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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 2015

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

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
148.25	Amendment
148.30	Amendment
148.40	Amendment
148.140	Amendment
148.210	Amendment
148.297	Amendment
148.400	Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Complete Description of the Subjects and Issues Involved: The proposed amendments provide an add-on payment to hospitals and freestanding chronic dialysis centers for outpatient renal dialysis treatments or home dialysis treatments by \$60 per treatment day. The add-on payment is effective with services provided on and after July 1, 2013, which was inadvertently stricken in the Hospital Rate Reform rulemaking.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
148.299	Amendment	38 Ill. Reg. 18052; August 29, 2014
- 11) Statement of Statewide Policy Objectives: This rulemaking does affect units of local government. It will have an impact on government-owned or government-operated hospitals.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 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. All comments must be in writing and should be addressed to:

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

217/782-1233

HFS.Rules@illinois.gov

The Department requests the submission of written comments within 45 days after the publication of this Notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

- 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: None

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER d: MEDICAL PROGRAMS

PART 148

HOSPITAL SERVICES

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148.25	Definitions and Applicability
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148.40	Special Requirements
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148.70	Limitation On Hospital Services

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Section

148.80	Organ Transplants Services Covered Under Medicaid (Repealed)
148.82	Organ Transplant Services
148.85	Supplemental Tertiary Care Adjustment Payments (Repealed)
148.90	Medicaid Inpatient Utilization Rate (MIUR) Adjustment Payments (Repealed)
148.95	Medicaid Outpatient Utilization Rate (MOUR) Adjustment Payments (Repealed)
148.100	County Trauma Center Adjustment Payments
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148.105	Reimbursement Methodologies for Inpatient Rehabilitation Services
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148.130	Outlier Adjustments for Exceptionally Costly Stays
148.140	Hospital Outpatient and Clinic Services

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

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NOTICE OF PROPOSED AMENDMENTS

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148.500	Definitions
148.510	Reimbursement

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Section	
148.700	General Provisions

SUBPART F: EMERGENCY PSYCHIATRIC DEMONSTRATION PROGRAM

Section	
148.800	General Provisions
148.810	Definitions
148.820	Individual Eligibility for the Program
148.830	Providers Participating in the Program
148.840	Stabilization and Discharge Practices
148.850	Medication Management
148.860	Community Connect IMD Hospital Payment
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148.880	Program Reporting

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

148.TABLE A	Renal Participation Fee Worksheet
148.TABLE B	Bureau of Labor Statistics Equivalence
148.TABLE C	List of Metropolitan Counties by SMSA Definition

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

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

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effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 1, 2000; amended at 24 Ill. Reg. 3845, effective February 25, 2000; emergency amendment at 24 Ill. Reg. 10386, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 11846, effective August 1, 2000; amended at 24 Ill. Reg. 16067, effective October 16, 2000; amended at 24 Ill. Reg. 17146, effective November 1, 2000; amended at 24 Ill. Reg. 18293, effective December 1, 2000; amended at 25 Ill. Reg. 5359, effective April 1, 2001; emergency amendment at 25 Ill. Reg. 5432, effective April 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 6959, effective June 1, 2001; emergency amendment at 25 Ill. Reg. 9974, effective July 23, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 10513, effective August 2, 2001; emergency amendment at 25 Ill. Reg. 12870, effective October 1, 2001, for a maximum of 150 days; emergency expired February 27, 2002; amended at 25 Ill. Reg. 16087, effective December 1, 2001; emergency amendment at 26 Ill. Reg. 536, effective December 31, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 680, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 4825, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 4953, effective March 18, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 7786, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 7340, effective April 30, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 8395, effective May 28, 2002; emergency amendment at 26 Ill. Reg. 11040, effective July 1, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16612, effective October 22, 2002; amended at 26 Ill. Reg. 12322, effective July 26, 2002; amended at 26 Ill. Reg. 13661, effective September 3, 2002; amended at 26 Ill. Reg. 14808, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 14887, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

17775, effective November 27, 2002; emergency amendment at 27 Ill. Reg. 580, effective January 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 866, effective January 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 4386, effective February 24, 2003; emergency amendment at 27 Ill. Reg. 8320, effective April 28, 2003, for a maximum of 150 days; emergency amendment repealed at 27 Ill. Reg. 12121, effective July 10, 2003; amended at 27 Ill. Reg. 9178, effective May 28, 2003; emergency amendment at 27 Ill. Reg. 11041, effective July 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16185, effective October 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16268, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18843, effective November 26, 2003; emergency amendment at 28 Ill. Reg. 1418, effective January 8, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 1766, effective January 10, 2004, for a maximum of 150 days; emergency expired June 7, 2004; amended at 28 Ill. Reg. 2770, effective February 1, 2004; emergency amendment at 28 Ill. Reg. 5902, effective April 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7101, effective May 3, 2004; amended at 28 Ill. Reg. 8072, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 8167, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9661, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10157, effective July 1, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12036, effective August 3, 2004, for a maximum of 150 days; emergency expired December 30, 2004; emergency amendment at 28 Ill. Reg. 12227, effective August 6, 2004, for a maximum of 150 days; emergency expired January 2, 2005; amended at 28 Ill. Reg. 14557, effective October 27, 2004; amended at 28 Ill. Reg. 15536, effective November 24, 2004; amended at 29 Ill. Reg. 861, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2026, effective January 21, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 5514, effective April 1, 2005; emergency amendment at 29 Ill. Reg. 5756, effective April 8, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 11622, effective July 5, 2005, for the remainder of the 150 days; amended at 29 Ill. Reg. 8363, effective June 1, 2005; emergency amendment at 29 Ill. Reg. 10275, effective July 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12568, effective August 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 15629, effective October 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 19973, effective November 23, 2005; amended at 30 Ill. Reg. 383, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 596, effective January 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 955, effective January 9, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 2827, effective February 24, 2006; emergency amendment at 30 Ill. Reg. 7786, effective April 10, 2006, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 30 Ill. Reg. 12400, effective July 1, 2006, for the remainder of the 150 days; emergency expired September 6, 2006; amended at 30 Ill. Reg. 8877, effective May 1, 2006; amended at 30 Ill. Reg. 10393, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 11815, effective July 1, 2006, for a

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maximum of 150 days; amended at 30 Ill. Reg. 18672, effective November 27, 2006; emergency amendment at 31 Ill. Reg. 1602, effective January 1, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 1997, effective January 15, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 5596, effective April 1, 2007; amended at 31 Ill. Reg. 8123, effective May 30, 2007; amended at 31 Ill. Reg. 8508, effective June 1, 2007; emergency amendment at 31 Ill. Reg. 10137, effective July 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 11688, effective August 1, 2007; amended at 31 Ill. Reg. 14792, effective October 22, 2007; amended at 32 Ill. Reg. 312, effective January 1, 2008; emergency amendment at 32 Ill. Reg. 518, effective January 1, 2008, for a maximum of 150 days; emergency amendment at 32 Ill. Reg. 2993, effective February 16, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 8718, effective May 29, 2008; amended at 32 Ill. Reg. 9945, effective June 26, 2008; emergency amendment at 32 Ill. Reg. 10517, effective July 1, 2008, for a maximum of 150 days; emergency expired November 27, 2008; amended at 33 Ill. Reg. 501, effective December 30, 2008; peremptory amendment at 33 Ill. Reg. 1538, effective December 30, 2008; emergency amendment at 33 Ill. Reg. 5821, effective April 1, 2009, for a maximum of 150 days; emergency expired August 28, 2009; amended at 33 Ill. Reg. 13246, effective September 8, 2009; emergency amendment at 34 Ill. Reg. 15856, effective October 1, 2010, for a maximum of 150 days; emergency expired February 27, 2011; amended at 34 Ill. Reg. 17737, effective November 8, 2010; amended at 35 Ill. Reg. 420, effective December 27, 2010; expedited correction at 38 Ill. Reg. 12618, effective December 27, 2010; amended at 35 Ill. Reg. 10033, effective June 15, 2011; amended at 35 Ill. Reg. 16572, effective October 1, 2011; emergency amendment at 36 Ill. Reg. 10326, effective July 1, 2012 through June 30, 2013; emergency amendment to Section 148.70(g) suspended at 36 Ill. Reg. 13737, effective August 15, 2012; suspension withdrawn from Section 148.70(g) at 36 Ill. Reg. 18989, December 11, 2012; emergency amendment in response to Joint Committee on Administrative Rules action on Section 148.70(g) at 36 Ill. Reg. 18976, effective December 12, 2012 through June 30, 2013; emergency amendment to Section 148.140(b)(1)(F) suspended at 36 Ill. Reg. 13739, effective August 15, 2012; suspension withdrawn from Section 148.140(b)(1)(F) at 36 Ill. Reg. 14530, September 11, 2012; emergency amendment to Sections 148.140(b) and 148.190(a)(2) in response to Joint Committee on Administrative Rules action at 36 Ill. Reg. 14851, effective September 21, 2012 through June 30, 2013; amended at 37 Ill. Reg. 402, effective December 27, 2012; emergency rulemaking at 37 Ill. Reg. 5082, effective April 1, 2013 through June 30, 2013; amended at 37 Ill. Reg. 10432, effective June 27, 2013; amended at 37 Ill. Reg. 17631, effective October 23, 2013; amended at 38 Ill. Reg. 4363, effective January 29, 2014; amended at 38 Ill. Reg. 11557, effective May 13, 2014; amended at 38 Ill. Reg. 13263, effective June 11, 2014; amended at 38 Ill. Reg. 15165, effective July 2, 2014; amended at 39 Ill. Reg. _____, effective _____

SUBPART A: GENERAL PROVISIONS

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section 148.25 Definitions and Applicability

Effective for dates of service on or after July 1, 2014:

- a) The term "large public hospital" means a hospital:
 - 1) Owned by and located in an Illinois county with a population exceeding three million; or
 - 2) Organized under the University of Illinois Hospital Act; or
 - 3) Maintained by the Illinois Department of Human Services.
- b) The term "hospital" means:
 - 1) For the purpose of hospital inpatient reimbursement, any institution, place, building, or agency, public or private, whether organized for profit or not-for-profit, that:
 - A) Is subject to licensure by the Illinois Department of Public Health (DPH) under the Hospital Licensing Act.
 - B) Is organized under the University of Illinois Hospital Act.
 - C) Is maintained by the State, or any department or agency of the State, when the department or agency has authority under the law to establish and enforce standards for the hospitalization or care facilities under its management and control.
 - D) Meets all comparable conditions and requirements of the Hospital Licensing Act in effect for the state in which it is located.
 - 2) For the purpose of hospital outpatient reimbursement, the term "hospital" shall, in addition to the definition described in subsection (b)(1), include:
 - A) An ambulatory surgical treatment facility, as described in 89 Ill. Adm. Code 146.105(a).
 - B) A free-standing emergency center, as described in subsection (e) of

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this Section.

- 3) For the purpose of non hospital-based clinic reimbursement, the term "hospital" shall mean a county-operated outpatient facility owned by and located in an Illinois county with a population exceeding three million.
 - 4) For the purpose of hospital-based clinic reimbursement, the term "hospital" shall mean a hospital-based clinic meeting the provisions of Section 148.40(d) and 89 Ill. Adm. Code 140.461(a).
 - 5) For the purpose of participation, reimbursement and accreditation, the term "Health and Human Services Approved Accreditation Organization (HHS-AAO)" shall mean an accrediting organization recognized by the Secretary of the Department of Health and Human Services as having standards for accreditation that meet or exceed Medicare requirements for the provider and service in question.
- c) For the purpose of hospital inpatient reimbursement, the term "distinct part unit" means a unit within a hospital, as defined in subsection (b)(1), that meets the following qualifications:
- 1) **Distinct Part Psychiatric Units.** A distinct part psychiatric unit is a functional unit that is enrolled with the Department to provide inpatient psychiatric services (category of service 021).
 - 2) **Distinct Part Rehabilitation Units.** A distinct part rehabilitation unit is a functional unit that is enrolled with the Department to provide inpatient rehabilitation services (category of service 022).
- d) **Specialty Hospitals**
- 1) **Psychiatric Hospitals.** To qualify as a psychiatric hospital, a facility must be:
 - A) Licensed by the state within which it is located as a psychiatric hospital and be primarily engaged in providing, by or under the supervision of a psychiatrist, psychiatric services for the diagnosis and treatment of mentally ill persons.

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- B) Enrolled with the Department as a psychiatric hospital to provide inpatient psychiatric services (category of service 021).
- 2) Rehabilitation Hospitals. To qualify as a rehabilitation hospital, a facility must be:
- A) Licensed by the state within which it is located as a physical rehabilitation hospital.
 - B) Enrolled with the Department as a rehabilitation hospital to provide inpatient physical rehabilitation services (category of service 022).
- 3) Children's Hospitals. To qualify as a children's hospital, a facility must be devoted exclusively to caring for children and either be:
- A) A hospital licensed by the state within which it is located as a pediatric, psychiatric or children's hospital.
 - B) A unit within a general hospital that was enrolled with the Department as a children's hospital on July 1, 2013. Units so enrolled shall be reimbursed for all inpatient and outpatient services provided to Medical Assistance enrollees who are under 18 years of age, with the exception of obstetric services, normal newborn nursery services, psychiatric services, and physical rehabilitation services, without regard to the physical location within the hospital where the care is rendered.
- 4) Long Term Acute Care Hospitals. To qualify as a long term acute care hospital, a facility must be licensed by the state within which it is located as an acute care hospital and certified by Medicare as a long term care hospital.
- e) The term "freestanding emergency center" means a facility that provides comprehensive emergency treatment services 24-hours per day, on an outpatient basis, and has been issued a license by the Illinois Department of Public Health under the Freestanding Emergency Center Code (77 Ill. Adm. Code 518), as a freestanding emergency center, or a facility outside of Illinois that meets conditions and requirements comparable to those found in the Emergency

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Medical Services (EMS) Systems Act [210 ILCS 50] in effect for the jurisdiction in which it is located.

- f) The term "coordinated care participating hospital" means a hospital, located in a county of the State in which the Department mandates some or all of the beneficiaries of the Medical Assistance Program residing in the area to enroll in a care coordination program as defined in Section 5-30 of the Illinois Public Aid Code (Code) that:
- 1) Has entered into a contract to provide hospital services to enrollees of the care coordination program.
 - 2) Has not been offered a contract by a care coordination plan that pays not less than the Department would have paid on a fee-for-service basis, but excluding disproportionate share hospital adjustment payments or any other supplemental payment that the Department pays directly.
- g) The term "critical access hospital" means a hospital, located in Illinois, that has been designated as a critical care hospital by DPH in accordance with 42 CFR 485, Subpart F.
- h) Academic Medical Centers and Major Teaching Hospital Status. Hospitals dedicated to medical research and medical education shall be classified each State fiscal year in 3 tiers based on specific criteria:
- 1) Tier I. A private academic medical center must:
 - A) be a hospital located in Illinois that is:
 - i) under common ownership with the college of medicine of a non-public college or university; or
 - ii) a freestanding hospital in which the majority of the clinical chiefs of service or clinical department chairs are department chairs in an affiliated non-public Illinois medical school; or
 - iii) a children's hospital that is separately incorporated and non-integrated into the academic medical center hospital

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but is the pediatric partner for an academic medical center hospital and that serves as the primary teaching hospital for pediatrics for its affiliated Illinois medical school. A hospital identified in this subsection (h)(i)(A)(iii) is deemed to meet the additional Tier I criteria if its partner academic medical center hospital meets the Tier I criteria;

- B) serve as the training site for at least 30 graduate medical education programs accredited by the Accreditation Council for Graduate Medical Education;
 - C) facilitate the training on the campus or on affiliated off-campus sites of no less than 500 medical students, interns, residents and fellows during the calendar year preceding the beginning of the State fiscal year;
 - D) perform, either itself or through its affiliated university, at least \$12,000,000 in medical research funded through grants or contracts from the National Institutes of Health or, with respect to hospitals described in subsection (h)(1)(A)(ii), have as its affiliated non-public Illinois medical school a medical school that performs, either itself or through its affiliated university, medical research funded using at least \$12,000,000 in grants or contracts from the National Institutes of Health; and
 - E) expend, directly or indirectly, through an affiliated non-public medical school or as part of a hospital system, defined as a hospital and one or more other hospitals or hospital affiliates related by common control or ownership, no less than \$5,000,000 toward medical research and education during the calendar year preceding the beginning of the State fiscal year.
- 2) Tier II. A public academic medical center must:
- A) be a hospital located in Illinois that is a primary teaching hospital affiliated with:
 - i) University of Illinois School of Medicine at Chicago;

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- ii) University of Illinois School of Medicine at Peoria;
 - iii) University of Illinois School of Medicine at Rockford;
 - iv) University of Illinois School of Medicine at Urbana; or
 - v) Southern Illinois University School of Medicine in Springfield; and
- B) contribute no less than \$2,500,000 toward medical research and education during the calendar year preceding the beginning of the State fiscal year.
- 3) Tier III. A major teaching hospital must:
- A) be an Illinois hospital with 100 or more interns and residents or with a ratio of interns and residents to beds greater than or equal to 0.25; and
 - B) support at least one graduate medical education program accredited by the Accreditation Council for Graduate Medical Education.
- i) Children's Specialty Hospital. To qualify as a children's specialty hospital, a facility must be:
- 1) an Illinois hospital as defined in subsection (d)(3)(A) and have fewer than 50 total inpatient beds; or
 - 2) a cost reporting hospital, as defined in subsection (d)(3)(A), located outside of Illinois and have fewer than 50 total beds and an average length of stay greater than 20 days in State fiscal year 2013, as contained in the Department's claims data warehouse.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 148.30 General Requirements

Effective for dates of service on or after July 1, 2014:

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- a) For the purpose of hospital inpatient, hospital outpatient and hospital-based clinic reimbursement, the following requirements must be met by a hospital to qualify for enrollment in the Illinois Medical Assistance Program:
- b) The hospital must be certified for participation in the Medicare Program (Title XVIII) unless the provisions of subsection (c) apply.
- c) If not eligible for or subject to Medicare certification, the hospital must be accredited by The Joint Commission (TJC) or another Health and Human Services Approved Accreditation Organization.
- d) The hospital must agree to accept the Department's basis for reimbursement.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 148.40 Special Requirements

Effective for dates of discharge on or after July 1, 2014:

- a) Inpatient Psychiatric Services
 - 1) Payment for inpatient hospital psychiatric services shall be made only to:
 - A) A hospital that is a general hospital, as defined in Section 148.25(b), with a functional unit, as defined in Section 148.25(c)(1), that specializes in, and is enrolled with the Department to provide, psychiatric services; or
 - B) A hospital, as defined in Section 148.25(b), that holds a valid license as, and is enrolled with the Department as, a psychiatric hospital, as defined in Section 148.25(d)(1).
 - 2) Inpatient psychiatric services are those services provided to patients who are in need of short-term acute inpatient hospitalization for active treatment of an emotional or mental disorder.
 - 3) Federal Medicaid regulations preclude payment for patients over 20 or under 65 years of age in any Institution for Mental Diseases (IMD). Therefore, psychiatric hospitals may not receive reimbursement for

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services provided to patients over the age of 20 and under the age of 65. In the case of a patient receiving psychiatric services immediately preceding his or her 21st birthday, psychiatric services shall be reimbursable by the Department until the earliest of the following:

- A) The date the patient no longer requires the services.
 - B) The date the patient reaches 22 years of age.
- 4) A psychiatric hospital must be accredited by TJC [or another Health and Human Services Approved Accreditation Organization](#) to provide services to program participants under 21 years of age or be Medicare certified to provide services to program participants 65 years of age and older. Distinct part psychiatric units and psychiatric hospitals located in Illinois, or within 100 miles of Illinois, must execute an agreement with an Illinois Department of Human Services (DHS) operated mental health center (State-operated facility) for coordination of services including, but not limited to, crisis screening and discharge planning to ensure linkage to aftercare services with private practitioners or community mental health services, as described in subsection (a)(5).
- 5) Coordination of Care – Purpose. The Coordination of Care Agreement shall set forth an agreement between the State-operated facility and the hospital for the coordination of services, including but not limited to crisis screening and discharge planning to ensure efficient use of inpatient care. The agreement shall also set forth the manner in which linkage to aftercare services with community mental health agencies or private practitioners shall be carried out.
- 6) Coordination of Care – General Provisions. The general provisions of the Coordination of Care Agreement described in subsection (a)(5) are as follows:
- A) The hospital shall agree, on a continuing basis, to comply with applicable licensing standards as contained in State laws or regulations and shall maintain accreditation by TJC [or another Health and Human Services Approved Accreditation Organization](#).
 - B) The provider shall comply with Title VI of the Civil Rights Act of

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1964 and the Rehabilitation Act of 1973 and regulations promulgated under those Acts prohibit discrimination on the grounds of sex, race, color, national origin or handicap.

- C) The provider shall comply with the following applicable federal, State and local statutes pertaining to equal employment opportunity, affirmative action, and other related requirements: 42 USCA 2000e, 29 USCA 203 et seq. and 775 ILCS 25.
 - D) The Coordination of Care Agreement shall remain in effect until amended by mutual consent or cancelled in writing by either party having given 30 days prior notification.
- 7) Coordination of Care – Special Requirements. The hospital shall:
- A) Provide on its premises, the facilities, staff, and programs for the diagnosis, admission, and treatment of persons who may require inpatient care or assessment of mental status, mental illness, emotional disability, and other psychiatric problems.
 - B) Notify the community mental health agency that serves the geographic area from which the recipient originated to allow the agency to prescreen the case prior to referring the individual to the designated State-operated facility. The community mental health agency's resources and other appropriate community alternatives shall be considered prior to making a referral to the State-operated facility for admission.
 - C) Complete any forms necessary and consistent with the Mental Health and Developmental Disabilities Code in the event of a referral for involuntary or judicial admission.
 - D) Notify the community mental health agency or private practitioner of the date and time of discharge and invite their participation in the discharge planning process.
 - E) Refer to the State-operated facility only those individuals for whom less restrictive alternatives are documented not to be appropriate at the time based on a clinical determination by the

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community mental health agency, a private practitioner (if applicable), or the hospital.

- F) Notify the State-operated facility prior to planned transfer of an individual and transfer the individual at such time as to assure arrival of the person prior to 11 a.m. Monday through Friday. In unusual situations, transfers may be made at other times after prior discussion between the hospital and the State-operated facility. The individual will only be transported to the State-operated facility when, based on a clinical determination, he or she is medically stable as determined by the transferring physician. A copy of the transfer summary from the hospital must accompany the recipient at the time of admission to the State-operated facility.
- 8) Coordination of Care – Special Requirements of the State-Operated Facility. The State-operated facility shall:
- A) Admit individuals who have been screened as defined in the Coordination of Care Agreement and are appropriate for admission consistent with the provisions of the Mental Health and Developmental Disabilities Code.
 - B) Evaluate individuals for whom the hospital has executed a Petition and Certificate for involuntary/judicial admission consistent with the Mental Health and Developmental Disabilities Code.
 - C) Consider for admission voluntary individuals for whom less restrictive alternatives are documented not to be appropriate at the time, based on a clinical determination by the community mental health agency, private practitioner (if applicable), the hospital, or the State-operated facility.
- 9) Coordination of Care – Special Requirements for the Children's Mental Health Screening, Assessment and Support Services (SASS) Program. For individuals under 21 years of age, all inpatient admissions must be authorized through the SASS Program. The hospital shall:
- A) Prior to admission, contact the Crisis and Referral Entry Service (CARES), the Department's Statewide centralized intake and

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referral point for a mental health screening and assessment of the patient, pursuant to 59 Ill. Adm. Code 131.40;

- B) For admissions authorized through a SASS screening, involve the SASS provider in the patient's treatment plan during the inpatient stay and in the development of a discharge plan in order to facilitate linkage to appropriate aftercare resources.
- 10) A participating hospital not enrolled for inpatient psychiatric services may provide psychiatric care as a general inpatient service only on an emergency basis for a maximum period of 72 hours or in cases in which the psychiatric services are secondary to the services for which the period of hospitalization is approved.
- b) Inpatient Rehabilitation Services
- 1) Payment for inpatient rehabilitation services shall be made only to a general hospital, as defined in Section 148.25(b), with a functional unit of the hospital, as defined in Section 148.25(c)(2), which specializes in, and is enrolled with the Department to provide, physical rehabilitation services or a hospital, as defined in Section 148.25(d)(2), which holds a valid license as, and is enrolled with the Department as, a physical rehabilitation hospital.
- 2) The primary reason for hospitalization is to provide a structured program of comprehensive rehabilitation services, furnished by specialists, to the patient with a major handicap for the purpose of habilitating or restoring the person to a realistic maximum level of functioning.
- 3) For payment to be made, a rehabilitation facility, which includes a distinct part unit as described in Section 148.25(c)(2), must be certified for participation under the Medicare Program and must be licensed and/or certified by DPH to provide comprehensive physical rehabilitation services. Out-of-state hospitals that specialize in physical rehabilitation services must be licensed or certified to provide comprehensive physical rehabilitation services by the authorized licensing agency in the state in which the hospital is located.
- 4) A rehabilitation facility must meet the following criteria:

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- A) Have a full-time (at least 35 hours per week) director of rehabilitation; a participating general hospital with a functional rehabilitation unit must have a part-time (at least 20 hours per week) director of rehabilitation.
 - B) Have an organized medical staff.
 - C) Have available consultants qualified to perform services in appropriate specialties.
 - D) Have adequate space and equipment to provide comprehensive diagnostic and treatment services.
 - E) Maintain records of diagnosis, treatment progress (notations must be made at regular intervals) and functional results.
 - F) Submit reports as required by the Department.
- 5) A rehabilitation facility must provide, or have a contractual arrangement with an appropriate entity or agency to provide, the following minimal services:
- A) Full-time nursing services under the supervision of a registered nurse formally trained in rehabilitation nursing.
 - B) Full-time physical therapy and occupational therapy services.
 - C) Social casework services as an integral part of the rehabilitation program.
- 6) A rehabilitation facility must have available the following minimal services:
- A) Psychological evaluation services.
 - B) Prosthetic and orthotic services.
 - C) Vocational counseling.

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- D) Speech therapy.
 - E) Clinical laboratory and x-ray services.
 - F) Pharmacy services.
- 7) The director of rehabilitation must meet the following criteria:
- A) Provide services to the hospital and its patients as specified in subsection (b)(4).
 - B) Be a doctor of medicine or osteopathy.
 - C) Be licensed under State law to practice medicine or surgery.
 - D) Must have, after completing a one-year hospital internship, at least two years of training or experience in the medical management of inpatients requiring rehabilitation services.
- 8) Personnel of the rehabilitation facility must meet the following minimum standards:
- A) Physicians shall have unlimited licenses to practice medicine and surgery in the state in which they practice. Consultants shall be Board Qualified or Board Certified in their specialty.
 - B) Physical therapists shall be licensed by the Illinois Department of Financial and Professional Regulation or comparable licensing agency in the state in which the facility is located.
 - C) Occupational therapists shall be licensed by the Illinois Department of Financial and Professional Regulation or comparable licensing agency in the state in which the facility is located.
 - D) Registered nurses and licensed practical nurses shall be currently licensed by the Illinois Department of Financial and Professional Regulation or comparable licensing agency in the state in which

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the facility is located.

- E) Social workers shall have completed two years of graduate training leading to a Master's Degree in social work from an accredited graduate school of social work.
 - F) Psychologists shall have a Master's Degree in clinical psychology.
 - G) Vocational counselors shall have a Master's Degree in Rehabilitation Counseling, Psychology or Guidance from a school accredited by the North Central Association or its equivalent.
 - H) An orthotist or prosthetist, certified by the American Board of Certification in Orthotics and Prosthetics, shall fabricate or supervise the fabrication of all limbs and braces.
- c) End-Stage Renal Disease Treatment (ESRDT) Services. The Department provides payment to hospitals, as defined in Section 148.25(b), for ESRDT services only when the hospital is Medicare certified for ESRDT and services are provided as follows:
- 1) Inpatient hospital care is provided for the evaluation and treatment of acute renal disease.
 - 2) Outpatient chronic renal dialysis treatments are provided in the outpatient renal dialysis department of the hospital, a satellite unit of the hospital that is professionally associated with the center for medical direction and supervision, or a free-standing chronic dialysis center certified by Medicare, pursuant to 42 CFR 405, Subpart U (2013).
 - 3) Home dialysis treatments are provided through the outpatient renal dialysis department of the hospital, a satellite unit of the hospital that is professionally associated with the center for medical direction and supervision, in a patient's home, or through a free-standing chronic dialysis center certified by Medicare, pursuant to 42 CFR 405, Subpart U (2013).
- d) Hospital-Based Organized Clinic Services. Hospital-based clinics, as described in Section 148.25(b)(4), must meet the requirements of 89 Ill. Adm. Code

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140.461(a). The following two categories of hospital-based organized clinic services are recognized in the Medical Assistance Program:

- 1) Psychiatric Clinic Services
 - A) Psychiatric Clinic Services (Type A). Type A psychiatric clinic services are clinic service packages consisting of diagnostic evaluation; individual, group and family therapy; medical control; optional Electroconvulsive Therapy (ECT); and counseling, provided in the hospital clinic setting.
 - B) Psychiatric Clinic Services (Type B). Type B psychiatric clinic services are active treatment programs in which the individual patient is participating in no less than social, recreational, and task-oriented activities at least four hours per day at a minimum of three half days of active treatment per week. The duration of an individual patient's participation in this treatment program is limited to six months in any 12 month period.
 - C) Approval. The Department and DHS are responsible for approval and enrollment of community hospitals providing psychiatric clinic services. In order to participate as a provider of psychiatric clinic services, a hospital must have previously been enrolled with the Department for the provision of inpatient psychiatric services on or after June 1, 2002 or must be currently enrolled for the provision of inpatient psychiatric services and execute a Psychiatric Clinic Services Type A and B Enrollment Assurance with DHS and the Department, which assures that the hospital is enrolled for the provision of inpatient psychiatric services and meets the following requisites:
 - i) The hospital must be accredited by, and be in good standing with, [TJC or another Health and Human Services Approved Accreditation Organization](#).
 - ii) The hospital must have executed a Coordination of Care Agreement between the hospital and the designated DHS State-operated facility serving the mentally ill in the

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appropriate geographic area.

- iii) The clinical staff of the psychiatric clinic must collaborate with the mental health service network to provide discharge, linkage and aftercare planning for recipients of outpatient services.
 - iv) The hospital must be enrolled to participate in Medicaid Program (Title XIX) and must meet all conditions and requirements set forth by the Department.
- D) Duration of Approval. The approval described in subsection (d)(1)(D) of this Section shall be in effect for a period of two years from the date HFS approves the psychiatric clinic's enrollment. The approval may be terminated by HFS or DHS with cause upon 30 days written notice to the hospital. Accordingly, the hospital must submit a 30 day written notification to HFS and DHS when terminating delivery of psychiatric clinic services.
- 2) Physical Rehabilitation Clinic Services
Physical rehabilitation clinic services include the same rehabilitative services provided to inpatients by hospitals enrolled to provide the services described in Section 148.40(b). Clinic services should be utilized when the patient's condition is such that it does not necessitate inpatient care and adequate care and treatment can be obtained on an outpatient basis through the hospital's specialized clinic.
- e) Zero Balance Bills. The Department requires a hospital to submit a bill for any inpatient service provided to an individual enrolled in any of the Medical Assistance Programs administered by the Department, including newborns, regardless of payer. A "zero balance bill" is one on which the total "prior payments" are equal to or exceed the Department's liability on the claim. The Department requires that zero balance bills be submitted subsequent to discharge in the same manner as are other bills so that information may be available for the maintenance of accurate patient profiles and diagnosis-related grouping (DRG) data, and information needed for calculation of disproportionate share and other rates. The provisions of this subsection apply to all hospitals regardless of the reimbursement methodology under which they are reimbursed.

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(Source: Amended at 39 Ill. Reg. _____, effective _____)

SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

Section 148.140 Hospital Outpatient and Clinic Services

Effective for dates of service on or after July 1, 2014:

- a) Fee-For-Service Reimbursement
 - 1) Reimbursement for hospital outpatient services shall be made on a fee-for-service basis, except for:
 - A) Services described in subsection (b)(1).
 - B) End stage renal disease treatment (ESRDT) services, as described in subsection (g).
 - 2) Except for the services reimbursed under the EAPG PPS, described in subsection (b)(1), fee-for-service reimbursement levels shall be at the lower of the hospital's usual and customary charge to the public or the Department's statewide maximum reimbursement screens. Hospitals will be required to bill the Department utilizing specific service codes. However, all specific client coverage policies (relating to client eligibility and scope of services available to those clients) that pertain to the service billed are applicable to hospitals in the same manner as to non-hospital providers who bill fee for service.
 - 3) Hospitals are required to bill the Department utilizing specific service codes. All specific client coverage policies (relating to client eligibility and scope of services available to those clients) that pertain to the service billed are applicable to hospitals in the same manner as to non-hospital providers who bill fee-for-service.
 - 4) Payments under Section 148.140(a)(4) shall cease as of June 30, 2014 for Maternal and Child Health Program Clinics.
- b) EAPG PPS Reimbursement. Reimbursement under EAPG PPS, described in subsection (c), shall be all-inclusive for all services provided by the hospital,

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without regard to the amount charged by a hospital. Except as provided in subsection (b)(3), no separate reimbursement will be made for ancillary services or the services of hospital personnel.

- 1) Outpatient hospital services reimbursed through the EAPG PPS shall include:
 - A) Surgical services.
 - B) Diagnostic and therapeutic services.
 - C) Emergency department services.
 - D) Observation services.
 - E) Psychiatric treatment services.
- 2) Excluded from reimbursement under the EAPG PPS are outpatient hospital services reimbursed pursuant to 59 Ill. Adm. Code 131 and 132, 77 Ill. Adm. Code 2090, and Section 148.330 of this Part.
- 3) Exceptions to All-inclusive EAPG PPS Rate
 - A) A hospital may bill separately for:
 - i) Professional services of a physician who provided direct patient care.
 - ii) Chemotherapy services provided in conjunction with radiation therapy services.
 - iii) Physical rehabilitation, occupational or speech therapy services provided in conjunction with an APG PPS reimbursed service.
 - B) For the purposes of subsection (b)(3)(A), a physician means:
 - i) A physician salaried by the hospital. Physicians salaried by the hospital do not include radiologists, pathologists, nurse

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practitioners, or certified registered nurse anesthetists; no separate reimbursement will be allowed for those providers.

- ii) A physician who is reimbursed by the hospital through a contractual arrangement to provide direct patient care.
 - iii) A group of physicians with a financial contract to provide emergency department care.
- c) EAPG PPS Payment. The reimbursement to hospitals for outpatient services provided on the same day shall be the product, rounded to the nearest hundredth, of the following:
- 1) The EAPG weighting factor of the EAPG to which the service was assigned by the EAPG grouper.
 - 2) The EAPG conversion factor, based on the sum of:
 - A) The product, rounded to the nearest hundredth, of:
 - i) the labor-related share;
 - ii) the Medicare IPPS wage index; and
 - iii) the applicable EAPG standardized amount.
 - B) The product, rounded to the nearest hundredth, of:
 - i) non-labor share; and
 - ii) the applicable EAPG standardized amount.
 - 3) The applicable consolidation factor.
 - 4) The applicable packaging factor.
 - 5) The applicable discounting factor.

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- 6) The applicable policy adjustment factors, as defined in subsection (f), for which the service qualifies.
- d) EAPG Standardized Amount. The standardized amount established by the Department as the basis for EAPG conversion factor differs based on the provider type:
- 1) County-operated Large Public Hospital EAPG Standardized Amount. For a large public hospital, as defined in Section 148.25(a)(1), the EAPG standardized amount is determined in Section 148.160.
 - 2) University-operated Large Public Hospital EAPG Standardized Amount. For a large public hospital, as defined in Section 148.25(a)(2), the EAPG standardized amount is determined in Section 148.170.
 - 3) Critical Access Hospital EAPG Standardized Amount. For critical access hospitals, as defined in Section 148.25(g), the EAPG standardized amounts are determined separately for each critical access hospital such that simulated EAPG payments using outpatient base period paid claim data plus payments as defined in Section 148.456 net of tax costs are equal to the estimated costs of outpatient base period claims data with a rate year cost inflation factor applied.
 - 4) Acute EAPG Standardized Amount
 - A) Qualifying Criteria. General acute hospitals and freestanding emergency centers as defined in 148.25(e) excluding providers in subsections (d)(1) through (d)(3), freestanding psychiatric hospitals, psychiatric distinct part units, freestanding rehabilitation hospitals, and rehabilitation distinct part units.
 - B) The acute EAPG standardized amount is based on a single statewide amount determined such that:
 - i) Simulated EAPG payments, without SMART Act reductions or policy adjustments defined in subsection (f), using general acute hospital outpatient base period paid claims data, result in approximately a \$75 million increase compared to the amount derived in subsection (d)(4)(B)(ii).

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- ii) The sum of general acute hospital base period paid claims data reported payments and allocated outpatient static payments.
- 5) Psychiatric EAPG Standardized Amount
 - A) Qualifying Criteria. Freestanding psychiatric hospitals and psychiatric distinct part units.
 - B) The psychiatric EAPG standardized amount is based on a single statewide amount, determined such that:
 - i) Simulated EAPG payments, without policy adjustments defined in subsection (f), using freestanding psychiatric hospitals and psychiatric distinct part units outpatient base period paid claims data, results in payments approximately equal to the amount derived in subsection (d)(5)(B)(ii).
 - ii) The sum of freestanding psychiatric hospitals and psychiatric distinct part units outpatient base period paid claims data reported payments and allocated outpatient static payments.
- 6) Rehabilitation EAPG Standardized Amount
 - A) Qualifying Criteria. Freestanding rehabilitation hospitals and rehabilitation distinct part units.
 - B) The rehabilitation EAPG standardized amount is based on a single statewide amount, determined such that:
 - i) Simulated EAPG payments, without SMART Act reductions or policy adjustments defined in subsection (f), using freestanding rehabilitation hospitals and rehabilitation distinct part units outpatient base period paid claims data, results in payments approximately equal to the annual derived in subsection (d)(6)(B)(ii).

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- ii) The sum of freestanding rehabilitation hospitals and rehabilitation distinct part units outpatient base period paid claims data reported payments and allocated outpatient static payments.
- 7) Ambulatory Surgical Treatment Center (ASTC) EAPG Standardized Amount. For ASTC's, as defined in 89 Ill. Adm. Code 146.105, the EAPG standardized amount is determined such that simulated EAPG payments using outpatient base period paid claims data are equal to reported payments of outpatient base period paid claims data as contained in the Department's claims data warehouse.
- 8) Out-of-state non-cost reporting hospital EAPG standardized amount. For non-cost reporting hospitals, the EAPG standardized amount is \$362.32.
- e) Discounting factor. The applicable discounting factor is based on the discounting flags designated by the EAPG grouper under default EAPG settings:
- 1) The discounting factor will be 1.0000, if the following criteria are met:
 - A) The service has not been designated with a Bilateral Procedure Discounting flag, Multiple Procedure Discounting flag, Repeat Ancillary Discounting flag or Terminated Procedure Discounting flag by the EAPG grouper under default EAPG settings; or
 - B) The service has not been designated with a Bilateral Procedure Discounting flag and has been designated with a Multiple Procedure Discounting flag by the EAPG grouper under default EAPG settings and the service has the highest EAPG weighting factor among other services with a Multiple Procedure Discounting flag provided on the same day.
 - 2) The discounting factor will be 0.5000 if the following criteria are met:
 - A) The service has been designated with a Multiple Procedure Discounting flag, Repeat Ancillary Discounting flag or Terminated Procedure Discounting flag by the EAPG grouper under default EAPG settings; and if the Multiple Procedure Discounting flag is present, the service does not have the highest EAPG weighting

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factor among other services with a Multiple Procedure Discounting flag provided on the same day; and

- B) The service has not been designated with a Bilateral Procedure Discounting flag by the EAPG grouper under default EAPG settings.
- 3) The discounting factor will be 0.7500 if the following criteria are met:
- A) The service has been designated with a Bilateral Procedure Discounting flag by the EAPG grouper under default EAPG settings; and
 - B) The service has been designated with a Multiple Procedure Discounting flag, the Repeat Ancillary Discounting flag or Terminated Procedure Discounting flag by the EAPG grouper under default EAPG settings; and if the Multiple Procedure Discounting flag is present, the service does not have the highest EAPG weighting factor among other services with a Multiple Procedure Discounting flag provided on the same day.
- 4) The discounting factor will be 1.5000 if the following criteria are met:
- A) The service has been designated with a Bilateral Procedure Discounting flag by the EAPG grouper under default EAPG settings; and
 - B) The service has not been designated with a Multiple Procedure Discounting flag, the Repeat Ancillary Discounting flag or Terminated Procedure Discounting flag by the EAPG grouper under default EAPG settings; or if the Multiple Procedure Discounting flag is present, the service has the highest EAPG weighting factor among other services with a Multiple Procedure Discounting flag provided on the same day.
- f) Policy Adjustments. Claims for services by providers that meet certain criteria shall qualify for further adjustments to payment. If a claim qualifies for more than one policy adjustment, then the EAPG PPS payment will be multiplied by both factors.

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- 1) Safety Net Hospital Qualifying Criteria
 - A) The service is described in subsection (b)(1), excluding Medicare crossover claims.
 - B) The hospital is a Safety Net hospital, as defined in Section 5-5e.1 of the Illinois Public Aid Code that is not:
 - i) A critical access hospital, as defined in Section 148.25(g).
 - ii) A large public hospital, as defined in Section 148.25(a).
 - C) Policy adjustment factor effective SFY 2015 and 2016 is 1.3218.
- 2) High Outpatient Volume Hospital Qualifying Criteria
 - A) The service is described in subsection (b)(1), excluding Medicare crossover claims.
 - B) The hospital is a High Outpatient Volume hospital, as defined in subsection (f)(2)(C) that is not:
 - i) A critical access hospital, as defined in Section 148.25(g).
 - ii) A large public hospital, as defined in Section 148.25(a).
 - iii) A Safety Net hospital, as defined in Section 5-5e.1 of the Illinois Public Aid Code.
 - C) A High Outpatient Volume hospital for which the high outpatient volume is at least:
 - i) 1.5 standard deviations above the mean regional high outpatient volume; or
 - ii) 1.5 standard deviations above the mean statewide high outpatient volume.

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- D) Policy adjustment factor effective SFY 2015 and 2016 is 1.3218.
- 3) Crossover Adjustment Factor
 - A) Acute EAPG standardized amounts, as defined in subsection (d)(4), shall be reduced by a Crossover Adjustment factor such that:
 - i) The absolute value of the total simulated payment reduction that occurs when applying the Crossover Adjustment Factor to simulated EAPG payments, including Policy Adjustments, using general acute hospital outpatient base period paid claims data, is equal to the amount derived in subsection (f)(3)(A)(ii):
 - ii) The difference of total simulated EAPG payments using general acute hospital outpatient crossover paid claims data, and general acute hospital outpatient crossover paid claims data total reported Medicaid net liability.
 - B) Crossover Adjustment Factor effective SFY 2015 and 2016 is 0.98912.
- 4) If a claim does not qualify for a Policy Adjustment described in subsections (f)(1) through (f)(3), the policy adjustment factor is 1.0.
- g) Payment for outpatient end-stage renal disease treatment (ESRDT) services provided pursuant to Section 148.40(b) shall be made at the Department's payment rates, as follows:
 - 1) For outpatient services or home dialysis treatments provided pursuant to Section 148.40(c)(2) or (c)(3), the Department will reimburse hospitals and clinics for ESRDT services at a rate that will reimburse the provider for the dialysis treatment and all related supplies and equipment, as defined in 42 CFR 405.2124 and 413.170 (2010). This rate will be the rate established by Medicare pursuant to 42 CFR 405.2124 and 413.170 (2010).

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- 2) Payment for Non-routine Services. For services that are provided during outpatient or home dialysis treatment pursuant to Section 148.40(c)(2) or (c)(3), but are not defined as a routine service under 42 CFR 405.2163 (1994), separate payment will be made to independent laboratories, pharmacies, and medical supply providers pursuant to 89 Ill. Adm. Code 140.430 through 140.434, 140.440 through 140.50, and 140.75 through 140.481, respectively.
 - 3) Payment for physician services relating to ESRDT will be made separately to physicians, pursuant to 89 Ill. Adm. Code 140.400.
 - 4) Effective July 1, 2013, hospital and freestanding chronic dialysis centers will receive an add-on payment of \$60 per treatment day to the rate described in subsection (g)(1) for outpatient renal dialysis treatments or home dialysis treatments provided to Medicare recipients under Title XIX of the Social Security Act, excluding services for individuals eligible for Medicare under Title XVII of that Act (Medicaid/Medicare crossovers) and excluding services provided under Subpart D: State Chronic Renal Disease Program, as defined in Sections 148.600 through 148.640.
- h) Updates to EAPG PPS Reimbursement. The Department may annually review the components listed in subsection (c) and make adjustments as needed. Grouper shall be updated at least triennially and no more frequently than annually.
- i) Definitions
- "Aggregate ancillary cost-to-charge ratio" means the ratio of each hospital's total ancillary costs and charges reported in the Medicare cost report, excluding special purpose cost centers and the ambulance cost center, for the cost reporting period matching the outpatient base period claims data. Aggregate ancillary cost-to-charge ratios applied to SFY 2011 outpatient base period claims data will be based on fiscal year ending 2011 Medicare cost report data.
- "Consolidation factor" means a factor of 0 percent applicable for services designated with a Same Procedure Consolidation flag or Clinical Procedure Consolidation flag by the EAPG grouper under default EAPG settings.
- "Default EAPG settings" means the default EAPG grouper options in 3M's Core Grouping Software for each EAPG grouper version.

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"EAPG" means Enhanced Ambulatory Patient Groups, as defined in the EAPG grouper, which is a patient classification system designed to explain the amount and type of resources used in an ambulatory visit. Services provided in each EAPG have similar clinical characteristics and similar resource use and cost.

"EAPG grouper" means the most recently released version of the EAPG software, distributed by 3M Health Information Systems, available to the Department as of January 1 of the calendar year during which the discharge occurred; except, for the calendar year beginning January 1, 2014, EAPG grouper means version 3.7 of the EAPG software.

"EAPG PPS" means the EAPG prospective payment system as described in this Section.

"EAPG weighting factor" means, for each EAPG, the product, rounded to the nearest ten-thousandth, of:

the national weighting factor, as published by 3M Health Information Systems for the EAPG grouper; and

the Illinois experience adjustment.

"Estimated cost of outpatient base period claims data" means the product of:

outpatient base period paid claims data total covered charges;

the critical access hospital's aggregate ancillary cost-to-charge ratio; and

a rate year cost inflation factor.

"High outpatient volume" means the number paid outpatient claims described in subsection (b)(1) provided during the high volume outpatient base period paid claims data.

"High volume outpatient base period paid claims data" means SFY 2011 outpatient Medicaid fee-for-service paid claims data, excluding Medicare dual eligible claims, renal dialysis claims, and therapy claims, for EAPG PPS payment for services provided in SFY 2015 and 2016. For subsequent dates of service, the

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term means the SFY ending 30 months prior to the beginning of the calendar year during which the service is provided.

"Illinois experience adjustment" means, for the calendar year beginning January 1, 2014, a factor of 1.0; for subsequent calendar years, means the factor applied to 3M EAPG national weighting factors when updating EAPG grouper versions determined such that the arithmetic mean EAPG weighting factor under the new EAPG grouper version is equal to the arithmetic mean EAPG weighting factor under the prior EAPG grouper version using outpatient base period claims data.

"Labor-related share" means that portion of the statewide standardized amount that is allocated in the EAPG PPS methodology to reimburse the costs associated with personnel. The labor-related share for a hospital is 0.60.

"Mean regional high outpatient volume" means the quotient, rounded to the nearest tenth, resulting from the number of paid outpatient services described in subsections (b)(1)(A) through (D), provided by hospitals within a region, based on outpatient base period paid claims data.

"Mean statewide high outpatient volume" means the quotient, rounded to the nearest tenth, resulting from the number of paid outpatient services described in subsections (b)(1)(A) through (D), provided by hospitals within the state, based on outpatient base period paid claims data.

"Medicare IPPS wage index" means for in-state providers and out-of-state Illinois Medicaid cost reporting providers, the wage index used for inpatient reimbursement as described in 89 Ill. Adm. Code 149.100. For out-of-state non-cost reporting providers, the wage index used to adjust the EAPG standardized amount shall be a factor of 1.0.

"Non-labor share" means the difference resulting from the labor-related share being subtracted from 1.0.

"Outpatient base period paid claims data" means SFY 2011 outpatient Medicaid fee-for-service paid claims data, excluding Medicare dual eligible claims, renal dialysis claims, and therapy claims, for EAPG PPS payment for services provided in SFY 2015, 2016 and 2017; for subsequent dates of service, the term means the most recently available adjudicated 12 months of outpatient paid claims data to be identified by the Department.

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"Outpatient crossover paid claims data" means SFY 2011 outpatient Medicaid/Medicare dual eligible fee-for-service paid claims data, excluding renal dialysis claims and therapy claims, for EAPG PPS payment for services provided in SFY 2015, 2016 and 2017; for subsequent dates of service, the term means most recently available adjudicated 12-months of outpatient paid claims data to be identified by the Department.

"Packaging factor" means a factor of 0 percent applicable for services designated with a Packaging flag by the EAPG grouper under default EAPG settings plus EAPG 430 (CLASS I CHEMOTHERAPY DRUGS), EAPG 435 (CLASS I PHARMACOTHERAPY), EAPG 495 (MINOR CHEMOTHERAPY DRUGS), EAPG 496 (MINOR PHARMACOTHERAPY), and EAPGs 1001-1020 (DURABLE MEDICAL EQUIPMENT LEVEL 1-20), and non-covered revenue codes defined in the Handbook for Hospital Services.

"Rate year cost inflation factor" means the cost inflation from the midpoint of the outpatient base period paid claims data to the midpoint of the rate year based on changes in Centers for Medicare and Medicaid Services (CMMS) input price index levels. For critical access hospital rates effective SFY 2015, the rate year cost inflation factor will be based on changes in CMMS input price index levels from the midpoint of SFY 2011 to SFY 2015.

"Region" means, for a given hospital, the rate region, as defined in 89 Ill. Adm. Code 140. Table J, within which the hospital is located.

"Total covered charges" means the amount entered for revenue code 001 in column 53 (Total Charges) on the Uniform Billing Form (form CMMS 1450), or one of its electronic transaction equivalents.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 148.210 Filing Cost Reports

- a) Excepting those operated by an agency of the United States government, all hospitals in Illinois and hospitals in contiguous states providing 100 or more paid acute inpatient days of care to the Illinois Medicaid Program shall be required to file Medicaid and Medicare cost reports within 150 days after the close of that provider's fiscal year. Any hospital accredited by TJC [or another Health and](#)

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Human Services Approved Accreditation Organization not eligible for or subject to Medicare certification shall be required to file financial statements, a statement of revenues and expenses by program and census logs by program and financial class. The Bureau of Health Finance may request an audit of the financial statements by an independent Certified Public Accountant (CPA) firm if the financial statements are to be used as the base year for rate analysis.

- b) No extension of the Medicaid cost report due date will be granted by the Department unless the Centers for Medicare and Medicaid Services (CMMS) grants an extension of the due date for the related Medicare cost report. Should CMMS extend the Medicare cost report due date, the Department will extend the Medicaid and Medicare cost reports due date by an equivalent period of time.
- c) If the hospital has not filed the required Medicaid cost reports within 150 days after the close of the hospital's fiscal year, the Department shall suspend payment for covered medical services until the Department receives the required information.
- e) **Cost Report Reviews**
The Bureau of Health Finance shall audit the information shown on the cost reports. The audit shall be made in accordance with generally accepted auditing standards and shall include tests of the accounting and statistical records and applicable auditing procedures. Hospitals shall be notified of the results of the final audited cost report, which may contain adjustments and revisions that may have resulted from the audited Medicare Cost Report. Hospitals shall have the opportunity to request a review of the final audited cost report. The request must be received in writing by the Department within 45 days after the date of the Department's notice to the hospital of the results of the finalized audit. The request shall include all items of documentation and analysis that support the request for review. No additional data shall be accepted after the 45 day period.
- f) Hospitals described in Section 148.25(a)(1) and (a)(2) shall be required to submit outpatient cost reports to the Department within 150 days after the close of the facility's fiscal year.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 148.297 Physician Development Incentive Payments

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Effective for dates of service on or after July 1, 2014:

- a) A Medicaid Graduate Medical Education (GME) fund in Illinois will support and align with the State's current and projected physician workforce needs and goals including:
 - 1) Increasing the number of primary care providers in Illinois;
 - 2) Increasing the number of primary care providers working in medically underserved areas; and
 - 3) Increasing the number of providers who are trained to practice in a patient-centered medical home setting within an integrated delivery system.
- b) The performance criteria for incentive payments of the program will be as follows:
 - 1) Resident Continuity Clinics
 - A) 50 percent of funds are set aside for GME program resident continuity clinics meeting standards for at least one of the following:
 - i) Level II or III Patient Centered Medical Homes by the National Center for Quality Assurance.
 - ii) Primary Care Medical Home Certification by [TJC or another Health and Human Services Approved Accreditation Organization](#)~~the Joint Commission~~.
 - iii) Medical Home Accreditation by the Accreditation Association for Ambulatory Health Care.
 - B) Each program within a hospital meeting one of these certification or accreditation standards will receive an equal share of these funds.
 - 2) Resident Practice Clinics

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- A) 25 percent of funds will be set aside for resident practice clinics with significant medically underserved populations.
 - B) Each program within a hospital meeting these standards will receive an equal share of these funds.
- 3) Continuity of Care Settings
- A) 25 percent of funds set aside for written curricula in population medicine based on practice in continuity of care settings. The curriculum must contain competencies in population medicine. Population medicine curriculum competencies should include: preventive medicines; information technology for managing continuity of care practice panels; managing transitions of care; participating in team-based care and supporting patient-centered decision making. Programs must document that all residents received at least 20 hours a year in instruction in these areas.
 - B) Each program within a hospital meeting these standards will receive an equal share of these funds.
- c) Residency programs and the sponsoring medical centers will collect all information to be submitted for this program to HFS by June 1 each GME rate year. This includes, proof of certification requirements required in subsection (b)(1)(A), internal GME residency program data, and queries of GME program recent graduates.
- d) The submitted data from eligible GME programs will be reviewed for meeting program performance standards. The Department may require, for corroborating information and audit, any submission.
- e) All GME residency programs meeting performance standards and qualifying to receive program funding will be announced annually. Subsequent to its determination of qualifying programs, the Department will disburse program funds to the hospitals that sponsor qualifying GME residency programs.
- f) The Department shall recover, through repayment by or recoupment against other funds payable to the hospital, program funds that have been found to have been disbursed in error.

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g) Definitions

- 1) "GME" means graduate medical education.
- 2) "GME rate year" means the 12-month period beginning on July 1 of each year, with the first GME rate year to begin on July 1, 2014.
- 3) "Primary care GME programs" means either Accreditation Council on Graduate Medical Education (ACGME) or American Osteopathic Association (AOA) Post Graduate accredited residency programs in Family Medicine, Internal Medicine, Pediatrics and Internal Medicine-Pediatrics. Programs that are dual accredited by the ACGME and AOA are only eligible for a single yearly payment.
- 4) "Significant medically underserved populations" means more than 50% of the individuals served by a qualifying residency practice clinic are enrolled in Medicaid or are uninsured. The denominator used in this calculation shall include all resident continuity clinics in a GME program practice. When more than one site is used for resident continuity of care practice, the designated practice site or sites used to calculate percent medically underserved must contain greater than 75% of all patients seen by residents in continuity practice.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 148.400 Special Hospital Reporting Requirements

Corrective Action Plans. Effective for dates of service on or after July 1, 2014, hospitals are responsible for assuring that services provided to Medical Assistance Program participants meet or exceed the appropriate standards for care. Any provider that is under any corrective action plans, while enrolled with the Department, by any licensing, certification and/or accreditation authority, including, but not limited to, the Illinois Department of Public Health, the federal Department of Health and Human Services, a peer review organization, or [TJC or another Health and Human Services Approved Accreditation Organization](#), must report the request for the corrective action plans to the Department. Information submitted will remain confidential.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Procedures of the Department of Human Rights
- 2) Code Citation: 56 Ill. Adm. Code 2520
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2520.560	Amendment
2520.APPENDIX A	Amendment
2520.APPENDIX D	Amendment
- 4) Statutory Authority: Implementing Articles 1 through 7B of the Illinois Human Rights Act [775 ILCS 5/Arts. 1 through 7B] and the Intergovernmental Cooperation Act [5 ILCS 220], and authorized by Sections 7-101(A) and 7-105(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A) and 7-105(A)]
- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendments update the Department's affirmative action rules, make technical changes to the Appendices and to the rules on the time period to file a request for review.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: The proposed amendments clarify affirmative action requirements of State agencies and will affect a unit of local government only if the Department issues a finding of default against that unit of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments in writing within 45 days after publication to:

David T. Rothal
Staff Attorney

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

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

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: The amendments do not change the duties of small businesses, small municipalities.
 - B) Reporting, bookkeeping or other procedures required for compliance: No changes
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2014

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

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

PART 2520

PROCEDURES OF THE DEPARTMENT OF HUMAN RIGHTS

SUBPART A: INTERPRETATIONS

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

SUBPART B: CHARGE

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

SUBPART C: PROCEDURE UPON CHARGE

Section	
2520.405	Verified Response to Charge
2520.410	Docketing and Service of Charge (Repealed)
2520.415	Mediation
2520.420	Maintenance of Records (Repealed)
2520.430	Investigation
2520.440	Fact-Finding Conference
2520.450	Administrative Closure (Repealed)

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- 2520.460 Determination After Investigation (Repealed)
- 2520.470 Conciliation (Repealed)
- 2520.480 Complaint (Repealed)
- 2520.490 EEOC Dual Filed Charges

SUBPART D: SETTLEMENTS

Section

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

SUBPART E: ADMINISTRATIVE CLOSURE, DISMISSAL AND DEFAULT

Section

- 2520.550 Administrative Closure
- 2520.560 Dismissal
- 2520.570 Default

SUBPART F: REQUESTS FOR REVIEW

Section

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

SUBPART G: RELATIONS WITH LOCAL HUMAN RIGHTS AGENCIES

Section

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

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2520.660 Promotion of Communication and Goodwill

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

Section

2520.700 Definitions
2520.710 Scope and Purpose
2520.720 Affirmative Action Groups
2520.730 Consideration of Additional Groups
2520.740 Definitions (Renumbered)
2520.750 Nondiscrimination (Repealed)
2520.760 Plans
2520.770 Reporting and Record-Keeping
2520.780 Equal Employment Opportunity Officers
2520.790 Complaint Process
2520.795 EEO/AA Performance Reviews
2520.797 Sanctions for Noncompliance

SUBPART I: SEXUAL HARASSMENT IN HIGHER EDUCATION POLICIES

Section

2520.810 Posting of Sexual Harassment Policies
2520.820 Notice to Show Cause

2520.APPENDIX A Contents of Affirmative Action Plans
2520.APPENDIX B Value Weight Assignment Chart (Repealed)
2520.APPENDIX C Contents of Layoff Reports
2520.APPENDIX D Illinois Counties by Region

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

SOURCE: Adopted November 20, 1972 by the Fair Employment Practices Commission; transferred to the Department of Human Rights by P.A. 81-1216, effective July 1, 1980; emergency amendments at 4 Ill. Reg. 39, p. 335, effective September 17, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 1627, effective February 9, 1981; amended at 6 Ill. Reg.

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2125, effective February 8, 1982; amended at 6 Ill. Reg. 3076, effective March 15, 1982; amended at 6 Ill. Reg. 8090, effective July 1, 1982; codified at 8 Ill. Reg. 17884; amended at 17 Ill. Reg. 15556, effective September 13, 1993; amended at 18 Ill. Reg. 16829, effective November 4, 1994; emergency amendment at 20 Ill. Reg. 445, effective January 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 5084, effective March 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6291, effective April 18, 1996; amended at 20 Ill. Reg. 10631, effective July 24, 1996; amended at 21 Ill. Reg. 14081, effective October 10, 1997; amended at 26 Ill. Reg. 17217, effective November 18, 2002; amended at 29 Ill. Reg. 804, effective December 28, 2004; amended at 30 Ill. Reg. 1343, effective January 13, 2006; amended at 30 Ill. Reg. 13403, effective July 31, 2006; amended at 30 Ill. Reg. 18715, effective November 20, 2006; amended at 31 Ill. Reg. 12319, effective August 8, 2007; amended at 31 Ill. Reg. 14815, effective October 19, 2007; amended at 32 Ill. Reg. 13482, effective August 1, 2008; amended at 33 Ill. Reg. 11311, effective July 20, 2009; amended at 33 Ill. Reg. 17086, effective December 4, 2009; amended at 34 Ill. Reg. 11413, effective July 20, 2010; amended at 36 Ill. Reg. 8699, effective June 1, 2012; amended at 38 Ill. Reg. 9481, effective April 21, 2014; amended at 39 Ill. Reg. _____, effective _____.

SUBPART E: ADMINISTRATIVE CLOSURE, DISMISSAL AND DEFAULT

Section 2520.560 Dismissal

- a) The Department shall serve upon the parties a written notice of dismissal of all or part of a charge. For charges filed before January 1, 1996, or on or after January 1, 2008, the notice will state the grounds for dismissal and that the complainant may obtain review by the Commission by filing a request for review ~~within 30 days after receipt of the notice~~. For charges filed on or after January 1, 1996 and before January 1, 2008, Subpart F of this Part shall apply and the notice shall state the grounds for the dismissal and that the complainant may obtain review by the Chief Legal Counsel by filing a request for review ~~within 30 days after receipt of the notice~~. For charges filed prior to February 2, 2010, complainant has 30 days to file a request for review. For charges filed on or after February 2, 2010, complainant has 90 days to file a request for review.
- b) The dismissal may be based upon:
 - 1) lack of substantial evidence of discrimination or lack of jurisdiction. An investigation report discussing the reasons for the dismissal shall accompany the notice of dismissal;

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- 2) complainant's failure to proceed, as provided in Section 2520.430(c) of this Part. The notice of dismissal in such cases shall specify the manner in which the complainant has failed to proceed and shall be addressed to the complainant at the last known address; or
- 3) complainant's failure to accept a settlement offer, pursuant to Section 7A-103(D) of the Act ~~[775 ILCS 5/7A-103(D)]~~. The notice in [thesesuch](#) cases shall specify the reasons for the Department's dismissal.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

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Section 2520.APPENDIX A Contents of Affirmative Action Plans

Part I

- a) A completed Equal Employment Opportunity/Affirmative Action Certification Form;
- b) An agency EEO/AA policy statement signed by the Chief Executive Officer;
- c) An agency profile statement, describing the mission of the agency and its specific EEO/AA problems and needs;
- d) Identification of the agency's primary EEO Officer and his/her work location and telephone number;
- e) An organizational chart depicting the agency personnel at all levels responsible for implementing and monitoring the agency's affirmative action plan; and
- f) A description of the methods to be used in accomplishing both internal and external dissemination of the agency's affirmative action policy and plan.

Part II

- a) Workforce Transactions Report: an assessment of the agency's personnel transactions for the previous fiscal year, including, but not limited to, a breakdown of new hires, promotions, demotions, transfers and separations by affirmative action groups.
- b) Workforce Analysis: an analysis, as of June 30 of the previous fiscal year, of the distribution of present employees by affirmative action group among the 8 EEO job categories in the 10 regions.

Part III

- a) Availability Analysis for Women and Minorities:
 - 1) Numerical goals must be determined when there are 10 or more employees in an EEO job category within a region where the labor market availability rate for a specific affirmative action group is greater than 2

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percent. The following factors must be considered in determining availability for each affirmative action group in each of the EEO job categories in each region of the State:

- A) Those having requisite skills in the region; and
 - B) Those promotable, trainable and transferable, as these terms are defined in Section 2520.700.
- 2) The availability of members of each affirmative action group is determined by using the following methodology:
- A) Each factor is assigned a value weight by the agency on a scale of 0 percent to 100 percent. The value weight indicates the applicability of each factor to the agency/facility in recruiting employees for that EEO job category. The sum of all value weights must be 100 percent, representing all persons available to work in a job category.
 - B) Each value weight is multiplied by the percentage of the affirmative action group in each of the factors. The result is a weighted factor for each of the categories.
 - C) The sum of the weighted factors is the availability percentage or ratio for that affirmative action group for that category for that region. This availability percentage or ratio is applied to the total number of positions in the agency's EEO job category to determine the numerical availability of the affirmative action group in each EEO job category.
- b) Goals and Timetables: Agencies shall set numerical goals equal to the underutilization of affirmative action group members resulting from the process set forth in Part III(a)(2). No such goals shall be set when the labor force availability of an affirmative action group is less than 2 percent in the DHR region in which it occurs. Program goals must be developed in conjunction with the problems identified as the result of the agency's internal and external workforce analyses. Each numerical or program goal should include a brief description of the area of concern, objectives that delineate specific intentions, action items outlining steps to be taken to achieve the objectives, the individual responsible for

DEPARTMENT OF HUMAN RIGHTS

NOTICE OF PROPOSED AMENDMENTS

carrying out the action item, the target date for completion, and the procedure for monitoring the progress toward meeting the goal.

Part IV

Discrimination Complaint Process: A description of the procedures established by the agency to address charges of employment discrimination. This Part should include a statement that employees will be advised of their rights to file charges of discrimination with the Department, the U.S. Equal Employment Opportunity Commission, or any other appropriate government agency.

Part V

Affirmative Action for Disabled Persons

- a) Methodology for Disabled Persons:
- 1) **Factors:** A numerical goal must be determined on an agency-wide basis, considering the proportion of people with disabilities in the Illinois labor force, as reflected in the most recent data provided by the U.S. Census Bureau American Community Survey.
 - 2) **Survey:** Employees working after June 1, 2012 shall be surveyed to determine the State's utilization of people with disabilities, as defined in Section 2520.700. Subsequently hired employees shall be surveyed at the time of hire.
 - 3) **Availability:** Availability must be determined by using the following methodology:
 - A) The total number of agency employees is multiplied by the percentage of employees with disabilities in the Illinois labor force (as supplied by the Department);
 - B) The agency will enter the number of employees identifying themselves as having disabilities through the disability survey process;

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- C) The number of employees in subsection (a)(3)(B) is subtracted from the result of subsection (a)(3)(A);
 - D) If the result of subsection (a)(3)(C) is a positive number, the agency must adopt that number as its goal for employing persons with disabilities. If the result of subsection (a)(3)(C) is "0" or a negative number, the agency is considered to be at parity with the external labor force; and
 - E) If there is underutilization, a numerical goal must be developed and should include a brief description of the area of concern, objectives that delineate specific intentions, action items outlining steps to be taken to achieve the objectives, the individual responsible for carrying out the action item, the target date for completion, and the procedure for monitoring progress toward meeting the goal.
- b) Recruitment Procedures: Identification of sources used to recruit applicants with disabilities when persons with disabilities are underutilized.
 - c) Application Process Procedures
 - 1) A review of employment criteria to assure they have no adverse impact on disabled persons;
 - 2) Pre-employment inquiries – a statement regarding the inadmissibility of inquiries regarding an applicant's disability during the interview process;
 - 3) Employment testing (for agencies conducting their own tests) – a statement that the tests do not have an adverse impact on disabled applicants and that reasonable accommodation will be provided in the administration of the tests, as required;
 - 4) The prohibition of pre-employment medical examinations before an offer of employment;
 - 5) The prohibition of pre-employment medical examinations after an offer of employment, unless the examinations are job related and required of all applicants for that position.

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- d) Reasonable Accommodation
- 1) Agency policy committing the agency to providing reasonable accommodations to disabled employees, signed by the Chief Executive Officer of the agency.
 - 2) A description of the procedure to determine reasonable accommodation.
- e) Physical Accessibility for Employment:
- 1) Of personnel offices;
 - 2) Of the worksite;
 - 3) For evacuation of disabled persons in emergency situations.

Part VI

Applicable EEO Laws: This Part should set forth the relevant text of any federal law that mandates the agency to adhere to additional EEO/AA requirements.

Part VII

This Part should have an appendix to the affirmative action plan that contains all supporting data, including the Hiring and Promotion Monitors and the exit questionnaire.

~~These regions will be effective July 1, 2015.~~

REGION 1

Cook
 DeKalb
 DuPage
 Grundy
 Kane
 Kankakee
 Kendall
 Lake
 McHenry

REGION 2

Boone
 Ogle
 Stephenson
 Winnebago

REGION 3

Bureau
 Carroll
 Henry
 Jo-Daviess
 LaSalle
 Lee
 Mercer
 Putnam
 Rock Island

REGION 4

Adams
 Brown
 Hancock
 Henderson
 Knox
 McDonough
 Pike
 Schuyler
 Warren

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NOTICE OF PROPOSED AMENDMENTS

Will

Whiteside

REGION 5

DeWitt
Fulton
Livingston
Marshall
Mason
McLean
Peoria
Stark
Tazewell
Woodford

REGION 6

Champaign
Douglas
Ford
Iroquois
Piatt
Vermilion

REGION 7

Christian
Cass
Greene
Logan
Macon
Macoupin
Menard
Montgomery
Morgan
Sangamon
Scott
Shelby

REGION 8

Bond
Calhoun
Clinton
Jersey
Madison
Monroe
Randolph
St. Clair
Washington

REGION 9

Clark
Clay
Coles
Crawford
Cumberland
Edgar
Effingham
Fayette
Jasper
Lawrence
Marion
Moultrie
Richland

REGION 10

Alexander
Edwards
Franklin
Gallatin
Hamilton
Hardin
Jackson
Jefferson
Johnson
Massac

Perry
Pope
Pulaski
Saline
Union
Wabash
Wayne
White
Williamson

These regions are effective until June 30, 2015.

REGION 1

Cook
DuPage
Grundy
Kane

REGION 2

Boone
Carroll
DeKalb
Jo-Daviess

REGION 3

Bureau
Henderson
Henry
Knox

REGION 4

Fulton
Mason
Peoria
Tazewell

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NOTICE OF PROPOSED AMENDMENTS

Kendall
Lake
McHenry
Will

Lee
Ogle
Stephenson
Whiteside
Winnebago

Mercer
Rock Island
Stark
Warren

Woodford

REGION 5

Kankakee
LaSalle
Livingston
Marshall
McLean
Putnam

REGION 6

Champaign
Douglas
Ford
Iroquois
Vermilion

REGION 7

Christian
DeWitt
Logan
Macon
Macoupin
Menard
Montgomery
Piatt
Sangamon

REGION 8

Adams
Brown
Calhoun
Cass
Greene
Hancock
Jersey
McDonough
Morgan
Pike
Schuyler
Scott

REGION 9

Bond
Clinton
Madison
Monroe
St. Clair
Washington

REGION 10

Clark
Clay
Coles
Crawford
Cumberland
Edgar
Effingham
Fayette
Jasper
Lawrence

Marion
Moultrie
Richland
Shelby

Alexander
Edwards
Franklin
Gallatin
Hamilton
Hardin
Jackson
Jefferson
Johnson
Massac

REGION 11

Perry
Pope
Pulaski
Randolph
Saline
Union
Wabash
Wayne
White
Williamson

(Source: Amended at 39 Ill. Reg. _____, effective _____)

DEPARTMENT OF HUMAN RIGHTS

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Section 2520.APPENDIX D Illinois Counties by Region

These regions will be effective July 1, 2015.

REGION 1

Cook
Dekalb
DuPage
Grundy
Kane
Kankakee
Kendall
Lake
McHenry
Will

REGION 2

Boone
Ogle
Stephenson
Winnebago

REGION 3

Bureau
Carroll
Henry
Jo Daviess
LaSalle
Lee
Mercer
Putnam
Rock Island
Whiteside

REGION 4

Adams
Brown
Hancock
Henderson
Knox
McDonough
Pike
Schuyler
Warren

REGION 5

DeWitt
Fulton
Livingston
Marshall
Mason
McLean
Peoria
Stark
Tazewell
Woodford

REGION 6

Champaign
Douglas
Ford
Iroquois
Piatt
Vermilion

REGION 7

Christian
Cass
Greene
Logan
Macon
Macoupin
Menard
Montgomery
Morgan
Sangamon
Scott
Shelby

REGION 8

Bond
Calhoun
Clinton
Jersey
Madison
Monroe
Randolph
St. Clair
Washington

REGION 9

Clark
Clay
Coles
Crawford
Cumberland
Edgar
Effingham
Fayette

REGION 10

Alexander
Edwards
Franklin
Gallatin
Hamilton
Hardin
Jackson
Jefferson
Perry
Pope
Pulaski
Saline
Union
Wabash
Wayne
White

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NOTICE OF PROPOSED AMENDMENTS

[Jasper](#)
[Lawrence](#)
[Marion](#)
[Moultrie](#)
[Richland](#)

[Johnson](#)
[Massac](#)

[Williamson](#)

[These regions are effective through June 30, 2015.](#)

REGION 1

Cook
 DuPage
 Grundy
 Kane
 Kendall
 Lake
 McHenry
 Will

REGION 2

Boone
 Carroll
 DeKalb
 Jo Daviess
 Lee
 Ogle
 Stephenson
 Whiteside
 Winnebago

REGION 3

Bureau
 Henderson
 Henry
 Knox
 Mercer
 Rock Island
 Stark
 Warren

REGION 4

Fulton
 Mason
 Peoria
 Tazewell
 Woodford

REGION 5

Kankakee
 LaSalle
 Livingston
 Marshall
 McLean
 Putnam

REGION 6

Champaign
 Douglas
 Ford
 Iroquois
 Vermilion

REGION 7

Christian
 DeWitt
 Logan
 Macon
 Macoupin
 Menard
 Montgomery
 Piatt
 Sangamon

REGION 8

Adams
 Brown
 Calhoun
 Cass
 Greene
 Hancock
 Jersey
 McDonough
 Morgan
 Pike
 Schuyler
 Scott

REGION 9

Bond
 Clinton
 Madison
 Monroe
 St. Clair

REGION 10

Clark
 Clay
 Coles
 Crawford
 Cumberland
 Marion
 Moultrie
 Richland
 Shelby

REGION 11

Alexander
 Edwards
 Franklin
 Gallatin
 Hamilton
 Perry
 Pope
 Pulaski
 Randolph
 Saline

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Washington	Edgar	Hardin	Union
	Effingham	Jackson	Wabash
	Fayette	Jefferson	Wayne
	Jasper	Johnson	White
	Lawrence	Massac	Williamson

(Source: Amended at 39 Ill. Reg. _____, effective _____)

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1100.800	Amendment
1100.803	New Section
1100.805	Amendment
1100.810	Amendment
1100.815	Amendment
1100.817	Amendment
1100.820	Amendment
1100.825	Amendment
1100.830	Amendment
1100.900	Amendment
1100.903	New Section
1100.905	Amendment
1100.910	Amendment
1100.915	Amendment
1100.917	Amendment
1100.920	Amendment
1100.925	Amendment
1100.930	Amendment
1100.1100	New Section
1100.1103	New Section
1100.1105	New Section
1100.1110	New Section
1100.1115	New Section
1100.1117	New Section
1100.1120	New Section
1100.1125	New Section
1100.1130	New Section
- 4) Statutory Authority: Implemented and authorized by Section 80 of the Illinois Finance Authority Act, Fire Truck Revolving Loan Program [20 ILCS 3501/825/80] and, implemented and authorized by Section 80 of the Illinois Finance Authority Act, Ambulance Revolving Loan Program [20 ILCS 3501/825-85], and implemented and authorized by Section 81 of the Illinois Finance Authority Act, Fire Station Revolving Loan Program [20 ILCS 3501/825/81]

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

- 5) A Complete Description of the Subjects and Issues involved: This proposed rulemaking clarifies language pertaining to the Fire Truck Revolving Loan Program, Ambulance Revolving Loan Program and adds new language concerning the Fire Station Revolving Loan Program.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: These amendments provide assistance to units of local government so they can provide fire suppression services to the citizens of the State in a timely and safe manner. Additionally, these amendments provide assistance to units of local government or an entity that provides ambulance services or emergency medical services that does not earn and distribute taxable business earnings, so they can provide ambulance services or emergency medical services to the citizens of the State in a timely and safe manner.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these amendments within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Executive Director
Illinois Finance Authority
PO Box 641187
Chicago IL 60664

312/651-1310
- 13) Initial Regulatory Flexibility Analysis:

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- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will provide financing for local governments and fire protection districts that provide fire suppression services. Additionally, the rulemaking will provide financing for local governments or non-profit entities that provide ambulance services or emergency medical services.
- B) Reporting, bookkeeping or other procedures required for compliance: Those local governmental authorities or non-profit entities that elect to participate will be required to complete an application, submit audited financial reports (or other financial statements as required according to Illinois law), and maintain records of purchase and repayment for as long as any loan amount remains outstanding.
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory agenda on which this rulemaking was summarized: This rulemaking has not been on an agenda. The rulemaking process was in delay until the current time.

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

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

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

SUBPART A: ILLINOIS FINANCE AUTHORITY

Section	
1100.50	Definitions
1100.100	Composition, Appointment and Terms of Office
1100.105	Board Chairman
1100.110	Executive Director
1100.115	Meetings
1100.120	Records and Reports
1100.125	Public Participation
1100.130	Rulemaking Procedures
1100.135	Purchasing Rules and Regulations
1100.140	Seal
1100.145	Principal Office
1100.150	Revision
1100.155	Construction; Waiver; Severability

SUBPART B: FINANCING PROGRAMS

Section	
1100.200	Summary and Purpose
1100.202	Definitions
1100.204	Application Forms
1100.206	Notice to Municipalities
1100.208	Changes in Information and Additional Information
1100.210	Meetings of the Authority
1100.212	Eligible Projects
1100.215	Scheduling of Project Consideration
1100.220	Staff Review
1100.225	Authority Action
1100.230	General Criteria for Approval
1100.235	Additional Criteria for Commercial Projects
1100.240	Submission of Documents

ILLINOIS FINANCE AUTHORITY

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1100.245	Public Hearing Procedures and Responsibilities
1100.250	Final Public Approval
1100.255	Requests for Allocation
1100.260	Amendatory Resolutions
1100.265	Bond Counsel on Pooled Bond Issues
1100.270	Program Requirements; Standardized Documents
1100.275	Transcripts
1100.280	Authority Fees
1100.285	Noncompliance and Waiver

SUBPART C: GOVERNMENTAL UNIT ASSISTANCE PROGRAM

Section	
1100.300	Purposes and Objectives; Compliance with Federal Law; Forms for Program
1100.305	Applicant Eligibility
1100.310	Pre-Filing Stage
1100.315	Filing of Application
1100.320	Approval of Application
1100.325	Denial of Application
1100.330	Priority of Application
1100.335	Source of Payment and Nature of Obligation
1100.340	Fees
1100.345	Purchase of Governmental Unit Bonds

SUBPART D: ILLINOIS DEVELOPMENT ACTION GRANT PROGRAM

Section	
1100.400	Purpose; Definitions; Incorporation by Reference
1100.405	Eligible Applicants; Eligible Projects
1100.410	Municipal Approval
1100.415	Application Requirements
1100.420	Technical Assistance
1100.425	On-Site Inspection
1100.430	Selection Criteria
1100.435	Deadlines
1100.440	Funding Restrictions and Eligible Costs
1100.445	Grant Agreement
1100.450	Disbursement of Grants
1100.455	Recordkeeping and Access to Information

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

1100.460	Progress Reports
1100.465	Audit Requirements
1100.470	Grant Monitoring and Recovery
1100.475	Project Completion Notice

SUBPART E: ILLINOIS HOUSING PARTNERSHIP PROGRAM

Section

1100.500	Purpose; Definitions; Incorporation by Reference
1100.505	Eligible Applicants; Eligible Projects
1100.510	Municipal Approval
1100.515	Application Requirements
1100.520	On-Site Inspection
1100.525	Selection Criteria
1100.530	Deadlines
1100.535	Funding Restrictions and Eligible Costs
1100.540	Loan Agreement
1100.545	Disbursement and Repayment of Loans
1100.550	Loan Terms
1100.555	Recordkeeping and Access to Information
1100.560	Progress Reports
1100.565	Audit Requirements
1100.570	Loan Monitoring and Recovery
1100.575	Project Completion Notice

SUBPART F: EDUCATIONAL FACILITIES PROGRAM

Section

1100.600	Introduction
1100.610	Who May Apply for Financing
1100.620	Types of Educational and Cultural Facilities that Can Be Financed
1100.630	Types of Costs that Can Be Financed: Outstanding Debt
1100.640	Application Guidelines
1100.650	Interest Rate on the Authority's Bonds
1100.660	Method of Financing
1100.670	Length of Bond Issue
1100.680	Type of Bond Issue
1100.690	Fees

ILLINOIS FINANCE AUTHORITY

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SUBPART G: FARM DEVELOPMENT PROGRAM

Section

1100.700	Definitions
1100.705	Rules and Guidelines Applicable to Bond Programs under this Subpart
1100.710	Bond Programs and Rules Applicable to Each
1100.715	Rules and Guidelines Applicable to the Interest Buy Down Program
1100.720	Rules and Guidelines Applicable to the Young Farmer Guarantee Program
1100.725	Rules and Guidelines Applicable to the State Guarantee Program for Restructuring Agricultural Debt
1100.730	Rules and Guidelines Applicable to the Specialized Livestock Guarantee Program
1100.735	Rules and Guidelines Applicable to the State Guarantee Program for Agri-Industries

SUBPART H: FIRE TRUCK REVOLVING LOAN PROGRAM

Section

1100.800	Definitions
1100.803	Severability
1100.805	Purpose
1100.810	Eligible Expenditures
1100.815	Loan Application Review
1100.817	Funding Criteria and Credit Review Process
1100.820	Loan Documents and Servicing
1100.825	Repayment Procedures
1100.830	Terms and Conditions of Loan Agreement

SUBPART I: AMBULANCE REVOLVING LOAN PROGRAM

Section

1100.900	Definitions
1100.903	Severability
1100.905	Purpose
1100.910	Eligible Expenditures
1100.915	Loan Application Review
1100.917	Funding Criteria and Credit Review Process
1100.920	Loan Documents and Servicing
1100.925	Repayment Procedures
1100.930	Terms and Conditions of Loan Agreement

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

SUBPART J: FIRE SPRINKLER DORMITORY REVOLVING LOAN PROGRAM

Section

1100.1000	Definitions
1100.1005	Purpose
1100.1010	Eligible Expenditures
1100.1015	Loan Application Review
1100.1017	Funding Criteria and Credit Review Process
1100.1020	Loan Documents and Servicing
1100.1025	Repayment Procedures
1100.1030	Terms and Conditions of Loan Agreement

SUBPART K: FIRE STATION REVOLVING LOAN PROGRAMSection

<u>1100.1100</u>	<u>Definitions</u>
<u>1100.1103</u>	<u>Severability</u>
<u>1100.1105</u>	<u>Purpose</u>
<u>1100.1110</u>	<u>Eligible Expenditures</u>
<u>1100.1115</u>	<u>Loan Application Review</u>
<u>1100.1117</u>	<u>Funding Criteria and Credit Review Process</u>
<u>1100.1120</u>	<u>Loan Documents and Servicing</u>
<u>1100.1125</u>	<u>Repayment Procedures</u>
<u>1100.1130</u>	<u>Terms and Conditions of Loan Agreement</u>

1100.TABLE A Income Limits

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

SOURCE: Recodified from the Illinois Farm Development Authority (8 Ill. Adm. Code 1400), the Illinois Development Finance Authority (14 Ill. Adm. Code 1200, 1210, 1220), the Illinois Educational Facilities Authority (23 Ill. Adm. Code 2310, 2320), and the Illinois Rural Bond Bank (47 Ill. Adm. 400, 410, 420) to the Illinois Finance Authority at 31 Ill. Reg. 12104; amended at 34 Ill. Reg. 497, effective December 23, 2009; amended at 34 Ill. Reg. 3272, effective February 23, 2010; amended at 39 Ill. Reg. _____, effective _____.

SUBPART H: FIRE TRUCK REVOLVING LOAN PROGRAM

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

Section 1100.800 Definitions

The following definitions apply in this Subpart:

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

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

"Board" means the governing body of the entity receiving the loan.

"Brush Truck" means a pickup chassis with or equipped with a flatbed or a pickup box. The brush truck must be rated by the manufacturer as between three-fourths of a ton and one ton and outfitted with a fire or rescue apparatus.

"Fire Department" means a unit of local government (as defined in Article VII, Section 1 of the Illinois Constitution of 1970 and in 5 ILCS 70/1.28) in Illinois that provides fire suppression within a geographical area. For purposes of this Part, "Fire Department" is defined to include volunteer fire departments and volunteer fire protection districts (that are units of local government, as defined).

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

"Fund" means the Fire Truck Revolving Loan Fund.

"Funding Date" means the date on which a zero-interest loan or low-interest loan is closed and funded.

"Low-Interest Loan" means a loan with a fixed rate of interest lower than commercially available.

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

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

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

"Recipient" means an applicant that has successfully applied for and received all required approvals from OSFM and the Authority, agreed to and executed loan documentation prepared by the Authority, and closed and funded its fire truck or brush truck loan.

"Zero-Interest Loan" means a loan bearing a zero percent rate of interest for the duration of the loan.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.803 Severability

If any Section, subsection, sentence or clause of this Subpart shall be held by a court of competent jurisdiction to be invalid, that holding shall not affect the remaining portions of this Subpart.

(Source: Added at 39 Ill. Reg. _____, effective _____)

Section 1100.805 Purpose

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

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

~~Units of local government that do not operate fire departments are similarly not eligible (e.g., a municipality that contracts for fire suppression from another municipality or fire protection district).~~

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.810 Eligible Expenditures

- a) Subject to the availability of funds, loans are available to be made under the Program for ~~zero-interest loans or low-interest loans to applicants for the purchase of fire trucks or brush trucks as deemed eligible under OSFM's administrative rules at 41 Ill. Adm. Code 290.20 and 290.30~~zero-interest loans to applicants for the purchase of fire trucks.
- b) Loan proceeds may be used to pay off a loan that was obtained no more than one year prior to the receipt of a loan under this Program if the loan being paid off was obtained to purchase the fire truck or brush truck that is the subject of the application that was approved under this Program.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.815 Loan Application Review

- a) Applications for loans to be made pursuant to the Program shall be submitted to OSFM on forms provided by, and following the procedures established by, OSFM and the Authority. Each application shall be reviewed by OSFM. OSFM will determine, based on equipment needs, financial need, and how recently the applicant has received a previous loan under this Program, which eligible applicant or applicants shall be recommended to the Authority for further consideration to receive a loan under this Program to finance~~for~~ the purchase of a fire truck or brush truck.
- b) Applications approved by OSFM will be forwarded to the Authority. The Authority will review the loan application and any supplemental information provided in connection with ~~each~~the loan application, including, without limitation, financial statements and certifications and assurances provided by officers of the applicant, and any related Board-approved ordinances, resolutions, tax levies, budgets or other pertinent documents necessary to evaluate legal authorization and~~applicant to~~ determine ~~the~~ creditworthiness of the applicant.

ILLINOIS FINANCE AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

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

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.817 Funding Criteria and Credit Review Process

In addition to the loan application review criteria developed by OSFM (see 41 Ill. Adm. Code 290.55), the credit review process and funding criteria approved by the Authority for this Program are as follows:

- a) The Authority's Chief Financial Officer, or his or her designee, will serve as an ex officio, non-voting member of OSFM's Loan Application Review Committee for the purpose of reviewing submitted loan documentation to ensure that all documents necessary for the Authority to initiate its credit and due diligence review are present (see 41 Ill. Adm. Code 294.40)~~If an applicant is delinquent on a previous fire truck or ambulance loan, it is automatically disqualified from both revolving loan programs (ambulance and fire truck) until it is current on its loan repayment.~~
- b) If an applicant is delinquent on a previous loan funded by the Authority, the applicant shall be automatically disqualified from funding under this Program until any loan repayment delinquency has been cured~~Applicants may be eligible for only one revolving loan program loan (ambulance or fire truck) within a given fiscal year.~~
- c) The applicant must demonstrate its ability to meet at least one of the following minimum debt service coverage requirements:
- 1) General fund revenues or specified revenue stream: 1.25x; or
 - 2) State intercept revenues: 1.25x; or
 - 3) Direct property levy for the loan: 1.001-0x.

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

(Source: Amended at 39 Ill. Reg. _____, effective _____)

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Section 1100.820 Loan Documents and Servicing

- a) Loan applications approved by OSFM and the Authority will be submitted to the Authority to prepare loan~~for~~ documentation and funding. Subject to the availability of funds, the Authority will prepare the loan documentation, including, without limitation, a Loan Agreement to evidence the loan.
- b) The loan documentation will be provided to the applicant for execution. Upon execution of the loan documentation, subject to the availability of funds, the Authority will execute the loan documentation and cause the loan to be funded.
- c) The Authority will retain the executed loan documents and will service funded loans.
- d) The Authority reserves the right to charge an origination/processing fee of up to ~~\$500~~\$250 per applicant that receives an approved loan. The amounts attributable to this origination/processing fee shall be deducted from the loan proceeds released upon closing and funding of the loan.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.825 Repayment Procedures

- a) Loans shall be repaid within 20 years, except that loans to finance acquisition of brush trucks shall be repaid within 10 years.
- b) For the purchase of brush trucks by a fire department, the Program shall provide loans at a 2% rate of simple interest per year if both the brush truck chassis and the apparatus are built outside of Illinois; a 1% rate of simple interest per year if either the brush truck chassis or the apparatus is built in Illinois; or a 0% rate if both the brush truck chassis and the apparatus are built in Illinois. The applicable interest rate shall be fixed and remain in effect for the term of the loan~~The rate of interest shall be stipulated on the loan application as 0 percent.~~
- c) The rate of interest on loans under the Program, except for brush trucks, will be a 0% fixed interest rate (and remain in effect until the final maturity date of the loan) unless the applicant has one or more investment grade credit ratings (i.e., at or above "Baa3" or "BBB-" or the equivalent) from any nationally recognized municipal credit rating agency. The applicable interest rate shall be fixed and

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~~remain in effect until the final maturity date of the loan. Payments on the loan (principal) shall be made by check on an annual basis in 20 equal installments. The Authority will provide invoices to loan recipients on an annual basis.~~

- d) For applicants that do not qualify for 0% loans pursuant to subsection (c), the interest rate shall be determined as follows:~~Loan payments shall be due on November 1 of each year.~~
- 1) The interest rate will be set each January 1 for loans that are documented and funded during that calendar year.~~The first payment shall be due as follows:~~
 - A) ~~If the time period between the date the loan is funded (the loan funding date) and the immediately following November 1 is 180 days or more, then the first payment shall be due on November 1 immediately following the loan funding date; or~~
 - B) ~~If the time period between the loan funding date and the immediately following November 1 is less than 180 days, then the first payment shall be due on the second November 1 immediately following the loan funding date.~~
 - 2) The interest rate will be equivalent to 50% of the mean of the Bond Buyer's 20-Bond General Obligation Index for the 12 month period that ended September 30 of the prior calendar year (and will represent the interest rates in effect as of October 1 of each year under the Illinois Environmental Protection Agency's State Revolving Fund/Clean Water Initiative Programs); and~~After the first payment is made, succeeding payments shall be due on each November 1 until repaid in full.~~
 - 3) The loans will bear interest on a simple interest basis. The applicable interest rate shall be fixed and remain in effect until the final maturity date of the loan.
- e) Payments on the loan (principal and accrued interest, if any) shall be made on an annual basis in equal installments as provided in the Loan Agreement with the Authority. The Authority shall deposit, on not less than an annual basis, the payments received into the Fire Truck Revolving Loan Fund for application in accordance with the Act, if required by law.~~Checks shall be made payable to the~~

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~~"Illinois Finance Authority – Fire Truck Revolving Loan Fund" and mailed to the Illinois Finance Authority, Two Prudential Plaza, 180 North Stetson, Suite 2555, Chicago IL 60601.~~

- 1) Loan payments shall be due on November 1 of each year, with the initial payment due based on the loan funding date, as follows:
 - A) If the time period between loan funding date and the immediately following November 1 is 180 days or more, the first payment shall be due on November 1 immediately following the loan funding date; or
 - B) If the time period between the loan funding date and the immediately following November 1 is less than 180 days, the first payment shall be due on the second November 1.
- 2) After the first payment is made, succeeding payments shall be due on each November 1 until repaid in full.
- 3) Payments shall be made payable to the "Illinois Finance Authority – Fire Truck Revolving Loan Fund", with payments submitted by wire transfer, by electronic funds transfer (automated clearing house), or by check pursuant to instructions provided in the annual invoice on each loan.
- 4) Payments not received within 15 calendar days after the due date shall be assessed a penalty of 5% of the payment amount due. Nevertheless, this late payment penalty shall be waived whenever the postmark date on an envelope used to submit a payment by check is dated a minimum of five days or more before the end of the 15 calendar day grace period. Payments remitted via wire transfer shall not be assessed late payment penalty if the wire transfer payment is received before the end of the 15-day grace period.
- 5) A recipient may prepay the balance due on the loan in its entirety, without penalty, on any date, provided that the recipient initiates contact with the Authority to obtain the total amount of the principal and accrued interest, if any, due at that time.

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- f) ~~Payments not received within 15 calendar days after the due date shall be assessed a penalty of 5 percent per annum of the payment due; however, the late payment penalty shall be waived when the postmark date on the envelope used to submit the payment is dated five days or more before the end of the 15-day grace period.~~
- g) ~~An applicant may prepay the balance due on the loan in its entirety, without penalty, on any date, provided that the applicant first contacts the Authority to obtain the total amount of the principal due at that time.~~

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.830 Terms and Conditions of Loan Agreement

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

- a) ~~Orders for payment will be submitted to the Office of the Comptroller by the Authority according to the terms of Section 1100.825 (Repayment Procedures).~~
- ab) Loan proceeds under this Program shall be used exclusively for the eligible expenditures listed in Section 1100.810~~purposes listed in Section 1100.805~~ and shall be expended in accordance with the approved application and the recipient's/applicant's policies and procedures related to thosesuch expenditures. In the event that the loan proceeds are not expended in the manner approved, ~~then~~ the recipient/applicant, upon written notification from the Authority/OSFM, shall be required to submit, by the next payment due date, payment of the outstanding principal and accrued interest, if any, of the loan.
- be) Loan proceeds shall be obligated no later than six months following the receipt of the loan funding date.
- cd) Proof of use of loan proceeds for the funded zero-interest loan or low-interest loan shall be provided to the Authority and OSFM in writing pursuant to terms specified in the Loan Agreement~~Use of loan proceeds shall be accounted for in accordance with Generally Accepted Accounting Principles (Financial Accounting Standards Board, 401 Merritt 7, P.O. Box 5116, Norwalk CT 06856, July 1, 2009, no subsequent editions or amendments included).~~ Loan recipients shall submit to OSFM a report detailing how the loan proceeds were used. ~~This expenditure report, to be submitted on a form supplied by OSFM, shall be due not later than nine months following receipt of the loan.~~

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

(Source: Amended at 39 Ill. Reg. _____, effective _____)

SUBPART I: AMBULANCE REVOLVING LOAN PROGRAM

Section 1100.900 Definitions

The following definitions apply in this Subpart:

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

"Applicant" ~~or "Recipient"~~ means a unit of local government, including any municipality (i.e., city, village or town), civil ~~township~~ township, township fire department, or special district (including but not limited to those described in 55 ILCS 100/1001 and 60 ILCS 1/195-5 and 200-13) such as a fire protection district or special ambulance service district that operates a fire department or provides fire suppression services itself without contracting those services from another entity, or an entity that provides ambulance services or emergency medical services that does not earn and distribute taxable business earnings to shareholders or principals of the business and is in good standing as a not-for-profit business with the Illinois Secretary of State.

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

"Board" means the governing body of the entity receiving the loan.

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

"Fund" means the Ambulance Revolving Loan Fund.

["Funding Date" means the date on which a zero-interest loan or low-interest loan is closed and funded.](#)

["Low-Interest Loan" means a loan with a fixed rate of interest lower than commercially available.](#)

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

"Program" means the Illinois Ambulance Revolving Loan Program.

["Recipient" means an applicant that has successfully applied for and received all required approvals from OSFM and the Authority, agreed to and executed loan documentation prepared by the Authority, and closed and funded its ambulance loan.](#)

["Zero-Interest Loan" means a loan bearing a zero percent rate of interest for the duration of the loan.](#)

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.903 Severability

[If any Section, subsection, sentence or clause of this Subpart shall be held by a court of competent jurisdiction to be invalid, that holding shall not affect the remaining portions of this Subpart.](#)

(Source: Added at 39 Ill. Reg. _____, effective _____)

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Section 1100.905 Purpose

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

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.910 Eligible Expenditures

- a) Subject to the availability of funds, loans are available to be made under the Program for zero-interest loans and low-interest loans ~~zero-interest loans to applicants~~ applicants for the purchase of ambulances as deemed eligible under OSFM's administrative rules at 41 Ill. Adm. Code 292.20 and 292.30.
- b) Loan proceeds may be used to pay off a loan that was obtained no more than one year prior to the receipt of a loan under this Program if the loan being paid off was obtained to purchase the ambulance that is the subject of the application that was approved under this Program.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.915 Loan Application Review

- a) Applications for loans to be made pursuant to the Program shall be submitted to OSFM on forms provided by, and following the procedures established by, OSFM and the Authority. Each application shall be reviewed by OSFM. OSFM will

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determine, based on equipment needs, financial need, and how recently the applicant has received a previous loan under this Program, which eligible applicant or applicants shall be recommended to the Authority to receive a loan under this Program for the purchase of an ambulance.

- b) Applications approved by OSFM will be forwarded to the Authority. The Authority will review the loan application and any information provided in connection with the loan application, including, without limitation, financial statements and certifications and assurances provided by officers of the applicant, and any related Board-approved ordinances, resolutions, tax levies, budgets or other pertinent documents necessary~~applicant~~ to evaluate legal authorization and determine the creditworthiness of the applicant.
- c) The Authority, after completion of its review, will notify OSFM of which loan applications have been approved. OSFM will notify each applicant of the approval or disapproval of its application. Applicants who are not approved may appeal the determination of OSFM or the Authority by following the Request for Reconsideration procedure~~appeal process~~ established by OSFM (see 41 Ill. Adm. Code 292.70~~290.60~~).

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.917 Funding Criteria and Credit Review Process

In addition to the Criteria for Review of Loan Applications~~criteria~~ developed by OSFM (see 41 Ill. Adm. Code 292.60), the credit review process and funding criteria approved by the Authority for this Program are as follows:

- a) The Authority's Chief Financial Officer, or his or her designee, will serve as an ex officio, non-voting member of OSFM's Loan Application Review Committee for the purpose of reviewing submitted loan documentation to ensure that all documents necessary for the Authority to initiate its credit and due diligence review are present (see 41 Ill. Adm. Code 292.40)~~If an applicant is delinquent on a previous fire truck or ambulance loan, it is automatically disqualified from both revolving loan programs (ambulance and fire truck) until it is current on its loan.~~
- b) If an applicant is delinquent on a previous loan funded by the Authority, the applicant shall be automatically disqualified from funding under this Program

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~~until any loan repayment delinquency has been cured. Applicants may be eligible for only one program loan (ambulance or fire truck) within a given fiscal year.~~

- c) The applicant must demonstrate its ability to meet at least one of the following minimum debt service coverage requirements:
- 1) General fund revenues or specified revenue stream: 1.25x; or
 - 2) State intercept revenues: 1.25x; or
 - 3) Direct property levy for the loan: ~~1.001-0x~~.
- d) The applicant must submit supporting documentation for the source of repayment as follows:
- 1) For general fund or specified revenues, submit a current ~~Board~~board-approved budget that reflects the identified revenue ~~source~~source and ~~amount~~amount; or
 - 2) For direct property tax levy (i.e., general obligation), submit a copy of the levy and the ordinance authorizing the levy prior to the funding date.
- e) If the applicant's repayment source is property tax receipts, the applicant's actual property tax collections over the past three fiscal years must exceed 95% of the total possible tax collection.
- f) The applicant must provide a resolution or ordinance approved by the applicant's ~~Board~~board that includes the following approvals:
- 1) Loan Application (~~effective FY10~~);
 - 2) Loan Agreement;
 - 3) ~~Sources~~Source and ~~amount~~amount of repayment;
 - 4) State intercept agreement; and
 - 5) Lien on the ambulance purchased, if required by the Authority.

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- g) Each loan must be secured by the applicant's:
- 1) General funds or, if available, a direct property tax levy or State revenue intercept; and
 - 2) Possession of the title to the property or an Authority lien on the equipment purchased, if the Authority, in its sole discretion, decides to accept such a lien.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.920 Loan Documents and Servicing

- a) Loan applications approved by OSFM and the Authority will be submitted to the Authority to prepare loan~~for~~ documentation and funding. Subject to the availability of funds, the Authority will prepare the loan documentation, including, without limitation, the Loan Agreement to evidence the loan.
- b) The loan documentation will be provided to the applicant for execution. Upon execution of the loan documentation, subject to the availability of funds, the Authority will execute the loan documentation and cause the loan to be funded.
- c) The Authority will retain the executed loan documents and will service funded loans.
- d) The Authority reserves the right to charge an origination/processing fee of up to ~~\$500~~\$100 per applicant that receives an approved loan. The amounts attributable to this origination/processing fee shall be deducted from the loan proceeds released upon closing and funding of the loan.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.925 Repayment Procedures

- a) Loans shall be repaid within 10 years.
- b) The rate of interest on loans under the Program will be a 0% fixed interest rate (and remain in effect for the duration of the loan) unless the applicant has one or more investment grade credit ratings (i.e., at or above "Baa3" or "BBB-" or the

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~~equivalent) from any nationally recognized municipal credit rating agency shall be stipulated on the loan application as 0 percent.~~

- c) ~~For applicants that do not qualify for zero-percent loans pursuant to subsection (b), the interest rate shall be determined as follows: Payments on the loan (principal) shall be made by check on an annual basis in 10 equal installments. The Authority will provide invoices to loan recipients on an annual basis.~~
- 1) ~~The interest rate will be set each January 1 for loans that are documented and funded during that calendar year;~~
 - 2) ~~The interest rate will be equivalent to 50% of the mean of the Bond Buyer's 20-Bond General Obligation Index for the 12 month period that ended October 1 of the prior calendar year; and~~
 - 3) ~~The loans will bear a fixed interest rate on a simple interest basis. The applicable interest rate shall be in effect for the duration of the loan.~~
- d) ~~Payments on the loan (principal and accrued interest, if any) shall be made on an annual basis in equal installments as provided in the Loan Agreement with the Authority. The Authority shall deposit, on not less than an annual basis, the payments received into the Ambulance Revolving Loan Fund for application in accordance with the Act, if required by law. Loan payments shall be due on November 1 of each year.~~
- 1) ~~Loan payments shall be due on November 1 of each year with the initial payment due based on the loan funding date as follows: The first payment shall be due as follows:~~
 - A) ~~If the time period between the ~~date~~ the loan is funded (the loan funding date) and the immediately following November 1 is 180 days or more, ~~then~~ the first payment shall be due on November 1 immediately following the loan funding date; or~~
 - B) ~~If the time period between the loan funding date and the immediately following November 1 is less than 180 days, ~~then~~ the first payment shall be due on the second November 1 immediately following the loan funding date.~~

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- 2) After the first payment is made, succeeding payments shall be due on each November 1 until repaid in full.
- 3e) ~~Payments~~~~Checks~~ shall be made payable to the "Illinois Finance Authority – Ambulance Revolving Loan Fund" with payments submitted by wire transfer, by electronic funds transfer (automated clearing house), or by check pursuant to instructions provided in the annual invoice on each loan and mailed to the Illinois Finance Authority, Two Prudential Plaza, 180 North Stetson, Suite 2555, Chicago IL 60601.
- 4f) Payments not received within 15 calendar days after the due date shall be assessed a penalty of ~~5%5 percent per annum~~ of the payment amount due. ~~Nevertheless, this; however, the~~ late payment penalty shall be waived ~~wheneverwhen~~ the postmark date on the envelope used to submit the payment is dated five days or more before the end of the 15-day grace period. Payments remitted via wire transfer shall not be assessed late payment penalty if the wire transfer payment is received before the end of the 15-day grace period.
- 5g) ~~RecipientAn applicant~~ may prepay the balance due on the loan in its entirety, without penalty, on any date, provided that the ~~recipientapplicant~~ first contacts the Authority to obtain the total amount of the principal and accrued interest, if any, due at that time.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 1100.930 Terms and Conditions of Loan Agreement

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

- a) ~~Orders for payment will be submitted to the Office of the Comptroller by the Authority according to the terms of Section 1100.925 (Repayment Procedures).~~
- a) Loan proceeds under this Program shall be used exclusively for the purposes listed in Section ~~1100.9101100.905~~ and shall be expended in accordance with the approved application and the ~~recipient'sapplicant's~~ policies and procedures related to ~~those such~~ expenditures. In the event that the loan proceeds are not expended in the manner approved, ~~then~~ the ~~recipientapplicant~~, upon written notification from

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~~the Authority~~OSFM, shall be required to submit, by the next payment due date, payment of the outstanding principal and accrued interest, if any, of the loan.

- ~~be)~~ Loan proceeds shall be obligated no later than six months following the loan funding date~~receipt of the loan~~.
- ~~cd)~~ Proof of use of loan proceeds for the funded zero-interest or low-interest loan shall be provided to the Authority and OSFM in writing pursuant to terms specified in the Loan Agreement~~Use of loan proceeds shall be accounted for in accordance with Generally Accepted Accounting Principles (Financial Accounting Standards Board, 401 Merritt 7, P.O. Box 5116, Norwalk CT 06856, July 1, 2009, no subsequent editions or amendments included). Loan recipients shall submit to OSFM a report detailing how the loan proceeds were used. This expenditure report, to be submitted on a form supplied by OSFM, shall be due not later than nine months following receipt of the loan.~~
- ~~de)~~ Loan proceeds shall be included in the recipient's~~applicant's~~ budget.
- ~~ef)~~ If ~~the event of~~ a payment delinquency or default ~~that~~ is not cured within 90 calendar days by payment of the amount owed to the Authority, the Authority shall notify the Office of the Comptroller to deduct the amount owed from any payments by the State to the recipient~~applicant and the applicant shall be ineligible for additional loans under this Program or Subpart H until it has cured the default by making payment to the Authority of the amount due~~. OSFM and/or the Authority may avail themselves of all remedies, rights and provisions of law applicable in these circumstances. Failure to exercise any rights or remedies provided by law may not be used as a defense by the recipient~~applicant~~ in any proceeding brought against it by OSFM or the Authority.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

SUBPART K: FIRE STATION REVOLVING LOAN PROGRAMSection 1100.1100 Definitions

The following definitions apply in this Subpart:

"Applicant" means a unit of local government, including any municipality, township, township fire department, or special district such as a fire protection

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district that operates a fire department or provides fire suppression services itself without contracting those services from another entity.

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

"Board" means the governing body of the entity receiving the loan.

"Fire Department" means a fire department, fire protection district, or township fire department that is a unit of local government (as defined in Article VII, Section 1 of the Illinois Constitution of 1970 and in Section 1.28 of the Statute on Statutes [5 ILCS 70/1.28] in Illinois that provides fire suppression within a geographical area.

"Fire Station" means a building or structure set aside for storage of firefighting apparatus, personal protective equipment, fire hose, and other fire extinguishing equipment. It may also include dormitory living facilities and work areas such as offices, meeting rooms, workshops, kitchens or laundry facilities. The term includes additions to existing buildings as well as new construction.

"Fund" means the Fire Station Revolving Loan Fund.

"Funding Date" means the date on which a zero-interest or low-interest loan is closed and funded.

"Low Interest Loan" means a loan with a fixed rate of interest lower than commercially available.

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

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

"Recipient" means an applicant that has successfully applied for and received all required approvals from OSFM and the Authority, agreed to and executed loan documentation prepared by the Authority, and closed and funded its fire station loan.

(Source: Added at 39 Ill. Reg. _____, effective _____)

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Section 1100.1103 Severability

If any Section, subsection, sentence or clause this Subpart shall be held by a court of competent jurisdiction to be invalid, that holding shall not affect the remaining portions of this Subpart.

(Source: Added at 39 Ill. Reg. _____, effective _____)

Section 1100.1105 Purpose

- a) OSFM and the Authority may jointly administer a program to provide zero-interest or low-interest loans to eligible applicants to finance or reimburse all or a portion of the costs associated with the construction, rehabilitation, remodeling or expansion of a fire station or acquisition of land for the construction or expansion of a fire station, subject to the availability of funds. Loans for the purpose of a fire station shall not exceed \$2,000,000 per fire department.
- b) For-profit entities, nonprofit entities, associations and/or not-for-profit corporations are not eligible to apply for a loan under this Program. Units of local government that do not operate fire departments are similarly not eligible (e.g., a municipality that contracts for fire suppression from another municipality or fire protection district).

(Source: Added at 39 Ill. Reg. _____, effective _____)

Section 1100.1110 Eligible Expenditures

Subject to availability of funds, loans are available to be made under the Program for zero-interest or low-interest loans to applicants for the construction, rehabilitation, remodeling or expansion of a fire station or acquisition of land for the construction or expansion of a fire station.

(Source: Added at 39 Ill. Reg. _____, effective _____)

Section 1100.1115 Loan Application Review

- a) Applications for loans to be made pursuant to the Program shall be submitted to OSFM on forms provided by, and following the procedures established by, OSFM and the Authority. Each application shall be reviewed by OSFM. OSFM will

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determine, based on equipment needs, financial need, and how recently the applicant has received a previous loan under this Program, which eligible applicant or applicants shall be recommended to the Authority for further consideration to receive a loan under this Program to finance the construction, rehabilitation, remodeling or expansion of a fire station or acquisition of land for the construction or expansion of a fire station.

- b) Applications approved by OSFM will be forwarded to the Authority. The Authority will review the loan application and any supplemental information provided in connection with the loan application, including, without limitation, financial statements and certifications and assurances provided by officers of the applicant, and any related Board-approved ordinances, resolutions, tax levies, budgets, or other pertinent documents to evaluate legal authorization and creditworthiness of the applicant.
- c) The Authority, after completion of its review, will notify OSFM of which loan applications have been approved. OSFM will notify each applicant of the approval or disapproval of its application. Applicants who are not approved may request reconsideration of the determination of OSFM or the Authority by following the request for reconsideration process established by OSFM (see 41 Ill. Adm. Code 294.170).

(Source: Added at 39 Ill. Reg. _____, effective _____)

Section 1100.1117 Funding Criteria and Credit Review Process

In addition to the loan application review criteria developed by OSFM (see 41 Ill. Adm. Code 294.160), the credit review process and funding criteria approved by the Authority for this Program are as follows:

- a) The Authority's Chief Financial Officer, or his or her designee, will serve as an ex officio, non-voting member of the OSFM's Loan Application Review Committee for the purpose of reviewing submitted loan documentation to ensure that all documents necessary for the Authority to initiate its credit and due diligence review are present (see 41 Ill. Adm. Code 294.140).
- b) If an applicant is delinquent on a previous loan funded by the Authority, the applicant shall be automatically disqualified from funding under this Program until any loan repayment delinquency has been cured.

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- c) The applicant must demonstrate its ability to meet at least one of the following minimum debt service coverage requirements:
- 1) General fund revenues or specified revenue stream: 1.25x; or
 - 2) State tax intercept revenues: 1.25x; or
 - 3) Direct property levy for the loan: 1.00x.
- d) The applicant must submit supporting documentation for the sources of repayment as follows:
- 1) For general fund or specified revenues, submit a current Board-approved budget that reflects the identified revenue sources and amounts; or
 - 2) For direct property tax levy (i.e., general obligation), submit a copy of the levy and the ordinance authorizing the levy prior to the funding date.
- e) If the applicant's repayment source is property tax receipts, the applicant's average actual property tax collections over the past three fiscal years must exceed 95% of the total possible tax collection.
- f) The applicant must provide a resolution or ordinance approved by the applicant's Board that includes the following approvals:
- 1) Loan Application;
 - 2) Loan Agreement;
 - 3) Sources and amounts of repayment;
 - 4) State tax revenue intercept agreement; and
 - 5) Mortgage on the fire station constructed, rehabilitated, remodeled or expanded, or mortgage on the land acquired for the construction or expansion of a fire station, if required by the Authority.
- g) Each loan must be secured by the applicant's:

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- 1) General funds or, if available, a direct property tax levy or State tax revenue intercept; and
- 2) Possession of a mortgage to the subject real estate, if the Authority, in its sole discretion, decides to accept such a mortgage.

(Source: Added at 39 Ill. Reg. _____, effective _____)

Section 1100.1120 Loan Documents and Servicing

- a) Loan applications approved by OSFM and the Authority will be submitted to the Authority to prepare loan documentation and funding. Subject to the availability of funds, the Authority will prepare the loan documentation, including, without limitation, a Loan Agreement to evidence the loan.
- b) The loan documentation will be provided to the applicant for execution. Upon execution of the loan documentation, subject to the availability of funds, the Authority will execute the loan documentation and cause the loan to be funded.
- c) The Authority will retain the executed loan documents and will service funded loans.
- d) The Authority reserves the right to charge an origination/processing fee of up to \$500 per applicant that receives an approved loan. The amounts shall be deducted from the loan proceeds released upon closing and funding of the loan.

(Source: Added at 39 Ill. Reg. _____, effective _____)

Section 1100.1125 Repayment Procedures

- a) Loans shall be repaid within 25 years.
- b) The rate of interest on loans under the Program will be 0% unless the applicant has one or more investment grade credit ratings (i.e., at or above "Baa3" or "BBB-" or the equivalent) from any nationally recognized municipal credit rating agency.

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- c) For borrowers that do not qualify for a 0% fixed interest rate loan pursuant to subsection (b), the interest rate shall be determined as follows:
- 1) The interest rate will be set each January 1 for loans that are documented and funded during that calendar year;
 - 2) The interest rate will be equivalent to 50% of the mean of the Bond Buyer's 20-Bond General Obligation Index for the 12 month period that ended October 1 of the prior calendar year; and
 - 3) The loans will bear interest on a simple interest basis. The applicable interest rate shall be fixed and remain in effect for the duration of the loan.
- d) Payments on the loan (principal and accrued interest, if any) shall be made on an annual basis in equal installments as provided in the Loan Agreement with the Authority. The Authority will provide invoices to loan recipients on an annual basis. The Authority shall deposit, on not less than an annual basis, the payments received into the Fire Station Revolving Loan Fund for application in accordance with the Act, if required by law.
- e) Loan payments shall be due on November 1 of each year.
- 1) The first payment shall be due as follows:
 - A) If the time period between the loan funding date and the immediately following November 1 is 180 days or more, the first payment shall be due on November 1 immediately following the loan funding date; or
 - B) If the time period between the loan funding date and the immediately following November 1 is less than 180 days, the first payment shall be due on the second November 1 immediately following the loan funding date.
 - 2) After the first payment is made, succeeding payments shall be due on each November 1 until repaid in full.
- f) Payments shall be made payable to the "Illinois Finance Authority – Fire Station Revolving Loan Fund" with payments submitted either by wire transfer, by

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electronic funds transfer (automated clearing house), or by check pursuant to instructions provided in the annual invoice on each loan.

- g) Payments not received within 15 calendar days after the due date shall be assessed a penalty of 5% of the payment due. Nevertheless, the late payment penalty shall be waived whenever the postmark date on an envelope used to submit a payment by check is dated five days or more before the end of the 15 calendar day grace period. Payments remitted via wire transfer shall not be assessed late payment penalty if the wire transfer payment is received before the end of the 15-day grace period.
- h) A recipient may prepay the balance due on the loan in its entirety, without penalty, on any date, provided that the recipient initiates contact with the Authority to obtain the total amount of the principal and accrued interest, if any, due at that time.

(Source: Added at 39 Ill. Reg. _____, effective _____)

Section 1100.1130 Terms and Conditions of Loan Agreement

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

- a) Loan proceeds under this Program shall be used exclusively for the purposes listed in Section 1100.1110 and shall be expended in accordance with the approved application and the recipient's policies and procedures related to those expenditures. In the event that the loan proceeds are not expended in the manner approved, the recipient, upon written notification from the Authority, shall be required to submit, by the next payment due date, payment of the outstanding principal and accrued interest, if any, of the loan.
- b) Loan proceeds shall be obligated no later than 12 months following the loan funding date.
- c) Proof of use of loan proceeds for the funded zero-interest or low-interest loan shall be provided to the Authority and OSFM in writing pursuant to terms specified in the Loan Agreement.
- d) Loan proceeds shall be reflected in the recipient's budget.

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- e) Pursuant to the State tax revenue intercept provisions agreed to by the recipient, if applicable, if a loan payment delinquency or default is not cured within 90 calendar days by payment of the amount owed to the Authority, the Authority shall notify the Office of the Comptroller to deduct the amount owed from any payments by the State to the recipient. OSFM and/or the Authority may avail themselves of all remedies, rights and provisions of law applicable in these circumstances. Failure to exercise any rights or remedies provided by law may not be used as a defense by the recipient in any proceeding brought against it by OSFM or the Authority.

(Source: Added at 39 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Annual Financial Reporting
- 2) Code Citation: 50 Ill. Adm. Code 925
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
925.20	Amendment
925.30	Amendment
925.50	Amendment
925.90	Amendment
925.100	Amendment
925.110	Amendment
925.120	Amendment
925.140	Amendment
925.160	Amendment
925.170	Amendment
- 4) Statutory Authority: Implementing Sections 132.1 through 132.7, 136, 401, and 402 of the Illinois Insurance Code [215 ILCS 5/132.1 through 132.7, 136, 401, and 402], Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3], Section 25 of the Dental Service Plan Act [215 ILCS 110/25] and Section 4003 of the Limited Health Service Organization Act [215 ILCS 130/4003] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- 5) A Complete Description of the Subjects and Issues Involved: Part 925.170 has language that requires foreign HMOs and LHSOs to file a CPA audit. The NAIC Model Rule does not have this language. The proposed amendments will bring Part 925 into agreement with the NAIC model. In addition, housekeeping changes, such as adding the statutory filing requirement for domestic Dental Service Plans and updating references, are being made throughout Part 925.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking, in accordance with 1 Ill. Adm. Code 100.355:
None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes

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- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:
- | | | |
|--|----|--|
| James Rundblom
Deputy General Counsel
Illinois Department of Insurance
320 W. Washington St.
Springfield IL 62767

217/785-8559
fax: 217/524-9033 | or | Susan Anders
Rules Coordinator
Illinois Department of Insurance
320 W. Washington St.
Springfield IL 62767

217/558-0957 |
|--|----|--|
- 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 (a requirement is being removed).
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2014

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

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TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER I: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 925

ANNUAL FINANCIAL REPORTING

Section

925.10	Authority (Repealed)
925.20	Purpose and Scope
925.30	Definitions
925.40	General Requirements Related to Filing and Extensions for Filing of Annual Audited Financial Report and Audit Committee Appointment
925.50	Contents of Annual Audited Financial Report
925.60	Designation of Independent Certified Public Accountant
925.70	Qualifications of Independent Certified Public Accountant
925.80	Consolidated or Combined Audits
925.90	Scope of Audit and Report of Independent Certified Public Accountant
925.100	Notification of Adverse Financial Condition
925.110	Communication of Internal Control Related Matters Noted in an Audit
925.115	Accountant's Letter of Qualifications (Renumbered)
925.120	Accountant's Letter of Qualifications
925.130	Definition, Availability and Maintenance of Independent Certified Public Accountant Workpapers
925.140	Requirements for Audit Committees
925.145	Penalties (Renumbered)
925.150	Conduct of Insurer in Connection with the Preparation of Required Reports and Documents
925.160	Management's Report of Internal Control over Financial Reporting
925.170	Exemptions and Transitions
925.180	Canadian and British Companies
925.190	Penalties
925.200	Severability Provision

925.EXHIBIT A CPA Letter of Representation

AUTHORITY: Implementing Sections 132.1 through 132.7, 136, 401 and 402 of the Illinois Insurance Code [215 ILCS 5/132.1 through 132.7, 136, 401 and 402], and Section 5-3 of the Health Maintenance Organization Act [215 ILCS 125/5-3], Section 25 of the Dental Service Plan

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Act [215 ILCS 110/25] and Section 4003 of the Limited Health Service Organization Act [215 ILCS 130/4003], and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Filed July 9, 1975, effective July 21, 1975; codified at 7 Ill. Reg. 2359; amended at 11 Ill. Reg. 18204, effective October 26, 1987; amended at 19 Ill. Reg. 12229, effective August 14, 1995; amended at 21 Ill. Reg. 1666, effective January 28, 1997; amended at 27 Ill. Reg. 16121, effective October 6, 2003; amended at 33 Ill. Reg. 6974, effective May 11, 2009; recodified from the Department of Financial and Professional Regulation to the Department of Insurance at 38 Ill. Reg. 24064; amended at 39 Ill. Reg. _____, effective _____.

Section 925.20 Purpose and Scope

- a) The purpose of this Part is to improve the ~~Director's~~ Director of the Department of Insurance's surveillance of the financial condition of insurers by requiring:
 - 1) An annual audit of financial statements reporting the financial position and the results of operations of insurers by independent certified public accountants;
 - 2) Communication of Internal Control Related Matters Noted in an Audit; and
 - 3) Management's Report of Internal Control over Financial Reporting.
- b) Foreign or alien insurers filing the audited financial reports in another state, pursuant to that state's requirement for filing of audited financial reports, which has been found by the Director to be substantially similar to the requirements of this Part, are exempt from Sections 925.40 through 925.130 ~~of this Part~~ if:
 - 1) A copy of the audited financial report, Communication of Internal Control Related Matters Noted in an Audit, and Accountant's Letter of Qualifications that are filed with the other state are filed with the Director of the other state in accordance with the filing dates specified in Sections 925.40, 925.110 and 925.120, respectively (Canadian insurers may submit accountants' reports as filed with the Office of the Superintendent of Financial Institutions, Canada).

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- 2) A copy of any Notification of Adverse Financial Condition Report filed with the other state is filed with the Director within the time specified in Section 925.100.
- c) Foreign or alien insurers required to file Management's Report of Internal Control over Financial Reporting in another state are exempt from filing the Report in this State provided the other state has substantially similar reporting requirements and the Report is filed with the Director of the other state within the time specified.
- d) This Part shall not prohibit, preclude or in any way limit the Director ~~of the Department of Insurance~~ from ordering and/or conducting and/or performing examinations of insurers under his or her jurisdiction in the operations, practices, procedures, or other matters, including financial condition and operations of the insurers. Such examinations shall be conducted as currently established and/or performed or to be established and/or performed under the Statutes of the State of Illinois, the Rules of the Illinois Department of Insurance and the practices and procedures of the Illinois Department of Insurance.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 925.30 Definitions

"Accountant" or "independent certified public accountant" means an independent certified public accountant or independent accounting firm in good standing with the American Institute of Certified Public Accountants (AICPA) and all states in which the accountant is licensed to practice. For Canadian and British companies, accountant means a Canadian-chartered or British-chartered accountant.

"Affiliate of, or person affiliated with, a specific person" is a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

"Audit Committee" means a committee (or equivalent body) established by the board of directors of an entity for the purpose of overseeing the accounting and financial reporting processes of an insurer or group of insurers, and audits of financial statements of the insurer or group of insurers. The audit committee of any entity that controls a group of insurers may be deemed to be the audit committee for one or more of these controlled insurers solely for the purposes of this Part at the election of the controlling person. Refer to Section 925.140(e) of

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this Part for exercising this election. If an audit committee is not designated by the insurer, the insurer's entire board of directors shall constitute the audit committee.

"Audited Financial Report" means and includes those items specified in Section 925.50 of this Part.

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

"Dental Service Plan Act" means 215 ILCS 110.

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

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

"Group of Insurers" means those licensed insurers included in the reporting requirements of Article VIII½ of the Code, or a set of insurers as identified by management, for the purpose of assessing the effectiveness of internal control over financial reporting.

"Health Maintenance Organization Act" means 215 ILCS 125.

"~~Indemnification~~" ~~Indemnification~~ means an agreement of indemnity or a release from liability where the intent or effect is to shift or limit in any manner the potential liability of the person or firm for failure to adhere to applicable auditing or professional standards, whether or not resulting in part from known or other misrepresentations made by the insurer or its representatives.

"Independent Board Member" has the same meaning as described in Section 925.140(c) ~~of this Part~~.

"Insurer", for purposes of this Part, means a licensed insurer or accredited reinsurer as defined in Sections 2(f), (g) and (h) and 173.1 of the Code or a Health Maintenance Organization as defined in Section 1-2(9) of the Health Maintenance Organization Act, [Dental Service Plan as defined in Section 4 of the Dental Service Plan Act](#), or a Limited Health Service Organization as defined in Section 1002 of the Limited Health Service Organization Act.

"Internal Control Over Financial Reporting" means a process effected by an entity's board of directors, management and other personnel designed to provide

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reasonable assurance regarding the reliability of the financial statements, i.e., those items specified in Section 925.50(b)(2) through (8) ~~of this Part~~, and includes those policies and procedures that:

Pertain to the maintenance of records that, in reasonable detail, accurately and fairly reflect the transactions and dispositions of assets;

Provide reasonable assurance that transactions are recorded as necessary to permit preparation of the financial statements, i.e., those items specified in Section 925.50(b)(2) through (9) ~~of this Part~~, and that receipts and expenditures are being made only in accordance with authorizations of management and directors; and

Provide reasonable assurance regarding prevention or timely detection of unauthorized acquisition, use or disposition of assets that could have a material effect on the financial statements, i.e., those items specified in Section 925.50(b)(2) through (9) ~~of this Part~~.

"Limited Health Service Organization Act" means 215 ILCS 130.

"SEC" means the United States Securities and Exchange Commission.

"Section 404" means Section 404 of the Sarbanes-Oxley Act of 2002, as codified in 15 USC 7262.

"Section 404 Report" means Management's Report of Internal Control over Financial Reporting as defined by the SEC (17 CFR 240.13a-15(f)) and the related attestation report of the independent certified public accountant as described in Section 925.160.

"SOX Compliant Entity" means an entity that either is required to be compliant with, or voluntarily is compliant with, all of the following provisions of the Sarbanes-Oxley Act of 2002:

the preapproval requirements of 15 USC 78j-1(i);

the audit committee independence requirements of 15 USC 78j-1(m)(3);
and

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the internal control over financial reporting requirements of 17 CFR 229.308.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 925.50 Contents of Annual Audited Financial Report

- a) The annual audited financial report shall report the financial position of the insurer as of the end of the most recent calendar year and the results of its operations, cash flows and changes in capital and surplus for the report year in conformity with statutory accounting practices for preparation of the annual statement as described in Section 136 of the Code, ~~Section 2-7 of the Health Maintenance Organization Act, [215 ILCS 125/2-7] Section 2007 of the Limited Health Service Organization Act, [215 ILCS 130/2007]~~ or as otherwise permitted by the insurance regulatory authority of the insurer's state of domicile.
- b) The annual audited financial report shall include the following:
- 1) Report of the independent certified public accountant.
 - 2) Balance sheet reporting admitted assets, liabilities, capital and surplus or net worth.
 - 3) Statement of operations or statement of revenues and expenses and net worth.
 - 4) Statement of cash flows.
 - 5) Statement of changes in capital and surplus or net worth.
 - 6) Notes to financial statements. These notes shall be those required by the appropriate NAIC Annual Statement Instructions and the NAIC Accounting Practices and Procedures Manual, pursuant to Section 136(4) of the Code, ~~Section 2-7(a) of the Health Maintenance Organization Act and Section 2007(a) of the Limited Health Service Organization Act.~~ The notes shall include a reconciliation with a written description of differences, if any, between the annual audited financial report and the annual statement filed pursuant to Section 136 of the Code, ~~Section 2-7 of the Health Maintenance Organization Act, or Section 2007 of the Limited~~

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~~Health Service Organization Act.~~

- 7) The financial statements included in the annual audited financial report shall be prepared in a format using language and groupings substantially the same as the relevant sections of the annual statement of the insurer filed with the Director and:
- A) The financial statements shall be comparative, presenting the amounts as of December 31 of the current year and the amounts as of the immediately preceding December 31. (However, in the first year in which an insurer is required to file an annual audited financial report, the comparative data may be omitted.)
 - B) Amounts may be rounded to the nearest thousand dollars.
- 8) Supplementary Data and Information. This shall include any additional clarifying information or data which the Director may require to be disclosed.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 925.90 Scope of Audit and Report of Independent Certified Public Accountant

- a) Financial statements furnished pursuant to Section 925.50 of this Part shall be examined by an independent certified public accountant. The audit of the insurer's financial statements shall be conducted in accordance with generally accepted auditing standards. In accordance with ~~AU-CAU~~ Section ~~315~~, Understanding the Entity and Its Environment and Assessing the Risks of Material Misstatement, and AU Section 330, Performing Audit Procedures in Response to Assessed Risks and Evaluating the Audit Evidence Obtained, 319, Consideration of Internal Control in a Financial Statement Audit, AICPA Professional Standards, ~~Volume 1, U.S. Auditing Standards—AICPA, Attestations Standards~~ (as of ~~June 1, 2014~~ July 7, 2007 (no later amendments or editions), by American Institute of Certified Public Accountants, Inc., 1211 Avenue of the Americas, New York NY 10036-8775; website www.aicpa.org) the independent certified public accountant should obtain an understanding of internal control sufficient to plan the audit. To the extent required by ~~AU-C 315 and 330~~ AU 319, for those insurers required to file a Management's Report of Internal Control over Financial Reporting pursuant to Section 925.160 of this Part, the

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independent certified public accountant (as that term is defined in [AU-CAU Section 200, Overall Objectives of the Independent Auditor and the Conduct of an Audit in Accordance With Generally Accepted Auditing Standards](#)~~120, Defining Professional Requirements in Statements on Auditing Standards~~, AICPA Professional Standards, ~~Volume 1, U.S. Auditing Standards—AICPA, Attestations Standards~~ (as of ~~June 1, 2014~~July 7, 2007 (no later amendments or editions), by American Institute of Certified Public Accountants, Inc., 1211 Avenue of the Americas, New York NY 10036-8775; [website www.aicpa.org](http://www.aicpa.org))). Statement on Auditing Standards (SAS) No. 102, Defining Professional Requirements in Statements on Auditing Standards should consider the most recently available report in planning and performing the audit of the statutory financial statements. Consideration should also be given to other procedures illustrated in the Financial Condition Examiners' Handbook promulgated by the National Association of Insurance Commissioners as the independent certified public accountant deems necessary.

- b) Property and casualty insurers shall require the independent certified public accountant to subject the current Schedule P – Part 1 (excluding those amounts related to bulk and incurred but not reported reserves and claims counts) to the auditing procedures applied in the audit of the current statutory financial statements to determine whether Schedule P – Part 1 is fairly stated in all material respects in relation to the basic statutory financial statements taken as a whole. It is expected that the auditing procedures applied by the independent certified public accountant to the claim loss and loss adjustment expense data from which Schedule P – Part 1 is prepared would be applied to activity that occurred in the current calendar year (e.g., tests of payments on claims for all accident years that were paid during the current calendar year).
- c) Life, accident, and health insurers shall require the independent certified public accountant to subject the information included in the Supplemental Schedule of Assets and Liabilities and exhibits of the Schedule to the auditing procedure applied in the audit of the current statutory financial statements to determine whether the information is fairly stated in all material respects in relation to the basic statutory financial statements taken as a whole and agrees to the insurer's annual statement filed with the Department.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 925.100 Notification of Adverse Financial Condition

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- a) The insurer required to furnish the annual audited financial report shall require the independent certified public accountant to report, in writing within 5 business days, to the board of directors or its audit committee, any determination by the independent certified public accountant that the insurer has materially misstated its financial condition as reported to the Director as of the balance sheet date currently under audit, or of any other determination that the insurer does not meet the minimum capital and surplus requirements of the Code and the net worth requirements of the Health Maintenance Organization Act, [Dental Service Plan Act](#), ~~or~~ the Limited Health Service Organization Act, as of that date.
- b) An insurer who has received a report pursuant to subsection (a) shall forward a copy of the report to the Director within 5 business days after receipt of the report and shall provide the independent certified public accountant making the report with evidence of the report being furnished to the Director. If the independent certified public accountant fails to receive the evidence within the required 5 business day period, the independent certified public accountant shall furnish to the Director a copy of the accountant's report within the next 5 business days.
- c) No independent certified public accountant shall be liable in any manner to any person for any statement made in connection with subsections (a) and (b) if the statement is made in good faith in compliance with subsections (a) and (b).
- d) If the accountant, subsequent to the date of the annual audited financial report filed pursuant to this Part, becomes aware of facts that might have affected the accountant's report, the Director notes the obligation of the accountant to take action as prescribed in ~~AU-CAU~~ Section ~~560, Subsequent Events and Subsequently Discovered Facts~~ ~~561, Subsequent Discovery of Facts Existing at the Date of the Auditor's Report~~, AICPA Professional Standards, ~~Volume 1, U.S. Auditing Standards—AICPA, Attestations Standards~~ (as of ~~June 1, 2014~~ ~~July 7, 2007~~ (no later amendments or editions), by American Institute of Certified Public Accountants, Inc., 1211 Avenue of the Americas, New York NY 10036-8775; [website www.aicpa.org](http://www.aicpa.org)).

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 925.110 Communication of Internal Control Related Matters Noted in an Audit

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a) In addition to the annual audited financial report, each insurer shall furnish the Director with a written communication as to any unremediated material weaknesses in its internal control over financial reporting noted during the audit. The communication shall be prepared by the accountant within 60 days after the filing of the annual audited financial report, and shall contain:

- a1) A description of any unremediated material weaknesses (as the term material weakness is defined by ~~AU-CAU~~ Section ~~265325~~, Communicating Internal Control Related Matters Identified in an Audit, AICPA Professional Standards, Volume 1, U.S. Auditing Standards—AICPA, Attestations Standards (as of ~~June 1, 2014~~~~July 7, 2007~~ (no later amendments or editions), by American Institute of Certified Public Accountants, Inc., 1211 Avenue of the Americas, New York NY 10036-8775; ~~website www.aicpa.org~~), Statement on Auditing Standard 60, Communication of Internal Control Related Matters Noted in an Audit) as of December 31 immediately preceding (so as to coincide with the audited financial report discussed in Section 925.40(a) ~~of this Part~~) in the insurer's internal control over financial reporting noted by the accountant during the course of the audit of the financial statements. If no unremediated material weaknesses were noted, the communication should so state.
- b2) The insurer is required to provide a description of remedial actions taken or proposed to correct unremediated material weaknesses, if the actions are not described in the accountant's communication.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 925.120 Accountant's Letter of Qualifications

The accountant shall furnish the insurer, in connection with, and for inclusion in, the filing of the annual audited financial report, a letter stating that:

- a) The accountant is independent with respect to the insurer and conforms to the standards of the profession as contained in the AICPA Code of Conduct and Rules of Professional Ethics and pronouncements (~~September 30, 2014~~~~June 1, 2008~~ (no later amendments or editions), by American Institute of Certified Public Accountants, Inc., 1211 Avenue of the Americas, New York NY 10036-8775; ~~website www.aicpa.org~~) or similar code.
- b) The background and experience in general, and the experience in audits of

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insurers, of the staff assigned to the engagement and whether each is an independent certified public accountant. Nothing within this Part shall be construed as prohibiting the accountant from utilizing such staff as deemed appropriate when that use is consistent with the standards prescribed by generally accepted auditing standards.

- c) The accountant understands the annual audited financial report and the accountant's opinion on that report will be filed in compliance with this Part and that the Director will be relying on this information in the monitoring and regulation of the financial position of insurers.
- d) The accountant consents to the requirements of Section 925.130 ~~of this Part~~ and consents and agrees to make available to the Director, the Director's designee or the Director's appointed agent the workpapers, as defined in Section 925.130, in hard copy or electronic format.
- e) A representation that the accountant is properly licensed by an appropriate state licensing authority and is a member in good standing of the AICPA.
- f) A representation that the accountant is in compliance with the requirements of Section 925.70 ~~of this Part~~.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 925.140 Requirements for Audit Committees

This Section shall not apply to foreign or alien insurers licensed in this State or an insurer that is a SOX Compliant Entity or a direct or indirect wholly-owned subsidiary of a SOX Compliant Entity.

- a) The audit committee shall be directly responsible for the appointment, compensation and oversight of the work of any accountant (including resolution of disagreements between management and the accountant regarding financial reporting) for the purpose of preparing or issuing the audited financial report or related work pursuant to this Part. Each accountant shall report directly to the audit committee.
- b) Each member of the audit committee shall be a member of the board of directors of the insurer or a member of the board of directors of an entity elected pursuant

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to both subsection (e) and the definition of audit committee found in Section 925.30.

- c) In order to be considered independent for purposes of this Section, a member of the audit committee may not, other than in his or her capacity as a member of the audit committee, the board of directors, or any other board committee, accept any consulting, advisory or other compensatory fee from the entity or be an affiliated person of the entity or any subsidiary of the entity. However, if law requires board participation by otherwise non-independent members, that law shall prevail and the members may participate in the audit committee and be designated as independent for audit committee purposes, unless they are officer's or employee's of the insurer or one of its affiliates.
- d) If a member of the audit committee ceases to be independent for reasons outside the member's reasonable control, that person, with notice by the responsible entity to the State, may remain an audit committee member of the responsible entity until the earlier of the next annual meeting of the responsible entity or one year from the occurrence of the event that caused the member to be no longer independent.
- e) To exercise the election of the controlling person to designate the audit committee for purposes of this Part, the ultimate controlling person shall provide written notice to the domiciliary commissioners of the affected insurers. Notification shall be made timely prior to the issuance of the statutory audit report and include a description of the basis for the election. The election can be changed through notice to the Director by the insurer, which shall include a description of the basis for the change. The election shall remain in effect for perpetuity, until rescinded.
- f) Report to Audit Committee
 - 1) The audit committee shall require the accountant that performs for an insurer any audit required by this Part to timely report to the audit committee in accordance with the requirements of AU-C Section 260, The Auditor's Communication With Those Charged With Governance~~380A, Communication With Audit Committees~~, AICPA Professional Standards; ~~Volume 1, U.S. Auditing Standards—AICPA, Attestations Standards~~ (as of ~~June 1, 2014~~July 7, 2007 (no later amendments or editions), by American Institute of Certified Public Accountants, Inc., 1211 Avenue of

DEPARTMENT OF INSURANCE

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the Americas, New York NY 10036-8775; [website www.aicpa.org](http://www.aicpa.org)), including:

- A) All significant accounting policies and material permitted practices;
 - B) All material alternative treatments of financial information within statutory accounting principles that have been discussed with management officials of the insurer, ramifications of the use of the alternative disclosures and treatments, and the treatment preferred by the accountant; and
 - C) Other material written communications between the accountant and the management of the insurer, such as any management letter or schedule of unadjusted differences.
- 2) If an insurer is a member of an insurance holding company system, the reports required by subsection (f)(1) may be provided to the audit committee on an aggregate basis for insurers in the holding company system, provided that any substantial differences among insurers in the system are identified to the audit committee.
- g) The proportion of independent audit committee members shall meet or exceed the following criteria:

Prior Calendar Year Direct Written and Assumed Premiums

\$0 - \$300,000,000	Over \$300,000,000 - \$500,000,000	Over \$500,000,000
No minimum requirements. See also Note A and B.	Majority (50% or more) of members shall be independent. See also Note A and B.	Supermajority of members (75% or more) shall be independent. See also Note A.

Note A: The Director has authority afforded by State law to require the entity's board to enact improvements to the independence of the audit committee membership if the insurer is in a risk based capital (RBC) action level event, as defined in 215 ILCS 5/35A-15, 20, 25 or 30 of the Code, meets one or more of the

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

standards of an insurer deemed to be in hazardous financial condition, or otherwise exhibits qualities of a troubled insurer.

Note B: All insurers with less than \$500,000,000 in prior year direct written and assumed premiums are encouraged to structure their audit committees with at least a supermajority of independent audit committee members.

Note C: Prior calendar year direct written and assumed premiums shall be the combined total of direct premiums and assumed premiums from non-affiliates for the reporting entities.

- h) An insurer with direct written and assumed premium, excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, less than \$500,000,000 may make application to the Director for a waiver from the requirements of this Section based upon hardship. The insurer shall file, with its annual statement filing, the approval for relief from this Section with the states that it is licensed in or doing business in and the NAIC. If the nondomestic state accepts electronic filing with the NAIC, the insurer shall file the approval in an electronic format acceptable to the NAIC.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

Section 925.160 Management's Report of Internal Control over Financial Reporting

- a) Every insurer required to file an audited financial report pursuant to this Part that has annual direct written and assumed premiums, excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, of \$500,000,000 or more shall prepare a report of the insurer's or group of insurers' internal control over financial reporting, as these terms are defined in Section 925.30. The report shall be filed with the Director along with the Communication of Internal Control Related Matters Noted in an Audit described under Section 925.110. Management's Report of Internal Control over Financial Reporting shall be as of December 31 immediately preceding.
- b) Notwithstanding the premium threshold in subsection (a), the Director may require an insurer to file a Management's Report of Internal Control over Financial Reporting if the insurer is in any RBC level event, or meets any one or more of the standards of an insurer deemed to be in hazardous financial condition as referenced in Section 186.1 of the Code.

DEPARTMENT OF INSURANCE

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- c) An insurer or a group of insurers that is directly subject to Section 404, part of a holding company system whose parent is directly subject to Section 404, not directly subject to Section 404 but is a SOX Compliant Entity, or a member of a holding company system whose parent is not directly subject to Section 404 but is a SOX Compliant Entity may file its or its parent's Section 404 Report and an addendum in satisfaction of this requirement, provided that those internal controls of the insurer or group of insurers having a material impact on the preparation of the insurer's or group of insurers' audited statutory financial statements (those items included in Section 925.50(b)(2) through (8)) were included in the scope of the Section 404 Report. The addendum shall be a positive statement by management that there are no material processes with respect to the preparation of the insurer's or group of insurers' audited statutory financial statements (those items included in Section 925.50(b)(2) through (8)) excluded from the Section 404 Report. If there are internal controls of the insurer or group of insurers that have a material impact on the preparation of the insurer's or group of insurers' audited statutory financial statements and those internal controls were not included in the scope of the Section 404 Report, the insurer or group of insurers may file either:
- 1) a Section 925.160 Report; or
 - 2) the Section 404 Report and a Section 925.160 Report for those internal controls that have a material impact on the preparation of the insurer's or group of insurers' audited statutory financial statements not covered by the Section 404 Report.
- d) Management's Report of Internal Control over Financial Reporting shall include:
- 1) A statement that management is responsible for establishing and maintaining adequate internal control over financial reporting;
 - 2) A statement that management has established internal control over financial reporting and an assertion, to the best of management's knowledge and belief, after diligent inquiry, as to whether its internal control over financial reporting is effective to provide reasonable assurance regarding the reliability of financial statements in accordance with statutory accounting principles;

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- 3) A statement that briefly describes the approach or processes by which management evaluated the effectiveness of its internal control over financial reporting;
 - 4) A statement that briefly describes the scope of work that is included and whether any internal controls were excluded;
 - 5) Disclosure of any unremediated material weaknesses in the internal control over financial reporting identified by management as of December 31 immediately preceding. Management is not permitted to conclude that the internal control over financial reporting is effective to provide reasonable assurance regarding the reliability of financial statements in accordance with statutory accounting principles if there is one or more unremediated material weaknesses in its internal control over financial reporting;
 - 6) A statement regarding the inherent limitations of internal control systems; and
 - 7) Signatures of the chief executive officer and the chief financial officer (or equivalent position/title).
- e) Management shall document and make available upon financial condition examination the basis upon which its assertions, required in subsection (d), are made. Management may base its assertions, in part, upon its review, monitoring and testing of internal controls undertaken in the normal course of its activities.
- 1) Management shall have discretion as to the nature of the internal control framework used, and the nature and extent of documentation, in order to make its assertion in a cost effective manner and, as such, may include assembly of or reference to existing documentation.
 - 2) Management's Report of Internal Control over Financial Reporting, required by subsection (a), and any documentation provided in support of that report during the course of a financial condition examination, will be kept confidential by the Department.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

Section 925.170 Exemptions and Transitions

- a) Upon written application of any domestic insurer, the Director may grant an exemption from compliance with any and all provisions of this Part if the Director finds, upon review of the application, that compliance with this Part would constitute a financial or organizational hardship upon the insurer. An exemption may be granted at any time, and from time to time, for a specified period or periods. Within 10 days from a denial of an insurer's written request for an exemption from this Part, the insurer may request in writing a hearing on its application for an exemption. The hearing shall be held in accordance with the rules of the Department pertaining to administrative hearing procedures (50 Ill. Adm. Code 2402).
- ~~b) Foreign and alien insurers, except those insurers licensed under the Health Maintenance Organization Act and the Limited Health Service Organization Act, shall be exempt from this Part unless the Director makes a specific finding that compliance is necessary for the Director to carry out statutory responsibilities.~~
- be) Domestic insurers retaining a certified public accountant who qualifies as independent shall comply with the January 1, 2010 revisions for the year ending December 31, 2010 and each year thereafter, unless the Director permits otherwise.
- c~~d~~) Domestic insurers not retaining a certified public accountant on the effective date of this regulation who qualifies as independent may meet the following schedule for compliance unless the Director permits otherwise.
- 1) As of December 31, 2010, file with the Director an audited financial report.
 - 2) For the year ending December 31, 2010 and each year thereafter, these insurers shall file with the Director all reports and communication required by this Part.
- de) Foreign insurers shall comply with this regulation for the year ending December 31, 2010, and each year thereafter, unless the Director permits otherwise.
- ef) The requirements of Section 925.70(d) ~~of this Part~~ shall be in effect for audits of the year beginning January 1, 2010 and thereafter.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- fg) The requirements of Section 925.140 ~~of this Part~~ are to be in effect January 1, 2010. An insurer or group of insurers that is not required to have independent audit committee members or only a majority of independent audit committee members (as opposed to a supermajority) because the total written and assumed premium is below the threshold, and subsequently becomes subject to one of the independence requirements due to changes in premium, shall have 1 year following the year the threshold is exceeded (but not earlier than January 1, 2010) to comply with the independence requirements. Likewise, an insurer that becomes subject to one of the independence requirements as a result of a business combination shall have one calendar year following the date of acquisition or combination to comply with the independence requirements.
- gh) The requirements of this Section and other modified Sections (925.20, 925.30, 925.40, 925.50, 925.60, 925.70, 925.90, 925.100, 925.110, 925.120, 925.130, 925.150, 925.160 and 925.180) are effective beginning with the reporting period ending December 31, 2010 and each year thereafter. An insurer or group of insurers that is not required to file a report because the total written premium is below the threshold and subsequently becomes subject to the reporting requirements shall have 2 years following the year the threshold is exceeded (but not earlier than December 31, 2010) to file a report. Likewise, an insurer acquired in a business combination shall have 2 calendar years following the date of acquisition or combination to comply with the reporting requirements.

(Source: Amended at 39 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Misrepresentation and False Warranties
- 2) Code Citation: 50 Ill. Adm. Code 941
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
941.10	New Section
941.20	New Section
- 4) Statutory Authority: 215 ILCS 5/154
- 5) A Complete Description of the Subjects and Issues Involved: Section 154 of the Illinois Insurance Code has a provision that is supposed to protect consumers from having a policy voided, defeated or rescinded by an insurance company (for policies not exempt under this provision) unless the insured made a misrepresentation with actual intent to deceive or a misrepresentation that materially affects either the acceptance of the risk or the hazard assumed by the company.

The Department has seen a voluminous number of complaints regarding rescissions based on an alleged misrepresentation or material change in risk where the Department believes the rescission and basis for such rescission is not valid. Due to the volume of consumer complaints, the concern from our regulators, and the significant harm to the consumers and often third parties (for example if they get into an accident with someone whose insurance rescinds the policy), the Department believes it is necessary to clarify via rule that a misrepresentation with actual intent to deceive or material affects the acceptance of the risk or the hazard assumed by the company cannot exist if (1) the consumer did not sign and date the application, because there is no proof the consumer had knowledge of what was in the application, and (2) if the information was available via readily available sources at the time the application was being reviewed by the insurance company and the company chose not to review that information at the time of rate and risk assessment.

- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking, in accordance with 1 Ill. Adm. Code 100.355:
None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED RULES

- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:
- | | | |
|--|----|--|
| Barbara Delano
Assistant General Counsel
Illinois Department of Insurance
122 S. Michigan Ave, 19th Fl
Chicago IL 60603

312/814-0919
Fax: 312/814-2826 | or | Susan Anders
Rules Coordinator
Illinois Department of Insurance
320 W. Washington St.
Springfield IL 62767

217/558-0957 |
|--|----|--|
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate the need for this rulemaking within that timeframe.

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

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED RULES

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER I: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 941

MISREPRESENTATION AND FALSE WARRANTIES

Section

941.10	Applicability
941.20	Misrepresentation

AUTHORITY: Implementing Section 154 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/154 and 401].

SOURCE: Adopted at 39 Ill. Reg. _____, effective _____.

Section 941.10 Applicability

No misrepresentation or false warranty made by the insured or in the insured's behalf in the negotiation for a policy of insurance, or breach of a condition of the policy, shall defeat or avoid the policy or prevent its attaching unless the misrepresentation, false warranty or condition was stated in the policy or endorsement, or in a rider to or in the written application for the policy. No such misrepresentation or false warranty shall defeat or avoid the policy unless it was made with actual intent to deceive or materially affects either the acceptance of the risk or the hazard assumed by the company. With respect to a policy of insurance as defined in Section 143.13(a), (b) or (c) of the Insurance Code, except life, accident and health, fidelity and surety, and ocean marine policies, a policy or policy renewal shall not be rescinded after the policy has been in effect for one year or one policy term, whichever is less. This Section shall not apply to policies of marine or transportation insurance.

Section 941.20 Misrepresentation

- a) Actual intent to deceive or materially affect either the acceptance of the risk or the hazard assumed by the company shall not be deemed to exist and shall not allow a company to defeat, avoid or rescind a policy, if the application for the policy was not signed and dated by the insured.
- b) Actual intent to deceive or materially affect either the acceptance of the risk or the hazard assumed by the company shall not be deemed to exist and shall not allow a

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED RULES

company to defeat, avoid or rescind a policy if the information that was misrepresented or falsely warranted was available and could have been known to the insurance company through verification by the insurance company from readily available sources at the time the policy was issued. Readily available sources include the motor vehicle record maintained by the Illinois Secretary of State and the LexisNexis Comprehensive Loss Underwriting Exchange (C.L.U.E.) Reports.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: IRS Qualification Status Requirements for Article 3 Police Pension Funds
- 2) Code Citation: 50 Ill. Adm. Code 4440
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
4440.30	Amendment
4440.230	New Section
- 4) Statutory Authority: Implementing Section 1A-103 of the Illinois Pension Code [40 ILCS 5/1A-103]
- 5) A Complete Description of the Subjects and Issues Involved: The purpose of the amendments is to meet IRS requirements for retaining qualified status of all Article 3 police pension funds. More specifically the IRS now requires that the pension funds expressly include provisions from the Heroes Earnings Assistance and Relief Tax Act of 2008 (The HEART Act) , Pub. L. No. 110-245, that requires certain tax and pension benefits to service members who are disabled while on active duty for more than 30 days and to their survivors if they die on active duty. Essentially the changes provide that (1) in cases in which participants cannot return to their previous employment due to death or disability that occurred while serving on active duty they or their survivors are entitled to any additional death or disability benefits normally available only to current employees; (2) differential wage payments while performing qualified military service shall be treated as compensation for purposes of applying annual limits on additions; and (3) where the contributions are equal to those of an active employee there will be earned years of service for qualified military service.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking, in accordance with 1 Ill. Adm. Code 100.355:
None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

James Rundblom, Deputy General Counsel or
Department of Insurance
320 West Washington, 4th Floor
Springfield IL 62767-0001

Susan Anders, Rules Coordinator
Department of Insurance
320 West Washington, 4th Floor
Springfield IL 62767-0001

217/785-8559
217/524-9033 fax

217/558-0957

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Municipal police pension funds established under Article 3 of the Illinois Pension Code [40 ILCS 5 /Art. 3].
- B) Reporting, bookkeeping or other procedures required for compliance: Please review all provisions of this Section.
- C) Types of professional skills necessary for compliance: Administrative
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2014

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

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER aaa: PENSIONSPART 4440
IRS QUALIFICATION STATUS REQUIREMENTS FOR
ARTICLE 3 POLICE PENSION FUNDS

SUBPART A: GENERAL PROVISIONS

Section	
4440.10	Purpose
4440.20	Applicability
4440.30	Definitions

SUBPART B: RULE ON ROLLOVERS

Section	
4440.40	General Rule
4440.50	Eligible Rollover Distribution
4440.60	Eligible Retirement Plan
4440.70	Distributee
4440.80	Direct Rollover
4440.85	Involuntary Lump Sum Distributions

SUBPART C: RULE ON REQUIRED DISTRIBUTIONS

Section	
4440.90	General Rule
4440.100	Minimum Required Distributions
4440.110	Incidental Benefit Rule

SUBPART D: RULE ON 415 LIMITATIONS

Section	
4440.120	Basic 415 Limitations
4440.130	Limitation Year
4440.140	Participation in Other Qualified Plans: Aggregation of Limits
4440.150	Basic 415(b) Limitation

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

4440.160	Definition of Annual Benefit
4440.170	Adjustments to Basic 415(b) Limitation for Form of Benefit
4440.180	Benefits Not Taken into Account for 415(b) Limit
4440.190	Other Adjustments in 415(b) Limitation
4440.200	Less than 10 Years of Service Adjustment for 415(b) Limitations
4440.210	\$10,000 Limit
4440.220	Effect of COLA without a Lump Sum Component on 415(b) Testing
4440.230	Effect of COLA with a Lump Sum Component on 415(b) Testing
4440.240	415(c) Limit
4440.250	Service Purchases under IRC 415(n)
4440.260	Modification of Contributions for 415(c) and 415(n) Purposes
4440.270	Repayments of Cashouts
4440.280	Reduction of Benefits Priority

SUBPART E: RULE ON GENERAL COMPLIANCE

Section

4440.290	Compliance with Internal Revenue Code
4440.300	Plan Termination
4440.310	Vesting and Forfeitures
4440.320	HEART Act

AUTHORITY: Implementing Section 1A-103 of the Illinois Pension Code [40 ILCS 5/1A-103].

SOURCE: Adopted at 34 Ill. Reg. 5874, effective April 9, 2010; amended at 38 Ill. Reg. 9507, effective April 16, 2014; amended at 39 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 4440.30 Definitions

"Annual Benefit" means a benefit payable annually in the form of a straight life annuity (with no ancillary benefits) without regard to the benefit attributable to after-tax employee contributions (except pursuant to IRC section 415(n)) and to rollover contributions (as defined in IRC section 415(b)(2)(A)).

"Benefit Attributable" means a benefit determined in accordance with Treasury Regulations (see 26 CFR 1.415(b)(2)(A)).

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

"Department" means the Illinois Department of Insurance.

"HEART Act" means the federal [Heroes Earnings Assistance and Relief Tax Act of 2008 \(Public Law 103-353\)](#).

"Internal Revenue Code" or "IRC" means 26 USC.

"Member" means participant in a police pension fund under Article 3 of the Illinois Pension Code [40 ILCS 5].

"Nonqualified Service Credit" means permissive service credit other than that allowed with respect to:

service (including parental, medical, sabbatical and similar leave) as an employee of the Government of the United States, any state or political subdivision of the United States, or any agency or instrumentality of any of the foregoing (other than military service or service for credit that was obtained as a result of a repayment described in IRC section 415(k)(3));

service (including parental, medical, sabbatical and similar leave) as an employee (other than as an employee described in the preceding paragraph) of an education organization described in IRC section 170(b)(1)(A)(ii) that is a public, private or sectarian school that provides elementary or secondary education (through grade 12), or a comparable level of education, as determined under the applicable law of the jurisdiction in which the service was performed;

service as an employee of an association of employees who are described in the first indented paragraph of this definition; or

military service (other than qualified military service under IRC section 414(u)) recognized by the plan.

"Non-spousal Beneficiary" means minor children, disabled children or dependent parents receiving survivor benefits.

"Pension Code" or "Code" means the [Illinois Pension Code \[40 ILCS 5\]](#).

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

"Pension Fund" means any public pension fund established under Article 3 of the Illinois Pension Code ~~[40 ILCS 5/Art. 3]~~.

"Permissive Service Credit" means service credit:

recognized by the plan for purposes of calculating a member's benefit under the plan;

that the member has not received under the plan; and

that the member may receive only by making a voluntary additional contribution, in an amount determined under the plan, that does not exceed the amount necessary to fund the benefit attributable to the service credit.

"Public Pension Division" means the Public Pension Division of the Illinois Department of Insurance.

"Treasury Regulation" means 26 CFR.

"USERRA" means the federal Uniformed Services Employment and Reemployment Rights Act (38 USC 43) (see Public Law 103-353).

(Source: Amended at 39 Ill. Reg. _____, effective _____)

SUBPART E: RULE ON GENERAL COMPLIANCE

Section 4440.320 HEART Act

The downstate police pension funds will operate in compliance with USERRA, as required by Section 1-118 of the Pension Code, and as amended and expanded by the HEART Act.

- a) Effective with respect to deaths occurring on or after January 1, 2007, while a member is performing qualified military service (as defined in USERRA), to the extent required by IRC section 401(a)(37), survivors of a member in a State or local retirement or pension system are entitled to any additional benefits that the system would provide if the member had resumed employment and then died, such as accelerated vesting or survivor benefits that are contingent on the member's death while employed. In any event, a deceased member's period of qualified military service must be counted for vesting purposes.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- b) Beginning January 1, 2009, to the extent required by IRC sections 3401(h) and 414(u)(12), an individual receiving differential wage payments (while the individual is performing qualified military service (as defined in USERRA)) from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under IRC section 415(c). This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.
- c) Effective with respect to deaths and disabilities occurring on or after January 1, 2007, while a member is performing qualified military service (as defined in USERRA), to the extent permitted by IRC section 414(u)(8), for benefit accrual purposes and, in the case of death, for vesting purposes, the member will be treated as having earned years of service for the period of qualified military service, having returned to employment on the day before the death and/or disability, and then having terminated on the date of death or disability. This provision applies only if the employer and the employee have made contributions equal to those that would have been made had the employee been active during the period of coverage. This provision shall be applied to all similarly situated individuals with respect to an employer in a reasonably equivalent manner.

(Source: Added at 39 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: IRS Qualification Status Requirements for Article 4 Firefighter Pension Funds
- 2) Code Citation: 50 Ill. Adm. Code 4445
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
4445.30	Amendment
4445.320	New Section
- 4) Statutory Authority: Implementing Section 1A-103 of the Illinois Pension Code [40 ILCS 5/1A-103]
- 5) A Complete Description of the Subjects and Issues Involved: The purpose of the amendments is to meet IRS requirements for retaining qualified status of all Article 4 firefighter pension funds. More specifically the IRS now requires that the pension funds expressly include provisions from the Heroes Earnings Assistance and Relief Tax Act of 2008 (The HEART Act), Pub. L. No. 110-245, that requires certain tax and pension benefits to service members who are disabled while on active duty for more than 30 days and to their survivors if they die on active duty. Essentially the changes provide that (1) in cases in which participants cannot return to their previous employment due to death or disability that occurred while serving on active duty they or their survivors are entitled to any additional death or disability benefits normally available only to current employees; (2) differential wage payments while performing qualified military service shall be treated as compensation for purposes of applying annual limits on additions; and (3) where the contributions are equal to those of an active employee there will be earned years of service for qualified military service.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking, in accordance with 1 Ill. Adm. Code 100.355:
None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

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

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

James Rundblom, Deputy General Counsel or
Department of Insurance
320 West Washington, 4th Floor
Springfield IL 62767-0001

Susan Anders, Rules Coordinator
Department of Insurance
320 West Washington, 4th Floor
Springfield IL 62767-0001

217/785-8559
217/524-9033 fax

217/558-0957

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: Municipal firefighters pension funds established under Article 4 of the Illinois Pension Code [40 ILCS 5 /Art. 4]

B) Reporting, bookkeeping or other procedures required for compliance: Please review all provisions of this Section.

C) Types of professional skills necessary for compliance: Administrative

14) Regulatory Agenda on which this rulemaking was summarized: July 2014

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

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER aaa: PENSIONSPART 4445
IRS QUALIFICATION STATUS REQUIREMENTS FOR
ARTICLE 4 FIREFIGHTER PENSION FUNDS

SUBPART A: GENERAL PROVISIONS

Section	
4445.10	Purpose
4445.20	Applicability
4445.30	Definitions

SUBPART B: RULE ON ROLLOVERS

Section	
4445.40	General Rule
4445.50	Eligible Rollover Distribution
4445.60	Eligible Retirement Plan
4445.70	Distributee
4445.80	Direct Rollover

SUBPART C: RULE ON REQUIRED DISTRIBUTIONS

Section	
4445.90	General Rule
4445.100	Minimum Required Distributions
4445.110	Incidental Benefit Rule

SUBPART D: RULE ON 415 LIMITATIONS

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4445.120	Basic 415 Limitations
4445.130	Limitation Year
4445.140	Participation in Other Qualified Plans: Aggregation of Limits
4445.150	Basic 415(b) Limitation
4445.160	Definition of Annual Benefit

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4445.170	Adjustments to Basic 415(b) Limitation for Form of Benefit
4445.180	Benefits Not Taken into Account for 415(b) Limit
4445.190	Other Adjustments in 415(b) Limitation
4445.200	Less than 10 Years of Service Adjustment for 415(b) Limitations
4445.210	\$10,000 Limit
4445.220	Effect of COLA without a Lump Sum Component on 415(b) Testing
4445.230	Effect of COLA with a Lump Sum Component on 415(b) Testing
4445.240	415(c) Limit
4445.250	Service Purchases under IRC 415(n)
4445.260	Modification of Contributions for 415(c) and 415(n) Purposes
4445.270	Repayments of Cashouts
4445.280	Reduction of Benefits Priority

SUBPART E: RULE ON GENERAL COMPLIANCE

Section

4445.290	Compliance with Internal Revenue Code
4445.300	Plan Termination
4445.310	Vesting and Forfeitures
4445.320	HEART Act

AUTHORITY: Implementing Section 1A-103 of the Illinois Pension Code [40 ILCS 5/1A-103].

SOURCE: Adopted at 34 Ill. Reg. 5898, effective April 9, 2010; amended at 38 Ill. Reg. 9514, effective April 16, 2014; amended at 39 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 4445.30 Definitions

"Annual Benefit" means a benefit payable annually in the form of a straight life annuity (with no ancillary benefits) without regard to the benefit attributable to after-tax employee contributions (except pursuant to IRC section 415(n)) and to rollover contributions (as defined in IRC section 415(b)(2)(A)).

"Benefit Attributable" means a benefit determined in accordance with Treasury Regulations (see 26 CFR 1.415(b)(2)(A)).

"Department" means the Illinois Department of Insurance.

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"HEART Act" means the federal Heroes Earnings Assistance and Relief Tax Act of 2008 (Public Law 103-353).

"Internal Revenue Code" or "IRC" means 26 USC.

"Member" means participant in a firefighter pension fund under Article 4 of the Illinois Pension Code [40 ILCS 5].

"Nonqualified Service Credit" means permissive service credit other than that allowed with respect to:

service (including parental, medical, sabbatical and similar leave) as an employee of the Government of the United States, any state or political subdivision of the United States, or any agency or instrumentality of any of the foregoing (other than military service or service for credit that was obtained as a result of a repayment described in IRC section 415(k)(3));

service (including parental, medical, sabbatical and similar leave) as an employee (other than as an employee described in the preceding paragraph) of an education organization described in IRC section 170(b)(1)(A)(ii) that is a public, private or sectarian school that provides elementary or secondary education (through grade 12), or a comparable level of education, as determined under the applicable law of the jurisdiction in which the service was performed;

service as an employee of an association of employees who are described in the first indented paragraph of this definition; or

military service (other than qualified military service under IRC section 414(u)) recognized by the plan.

"Non-spousal Beneficiary" means minor children, disabled children or dependent parents receiving survivor benefits.

"Pension Code" or "Code" means the Illinois Pension Code [40 ILCS 5].

"Pension Fund" means any public pension fund established under Article 4 of the Illinois Pension Code ~~[40 ILCS 5/Art. 4].~~

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"Permissive Service Credit" means service credit:

recognized by the plan for purposes of calculating a member's benefit under the plan;

that the member has not received under the plan; and

that the member may receive only by making a voluntary additional contribution, in an amount determined under the plan, that does not exceed the amount necessary to fund the benefit attributable to the service credit.

"Public Pension Division" means the Public Pension Division of the [Illinois Department of Insurance](#).

"Treasury Regulation" means 26 CFR.

"USERRA" means the federal [Uniformed Services Employment and Reemployment Rights Act \(38 USC 43\)](#) (see [Public Law 103-353](#)).

(Source: Amended at 39 Ill. Reg. _____, effective _____)

SUBPART E: RULE ON GENERAL COMPLIANCE

Section 4445.320 HEART Act

The downstate firefighters' pension funds will operate in compliance with USERRA, as required by Section 1-118 of the Pension Code, and as amended and expanded by the HEART Act.

- a) Effective with respect to deaths occurring on or after January 1, 2007, while a member is performing qualified military service (as defined in USERRA), to the extent required by IRC section 401(a)(37), survivors of a member in a State or local retirement or pension system are entitled to any additional benefits that the system would provide if the member had resumed employment and then died, such as accelerated vesting or survivor benefits that are contingent on the member's death while employed. In any event, a deceased member's period of qualified military service must be counted for vesting purposes.

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- b) Beginning January 1, 2009, to the extent required by IRC sections 3401(h) and 414(u)(12), an individual receiving differential wage payments (while the individual is performing qualified military service (as defined in USERRA)) from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under IRC section 415(c). This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.
- c) Effective with respect to deaths and disabilities occurring on or after January 1, 2007, while a member is performing qualified military service (as defined in USERRA), to the extent permitted by IRC section 414(u)(8), for benefit accrual purposes and, in the case of death, for vesting purposes, the member will be treated as having earned years of service for the period of qualified military service, having returned to employment on the day before the death and/or disability, and then having terminated on the date of death or disability. This provision applies only if the employer and the employee have made contributions equal to those that would have been made had the employee been active during the period of coverage. This provision shall be applied to all similarly situated individuals with respect to an employer in a reasonably equivalent manner.

(Source: Added at 39 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Health Maintenance Organization
- 2) Code Citation: 50 Ill. Adm. Code 5421
- 3) Section Number: 5421.110 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Section 5-7 of the Health Maintenance Organization Act [215 ILCS 125/ 5-7]
- 5) A Complete Description of the Subjects and Issues Involved: Coordination of Benefits (COB) provisions in health insurance policies concern persons who are covered by more than one health insurance policy. In such instances, COB establishes a method by which two or more carriers can allocate their respective benefits so that the total benefits paid by the policies do not exceed the expenses incurred by the insured. Section 125/5-7 of the HMO Act allows the Director to promulgate reasonable rules to establish coordination of benefits. The rulemaking will make the existing COB provisions in Part 2009 applicable to both group and individual HMO health care plans.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking in accordance with 1 Ill. Adm. Code 100.355:
None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

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TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER kkk: HEALTH CARE SERVICE PLANSPART 5421
HEALTH MAINTENANCE ORGANIZATION

Section	
5421.10	Scope
5421.20	Definitions
5421.30	Valuation of Investments
5421.40	Grievance Procedure
5421.50	Contracts, Administrative Arrangements and Material Modifications
5421.60	Rates
5421.70	Subordinated Indebtedness
5421.80	Financial Reporting
5421.90	Conflict of Interest and Required Disclosure
5421.100	Solicitation
5421.110	Requirements for Group Contracts, Evidences of Coverage and Individual Contracts
5421.111	Cancellation
5421.112	Form Filing Requirements
5421.113	Point of Service Plan Requirements
5421.120	Internal Security Standards and Fidelity Bonds
5421.130	Basic Health Care Services
5421.131	Basic Outpatient Preventive and Primary Health Care Services for Children
5421.132	Required Coverage for Reconstructive Surgery Following Mastectomies
5421.140	General Provisions
5421.141	HMO Producer Licensing Requirements
5421.142	Limited Insurance Representative Requirements – Public Aid and Medicare Enrollers
5421.150	Severability
5421.160	Effective Date (Repealed)

AUTHORITY: Implementing and authorized by Sections 4-6.1, 4-17, 5-2 and 5-7 of the Health Maintenance Organization Act [215 ILCS 125/4-6.1, 4-17, 5-2 and 5-7]; 42 USC 300gg-22; and 45 CFR 150.101(b)(2) and 150.201.

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SOURCE: Filed June 16, 1976, effective July 1, 1976; codified at 7 Ill. Reg. 3016; amended at 15 Ill. Reg. 199, effective December 28, 1990; amended at 20 Ill. Reg. 10639, effective July 25, 1996; recodified at 21 Ill. Reg. 1729; emergency amendment at 21 Ill. Reg. 15262, effective November 18, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 6671, effective March 31, 1998; amended at 23 Ill. Reg. 5690, effective May 3, 1999; emergency amendment at 26 Ill. Reg. 5146, effective March 25, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13088, effective August 19, 2002; amended at 28 Ill. Reg. 14412, effective October 19, 2004; amended at 30 Ill. Reg. 4732, effective March 2, 2006; amended at 37 Ill. Reg. 14032, effective August 26, 2013; amended at 38 Ill. Reg. 2272, effective January 2, 2014; amended at 38 Ill. Reg. 23437, effective November 25, 2014; amended at 39 Ill. Reg. _____, effective _____.

Section 5421.110 Requirements for Group Contracts, Evidences of Coverage and Individual Contracts

- a) Any group contract, evidence of coverage, individual contract, enrollee handbook, enrollment application, identification card or other form that affects the terms and conditions applicable to the subscriber or enrollee in the provision of health care services must be filed with and approved by the Director prior to use in accordance with the requirements of Section 5421.112 and Section 4-13 of the Act. The HMO shall issue to each subscriber or enrollee a group contract, evidence of coverage, or individual contract. Any conflicting information between the valid current document referenced in this subsection issued to the subscriber or enrollee and the current group contract shall be interpreted according to whichever is most beneficial to the subscriber or enrollee. Any group contract, evidence of coverage, or individual contract shall provide for the rendering of health care services as defined in that document for either a specific period of not less than 12 months from the date of issuance or for another period mutually agreed to by the HMO and the group or individual contractholder; and shall provide for renewal on a basis mutually agreed to by both parties, unless the HMO has given 31 days written notice of nonrenewal prior to the renewal date of the contract.
- b) A detailed statement of any exceptions, exclusions or limitations shall be set forth in the group contract, evidence of coverage, and individual contract for any type of health care service to be excepted. Exception, exclusions or limitations shall appear with the same prominence in the group contract, evidence of coverage and individual contract as any benefit.

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- c) The group contract, evidence of coverage, and individual contract shall set forth a detailed statement of the terms and conditions of maternity benefits and any related exceptions, exclusions, limitations, copayments and deductibles. Exceptions, exclusions, limitations, copayments and deductibles applicable to prenatal and post-natal care shall be covered no differently than any other covered health care services provided pursuant to the contract, with the exception of a limitation for coverage of routine prenatal care or delivery when the enrollee is outside the service area against medical advice, except when the enrollee is outside of the service area due to circumstances beyond her control, may be included in the group contract and evidence of coverage.
- d) Entire Contract. The group contract, evidence of coverage and individual contract shall contain a statement that the group contract evidence of coverage and individual contract, all applications, and any amendments shall constitute the entire agreement between the parties. No portion of the charter, by-laws or other document of the HMO shall be part of a contract or evidence of coverage unless set forth in full in the document or attached to it.
- e) Eligibility Requirements. The group contract, evidence of coverage and individual contract shall contain eligibility requirements indicating the conditions that must be met to enroll in a health care plan, the limiting age for enrollees and eligible dependents including the effects of Medicare eligibility, and a clear statement regarding coverage of newborn children as set forth in Sections 4-8 and 4-9 of the Act.
- f) Benefits and Services Within the Service Area. The group contract, evidence of coverage and individual contract shall contain a specific description of benefits and services available within the HMO's designated service area.
- g) Emergency Care Services. The group contract, evidence of coverage and individual contract shall contain a specific description of benefits and services available for emergencies 24-hours a day, 7 days a week, including disclosure of any restrictions on emergency care services. No group contract, evidence of coverage or individual contract shall limit the coverage of emergency services within the service area to those providers having a contract with the HMO.
- h) Out of Area Benefits and Services. The group contract, evidence of coverage and individual contract shall contain a specific description of benefits and services available out of the HMO's designated service area.

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- i) Deductibles and Copayments
 - 1) An HMO may require deductibles and copayments of enrollees as a condition for the receipt of specific health care services, including basic health care services. Deductibles and copayments shall be the only allowable charge, other than premiums, assessed enrollees. Nothing within this subsection (i) shall preclude the provider from charging reasonable administrative fees, such as service fees for checks returned for non-sufficient funds and missed appointments.
 - 2) Copayments and deductibles appearing in the policy shall be for specific dollar amounts or for specific percentages of the cost of the health care services.
 - 3) No combination of deductibles and copayments for basic health care services may exceed the annual maximum out-of-pocket expenses of a high deductible health plan as defined in 26 USC 223.
 - 4) Deductibles and copayments applicable to supplemental health care services or catastrophic-only plans as defined under the federal Affordable Care Act, are not subject to the annual limitations described in this Section.
 - 5) This subsection (i) applies to enrollees and does not limit the health care plan payment for services provided by non-participating providers.
- j) Cancellation. The group contract, evidence of coverage, and individual contract shall contain the conditions upon which cancellation may be effected by the HMO or the enrollee as set forth in Section 5421.111.
- k) Reinstatement. The group contract, evidence of coverage, and individual contract shall contain the conditions of the enrollee's right to reinstatement.
- l) Grace Period
 - 1) A group contract or individual contract not involving the use of a premium tax credit shall provide for a grace period for the payment of any premium, except the first, during which coverage shall remain in effect if payment is

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made during the grace period. The grace period for a group contract shall not be less than 10 days. The grace period for an individual contract shall not be less than 31 days. During the grace period, the HMO shall remain liable for providing the services and benefits contracted for; the subscriber shall remain liable for the payment of the premium for the time coverage was in effect during the grace period and the enrollee shall remain liable for the payment of any applicable share of the premium, for the time coverage was in effect, as well as for any copayments owed.

- 2) Termination of coverage for individuals receiving advance payments of premium tax credits shall comply with the requirements of 45 CFR 155 and 45 CFR 156.270 (2013).
- m) No group contract, or evidence of coverage, or individual contract may be delivered in this State unless the subscriber and/or enrollee is provided written notice required by Section 143c of the Illinois Insurance Code [215 ILCS 5/143c].
- n) Right to Examine Contract. An individual contract, with the exception of an HMO Medicare contract entered into between the Health Care Financing Administration and the HMO under Title XVIII of the Social Security Act, as amended from time to time, shall contain a provision stating that an enrollee who has entered into an agreement with an HMO shall be permitted to return the individual contract within ten days after receiving it and to receive a refund of the premium paid if the enrollee is not satisfied with the contract for any reason. If the individual contract is returned to the HMO or to its representative through whom it was purchased, it is considered void from the beginning. However, if services are rendered or claims are paid for the enrollee or dependent by the HMO during the 10 day examination period, the enrollee shall not be permitted to return the contract and receive a refund of the premium paid.
- o) An HMO Medicare contract entered into between the Health Care Financing Administration and the HMO under Title XVIII of the Social Security Act, as amended from time to time, shall be delivered to the enrollee at least 15 days prior to the effective date of the contract. The enrollee shall be permitted to return the HMO Medicare contract prior to the effective date and to receive a refund of the premium paid if the enrollee is not satisfied with the contract for any reason, provided the enrollee complies with the disenrollment procedures of Title XVIII of the Social Security Act, as amended from time to time.

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- p) Every HMO will provide to every enrollee of the HMO information that generally describes the philosophy, functions and organization of the HMO and related institutions, and specific information that describes the appropriate use of the HMO's services, including a general description of benefits and limitations. The HMO shall include in its enrollee information a description of the HMO's grievance procedure, directions for filing a grievance, and a Notice of Availability of the Department.
- q) Every HMO shall provide enrollees with an identification card that must prominently display the following information:
- 1) the words "Health Maintenance Organization" or "HMO";
 - 2) disclaimer language concerning an enrollee's unauthorized use of providers not selected by the HMO;
 - 3) a current telephone number for the enrollees to use when health care services are required outside of normal office hours; and
 - 4) the name of all enrollees entitled to coverage, along with all other mandated information, if the HMO does not issue a card to each enrollee who is entitled to coverage. In these situations, at least two cards must be issued to the primary enrollee upon enrollment and the HMO must issue additional cards to all enrollees at the request of the enrollee for no additional charge. Notification of the right to order additional cards for no additional charge must be included with information required to be disseminated to enrollees under subsection (p).
- r) Enrollment Application. No individual contract shall be issued except upon the signed enrollment application of the enrollee for whom coverage is being sought. Any information or statement of the applicant shall appear on the application in the form of interrogatories by the HMO and answers by the applicant. The enrollee shall not be bound by any statement made within an application for health care coverage unless a copy of the application is attached to the individual contract. Group enrollment applications must be maintained on file by the HMO; otherwise, disputes arising from statements made within the applications will be resolved in the enrollee's favor. Except for those instances involving fraud or material misrepresentation, an HMO's failure to investigate incomplete or conflicting answers on an enrollment application shall estop the HMO from

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subsequently denying coverage on the basis of those responses.

- s) Coordination of Benefits
- 1) HMOs are permitted, but not required, to adopt coordination of benefits provisions [for group contracts, evidence of coverage, or individual contracts](#) to avoid overinsurance and to provide for the orderly payment of claims when a person is covered by two or more group health insurance or health care plans.
 - 2) If an HMO adopts coordination of benefits, the provision must be consistent with the coordination of benefits requirements set forth in 50 Ill. Adm. Code 2009.
 - 3) To the extent necessary for an HMO to meet its obligations as a secondary carrier under 50 Ill. Adm. Code 2009, and [whenwhere](#) an enrollee has established a credit within the reserve bank, the HMO shall make payments for services that are:
 - A) received from non-participating providers;
 - B) provided outside its services areas; or
 - C) not covered under the terms of health care plan.
- t) Dependents-termination of coverage-disability and dependency, proof-application. Every group contract, evidence of coverage, or individual contract that provides that coverage of a dependent person of an enrollee shall terminate upon attainment of the limiting age for dependent persons shall comply with the requirements of Section 4-9.1 of the Act.
- u) Conversion of Coverage
- 1) The group contract and evidence of coverage shall contain a conversion provision that provides that each enrollee has the right to convert coverage to an individual or group HMO contract in the following circumstances:
 - A) upon cancellation of eligibility for coverage under a group contract;

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- B) upon cancellation of the group contract; or
 - C) upon non-renewal of the group contract.
- 2) The conversion contract shall cover the enrollee and his/her eligible dependents who were covered by the group contract on the date of cancellation or non-renewal of coverage. To obtain the conversion contract, an enrollee shall submit a written application and the application premium payment within 31 days after the date the enrollee's coverage is cancelled.
- 3) The HMO may require copayments and deductibles under a conversion contract that differ from the group contract.
- 4) A conversion contract shall not be required to be made available if:
- A) The cancellation of the enrollee's coverage occurred for any of the reasons listed in Section 5421.111(a);
 - B) The enrollee is covered by or is eligible for benefits under Title XVIII of the United States Social Security Act;
 - C) The enrollee is covered by similar hospital, medical, or surgical benefits under State or federal law;
 - D) The enrollee is covered by similar hospital, medical, or surgical benefits under any arrangement of coverage for individuals in a group whether on an insured or uninsured basis;
 - E) The enrollee is covered for similar benefits through individual coverage;
 - F) The enrollee has not been continuously covered during the three-month period immediately preceding cancellation of that person's coverage;
 - G) The enrollee has moved outside of the service area of the health maintenance organization;

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- H) The cancellation of the enrollee's coverage occurred in relation to the HMO being placed in rehabilitation or liquidation proceedings pursuant to Section 5-6 of the Act; or
 - I) The group contract has been discontinued in its entirety and there is a succeeding carrier providing coverage to the group in its entirety.
- 5) Benefits or coverage shall be considered "similar" if coverage is provided for at least 12 months under comprehensive type medical coverage.
 - 6) The conversion contract shall provide as a minimum to its enrollees basic health care services.
 - 7) The conversion contract shall begin coverage of the enrollee and any dependents formerly covered under the group contract on the date of termination from the group or the former individual contract.
 - 8) Coverage shall be provided without requiring evidence of insurability and shall not impose any pre-existing condition limitations or exclusions.
 - 9) Prior to the issuance of a conversion contract, the enrollee must be notified in writing that the election of any conversion contract will terminate the individual's federal eligibility for coverage under the Illinois Comprehensive Health Insurance Plan.
- v) Discrimination between individuals of the same class in the terms and conditions of the health care plan, or in the amount charged for coverage under a health care plan except when the rate differential is based on sound actuarial principles, or in any other manner whatsoever is prohibited.
 - w) **Grievance Procedure**
The group contract, evidence of coverage, and individual contract shall set forth a full description of the HMO grievance procedure required by Section 5421.40.
 - x) The provisions of 50 Ill. Adm. Code 2001, Subparts A and C, shall apply to this Part.

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NOTICE OF PROPOSED AMENDMENT

(Source: Amended at 39 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Adopted Action:</u>
310.47	Amendment
310.260	Amendment
310.410	Amendment
- 4) 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)]
- 5) Effective Date of Rule: December 9, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection. Copies of all Pay Plan amendments and collective bargaining contracts are available upon request from the Division of Technical Services and Agency Training and Development.
- 9) Notices of Proposed published in the *Illinois Register*: 38 Ill. Reg. 17823; August 29, 2014
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Since the First Notice, the changes are based on intervening rulemakings, correcting a grammatical error, and meeting JCAR standards, SOS needs and CMS recommendations. The changes are:

In the main source notes, the reference for the peremptory amendment at 38 Ill. Reg. 15739 is corrected to the standard, the page number for the adopted proposed amendments effective August 6, 2014 is added, intervening rulemaking references are updated and the length of blank spaces are extended to meet the Secretary of State needs.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

In Section 310.47, blank rows are added or removed for easier reading, the second word in hyphenated words is capitalized, a dash is shortened for visual continuity and two titles' information is added based on prior rulemaking.

In Section 310.410, three titles' information is added based on prior rulemaking.

Since the First Notice Changes, the Main Source Notes are changed since the publication of recent rulemakings provides additional page numbers and effective dates.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: In Section 310.47, the in-hire rate for the Civil Engineer Trainee title for a candidate who has a job-related Master's degree is changed to that in effect January 1, 2012, in order to correct a previous error.

In Section 310.260, the MS- salary range assigned to the Civil Engineer Trainee title is changed to match that in Section 310.410.

In Section 310.410, the Economic Associate, Research Economist, Sign Hanger and Sign Hanger Foreman titles are added with their title codes and MS- salary range assignments. The Economic Associate and Research Economist titles were established effective July 1, 2014 as approved by the Civil Service Commission. The Sign Hanger and Sign Hanger Foreman titles bargaining unit pay grades were assigned based on a Memorandum of Understanding (MOU) signed June 30, 2014 so that the MS- salary range assignments are possible. The Research Economist I title is removed from Section 310.410. The Research Economist I title was abolished effective July 1, 2014 as approved by the Civil Service Commission.

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

Mr. Jason Doggett
Manager
Compensation Section
Division of Technical Services and Agency Training and Development

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Bureau of Personnel
Department of Central Management Services
504 William G. Stratton Building
Springfield IL 62706

217/782-7964
217/524-4570 (fax)
CMS.PayPlan@Illinois.gov

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

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED 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-Hire 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
310.270	Legislated Rate
310.280	Designated Rate

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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 Equivalents
310.530	Implementation
310.540	Annual Merit Increase and Bonus Guidechart
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

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

Section	
310.600	Jurisdiction (Repealed)
310.610	Pay Schedules (Repealed)
310.620	In-Hiring Rate (Repealed)
310.630	Definitions (Repealed)

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- 310.640 Increases in Pay (Repealed)
310.650 Other Pay Provisions (Repealed)
310.660 Effective Date (Repealed)
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- 310.APPENDIX A Negotiated Rates of Pay
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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 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)
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310.TABLE L RC-008 (Boilermakers)
310.TABLE M RC-110 (Conservation Police Lodge)
310.TABLE N RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q RC-033 (Meat Inspectors, IFPE)
310.TABLE R RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S VR-704 (Departments of Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)
310.TABLE T HR-010 (Teachers of Deaf, IFT)
310.TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V CU-500 (Corrections Meet and Confer Employees)
310.TABLE W RC-062 (Technical Employees, AFSCME)

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310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators and Educator Trainees, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Departments of Central Management Services, Natural Resources and Transportation, Teamsters)
310.TABLE AB	RC-150 (Public Service Administrators Option 6, AFSCME) (Repealed)
310.TABLE AC	RC-036 (Public Service Administrators Option 8L Department of Healthcare and Family Services, INA)
310.TABLE AD	RC-184 (Blasting Experts, Blasting Specialists and Blasting Supervisors Department of Natural Resources, SEIU Local 73)
310.TABLE AE	RC-090 (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294)
310.APPENDIX B	Frozen Negotiated-Rates-of-Pay (Repealed)
310.TABLE A	Frozen RC-104-Rates-of-Pay (Conservation Police Supervisors, Laborers' – ISEA Local #2002) (Repealed)
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 Managers, IFPE) (Repealed)
310.TABLE H	Frozen RC-006-Rates-of-Pay (Corrections Employees, AFSCME) (Repealed)
310.TABLE I	Frozen RC-009-Rates-of-Pay (Institutional Employees, AFSCME) (Repealed)
310.TABLE J	Frozen RC-014-Rates-of-Pay (Clerical Employees, AFSCME) (Repealed)
310.TABLE K	Frozen RC-023-Rates-of-Pay (Registered Nurses, INA) (Repealed)
310.TABLE M	Frozen RC-110-Rates-of-Pay (Conservation Police Lodge) (Repealed)
310.TABLE N	Frozen RC-010 (Professional Legal Unit, AFSCME) (Repealed)
310.TABLE O	Frozen RC-028-Rates-of-Pay (Paraprofessional Human Services Employees, AFSCME) (Repealed)
310.TABLE P	Frozen RC-029-Rates-of-Pay (Paraprofessional Investigatory and Law Enforcement Employees, IFPE) (Repealed)
310.TABLE R	Frozen RC-042-Rates-of-Pay (Residual Maintenance Workers, AFSCME) (Repealed)
310.TABLE S	Frozen VR-704-Rates-of-Pay (Departments of Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002) (Repealed)

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310.TABLE T	Frozen HR-010-Rates-of-Pay (Teachers of Deaf, IFT) (Repealed)
310.TABLE V	Frozen CU-500-Rates-of-Pay (Corrections Meet and Confer Employees) (Repealed)
310.TABLE W	Frozen RC-062-Rates-of-Pay (Technical Employees, AFSCME) (Repealed)
310.TABLE X	Frozen RC-063-Rates-of-Pay (Professional Employees, AFSCME) (Repealed)
310.TABLE Y	Frozen RC-063-Rates-of-Pay (Educators and Educator Trainees, AFSCME) (Repealed)
310.TABLE Z	Frozen RC-063-Rates-of-Pay (Physicians, AFSCME) (Repealed)
310.TABLE AB	Frozen RC-150-Rates-of-Pay (Public Service Administrators Option 6, AFSCME) (Repealed)
310.TABLE AD	Frozen RC-184-Rates-of-Pay (Public Service Administrators Option 8X Department of Natural Resources, SEIU Local 73) (Repealed)
310.TABLE AE	Frozen RC-090-Rates-of-Pay (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294) (Repealed)
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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;

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emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; 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

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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; 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.

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

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

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

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

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13, 2007; preemptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; preemptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; preemptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; preemptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; preemptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; preemptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; preemptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; preemptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; preemptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; preemptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; preemptory amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; preemptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; preemptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; preemptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; preemptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; 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,

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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 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; preemptory amendment at 37 Ill. Reg. 3408, effective March 7, 2013; amended at 37 Ill. Reg. 4750, effective April 1, 2013; preemptory amendment at 37 Ill. Reg. 5925, effective April 18, 2013; preemptory amendment at 37 Ill. Reg. 9563, effective June 19, 2013; amended at 37 Ill. Reg. 9939, effective July 1, 2013; emergency amendment at 37 Ill. Reg. 11395, effective July 1, 2013, for a maximum of 150 days; preemptory amendment at 37 Ill. Reg. 11524, effective July 3, 2013; preemptory amendment at 37 Ill. Reg. 12588, effective July 19, 2013; preemptory amendment at 37 Ill. Reg. 13762, effective August 8, 2013; preemptory amendment at 37 Ill. Reg. 14219, effective August 23, 2013; amended at 37 Ill. Reg. 16925, effective October 8, 2013; preemptory amendment at 37 Ill. Reg. 17164, effective October 18, 2013; preemptory amendment at 37 Ill. Reg. 20410, effective December 6, 2013; preemptory amendment at 38 Ill. Reg. 2974, effective January 9, 2014; amended at 38 Ill. Reg. 5250, effective February 4, 2014; preemptory amendment at 38 Ill. Reg. 6725, effective March 6, 2014; emergency amendment at 38 Ill. Reg. 9080, effective April 11, 2014, for a maximum of 150 days; preemptory amendment at 38 Ill. Reg. 9136, effective April 11, 2014; amended at 38 Ill. Reg. 9207, effective April 21, 2014; preemptory amendment at 38

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Ill. Reg. 13416, effective June 11, 2014; amended at 38 Ill. Reg. 14818, effective July 1, 2014; preemptory amendment at 38 Ill. Reg. 15739, effective July 2, 2014; preemptory amendment at 38 Ill. Reg. 17481, effective July 29, 2014; amended at 38 Ill. Reg. 17556, effective August 6, 2014; preemptory amendment at 38 Ill. Reg. 18791, effective August 26, 2014; preemptory amendment at 38 Ill. Reg. 19806, effective September 26, 2014; amended at 38 Ill. Reg. 20695, effective October 14, 2014; amended at 38 Ill. Reg. 24005, effective December 9, 2014.

SUBPART A: NARRATIVE

Section 310.47 In-Hire Rate

- a) Use – No employee in a position in which the position and/or the employee meet the criteria of an in-hire rate receives less than the in-hire rate. The in-hire rate is used when a candidate only meets the minimum requirements of the class specification upon entry to State service (Section 310.100(b)(1), 310.490(b)(1) or 310.495(b)(1)), when an employee moves to a vacant position (Section 310.45) or when an MS salary range is assigned to a Trainee Program (Section 310.415(b)).
- b) Request – An agency head may request in writing that the Director of Central Management Services approve or negotiate an in-hire rate. The in-hire rate is a Step or dollar amount depending on whether the classification title is assigned to a negotiated full scale rate, negotiated pay grade, merit compensation salary range or broad-band salary range. The in-hire rate may be for the classification title or limited within the classification title to the agency, facilities, counties or other criteria. The supporting justifications for the requested in-hire rate and the limitations are included in the agency request. An effective date may be included in the request.
- c) Review – The Director of Central Management Services shall review the supporting justifications, the turnover rate, length of vacancies, and the currently filled positions for the classification title, and the market starting rates for similar classes, and consult with other agencies using the classification title. Other factors may be included in the review and negotiation of negotiated in-hire rates.
- d) Approval or Negotiated –
 - 1) Approval – The Director of Central Management Services indicates in writing the approved in-hire rate and effective date, which is either the

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date requested by the agency or the beginning of the next pay period after the approval.

- 2) Negotiated – The Director of Central Management Services and the bargaining unit representative indicate in writing the in-hire rates and effective date, which is either the date indicated in the agreement, the date of the agreement's signature or the beginning of the next pay period after the signatures are secured on the agreement.
- e) Implementation – In the classification title or within the limitations of the classification title and when the in-hire rate is above the normal minimum of the assigned salary range or pay grade, an employee paid below the in-hire rate receives the in-hire rate on the approved effective date. The in-hire rate remains in effect for any employee entering the title or the limits within the title until the title is abolished or an agency request to rescind the in-hire rate is approved by the Director of Central Management Services or negotiated by the Director of Central Management Services and the bargaining unit representative.
- f) Approved or Negotiated In-Hire Rates –
- 1) Assigned to a Classification –
- A) Approved and Assigned to a Pay Grade or Salary Range –

<u>Title</u>	<u>Pay Grade or Salary Range</u>	<u>Effective Date</u>	<u>In-Hire Rate</u>
Commerce Commission Police Officer Trainee	MS-10	January 1, 2008	\$2,943
Correctional Officer	RC-006-09	January 1, 2008	Step 1
Correctional Officer Trainee	RC-006-05	January 1, 2008	Step 1
Environmental Engineer I	RC-063-15	January 1, 2008	Step 2
Environmental Protection Engineer I	RC-063-15	January 1, 2008	Step 5
Environmental Protection Engineer II	RC-063-17	January 1, 2008	Step 4
Internal Auditor Trainee	MS-09	January 1, 2008	\$2,854

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- B) Negotiated and Assigned to a Full Scale Rate – The rates are located in Appendix A Table D for bargaining unit HR-001, in Appendix A Table E for bargaining unit RC-020, in Appendix A Table F for RC-019 and in Appendix A Table G for bargaining unit RC-045.

Title	Bargaining Unit	Effective Date	In-Hire Rate
Auto & Body Repairer	RC-045	July 1, 2013	75%
Automotive Attendant I	RC-045	July 1, 2013	75%
Automotive Attendant II	RC-045	July 1, 2013	75%
Automotive Mechanic	RC-045	July 1, 2013	75%
Automotive Parts Warehouse Specialist	RC-045	July 1, 2013	75%
Automotive Parts Warehouse	RC-045	July 1, 2013	75%
Automotive Parts Warehouse	RC-045	July 1, 2013	75%
Bridge Mechanic	RC-019	July 8, 2013	75%
Bridge Mechanic	RC-020	June 26, 2013	75%
Bridge Tender	RC-019	July 8, 2013	75%
Bridge Tender	RC-020	June 26, 2013	75%
Building Services Worker	HR-001	July 24, 2013	75%
Deck Hand	RC-019	July 8, 2013	75%
Elevator Operator	HR-001	July 24, 2013	75%
Ferry Operator I	RC-019	July 8, 2013	75%
Ferry Operator II	RC-019	July 8, 2013	75%
Grounds Supervisor	HR-001	July 24, 2013	75%
Heavy Construction Equipment Operator	HR-001	July 24, 2013	75%
Heavy Construction Equipment Operator	RC-020	June 26, 2013	75%
Highway Maintainer	HR-001	November 1, 2009	75%
Highway Maintainer	RC-019	July 8, 2013	75%
Highway Maintainer	RC-020	June 26, 2013	75%
Highway Maintenance Lead Worker	HR-001	July 24, 2013	75%
Highway Maintenance Lead Worker	RC-019	July 8, 2013	75%

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Highway Maintenance Lead Worker	RC-020	June 26, 2013	75%
Highway Maintenance Lead Worker (Lead Lead Worker)	RC-019	July 8, 2013	75%
Highway Maintenance Lead Worker (Lead Lead Worker)	RC-020	June 26, 2013	75%
Janitor I (Including Office of Administration)	RC-019	July 8, 2013	75%
Janitor II (Including Office of Administration)	RC-019	July 8, 2013	75%
Labor Maintenance Lead Worker	RC-019	July 8, 2013	75%
Labor Maintenance Lead Worker	RC-020	June 26, 2013	75%
Laborer (Maintenance)	HR-001	July 24, 2013	75%
Laborer (Maintenance)	RC-019	July 8, 2013	75%
Laborer (Maintenance)	RC-020	June 26, 2013	75%
Maintenance Equipment Operator	HR-001	July 24, 2013	75%
Maintenance Equipment Operator	RC-019	July 8, 2013	75%
Maintenance Equipment Operator	RC-020	June 26, 2013	75%
Maintenance Worker	HR-001	July 24, 2013	75%
Maintenance Worker	RC-019	July 8, 2013	75%
Maintenance Worker	RC-020	June 26, 2013	75%
Power Shovel Operator (Maintenance)	HR-001	July 24, 2013	75%
Power Shovel Operator (Maintenance)	RC-019	July 8, 2013	75%
Power Shovel Operator (Maintenance)	RC-020	June 26, 2013	75%
Security Guard I	RC-019	July 8, 2013	75%
Security Guard II	RC-019	July 8, 2013	75%
Silk Screen Operator	RC-019	July 8, 2013	75%
Silk Screen Operator	RC-020	June 26, 2013	75%
Small Engine Mechanic	RC-045	July 1, 2013	75%
Storekeeper I*	RC-045	July 1, 2013	75%
Storekeeper II*	RC-045	July 1, 2013	75%

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*Storekeeper I & Storekeeper II serving as Automotive Parts Warehouse in Cook County.

- 2) Based on the Position's Work Location or Employee's Credential or Residency –

<u>Title</u>	<u>Pay Grade or Salary Range</u>	<u>Location or Residency</u>	<u>Credential</u>	<u>Effective Date</u>	<u>In-Hire Rate</u>
Civil Engineer Trainee	NR-916	None identified	Bachelor's degree in accredited civil engineering program	January 1, 2008	Add to minimum monthly rate \$40/quarter work experience up to 8
Civil Engineer Trainee	NR-916	None identified	Passed Engineering Intern exam	January 1, 2008	Add to minimum monthly rate \$60/month
Civil Engineer Trainee	NR-916	None identified	<u>Job-Related</u> Master's degree	January 1, 2012 <u>2009</u>	Add to minimum monthly rate \$40 <u>\$60</u> /month for each year of <u>full-time graduate study as a substitute for job-related</u> experience up to two years
Engineering Technician I, II, III and IV	NR-916	None identified	Completed 2 years of college in civil engineering or job related technical/science curriculum (60 semester /90 quarter hours credit)	January 1, 2012 January 1, 2012	\$2,845 <u>\$2,705</u> \$2,845

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Engineering Technician I, II, III and IV	NR-916	None identified	Completed 3 years of college in areas other than civil engineering or job related technical/science curriculum (90 semester /135 quarter hours credit)	<u>January 1, 2012</u> January 1, 2011 <u>January 1, 2012</u>	<u>\$2,730</u> \$2,600 <u>\$2,730</u>
Engineering Technician I, II, III and IV	NR-916	None identified	Associate Degree from an accredited 2 year civil engineering technology program	<u>January 1, 2012</u> January 1, 2011 <u>January 1, 2012</u>	<u>\$2,975</u> \$2,830 <u>\$2,975</u>
Engineering Technician I, II, III and IV	NR-916	None identified	Completed 3 years of college courses in civil engineering or job related technical/science curriculum (90 semester /135 quarter hours credit)	<u>January 1, 2012</u> January 1, 2011 <u>January 1, 2012</u>	<u>\$2,975</u> \$2,830 <u>\$2,975</u>
Engineering Technician I, II, III and IV	NR-916	None identified	Completed 4 years of college courses in areas other than civil engineering or	<u>January 1, 2012</u> January 1, 2011	<u>\$2,845</u> \$2,705

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			job related technical/ science curriculum (120 semester /180 quarter hours credit)	January 1, 2012	\$2,845
Engineering Technician I, II, III and IV	NR-916	None identified	Completed 4 years of college in civil engineering or job related technical/ science curriculum (120 semester/180 quarter hours credit includes appointees from unaccredited engineering programs and those who have not yet obtained a degree)	January 1, 2012 January 1, 2011	\$3,095 \$2,945
			job related technical/ science curriculum (120 semester /180 quarter hours credit)	January 1, 2012	\$3,095
Engineering Technician I, II, III and IV	NR-916	None identified	Bachelor of Science Degree from an accredited 4 year program in civil engineering technology, industrial technology, and construction technology	January 1, 2012 January 1, 2011	\$3,510 \$3,340
			accredited 4 year program in civil engineering technology, industrial technology, and construction technology	January 1, 2012	\$3,510

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Forensic Scientist Trainee	RC-062-15	None identified	Meets minimum class requirements or completed Forensic Science Residency Program at the U of I-Chicago	January 1, 2008	Step 1
Information Services Intern	RC-063-15	Work outside Cook County	Computer Science degree at 4-year college	January 1, 2008	Step 4
Information Services Intern	RC-063-15	Work in Cook County	Computer Science degree at 4-year college	January 1, 2008	Step 6
Information Services Intern	RC-063-15	Work outside Cook County	Computer Science degree at 2-year technical school	January 1, 2008	Step 2
Information Services Intern	RC-063-15	Work in Cook County	Computer Science degree at 2-year technical school	January 1, 2008	Step 4
Information Services Intern	RC-063-15	Work in Cook County	Non-Computer Science degree at 4-year college	January 1, 2008	Step 3
Information Services Specialist I	RC-063-17	Work in Cook County	None identified beyond class requirements	January 1, 2008	Step 2
Juvenile Justice Specialist	RC-006-14	None identified	Master's degree	September 1, 2008	Step 2

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Juvenile Justice Specialist Intern	RC-006-11	None identified	Master's degree	September 1, 2008	Step 2
Meat & Poultry Inspector Trainee	RC-033	Work in Regions 1 and 6	None identified beyond class requirements	January 1, 2008	Step 1
Physician Specialist, Option C	RC-063-MD-C	Work in Singer, McFarland, Choate, Chester, Alton, Murray, and Mabley facilities	None identified beyond class requirements	January 1, 2008	Step 5
Physician Specialist, Option D	RC-063-MD-D	Work in Singer, McFarland, Choate, Chester, Alton, Murray, and Mabley facilities	None identified beyond class requirements	January 1, 2008	Step 5
Products & Standards Inspector Trainee	MS-09	Work in Cook, DuPage, Lake, Kane, and Will counties	None identified beyond class requirements	January 1, 2008	\$3,057
Products & Standards Inspector Trainee	MS-09	Work in counties outside Cook, DuPage, Lake, Kane, and Will counties	None identified beyond class requirements	January 1, 2008	\$2,854

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Student Intern (Governor's Natural Resources Fellowship Program)	MS-01	Department of Natural Resources	Bachelor's degree in plant or animal ecology, botany, forestry, wildlife biology, ecology or environmental zoology and enrolled in Master's program	September 16, 2013	\$1,600
Telecommunicator	RC-014- 12	Work in District 2	None identified beyond class requirements	January 1, 2008	Step 2
Telecommunicator Trainee	RC-014- 10	Work in Kane County	None identified beyond class requirements	January 1, 2008	Step 3
Telecommunicator Trainee	RC-014- 10	Work in Cook County	None identified beyond class requirements	January 1, 2008	Step 7

(Source: Amended at 38 Ill. Reg. 24005, effective December 9, 2014)

SUBPART B: SCHEDULE OF RATES

Section 310.260 Trainee Rate

Rates of pay for employees working in classes pursuant to a Trainee Program (80 Ill. Adm. Code 302.170) shall conform to those set forth in negotiated pay grades within Negotiated Rates of Pay (Appendix A) unless the rate is red-circled (Section 310.220(e)) or salary ranges within the Merit Compensation System Salary Schedule (Appendix D). The process of assigning merit compensation salary ranges to Trainee Program classifications is in Section 310.415. The Trainee Program classifications are:

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Title	Title Code	Negotiated Pay Grade	Merit Compensation Salary Range
Account Technician Trainee	00118	None	MS-04
Accounting and Fiscal Administration Career Trainee	00140	RC-062-12	MS-09
Actuarial Examiner Trainee	00196	RC-062-13	MS-10
Administrative Services Worker Trainee	00600	RC-014-02	MS-02
Animal and Animal Products Investigator Trainee	01075	None	MS-09
Appraisal Specialist Trainee	01255	None	MS-09
Arson Investigations Trainee	01485	None	MS-12
Behavioral Analyst Associate	04355	RC-062-15	MS-12
Child Support Specialist Trainee	07200	RC-062-12	MS-09
Children and Family Service Intern, Option 1	07241	RC-062-12	MS-09
Children and Family Service Intern, Option 2	07242	RC-062-15	MS-12
Civil Engineer Trainee	07607	NR-916	MS-16 MS-15
Clerical Trainee	08050	RC-014-TR	MS-01
Clinical Laboratory Technologist Trainee	08229	RC-062-14	MS-11
Clinical Psychology Associate	08255	RC-063-18	MS-19
Commerce Commission Police Officer Trainee	08455	None	MS-10
Conservation Police Officer Trainee	09345	RC-110	MS-06
Correctional Officer Trainee	09676	RC-006-05	MS-08
Corrections Nurse Trainee	09838	RC-023-17	MS-16
Criminal Justice Specialist Trainee	10236	RC-062-13	MS-10
Data Processing Operator Trainee	11428	RC-014-02	MS-02
Data Processing Technician Trainee	11443	RC-028-06	MS-04
Disability Claims Adjudicator Trainee	12539	RC-062-13	MS-10

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Economic Development Representative Trainee	12939	None	MS-10
Energy and Natural Resources Specialist Trainee	13715	RC-062-12	MS-09
Financial Institutions Examiner Trainee	14978	RC-062-13	MS-10
Fingerprint Technician Trainee	15209	None	MS-05
Fire Prevention Inspector Trainee	15320	RC-029-12	MS-10
Firearms Eligibility Analyst Trainee	15375	Pending Negotiations	
Forensic Scientist Trainee	15897	RC-062-15	MS-12
Gaming Special Agent Trainee	17195	RC-062-14	MS-11
Geographic Information Trainee	17276	RC-063-15	MS-12
Governmental Career Trainee	17325	None	MS-09
Graduate Pharmacist	17345	RC-063-20	MS-23
Hearing and Speech Associate	18231	RC-063-18	MS-19
Human Resources Trainee	19694	RC-014-07	MS-04
Human Services Grants Coordinator Trainee	19796	RC-062-12	MS-09
Industrial Services Consultant Trainee	21125	RC-062-11	MS-08
Industrial Services Hygienist Trainee	21133	RC-062-12	MS-09
Information Services Intern	21160	RC-063-15	MS-12
Insurance Analyst Trainee	21566	RC-014-07	MS-04
Insurance Company Financial Examiner Trainee	21610	RC-062-13	MS-10
Internal Auditor Trainee	21726	None	MS-09
Juvenile Justice Specialist Intern	21976	RC-006-11	MS-13
Liability Claims Adjuster Trainee	23375	None	MS-09
Life Sciences Career Trainee	23600	RC-062-12	MS-09
Management Operations Analyst Trainee	25545	None	MS-12
Manpower Planner Trainee	25597	RC-062-12	MS-09

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Meat and Poultry Inspector Trainee	26075	RC-033	MS-07
Mental Health Administrator Trainee	26817	RC-062-16	MS-12
Mental Health Specialist Trainee	26928	RC-062-11	MS-08
Mental Health Technician Trainee	27020	RC-009-01	MS-03
Methods and Procedures Career Associate Trainee	27137	RC-062-09	MS-06
Office Occupations Trainee	30075	None	MS-01
Police Officer Trainee	32985	None	MS-06
Polygraph Examiner Trainee	33005	None	MS-12
Products and Standards Inspector Trainee	34605	None	MS-09
Program Integrity Auditor Trainee	34635	RC-062-12	MS-09
Psychologist Associate	35626	RC-063-15	MS-12
Psychology Intern	35660	None	MS-15
Public Administration Intern	35700	None	MS-11
Public Aid Investigator Trainee	35874	RC-062-14	MS-11
Public Health Program Specialist Trainee	36615	RC-062-12	MS-09
Public Safety Inspector Trainee	37010	RC-062-10	MS-07
Public Service Trainee	37025	None	MS-01
Rehabilitation Counselor Trainee	38159	RC-062-15	MS-12
Rehabilitation/Mobility Instructor Trainee	38167	RC-063-15	MS-12
Research Fellow, Option B	38211	None	MS-19
Resident Physician	38270	None	MS-15
Residential Care Worker Trainee	38279	RC-009-11	MS-05
Revenue Auditor Trainee (IL)	38375	RC-062-12	MS-09
Revenue Auditor Trainee (states other than IL and not assigned to RC-062-15)	38375	RC-062-13	MS-09

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Revenue Auditor Trainee (see Note in Appendix A Table W)	38375	RC-062-15	MS-09
Revenue Collection Officer Trainee	38405	RC-062-12	MS-09
Revenue Special Agent Trainee	38565	RC-062-14	MS-11
Revenue Tax Specialist Trainee	38575	RC-062-10	MS-07
Security Therapy Aide Trainee	39905	RC-009-13	MS-06
Seed Analyst Trainee	39953	None	MS-07
Social Service Aide Trainee	41285	RC-006-01 RC-009-02	MS-03
Social Services Career Trainee	41320	RC-062-12	MS-09
Social Worker Intern	41430	None	MS-15
Student Intern	43190	None	MS-01
Student Worker	43200	None	MS-01
Telecommunications Systems Technician Trainee	45314	None	MS-05
Telecommunicator Trainee	45325	RC-014-10	MS-07
Terrorism Research Specialist Trainee	45375	RC-062-14	MS-11
Weatherization Specialist Trainee	49105	RC-062-12	MS-09

(Source: Amended at 38 Ill. Reg. 24005, effective December 9, 2014)

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**

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
Administrative Assistant I	00501	MS-16
Administrative Assistant II	00502	MS-21
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Aircraft Pilot II	00956	MS-28
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
Arson Investigations Trainee	01485	MS-12
Arson Investigator I	01481	MS-15
Arson Investigator II	01482	MS-20
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
Assistant Automotive Shop Supervisor	01565	MS-11
Assistant Reimbursement Officer	02424	MS-05
Audio Visual Technician I	03501	MS-04
Audio Visual Technician II	03502	MS-06
Auto and Body Repairer	03680	MS-13
Automotive Attendant I	03696	MS-03
Automotive Attendant II	03697	MS-03
Automotive Mechanic	03700	MS-13
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
Behavioral Analyst Associate	04355	MS-12
Behavioral Analyst I	04351	MS-16

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Behavioral Analyst II	04352	MS-21
Blasting Expert	04720	MS-27
Blasting Specialist	04725	MS-25
Blasting Supervisor	04730	MS-29
Boat Safety Inspection Supervisor	04850	MS-22
Boiler Safety Specialist	04910	MS-26
Breath Alcohol Analysis Technician	05170	MS-15
Bridge Mechanic	05310	MS-17
Bridge Tender	05320	MS-18
Building Construction Inspector I	05541	MS-18
Building Construction Inspector II	05542	MS-20
Building Services Worker	05616	MS-05
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
Cancer Registrar I	05951	MS-11
Cancer Registrar II	05952	MS-14
Cancer Registrar III	05953	MS-23
Cancer Registrar Assistant Manager	05954	MS-27
Cancer Registrar Manager	05955	MS-31
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
Child Welfare Advanced Specialist	07215	MS-21
Child Welfare Associate Specialist	07216	MS-14
Child Welfare Court Facilitator	07196	MS-28
Child Welfare Nurse Specialist	07197	MS-22
Child Welfare Senior Specialist	07217	MS-28
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
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
Civil Engineer Trainee	07607	MS-16
Clerical Trainee	08050	MS-01
Clinical Laboratory Associate	08200	MS-05
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
Conservation Police Lieutenant	09339	MS-23
Conservation Police Officer I	09341	MS-18
Conservation Police Officer II	09342	MS-19
Conservation Police Officer Trainee	09345	MS-06
Conservation Police Sergeant	09347	MS-22
Conservation/Historic Preservation Worker	09317	MS-01
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Correctional Counselor II	09662	MS-16
Correctional Counselor III	09663	MS-21
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
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
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
Corrections Leisure Activities Specialist II	09812	MS-16
Corrections Leisure Activities Specialist III	09813	MS-21
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
Corrections Nurse I	09825	MS-20
Corrections Nurse II	09826	MS-25
Corrections Nurse Trainee	09836	MS-16
Corrections Parole Agent	09842	MS-16
Corrections Residence Counselor I	09837	MS-13
Corrections Residence Counselor II	09838	MS-20
Corrections Senior Parole Agent	09844	MS-21

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
Drafting Worker	12749	MS-08
Drug Compliance Investigator	12778	MS-31
Economic Associate	12940	MS-12
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
Educational Media Program Specialist	12980	MS-16
Educator	13100	MS-26
Educator – Provisional	13105	MS-10
Educator Aide	13130	MS-08
Educator Trainee	13148	MS-09
Electrical Engineer	13180	MS-28
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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 Services Specialist I	13691	MS-24
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
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
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
Environmental Protection Engineer IV	13794	MS-28
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
Ferry Operator I	14801	MS-18
Ferry Operator II	14802	MS-19
Financial Institutions Examiner I	14971	MS-14
Financial Institutions Examiner II	14972	MS-21
Financial Institutions Examiner III	14973	MS-28
Financial Institutions Examiner Trainee	14978	MS-10
Fingerprint Technician	15204	MS-10
Fingerprint Technician Supervisor	15208	MS-18
Fingerprint Technician Trainee	15209	MS-05
Firearms Eligibility Analyst I	15371	MS-10
Firearms Eligibility Analyst II	15372	MS-14
Firearms Eligibility Analyst Trainee	15375	MS-08
Fire Certification Specialist I	15281	MS-16
Fire Certification Specialist II	15282	MS-18
Fire Certification Specialist Supervisor	15283	MS-22
Fire Prevention Inspector I	15316	MS-13
Fire Prevention Inspector II	15317	MS-20

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Fire Prevention Inspector Trainee	15320	MS-10
Fire Protection Specialist I	15351	MS-14
Flight Safety Coordinator	15640	MS-28
Florist II	15652	MS-08
Food Services Program Manager	15800	MS-31
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
Health Services Investigator II, Option A – General	18185	MS-28
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
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
Highway Construction Supervisor II	18526	MS-30
Highway Maintainer	18639	MS-18
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Human Rights Investigator III	19776	MS-21
Human Rights Mediation Supervisor	19769	MS-23
Human Rights Mediator	19771	MS-16
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
Juvenile Justice Youth and Family Specialist Option 2	21992	MS-23
Juvenile Justice Youth and Family Specialist Supervisor	21995	MS-28
Kidcare Supervisor	22003	MS-23
Labor Conciliator	22750	MS-23
Labor Maintenance Lead Worker	22809	MS-16
Laboratory Assistant	22995	MS-03
Laboratory Associate I	22997	MS-07
Laboratory Associate II	22998	MS-09
Laboratory Equipment Specialist	22990	MS-19

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
Landscape Planner	23150	MS-21
Laundry Manager I	23191	MS-10
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
Licensed Practical Nurse II	23552	MS-10
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
Maintenance Worker	25500	MS-16
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Pharmacy Technician	32011	MS-04
Pharmacy Manager	32025	MS-33
Photographer	32080	MS-11
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
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
Plumbing Inspector	32915	MS-22
Podiatrist	32960	MS-11
Police Lieutenant	32977	MS-31
Police Officer I	32981	MS-15
Police Officer II	32982	MS-20
Police Officer III	32983	MS-24
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
Private Secretary I	34201	MS-14
Private Secretary II	34202	MS-18

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
Public Information Officer III	37003	MS-21

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
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
Rehabilitation/Mobility Instructor	38163	MS-21
Rehabilitation/Mobility Instructor Trainee	38167	MS-12

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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	38209 38207	MS-18 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
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
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
Revenue Tax Specialist Trainee	38575	MS-07

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

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
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
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
Sex Offender Therapist I	40531	MS-16
Sex Offender Therapist II	40532	MS-21
Shift Supervisor	40800	MS-31
Sign Hanger	40900	MS-16
Sign Hanger Foreman	40910	MS-18
Sign Shop Foreman	41000	MS-12
Silk Screen Operator	41020	MS-17
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Small Engine Mechanic	41150	MS-10
Social Service Aide I	41281	MS-05
Social Service Aide II	41282	MS-08
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
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Stores Clerk	43060	MS-03
Student Intern	43190	MS-01
Student Worker	43200	MS-01
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
Terrorism Research Specialist Trainee	45375	MS-11
Transportation Officer	45830	MS-11

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Truck Weighing Inspector	46100	MS-10
Unemployment Insurance Adjudicator I	47001	MS-08
Unemployment Insurance Adjudicator II	47002	MS-10
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
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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Volunteer Services Coordinator III	48483	MS-19
Wage Claims Specialist	48770	MS-06
Warehouse Claims Specialist	48780	MS-22
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
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 38 Ill. Reg. 24005, effective December 9, 2014)

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Required Procedure for Filing and Securing Approval of Policy Forms
- 2) Code Citation: 50 Ill. Adm. Code 916
- 3) Date of Administrative Code Division Review: December 15, 2014
- 4) Headings and Section Numbers of the Part Being Recodified: The Department of Insurance is recodifying the Part from the Department of Financial and Professional Regulation to the Department of Insurance.

<u>Section Numbers:</u>	<u>Headings:</u>
916.10	Authority
916.20	Purpose and Scope
916.30	Definitions
916.40	Filing Procedures
916.50	Certification of Compliance
916.60	Effective Date (Repealed)
916.EXHIBIT A	Certificate of Compliance
916.EXHIBIT B	Coding Guide (Repealed)
916.EXHIBIT C	Discontinued Acronyms From Exhibit B Coding Guide (Repealed)
916.EXHIBIT G	General Transmittal Instructions and Transmittal (Repealed)
916.EXHIBIT H	Replacement/Withdrawal Transmittal Instructions and Transmittal (Repealed)
916.EXHIBIT I	Certificate of Assumption Transmittal Instructions and Transmittal (Repealed)
916.EXHIBIT J	Informational Filing Transmittal Instructions and Transmittal (Repealed)

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

<u>Section Numbers:</u>	<u>Headings:</u>
916.10	Authority
916.20	Purpose and Scope
916.30	Definitions
916.40	Filing Procedures
916.50	Certification of Compliance

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

916.60	Effective Date (Repealed)
916.EXHIBIT A	Certificate of Compliance
916.EXHIBIT B	Coding Guide (Repealed)
916.EXHIBIT C	Discontinued Acronyms From Exhibit B Coding Guide (Repealed)
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916.EXHIBIT I	Certificate of Assumption Transmittal Instructions and Transmittal (Repealed)
916.EXHIBIT J	Informational Filing Transmittal Instructions and Transmittal (Repealed)

6) Conversion Table of Present and Recodified Sections:

<u>Present Part:</u>	<u>Recodified Part:</u>
916.10	916.10
916.20	916.20
916.30	916.30
916.40	916.40
916.50	916.50
916.60	916.60
916.EXHIBIT A	916.EXHIBIT A
916.EXHIBIT B	916.EXHIBIT B
916.EXHIBIT C	916.EXHIBIT C
916.EXHIBIT G	916.EXHIBIT G
916.EXHIBIT H	916.EXHIBIT H
916.EXHIBIT I	916.EXHIBIT I
916.EXHIBIT J	916.EXHIBIT J

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Annual Financial Reporting
- 2) Code Citation: 50 Ill. Adm. Code 925
- 3) Date of Administrative Code Division Review: December 15, 2014
- 4) Headings and Section Numbers of the Part Being Recodified: The Department of Insurance is recodifying the Part from the Department of Financial and Professional Regulation to the Department of Insurance.

<u>Section Numbers</u>	<u>Headings:</u>
925.10	Authority (Repealed)
925.20	Purpose and Scope
925.30	Definitions
925.40	General Requirements Related to Filing and Extensions for Filing of Annual Audited Financial Report and Audit Committee Appointment
925.50	Contents of Annual Audited Financial Report
925.60	Designation of Independent Certified Public Accountant
925.70	Qualifications of Independent Certified Public Accountant
925.80	Consolidated or Combined Audits
925.90	Scope of Audit and Report of Independent Certified Public Accountant
925.100	Notification of Adverse Financial Condition
925.110	Communication of Internal Control Related Matters Noted in an Audit
925.115	Accountant's Letter of Qualifications (Renumbered)
925.120	Accountant's Letter of Qualifications
925.130	Definition, Availability and Maintenance of Independent Certified Public Accountant Workpapers
925.140	Requirements for Audit Committees
925.145	Penalties (Renumbered)
925.150	Conduct of Insurer in Connection with the Preparation of Required Reports and Documents
925.160	Management's Report of Internal Control over Financial Reporting
925.170	Exemptions and Transitions
925.180	Canadian and British Companies
925.190	Penalties

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

925.200 Severability Provision

925.EXHIBIT A CPA Letter of Representation

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

<u>Section Numbers</u>	<u>Headings:</u>
925.10	Authority (Repealed)
925.20	Purpose and Scope
925.30	Definitions
925.40	General Requirements Related to Filing and Extensions for Filing of Annual Audited Financial Report and Audit Committee Appointment
925.50	Contents of Annual Audited Financial Report
925.60	Designation of Independent Certified Public Accountant
925.70	Qualifications of Independent Certified Public Accountant
925.80	Consolidated or Combined Audits
925.90	Scope of Audit and Report of Independent Certified Public Accountant
925.100	Notification of Adverse Financial Condition
925.110	Communication of Internal Control Related Matters Noted in an Audit
925.115	Accountant's Letter of Qualifications (Renumbered)
925.120	Accountant's Letter of Qualifications
925.130	Definition, Availability and Maintenance of Independent Certified Public Accountant Workpapers
925.140	Requirements for Audit Committees
925.145	Penalties (Renumbered)
925.150	Conduct of Insurer in Connection with the Preparation of Required Reports and Documents
925.160	Management's Report of Internal Control over Financial Reporting
925.170	Exemptions and Transitions
925.180	Canadian and British Companies
925.190	Penalties
925.200	Severability Provision
925.EXHIBIT A	CPA Letter of Representation

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

6) Conversion Table of Present and Recodified Parts:

<u>Present Part:</u>	<u>Recodified Part:</u>
925.10	925.10
925.20	925.20
925.30	925.30
925.40	925.40
925.50	925.50
925.60	925.60
925.70	925.70
925.80	925.80
925.90	925.90
925.100	925.100
925.110	925.110
925.115	925.115
925.120	925.120
925.130	925.130
925.140	925.140
925.145	925.145
925.150	925.150
925.160	925.160
925.170	925.170
925.180	925.180
925.190	925.190
925.200	925.200
925.EXHIBIT A	925.EXHIBIT A

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Medical Liability Insurance Rules and Rate Filings
- 2) Code Citation: 50 Ill. Adm. Code 929
- 3) Date of Administrative Code Division Review: December 15, 2014
- 4) Headings and Section Numbers of the Part Being Recodified: The Department of Insurance is recodifying the Part from the Department of Financial and Professional Regulation to the Department of Insurance.

<u>Section Numbers</u> :	<u>Headings</u> :
929.10	Authority
929.15	Definitions
929.20	Purpose and Scope
929.30	Filing Requirements
929.40	Severability Provision (Repealed)
929.200	Applicability
929.210	Form of Documents
929.220	Filing
929.230	Computation of Time
929.240	Appearances
929.250	Notice of Hearing
929.260	Publication of the Notice of Hearing
929.270	Bias or Disqualification of Hearing Officer
929.280	Pre-hearing Conferences
929.290	Conduct of the Hearing
929.300	Hearing Officer's Findings, Conclusions and Recommendations
929.310	Order of the Director

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

<u>Section Numbers</u>	<u>Headings</u> :
929.10	Authority
929.15	Definitions
929.20	Purpose and Scope
929.30	Filing Requirements
929.40	Severability Provision (Repealed)
929.200	Applicability

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

929.210	Form of Documents
929.220	Filing
929.230	Computation of Time
929.240	Appearances
929.250	Notice of Hearing
929.260	Publication of the Notice of Hearing
929.270	Bias or Disqualification of Hearing Officer
929.280	Pre-hearing Conferences
929.290	Conduct of the Hearing
929.300	Hearing Officer's Findings, Conclusions and Recommendations
929.310	Order of the Director

6) Conversion Table of Present and Recodified Sections:

<u>Present Part:</u>	<u>Recodified Part:</u>
929.10	929.10
929.15	929.15
929.20	929.20
929.30	929.30
929.40	929.40
929.200	929.200
929.210	929.210
929.220	929.220
929.230	929.230
929.240	929.240
929.250	929.250
929.260	929.260
929.270	929.270
929.280	929.280
929.290	929.290
929.300	929.300
929.310	929.310

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

- 1) Heading of the Part: Licensing of Public Adjusters
- 2) Code Citation: 50 Ill. Adm. Code 3118
- 3) Date of Administrative Code Division Review: December 15, 2014
- 4) Headings and Section Numbers of the Part Being Recodified: The Department of Insurance is recodifying the Part from the Department of Financial and Professional Regulation to the Department of Insurance.

<u>Section Numbers:</u>	<u>Headings:</u>
3118.10	Authority
3118.20	Purpose and Scope
3118.25	Definitions
3118.30	Engaged in the Business of Adjusting Insurance Claims (Repealed)
3118.40	Valuable Consideration (Repealed)
3118.50	Records Material
3118.60	Grandfather License Provisions
3118.70	Nonresident Public Adjusters (Repealed)
3118.80	Filing of Contract Forms
3118.85	Client Disclosure
3118.90	Filing for Rate Schedule of Charges for Services
3118.100	Maintenance of Records (Repealed)
3118.110	Performance Standards Applicable to All Public Adjusters (Repealed)
3118.120	Hearings
3118.130	Severability

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

<u>Section Numbers:</u>	<u>Headings:</u>
3118.10	Authority
3118.20	Purpose and Scope
3118.25	Definitions
3118.30	Engaged in the Business of Adjusting Insurance Claims (Repealed)
3118.40	Valuable Consideration (Repealed)
3118.50	Records Material

DEPARTMENT OF INSURANCE

NOTICE OF RECODIFICATION

3118.60	Grandfather License Provisions
3118.70	Nonresident Public Adjusters (Repealed)
3118.80	Filing of Contract Forms
3118.85	Client Disclosure
3118.90	Filing for Rate Schedule of Charges for Services
3118.100	Maintenance of Records (Repealed)
3118.110	Performance Standards Applicable to All Public Adjusters (Repealed)
3118.120	Hearings
3118.130	Severability

6) Conversion Table of Present and Recodified Sections:

<u>Present Part:</u>	<u>Recodified Part:</u>
3118.10	3118.10
3118.20	3118.20
3118.25	3118.25
3118.30	3118.30
3118.40	3118.40
3118.50	3118.50
3118.60	3118.60
3118.70	3118.70
3118.80	3118.80
3118.85	3118.85
3118.90	3118.90
3118.100	3118.100
3118.110	3118.110
3118.120	3118.120
3118.130	3118.130

BOARD OF HIGHER EDUCATION

JANUARY 2015 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citation): Dual Credit Courses (23 Ill. Adm. Code 1009)
- 1) Rulemaking:
- A) Description: The Board proposes the adoption of new IBHE rules pursuant to Public Act 96-164.
- B) Statutory Authority: Section 8 of the Board of Higher Education Act (110 ILCS 205/8)
- C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield IL 62701-1404
- Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548
- G) Related rulemakings and other pertinent information: None
- b) Part(s) (Heading and Code Citation): Performance Metrics for Budget Recommendations (23 Ill. Adm. Code 900)
- 1) Rulemaking:
- A) Description: The Board proposes the adoption of new IBHE rules to provide the performance metrics for the higher education budget recommendations pursuant to Public Act 97-320.

BOARD OF HIGHER EDUCATION

JANUARY 2015 REGULATORY AGENDA

- B) Statutory Authority: Section 8 of the Board of Higher Education Act (110 ILCS 205/8)
- C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield IL 62701-1404

Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548
- G) Related rulemakings and other pertinent information: None
- c) Part(s) (Heading and Code Citation): Annual Public University Performance Report (23 Ill. Adm. Code 1032)
- 1) Rulemaking:
- A) Description: The Board may propose the adoption of new IBHE rules to implement Public Act 97-610. Pursuant to the Act, the Board will compile and submit an annual report with information on new programs created, existing programs that have been closed or consolidated, and programs that exhibit low performance or productivity. Rules may be used to define terms and timelines for the report.
- B) Statutory Authority: Section 7 of the Board of Higher Education Act (110 ILCS 205/7)

BOARD OF HIGHER EDUCATION

JANUARY 2015 REGULATORY AGENDA

- C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield IL 62701-1404
- Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548
- G) Related rulemakings and other pertinent information: None
- d) Part(s) (Heading and Code Citation): Private Colleges and Universities Capital Distribution Formula (23 Ill. Adm. Code 1039)
- 1) Rulemaking:
- A) Description: The Board proposes the review of existing rules and possible amendment in 2015.
- B) Statutory Authority: Section 8 of the Board of Higher Education Act [110 ILCS 205/8]
- C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.

BOARD OF HIGHER EDUCATION

JANUARY 2015 REGULATORY AGENDA

E) Effect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield IL 62701-1404

Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548

G) Related rulemakings and other pertinent information: None

e) Part(s) (Heading and Code Citation): Higher Education Distance Learning (23 Ill. Adm. Code 1033)

1) Rulemaking:

A) Description: The Board proposes the adoption of new IBHE rules pursuant to Public Act 98-0792.

B) Statutory Authority: Section 8 of the Board of Higher Education Act [110 ILCS 205/8]

C) Schedule meeting/hearing dates: No meetings or hearings have been scheduled.

D) Date agency anticipates First Notice: Undetermined.

E) Effect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education

BOARD OF HIGHER EDUCATION

JANUARY 2015 REGULATORY AGENDA

431 East Adams Street, Second Floor
Springfield IL 62701-1404

Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548

G) Related rulemakings and other pertinent information: None

f) Part(s) (Heading and Code Citations): Grow Your Own Teacher Grants (23 Ill. Adm. Code 1085)

1) Rulemaking:

- A) Description: The Board proposes the adoption of amendments to the existing rules pursuant to Public Act 98-1036.
- B) Statutory Authority: Section 90 of the Grow Your Own Teacher Education Act [110 ILCS 48/90]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Effect on small businesses, small municipalities or not for profit corporations: Undetermined.
- F) Agency contact person for information:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield IL 62701-1404

Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548

BOARD OF HIGHER EDUCATION

JANUARY 2015 REGULATORY AGENDA

G) Related rulemakings and other pertinent information: None

g) Part(s) (Heading and Code Citations): Private Business and Vocational Schools (23 Ill. Adm. Code 1095)

1) Rulemaking:

A) Description: The Board may review this part to consider if additional rules are needed for oversight of the schools. Findings of this review may result in proposed amendments to the rules.

B) Statutory Authority: Private Business and Vocational School Act of 2012 [105 ILCS 426]

C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.

D) Date agency anticipates First Notice: Undetermined.

E) Effect on small businesses, small municipalities or not for profit corporations: Undetermined.

F) Agency contact person for information:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield IL 62701-1404

Telephone: 217/557-7358

Email: helland@ibhe.org

Fax: 217/782-8548

G) Related rulemakings and other pertinent information: None

h) Part(s) (Heading and Code Citations): Nursing School Grant Program (23 Ill. Adm. Code 1100)

1) Rulemaking:

BOARD OF HIGHER EDUCATION

JANUARY 2015 REGULATORY AGENDA

- A) Description: The Board may review this grant program in 2015. Findings of the review may result in proposed amendments to the rules.
- B) Statutory Authority: Board of Higher Education Act [110 ILCS 205/9.31].
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date agency anticipates First Notice: Undetermined.
- E) Effect on small businesses, small municipalities or not for profit corporations: Undetermined.
- F) Agency contact person for information:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield IL 62701-1404

Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548

- G) Related rulemakings and other pertinent information: None

i) Part(s) (Heading and Code Citations): Nurse Educator Fellowship Program (23 Ill. Adm. Code 1105)

1) Rulemaking:

- A) Description: The Board may review this grant program in 2015. Findings of the review may result in proposed amendments to the rules.
- B) Statutory Authority: Board of Higher Education Act [110 ILCS 205/9.32].
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.

BOARD OF HIGHER EDUCATION

JANUARY 2015 REGULATORY AGENDA

- D) Date agency anticipates First Notice: Undetermined.
- E) Effect on small businesses, small municipalities or not for profit corporations: Undetermined.
- F) Agency contact person for information:
Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
431 East Adams Street, Second Floor
Springfield IL 62701-1404

Telephone: 217/557-7358
Email: helland@ibhe.org
Fax: 217/782-8548
- G) Related rulemakings and other pertinent information: None

ATTORNEY GENERAL

JANUARY 2015 REGULATORY AGENDA

- a) Parts (Heading and Code Citations): Hospital Financial Assistance under the Fair Patient Billing Act (77 Ill. Adm. Code 4500)
- 1) Rulemaking: Proposed Amendment
- A) Description: The amendment will update the federal poverty income guidelines in Appendix A.
- B) Statutory Authority: Fair Patient Billing Act [210 ILCS 88/27]
- C) Scheduled Meeting/Hearing Dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date Agency anticipates First Notice: Spring 2015
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The rule may affect small businesses, small municipalities and not-for-profit corporations that operate hospitals in Illinois by requiring the modification of their forms to reflect updated federal poverty income guideline information.
- F) Agency Contact Person for Information:
- David F. Buysse
Deputy Chief, Public Interest Division
Office of the Illinois Attorney General
100 West Randolph Street, 12th Floor
Chicago IL 60601
- 312/814-7236
- G) Related rulemakings and other pertinent information: None
- b) Parts (Heading and Code Citations): Attorney General's Procurement (44 Ill. Adm. Code 1300)
- 1) Rulemaking: Proposed Amendments

ATTORNEY GENERAL

JANUARY 2015 REGULATORY AGENDA

- A) Description: The amendments will update and clarify the Office's procurement rules to make them consistent with the amendments made to the Illinois Procurement Code [30 ILCS 500] by Public Act 98-1076, effective January 1, 2015.
- B) Statutory Authority: Illinois Procurement Code [30 ILCS 500/1-30(a)]
- C) Scheduled Meeting/Hearing Dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date Agency anticipates First Notice: Spring 2015
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The rulemaking should not affect small municipalities or not-for-profit corporations. The rulemaking may impact small businesses doing business with or seeking to do business with the Attorney General's Office for sole source procurements and which are required to register with the State Board of Elections.
- F) Agency Contact Person for Information:
- Melissa Mahoney
Deputy Chief of Staff, Administration
Office of the Illinois Attorney General
100 West Randolph Street, 12th Floor
Chicago IL 60601
- 312/814-3950
- 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 during the period of December 9, 2014 through December 15, 2014. The rulemakings are scheduled for review at the Committee's January 13, 2015 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
1/25/15	<u>Secretary of State</u> , Public Building Construction (71 Ill. Adm. Code 2000)	10/24/14 38 Ill. Reg. 20189	1/13/15
1/25/15	<u>Secretary of State</u> , Public Use of the Capitol Complex and Springfield Facilities (71 Ill. Adm. Code 2005)	10/24/14 38 Ill. Reg. 20196	1/13/15
1/28/15	<u>Secretary of State</u> , State Records Commission (44 Ill. Adm. Code 4400)	7/7/14 38 Ill. Reg. 13747	1/13/15
1/28/15	<u>Local Records Commission</u> , Local Records Commission of Cook County (44 Ill. Adm. Code 4500)	8/1/14 38 Ill. Reg. 16181	1/13/15
1/28/15	<u>Secretary of State</u> , Local Records Commission (44 Ill. Adm. Code 4000)	6/6/14 38 Ill. Reg. 11734	1/13/15
1/28/15	<u>Department of Revenue</u> , Charitable Games (86 Ill. Adm. Code 435)	10/24/14 38 Ill. Reg. 20143	1/13/15

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 38, Issue 52 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

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