAP) and Standby Emergency Departments Approved for Pediatrics (SEDP). This Section is being amended to delete the use of gastric lavage equipment, which is no longer considered standard care.

Section 515.APPENDIX O provides the application guide that a hospital must follow to apply for Pediatric Critical Care Center (PCCC) recognition. Within this Section is a checklist for the PCCC facility's emergency department, which must adhere to certain requirements. Section 515.APPENDIX O is being amended to update the requirements recently added for the EDAP, which must be followed by all emergency departments within a recognized PCCC facility.

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

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, 5th Floor
Springfield, Illinois 62761
e-mail: dph.rules@illinois.gov

217/782-2043

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

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

PART 515
EMERGENCY MEDICAL SERVICES AND TRAUMA CENTER CODE

SUBPART A: GENERAL

Section	
515.100	Definitions
515.125	Incorporated and Referenced Materials
515.150	Waiver Provisions
515.160	Facility, System and Equipment Violations, Hearings and Fines
515.170	Employer Responsibility

SUBPART B: EMS REGIONS

Section	
515.200	Emergency Medical Services Regions
515.210	EMS Regional Plan Development
515.220	EMS Regional Plan Content
515.230	Resolution of Disputes Concerning the EMS Regional Plan
515.240	Bioterrorism Grants

SUBPART C: EMS SYSTEMS

Section	
515.300	Approval of New EMS Systems
515.310	Approval and Renewal of EMS Systems
515.315	Bypass Status Review
515.320	Scope of EMS Service
515.330	EMS System Program Plan
515.340	EMS Medical Director's Course
515.350	Data Collection and Submission
515.360	Approval of Additional Drugs and Equipment
515.370	Automated Defibrillation (Repealed)
515.380	Do Not Resuscitate (DNR) Policy
515.390	Minimum Standards for Continuing Operation
515.400	General Communications

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515.410	EMS System Communications
515.420	System Participation Suspensions
515.430	Suspension, Revocation and Denial of Licensure of EMTs
515.440	State Emergency Medical Services Disciplinary Review Board
515.445	Pediatric Care
515.450	Complaints
515.455	Intra- and Inter-system Dispute Resolution
515.460	Fees
515.470	Participation by Veterans Health Administration Facilities

SUBPART D: EMERGENCY MEDICAL TECHNICIANS

Section	
515.500	Emergency Medical Technician-Basic Training
515.510	Emergency Medical Technician-Intermediate Training
515.520	Emergency Medical Technician-Paramedic Training
515.530	EMT Testing
515.540	EMT Licensure
515.550	Scope of Practice – Licensed EMT
515.560	EMT-B Continuing Education
515.570	EMT-I Continuing Education
515.580	EMT-P Continuing Education
515.590	EMT License Renewals
515.600	EMT Inactive Status
515.610	EMT Reciprocity
515.620	Felony Convictions
515.630	Evaluation and Recognition of Military Experience and Education
515.640	Reinstatement

SUBPART E: EMS LEAD INSTRUCTOR, EMERGENCY MEDICAL DISPATCHER, FIRST RESPONDER, PRE-HOSPITAL REGISTERED NURSE, EMERGENCY COMMUNICATIONS REGISTERED NURSE, AND TRAUMA NURSE SPECIALIST

Section	
515.700	EMS Lead Instructor
515.710	Emergency Medical Dispatcher
515.720	First Responder
515.725	First Responder – AED
515.730	Pre-Hospital Registered Nurse

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- 515.740 Emergency Communications Registered Nurse
- 515.750 Trauma Nurse Specialist
- 515.760 Trauma Nurse Specialist Program Plan

SUBPART F: VEHICLE SERVICE PROVIDERS

- Section
- 515.800 Vehicle Service Provider Licensure
- 515.810 EMS Vehicle System Participation
- 515.820 Denial, Nonrenewal, Suspension and Revocation of a Vehicle Service Provider License
- 515.825 Alternate Response Vehicle
- 515.830 Ambulance Licensing Requirements
- 515.835 Stretcher Van Provider Licensing Requirements
- 515.840 Stretcher Van Requirements
- 515.845 Operation of Stretcher Vans
- 515.850 Reserve Ambulances
- 515.860 Critical Care Transport

SUBPART G: LICENSURE OF SPECIALIZED EMERGENCY
MEDICAL SERVICES VEHICLE (SEMSV) PROGRAMS

- Section
- 515.900 Licensure of SEMSV Programs – General
- 515.910 Denial, Nonrenewal, Suspension or Revocation of SEMSV Licensure
- 515.920 SEMSV Program Licensure Requirements for All Vehicles
- 515.930 Helicopter and Fixed-Wing Aircraft Requirements
- 515.935 EMS Pilot Specifications
- 515.940 Aeromedical Crew Member Training Requirements
- 515.945 Aircraft Vehicle Specifications and Operation
- 515.950 Aircraft Medical Equipment and Drugs
- 515.955 Vehicle Maintenance for Helicopter and Fixed-wing Aircraft Programs
- 515.960 Aircraft Communications and Dispatch Center
- 515.965 Watercraft Requirements
- 515.970 Watercraft Vehicle Specifications and Operation
- 515.975 Watercraft Medical Equipment and Drugs
- 515.980 Watercraft Communications and Dispatch Center
- 515.985 Off-Road SEMSV Requirements
- 515.990 Off-Road Vehicle Specifications and Operation

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- 515.995 Off-Road Medical Equipment and Drugs
515.1000 Off-Road Communications and Dispatch Center

SUBPART H: TRAUMA CENTERS

- Section
515.2000 Trauma Center Designation
515.2010 Denial of Application for Designation or Request for Renewal
515.2020 Inspection and Revocation of Designation
515.2030 Level I Trauma Center Designation Criteria
515.2035 Level I Pediatric Trauma Center
515.2040 Level II Trauma Center Designation Criteria
515.2045 Level II Pediatric Trauma Center
515.2050 Trauma Center Uniform Reporting Requirements
515.2060 Trauma Patient Evaluation and Transfer
515.2070 Trauma Center Designation Delegation to Local Health Departments
515.2080 Trauma Center Confidentiality and Immunity
515.2090 Trauma Center Fund
515.2100 Pediatric Care (Renumbered)
515.2200 Suspension Policy for Trauma Nurse Specialist Certification

SUBPART I: EMS ASSISTANCE FUND

- Section
515.3000 EMS Assistance Fund Administration

SUBPART J: EMERGENCY MEDICAL SERVICES FOR CHILDREN

- Section
515.3090 Pediatric Recognition of Hospital Emergency Departments and Inpatient Critical Care Services
515.4000 Facility Recognition Criteria for the Emergency Department Approved for Pediatrics (EDAP)
515.4010 Facility Recognition Criteria for the Standby Emergency Department Approved for Pediatrics (SEDP)
515.4020 Facility Recognition Criteria for the Pediatric Critical Care Center (PCCC)
515.APPENDIX A A Request for Designation (RFD) Trauma Center
515.APPENDIX B A Request for Renewal of Trauma Center Designation

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515.APPENDIX C	Minimum Trauma Field Triage Criteria
515.APPENDIX D	Standing Medical Orders
515.APPENDIX E	Minimum Prescribed Data Elements
515.APPENDIX F	Template for In-House Triage for Trauma Centers
515.APPENDIX G	Credentials of General/Trauma Surgeons Level I and Level II
515.APPENDIX H	Credentials of Emergency Department Physicians Level I and Level II
515.APPENDIX I	Credentials of General/Trauma Surgeons Level I and Level II Pediatric Trauma Centers
515.APPENDIX J	Credentials of Emergency Department Physicians Level I and Level II Pediatric Trauma Centers
515.APPENDIX K	Application for Facility Recognition for Emergency Department with Pediatrics Capabilities
515.APPENDIX L	Pediatric Equipment Recommendations for Emergency Departments
515.APPENDIX M	Inter-facility Pediatric Trauma and Critical Care Consultation and/or Transfer Guideline
515.APPENDIX N	Pediatric Critical Care Center (PCCC)/Emergency Department Approved for Pediatrics (EDAP) Recognition Application
515.APPENDIX O	Pediatric Critical Care Center Plan
515.APPENDIX P	Pediatric Critical Care Center (PCCC) Pediatric Equipment/Supplies/Medications Requirements

AUTHORITY: Implementing and authorized by the Emergency Medical Services (EMS) Systems Act [210 ILCS 50].

SOURCE: Emergency Rule adopted at 19 Ill. Reg. 13084, effective September 1, 1995 for a maximum of 150 days; emergency expired January 28, 1996; adopted at 20 Ill. Reg. 3203, effective February 9, 1996; emergency amendment at 21 Ill. Reg. 2437, effective January 31, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 5170, effective April 15, 1997; amended at 22 Ill. Reg. 11835, effective June 25, 1998; amended at 22 Ill. Reg. 16543, effective September 8, 1998; amended at 24 Ill. Reg. 8585, effective June 10, 2000; amended at 24 Ill. Reg. 9006, effective June 15, 2000; amended at 24 Ill. Reg. 19218, effective December 15, 2000; amended at 25 Ill. Reg. 16386, effective December 20, 2001; amended at 26 Ill. Reg. 18367, effective December 20, 2002; amended at 27 Ill. Reg. 1277, effective January 10, 2003; amended at 27 Ill. Reg. 6352, effective April 15, 2003; amended at 27 Ill. Reg. 7302, effective April 25, 2003; amended at 27 Ill. Reg. 13507, effective July 25, 2003; emergency amendment at 29 Ill. Reg. 12640, effective July 29, 2005, for a maximum of 150 days; emergency expired December 25, 2005; amended at 30 Ill. Reg. 8658, effective April 21, 2006; amended at 32 Ill. Reg. 16255, effective September 18, 2008; amended at 35 Ill. Reg. 6195, effective March 22, 2011; amended at 35 Ill. Reg. 15278, effective August 30, 2011; amended at 35 Ill. Reg. 16697, effective

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September 29, 2011; amended at 35 Ill. Reg. 18331, effective October 21, 2011; amended at 35 Ill. Reg. 20609, effective December 9, 2011; amended at 36 Ill. Reg. 880, effective January 6, 2012; amended at 36 Ill. Reg. 2296, effective January 25, 2012; amended at 36 Ill. Reg. 3208, effective February 15, 2012; amended at 36 Ill. Reg. 11196, effective July 3, 2012; amended at 36 Ill. Reg. 17490, effective December 3, 2012.

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Section 515.APPENDIX L Pediatric Equipment Recommendations for Emergency Departments

The following list identifies pediatric equipment items that are recommended for the two emergency department facility recognition levels. Equipment items are classified as "essential" (E) and "need to be stocked in the emergency department" (ED).

	EDAP	SEDP
Monitoring Devices		
Blood glucose measurement device (i.e., chemistry strip or glucometer)	E (ED)	E (ED)
Continuous end-tidal PCO ₂ monitor and pediatric CO ₂ colorimetric detector (disposable units may be substituted)	E (ED)	E (ED)
Doppler ultrasound blood pressure device (neonatal-adult thigh cuffs)	E (ED)	E (ED)
ECG monitor-defibrillator/cardioverter with pediatric and adult sized paddles, with pediatric dosage settings and pediatric-adult pacing electrodes	E (ED)	E (ED)
Hypothermia thermometer (Note: with a range of 28-42°C)	E (ED)	E (ED)
Pediatric monitor electrodes	E (ED)	E (ED)
Otoscope/ophthalmoscope/stethoscope	E (ED)	E (ED)
Pulse oximeter with pediatric and adult probes	E (ED)	E (ED)
Sphygmomanometer with cuffs (neonatal-adult thigh)	E (ED)	E (ED)
Vascular Access Supplies and Equipment		
Arm boards (sized infant through adult)	E (ED)	E (ED)
Blood gas kits	E (ED)	E (ED)

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Butterfly-type needles (19-25 g)*	E (ED)	E (ED)
Catheter-over-needle devices (16-24 g)*	E (ED)	E (ED)
Central venous catheters (stock one small and one large size)	E (ED)	E (ED)
Infusion pumps, drip or volumetric, with microinfusion capability, appropriate tubing & connectors	E (ED)	E (ED)
Intraosseous needles or bone marrow needles (13-18 g size range; stock one large/one small bore) or IO device (pediatric and adult sizes)	E (ED)	E (ED)
IV extension tubing, stopcocks, and T-connectors	E (ED)	E (ED)
IV fluid/blood warmer	E (ED)	E (ED)
IV solutions: standard crystalloid and colloid solutions (D10W, D5/.2 NS, D5/.45 NS, D5/.9 NS and 0.9 NS)	E (ED)	E (ED)
Syringes (1ml through 20 ml)	E (ED)	E (ED)
Tourniquets	E (ED)	E (ED)
Umbilical vein catheters (3.5 and 5 Fr; the same size feeding tube may be used for 5 Fr)*	E (ED)	E (ED)
 Respiratory Equipment and Supplies		
Bag-valve-mask device, self-inflating infant/child and adult (1000 ml) with O ₂ reservoir and clear masks (neonatal through large adult sizes)*; PEEP valve and manometer	E (ED)	E (ED)
Bulb syringe	E (ED)	E (ED)
Endotracheal tubes:*		
Uncuffed (sizes 2.5 and 3.0)	E (ED)	E (ED)
Cuffed or Uncuffed (3.5, 4.0, 4.5, 5.0, 5.5)	E (ED)	E (ED)
Cuffed (sizes 6.0, 6.5, 7.0, 7.5, 8.0)	E (ED)	E (ED)

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Stylets for endotracheal tubes (pediatric and adult)	E (ED)	E (ED)
Laryngoscope handle (pediatric and adult)	E (ED)	E (ED)
Laryngoscope blades (curved 2, 3; straight or Miller 0, 1, 2, 3)*	E (ED)	E (ED)
Magill forceps (pediatric and adult)	E (ED)	E (ED)
Meconium aspirator	E (ED)	E (ED)
Nasopharyngeal airways (sizes 12, 16, 20, 24, 28, 30 Fr)*	E (ED)	E (ED)
Nebulized medication, administration set with pediatric and adult masks	E (ED)	E (ED)
Oral airways (sizes 0, 1, 2, 3, 4, 5 or size 50 mm, 60 mm, 70 mm, 80 mm, 90 mm, 100 mm)*	E (ED)	E (ED)
Oxygen delivery device with flow meter and tubing	E (ED)	E (ED)
Oxygen delivery adjuncts:		
Tracheostomy collar	E (ED)	E (ED)
Standard mask, clear (pediatric and adult sizes) and non-rebreather mask, clear (pediatric and adult sizes)	E (ED)	E (ED)
<u>Partial-non-rebreather or non-rebreather mask, clear (pediatric and adult sizes)</u>	<u>E (ED)</u>	<u>E (ED)</u>
Nasal cannula (infant, pediatric and adult)	E (ED)	E (ED)
Peak flow meter	E (ED)	E (ED)
Supplies/kit for patients with difficult air way conditions:	E (ED)	E (ED)
• LMA (sizes 1, 1.5, 2, 2.5, 3, 4 and 5); or		
• Cricothyrotomy kit or cricothyrotomy capabilities (i.e., 10 g needle and 3 mm ET tube adapter or 14 g needle and 3.5 mm ET tube adapter)		

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Suction capability (wall)	E (ED)	E (ED)
Suction capability (portable)	E (ED)	E (ED)
Suction catheters (sizes 5/6, 8, 10, 12, 14, 16 Fr and Yankauer-tip catheter)*	E (ED)	E (ED)
Tracheostomy tubes (sizes PED* 3.0, 3.5, 4.0, 4.5, 5.0, 5.5)* (correspond to PT 00, 0, 1, 2, 3, 4, in old schematization)	E (ED)	---
Tube thoracostomy tray and water seal drainage capacity with chest tubes (sizes 12-32 Fr)*	E (ED)	---
Medications (unit dose, prepackaged)		
Access to the Illinois Poison Center 1-800-222-1222 through posting of phone number in ED	E (ED)	E (ED)
Activated charcoal (consider with and without Sorbitol)	E (ED)	E (ED)
Adenosine	E (ED)	E (ED)
Amiodarone	E (ED)	E (ED)
Antiemetics	E (ED)	E (ED)
Antimicrobial agents (parenteral and oral)	E (ED)	E (ED)
Antipyretics	E (ED)	E (ED)
Atropine	E (ED)	E (ED)
Barbiturates, e.g., Phenobarbital, Pentobarbital, Thiopental	E (ED)	E (ED)
Benzodiazepines, e.g., Lorazepam, Midazolam, Diazepam	E (ED)	E (ED)
Beta agonist for inhalation (Albuterol, Levalbuterol)	E (ED)	E (ED)
Beta blockers, e.g., Propranolol, Metoprolol	E (ED)	E (ED)

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Calcium (chloride or gluconate)	E (ED)	E (ED)
Corticosteroids, e.g., Dexamethasone, Hydrocortisone, Methylprednisolone	E (ED)	E (ED)
Dextrose (25% and 50%)	E (ED)	E (ED)
Diphenhydramine	E (ED)	E (ED)
Dobutamine	E (ED)	---
Dopamine	E (ED)	---
Epinephrine (1:1,000 and 1:10,000)	E (ED)	E (ED)
Epinephrine (Racemic)	E (ED)	E (ED)
Fosphenytoin and/or Phenytoin	E (ED)	E (ED)
Furosemide	E (ED)	E (ED)
Glucagon or Glucose Paste	E (ED)	E (ED)
Insulin, regular	E (ED)	E (ED)
Lidocaine 1%	E (ED)	E (ED)
Magnesium Sulfate	E (ED)	E (ED)
Mannitol	E (ED)	E (ED)
Narcotics	E (ED)	E (ED)
Neuromuscular blocking agents (i.e., succinylcholine, rocuronium, vecuronium)	E (ED)	E (ED)
Ocular anesthetics	E (ED)	E (ED)

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Poison Specific Antidotes		
Acetylcysteine	E (ED)	E (ED)
Cyanide kit	E (ED)	E (ED)
Flumazenil	E (ED)	E (ED)
Naloxone	E (ED)	E (ED)
Procainamide	E (ED)	E (ED)
Sodium bicarbonate – 8.4% and 4.2%	E (ED)	E (ED)
Sedative/Hypnotic (e.g., Ketamine, Etomidate)	E (ED)	E (ED)
Tetanus Immune Globulin (Human)	E (ED)	E (ED)
Tetanus Vaccines (single or in combination with other vaccines)	E (ED)	E (ED)
Topical Anesthetics	E (ED)	E (ED)
Miscellaneous Equipment	E (ED)	E (ED)
Dosing device – length or weight based system for dosing and equipment	E (ED)	E (ED)
Dosing/equipment chart by weight	E (ED)	E (ED)
EMS communication equipment (i.e., telemetry, MERCI, cellular or dedicated phone)	E (ED)	E (ED)
Examination gloves, disposable	E (ED)	E (ED)
Fluorescein (eye strips)	E (ED)	E (ED)
Gastric lavage equipment	E (ED)	E (ED)
Infant formulas, dextrose in water with various nipple sizes	E (ED)	E (ED)
Lubricant, water soluble	E (ED)	E (ED)

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Nasogastric tubes 8 through-18 Fr* (may substitute feeding tubes 5F and 8F)	E (ED)	E (ED)
Oral rehydrating solution	E (ED)	E (ED)
Pain scale assessment tools appropriate for age	E (ED)	E (ED)
Pediatric emergency/crash cart or bag with defined list of contents attached to bag/cart	E (ED)	E (ED)
Restraining device, pediatric (papoose)	E (ED)	E (ED)
Resuscitation board	E (ED)	E (ED)
Urinary catheters (8-22 Fr)*	E (ED)	E (ED)
Warming devices, age appropriate	E (ED)	E (ED)
Weighing scales (in kilograms) for infant and children	E (ED)	E (ED)
Woods lamp (blue light)	E (ED)	E (ED)
Specialized Pediatric Trays		
Initial newborn resuscitation equipment (can include warming device, feeding tubes, neonatal mask)	E (ED)	E (ED)
Lumbar puncture tray, including a selection of needle sizes (size 18-22 g, 1½-3 inch needle)	E (ED)	E (ED)
Minor surgical instruments and sutures	E (ED)	E (ED)
Newborn kit/OB kit (including umbilical clamp, bulb syringe, towel)	E (ED)	E (ED)
Fracture Management Devices		
Extremity splints	E (ED)	E (ED)

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Femur splint (child and adult)	E (ED)	E (ED)
Semi-rigid neck collars (child through adult) or cervical immobilization equipment suitable for children	E (ED)	E (ED)
Spinal immobilization board (child and adult)	E (ED)	E (ED)

* Shall minimally stock a range of each commonly available size noted or comparable sizes.

(Source: Amended at 36 Ill. Reg. 17490, effective December 3, 2012)

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Section 515. APPENDIX Appendix O Pediatric Critical Care Center Plan

I. PEDIATRIC CRITICAL CARE CENTER PLAN

Application Checklist

Instructions: Please follow and complete this checklist carefully. It outlines the components that must be included in the submitted plan. Please include any applicable supplemental documentation.

A. Organizational Structure

1. Enclosed is an organizational table identifying the administrative relationships among all departments in the hospital, especially as they relate to the pediatrics department. The table shall include, but is not limited to, the following:
 - board of directors
 - chief executive officers
 - emergency department
 - department of pediatrics
 - pediatric ambulatory care
 - trauma service
 - department of radiology
 - laboratory services
 - transport service team
 - social services

2. Enclosed is an organizational table showing the organizational structure of the department of pediatrics, including the relationship of the physician, nursing and ancillary services for both the PICU and pediatric units. Include the reporting structure for the pediatric chairman (to whom he/she reports).
 - Department of Pediatrics Organizational Structure (Table)

3. Enclosed is an organizational table showing the organizational structure of the emergency department, including the relationship of the physician, nursing and ancillary services. Include the reporting structure for the emergency department director (to whom he/she reports).
 - Emergency Department Organizational Structure (Table)

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EDAP Checklist

Review the criteria in Section 515.4000(a)(1) and (2) for the physician staff qualifications and continuing medical education and submit each of the following:

- A policy or medical staff bylaws that incorporate the physician qualifications and CME requirements.
- A completed Credentials of Emergency Department Physicians form
- [A completed Credentials of Fast Track Physicians form](#)
- The curriculum vitae for the ED medical director
- A current one-month physician schedule for the ED

Review the criteria in Section 515.4000(a)(3) for the ED physician coverage and submit a policy that addresses this requirement.

Review the criteria in Section 515.4000(a)(4) for ED consultation and submit a one-month on-call schedule identifying availability of board certified/board prepared pediatricians or pediatric emergency medicine physicians.

Review the criteria in Section 515.4000(a)(5) for ED physician back-up and submit a policy that addresses this requirement.

Review the criteria in Section 515.4000(a)(6) for on-call specialty physician response time and submit a policy that addresses this requirement.

Review the criteria in Section 515.4000(b)(1) and (2) for mid-level provider qualifications and continuing medical education and submit the following (as applicable):

- A policy(s) that incorporates the mid-level provider qualifications and continuing education requirements
- A completed Credentials of Emergency Department Mid-level Providers form
- A current one-month mid-level provider schedule

Review the criteria in Section 515.4000(c)(1) and (2) for nursing qualifications and continuing education and submit the following:

- A policy that incorporates the nursing qualifications and CE requirements
- A completed Credentials of Emergency Department Nursing Staff form

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- A one-month nurse staffing schedule for the emergency department

Review the criteria in Section 515.4000(d)(1) for inter-facility transfer and submit the following:

- An inter-facility transfer policy that addresses pediatric transfers
 A copy of current pediatric-specific transfer agreements with hospitals that provide pediatric specialty services, pediatric intensive care and burn care not available at your facility

Review the criteria in Section 515.4000(d)(2) for suspected child abuse and neglect and submit a policy that addresses this requirement.

Review the criteria in Section 515.4000(d)(3) for treatment protocols and submit all pediatric treatment protocols.

Review the criteria in Section 515.4000(d)(4) for latex allergy policy and submit a policy that addresses latex allergies and the availability of latex-free equipment and supplies.

[Review the criteria in Section 515.4000\(d\)\(5\) for disaster preparedness and submit a completed pediatric disaster preparedness checklist.](#)

Review the criteria in Section 515.4000(e)(1) for quality improvement activities and the multidisciplinary quality improvement committee and submit ~~both of~~ the following:

- A quality improvement plan, including a QI policy, pediatric indicators, feedback loop and target time frames for closure of issues
 The composition of the multidisciplinary QI committee

Review the criteria in Section 515.4000(e)(2) [and \(3\)](#) for the [pediatric physician champion and the pediatric quality coordinator responsibilities](#) and submit ~~both of~~ the following:

- [A curriculum vitae for the pediatric physician champion](#)
 A curriculum vitae [and job description](#) for the pediatric quality coordinator
 Documentation detailing the participation of the pediatric quality coordinator in regional QI activities and how that has affected pediatric quality care in the ED

Review the criteria in Section 515.4000(f) for the list of emergency department equipment requirements and submit a completed checklist indicating the availability of all equipment.

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Indicate in the pediatric plan whether each item is currently available. If equipment/supply items are not available, a plan for securing the items shall be identified (e.g., submission of a purchase order to assure that the item is on order) or a waiver request shall be submitted for each item. Requests for waiver shall include the criteria by which compliance is considered to be a hardship and demonstrate that there will be no reduction in the provision of medical care.

If assistance is needed in identifying specific vendors for any of the equipment or supply items in this application, please contact the Marketing Administrator, Group Purchasing Services, Metropolitan Chicago Healthcare Council at 312-906-6122.

B. PCCC Checklist

1. Hospital Requirements

Review the criteria in Section 515.4020(a) of the PCCC requirements as related to hospital resources and submit documentation identifying the ability to meet each of the following:

- A scope of services/policy outlining PICU services, unit resources and capabilities. Include any guidelines that outline pediatric admission criteria based on age parameters and/or diagnoses
- A list of the members of the PICU Committee, as well as their disciplines, to meet subsection (a)(3)
- Documentation to substantiate that Section 515.4020(a)(4) (Helicopter landing) is met
- A statement regarding 24-hour availability to meet Section 515.4020(a)(5) (CAT scan)
- A statement regarding the ability to meet Section 515.4020(a)(6) (Laboratory)
- A statement of availability or transfer agreement to meet Section 515.4020(a)(7) (Hemodialysis capabilities)
- A statement or scope of service from each program identifying the availability of staff as required in Section 515.4020(a)(8) (Other staffing/services)
- A list of professional pediatric critical care educational trainings that staff have provided in the past year to meet Section 515.4020(a)(9) (include information on trainings held within the facility, within the region or surrounding geographic area)
- A list of pediatric emergency care classes that staff have provided in the past year to meet Section 515.4020(a)(10) (i.e., CPR, first aid, health fairs, etc., conducted for the patient population and the community, region or surrounding geographic area)

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- Documentation of any pediatric research the facility has been engaged in during the past year to meet Section 515.4020(a)(11) (include the research project abstract, summary of projects or listing of research activities)

II. PICU SERVICE REQUIREMENTS

A. Professional Staff

1. PICU Medical Director

Review the criteria in Section 515.4020(b) for the Medical Director and Co-Director requirements and submit each of the following:

- A curriculum vitae for the appointed PICU medical director
 A copy of board certification or verification of board certification
 A curriculum vitae and board certification for the co-director (as applicable – see Section 515.4020(b)(1))

2. PICU Medical Staff Requirements

Review the criteria in Section 515.4020(c) and submit each of the following:

PICU Medical Staff

- A policy outlining PICU physician staffing, coverage, availability, and CME requirements that incorporates Section 515.4020(c)(1)(A) and (B)
 A completed Credentials of PICU Physicians form that includes the medical director (and co-director as applicable)
 A one-month staffing schedule/calendar (schedule should be from within the three-month time period previous to the application submission)

Physician Specialist Availability (Section 515.4020(c)(2))

- A policy or by-laws that address the response time and on-call scheduling of pediatric surgeons
 A policy/process outlining board or sub-board certification or board preparedness for all specialist physicians
 A policy/process outlining how pediatric proficiency is defined and assuring that all specialist physicians maintain 10 hours of pediatric CME per year
 A policy/process outlining anesthesiologist on-call staffing and response time, subspecialty training in pediatric anesthesiology or pediatric proficiency as

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defined by institution, and 10 hours of pediatric CME per year; for Certified Registered Nurse Anesthetists, provide a copy of the by-laws that address their responsibilities and back up

- On-call schedules from the last month that list physician availability to meet Section 515.4020(c)(2)(C) and (D)

3. PICU Mid-Level Providers (Physician Assistant or Nurse Practitioner) Requirements

NOTE – Complete this section only if physician assistants or nurse practitioners practice in the PICU.

Review the criteria in Section 515.4020(d) and submit each of the following:

Nurse Practitioner (Section 515.4020(d)(1))

- A policy outlining PICU nurse practitioner staffing, coverage, availability, responsibilities and credentialing process
- A copy of a one-month staffing schedule/calendar (schedule should be from within the three-month time period previous to the application submission)
- A completed Credentials of PICU Mid-Level Providers form

Physician Assistant (Section 515.4020(d)(2))

- A policy outlining PICU physician assistant staffing, coverage, availability, responsibilities and credentialing process
- A copy of a one-month staffing schedule/calendar (schedule should be from within the three-month time period previous to the application submission)
- A completed Credentials of PICU Mid-Level Providers form

Education (Section 515.4020(d)(3) and (4))

- A policy that incorporates APLS, PALS or ENPC (Section 515.4020(d)(3))
- A copy of the PICU physician assistant/nurse practitioner continuing education policy that incorporates Section 515.4020(d)(4)

4. PICU Nursing Staff Requirements

Review the criteria in Section 515.4020(e) and submit each of the following:

PICU Nurse Manager

- A curriculum vitae for the PICU manager

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- A policy or job description that incorporates Section 515.4020(e)(1)(C)

PICU Advanced Practice Nurse

- A policy or job description of the role and responsibilities of the advanced practice nurse in the PICU
- A resume of the PICU advanced practice nurse
- A policy that incorporates Section 515.4020(e)(2)(C) and (D)

Nursing Patient Care Services

- A policy/documentation outlining current nursing shift staffing plan/patterns
- A completed Credentials of PICU Nursing Staff form that includes the PICU nurse manager and PICU advanced practice nurse
- A policy or job description for the PICU nurse that outlines the orientation process to the unit responsibilities and requirements of the Department (Section 515.4020(e)(3)(C) and (D))
- A copy of a one-month nurse staffing schedule/calendar (schedule shall be from within the three-month time period previous to the application submission)
- A policy reflecting yearly competency review requirements for the PICU staff

D. Policies, Procedures and Treatment Protocols

Review the criteria in Section 515.4020(f) and submit each of the following:

- An admission and discharge criteria policy
- A staffing policy that addresses nursing shift staffing patterns based on patient acuity
- A policy for managing the psychiatric needs of the PICU patient
- Protocols, order sets, pathways or guidelines for management of high- and low-frequency diagnoses

E. Inter-facility Transfer/Transport Requirements

Review the criteria in Section 515.4020(g) and submit each of the following:

- A copy of the last annual report containing the number of annual transfers to the facility from transferring institutions
- A policy outlining the feedback process to transferring hospitals on the status of the referral patient and the methods for quality review of the transfer process

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- Documentation outlining the pediatric inter-facility transport system capabilities and resources
- A transfer policy that addresses pediatric inter-facility transfers

F. Quality Improvement Requirements

Review the criteria in Section 515.4020(h) and submit each of the following:

- A list of the members of the Multidisciplinary Pediatric Quality Improvement Committee and their respective positions/disciplines
- An institutional Quality Improvement Organizational Chart
- The PICU outcome analysis plan and pediatric monitoring activities that meet Section 515.4020(h)(2) (minutes from the past year that reflect the activities of the Multidisciplinary Pediatric Quality Improvement Committee will be requested at the time of site survey)

G. Equipment

Review the criteria in Section 515.4020(i) and submit the following:

Indicate in the Pediatric Plan whether each item is currently available. If equipment/supply items are not available, a plan for securing the items shall be identified (e.g., submission of a purchase order to assure that the item is on order); if the item is not on order, a waiver request shall be submitted for each item. Requests for waiver shall include the criteria by which compliance is considered to be a hardship and shall demonstrate that there will be no reduction in the provision of medical care.

If assistance is needed in identifying specific vendors for any of the equipment/supply items noted in this application, please contact the Marketing Administrator, Group Purchasing Services, Metropolitan Chicago Healthcare Council at 312-906-6122.

III. PEDIATRIC INPATIENT CARE SERVICE REQUIREMENTS

A. Professional Staff

1. Pediatric Unit Physician Requirements

Review the criteria in Section 515.4020(j) and submit each of the following:

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- A curriculum vitae and a copy of board certification for the pediatric inpatient director
- A policy or a scope of services for the pediatric unit that defines responsibility for medical management of care
- If pediatric hospitalists are used, documentation that defines their scope of service, including their responsibilities to other attending physicians
- A completed Credentials of Pediatric Unit Hospitalists form
- A policy that incorporates Section 515.4020(j)(1)(B)
- A policy or scope of services outlining the responsibility of the PICU medical director or his/her designee as being available on call and for consultation on all pediatric in-house patients who may require critical care

2. Pediatric Unit Nurse Manager Requirements

Review the criteria in Section 515.4020(j)(2) and submit each of the following:

- A curriculum vitae for the pediatric unit manager
- A job description or policy incorporating Section 515.4020(j)(2)(C)

3. Pediatric Unit Nursing Care Services

Review the criteria in Section 515.4020(j)(3) and submit each of the following:

- A policy/documentation outlining current nursing shift staffing plan/patterns
- A policy describing annual competency review requirements for the pediatric nursing staff (Section 515.4020(j)(3)(B))
- A policy or job description for the pediatric unit nurse that outlines the orientation process to the unit responsibilities and requirements of the Department that address Section 515.4020(j)(3)(A) through (D)
- A copy of a one-month nursing staffing schedule/calendar (schedule shall be from within the three-month time period previous to the application submission)
- A completed Credentials for the Pediatric Unit Nursing Staff form that includes the Pediatric Unit Nurse Manager

B. Policies, Procedures and Treatment Protocols

Review the criteria in Section 515.4020(k) and submit each of the following:

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- A policy or scope of services that outlines the pediatric department services, ages of patients served and admission guidelines
- A staffing policy that addresses nursing shift staffing patterns based on patient acuity
- A safety and security policy for the patient in the unit
- An inter-facility transport policy that addresses safety and acuity
- An intra-facility transport policy that addresses safety and acuity
- A latex allergy policy
- A pediatric organ procurement/donation policy
- An isolation precautions policy that incorporates appropriate infection control measures
- A disaster/terrorism policy that addresses the specific medical and psychosocial needs of the pediatric population
- Protocols, order sets, pathways or guidelines for management of high- and low-frequency diagnoses
- A pediatric policy that addresses the resources available to meet the psychosocial needs of patients and family, and appropriate social work referral for the following indicators (see Pediatric Bill of Rights in Appendix N):
 - Child death
 - Child has been a victim of or witness to violence
 - Family needs assistance in obtaining resources to take the child home
 - Family needs a payment resource for their child's health needs
 - Family needs to be linked back to their primary health, social service or educational system
 - Family needs support services to adjust to their child's health condition or the increased demands related to changes in their child's health condition
 - Family needs additional education related to the child's care needs to care for the child at home
- A discharge planning policy or protocol that includes the following:
 1. Documentation of appropriate primary care/specialty follow-up provisions
 2. Mechanism to access a primary care resource for children who do not have a provider
 3. Discharge summary provision to appropriate medical care provider, parent/guardian, that includes:
 - Information on the child's hospital course
 - Discharge instructions and education
 - Follow-up arrangements
 4. Appropriate referral of patients to rehabilitation or specialty services for children who may have any of the following problems:

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- Require the assistance of medical technology
- Do not exhibit age-appropriate activity in cognitive, communication or motor skills, behavioral or social/emotional realms
- Have additional medical or rehabilitation needs that may require specialized care, such as medication, hospice care, physical therapy, home health or speech/language services
- Have a brain injury – mild, moderate or severe
- Have a spinal cord injury
- Exhibit seizure behavior during an acute care episode or have a history of seizure disorder and are not currently linked with specialty follow-up
- Have a submersion injury, such as a near drowning
- Have a burn (other than a superficial burn)
- Have a pre-existing condition that experiences a change in health or functional status
- Have a neurological, musculoskeletal or developmental disability
- Have a sudden onset of behavioral change, for example, in cognition, language or affect

C. Quality Improvement Requirements

Review the criteria in Section 515.4020(l) and submit the following:

- The titles of the pediatric unit representatives that serve on the Multidisciplinary Pediatric Quality Improvement Committee

D. Equipment Requirements

Review the criteria in Section 515.4020(m) and submit the following:

Indicate in the Pediatric Plan whether each item is currently available. If equipment/supply items are not available, a plan for securing the items shall be identified (e.g., submission of a purchase order to assure that the item is on order); if the item is not on order, a waiver request shall be submitted for each item. Requests for waiver shall include the criteria by which compliance is considered to be a hardship and shall demonstrate that there will be no reduction in the provision of medical care.

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If assistance is needed in identifying specific vendors for any of the equipment/supply items noted in this application, please contact the Marketing Administrator, Group Purchasing Services, Metropolitan Chicago Healthcare Council at 312-906-6122.

(Source: Amended at 36 Ill. Reg. 17490, effective December 3, 2012)

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- 1) Heading of the Part: State of Illinois Employees' Deferred Compensation Plan
- 2) Code Citation: 80 Ill. Adm. Code 2700
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
2700.200	Amendment
2700.310	Amendment
2700.315	Amendment
2700.415	Amendment
2700.450	Amendment
2700.600	Amendment
2700.630	Amendment
2700.650	Amendment
2700.660	Amendment
2700.680	Amendment
2700.690	Amendment
2700.700	Amendment
2700.740	Amendment
2700.745	Amendment
2700.770	New Section
- 4) Statutory Authority: 40 ILCS 5/22(a)
- 5) Effective Date of Rulemaking: January 1, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the Illinois Register: August 31, 2012; 36 Ill. Reg. 13539
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: The final version of "Section 2700.770 Loans" contains a new Section 2700.770(p), which discusses the policies associated with the loan initiation process; additional clarification language was further added throughout

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the final version. In addition, non-substantive technical changes were made throughout the rulemaking.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: These amendments will allow for participants to take loans from their accounts, which is consistent with industry best practice.
- 16) Information and questions regarding this rulemaking shall be directed to:

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

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

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE H: DEFERRED COMPENSATION
CHAPTER I: ILLINOIS STATE BOARD OF INVESTMENT

PART 2700

STATE (OF ILLINOIS) EMPLOYEES' DEFERRED COMPENSATION PLAN

SUBPART A: INTRODUCTION AND PURPOSE OF PLAN

Section	
2700.100	Establishment of Plan
2700.110	Purpose of Plan
2700.120	Economic Growth and Tax Relief Reconciliation Act of 2001 Good Faith Amendment (Repealed)
2700.125	Forms

SUBPART B: DEFINITIONS

Section	
2700.200	Definitions

SUBPART C: ADMINISTRATION

Section	
2700.300	Responsibilities of the Department
2700.310	Responsibilities of the Board
2700.311	Standards Governing the Selection of Investment Options
2700.315	Responsibilities of the Recordkeeper
2700.320	Deferred Compensation Hardship Committee
2700.330	Applicable Law

SUBPART D: PARTICIPATION IN THE PLAN

Section	
2700.400	Eligibility
2700.410	Enrollment
2700.415	Designation of Beneficiary
2700.420	Minimum Deferral
2700.430	Basic Annual Limitation

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- 2700.435 Age 50 Catch-up Annual Deferral Contribution
- 2700.440 Special Section 457 Catch-up Limitation
- 2700.450 Revocation of Deferral

SUBPART E: ESTABLISHMENT OF RETIREMENT AGE

Section

- 2700.500 Normal Retirement Age
- 2700.510 Alternative Normal Retirement Age

SUBPART F: PARTICIPANT'S ACCOUNTS, INVESTMENTS AND STATEMENTS

Section

- 2700.600 Deferred Compensation Accounts
- 2700.610 Allocation of Investment Earnings or Losses
- 2700.620 Investment Option Valuation
- 2700.630 Administrative Costs
- 2700.640 Method of Making Investment Requests
- 2700.650 Participant Statements
- 2700.660 Custodial Account
- 2700.670 Investment Options
- 2700.680 Rollovers to the Plan
- 2700.690 Plan-to-Plan Transfers to the Plan

SUBPART G: DISTRIBUTIONS

Section

- 2700.700 Distribution Events
- 2700.710 Beneficiary Election of Method of Distribution
- 2700.720 Election of Delayed Distribution Date (Repealed)
- 2700.730 Election of Method of Distribution
- 2700.735 Distribution for Certain Balances of \$5,000 or Less
- 2700.740 Unforeseeable Emergency
- 2700.745 Plan-to-Plan Transfers from the Plan
- 2700.750 Permissive Service Credit Transfers
- 2700.760 Leave of Absence
- [2700.770 Loans](#)

SUBPART H: MISCELLANEOUS

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Section

2700.800	Nonassignability
2700.810	Payments to Minors and Incompetents
2700.820	Missing Persons
2700.830	Severability
2700.840	Days and Dates
2700.850	Domestic Relations Orders
2700.860	IRS Levy
2700.870	Mistaken Contributions

SUBPART I: AMENDMENT OR TERMINATION OF PLAN

Section

2700.900	Amendment of Plan
2700.910	Termination of Plan
2700.920	Merger with Prior Plans

2700.APPENDIX A	Administrative Rules (Repealed)
2700.EXHIBIT A	Administrative Rule I (Repealed)
2700.EXHIBIT B	Administrative Rule II (Repealed)
2700.EXHIBIT C	Administrative Rule III (Repealed)
2700.EXHIBIT D	Administrative Rule IV (Repealed)
2700.EXHIBIT E	Administrative Rule V (Repealed)
2700.EXHIBIT F	Administrative Rule VI (Repealed)

AUTHORITY: Implementing section 457 of the Internal Revenue Code (26 USCA 457, et seq., as now or hereafter amended) and implementing and authorized by Section 22A-111.1 and Article 24 of the Illinois Pension Code [40 ILCS 5/22A-111.1 and Art. 24].

SOURCE: Emergency rule adopted at 3 Ill. Reg. 11, p. 161, effective March 6, 1979, for a maximum of 150 days; adopted at 3 Ill. Reg. 13, p. 7, effective March 19, 1979; amended at 3 Ill. Reg. 36, p. 436, effective August 29, 1979; amended at 4 Ill. Reg. 1, p. 45, effective December 26, 1979; amended at 6 Ill. Reg. 9655, effective July 23, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 10845, effective August 31, 1983; emergency amendments at 13 Ill. Reg. 629, effective January 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 9308, effective May 31, 1989; emergency amendment at 17 Ill. Reg. 19976, effective November 2, 1993, for a maximum of 150 days; emergency expired April 2, 1994; amended at 18 Ill. Reg. 7224, effective May 2, 1994; amended at 21 Ill. Reg. 10050, effective July 15, 1997; emergency

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amendment at 23 Ill. Reg. 566, effective January 1, 1999, for a maximum of 150 days; amendment at 23 Ill. Reg. 6039, effective May 5, 1999; emergency amendment at 26 Ill. Reg. 478, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 7442, effective May 6, 2002; emergency amendment at 29 Ill. Reg. 20050, effective November 23, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 8408, effective April 21, 2006; amended at 33 Ill. Reg. 13451, effective September 14, 2009; amended at 35 Ill. Reg. 13928, effective August 1, 2011; amended at 36 Ill. Reg. 17518, effective January 1, 2013.

SUBPART B: DEFINITIONS

Section 2700.200 Definitions

- a) Whenever used in the Plan, the following terms shall have the meanings set forth in this Section unless otherwise expressly provided, and when the defined meaning is intended, the term is capitalized:

"Account Balance" means the bookkeeping account maintained with respect to each Participant that reflects the value of the Deferred Compensation credited to the Participant, including Annual Deferrals, the earnings or loss of the Investment Option (net of Investment Option expenses) allocable to the Participant, any transfers for the Participant's benefit, ~~and~~ any distribution made to the Participant or the Participant's Beneficiary, the value of any outstanding Participant Loans and as adjusted for Loan repayments and as otherwise provided in the Plan. If a Participant has more than one Beneficiary at the time of the Participant's death, then a separate Account Balance shall be maintained for each Beneficiary. The Account Balance includes any account established for rollover contributions and plan-to-plan transfers made for a Participant, the account established for a Beneficiary after a Participant's death, and any account or accounts established for an alternate payee (as defined in section 414(p)(8) of the Internal Revenue Code).

"ACH Debit" or "Automated Clearing House Debit" means an electronic system that allows a payee, with approval of the payer, to initiate a debit from the payer's bank account.

"Alternate Retirement System" means this Plan, which is described in section 457 of the Internal Revenue Code, when used for purposes of section 3121(b)(7)(F) of the Code to exclude contractual employees from mandatory Social Security coverage.

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"Annual Deferral" means the amount of Compensation deferred in any year.

"Applicable Dollar Amount" means the amount of Compensation allowed to be deferred in any calendar year as established under section 457(e)(15) of the Code.

"Beneficiary" means the person, persons or legal entity entitled to receive any undistributed Deferred Compensation that becomes payable in the event of the Participant's death, as designated by the Participant, or provided for in accordance with the Plan.

"Board" means the Illinois State Board of Investment.

"Code" means the Internal Revenue Code (26 USC 1 et seq.), as amended from time to time, or any successor statute.

"Compensation" means all cash Compensation for services to the State, including salary, wages, fees, commissions, bonuses, and overtime pay, that is includable in the Employee's gross income for the calendar year but for a Compensation reduction election under section 125, 132(f), 401(k), 403(b) or 457(b) of the Code.

"Custodial Account" means the fund created under and subject to the Custodial Agreement.

"Custodial Agreement" means the written agreement made by and between the State and the Custodian under which the Custodial Account is maintained.

"Custodian" means a bank, as described in section 408(n) of the Internal Revenue Code, or a person who meets the non-bank trustee requirements in accordance with the regulations under section 408(a)(2) of the Code relating to the use of non-bank trustees.

"Deferred Compensation" means that portion of the Participant's Compensation that the Participant defers under this Plan.

"Deferred Compensation Account" means an account established under this Plan that is the basis for any distribution payable to the Participant under Section 2700.730 of this Part.

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"Delayed Distribution Date" means the date a Participant elects to make a decision regarding distribution of the Participant's account.

"Department" means the Department of Central Management Services of the State of Illinois.

"Employee" means *any person, including a person elected, appointed or under contract, receiving Compensation from the State for personal services rendered, including salaried persons* [40 ILCS 5/24-102], except that any person under contract with the Employer shall be eligible only to the extent the Internal Revenue Service or the Illinois Department of Revenue shall permit or approve.

"Employer" means the State of Illinois, including all officers, boards, commissions and agencies created by the Illinois Constitution, whether in the executive, legislative or judicial branch, all officers, departments, boards, commissions, agencies, institutions, authorities, universities, bodies politic and corporate of the State; and administrative units or corporate outgrowths of the State government that are created by or pursuant to statute other than units of local government and their officers, school districts and boards of election commissioners; all administrative units and corporate outgrowths of the above as may be created by executive order of the Governor.

"Hardship Committee" means a committee that is responsible for determining whether any Participant has suffered an Unforeseeable Emergency and is entitled to a distribution as provided under Section 2700.740 ~~of this Part, as well as~~ [determining Loan claims appeals as provided under Section 2700.770.](#)

"Includable Compensation" means the Employee's actual wages in box 1 of Form W-2 for a year for services to the State, as defined in section 457(e)(5) of the Code.

"Investment Option" means any and all investment vehicles established by the Board for the investment of Deferred Compensation.

["Loan" means a Participant loan described in Section 2700.770.](#)

"Minor" means a Beneficiary who is under age 18 at the time a benefit under this Plan becomes payable to him or her, unless Illinois law defines another age.

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"Minority Option" means an Investment Option with a minority-owned firm that has documented State certification.

"Normal Retirement Age" means age 70½ unless the Participant has elected an alternative Normal Retirement Age by written instrument delivered to the Department within 30 days after the Participant's Severance of Employment as provided in Section 2700.510 of this Part. A Participant's Normal Retirement Age determines:

the latest time when benefits may commence under this Plan (unless the Participant continues employment after Normal Retirement Age); and

the period during which a Participant may utilize the three-year Catch-up provision of Section 2700.440 of this Part.

"Participant" means any Employee who has enrolled in this Plan as provided in Section 2700.410 of this Part and has not had a complete distribution of his or her Deferred Compensation Account.

"Pay Period" means ~~ana-regular~~ accounting period established by the State of Illinois for measuring and paying Compensation earned by Employees. A Pay Period may be monthly, semi-monthly, ~~or~~ bi-weekly or another period determined by the Employer.

"Plan" means the State (of Illinois) Employees' Deferred Compensation Plan, as set forth in this Part, and as it may be amended from time to time.

"Plan Year" shall be the tax year as established by the Comptroller for payroll purposes.

"Prior Plan I" means the State Employees' Deferred Compensation Plan approved and adopted by the Board on September 10, 1976.

"Prior Plan II" means the State Employees' Deferred Compensation Plan approved and adopted by the Board on May 18, 1979.

"Prior Plan III" means the State Employees' Deferred Compensation Plan (80 Ill. Adm. Code 2700) adopted at 7 Ill. Reg. 10845, effective August 31, 1983.

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"Recordkeeper" means the non-fiduciary, non-discretionary entity that, under contract with the Board, performs functions as directed by the Board or Department, as appropriate, as described in this Part, in its contract with the Board, and as described in any other written agreements with the Board and/or the Department.

"Severance from Employment" means the permanent severance of the Participant's employment relationship with the Employer by means of:

retirement;

discharge;

resignation, provided seniority or continuous service is interrupted;

layoff, unless there is a designated date for return to paid status;

expiration or non-renewal of contract, appointment or term of office;

nonreelection; or

other form of permanent severance as may be provided by appropriate law, contract or rules and regulations.

For the purposes of this definition, neither a break in State service for a period of less than 30 days nor transfers among various branches of State Government shall be considered a Severance from Employment.

An independent contractor is considered to sever service with the Employer upon the expiration of all contracts under which services are performed for the Employer, if the expiration constitutes a good faith and complete termination of the contractual relationship.

"State" means State of Illinois.

"Unforeseeable Emergency" means severe financial hardship to the Participant resulting from an unexpected illness or accident of the Participant or of a dependent of the Participant, loss of the Participant's property due to casualty, or other similar extraordinary and unforeseeable circumstances arising as a result of

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events beyond the control of the Participant.

"Valuation Date" means the date on which an Investment Option is valued and earnings and/or losses are allocated to Participants' Deferred Compensation Accounts. There shall be a Valuation Date at least once a month and, if practical at the discretion of the Board, more frequent Valuation Dates to reflect, as closely as possible, the earnings and/or losses of any particular Deferred Compensation Account from the time Compensation is deferred and invested in various Investment Options until it is eventually distributed according to the Plan. It may also include each business day/the last day of the calendar month/the last day of the calendar quarter/each December 31.

- b) Except when otherwise indicated by context, any masculine terminology shall also include the feminine and neuter and vice-versa, and the definition of any terms in the singular may also include the plural.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

SUBPART C: ADMINISTRATION

Section 2700.310 Responsibilities of the Board

- a) The Board has the responsibility for general supervision of the Plan, which shall include, but not be limited to:
- 1) establishment of the Plan;
 - 2) approving or disapproving any proposed changes in the Plan;
 - 3) if deemed necessary by the Board, obtaining Internal Revenue Service and Illinois Department of Revenue approval for the Plan or any amendments to the Plan;
 - 4) reviewing any and all proposed investment offerings, each of which must be determined acceptable by the Board prior to being utilized for the investment of Deferred Compensation;
 - 5) providing the Recordkeeper with the most recent copy of the Plan, the Plan's administrative policies, procedures and forms, the Plan's

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Investment Options and all Plan data and other documents necessary to perform its functions;

- 6) maintaining the tax qualification of the Plan under section 457 of the Code;
 - 7) reviewing, selecting and approving the Recordkeeper and the services to be provided by the Recordkeeper; and
 - 8) resolving all benefit claims and claims appeals under the Plan, including, but not limited to, resolving all Loan claims and Loan claims appeals under the Plan.
- b) Following approval by the Board of one or more types of investments, if any, to be offered to Participants, the Board shall prepare specifications and make them available to known administrators or providers of that type of investment.
- c) The selection of the successful bidder for each investment shall be based on the bidder's relative ability to provide the program as specified. The Board shall have the authority to:
- 1) waive minor informalities in bidding;
 - 2) accept more than one bid; and
 - 3) reject any and all bids.
- d) The Board has the responsibility for selecting the custodians to hold the assets of the Plan in accordance with section 457(g) of the Code and for entering into related custodial agreements in connection with the Plan.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.315 Responsibilities of the Recordkeeper

The Recordkeeper shall:

- a) accept Plan contributions from the Department and cause those contributions to be invested among the Investment Options, as directed by the Participant;

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- b) process distributions upon receipt of information from the Department that indicates that a Participant is eligible for distribution;
- c) process changes to Investment Options, as directed by the Board;
- d) process changes to investment allocations, as requested by the Participant, provided that the allocation is made to one of the available Investment Options and that the allocation reconciles with the Department's instructions, based upon the request from the Participant, for allocating the contribution;
- e) provide the production, printing and assembly of enrollment kits for distribution to eligible employees and provide enrollment representatives to assist with employee meetings;
- f) process all requests for hardship distribution due to an Unforeseeable Emergency resulting from:
 - 1) legal fees involving criminal charges and civil divorce charges against/for the Participant and/or the Participant's qualifying dependents;
 - 2) payment for the burial or funeral expenses for the parent, spouse and/or qualifying dependent of the Participant;
 - 3) costs associated with preventing eviction from, or foreclosure on the mortgage of, the Participant's primary residence;
 - 4) expenses for the repair of damage to the Participant's principal residence that would qualify for the casualty deduction under section 165 of the Code (regardless of whether the loss exceeds 10% of the Participant's adjusted gross income) beyond insurance reimbursement;
 - 5) unreimbursed medical expenses resulting from sudden illness or accident of the Participant or the Participant's spouse and/or qualifying dependents;
 - 6) involuntary loss of wages; or
 - 7) other extraordinary and unforeseeable circumstances arising as a result of events beyond the Participant's control that create a financial hardship;

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- g) review and forward all requests for hardship distribution for an Unforeseeable Emergency as governed by 26 CFR 1.457-6 (~~20122008~~), resulting from a cause not contemplated in Section 2700.315(f) to the Hardship Committee for review and determination;
- h) process all Loan applications, Loan repayments, Loan defaults and reamortizations;
- i) communicate with Participants regarding the Plan's Participant Loan feature and notify Participants regarding delinquent Loan payments and other Loan-related matters;
- j) prepare and mail quarterly account statements to Participants;
- k) communicate with Participants regarding the costs and available Investment Options under the Plan, matters relating to investment education, and other information required in order to maintain qualification of the Plan or as otherwise agreed with the Board or the Department;
- ~~l)~~i) enter data provided by the Department into its recordkeeping system for the proper operation and maintenance of the records of the Plan;
- ~~m)~~j) provide Code section 457 compliance monitoring, monitor for compliance with laws governing the use of electronic media for providing employee benefits notices and making benefit elections and consents, and monitor distributions in the normal course, plan-to-plan transfers, Loans and rollovers to ensure compliance with the terms of the Plan;
- ~~n)~~k) provide Participant access to daily pricing valuations through its on-line access system, as well as provide directions and/or direct links to other pricing calculators when applicable; and
- ~~o)~~h) monitor, calculate and process required minimum distributions under section 401(a)(9) of the Code.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

SUBPART D: PARTICIPATION IN THE PLAN

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Section 2700.415 Designation of Beneficiary

- a) A Participant may designate a Beneficiary or Beneficiaries who shall receive any balance in the Participant's Deferred Compensation Account in the event of his or her death.
- b) A designation of Beneficiary shall be effective for subsequent distributions when received by the Department. The designation shall be in writing on a form provided under the Plan for that purpose that has been signed by the Participant.
- c) A Participant may, at any time, change his or her Beneficiary by completion of the form provided under the Plan.
- d) No Beneficiary shall have any rights under this Plan until the death of the Participant who has designated him or her and a separate account has been established by the Recordkeeper, at the direction of the Department, as provided for under this Section.
- e) Participants may designate primary and contingent Beneficiaries. A contingent Beneficiary's interest shall become effective only upon the death of any and all primary Beneficiaries, or if any and all of the primary Beneficiary designations have been found invalid.
- f) If more than one Beneficiary is named in either category, benefits shall be paid according to the following rules:
 - 1) Beneficiaries can be designated to share equally or to receive specific percentages.
 - 2) If a Beneficiary dies before the Participant, only the surviving Beneficiaries shall be eligible to receive any benefits in the event of the death of the Participant. If more than two Beneficiaries are originally named to receive different percentages of the benefits, surviving Beneficiaries shall share in the same proportion to each other as indicated in the original designation.
- g) A person, trust, estate or other legal entity may be designated as a Beneficiary.

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- h) If a Beneficiary has not been designated, or a designation is ineffective due to the death of all Primary and Contingent Beneficiaries prior to the death of the Participant, or the designation is ineffective for any reason, the estate of the Participant shall be the Beneficiary.
- i) Upon the death of the Participant, any Beneficiary entitled to the value of the Deferred Compensation Account under the provisions of this Section shall become a "vested Beneficiary" and have all the rights of the Participant, with the exception of making any deferrals or applying for a Loan under the Plan.
- j) Before the account can be distributed, the Beneficiary must provide the Department with his or her Social Security Number and a certified copy of the Participant's death certificate.
- k) In the event of a conflict between the provisions of this Section and any annuity contract purchased prior to January 1, 1999, this Section shall prevail.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.450 Revocation of Deferral

- a) Any Participant may revoke his or her election to have Compensation deferred by completing the Revocation Section of the Enrollment Form.
- b) Following notice of revocation, the Participant's full Compensation shall be restored as soon as possible. In no case shall deductions continue later than the Pay Period occurring 30 days after receipt of the revocation form and any other forms requested by the Department to fulfill the requirements of the Office of the Comptroller or any other State agency.
- c) The Department shall suspend a Participant's deferrals for the remainder of the calendar year when the Participant has deferred in excess of the allowable maximum and shall withdraw and return the excess amount deferred consistent with Section 2700.440(f) of this Part. For the avoidance of doubt, the preceding sentence does not apply to Loan repayments under Section 2700.770.
- d) Revocation shall not cause distribution of the Participant's Account.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

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SUBPART F: PARTICIPANT'S ACCOUNTS, INVESTMENTS AND STATEMENTS

Section 2700.600 Deferred Compensation Accounts

- a) The State of Illinois shall establish a "Deferred Compensation Account" for each Participant ~~that~~^{which} shall be the basis for any distributions payable to the Participant under Section 2700.730.
- b) Each Participant's Deferred Compensation Account shall be credited with the amount of any Compensation deferred and shall be further credited or debited, as applicable, with:
 - 1) any increase or decrease resulting from investments made by the State pursuant to Section 2700.670~~;~~
 - 2) any applicable expenses incurred by the State in maintaining and administering ~~the~~^{this} Plan~~;~~
 - 3) any debits for the amount of any distribution~~;~~
 - 4) any credit for the initial value on the effective date of ~~the~~^{this} Plan of any bookkeeping account maintained under the Prior Plans~~; and-~~
 - 5) any adjustment resulting from amounts loaned, repaid or defaulted in respect of a Loan under Section 2700.770.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.630 Administrative Costs

- a) It is the intent of ~~the~~^{this} Plan that it shall not be implemented or administered so as to be an expense to the State of Illinois, except for the State's obligation to pay the Deferred Compensation Accounts as provided in ~~the~~^{this} Plan. Therefore, any expenses of maintaining and administering the Plan shall be borne by the Participants. Cost shall include, but not be limited to, the costs of:
 - 1) making investments, exchanges~~;~~ or distributions if any;

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- 2) collecting the Deferred Compensation; ~~and~~
 - 3) providing information to Participants, Employees and other agencies of the State; ~~and-~~
 - 4) administering the Plan Loan feature under Section 2700.770.
- b) The method of allocating, calculating and deducting any expenses shall be determined by the Board.
 - c) To defray certain of the expenses incurred in administering the Plan, an ~~An~~ asset charge at an annual rate not to exceed a cap of 1% ~~percent (-.01)~~ shall be levied directly against the Account of each Participant in the Plan. This charge shall be assessed ~~solely~~ to offset certain costs ~~the cost~~ incurred by the State in administering the Plan. Any asset charge shall be based on these costs ~~this cost~~, but in no case may the ~~asset~~ actual charge provided for in this subsection (c) exceed the ~~established~~ cap of 1%.
 - d) A Loan origination fee may be levied against the Account of each Participant who applies for and receives a Loan from his or her Account Balance as provided in Section 2700.770.
 - e) In maintaining and administering the Plan, fees and expenses will also be charged in respect of the Plan's Investment Options and be reflected in the returns received from each Investment Option.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.650 Participant Statements

- a) Each Participant shall be provided quarterly with an accounting of his or her Deferred Compensation Account, including, but not limited to, the amount deferred and any amounts credited or debited up to the quarter end and a separate accounting showing amounts credited or debited up to the quarter end for a Participant's outstanding Loan under Section 2700.700.
- b) ~~The Such an~~ accounting shall be made not later than 60 days after all deferrals for the quarter have been invested.

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- c) Participants are responsible for notifying the Department in writing of any investment or other error within 14 days ~~after~~ the receipt of any statement.
- d) The liability of the Plan to the Participants for administrative errors shall not exceed the amount necessary to correct the error. Errors under \$5.00 will not be corrected.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.660 Custodial Account

- a) Notwithstanding any contrary provision of the Plan, in accordance with section 457(g) of the Code, all amounts of Compensation deferred pursuant to the Plan, all property and rights purchased with these amounts, all Loans made and repaid with these amounts, and all income attributable to these amounts, property, or rights shall be held in one or more Custodial Accounts for the exclusive benefit of Participants and Beneficiaries under the Plan. For purposes of this subsection, the Custodian of any Custodial Account created pursuant to the Plan must be a bank, as described in section 408(n) of the Internal Revenue Code, or a person who meets the non-bank trustee requirements in accordance with the regulations under section 408(a)(2) of the Code relating to the use of non-bank trustees. All amounts of Compensation deferred under the Plan and all Loan repayments received shall be transferred to a Custodial Account described in section 401(f) of the Code within a period that is not longer than is reasonable for the proper administration of the accounts of Participants. The Recordkeeper shall act as agent on behalf of the Plan to take custody of Participant Loans.
- b) The Participant and his or her Beneficiary shall not have any property interest whatsoever in any specific asset of the State of Illinois on account of his or her election to defer any Compensation under this Plan.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.680 Rollovers to the Plan

- a) A Participant who is an Employee and who is entitled to receive an eligible rollover distribution from another eligible retirement plan may request to have all or a portion of the eligible rollover distribution paid to the Plan.

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- b) The Department may require documentation from the distributing plan as it deems necessary to effectuate the rollover in accordance with section 402 of the Code and to confirm that the plan is an eligible retirement plan within the meaning of section 402(c)(8)(B) of the Code.
- c) For purposes of this Section, an eligible rollover distribution means any distribution of all or any portion of a Participant's benefit under another eligible retirement plan, except that an eligible rollover distribution does not include:
- 1) any installment payment for a period of 10 years or more;
 - 2) any distribution made as a result of an Unforeseeable Emergency or other distribution that is made to a Participant; ~~or~~
 - 3) any amount constituting a security interest for an outstanding Loan under the eligible retirement plan; or
 - 4) ~~3)~~ for any other distribution, the portion, if any, of that distribution that is a required minimum distribution under section 401(a)(9) of the Code. Section 401(a)(9) of the Code outlines required distributions and the manner in which those distributions must be made.
- d) In addition, an eligible retirement plan means an individual retirement account described in section 408(b) of the Code, a qualified trust described in section 401(a) of the Code, an annuity plan described in section 403(a) or 403(b) of the Code, or an eligible governmental plan described in section 457(b) of the Code that accepts the eligible rollover distribution.
- e) The Plan will not accept an eligible rollover distribution that includes an outstanding Loan as an asset from an eligible retirement plan.
- f) The Recordkeeper, at the direction of the Department, shall establish and maintain for the Participant a separate account for any eligible rollover distribution paid to the Plan from any eligible retirement plan that is not an eligible governmental plan under section 457(b) of the Code.
- gf) In addition, the Recordkeeper, at the direction of the Department, shall establish and maintain for the Participant a separate account for any eligible rollover

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distribution paid to the Plan from any eligible retirement plan that is an eligible governmental plan under section 457(b) of the Code.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.690 Plan-to Plan Transfers to the Plan

- a) Participants who participate in another eligible governmental plan under section 457(b) of the Code may transfer assets to the Plan as provided in this Section. A transfer is permitted only if the other plan provides for the direct transfer of a Participant's interest in the other plan to the Plan.
- b) The transfer is permitted only in the form of cash or other similar property deemed acceptable to the Department.
- c) The Department may require documentation from the other plan as it deems necessary to effectuate the transfer in accordance with section 457(e)(10) of the Code and 26 CFR 1.457-10(b) ([20122005](#)) and to confirm that the other plan is an eligible governmental plan as defined in 26 CFR 1.457-2(f) ([20122005](#)).
- d) The Plan will not accept a transfer from an eligible governmental plan that includes an outstanding loan as an asset.
- e) The amount transferred shall be credited to the Participant's Account Balance and shall be held, accounted for, administered and otherwise treated in the same manner as an Annual Deferral by the Participant under the Plan, except that the transferred amount shall not be considered an Annual Deferral under the Plan in determining the maximum deferral under Section 2700.430 of this Part.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

SUBPART G: DISTRIBUTIONS

Section 2700.700 Distribution Events

- a) Distributions under this Plan shall be made in accordance with section 401(a)(9) of the Code (including, but not limited to, the Plan provisions described in Sections 2700.315 and 2700.740) and Treasury Regulations issued under section 401(a)(9), including the minimum distribution incidental benefit requirement of Code section 401(a)(9)(G) and Treasury Regulations 1.401(a)(9)-2 through

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1.401(a)(9)-9 (26 CFR 1.401(a)(9)-2 through (a)(9)-9) (~~2012~~2008). However, these provisions of the Code and Treasury Regulations shall override the other distribution provisions of the Plan only to the extent that the other Plan provisions provide for a distribution that is less rapid than is required under the provisions of the Code and the Treasury Regulations. In accordance with the suspension, under the Worker, Retiree and Employer Recovery Act of 2008, of required minimum distributions for calendar year 2009 only, the Plan will not make required minimum distributions to Plan Participants who otherwise would be required to take a required minimum distribution for calendar year 2009.

- b) A Participant's Deferred Compensation Account may begin to be distributed 30 days after the date of one of the following events:
 - 1) Severance from Employment;~~;~~
 - 2) Death;~~;~~ or
 - 3) Delayed Distribution Date.
- c) A Participant's Deferred Compensation Account may begin to be distributed as soon as possible but not later than 30 days after determination of an Unforeseeable Emergency.
- d) A Participant, with \$5,000 or less in his or her Deferred Compensation Account, may elect to cash out the Account in compliance with conditions specified in Section 2700.735 of this Part.
- e) No distributions shall be made to a Participant who is employed as an independent contractor before a date that is at least 12 months after the day on which his or her employment contract expires. Should the independent contractor be re-employed by the State as either an Employee or independent contractor during the 12-month waiting period, no distribution shall be started on the projected distribution date. If the contractor has attained age 70½ at the time the contract is terminated, the 12-month waiting period is waived.
- f) Participants are responsible for notifying the Department of their Severance from Employment~~Termination of Service~~.
- g) Beneficiaries are responsible for notifying the Department of the death of the

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Participant and supplying the Department with a certified copy of the Death Certificate.

- h) A Participant who does not receive the initial distribution until the calendar year following the year in which he or she reaches age 70½ or separates, if he or she works past age 70½, shall receive at least 2 taxable distributions in the same year.
- i) If a Participant has a separate account attributable to rollover contributions to the Plan, the Participant may at any time elect to receive a distribution of all or any portion of the amount held in the rollover account.
- j) An alternate payee, pursuant to the terms of a qualified domestic relations order, may at any time elect to receive a distribution of all or any portion of the amount held and maintained on behalf of the alternate payee upon the proper execution and designation under the qualified domestic relations order. An alternate payee is not eligible to apply for a Loan pursuant to Section 2700.770.
- k) If a Participant has an outstanding Loan, the Participant's or Beneficiary's accrued benefit shall be subject to offset or other adjustment upon distribution, in satisfaction of any outstanding Loan balance.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.740 Unforeseeable Emergency

- a) A distribution of all or a portion of a Participant's Deferred Compensation Account or a change in method of distribution to a Participant shall be permitted in the event the Participant experiences an Unforeseeable Emergency.
- b) Distributions shall not be made to the extent that the hardship is or may be relieved:
 - 1) through reimbursement or compensation by insurance or otherwise;
 - 2) by liquidation of the Participant's assets to the extent the liquidation of assets would not itself cause severe financial hardship;~~or~~
 - 3) by cessation of deferrals under the Plan; or-

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- 4) through receipt of a Loan under Section 2700.770.
- c) A distribution pursuant to this Section shall not be permitted unless the Participant has first exhausted the amount otherwise available for a Loan under Section 2700.770, except to the extent the Participant can demonstrate in its hardship distribution application that receipt of a Loan would itself cause severe financial hardship. ~~Participant's deferrals shall automatically be revoked upon application for a hardship distribution.~~
- d) A Participant's deferrals shall automatically be revoked upon application for a hardship distribution. A Participant's Loan repayments shall not automatically be revoked upon application for a hardship distribution.
- e) If the hardship application is approved, the Participant cannot re-enroll for 6 months following receipt of the hardship application, unless the application is to request cessation of distribution payments.
- f) For the purposes of this Plan, a Beneficiary whose interest has "vested" in accordance with Section 2700.415 shall have all rights of a Participant to request a distribution in the event of an Unforeseeable Emergency.
- g) A Participant desiring a distribution by reason of a serious Unforeseeable Emergency must apply to the Recordkeeper and demonstrate that:
- 1) the circumstances being experienced were not under the Participant's control;
 - 2) the circumstances constitute a real emergency that is likely to cause the Participant great financial hardship;
 - 3) the Unforeseeable Emergency that is the subject of the request occurred no more than 24 months prior to the date of the request;
 - 4) the amount of the need cannot be reasonably relieved:
 - A) through reimbursement or compensation by insurance or otherwise;
 - B) by liquidation of assets (including those of the Participant's spouse

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and minor children), to the extent the liquidation would not itself cause an immediate and heavy financial need;

- C) by stopping elective contributions to the Plan;~~or~~
 - D) [following receipt of a Loan under Section 2700.770; or](#)
 - [E\)](#) by taking withdrawals from the plans maintained by the employer and any other company, or by borrowing from commercial resources on reasonable commercial terms; and
- 5) an Unforeseeable Emergency request form and 457 direct emergency withdrawal worksheet have been completed and submitted to the Recordkeeper, along with all documentation possessed by the Participant that supports the basis of the request.
- g) The Recordkeeper shall have the authority to require medical or other evidence it may need to determine the necessity for Participant's withdrawal request. In the event this information is not provided, the case shall be considered closed 60 days after the date of the request for additional information.
 - h) The Recordkeeper shall reach its decision to process or reject the financial hardship withdrawal request, in accordance with Section 2700.315(f), within 30 days following receipt of the completed application and necessary information required by the application.
 - i) In the event the basis for the hardship does not fall into the guidelines established by Section 2700.315(f), the Recordkeeper shall forward all relevant information to the Hardship Committee for consideration and a final decision.
 - j) The Hardship Committee may request additional information from the Participant in order to make its decision on applications processed through either subsection (h) or (i). The Hardship Committee shall reach its decision within 30 days after receipt of the application and information necessary to reach a final determination.
 - k) If a Participant is not satisfied with the decision of the Hardship Committee on an application for an Unforeseeable Emergency distribution or change in distribution, the Participant may appeal in writing to the Board within 20 days

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after the mailing date of the Hardship Committee's decision.

- l) The Board shall, within 30 days after receipt of the appeal, conduct a hearing and review evidence presented by the Participant.
- m) The Board shall then render a final decision within 15 days after the hearing that shall be binding on all parties.
- n) If an application for an Unforeseeable Emergency distribution is approved, the distribution shall be limited to an amount sufficient only to meet the emergency, which amount shall not include any security interest for an outstanding Loan under Section 2700.770 ~~and shall in no event~~ exceed the amount of his or her Deferred Compensation Account as of the Valuation Date next preceding or coincident with the withdrawal.
- o) The allowed distribution shall be payable in a method determined by the Recordkeeper and shall commence as soon as possible, but not later than 30 days after notice to the Participant and the Department of approval of the request.

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.745 Plan-to-Plan Transfers from the Plan

- a) Participants and Beneficiaries may elect to have all or any portion of their Account Balance transferred to another eligible governmental plan within the meaning of section 457(b) of the Code and 26 CFR 1.457-2(f) (20122008).
- b) A transfer is permitted under this Section only if:
 - 1) the Participant has had a Severance from Employment with the State and is an employee of the entity that maintains the other eligible governmental plan; and
 - 2) the other eligible governmental plan provides for the acceptance of plan-to-plan transfers with respect to the Participants and Beneficiaries and for each Participant and Beneficiary to have an amount deferred under the other plan immediately after the transfer at least equal to the amount transferred.

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- c) The Plan shall not permit a plan-to-plan transfer of a Loan or that part of any Account Balance constituting a security interest for an outstanding Loan.
- de) Upon the transfer of assets under this Section, the Plan's liability to pay benefits to the Participant or Beneficiary under this Plan shall be discharged to the extent of the amount transferred for the Participant or Beneficiary.
- ed) The Recordkeeper may require documentation from the receiving plan as it deems appropriate or necessary to comply with this Section or to effectuate the transfer pursuant to 26 CFR 1.457-10(b) (~~20122008~~).

(Source: Amended at 36 Ill. Reg. 17518, effective January 1, 2013)

Section 2700.770 Loans

- a) A Participant who is an Employee may apply for and receive a Loan from his or her Account Balance as provided in this Section. A Beneficiary may not apply for a Loan from his or her Account Balance.
- b) A Participant may initiate a Loan by contacting the Recordkeeper and filling out a loan application. Once a Loan is approved by the Recordkeeper, the Participant shall execute a promisory note in a form prescribed by the Recordkeeper.
- c) The amount to be loaned shall be selected by the Participant at the time a Loan application is filed and:
 - 1) shall not be for an amount less than \$1,000; nor
 - 2) exceed the lesser of:
 - A) \$50,000; or
 - B) one-half of the present value of the Participant's Account Balance.
- d) Any amount in an account or accounts established for an alternate payee shall be excluded in determining the amount available for purposes of subsection (b).
- e) All Loans shall be repaid over a non-renewable repayment period between one and five years. A participant may pay off the Loan amount in full prior to the end

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of the repayment period by requesting a payoff amount from the Recordkeeper. Once the Recordkeeper has provided the Participant with a payoff figure, the Participant has 30 days in which to make the payment in one single installment via certified check or money order.

- f) Any Loan shall be amortized in substantially level installments of principal and accrued interest that shall be paid at least quarterly over the term of the Loan.
- g) All Loans shall provide a fixed rate of interest of 1% above the prime interest rate as published in the Wall Street Journal on the last business day of the month immediately preceding the month in which the Loan is granted.
- h) All Loans shall be secured as of the date of the Loan by the Participant's Account Balance; however, no more than 50% of the aggregate value of the Participant's Account Balance shall be used as security for the Loan.
- i) If a Participant dies prior to the disbursement of the proceeds of any Loan, the Participant's Loan request shall be void as of the date of death and no disbursement shall be made by operation of this Section to the Participant's Beneficiary or estate.
- j) The amount of the Loan may not be changed or revoked by the Participant and shall remain in effect until repaid or defaulted except in the case of any exception provided for military leave pursuant to the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA) contained in 38 USC 4318. Participants shall not have more than one Loan outstanding at a time; a Loan must be repaid in full before another Loan can be applied for and received.
- k) Loan disbursements and any Loan fee shall be debited pro rata across all investment funds and available contribution types within the Participant's Account in effect at the time the debits are made by the Plan. Principal repayments and interest payments shall be reinvested in the Participant's Account in accordance with the Participant's investment elections in effect at the time payments are received by the Plan.
- l) Participants are responsible for notifying the Department and Recordkeeper of any failure of Loan repayments to be initiated or otherwise be made in accordance with the Loan terms.

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- m) Failure to make Loan repayments in the manner and within the time period provided for in the Loan shall result in a default on the Loan and the unpaid Loan balance and any interest due on the loan shall become due and payable in accordance with the terms of the Loan. Upon the occurrence of a default, a Participant's Account Balance shall be adjusted and the Recordkeeper shall otherwise process the default in accordance with applicable tax law requirements.
- n) A Participant that is not approved for a Loan or a Loan amendment may appeal the denial in writing to the Hardship Committee within 30 days after the date of the Loan denial. The Hardship Committee shall render a final decision, within 30 days after receipt of the appeal, that shall be binding on all parties.
- o) If an appeal for a Loan is approved, the Loan shall be made and repaid in accordance with this Section.
- p) Loan Initiation Service Policies
- 1) The Plan's Loan policies shall be entered into the Recordkeeper's system; Loan processing will be implemented in accordance with this Section. Any changes to the Plan's Loan program must be communicated in writing to the Recordkeeper at least 30 business days in advance of the effective date of any change to this subsection (p).
- 2) A Participant may initiate a Loan by speaking to a representative of the Recordkeeper or by accessing the Recordkeeper's website. If the Participant meets the Plan rules for loan eligibility and certifies that no other loan is outstanding across all affiliated retirement plans through the State of Illinois and the highest outstanding loan balance of each loan in the last 12 months for any affiliated retirement plan loan, then the Recordkeeper shall permit the Participant to initiate a Loan based upon the information certified by the Participant.
- A) If a Participant's Account contains investments that access redemption fees on Loans, the redemption fee will be deducted from the Participant's Account and will not offset the Loan amount.
- B) In order to receive a Loan, the Participant will be required to provide the Recordkeeper with banking information in order to set

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up an ACH debit for Loan repayment. In addition, the Participant must agree to the terms and conditions of the ACH debit, as provided by the Recordkeeper.

C) The Participant's banking information will go through a pre-note process in order to validate the accuracy of the account information. If the account is rejected as a result of the pre-note process, the Participant will be notified: the Loan will be processed and the Participant will be required to provide revised banking information.

D) Participants will be permitted to investigate a Loan even if they are not eligible to initiate a Loan.

3) Loans may not be refinanced.

4) If the Loan initiation is confirmed prior to the earlier of 4 p.m. Eastern Standard Time or the close of the New York Stock Exchange, the Participant's Account will reflect the Loan issue that same day. If the Loan initiation is confirmed after the close of the New York Stock Exchange, the Participant's Account will reflect the Loan issue the following business day.

5) A Loan origination fee will be extracted from the Participant's Account at the time of the redemption and will not offset the Loan amount.

6) A Loan check will be generated and mailed to the Participant's address of record within 2 business days from the date of issue.

7) Each month, the Recordkeeper will provide the Board with a report detailing the Participants who have initiated Loans.

8) Scheduled Loan Repayments:

A) The Recordkeeper's bank is instructed to debit the Loan repayment amount from the applicable Participant's banking account based upon the ACH debit information provided during the Loan initiation. The first Loan repayment amount will be debited on the

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first day of month following the Loan issue date plus 10 days and every first of the month thereafter (the debit date).

- B) The Recordkeeper will apply the debited amount to the Participant's Loan on the fifth business day following the debit date.
- C) If a Loan repayment is not successfully debited from the Participant's banking account, the Recordkeeper will notify the Participant and the Participant will be required to take one of the following actions prior to the quarter following the quarter of the missed Loan repayment (the cure period): immediately pay the total amount of any rejected Loan repayments; pay the rejected Loan repayment on the next scheduled repayment date, along with the next scheduled repayment amount; or pay the entire remaining Loan balance in full. In order to avoid a Loan default, processing of the elected repayment method must occur prior to the end of the cure period. If the Participant does not take action on the rejected Loan repayment, the next scheduled payment will be processed on the next scheduled Loan repayment date.
- D) The Loan repayment amount shall be invested in accordance with the Participant's current investment election on file with the Recordkeeper.
- 9) Through the Recordkeeper's website, Participants will have the ability to view their Loan repayment history; receive notifications regarding insufficient funds or invalid banking information; edit the banking information on file with the Recordkeeper; and elect to receive email alerts regarding upcoming Loan repayments.

(Source: Added at 36 Ill. Reg. 17518, effective January 1, 2013)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Medical Assistance Programs
- 2) Code Citation: 89 Ill. Adm. Code 120
- 3) Section Number: 120.80 Emergency Action: Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and PA 97-689
- 5) Effective Date: December 3, 2012
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule expires, as authorized by the SMART Act, on June 30, 2013.
- 7) Date Filed with the Index Department: November 30, 2012
- 8) A copy of the emergency amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: PA 97-689, Save Medicaid Access and Resources Together (SMART) Act gives any agency in charge with implementing a provision or initiative in SMART, the ability to adopt rules through emergency rulemaking in order to provide for the expeditious and timely implementation of the SMART Act. The adoption of this emergency rulemaking is deemed to be necessary for the public interest, safety, and welfare. Pursuant to PA 97-689, the 150-day limitation of the effective period of emergency rules does not apply and the effective period of rules necessary to implement the SMART Act may continue through June 30, 2013. These emergency rules are necessary to implement the provisions and initiatives of the SMART Act.
- 10) Complete Description of the Subjects and Issues Involved: This administrative rule is authorized pursuant to PA 97-689, the SMART Act. The SMART Act terminates, as of July 1, 2012, eligibility for caretaker relatives in the Family Care Program who have income over 133% of the federal poverty level. The SMART Act also authorizes the tightening of the long term care asset testing policy for persons who seek to utilize institutional services.
- 11) Are there any other rulemakings pending on this Part? Yes

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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Section Number: Proposed Action: Illinois Register Citation:
120.560 New Section 36 Ill. Reg. 9636; July 6, 2012

- 12) Statement of Statewide Policy Objectives: This emergency amendment neither creates nor expands any State mandate affecting units of local government.

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

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

217/782-1233

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section

120.1 Incorporation by Reference

SUBPART B: ASSISTANCE STANDARDS

Section

- 120.10 Eligibility for Medical Assistance
- 120.11 MANG(P) Eligibility
- 120.12 Healthy Start – Medicaid Presumptive Eligibility Program For Pregnant Women
- 120.14 Presumptive Eligibility for Children
- 120.20 MANG(AABD) Income Standard
- 120.30 MANG(C) Income Standard
- 120.31 MANG(P) Income Standard
- 120.32 FamilyCare Assist
- 120.34 FamilyCare Share and FamilyCare Premium Level 1
- 120.40 Exceptions To Use Of MANG Income Standard (Repealed)
- 120.50 AMI Income Standard (Repealed)

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section

- 120.60 Community Cases
- 120.61 Long Term Care
- 120.62 Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings Under 89 Ill. Adm.
Code 140.643 (Repealed)
- 120.63 Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings (Repealed)
- 120.64 MANG(P) Cases
- 120.65 Department of Mental Health and Developmental Disabilities (DMHDD)
Licensed Community – Integrated Living Arrangements (Repealed)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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SUBPART D: MEDICARE PREMIUMS

Section	
120.70	Supplementary Medical Insurance Benefits (SMIB) Buy-In Program
120.72	Eligibility for Medicare Cost Sharing as a Qualified Medicare Beneficiary (QMB)
120.73	Eligibility for Payment of Medicare Part B Premiums for Specified Low-Income Medicare Beneficiaries (SLIBs) and Qualified Individuals-1 (QI-1)
120.74	Qualified Medicare Beneficiary (QMB) Income Standard
120.75	Specified Low-Income Medicare Beneficiaries (SLIBs) and Qualified Individuals-1 (QI-1) Income Standards
120.76	Hospital Insurance Benefits (HIB)

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section	
120.80	Recipient Restriction Program
	<u>EMERGENCY</u>

SUBPART F: MIGRANT MEDICAL PROGRAM

Section	
120.90	Migrant Medical Program (Repealed)
120.91	Income Standards (Repealed)

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section	
120.200	Elimination Of Aid To The Medically Indigent
120.208	Client Cooperation (Repealed)
120.210	Citizenship (Repealed)
120.211	Residence (Repealed)
120.212	Age (Repealed)
120.215	Relationship (Repealed)
120.216	Living Arrangement (Repealed)
120.217	Supplemental Payments (Repealed)
120.218	Institutional Status (Repealed)
120.224	Foster Care Program (Repealed)
120.225	Social Security Numbers (Repealed)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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120.230	Unearned Income (Repealed)
120.235	Exempt Unearned Income (Repealed)
120.236	Education Benefits (Repealed)
120.240	Unearned Income In-Kind (Repealed)
120.245	Earmarked Income (Repealed)
120.250	Lump Sum Payments and Income Tax Refunds (Repealed)
120.255	Protected Income (Repealed)
120.260	Earned Income (Repealed)
120.261	Budgeting Earned Income (Repealed)
120.262	Exempt Earned Income (Repealed)
120.270	Recognized Employment Expenses (Repealed)
120.271	Income From Work/Study/Training Program (Repealed)
120.272	Earned Income From Self-Employment (Repealed)
120.273	Earned Income From Roomer and Boarder (Repealed)
120.275	Earned Income In-Kind (Repealed)
120.276	Payments from the Illinois Department of Children and Family Services (Repealed)
120.280	Assets (Repealed)
120.281	Exempt Assets (Repealed)
120.282	Asset Disregards (Repealed)
120.283	Deferral of Consideration of Assets (Repealed)
120.284	Spend-down of Assets (AMI) (Repealed)
120.285	Property Transfers (Repealed)
120.290	Persons Who May Be Included in the Assistance Unit (Repealed)
120.295	Payment Levels for AMI (Repealed)

SUBPART H: MEDICAL ASSISTANCE – NO GRANT (MANG) ELIGIBILITY FACTORS

Section	
120.308	Client Cooperation
120.309	Caretaker Relative
120.310	Citizenship
120.311	Residence
120.312	Age
120.313	Blind
120.314	Disabled
120.315	Relationship
120.316	Living Arrangements
120.317	Supplemental Payments

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

120.318	Institutional Status
120.319	Assignment of Rights to Medical Support and Collection of Payment
120.320	Cooperation in Establishing Paternity and Obtaining Medical Support
120.321	Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.322	Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.323	Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause
120.324	Health Insurance Premium Payment (HIPP) Program
120.325	Health Insurance Premium Payment (HIPP) Pilot Program
120.326	Foster Care Program
120.327	Social Security Numbers
120.328	Compliance with Employment and Work Activity Requirements (Suspended; Repealed)
120.329	Compliance with Non-Economic Eligibility Requirements of Article IV (Suspended; Repealed)
120.330	Unearned Income
120.332	Budgeting Unearned Income
120.335	Exempt Unearned Income
120.336	Education Benefits
120.338	Incentive Allowance
120.340	Unearned Income In-Kind
120.342	Child Support and Spousal Maintenance Payments
120.345	Earmarked Income
120.346	Medicaid Qualifying Trusts
120.347	Treatment of Trusts and Annuities
120.350	Lump Sum Payments and Income Tax Refunds
120.355	Protected Income
120.360	Earned Income
120.361	Budgeting Earned Income
120.362	Exempt Earned Income
120.363	Earned Income Disregard – MANG(C)
120.364	Earned Income Exemption
120.366	Exclusion From Earned Income Exemption
120.370	Recognized Employment Expenses
120.371	Income From Work/Study/Training Programs
120.372	Earned Income From Self-Employment
120.373	Earned Income From Roomer and Boarder

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 120.375 Earned Income In-Kind
120.376 Payments from the Illinois Department of Children and Family Services
120.379 Provisions for the Prevention of Spousal Impoverishment
120.380 Resources
120.381 Exempt Resources
120.382 Resource Disregard
120.383 Deferral of Consideration of Assets
120.384 Spenddown of Resources
120.385 Factors Affecting Eligibility for Long Term Care Services
120.386 Property Transfers Occurring On or Before August 10, 1993
120.387 Property Transfers Occurring On or After August 11, 1993 and Before January 1, 2007
120.388 Property Transfers Occurring On or After January 1, 2007
120.390 Persons Who May Be Included In the Assistance Unit
120.391 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Born October 1, 1983, or Later
120.392 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
120.393 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project
120.395 Payment Levels for MANG (Repealed)
120.399 Redetermination of Eligibility
120.400 Twelve Month Eligibility for Persons under Age 19

SUBPART I: SPECIAL PROGRAMS

Section

- 120.500 Health Benefits for Persons with Breast or Cervical Cancer
120.510 Health Benefits for Workers with Disabilities
120.520 SeniorCare (Repealed)
120.530 Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons Under Age 21
120.540 Illinois Healthy Women Program
120.550 Asylum Applicants and Torture Victims

120.TABLE A Value of a Life Estate and Remainder Interest
120.TABLE B Life Expectancy (Repealed)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

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

SOURCE: Filed effective December 30, 1977; preemptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; preemptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; preemptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; preemptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; preemptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; preemptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; preemptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; preemptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; preemptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; preemptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; preemptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; preemptory amendment at 6 Ill. Reg. 6912, effective

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May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988;

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amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective September 11, 1991; amended at 15 Ill. Reg. 14240, effective September 23, 1991; amended at 16 Ill. Reg. 139, effective December 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. 10034, effective June 15, 1992; amended at 16 Ill. Reg. 11582, effective July 15, 1992; amended at 16 Ill. Reg. 17290, effective November 3, 1992; amended at 17 Ill. Reg. 1102, effective January 15, 1993; amended at 17 Ill. Reg. 6827, effective April 21, 1993; amended at 17 Ill. Reg. 10402, effective June 28, 1993; amended at 18 Ill. Reg. 2051, effective January 21, 1994; amended at 18 Ill. Reg. 5934, effective April 1, 1994; amended at 18 Ill. Reg. 8718, effective June 1, 1994; amended at 18 Ill. Reg. 11231, effective July 1, 1994; amended at 19 Ill. Reg. 2905, effective February 27, 1995; emergency amendment at 19 Ill. Reg. 9280, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 11931, effective August 11, 1995; amended at 19 Ill. Reg. 15079, effective October 17, 1995; amended at 20 Ill. Reg. 5068, effective March 20, 1996; amended at 20 Ill. Reg. 15993, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 692, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7423, effective May 31, 1997; amended at 21 Ill. Reg. 7748, effective June 9, 1997; amended at 21 Ill. Reg. 11555, effective August 1, 1997; amended at 21 Ill. Reg. 13638, effective October 1, 1997; emergency amendment at 22 Ill. Reg. 1576, effective January 5, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 7003, effective April 1, 1998; amended at 22 Ill. Reg. 8503, effective May 1, 1998; amended at 22 Ill. Reg. 16291, effective August 28, 1998; emergency amendment at 22 Ill. Reg. 16640, effective

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September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19875, effective October 30, 1998; amended at 23 Ill. Reg. 2381, effective January 22, 1999; amended at 23 Ill. Reg. 11301, effective August 27, 1999; amended at 24 Ill. Reg. 7361, effective May 1, 2000; emergency amendment at 24 Ill. Reg. 10425, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15075, effective October 1, 2000; amended at 24 Ill. Reg. 18309, effective December 1, 2000; amended at 25 Ill. Reg. 8783, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 10533, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16098, effective December 1, 2001; amended at 26 Ill. Reg. 409, effective December 28, 2001; emergency amendment at 26 Ill. Reg. 8583, effective June 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 9843, effective June 26, 2002; emergency amendment at 26 Ill. Reg. 11029, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 15051, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16288, effective October 25, 2002; amended at 27 Ill. Reg. 4708, effective February 25, 2003; emergency amendment at 27 Ill. Reg. 10793, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18609, effective November 26, 2003; amended at 28 Ill. Reg. 4701, effective March 3, 2004; amended at 28 Ill. Reg. 6139, effective April 1, 2004; emergency amendment at 28 Ill. Reg. 6610, effective April 19, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 7152, effective May 3, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11149, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12921, effective September 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13621, effective September 28, 2004; amended at 28 Ill. Reg. 13760, effective October 1, 2004; amended at 28 Ill. Reg. 14541, effective November 1, 2004; amended at 29 Ill. Reg. 820, effective January 1, 2005; amended at 29 Ill. Reg. 10195, effective June 30, 2005; amended at 29 Ill. Reg. 14939, effective September 30, 2005; emergency amendment at 30 Ill. Reg. 521, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 10314, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 15029, effective September 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 2629, effective January 28, 2007; emergency amendment at 31 Ill. Reg. 7323, effective May 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 11667, effective August 1, 2007; amended at 31 Ill. Reg. 12756, effective August 27, 2007; emergency amendment at 31 Ill. Reg. 15854, effective November 7, 2007, for a maximum of 150 days; emergency rule suspended at 31 Ill. Reg. 16060, effective November 13, 2007; emergency rule repealed, effective May 10, 2008; peremptory amendment at 32 Ill. Reg. 7212, effective April 21, 2008; peremptory amendment suspended at 32 Ill. Reg. 8450, effective May 20, 2008; peremptory amendment repealed under Section 5-125 of the Illinois Administrative Procedure Act, effective November 16, 2008; amended at 32 Ill. Reg. 17428, effective November 1, 2008; peremptory amendment at 32 Ill. Reg. 18889, effective November 18, 2008; peremptory amendment suspended at 32 Ill. Reg. 18906, effective November 19, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 33 Ill. Reg. 6551, effective April 28, 2009; peremptory amendment repealed by emergency

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rulemaking at 33 Ill. Reg. 6712, effective April 28, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 1681, effective February 1, 2009; amended at 33 Ill. Reg. 2289, effective March 1, 2009; emergency amendment at 33 Ill. Reg. 5802, effective April 2, 2009, for a maximum of 150 days; emergency expired August 29, 2009; emergency amendment at 33 Ill. Reg. 10785, effective June 30, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 12703, effective September 7, 2009; amended at 33 Ill. Reg. 15707, effective November 2, 2009; amended at 33 Ill. Reg. 17070, effective December 2, 2009; amended at 34 Ill. Reg. 889, effective December 30, 2009; emergency rulemaking at 34 Ill. Reg. 13538, effective September 1, 2010, for a maximum of 150 days; amended at 35 Ill. Reg. 379, effective December 27, 2010; amended at 35 Ill. Reg. 979, effective January 1, 2011; amended at 35 Ill. Reg. 18645, effective January 1, 2012; amended at 36 Ill. Reg. 4133, effective March 1, 2012; amended at 36 Ill. Reg. 9095, effective June 11, 2012; emergency amendment at 36 Ill. Reg. 10253, effective July 1, 2012 through June 30, 2013; amended at 36 Ill. Reg. 17044, effective November 26, 2012; emergency amendment at 36 Ill. Reg. 17549, effective December 3, 2012 through June 30, 2013.

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section 120.80 Recipient Restriction Program**EMERGENCY**

- a) The Recipient Restriction Program (RRP) shall identify recipients who unnecessarily utilize medical services. When the Department determines, on the basis of statistical norms and the medical judgment of individual practitioners and/or pharmacists, or other providers, that a Medicaid recipient has received medical services that are not medically necessary based on the recipient's diagnoses and/or medical condition or conditions or in such a manner as to constitute an abuse of medical privileges or Program services, the decision to restrict a recipient to one or more primary provider types will be made. For purposes of this Section, "primary provider type" means an individual practitioner in any of the following licensed or certified health care professions: physician, optometrist, chiropractor, pharmacist, dentist, any advanced practice nurse, registered nurse, licensed practical nurse, genetic counselor, physical therapist, speech therapist, psychologist, audiologist, occupational therapist, podiatrist, or physician assistant. A primary provider type also means a business entity, partnership or group practice comprised of or employing any of the individual practitioners listed above. A primary provider type can also mean any of the following: hospice provider, home health agency, transportation provider, community health agency, imaging service, optical company, optician, optometrist, independent laboratory, clinical social worker, Department of Alcohol and

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Substance Abuse provider, durable medical equipment provider, provider of medical equipment and supplies, psychiatric rehabilitation facility, case management provider, behavioral health professional provider, a provider of services authorized under a federal Medicaid waiver, or any other provider of medical assistance programs authorized under the Illinois Public Aid Code or its administrative rules-a provider type as determined by the Department. The RRP applies to all medical assistance programs administered by the Department, with the exception of full risk Managed Care Organizations (MCO).

- b) Primary and Secondary Sources of Recipient Identification
- 1) The primary source of recipient identification shall be the Surveillance and Utilization Review Subsystem (SURS) of the Medicaid Management Information System (MMIS). On an ongoing basis, SURS analyzes the Medicaid population, determines medical usage per recipient and will identify recipients with usages in excess of the established norm of recipients in the same category of assistance and like demographic areas.
 - 2) Secondary sources of identification shall be incoming referrals, such as referrals from medical providers, law enforcement officials or members of the general public. All referrals shall be reviewed and analyzed. Recipients found to have loaned or altered their medical cards for the purpose of obtaining medical benefits for which they or other persons are not legitimately entitled; falsely represented medical coverage; found in possession of blank or forged prescription pads; or who knowingly assisted providers in rendering excessive services or defrauding the Medical Assistance Program shall be restricted.
- c) Once a recipient is identified, medical usage based on diagnoses and/or medical condition for the preceding 24 months shall be reviewed. Medical Assistance Consultants and licensed individual practitioners and/or pharmacists will determine if the recipient should be restricted due to the medical services received being not medically necessary. The Department shall initially designate, without regard to choice, a primary provider type or types (type). The Department's designation shall remain in effect for the entire period of the restriction unless the recipient changes this designation pursuant to subsection (f) of this Section. Each recipient to be restricted will be notified in writing. This notice will also contain a statement relating to the medical necessity of services consistent with the findings of the professional consultants; a statement advising the recipient of his

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or her right to appeal; and a toll-free number to call for information.

- d) Department Designated Primary Provider Type
- 1) The Department will select the applicable primary provider type in reasonable geographical proximity to the recipient's home to serve as the recipient's primary provider type.
 - 2) The primary provider type must be a properly enrolled Medicaid provider in good standing with the Department, properly licensed and credentialed and willing to serve as a primary provider type.
 - 3) If a primary care provider is selected as the primary provider type, he or she shall be a medical doctor or doctor of osteopathy licensed to practice medicine in all of its branches or a clinic enrolled to provide primary care.
- e) Types of Services Provided or Authorized
- 1) Once restricted, the Recipient Eligibility Verification (REV) system shall display information regarding the primary provider type. REV will also display information that emergency services will not be restricted.
 - 2) If restricted to a primary care provider, the primary care provider must provide or authorize the following non-emergency ambulatory care services for the restricted recipient before the Department will render payment for the services:
 - A) Clinic
 - B) Laboratory
 - C) Outpatient Hospital
 - D) Pharmacy
 - E) Physician
 - 3) If restricted to a primary care pharmacy, the primary care pharmacy must supply all prescriptions for the restricted recipient. Authorization to

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obtain non-emergency prescriptions from any other source will only be approved when a specific item is not part of the primary care pharmacy's inventory and cannot be acquired through the primary care pharmacy.

- 4) If restricted to a primary care dentist, the primary care dentist must provide or authorize all dental services for the restricted recipient before the Department will render payment for the dental services.
 - 5) If restricted to a primary care podiatrist, the primary care podiatrist must provide or authorize all podiatric services for the restricted recipient before the Department will render payment for the podiatric services.
 - 6) If restricted to a primary durable medical equipment provider, the primary durable medical equipment provider must supply all medical supplies for the restricted recipient. Authorization to obtain medical supplies from any other source will only be approved when a specific item is not part of the primary durable medical equipment provider's inventory and cannot be acquired through the primary durable medical equipment provider.
 - 7) Other covered services may be provided by a qualified provider in the Department's Medical Program.
- f) Changing the Designated Primary Provider Type
- 1) The recipient may change the Department's initial designation of a primary provider type once without cause. The request for change must be submitted to the Department in writing. The Department, by notice, shall inform the recipient how to request a change in primary provider type.
 - 2) The recipient may change his or her designated provider for cause if one of the following circumstances is verified:
 - A) Change of recipient's residence from the geographical area of the primary provider type;
 - B) Change in the recipient's medical condition that the primary provider type is unable to treat or refer to another provider;

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- C) Death of the primary provider type;
 - D) Disenrollment of the primary provider type from the Medical Assistance Program; and
 - E) Notice from the primary provider type that he, she or it will no longer serve as the primary provider type.
- 3) The Department will notify the recipient in writing if the primary provider type has disenrolled as a provider of Medicaid services or if the provider notifies the Department of his, her or its unwillingness to continue to serve as the recipient's primary provider type.
 - 4) Changes in designated primary provider type shall be processed effective with the earliest possible date reflected on the eligibility file.
 - 5) For the designated primary provider type, the Department will determine if the requested change meets the criteria in subsection (d) of this Section.
- g) Length of Restriction
- 1) Once recipients are restricted they remain in restriction for a minimum of four full quarters. If restricted recipients transfer to a different assistance unit, the restriction will be processed to follow the recipient. If a restricted recipient becomes inactive and is subsequently reactivated, the restriction will be reactivated until such time as four full quarters have elapsed.
 - 2) Reevaluation of the Recipient's Medical Usage
 - A) When a recipient has had his or her medical card restricted for four full quarters, the Department shall reevaluate the recipient's medical usage to determine whether the recipient continues to receive medical services that are not medically necessary. The Department shall evaluate each case not later than eighteen months after the effective date of restriction. If the recipient is still receiving medical services that are not medically necessary, the restriction shall be continued for an additional period of eight full quarters. This additional period of eight full quarters shall begin with the first month immediately following the end of the first four

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full quarter restriction period. If the recipient no longer is receiving medical services that are not medically necessary, the restriction shall be discontinued. A "quarter", for purposes of this Section, shall be defined as one of the following three-month periods of time: January-March, April-June, July-September or October-December.

- B) If necessary to determine if medical services that are not medically necessary are still being received, the Department shall obtain a complete copy of the recipient's medical record from the primary provider type. The medical record will be reviewed by the Medical Assistant Consultant with a final determination by a licensed individual practitioner to determine if the medical services received were medically necessary.
 - C) If the decision is to release the recipient from restriction, such release will be processed effective with the earliest possible date reflected on the eligibility file.
 - D) If the services are determined to be medically unnecessary, the recipient will be notified in writing of the continued restriction. The Department may designate a different individual provider type. The criteria in subsection (d) of this Section shall apply. This notice will also contain a statement relating to the medical necessity of services consistent with the findings of the professional consultants; a statement advising the recipient of his or her right to appeal; and a toll-free number to call for information.
- 3) If the restriction is continued, a review will be conducted in accordance with subsection (g)(2) of this Section, subsequent to the additional eight quarter period.
 - 4) A recipient who has been restricted under this Section, is released and then is restricted under this Section a subsequent time, shall be restricted for a period of eight full quarters. Subsequent to this eight quarter period, a review will be conducted in accordance with subsection (g)(2) of this Section.

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- h) Recipients have the right to appeal inclusion in the program. (See 89 Ill. Adm. Code 102.80 through 102.84.)
- i) Any recipient in the RRP who subsequently enrolls in a full risk MCO will be released from the RRP.

(Source: Amended by emergency rulemaking at 36 Ill. Reg. 17549, effective December 3, 2012 through June 30, 2013)

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- 1) Heading of the Part: Aid to the Aged, Blind or Disabled
- 2) Code Citation: 89 Ill. Adm. Code 113
- 3) Section Number: 113.141 Emergency Action:
Amendment
- 4) Statutory Authority: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III] and P A 97-0869
- 5) Effective date of amendment: December 1, 2012
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency amendment will expire June 30, 2013, or upon adoption of permanent rules, whichever comes first.
- 7) Date filed with the Index Department: November 29, 2012
- 8) A copy of the emergency amendment, 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: This emergency rulemaking is necessary to comply with provisions of the SMART Act (P A 97-869). Emergency rules to implement any provisions of this amendatory Act of the 97th General Assembly may be adopted in accordance with subsection (p) by the agency charged with administering that provision or initiative. The adoption of emergency rules authorized by this subsection (p) is deemed to be necessary for the public interest, safety and welfare.
- 10) A Complete Description of the Subject and Issues: In accordance with provisions of P A 97-869, this rulemaking establishes that the exemption for funds in an irrevocable prepaid funeral/burial trust "shall be adjusted annually for any increase in the Consumer Price Index (CPI)". As a result, the exempt amount in an Aid to the Aged, Blind or Disabled (AABD) client's irrevocable prepaid burial fund will be increased by the annual Consumer Price Index increase. This revision brings the language in the rule in alignment with the language of the law in the SMART Act which was signed into law on June 14, 2012. Currently the Administrative Rules states that the irrevocable prepaid funeral/burial trust fund amount will be increased annually by 3% to determine the

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amount of the exemption. This rulemaking also updates the irrevocable prepaid burial fund exemption from \$4,000 to \$5,874 for the 2013 fiscal year.

- 11) Are there any other proposed rulemakings pending on this Part? No
- 12) Statement of statewide policy objectives: This rulemaking does not create or expand a State mandate.
- 13) Information and questions regarding this emergency amendment shall be directed to:

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Bldg., 3rd Floor
Springfield, Illinois 62762

217/785-9772

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

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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMSPART 113
AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

Section

- 113.1 Description of the Assistance Program
- 113.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 113.9 Client Cooperation
- 113.10 Citizenship
- 113.20 Residence
- 113.30 Age
- 113.40 Blind
- 113.50 Disabled
- 113.60 Living Arrangement
- 113.70 Institutional Status
- 113.80 Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

- 113.100 Unearned Income
- 113.101 Budgeting Unearned Income
- 113.102 Budgeting Unearned Income of Applicants Receiving Income on Date of Application And/Or Date of Decision
- 113.103 Initial Receipt of Unearned Income
- 113.104 Termination of Unearned Income
- 113.105 Unearned Income In-Kind
- 113.106 Earmarked Income
- 113.107 Lump Sum Payments and Income Tax Refunds
- 113.108 Protected Income (Repealed)

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- 113.109 Earned Income (Repealed)
 - 113.110 Budgeting Earned Income (Repealed)
 - 113.111 Protected Income
 - 113.112 Earned Income
 - 113.113 Exempt Unearned Income
 - 113.114 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
 - 113.115 Initial Employment
 - 113.116 Budgeting Earned Income For Contractual Employees
 - 113.117 Budgeting Earned Income For Non-contractual School Employees
 - 113.118 Termination of Employment
 - 113.120 Exempt Earned Income
 - 113.125 Recognized Employment Expenses
 - 113.130 Income From Work/Study/Training Programs
 - 113.131 Earned Income From Self-Employment
 - 113.132 Earned Income From Roomer and Boarder
 - 113.133 Earned Income From Rental Property
 - 113.134 Earned Income In-Kind
 - 113.139 Payments from the Illinois Department of Children and Family Services
 - 113.140 Assets
 - 113.141 Exempt Assets
- EMERGENCY
- 113.142 Asset Disregard
 - 113.143 Deferral of Consideration of Assets
 - 113.154 Property Transfers For Applications Filed Prior To October 1, 1989 (Repealed)
 - 113.155 Property Transfers For Applications Filed On Or After October 1, 1989 (Repealed)
 - 113.156 Court Ordered Child Support Payments of Parent/Step-Parent
 - 113.157 Responsibility of Sponsors of Non-citizens Entering the Country Prior to 8/22/96
 - 113.158 Responsibility of Sponsors of Non-citizens Entering the Country On or After 08/22/96
 - 113.160 Assignment of Medical Support Rights

SUBPART D: PAYMENT AMOUNTS

- Section
- 113.245 Payment Levels for AABD
 - 113.246 Personal Allowance
 - 113.247 Personal Allowance Amounts

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113.248	Shelter
113.249	Utilities and Heating Fuel
113.250	Laundry
113.251	Telephone
113.252	Transportation, Lunches, Special Fees
113.253	Allowances for Increase in SSI Benefits
113.254	Nursing Care or Personal Care in Home Not Subject to Licensing
113.255	Sheltered Care/Personal or Nursing Care in a Licensed Group Care Facility
113.256	Shopping Allowance
113.257	Special Allowances for Blind and Partially Sighted (Blind Only)
113.258	Home Delivered Meals
113.259	AABD Fuel and Utility Allowances By Area
113.260	Sheltered Care, Personal Care or Nursing Care Rates
113.261	Cases in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, DMHDD Facilities and All Other Licensed Medical Facilities
113.262	Meeting the Needs of an Ineligible Dependent with Client's Income
113.263	Service Animals
113.264	Refugees Ineligible for SSI

SUBPART E: OTHER PROVISIONS

Section	
113.300	Persons Who May Be Included In the Assistance Unit
113.301	Grandfathered Cases
113.302	Interim Assistance (Repealed)
113.303	Special Needs Authorizations
113.304	Retrospective Budgeting
113.305	Budgeting Schedule
113.306	Purchase and Repair of Household Furniture (Repealed)
113.307	Property Repairs and Maintenance
113.308	Excess Shelter Allowance
113.309	Limitation on Amount of AABD Assistance to Recipients from Other States (Repealed)
113.320	Redetermination of Eligibility
113.330	Attorney's Fees for VA Appellants (Repealed)

SUBPART F: INTERIM ASSISTANCE

Section

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- 113.400 Description of the Interim Assistance Program
- 113.405 Pending SSI Application (Repealed)
- 113.410 More Likely Than Not Eligible for SSI (Repealed)
- 113.415 Non-Financial Factors of Eligibility (Repealed)
- 113.420 Financial Factors of Eligibility (Repealed)
- 113.425 Payment Levels for Chicago Interim Assistance Cases (Repealed)
- 113.430 Payment Levels for all Interim Assistance Cases Outside Chicago (Repealed)
- 113.435 Medical Eligibility (Repealed)
- 113.440 Attorney's Fees for SSI Applicants (Repealed)
- 113.445 Advocacy Program for Persons Receiving Interim Assistance (Repealed)
- 113.450 Limitation on Amount of Interim Assistance to Recipients from Other States (Repealed)
- 113.500 Attorney's Fees for SSI Appellants (Renumbered)

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13].

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

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Reg. 8106, effective August 1, 1981; preemptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; preemptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; preemptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; preemptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; preemptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by Sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150

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days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 9669, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg. 9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14722, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993; amended at 17 Ill. Reg. 14612, effective August 26, 1993; amended at 18 Ill. Reg. 2018, effective January 21, 1994; amended at 18 Ill. Reg. 7759, effective May 5, 1994; amended at 18 Ill. Reg. 12818, effective August 5, 1994; amended at 19 Ill. Reg. 1052, effective January 26, 1995; amended at 19 Ill. Reg. 2875, effective February 24, 1995; amended at 19 Ill. Reg. 6639, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 8409, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg.

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15034, effective October 17, 1995; amended at 20 Ill. Reg. 858, effective December 29, 1995; emergency amendment at 21 Ill. Reg. 673, effective January 1, 1997, for a maximum of a 150 days; amended at 21 Ill. Reg. 7404, effective May 31, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Reg. 13642, effective July 15, 1998; emergency amendment at 22 Ill. Reg. 16348, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 18931, effective October 1, 1998; emergency amendment at 22 Ill. Reg. 21750, effective November 24, 1998, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 579, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1607, effective January 20, 1999; amended at 23 Ill. Reg. 5548, effective April 23, 1999; amended at 23 Ill. Reg. 6052, effective May 4, 1999; amended at 23 Ill. Reg. 6425, effective May 15, 1999; amended at 23 Ill. Reg. 6935, effective May 30, 1999; amended at 23 Ill. Reg. 7887, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8650, effective July 13, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 10161, effective August 3, 1999; amended at 23 Ill. Reg. 13852, effective November 19, 1999; amended at 24 Ill. Reg. 2328, effective February 1, 2000; amended at 24 Ill. Reg. 11622, effective July 18, 2000; amended at 24 Ill. Reg. 13394, effective August 18, 2000; amended at 25 Ill. Reg. 5326, effective March 30, 2001; amended at 26 Ill. Reg. 179, effective January 1, 2002; amended at 26 Ill. Reg. 8532, effective May 31, 2002; amended at 26 Ill. Reg. 13521, effective September 3, 2002; amended at 27 Ill. Reg. 7252, effective April 7, 2003; amended at 28 Ill. Reg. 11139, effective July 21, 2004; emergency amendment at 28 Ill. Reg. 11366, effective July 21, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12469, effective August 20, 2004, for a maximum of 150 days; emergency expired January 16, 2005; amended at 29 Ill. Reg. 648, effective December 16, 2004; amended at 29 Ill. Reg. 5703, effective April 11, 2005; amended at 29 Ill. Reg. 10176, effective July 5, 2005; amended at 30 Ill. Reg. 16065, effective September 21, 2006; amended at 31 Ill. Reg. 6981, effective April 30, 2007; amended at 31 Ill. Reg. 11306, effective July 19, 2007; amended at 32 Ill. Reg. 17187, effective October 16, 2008; peremptory amendment at 32 Ill. Reg. 18065, effective November 15, 2008; emergency amendment at 33 Ill. Reg. 4993, effective March 19, 2009, for a maximum of 150 days; emergency expired August 15, 2009; emergency amendment at 33 Ill. Reg. 7337, effective May 21, 2009, for a maximum of 150 days; emergency expired October 17, 2009; amended at 33 Ill. Reg. 12775, effective September 8, 2009; emergency amendment at 33 Ill. Reg. 12850, effective September 4, 2009, for a maximum of 150 days; emergency expired January 31, 2010; amended at 33 Ill. Reg. 13846, effective September 17, 2009; amended at 33 Ill. Reg. 15033, effective October 22, 2009; amended at 33 Ill. Reg. 16845, effective November 30, 2009; emergency amendment at 34 Ill. Reg. 6944, effective May 1, 2010, for a maximum of 150 days; emergency expired September 27, 2010; amended at 34 Ill. Reg. 7255, effective May 10, 2010; amended at 35 Ill. Reg. 1012, effective December 28, 2010; emergency amendment at 35 Ill. Reg. 6951, effective April 6, 2011, for a maximum of 150 days; emergency expired September 2, 2011; amended at 35 Ill. Reg. 17096, effective October 5, 2011; amended at 35 Ill. Reg. 18756,

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

effective October 28, 2011; amended at 36 Ill. Reg. 15195, effective October 5, 2012; emergency amendment at 36 Ill. Reg. 17567, effective December 1, 2012 through June 30, 2013.

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section 113.141 Exempt Assets
EMERGENCY

- a) The following assets are exempt from consideration in determining eligibility for assistance and the amount of the assistance payment:
 - 1) Homestead property.
 - 2) Personal Property
 - A) Personal effects extraordinarily and household goods of reasonable value (reasonable value means the client's equity value in such property does not exceed \$2,000). Wedding and engagement rings and items required due to medical or physical condition.
 - B) Regardless of the value, personal effects and household goods are exempt in determining the amount allowed as the Community Spouse Asset Allowance (as described at 89 Ill. Adm. Code 120.386).
 - 3) Resources (for example, land, buildings, equipment and supplies or tools) necessary for self-support up to \$6,000 of the individual's equity in the income producing property, provided the property produces a net annual income of at least 6% of the excluded equity value of the property. The equity value in excess of \$6,000 is applied toward the asset disregard. If the activity produces income less than 6% of the exempt equity due to reasons beyond the individual's control (for example, the individual's illness or crop failure) and there is a reasonable expectation that the individual's activity will increase to produce income equal to 6% of the equity value (for example, the medical prognosis is that the individual is expected to respond to treatment or drought resistance corn will be planted), the property is exempt. If the individual owns more than one piece of property and each produces income, each is looked at to see if the 6% rule is met and then the amount of the individual's equity in all of

DEPARTMENT OF HUMAN SERVICES

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those properties are totaled to see if the total equity is \$6,000 or less.

- 4) Automobile
 - A) exclude one automobile, regardless of value, used by the client, spouse, or other dependent if:
 - i) it is necessary for employment;
 - ii) it is necessary for the medical treatment of a specific or regular medical problem;
 - iii) it is modified for operation by or transportation of a handicapped person;
 - iv) it is necessary because of factors such as climate, terrain or distance to provide necessary transportation to perform essential daily activities; or
 - v) one vehicle for each spouse is exempt in determining the amount allowed as the Community Spouse Asset Allowance (as described at 89 Ill. Adm. Code 120.386).
 - B) if not excluded in subsection (a)(4)(A) exclude one automobile to the extent the fair market value does not exceed \$4500. Apply the excess fair market value toward the asset disregard (see Section 113.142). The Department will determine fair market value in accordance with 89 Ill. Adm. Code 121.57(b)(2)(D)(iv).
 - C) for all other automobiles, apply the equity value (fair market value minus any encumbrance) toward the asset disregard (see Section 113.142).
 - 5) Life insurance policies with a total face value of \$1,500 or less and all term life insurance policies. If total face value exceeds \$1,500, the cash surrender value must be counted as a resource.
- b) Burial spaces and funds are exempt as follows:

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- 1) Burial spaces that are intended for the use of the individual, his or her spouse, or any other member of his or her immediate family. Immediate family is defined as an individual's minor and adult children, including adopted children and step-children, an individual's brothers, sisters, parents, adoptive parents, and the spouses of these individuals.
 - 2) Funds set aside for the burial expenses of the individual and his or her spouse, subject to a limit of \$1,500 each. This limit will be reduced by the face value of any excluded life insurance policy and the amount of any funds held in an irrevocable trust or other irrevocable arrangement that are available for burial expenses.
 - 3) Interest earned on excluded burial funds and appreciation in the value of excluded burial arrangements that occurred the earlier of the date of first SSI eligibility or the date of AABD eligibility, but no earlier than November 1, 1982 (see 20 CFR 416.1231(b)(5) (2009)).
 - 4) Funds specifically and irrevocably set aside for the professional funeral services and burial expenses of the individual and his or her spouse, subject to a limit of ~~\$5,874,000~~ each, including prepaid funeral and burial plans. This amount is adjusted annually for any increase in the Consumer Price Index~~limit will be increased annually by 3%.~~
- c) Assets necessary for fulfillment of an approved plan for achieving self support.
- d) Trust funds are exempt as follows:
- 1) The principal of a trust fund only when the instrument establishing the trust specifically states the principal cannot be impaired.
 - 2) The principal of a trust fund established under the Self Sufficiency Trust Fund Program [20 ILCS 1705/21.1].
- e) Assets excluded by express provision of 20 CFR 416.1236 (2009).
- f) Donations or benefits from fund raisers held for a seriously ill client provided the client or a responsible relative of the client does not have control (for example, not available to the client or the responsible relative) over the donations or benefits or the disbursement of donations or benefits.

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NOTICE OF EMERGENCY AMENDMENT

- g) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201.
- h) Money received from the Social Security Administration under a Plan to Achieve Self-Support (PASS) and held in a separate account.
- i) Disaster relief payments provided by federal, state or local government or a disaster assistance organization.
- j) The amount of earned income tax credit which the client receives as advance payment or as a refund of federal income tax.
- k) The Economic Recovery Payment to recipients of Social Security, Supplemental Security Income (SSI), Railroad Retirement Benefits, and Veterans Disability Compensation or Pension Benefits authorized under Section 2201 of the American Recovery and Reinvestment Act of 2009.
- l) Payments to eligible persons who served in the United States Armed Forces in the Far East during World War II authorized under Section 1002 of the American Recovery and Reinvestment Act of 2009.

(Source: Amended by emergency rulemaking at 36 Ill. Reg. 17567, effective December 1, 2012 through June 30, 2013)

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NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section Number: 1010.195 Emergency Action:
New Section
- 4) Statutory Authority: Chapter 3 of the Illinois Vehicle Code (625 ILCS 5/3) and authorized by Section 2-104(b) of the Illinois Vehicle Code
- 5) Effective Date of Amendment: November 28, 2012
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of the 150-day period or upon adoption of the permanent rule, whichever occurs first.
- 7) Date Filed with the Index Department: November 28, 2012
- 8) A copy of the emergency rulemaking, including any material incorporated by reference, is on file in the Department's Springfield office and is available for public inspection.
- 9) Reason for Emergency: Due to Superstorm Sandy, a large number of vehicles located along the East Coast in the affected areas were flooded. Reports indicate there may be as many as 250,000 flooded vehicles as a result of the storm. Vehicles that have flood history often get resold to consumers without disclosing the history of the vehicle. A flooded vehicle that is dried out may show no obvious signs of damage, even though the vehicle may have been totaled out by an insurance company. In order to ensure vehicles previously titled in areas affect by a natural disaster that are seeking Illinois titles are properly titled, the office seeks to have procedures put in place which allows additional disclosures to be required.
- 10) Complete Description of the Subjects and Issues Involved: This rulemaking addresses the procedures the office will utilize when dealing with a vehicle that is applying for an Illinois title from another state where a natural disaster has caused flooding that may affect the branding of the vehicle.
- 11) Are there any other proposed rulemakings pending on this Part? Yes

Section Number: Proposed Action: Illinois Register Citation:

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NOTICE OF EMERGENCY AMENDMENT

1010.245 Amendment 36 Ill. Reg. 13525; August 31, 2012

- 12) Statement of Statewide Policy Objectives: This rulemaking does not create or expand an existing state mandate, nor does it require expenditures by units of local government.
- 13) Information and questions regarding this emergency rulemaking shall be directed to:

Cynthia Grant
Assistant General Counsel
Office of the General Counsel
298 Howlett Building
Springfield, IL 62756

217/785-3094
cgrant@ilsos.net

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

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NOTICE OF EMERGENCY AMENDMENT

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1010
CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

SUBPART A: DEFINITIONS

Section	
1010.10	Owner – Application of Term
1010.20	Secretary and Department

SUBPART B: TITLES

Section	
1010.110	Salvage Certificate – Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate
1010.120	Salvage Certificate – Assignments and Reassignments
1010.130	Exclusiveness of Lien on Certificate of Title
1010.140	Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards
1010.150	Transferring Certificates of Title Upon the Owner's Death
1010.160	Repossession of Vehicles by Lienholders and Creditors
1010.170	Junking Notification
1010.180	Specially Constructed Vehicles – Defined
1010.185	Specially Constructed Vehicles – Required Documentation for Title and Registration
1010.190	Issuance of Title and Registration Without Standard Ownership Documents – Bond
<u>1010.195</u>	<u>Procedures & Disclosures for Vehicles Previously Titled in Areas Flooded as a Result of a Natural Disaster</u>

EMERGENCY

SUBPART C: REGISTRATION

Section	
1010.200	Homemade Trailers – Title and Registration
1010.210	Application for Registration

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- 1010.220 Vehicles Subject to Registration – Exceptions
- 1010.230 Refusing Registration or Certificate of Title
- 1010.240 Registration Plates To Be Furnished by the Secretary of State
- 1010.245 Electronic Registration and Titling (ERT) Program Provisions
- 1010.250 Applications For Reassignment

SUBPART D: REVOCATION, SUSPENSION AND
CANCELLATION OF REGISTRATION

Section

- 1010.300 Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration
- 1010.310 Improper Use of Evidences of Registration
- 1010.320 Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles
- 1010.330 Operation of Vehicle Without Proper Illinois Registration
- 1010.350 Suspension or Revocation
- 1010.360 Surrender of Plates, Decals or Cards

SUBPART E: SPECIAL PERMITS AND PLATES

Section

- 1010.410 Temporary Registration – Individual Transactions
- 1010.420 Temporary Permit Pending Registration In Illinois
- 1010.421 Issuance of Temporary Registration Permits by Persons or Entities Other Than the Secretary of State
- 1010.425 Non-Resident Drive-Away Permits
- 1010.426 Seven Day Permits
- 1010.430 Registration Plates for Motor Vehicles Used for Transportation of Persons for Compensation and Tow Trucks
- 1010.440 Title and Registration of Vehicles with Permanently Mounted Equipment
- 1010.450 Special Plates
- 1010.451 Purple Heart License Plates
- 1010.452 Special Event License Plates
- 1010.453 Retired Armed Forces License Plates
- 1010.454 Gold Star License Plates
- 1010.455 Collectible License Plates
- 1010.456 Sample License Plates For Motion Picture and Television Studios
- 1010.457 Korean War Veteran License Plates

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1010.458	Collegiate License Plates
1010.460	Special Plates for Members of the United States Armed Forces Reserves
1010.465	Requests for General Issuance Specialty License Plates
1010.470	Dealer Plate Records
1010.480	State of Illinois In-Transit Plates

SUBPART F: FEES

Section	
1010.510	Determination of Registration Fees
1010.520	When Fees Returnable
1010.530	Circuit Breaker Registration Discount
1010.540	Fees
1010.550	Determining Age of Vehicle

SUBPART G: MISCELLANEOUS

Section	
1010.610	Unlawful Acts, Fines and Penalties
1010.620	Change of Engine

SUBPART H: SECOND DIVISION VEHICLES

Section	
1010.705	Reciprocity
1010.710	Vehicle Proration
1010.715	Proration Fees
1010.720	Vehicle Apportionment
1010.725	Trip Leasing
1010.730	Intrastate Movements, Foreign Vehicles
1010.735	Interline Movements
1010.740	Trip and Short-term Permits
1010.745	Signal 30 Permit for Foreign Registration Vehicles (Repealed)
1010.750	Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)
1010.755	Mileage Tax Plates
1010.756	Suspension or Revocation of Illinois Mileage Weight Tax Plates
1010.760	Transfer for "For-Hire" Loads
1010.765	Suspension or Revocation of Exemptions as to Foreign Registered Vehicles
1010.770	Required Documents for Trucks and Buses to detect "intrastate" movements

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1010.775 Certificate of Safety

1010.APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement

1010.APPENDIX B International Registration Plan

1010.APPENDIX C Affirmation Supporting Salvage Certificate

1010.APPENDIX D Specialty License Plates Request Form

AUTHORITY: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 3 and 2-104(b)].

SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill. Reg. 19066, effective November 15, 1990; amended at 15 Ill. Reg. 12782, effective August 15, 1991; amended at 16 Ill. Reg. 12587, effective August 1, 1992; amended at 19 Ill. Reg. 11947, effective August 1, 1995; amended at 19 Ill. Reg. 16289, effective November 27, 1995; amended at 20 Ill. Reg. 11349, effective August 1, 1996; amended at 21 Ill. Reg. 8408, effective June 23, 1997; amended at 21 Ill. Reg. 13372, effective September 17, 1997; amended at 22 Ill. Reg. 8521, effective April 28, 1998; amended at 22 Ill. Reg. 22059, effective January 1, 1999; amended at 25 Ill. Reg. 7731, effective June 6, 2001; emergency amendment at 25 Ill. Reg. 14201, effective October 22, 2001, for a maximum of 150 days; emergency expired March 20, 2002; amended at 26 Ill. Reg. 14282, effective September 16, 2002; amended at 27 Ill. Reg. 4790, effective February 27, 2003; amended at 29 Ill. Reg. 8915, effective June 10, 2005; amended at 31 Ill. Reg. 2668, effective January 29, 2007; amended at 32 Ill. Reg. 17253,

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effective October 15, 2008; amended at 32 Ill. Reg. 17590, effective October 16, 2008; amended at 34 Ill. Reg. 3673, effective March 5, 2010; amended at 34 Ill. Reg. 10202, effective June 29, 2010; amended at 35 Ill. Reg. 1652, effective January 13, 2011; amended at 35 Ill. Reg. 8240, effective May 16, 2011; amended at 36 Ill. Reg. 7674, effective May 2, 2012; amended at 36 Ill. Reg. 14745, effective September 24, 2012; amended at 36 Ill. Reg. 17094, effective November 20, 2012; emergency amendment at 36 Ill. Reg. 17580, effective November 28, 2012, for a maximum of 150 days.

SUBPART B: TITLES

Section 1010.195 Procedures & Disclosures for Vehicles Previously Titled in Areas Flooded as a Result of a Natural Disaster
EMERGENCY

As used in this Section, the term "areas flooded as a result of a natural disaster" (hereinafter, "flooded area") shall refer to a geographic area that has been (1) declared a natural disaster by state or federal officials, and (2) flooded to a depth in excess of one foot, in an area in excess of one square mile.

- a) An application for an Illinois certificate of title for a vehicle that was last titled in a flooded area will be subject to the following procedures:
 - 1) the vehicle will be checked against the National Insurance Crime Bureau (NICB) database to determine if the vehicle is a known flood-damaged vehicle; and
 - 2) if the vehicle is not in the NICB database as a known flood-damaged vehicle, the Secretary shall determine whether the vehicle was last registered in a county (or parish in Louisiana) that was included in the flooded area.
- b) Any vehicle listed by NICB as a known flood-damaged vehicle shall be issued an Illinois salvage certificate with the brand "flood."
- c) The applicant for a title for a vehicle that was not in the NICB database as a known flood-damaged vehicle, but was last registered in a county included in a flood area, shall be required at the time of application to complete a flood disclosure statement. This statement shall require the applicant to disclose

SECRETARY OF STATE

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whether the vehicle sustained physical damage or water damage as a result of the flooding and, if there was damage, the extent of damage the vehicle sustained.

- d) If a vehicle is not listed by NICB as a known flood-damaged vehicle and was last registered in a county included in a flood area, and the application is accompanied by a flood disclosure statement, that vehicle shall be issued an Illinois certificate of title or salvage certificate, as determined by the information in the flood disclosure statement.
- e) If a vehicle is not listed by NICB as a known flood-damaged vehicle and was last registered in a county included in a flood area, and the application is not accompanied by a flood disclosure statement, that vehicle shall be issued an Illinois salvage certificate with the brand "flood."
- f) Vehicles titled in Illinois that had a title branded from the previous state will receive a similar Illinois branded title.
- g) The Secretary may utilize these procedures for up to 12 months after the date of the natural disaster declaration.

(Source: Added by emergency rulemaking at 36 Ill. Reg. 17580, effective November 28, 2012, for a maximum of 150 days)

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: State Universities Civil Service System
- 2) Code Citation: 80 Ill. Adm. Code 250
- 3) Register Citation to Notice of Proposed Amendments: March 9, 2012; 36 Ill. Reg. 3840
- 4) Date, Time and Location of Public Hearing:

Thursday, January 3, 2013
1:00 p.m. to 4:00 p.m.

State Universities Civil Service System
1717 Philo Road, Suite 24
Urbana, IL 61802
- 5) Other Pertinent Information: The public hearing will be for the purpose of discussing the proposed amendment to Section 250.30.

Persons interested in presenting testimony at this hearing are advised that the State Universities Civil Service System will adhere to the following procedures in the conduct of the hearing:

 - a) No oral testimony shall exceed an aggregate of 15 minutes.
 - b) Each person presenting oral testimony shall provide to the State Universities Civil Service System a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
 - c) No person will be recognized to speak for a second time until all persons wishing to testify have done so.
 - d) In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the State Universities Civil Service System may impose such other rules of procedures, including the order of call of witness, as it deems necessary.
- 6) Name and address of agency contact person: Questions regarding the proposed amendments or the public hearing shall be directed to:

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

Abby Daniels
Manager
Legal Services and Legal Counsel
State Universities Civil Service System
1717 Philo Road, Suite 24
Urbana, IL 61802

(217) 278-3150, ext. 226
abbyd@sucss.illinois.gov

or

Lewis T. (Tom) Morelock
Executive Director
State Universities Civil Service System
1717 Philo Road, Suite 24
Urbana, IL 61802

(217) 278-3150
tomm@sucss.illinois.gov

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JANUARY 2013 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citation): Public Information, Rulemaking and Organization (2 Ill. Adm. Code 750)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Amend the authority of the Part;
- Amend to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes; and
- Amend the rules to reflect other minor administrative changes.
- B) Statutory Authority: 20 ILCS 5/16
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Mary Matheny
CMS Rules Coordinator
720 Stratton Office Building
Springfield, IL 62706
- Telephone: 217-557-5404
Email: mary.matheny@illinois.gov
Fax: 217-558-2697
- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- b) Part(s) (Heading and Code Citation): Access to Information (2 Ill. Adm. Code 751)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JANUARY 2013 REGULATORY AGENDA

- 1) Rulemaking:
 - A) Description: The Department anticipates rulemaking affecting the following:

Amend to reflect the latest modifications to the Freedom of Information Act.
 - B) Statutory Authority: 5 ILCS 140
 - C) Scheduled meeting/hearing dates: On or before July 1, 2013
 - D) Date agency anticipates First Notice: Not Yet Scheduled
 - E) Effect on small businesses, small municipalities or not for profit corporations: None
 - F) Agency contact person for information:

Mary Matheny
CMS Rules Coordinator
720 Stratton Office Building
Springfield, IL 62706

Telephone: 217-557-5404
Email: mary.matheny@illinois.gov
Fax: 217-558-2697
 - G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- c) Part(s) (Heading and Code Citation): Service-Disabled and Veteran-Owned Small Businesses (44 Ill. Adm. Code 20)
 - 1) Rulemaking:
 - A) Description: The Department anticipates rulemaking affecting the following:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JANUARY 2013 REGULATORY AGENDA

Add a new Part to reflect changes pursuant to P.A. 97-260.

- B) Statutory Authority: 30 ILCS 500
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: Will increase opportunities for small businesses to participate in State contracting.
- F) Agency contact person for information:

Mary Matheny
CMS Rules Coordinator
720 Stratton Office Building
Springfield, IL 62706

Telephone: 217-557-5404
Email: mary.matheny@illinois.gov
Fax: 217-558-2697

- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

d) Part(s) (Heading and Code Citation): Acquisition, Management and Disposal of Real Property (44 Ill. Adm. Code 5000)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following:

Amend to reflect changes required pursuant to P.A. 96-795 and the proposed General Services Standard Procurement Rules, as well as general review and updating.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JANUARY 2013 REGULATORY AGENDA

- B) Statutory Authority: 20 ILCS 5/5-675, 20 ILCS 405/405-215, 405-300, 405-305, 405-310, 405-315, and 30 ILCS 500
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: The proposed changes are to update the rules to reflect current policy. Based on this, we believe that the Effect on the above-listed entities, if any, will be minimal.
- F) Agency contact person for information:
- Mary Matheny
CMS Rules Coordinator
720 Stratton Office Building
Springfield, IL 62706
- Telephone: 217-557-5404
Email: mary.matheny@illinois.gov
Fax: 217-558-2697
- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- e) Part(s) (Heading and Code Citation): State Vehicles and Garage (44 Ill. Adm. Code 5040)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Amend the rules to outline a Vehicle Usage Program; and
- Amend the rules to reflect CMS instead of DCMS and other minor administrative changes.

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- B) Statutory Authority: 20 ILCS 405/405-280
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Mary Matheny
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- Telephone: 217-557-5404
Email: mary.matheny@illinois.gov
Fax: 217-558-2697
- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

f) Part(s) (Heading and Code Citations): Merit and Fitness (80 Ill. Adm. Code 302)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following Sections:

Amend Section 302.90 to address the process for filling of multiple vacancies by simultaneous resort to more than a single method described in Rule 302.90;

Amend Sections 302.90 and 302.820 to address the process for appointing employees to term appointments, to address inconsistencies between these two sections, and to address the differences between the 4 year term appointments historically addressed by these sections and 5 year term appointments;

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Amend Section 302.91 to more fully describe the procedures and requirements of the Alternative Employment Program;

Amend Section 302.150 to provide for temporary appointment of retired State employees to work no more than 75 days within a twelve-month period, and further amend Section 302.150 to provide for Provisional Appointment Pending Partial Exemption under Personnel Code Section 4d;

Amend Section 302.550 to clarify that employees who accept a voluntary reduction will be entitled to remain on the appropriate reemployment list;

Amend Section 302.690 to clarify an employee's responsibilities upon being placed on administrative leave, for disciplinary action, or charges of discharge;

Amend Section 302.790 to clarify the prohibition on discrimination and retaliation;

Amend Section 302.795 to codify & make explicit the existing practices in the implementation of administrative leaves;

Amend Sections 302.800 & 302.810 to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes; and

Add a new Section under Subpart L addressing the requirement that certain internal auditor and procurement positions be appointed to five year term appointments.

- B) Statutory Authority: 20 ILCS 415/8, 8b.10, 8b.18, 8b.19, 8c.6, 8e and P.A. 96-795.
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None

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JANUARY 2013 REGULATORY AGENDA

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G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.g) Part(s) (Heading and Code Citations): Conditions of Employment (80 Ill. Adm. Code 303)1) Rulemaking:A) Description: The Department anticipates rulemaking affecting the following Sections:

Amend Sections 303.90 & 303.130 to reflect compliance with the Illinois Religious Freedom Protection and Civil Union Act;

Amend the current Rules relating to Vacation Time and Personal Time, including at least Sections 303.125 and 303.290, to clarify limitations on use and prevent misuse of such time by employees pending their retirement from State employment;

Amend Section 303.145 to clarify the limitations on temporary disability leave and the process for agencies to require independent medical examinations of employees, and to address the relationship between temporary disability leave and the Alternative Employment Program;

Amend Section 303.170 to reflect changes to 5 ILCS 325 and to clarify the use of USERRA leave;

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Amend Section 303.190 to clarify which employees receive paid time off for holidays;

Amend Section 303.270 to clarify that employees on Military Leave shall not lose accrued vacation time, and will be afforded a reasonable amount of time upon their return to use it;

Amend Section 303.295 to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes;

Amend Section 303.380 to change reference from 'Separation' to 'Resignation';

Amend Section 303.385 to clarify the reinstatement of vacation and sick time for an employee who returns to employment more than 30 days, but less than 5 years, after termination of previous employment;

Add a new Section to clarify the use of benefit time on or near an employee's separation date;

Add a new Section to provide for Victims' Economic Security & Safety Act Leave pursuant to 820 ILCS 180/1.

- B) Statutory Authority: 20 ILCS 415/8, 8c, 8c.6, 8e and 9(14).
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- h) Part(s) (Heading and Code Citations): General Provisions (80 Ill. Adm. Code 304)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following Sections:
- Amend Section 304.30 to clarify that it is the obligation of the employee to notify their employer of current address and phone number;
- Amend Section 304.40 to clarify what constitutes personal history and make explicit the historic interpretation that all Rutan-related documentation is confidential & falls under the definition of examination materials; and
- Amend the authority of the Part and Section 304.70 to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes.
- B) Statutory Authority: 20 ILCS 415/8, 8e, and 9(14).
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- i) Part(s) (Heading and Code Citations): Extensions of Jurisdiction (80 Ill. Adm. Code 305)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following Sections:
- Add a new Section to extend jurisdictions A, B, & C to non-Personnel-Code Human Resources Coordinator and one non-Personnel-Code Manager (position number 81550-31-73-200-00-01 only) at the Illinois Commerce Commission.
- B) Statutory Authority: 20 ILCS 415/4b
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JANUARY 2013 REGULATORY AGENDA

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- j) Part(s) (Heading and Code Citations): Pay Plan (80 Ill. Adm. Code 310)
- 1) Rulemaking: Proposed, Peremptory or Emergency Amendments.
- A) Description: Projected amendments to the Department of Central Management Services' Pay Plan include the following revisions to the following Sections:
- In Section 310.130 Effective Date, changes include advancing the effective date to the new fiscal year 2014. In the Section 310.Appendix A Negotiated Rates of Pay tables, changes are to include the contracted rates effective during fiscal year 2014, if bargaining unit agreements are signed.
- In Section 310.280 Designated Rate, changes in salaries, the addition of new positions, and deletion of positions no longer utilized as approved by the Governor.
- In Section 310.Appendix A Negotiated Rates of Pay tables, changes are based on bargaining unit agreements that are signed before July 1, 2013.
- In Section 310.Appendix B Frozen Negotiated-Rates-of-Pay tables, changes reflect the title or pay grade updates to 310.Appendix A with rates remaining frozen.
- In various Sections, changes are to classifications either being established, revised or removed with the approval of the Civil Service Commission.
- In various Sections, changes are to the Pay Plan rates based on Public Acts establishing the fiscal year 2014 budget or budget implementation.
- In various Sections, changes are to the format of the Pay Plan to reduce duplicate information and provide easier access to information contained within the Pay Plan.

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- B) 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)], subsection (d) of Section 1-5 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(d)] 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].
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled. Interested persons may send specific criticisms, suggestions, and/or comments to the Department of Central Management Services in writing during the First Notice Period of the Pay Plan amendments.
- D) Date agency anticipates First Notice: Proposed amendments to Section 310.130 Effective Date and, if available, the Section 310.Appendix A Negotiated Rates of Pay tables for the new fiscal year 2014 will be filed in late February or early March 2013 for adoption by the beginning of fiscal year 2014, July 1, 2013. Otherwise, peremptory amendments based on new memoranda of understanding or other bargaining unit agreements will be filed as negotiations are completed. Proposed amendments to Section 310.Appendix B Frozen Negotiated-Rates-of-Pay tables will be periodic as changes to the Section 310.Appendix A tables accumulate.

Amendments to Section 310.280 Designated Rate, will be filed as the Governor approves changes.

Peremptory amendments based on new, revised, or abolished classifications represented by the bargaining units, and proposed amendments based on new, revised, or abolished classifications not represented by the bargaining units, will be filed as the classification actions are approved by the Civil Service Commission.

Emergency amendments based on Public Acts establishing the fiscal year 2014 budget or budget implementation may be filed July 1, 2013.

Amendments to Sections to add clarity will be filed as the Governor approves changes.

- E) Effect on small businesses, small municipalities or not for profit corporations: These amendments to the Pay Plan pertain only to state

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employees subject to the Personnel Code under the Governor. They do not set out guidelines that are to be followed by local or other jurisdictional bodies within the State.

F) Agency contact person for information:

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Division of Technical Services and Agency Training and
Development
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Department of Central Management Services
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Springfield IL 62706

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Fax: (217) 524-4570

G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues regarding state employee salary rates and policies.k) Part(s) (Heading and Code Citations): Position Classification Plan (80 Ill. Adm. Code 320)1) Rulemaking:A) Description: The Department anticipates rulemaking affecting the following Sections:

Amend the authority of the Part and Section 320.10 to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes; and

Amend Sections 320.80, 320.90 & 320.100 to reflect the current language referencing 80 Ill. Adm. Code 301.

B) Statutory Authority: 20 ILCS 415

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- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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Fax: 217-558-2697
- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- l) Part(s) (Heading and Code Citations): Back Wage Claim Administration (80 Ill. Adm. Code 331)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following Sections:
- Amend the authority of the Part;
- Amend Section 331.7 to clarify a settlement by administrative trial;
- Amend Section 331.40 to adjust formatting; and
- Amend Sections 331.90 & 331.100 to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes.

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- B) Statutory Authority: 20 ILCS 405/405-105
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- m) Part(s) (Heading and Code Citations): Organ Donor Leave (80 Ill. Adm. Code 332)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following Sections:
- Amend Sections 332.4 to allow State employees to donate or attempt to donate red blood cells.
- B) Statutory Authority: 5 ILCS 327
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled

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- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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Fax: 217-558-2697
- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- n) Part(s) (Heading and Code Citation): State of Illinois Dependent Care Assistance Plan (80 Ill. Adm. Code 2110)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Reimbursement of participants and statements provided to participants.
- B) Statutory Authority: 20 ILCS 5/5-625
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

Janice L. Bonneville

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JANUARY 2013 REGULATORY AGENDA

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Telephone: 217-785-8675

- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- o) Part(s) (Heading and Code Citation): State of Illinois Medical Care Assistance Plan (80 Ill. Adm. Code 2120)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:

Age limitations for participation, maximum deferral, card fees and participant statements.
- B) Statutory Authority: 20 ILCS 5/5-625
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- p) Part(s) (Heading and Code Citation): Commuter Savings Program (80 Ill. Adm. Code 2190)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
Termination of participation.
- B) Statutory Authority: 20 ILCS 5/5-625
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- q) Part(s) (Heading and Code Citation): State Employees' Group Insurance Program Retiree Premium Contributions (80 Ill. Adm. Code 2200)

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- 1) Rulemaking:
 - A) Description: The Department anticipates rulemaking affecting the following:

Create rules to outline rates to be charged to state retirees, annuitants and survivors for participation in the State Employees Group Insurance Program.
 - B) Statutory Authority: 5 ILCS 375
 - C) Scheduled meeting/hearing dates: On or before July 1, 2013
 - D) Date agency anticipates First Notice: Not Yet Scheduled
 - E) Effect on small businesses, small municipalities or not for profit corporations: None
 - F) Agency contact person for information:

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Telephone: 217-785-8675
 - G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- r) Part(s) (Heading and Code Citation): State Employees Group Insurance Program (80 Ill. Adm. Code 2210)
 - 1) Rulemaking:
 - A) Description: The Department anticipates rulemaking affecting the following:

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Create rules outlining the functions and requirements of the State Employees Group Insurance Program.

- B) Statutory Authority: 5 ILCS 375
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not Yet Scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

s) Part(s) (Heading and Code Citation): Travel (80 Ill. Adm. Code 2800)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following:
- Repeal Section 2800.230 as the Program is no longer available; and
- Amend Section 2800.260 to remove a reference to Section 2800.230.
- B) Statutory Authority: 30 ILCS 105/12, 12-1, 12-2 and 12-3 and 80 Ill. Adm. Code 3000

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- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not yet scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

t) Part(s) (Heading and Code Citation): The Travel Regulation Council (80 Ill. Adm. Code 3000)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following:

Amend Section 3000.100 to update a citation of the State Finance Act;

Amend Section 3000.220 to correct a typographical error; and

Amend Section 3000.300 to address a change in the effective date of federal reimbursement rates.
- B) Statutory Authority: 30 ILCS 105/12-1, 12-2 and 12-3
- C) Scheduled meeting/hearing dates: On or before July 1, 2013

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- D) Date agency anticipates First Notice: Not yet scheduled
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

u) Part(s) (Heading and Code Citation): Auto Liability (80 Ill. Adm. Code 3100)

1) Rulemaking:

- A) Description: The Department anticipates rulemaking affecting the following:
- Amend the authority of the Part to reflect changes from the Illinois Revised Statutes to the Illinois Compiled Statutes; and
- Amend the rules to reflect CMS instead of DCMS and other minor administrative changes.
- B) Statutory Authority: 20 ILCS 405/405-105
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not yet scheduled

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.
- v) Part(s) (Heading and Code Citation): Day Care (89 Ill. Adm. Code 1300)
- 1) Rulemaking:
- A) Description: The Department anticipates rulemaking affecting the following:
- Changes are necessary to the Rules relating to the implementation of the State Agencies Employees Child Care Services Act to comply with legislative changes pursuant to PA 96-0795 and PA 97-0895 to correctly reflect the roles of the Department of Central Management Services and the Chief Purchasing Officer – General Services. Also, technical changes made to update the references to the correct title of the procurement statute - Illinois Procurement Code, rather than the Illinois Purchasing Act.
- B) Statutory Authority: 20 ILCS 405/405-305 and 405-315
- C) Scheduled meeting/hearing dates: On or before July 1, 2013
- D) Date agency anticipates First Notice: Not yet scheduled

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

JANUARY 2013 REGULATORY AGENDA

E) Effect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: Other amendments may be necessary based on emergent issues.

ILLINOIS EMERGENCY MANAGEMENT AGENCY

JANUARY 2013 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Public Information, Rulemaking and Organization, 2 Ill. Adm. Code 1800
- 1) Rulemaking: Proposed Amendment
- A) Description: The Agency is proposing this rulemaking to update this Part to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety.
- B) Statutory Authority: Implementing the Illinois Administrative Procedure Act [5 ILCS 100].
- C) Scheduled meeting/hearing dates: None Scheduled.
- D) Date agency anticipates First Notice: Spring 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will not affect small businesses, small municipalities, and not for profit corporations.
- F) Agency contact person for information:
- Traci Burton
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- Telephone: (217) 524-0770
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- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Public Information, Rulemaking and Organization 2 Ill. Adm. Code 1075
- 1) Rulemaking: Proposed Repealer

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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- A) Description: The Agency is proposing this rulemaking to repeal outdated regulations in light of the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety.
- B) Statutory Authority: Implementing the Illinois Administrative Procedure Act [5 ILCS 100].
- C) Scheduled meeting/hearing dates: None Scheduled.
- D) Date agency anticipates First Notice: Spring 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will not affect small businesses, small municipalities, and not for profit corporations.
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

- c) Part (Heading and Code Citation): Freedom of Information Procedures, 2 Ill. Adm. Code 1076

- 1) Rulemaking: Proposed Repealer
- A) Description: The Agency is proposing this rulemaking to repeal outdated regulations to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety.
- B) Statutory Authority: Implementing and authorized by the Freedom of Information Act [5 ILCS 140] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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- C) Scheduled meeting/hearing dates: None scheduled
- D) Date agency anticipates First Notice: Spring 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will not affect small businesses, small municipalities, and not for profit corporations.
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: None
- d) Part (Heading and Code Citation): Political Subdivision Emergency Services and Disaster Agencies, 29 Ill. Adm. Code 301
- 1) Rulemaking: Proposed Amendment
- A) Description: This proposed rulemaking will include requirements for including provisions in emergency operations plans for functional needs populations and an amendment to satisfy P.A. 94-733. In addition, language will be amended to reflect compliance with the National Incident Management System, changes to IEMA's grant program, and changes in EOP requirements.
- B) Statutory Authority: Implements the Illinois Emergency Management Agency Act [20 ILCS 3305].
- C) Scheduled meeting/hearing dates: None scheduled
- D) Date Agency anticipates First Notice: Summer 2013

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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- F) Effect on small businesses, small municipalities or not for profit Corporations: The Agency believes this rulemaking may affect small municipalities with special needs populations. Depending on the circumstances, small municipalities may have to adjust emergency operation plans to comply with this Part and the National Incident Management System.
- G) Agency contact person for information:
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- Telephone: (217) 524-0770
Fax: (217) 524-3698
- G) Related rulemakings and other pertinent information: None
- e) Part (Heading and Code Citation): Standards for Protection against Laser Radiation, 32 Ill. Adm. Code 315
- 1) Rulemaking: Proposed Amendment
- A) Description: The Agency is proposing this rulemaking to update this Part to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety. All references to the "Department" will be changed to "Agency".
- B) Statutory Authority: Implementing and authorized by the Laser System Act of 1997 [420 ILCS 56].
- C) Scheduled meeting/hearing dates: None scheduled
- D) Date Agency anticipates First Notice: Spring 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking could affect small

ILLINOIS EMERGENCY MANAGEMENT AGENCY

JANUARY 2013 REGULATORY AGENDA

businesses, small municipalities, and not for profit corporations that use or have lasers registered with the Agency.

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G) Related rulemakings and other pertinent information: Nonef) Part (Heading and Code Citation): Fees for Calibration Services, 32 Ill. Adm. Code 3331) Rulemaking: Proposed Amendment

- A) Description: The Agency is proposing this rulemaking to update this Part to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety. All references to the "Department" will be changed to "Agency". In addition, this proposed amendment will include a provision for the calibration of personal radiation detectors.
- B) Statutory Authority: Implementing and authorized by Section 25(g) of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111½, par. 210-25(g)) [420 ILCS 40/25(g)].
- C) Scheduled meeting/hearing dates: None scheduled
- D) Date Agency anticipates First Notice: Spring 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: The Agency does not usually get outside or commercial business, so there should be little to no impact on small businesses. Municipalities do not typically own radiation detection instruments except for the Personal Radiation Detectors issued to fire departments and law

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enforcement agencies under the Illinois Terrorism Task Force/Preventive Radiological and Nuclear Detection program, the cost of calibration (on a 3 year cycle) for those will likely be covered by an Illinois Terrorism Task Force grant. Therefore, there should be little or no impact, other than shipping costs, for small municipalities.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: Noneg) Part (Heading and Code Citation): Fees for By-Product Material, 32 Ill. Adm. Code 3341) Rulemaking: Proposed Amendment

A) Description: The Agency is proposing this rulemaking to update this Part to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety. All references to the "Department" will be changed to "Agency".

B) Statutory Authority: Implementing and authorized by the Uranium and Thorium Mill Tailings Control Act (see P.A. 88-638, effective September 9, 1994 [420 ILCS 42]).

C) Scheduled meeting/hearing dates: None scheduled

D) Date Agency anticipates First Notice: Spring 2013

F) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will not affect small businesses, small municipalities, and not for profit corporations.

ILLINOIS EMERGENCY MANAGEMENT AGENCY

JANUARY 2013 REGULATORY AGENDA

- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: None
- h) Part (Heading and Code Citation): Use of X-Rays in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine, 32 Ill. Adm. Code 360
- 1) Rulemaking: Proposed Amendment
- A) Description: This proposed rulemaking adds additional requirements in four major areas: quality assurance for digital imaging, computed tomography, radiation therapy misadministration and electronic brachytherapy. As digital imaging technology has become more common, the Agency needs to add rules for quality assurance for such systems. Imaging with computed tomography is becoming increasingly common and additional requirements are necessary to maintain proper oversight by the Agency. Errors occurring in radiation therapy were not previously reported to the Agency, so new regulations will require facilities to investigate such incidents and report to the Agency. Electronic brachytherapy is a new technology and regulations are required for proper oversight by the Agency.
- B) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].
- C) Scheduled meeting/hearing dates: None scheduled.
- D) Date agency anticipates First Notice: Spring 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will have an

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undetermined effect on some small businesses or not for profit corporations due to increased requirements and recordkeeping. Small municipalities will not be affected.

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G) Related rulemakings and other pertinent information: Nonei) Part (Heading and Code Citation): Certification of Individuals to Perform Industrial Radiography, 32 Ill. Adm. Code 4051) Rulemaking: Proposed Amendment

A) Description: This rulemaking will increase the certification fees paid by industrial radiographers. The increase in fees is necessary for the Agency to recover program costs and maintain its oversight of industrial radiography operations.

B) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40]

C) Scheduled meeting/hearing dates: None scheduled.

D) Date agency anticipates First Notice: Spring 2013

E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will have a fiscal impact on some small businesses. Small municipalities or not for profit corporations should not be affected.

F) Agency contact person for information:

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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G) Related rulemakings and other pertinent information: None

j) Part (Heading and Code Citation): Certification and Operation of Radiochemistry Laboratories, 32 Ill. Adm. Code 406

1) Rulemaking: Proposed Repealer

A) Description: The Agency is proposing this rulemaking to repeal an outdated regulation.

B) Statutory Authority: Implementing the Civil Administrative Code of Illinois [20 ILCS 5] and authorized by Sections 55.10 through 55.12 and Section 71 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.10 through 55.12, and 20 ILCS 2005/71(D)].

C) Scheduled meeting/hearing dates: None scheduled

D) Date Agency anticipates First Notice: Summer/Fall 2013

E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will not affect small businesses, small municipalities, and not for profit corporations.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

k) Part (Heading and Code Citation): Standards for Selection of Contractors, 32 Ill. Adm. Code 605

1) Rulemaking: Proposed Amendment

A) Description: The Agency is proposing this rulemaking to update this Part to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety. All references to the "Department" will be changed to "Agency".

B) Statutory Authority: Implementing and authorized by Section 5 of the Illinois Low-Level Radioactive Waste Management Act [420 ILCS 20/5].

C) Scheduled meeting/hearing dates: None scheduled

D) Date Agency anticipates First Notice: Spring 2013

E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will not affect small businesses, small municipalities, and not for profit corporations.

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G) Related rulemakings and other pertinent information: None

ILLINOIS EMERGENCY MANAGEMENT AGENCY

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- l) Part (Heading and Code Citation): Access to Facilities for Treatment, Storage, or Disposal of Low-Level Radioactive Waste, 32 Ill. Adm. Code 609
- 1) Rulemaking: Proposed Amendment
- A) Description: The Agency is proposing this rulemaking to update this Part to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety. All references to the "Department" will be changed to "Agency".
- B) Statutory Authority: Implementing and authorized by Sections 8 and 9 of the Illinois Low-Level Radioactive Waste Management Act [420 ILCS 20/8 and 9], the Radioactive Waste Tracking and Permitting Act [420 ILCS 37], the Central Midwest Low-Level Radioactive Waste Compact Act [45 ILCS 140], the Radioactive Waste Compact Enforcement Act [45 ILCS 141] and the federal Low-Level Radioactive Waste Policy Amendments Act of 1985 (P.L. 99-240).
- C) Scheduled meeting/hearing dates: None scheduled
- D) Date Agency anticipates First Notice: Spring 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will not affect small businesses, small municipalities, and not for profit corporations.
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: None
- m) Part (Heading and Code Citation): Registration of Low-Level Radioactive Waste

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Generators, 32 Ill. Adm. Code 620

- 1) Rulemaking: Proposed Amendment
 - A) Description: The Agency is proposing this rulemaking to update this Part to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety. All references to the "Department" will be changed to "Agency".
 - B) Statutory Authority: Implementing and authorized by Sections 3 and 4 of the Illinois Low-Level Radioactive Waste Management Act [420 ILCS 20/3 and 20/4].
 - C) Scheduled meeting/hearing dates: None scheduled
 - D) Date Agency anticipates First Notice: Spring 2013
 - E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking will not affect small businesses, small municipalities, and not for profit corporations.
 - F) Agency contact person for information:

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 - G) Related rulemakings and other pertinent information: None
- n) Part (Heading and Code Citation): Campus Security Grants, 29 Ill. Adm. Code 310
 - 1) Rulemaking: Proposed New Rule
 - A) Description: This Part establishes the procedures and criteria for approval of applications submitted to the Illinois Emergency Management Agency

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by eligible higher education institutions for grants related to safety and security improvements.

B) Statutory Authority: Authorized by Section 5(g) of the Illinois Emergency Management Agency Act [20 ILCS 3305/5(g)].

C) Scheduled meeting/hearing dates: None scheduled.

D) Date agency anticipates First Notice: Spring 2013

E) Effect on small businesses, small municipalities or not for profit corporations: This rulemaking may affect small municipalities and not for profit corporations, in the sense that the Agency is providing grant funds to assist higher education institutions with campus security.

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G) Related rulemakings and other pertinent information: None

o) Part (Heading and Code Citation): Regulations for Radon Service Providers, 32 Ill. Adm. Code 422

1) Rulemaking: Proposed Amendment

A) Description: The proposed amendment will revise closed house conditions to allow a licensed home inspector to momentarily open and close windows to verify proper operation; revise the requirement to discharge above the highest eave and as close to the roof ridgeline to be consistent with proposed requirements in the International Code for construction of new homes; revise the conditions of license section to

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mandate licensees attend an audit of their records at IEMA offices at least once each license period; and other minor clarifications and updates.

- B) Statutory Authority: Radon Industry Licensing Act [420 ILCS 44].
- C) Scheduled meeting/hearing dates: None Scheduled.
- D) Date agency anticipates First Notice: Summer 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: This rulemaking may affect small businesses that provide radon services. The amendment will require the approximately 200 professional licensees to travel to Springfield at least once every five years for the audit of their records. The audits take less than 2 hours and their schedule will be coordinated at convenient times both for the licensee and the Agency.
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

p) Part (Heading and Code Citation): Financial Assurance Requirements, 32 Ill. Adm. Code 326

1) Rulemaking: Proposed Amendment

- A) Description: The Agency is proposing this rulemaking to update this Part to reflect the merger of the Illinois Emergency Management Agency and the Illinois Department of Nuclear Safety; remove the option of Certificate of Deposit; updating dollar values of parent company and self guarantees from 1980's to present day; establishing the trust requirements.

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- B) Statutory Authority: Radiation Protection Act of 1990 [420 ILCS 40]
- C) Scheduled meeting/hearing dates: None Scheduled.
- D) Date agency anticipates First Notice: Spring 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: Removing the CD option will affect 6 licenses. It is anticipated these licensees will be able to obtain a Letter of Credit from the same banking institution by using the CD as collateral. Requiring a trust account to be established, in the case of bankruptcy, will put funds in a specific account to be used only for decommissioning.
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: None
- r) Part (Heading and Code Citation): Accrediting Persons in the Practice of Medical Radiation Technology, 32 Ill. Adm. Code 401
- 1) Rulemaking: Proposed Amendment
- A) Description: This proposed amendment creates a new accreditation category for the nuclear medicine advanced associate; adds an exemption (from the radiography requirement) for: physician assistants and advanced practice nurses to perform interventional fluoroscopic procedures, an accredited nuclear medicine technologist to perform CT exams as part of a PET/CT or SPECT/CT combination study, and an accredited nuclear medicine technologist or radiation therapist with CT certification by the ARRT to perform diagnostic CT exams; prohibits an

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accredited limited medical radiographer from performing radiographic exams for any portable x-ray service provider; and eliminates the civil penalty assessment on individuals for violations of the Agency's accreditation requirement.

B) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

C) Scheduled meeting/hearing dates: None Scheduled.

D) Date agency anticipates First Notice: Spring 2013

E) Effect on small businesses, small municipalities or not for profit corporations: The Agency believes this rulemaking could have an affect on businesses and not-for-profit corporations that perform x-ray services and employ medical radiographers.

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G) Related rulemakings and other pertinent information: None

s) Part (Heading and Code Citation): Licensing of Radioactive Material, 32 Ill. Adm. Code 330

1) Rulemaking: Proposed Amendment

A) Description: This proposed rulemaking will add 32 Ill. Adm. Code 330.40(c)(1)(F) for compatibility with USNRC regulations in exemptions for smoke detectors. It will not change the intent of the current rule as this language was previously in Section 330.40(c)(3)(A). In addition, Section 330.40(c)(3)(A) will be amended to expand an exemption to all approved

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gas and aerosol detectors not just smoke detectors. Secondly, the proposed rulemaking will change language in 32 Ill. Adm. Code 330.220(b)(4)(A) for compatibility with USNRC regulations to include all devices containing equal to or greater than 37 MBq (1 mCi) not just electron capture detectors, gauges or x-ray fluorescence analyzers.

- B) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].
- C) Scheduled meeting/hearing dates: None at this time.
- D) Date agency anticipates First Notice: January 2013
- E) Effect on small businesses, small municipalities or not for profit corporations: The Agency does not believe this rulemaking will affect these entities as the amendment does not change current operations only language to meet NRC compatibility.
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

t) Part (Heading and Code Citation): Medical Use of Radioactive Material, 32 Ill. Adm. Code 335

1) Rulemaking: Proposed Amendment

- A) Description: This proposed amendment will add definitions in Section 335.20 for General, Direct and Personal supervision for medical uses similar to Public Health rules in 42 CFR 410.32. In addition, Section 335.5010(b) will be amended to include a pregnancy test before

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administering greater than 30 uCi of I-131 to females of childbearing age. Incidents have occurred in Illinois where newborn development was impaired as a result of not implementing this precaution. Other minor clarifications and updates will also be included.

B) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

C) Scheduled meeting/hearing dates: None scheduled at this time.

D) Date agency anticipates First Notice: Summer 2013

E) Effect on small businesses, small municipalities or not for profit corporations: This rulemaking may affect hospitals and clinics that administer I-131 to patients.

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G) Related rulemakings and other pertinent information: None

u) Part (Heading and Code Citation): Individual and Family Grant Program, 29 Ill. Adm. Code 410

1) Rulemaking: Proposed Repealer

A) Description: The Agency is proposing this rulemaking to repeal outdated regulations.

B) Statutory Authority: Implementing and authorized by Federal Emergency Management Agency Regulations (44 CFR 205.54, April 12, 1982) and the Illinois Emergency Management Agency Act [20 ILCS 3305].

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- C) Scheduled meeting/hearing dates: None scheduled at this time.
 - D) Date agency anticipates First Notice: Spring 2013
 - E) Effect on small businesses, small municipalities or not for profit corporations: This rulemaking will not affect any of the listed entities.
 - F) Agency contact person for information:

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 - G) Related rulemakings and other pertinent information: None
- v) Part (Heading and Code Citation): Public Disaster Assistance Program, 29 Ill. Adm. Code 420
- 1) Rulemaking: Proposed Repealer
 - A) Description: The Agency is proposing this rulemaking to repeal outdated regulations.
 - B) Statutory Authority: Implementing and authorized by Federal Emergency Management Agency Regulations (44 CFR 205.54, April 12, 1982) and the Illinois Emergency Management Agency Act [20 ILCS 3305].
 - C) Scheduled meeting/hearing dates: None scheduled at this time.
 - D) Date agency anticipates First Notice: Spring 2013
 - E) Effect on small businesses, small municipalities or not for profit corporations: This rulemaking will not affect any of the listed entities.

ILLINOIS EMERGENCY MANAGEMENT AGENCY

JANUARY 2013 REGULATORY AGENDA

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G) Related rulemakings and other pertinent information: None

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 November 27, 2012 through December 3, 2012 and have been scheduled for review by the Committee at its December 11, 2012 or January 8, 2013 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>
1/10/13	<u>State Universities Civil Service System</u> , State Universities Civil Service System (80 Ill. Adm. Code 250)	9/28/12 36 Ill. Reg. 14500	12/11/12
1/10/13	<u>Department of Corrections</u> , Rights and Privileges (20 Ill. Adm. Code 525)	10/5/12 36 Ill. Reg. 14540	1/8/13
1/10/13	<u>Department of Corrections</u> , Impact Incarceration Program (20 Ill. Adm. Code 460)	10/5/12 36 Ill. Reg. 14536	1/8/13
1/16/13	<u>Department of Public Health</u> , Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300)	7/17/12 36 Ill. Reg. 11894	1/8/13
1/16/13	<u>Department of Public Health</u> , Sheltered Care Facilities Code (77 Ill. Adm. Code 330)	7/27/12 36 Ill. Reg. 11911	1/8/13
1/16/13	<u>Department of Public Health</u> , Illinois Veterans' Homes Code (77 Ill. Adm. Code 340)	7/27/12 36 Ill. Reg. 11926	1/8/13
1/16/13	<u>Department of Public Health</u> , Physical Fitness Facility Medical Emergency Preparedness Code	10/5/12 36 Ill. Reg.	1/8/13

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

(77 Ill. Adm. Code 527) 14608

1/16/13	<u>Department of Public Health</u> , Pregnancy Termination Report Code (77 Ill. Adm. Code 505)	9/21/12 36 Ill. Reg. 14129	1/8/13
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ILLINOIS ADMINISTRATIVE CODE
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