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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 2014

<b>Issue#</b>	<b>Rules Due Date</b>	<b>Date of Issue</b>
1	December 23, 2013	January 3, 2014
2	December 30, 2013	January 10, 2013
3	January 6, 2014	January 17, 2014
4	January 13, 2014	January 24, 2014
5	January 21, 2014	January 31, 2014
6	January 27, 2014	February 7, 2014
7	February 3, 2014	February 14, 2014
8	February 10, 2014	February 21, 2014
9	February 18, 2014	February 28, 2014
10	February 24, 2014	March 7, 2014
11	March 3, 2014	March 14, 2014
12	March 10, 2014	March 21, 2014
13	March 17, 2014	March 28, 2014
14	March 24, 2014	April 4, 2014
15	March 31, 2014	April 11, 2014
16	April 7, 2014	April 18, 2014
17	April 14, 2014	April 25, 2014
18	April 21, 2014	May 2, 2014

19	April 28, 2014	May 9, 2014
20	May 5, 2014	May 16, 2014
21	May 12, 2014	May 23, 2014
22	May 19, 2014	May 30, 2014
23	May 27, 2014	June 6, 2014
24	June 2, 2014	June 13, 2014
25	June 9, 2014	June 20, 2014
26	June 16, 2014	June 27, 2014
27	June 23, 2014	July 7, 2014
28	June 30, 2014	July 11, 2014
29	July 7, 2014	July 18, 2014
30	July 14, 2014	July 25, 2014
31	July 21, 2014	August 1, 2014
32	July 28, 2014	August 8, 2014
33	August 4, 2014	August 15, 2014
34	August 11, 2014	August 22, 2014
35	August 18, 2014	August 29, 2014
36	August 25, 2014	September 5, 2014
37	September 2, 2014	September 12, 2014
38	September 8, 2014	September 19, 2014
39	September 15, 2014	September 26, 2014
40	September 22, 2014	October 3, 2014
41	September 29, 2014	October 10, 2014
42	October 6, 2014	October 17, 2014
43	October 14, 2014	October 24, 2014
44	October 20, 2014	October 31, 2014
45	October 27, 2014	November 7, 2014
46	November 3, 2014	November 14, 2014
47	November 10, 2014	November 21, 2014
48	November 17, 2014	December 1, 2014
49	November 24, 2014	December 5, 2014
50	December 1, 2014	December 12, 2014
51	December 8, 2014	December 19, 2014
52	December 15, 2014	December 26, 2014

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Administration of Funds Created by the Wireless Emergency Telephone Safety Act
- 2) Code Citation: 83 Ill. Adm. Code 729
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
729.110	Amendment
729.300	Amendment
729.310	Amendment
729.320	Amendment
729.330	Amendment
729.400	Amendment
729.500	Amendment
729.610	New Section
729.APPENDIX A	Amendment
729.APPENDIX C	Amendment
- 4) Statutory Authority: Implementing and authorized by the Wireless Emergency Telephone Safety Act [50 ILCS 751]
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 98-634 took effect on June 6, 2014, amending several statutes related to the provision of 9-1-1 services in Illinois, including the Wireless Emergency Telephone Safety Act [50 ILCS 751] (WETSA). One change made by the new legislation is the addition of Section 27 to WETSA, requiring certain local governmental entities to submit financial statements to the Illinois Commerce Commission. Under the new provisions, the initial 9-1-1 financial reports are due October 1, 2014, the next filing will be due January 31, 2016, and later reports will be due January 31 each subsequent year.

New Section 27(d) of WETSA directs the Commission to withhold the monthly grant that would otherwise be made under Section 25 to an emergency telephone system board or qualified governmental entity if the board or entity fails to file the financial statements required by Section 27; monthly grants are to be withheld by the Commission until the board or entity complies with the filing requirements. Grants that have been withheld for 12 months or more are to be forfeited, and the Commission is to distribute the forfeited funds on a proportional basis to emergency telephone system boards and qualified governmental entities that are in compliance with the financial reporting requirements of the statute.

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

The amendments proposed in this rulemaking are intended to establish a process for reviewing the financial statements required by the new WETSA provisions and for ensuring compliance with its other provisions, including the withholding of the monthly payments and the eventual forfeiture and redistribution of those funds. In addition, a number of "housekeeping" changes are being proposed to Part 729 to update the rules, which have not been amended since their adoption in 2005.

- 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? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No; the Agency has adopted emergency amendments that will remain in effect for 150 days or until the adoption of the rules proposed in this rulemaking, whichever is earlier.
- 11) Statement of Statewide Policy Objectives: The proposed rulemaking neither creates nor expands any State mandate on units of local government, school districts, or community college districts.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register*, in Docket No. 14-0571 with:  
  
Elizabeth Rolando, Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield IL 62701  
  
217/782-7434
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect any subject jurisdictional entities that are

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

also small businesses as defined in the Illinois Administrative Procedure Act, and any small municipalities or not-for-profit corporations providing wireless 9-1-1 answering points.

- B) Reporting, bookkeeping or other procedures required for compliance:  
Bookkeeping and filing procedures
  - C) Types of professional skills necessary for compliance: Managerial and accounting skills
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Commission did not anticipate the need for this rulemaking at that time.

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER f: TELEPHONE UTILITIES

PART 729  
ADMINISTRATION OF FUNDS CREATED BY THE  
WIRELESS EMERGENCY TELEPHONE SAFETY ACT

SUBPART A: GENERAL PROVISIONS

Section	
729.100	Scope
729.110	Definitions
729.120	Duties of the Commission

SUBPART B: ELIGIBILITY OF PROVIDERS AND CARRIERS

Section	
729.200	Eligibility of Providers
729.210	Eligibility of Carriers

SUBPART C: GENERAL ADMINISTRATION

Section	
729.300	Transmission of Subscriber Information
729.310	Transmission of Surcharge Moneys
729.320	Allocation of Surcharges
729.330	Administrative Costs

SUBPART D: ADMINISTRATION OF THE WIRELESS SERVICES EMERGENCY FUND

Section	
729.400	Distribution of Moneys
729.410	Grants for Subscribers in Overlapping Jurisdictions
729.420	Overpayments and Underpayments

SUBPART E: ADMINISTRATION OF THE  
WIRELESS CARRIER REIMBURSEMENT FUND

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

## Section

729.500	Permitted Reimbursements
729.510	Reimbursement for Approved Expenditures
729.520	Priority of Distributions
729.530	Overpayments and Underpayments

## SUBPART F: DISPUTES

## Section

729.600	Resolution of Disputes
<u>729.610</u>	<u>Failure to File Financial Reports</u>

## SUBPART G: MISCELLANEOUS

## Section

729.700	Use of Grants and Reimbursements
729.710	Distributions Subject to Appropriation
729.720	Records
729.730	Physical Inspections
729.740	Indemnification

729.APPENDIX A	Form of Electronic Carrier Subscriber Information Transmittal
729.APPENDIX B	Format of Carrier Remittance Transmittal
729.APPENDIX C	Form of Sworn Statement

AUTHORITY: Implementing and authorized by the Wireless Emergency Telephone Safety Act [50 ILCS 751].

SOURCE: Adopted at 29 Ill. Reg. 19153, effective December 1, 2005; amended by emergency rulemaking at 38 Ill. Reg. 19792, effective October 1, 2014, for a maximum of 150 days; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

**Section 729.110 Definitions**

For purposes of this Part:

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

"Act" or "WETSA" means the Wireless Emergency Telephone Safety Act [50 ILCS 751].

"Administrative costs" means the ordinary and extraordinary fees, costs and expenses incurred by the Illinois Commerce Commission in performing its duties and responsibilities under the Act and this Part, including legal and other professional and consulting fees and expenses.

"Carrier" means a wireless carrier.

"Commission" means the Illinois Commerce Commission.

"DSP" means the Illinois Department of State Police.

"FCC" means the Federal Communications Commission.

"Funds" means the Wireless Services Emergency Fund (WSEF) and the Wireless Carrier Reimbursement Fund (WCRF).

"Grant" means a distribution from the WSEF to a provider pursuant to Sections 20 and 25 of the Act [50 ILCS 751/20 and 25].

["Prepaid Act" means the Prepaid Wireless 9-1-1 Surcharge Act \[50 ILCS 753\].](#)

"Provider" means an Emergency Telephone System Board or qualified governmental entity. DSP shall be considered a provider to the extent that it is acting as a Wireless Public Safety Answering Point.

"Reimbursement" means a distribution from the WCRF to a carrier for the purpose of reimbursing that carrier for costs incurred in complying with the applicable provisions of FCC wireless enhanced 9-1-1 service mandates pursuant to Sections 30 and 35 of the Act [50 ILCS 751/30 and 35].

"Subscriber" means a wireless subscriber.

"W-PSAP" means a Wireless Public Safety Answering Point.

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

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART C: GENERAL ADMINISTRATION

**Section 729.300 Transmission of Subscriber Information**

With the first transmittal of surcharges collected under the Act, and at the end of each billing month after the first transmittal (no later than the last day of the next calendar month; for example a July subscriber file is due no later than August 31), each carrier shall submit to the Commission its updated total number of subscribers per zip code (9 digit zip code if available) for that billing month. Transmittals shall be made in an electronic format, in substantially the form set forth in Appendix A of this Part, as a file attached to an email or a CD-ROM. The file shall be in text format, or EXCEL format, and be accompanied by a transmittal document or a proper label listing the carrier name and the billing month included on the submission. Transmittals shall be mailed to:

Illinois Commerce Commission  
IL WETSA  
527 East Capitol Avenue  
Springfield IL 62701  
Email [ilwetsa@icc.illinois.gov](mailto:ilwetsa@icc.illinois.gov)/[ILWETSA@icc.state.il.us](mailto:ILWETSA@icc.state.il.us)

[Noncompliance with this Section may result in the imposition of penalties as provided by Section 17\(f\) of the Act.](#)

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

**Section 729.310 Transmission of Surcharge Moneys**

- a) Surcharge moneys collected under the Act shall be remitted by check on a monthly basis. Each remittance check shall display the remitting carrier's name and a single Federal Employer Identification Number and a unique carrier check number on the face. The payee shall be designated as "State of Illinois, WETSA Funds".
- b) Each remittance of fees under this Section shall be accompanied by a transmittal to the Commission, in substantially the form set forth in Appendix B ~~of this Part~~.
- c) The checks and remittance transmittal shall be mailed to:

Illinois Commerce Commission

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

IL WETSA  
527 East Capitol Avenue  
Springfield IL 62701

- d) Funds are due to the Commission within 45 days after collection from the customer.
- e) Noncompliance with this Section may result in the imposition of penalties as provided by Section 17(e) of the Act.

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

**Section 729.320 Allocation of Surcharges**

Of the surcharges remitted under this Subpart, 6.849315%~~one-third~~ shall be deposited into the WCRF and 93.150685%~~two-thirds~~ shall be deposited into the WSEF.

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

**Section 729.330 Administrative Costs**

- a) Administrative costs shall be chargeable to the Funds.
- b) Of the amounts deposited into the Wireless Service Emergency Fund under Section 729.320, \$0.01 per surcharge collected may be disbursed to the Commission to cover its administrative costs [50 ILCS 751/17(b)]. The Commission may periodically submit a voucher for payment of this amount to it out of the WSEF. ~~Estimated administrative costs shall be held in escrow in the fund. The fees established and charged shall be adjusted periodically based on actual costs and shall be reconciled at least annually.~~

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

## SUBPART D: ADMINISTRATION OF THE WIRELESS SERVICES EMERGENCY FUND

**Section 729.400 Distribution of Moneys**

Subject to appropriation, moneys in the WSEF may be used only for grants to providers and to pay administrative costs.

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

- a) Except as provided in this Section and in Section 729.610, the Commission, subject to appropriation, shall make monthly proportional grants to each provider eligible to receive a grant under Section 729.200 based on the number of monthly subscribers in the geographic area (defined by zip code) in which the provider is certified as a wireless 9-1-1 service provider by the Commission.
- b) Funds collected under the Prepaid Act and deposited into the WSEF shall be distributed in the same proportion as in subsection (a).
- c) Of the funds deposited into the WSEF under Section 729.320, \$0.02 per surcharge shall be distributed monthly in equal amounts to the governmental units that are in counties under 100,000 population and that are eligible to receive grants under both Section 17(b) of the Act and Section 729.200, except as provided in Section 729.610.
- ~~db~~) All surcharge moneys allocated to the WSEF in a given month shall be distributed to the appropriate providers, except as reduced in subsections (~~fd~~) and (~~ge~~), and except as provided in Section 729.610.
- ~~ee~~) Funds allocated to the WSEF for geographic areas (defined by zip codes) that have not been properly claimed as the jurisdiction of an eligible provider and located within the Statewide Wireless Emergency 9-1-1 System shall be allocated to DSP. Funds allocated to the WSEF for billing addresses located outside the State of Illinois, or geographic areas (defined by zip code) that have not been claimed as the jurisdiction of an eligible provider and are located outside the Statewide Wireless Emergency 9-1-1 System, shall be allocated proportionately to eligible providers in the manner set forth in subsection (a).
- ~~fd~~) Funds allocated to the WSEF for geographic areas that are contested between eligible providers shall be held in escrow until proper determination has been made by the Commission as provided in Section 729.600.
- ~~ge~~) Estimated administrative expenses shall be withheld on a monthly basis, with at least an annual adjustment based upon actual costs.

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

## SUBPART E: ADMINISTRATION OF THE

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

## WIRELESS CARRIER REIMBURSEMENT FUND

**Section 729.500 Permitted Reimbursements**

Moneys in the WCRF may be used, subject to appropriation, only to reimburse carriers for costs incurred in complying with the applicable provisions of FCC wireless enhanced 9-1-1 service mandates and to pay administrative costs. In no event shall any sworn invoice submitted to the Commission for reimbursement be approved for:

- a) Costs not related to compliance with FCC Wireless Enhanced 9-1-1 mandates;
- b) Costs with respect to any Wireless Enhanced 9-1-1 service that is not operable at the time the invoice is submitted;
- c) Costs of providing Wireless Enhanced 9-1-1 services in an area when a unit of local government or Emergency Telephone System Board provides wireless 9-1-1 services in that area and was imposing and collecting a wireless carrier surcharge prior to July 1, 1998;
- ~~d) An amount in excess of 100% of an individual carrier's cumulative remittances to the WCRF, net administrative costs and prior reimbursements, without prior approval by the Commission;~~
- de) Any cost associated with a third party vendor that the carrier is not contractually obligated to pay;
- ef) Expenses not submitted within five years after the date the cost was incurred; or
- fg) Any carrier that has not remitted surcharges to the Commission within the year before it submitted its invoice~~past one year~~.

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

SUBPART F: DISPUTES**Section 729.610 Failure to File Financial Reports**

- a) This Section applies to an emergency telephone system board or qualified governmental entity that receives funds from the Wireless Service Emergency

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

Fund, and that fails to file the 9-1-1 system financial reports as required under Section 27 of the Act [50 ILCS 750/27(d)]. Such an emergency telephone system board or qualified governmental entity is referred to in the remainder of this Section as a "noncompliant provider".

- b) The Staff of the Commission shall review the financial statements reported to the Commission under Section 27(b) of the Act to determine whether an emergency telephone system board or qualified governmental entity that receives funds from the Wireless Service Emergency Fund has failed to file the 9-1-1 system financial reports as required under Section 27 of the Act, or has filed a report that is not *in a form and manner prescribed by the Illinois Commerce Commission's Manager of Accounting* [50 ILCS 750/27(b)]. Staff shall present to the Commission a verified report concerning each allegedly noncompliant provider.
- c) When the Commission receives a verified Staff Report concerning an allegedly noncompliant provider and determines that the Staff Report establishes a basis to proceed, it shall enter an Order on its own motion that initiates a formal show-cause proceeding. The Order shall also provide for the withholding of monthly grants as follows:
- 1) If the Staff Report establishes that the noncompliant provider has not filed a report at all, the Order shall direct that the monthly grants otherwise payable to the allegedly noncompliant provider under Section 25 of the Act be suspended and withheld until the Commission determines that the noncompliant provider is substantially in compliance with Section 27 of the Act and has filed the report in the form and manner prescribed by the Commission's Manager of Accounting, or until the grants have been withheld for 12 months or more and provided to compliant providers, as provided in subsection (d); or
  - 2) If the Staff Report states that the noncompliant provider has made an effort to file a report, but the report is not substantially in a form and manner as prescribed by the Commission's Manager of Accounting, the Order shall direct that the monthly grants otherwise payable to the allegedly noncompliant provider under Section 25 of the Act will be suspended beginning 30 days after the date of the Order, and withheld until the Commission determines that the noncompliant provider is substantially in compliance with Section 27 of the Act and has filed the report in the form and manner prescribed by the Commission's Manager of

## ILLINOIS COMMERCE COMMISSION

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Accounting, or until the grants have been withheld for 12 months or more and provided to compliant providers, as provided in subsection (d).

- d) The formal proceeding shall be heard as is provided in 83 Ill. Adm. Code 200, and the Commission shall determine on the basis of the record, no later than 12 months after the initiation of the proceeding, whether the grants should continue to be suspended and withheld under Section 27 of the Act. Any monthly grants that have been withheld for 12 months or more shall, without further order of the Commission, be forfeited by the emergency telephone system board or qualified governmental entity and shall be distributed proportionally by the Illinois Commerce Commission to compliant emergency telephone system boards and qualified governmental entities that receive funds from the Wireless Service Emergency Fund [50 ILCS 751/27(d)]. The Commission's Order shall specify the date as of which the monthly grants shall begin to be forfeited as provided in this Section. A grant is deemed to be "withheld" as of the date on which Commission personnel responsible for forwarding direction to the Comptroller to pay monthly proportional grants to providers under Section 25 of the Act exclude the noncompliant provider from the list of providers forwarded to the Comptroller. Nothing in this Section precludes a provider from seeking a rehearing of the Commission's order or other relief under Section 10-113 of the Public Utilities Act [220 ILCS 5/10-113]. When Staff determines that a provider previously found by the Commission to be noncompliant has come into compliance, Staff shall immediately inform the Commission personnel responsible for forwarding direction to the Comptroller to pay monthly proportional grants to providers under Section 25 of the Act, and shall recommend, at the next available open meeting of the Commission, that the Order directing the withholding and redistribution of that provider's monthly grants be rescinded, to the extent that the grants have not already been forfeited pursuant to Section 27(d) of the Act.
- e) The payment of any monthly proportional grant to an emergency telephone system board or qualified governmental entity shall not constitute acknowledgment by the Commission or its Manager of Accounting that the emergency telephone system board or qualified governmental entity has filed a 9-1-1 system financial report as required under Section 27 of the Act, or has filed a report that is in a form and manner prescribed by the Illinois Commerce Commission's Manager of Accounting.

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

**Section 729.APPENDIX A Form of Electronic Carrier Subscriber Information Transmittal**

MONTHLY SUBSCRIBER COUNT FILE

Storage Media: file attached to an Email or a CD-ROM

File Format: Text file or Microsoft EXCEL file

Carrier Subscriber Record File Layout

INSTRUCTIONS: This file must be 32 characters in length with a header and trailer record. The header record must have an H indicator in the first position and the carrier name in the remaining 31 positions. The trailer record must have a T in the first position and the total number of records on the file excluding the header and trailer records for 10 positions, followed by the FEIN. If using a Microsoft EXCEL file, the file records shall all be placed in one column of the file.

Each field length must be filled. Example: Subscriber count is a length of 10 and all spaces must be filled with leading zeros (e.g., 0000000999).

Field Name	Starting Position	Length	Data Type
FEIN	1	9	Numeric
Billing Month	10	4	Numeric (YYMM)
US Postal Zip Code	14	5	Numeric
US Postal +4 Code (if available)	19	4	Numeric
Subscriber Count	23	10	Numeric

SAMPLE: Below is an example of the header, trailer and field requirements.

Header:

Hcarriername

Trailer

T99999999990

[This is a sample text file:](#)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

HCARRIERNAME

99999999904106270412340000000005

99999999904106270400000000000025

T0000000002999999999

Questions concerning the field requirements may be addressed to:

**Illinois Commerce Commission**

IL WETSA

527 East Capitol Avenue

Springfield IL 62701

Phone: (217) 782-9715

Email [ilwetsa@icc.illinois.gov](mailto:ilwetsa@icc.illinois.gov) [ILWETSA@icc.state.il.us](mailto:ILWETSA@icc.state.il.us)

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



ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

- 10. To the best of my knowledge, ~~the following are the~~ Wireless Public Safety Answering Points (as defined by the Act) receiving Wireless Enhanced 9-1-1 service as a result of the expenditures set forth in Exhibit B are within the State of Illinois but not within the City of Chicago.
- 11. The Carrier is in compliance with the Act.

\_\_\_\_\_  
 [Signature]  
 [Printed Name of Official]

SUBSCRIBED AND SWORN TO this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_  
 Before me, a Notary Public in and for the County and State aforesaid, by [name of official making Affidavit], who is personally known to me to be the [affiant's official title] of [legal name of Carrier] who appeared before me this day and duly acknowledged to me execution of the foregoing Affidavit.

[Seal]

\_\_\_\_\_  
 [Signature]  
 Notary Public

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

## ELEVATOR SAFETY REVIEW BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Elevator Safety Rules
- 2) Code Citation: 41 Ill. Adm. Code 1000
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1000.60	Amendment
1000.80	Amendment
1000.160	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 35 of the Elevator Safety and Regulation Act [225 ILCS 312/35]
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking updates the nationally recognized safety standards that are incorporated by reference in the Elevator Safety Rules. Section 35 of the Act gives the Elevator Safety Review Board one year to adopt or amend and adopt updated national safety codes cited in the statute. The national safety standards being updated at this time were adopted by the Elevator Safety Review Board in the summer of 2014. This rulemaking will also make minor updates to the language in Section 1000.80 to conform the language in that Section to amendments to the Act made by Public Act 98-1090 (effective August 26, 2014). Finally, the rulemaking updates cross-references to the applicable hearing rules.
- 6) Published Studies or Reports, and sources of underlying data used to compose this rulemaking: None
- 7) Will this rulemaking replace an 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: The proposed rulemaking does not create or enlarge a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)]. These rules merely update safety requirements for new and modified elevators and escalators as required by the Elevator Safety and Regulation Act.

## ELEVATOR SAFETY REVIEW BOARD

## NOTICE OF PROPOSED AMENDMENTS

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

Bob Capuani  
Elevator Safety Division  
Office of the Illinois State Fire Marshal  
James R. Thompson Center  
100 W. Randolph Street  
Suite 4-600  
Chicago IL 60601

- 13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: All new conveyances and conveyances being modernized will have to conform to the new codes. Any small business or small municipality that installs a new or modified conveyance will have to comply with these updated safety requirements. A small business or small municipality that inspects regulated conveyances will have to rely on the updated codes for new or modified conveyances.
- B) Reporting, bookkeeping or other procedures required for compliance: The proposed rules add no additional procedural requirements for compliance. Individuals, companies and municipalities that install, inspect, repair, maintain, permit or own regulated conveyances are required to maintain records on such activity.
- C) Types of Professional skills necessary for compliance: Individuals prove competence to inspect, install, repair or maintain regulated conveyances by experience, education or testing that demonstrates conformance to national standards.

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

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

## ELEVATOR SAFETY REVIEW BOARD

## NOTICE OF PROPOSED AMENDMENTS

TITLE 41: FIRE PROTECTION  
CHAPTER II: ELEVATOR SAFETY REVIEW BOARDPART 1000  
ILLINOIS ELEVATOR SAFETY RULES

Section	
1000.10	Purpose of this Part
1000.20	Applicability
1000.30	Definitions
1000.40	Local Regulation
1000.50	Elevator Safety Review Board
1000.60	Adoption of Nationally Recognized Safety Codes
1000.70	Variance and Appeal
1000.75	New Technology
1000.80	Licensure and Registration Requirements
1000.90	Application for License or Registration
1000.100	License and Registration Fees
1000.110	Renewal of License
1000.120	Registration of Conveyances
1000.130	Permits
1000.140	Conveyance Inspection
1000.145	Request for Investigation
1000.150	Certificate of Operation
1000.160	Administrative Hearing
1000.170	Administrative Procedures
1000.180	Service or Inspection of Non-Compliant Conveyances
1000.190	Conveyance Maintenance, Repair, and Upgrade History

**AUTHORITY:** Implementing and authorized by Section 35 of the Elevator Safety and Regulation Act [225 ILCS 312/35].

**SOURCE:** Adopted by emergency rule at 30 Ill. Reg. 13186, effective July 21, 2006, for a maximum of 150 days; emergency expired December 17, 2006; adopted at 31 Ill. Reg. 7043, effective April 24, 2007; amended at 32 Ill. Reg. 8377, effective May 27, 2008; amended at 33 Ill. Reg. 5750, effective April 2, 2009; amended at 36 Ill. Reg. 13131, effective October 1, 2012; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 1000.60 Adoption of Nationally Recognized Safety Codes**

## ELEVATOR SAFETY REVIEW BOARD

## NOTICE OF PROPOSED AMENDMENTS

- a) All conveyances shall be designed, constructed, installed, operated, inspected, tested, maintained, altered and repaired in accordance with the following standards and safety codes:
- 1) American Society of Mechanical Engineers (ASME)  
Three Park Avenue  
New York NY 10016-5990
    - A) Safety Code for Elevators and Escalators (ASME A17.1-~~20132010~~/CSA B44-~~201340~~) and Performance-Based Safety Code for Elevators and Escalators (ASME A17.7-2007/CSA B44.7-07);
    - B) Safety Code for Existing Elevators and Escalators (ASME A17.3-2005), but only as required under Section 35(h) and (i) of the Act and subsection (d) of this Section;
    - C) Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1-~~20112008~~);
    - D) Standard for the Qualification of Elevator Inspectors (ASME QEI-1-~~20132010~~).
  - 2) American Society of Civil Engineers (ASCE)  
1801 Alexander Bell Drive  
Reston VA 20191-4400  
  
Automated People Mover Standards (~~ANSI/ASCE/T&DI 21-13, Part 1-2005/2006, ASCE 21, Parts 2 through 4 2008~~).
- b) All the materials incorporated by reference in this Section are incorporated as of the date specified and include no later editions or amendments.
- c) *The Board shall adopt, or amend and adopt, the latest editions of the standards referenced in this Section within 12 months after the effective date of the standards.* [225 ILCS 312/35(a)]
- d) Upgrade Requirements for Existing Conveyances

## ELEVATOR SAFETY REVIEW BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) *Notwithstanding anything else in this Part, the following upgrade requirements of the 2007 edition of the Safety Code for Elevators and Escalators (ASME A17.1) and the 2005 edition of the Safety Code for Existing Elevators (ASME A17.3) must be completed by January 1, 2015, but OSFM or the Local Administrator may not require their completion prior to January 1, 2013:*
  - A) *Restricted opening of hoistway doors or car doors on passenger elevators in accordance with ASME A17.3-2005;*
  - B) *Car illumination in accordance with ASME A17.3-2005;*
  - C) *Emergency operation and signaling devices in accordance with ASME A17.3-2005;*
  - D) *Phase reversal and failure protection in accordance with ASME A17.3-2005;*
  - E) *Reopening device for power operated doors or gates in accordance with ASME A17.3-2005;*
  - F) *Stop switch pits in accordance with ASME A17.3-2005; and*
  - G) *Pit ladder installation in accordance with Section 2.2.4.2 of ASME A17.1-2007.*
- 2) *In the event that a conveyance regulated by this Part is altered, the alteration shall comply with ASME A17.1-2010/CSA B44-10.*
- 3) *Notwithstanding anything else in this Section, the firefighter's emergency operation and the hydraulic elevator cylinder, including the associated safety devices outlined in Section 4.3.3(b) of ASME A17.3-2005, are not required to be upgraded unless:*
  - A) *There is an alteration;*
  - B) *The equipment fails; or*

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- C) *Failing to replace the equipment jeopardizes the public safety and welfare as determined by the Local Administrator or the Board.*  
[225 ILCS 312/35(h) and (i)]
- e) Non-Mandatory Guidelines. It is recommended that all conveyances be inspected and tested in accordance with the following recommended practices. The following list should not be interpreted as excluding other practices recommended by equipment manufacturers.

American Society of Mechanical Engineers (ASME)  
Three Park Avenue  
New York NY 10016-5990

Guide for Inspection of Elevators, Escalators, and Moving Walks (ASME  
A17.2-~~2012~~2014)

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

**Section 1000.80 Licensure and Registration Requirements**

- a) Qualifications for Elevator Mechanic License, Limited Elevator Mechanic License or Temporary Limited Elevator Mechanic License
- 1) Elevator Mechanic License  
Section 20(a) of the Act states that *no person shall erect, construct, wire, alter, replace, maintain, remove, or dismantle any conveyance contained within buildings or structures in the jurisdiction of this State unless he or she possesses an elevator mechanic license.*
- A) *No license shall be granted to any person who has not paid the application fee required by Section 1000.100(a).*
- B) *No license shall be granted to any person who has not proven his or her qualifications and abilities. Applicants for an elevator mechanic license must demonstrate one of the following qualifications:*

## ELEVATOR SAFETY REVIEW BOARD

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- i) *an acceptable combination of documented experience and education credits consisting of:*
    - *not less than 3 years work experience in the elevator industry, in construction, maintenance, or service and repair, as verified by current and previous employers licensed to do business in this State or in another state if the Board deems that out-of-state experience equivalent; and*
    - *satisfactory completion of a written examination administered by the Elevator Safety Review Board or its designated provider, testing understanding of this Part and the State codes incorporated in Section 1000.60; or*
  - ii) *a certificate of successful completion of the mechanic examination of a nationally recognized training program for the elevator industry, such as the National Elevator Industry Educational Program or its equivalent; or*
  - iii) *a certificate of completion of an elevator mechanic apprenticeship program, with standards substantially equal to those of the Act, registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor; or*
  - iv) *a valid license from a state having standards substantially equal to those of this State. [225 ILCS 312/45]*
- 2) Limited Elevator Mechanic License
- A) No license shall be granted to any person or firm that has not paid the application fee required by Section 1000.100(h).
  - B) Qualifications for a limited elevator mechanic license shall be the same as for an elevator mechanic license, with the exception that qualifying work experience shall consist of work performed on specific ASME A18.1 conveyances (platform lifts and stairway

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chairlifts). Examinations will cover ASME A18.1 standards, the Act and this Part.

- 3) Temporary Limited Elevator Mechanic License  
*OSFM may issue a temporary limited elevator mechanic license to an individual to perform work on a specific type of conveyance described in ASME A18.1. The license shall be issued for 30 days upon application attesting that there are no licensed personnel available to perform elevator work for the specific type of conveyance. The application shall also contain the certification of a licensed limited elevator contractor or licensed elevator contractor certifying that the individual is qualified to perform the work. Proof of competency cited in the certification must include at least 3 years of work experience in the elevator industry, without direct supervision, in Illinois or any other state having standards substantially equal to those of this State. The license shall be valid only while the person is employed by the licensed limited elevator contractor or licensed elevator contractor that certified the individual as qualified. The applicant shall furnish any proof of competency that OSFM may require and must obtain a permanent license within one year. [225 ILCS 312/45(g)]*

b) Elevator Industry Apprentice or Helper Registration

- 1) A person who is not licensed as an elevator mechanic or limited elevator mechanic may work as an elevator industry apprentice or helper if he or she is registered as an apprentice or helper by OSFM and works under the general supervision of a licensed elevator mechanic or licensed limited elevator mechanic.
- 2) No person shall be registered as an elevator industry apprentice or helper who has not paid the registration fee required by Section 1000.100(k).
- 3) All elevator mechanic apprentices shall be registered with an apprenticeship or training program approved by the Bureau of Apprenticeship and Training, U.S. Department of Labor.
- 4) Elevator industry apprentices and helpers shall register with OSFM by submitting, on a form provided by OSFM, the following information:

## ELEVATOR SAFETY REVIEW BOARD

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- A) Name, address and telephone number of the applicant.
  - B) Whether the applicant is registering as an apprentice or as a helper.
  - C) If an apprentice, the name and contact information for the apprenticeship or training program with which the apprentice is registered.
- 5) Upon determination that the applicant for registration meets all the requirements of the Act and this Part, OSFM will provide the applicant with an elevator industry apprentice or helper registration card.
- c) Qualifications for a Temporary Elevator Mechanic License
- 1) No license shall be granted to any person who has not paid the application fee required by Section 1000.100(f).
  - 2) *A licensed elevator contractor shall notify OSFM when there are no licensed personnel available to perform elevator work and may request that the OSFM issue temporary elevator mechanic licenses to persons certified by the contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision.*
  - 3) A person for whom a contractor requests a temporary elevator mechanic license shall show proof of competency by documenting 3 years of work experience in the elevator industry, without direct supervision, in Illinois or any other state having standards substantially equal to those of this State.
  - 4) *A temporary elevator mechanic license shall recite that it is valid for a period of 30 days from the date of issuance and only while the elevator mechanic is employed by the licensed elevator contractor that certified the individual as qualified. [225 ILCS 312/45(e)]*
  - 5) *A temporary elevator mechanic license shall be renewable as long as the shortage of license holders continues. [225 ILCS 312/45(e)]*
- d) Qualifications for Emergency Elevator Mechanic License

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- 1) No application fee is required for an individual applying for an emergency elevator mechanic license or for the renewal of that license.
  - 2) *Whenever an emergency exists in the State due to disaster, act of God, or work stoppage and the number of persons in the State holding elevator mechanic licenses is insufficient to cope with the emergency, any person certified by a licensed elevator contractor or licensed limited elevator contractor to have an acceptable combination of documented experience and education to perform elevator work without direct and immediate supervision shall seek an emergency elevator mechanic license from OSFM within 5 business days after commencing work requiring a license.*
  - 3) *The applicant shall furnish proof of competency by submitting to OSFM documentation of 3 years of work experience in the elevator industry, without direct supervision, in Illinois or any other state having standards substantially equal to those of this State.*
  - 4) *An emergency mechanic license is valid for 30 days from the date issued and for such particular elevators or geographical areas as OSFM may designate. The emergency license entitles the licensee to the rights and privileges of an elevator mechanic license issued under subsection (a).*
  - 5) *OSFM shall renew an emergency elevator mechanic license during the existence of an emergency. [225 ILCS 312/45(d)]*
- e) Qualifications for Elevator Inspector License
- 1) *No person shall inspect any conveyance within buildings or structures, including, but not limited to, private residences, unless he or she has an inspector license [225 ILCS 312/20(b)].*
  - 2) *No elevator inspector license shall be granted to any person who has not paid the application fee required by Section 1000.100(b).*
  - 3) *No inspector's license shall be granted to any person, unless he or she has been certified as meeting the requirements of ASME QEI-1 by a nationally or internationally recognized independent organization concerned with personnel certification~~proves to the satisfaction of OSFM that he or she~~*

## ELEVATOR SAFETY REVIEW BOARD

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~~meets the current ASME QEI-1, Standard for the Qualifications of Elevator Inspectors.~~ [225 ILCS 312/50]

- 4) To be licensed as an elevator inspector, the applicant must have attained QEI certification (see Section 1000.60(a)(1)(D)). An elevator inspector shall notify OSFM within 24 hours after suspension, termination or expiration of his/her QEI certification. No inspector shall perform any inspection covered by the Act without a current QEI certification.
  - 5) All elevator inspector license applicants are required to submit proof of insurance as required by Section 100 of the Act and must provide notice at least 10 days in advance to OSFM of any substantial alteration or cancellation of a policy. No work covered by the Act is to be performed without insurance required by Section 100 of the Act.
- f) **Qualifications for Elevator Contractor License**  
Section 40(a) of the Act requires that any person *wishing to engage in the business of installing, altering, repairing, servicing, replacing, or maintaining elevators, dumbwaiters, escalators, or moving walks within this State* must be licensed.
- 1) *No license shall be granted to any person or firm unless the application fee required by Section 1000.100(d) is paid.*
  - 2) *No license shall be granted to any person or firm who has not proven the required qualifications and abilities. An applicant must be individually licensed as an elevator mechanic under the Act, perform the work set forth in Section 20(a) of the Act, and have proof of compliance with the insurance requirements set forth in Section 100 of the Act or, in the case of a firm, employ a person who is individually licensed as an elevator mechanic under the Act, perform the work set forth in Section 20(a) of the Act, and have proof of compliance with the insurance requirements set forth in Section 100 of the Act.* [225 ILCS 312/55]
  - 3) All licensed elevator contractors must provide notice to OSFM at least 10 days in advance of any substantial alteration or cancellation of an insurance policy required by Section 100 of the Act. No work covered by the Act is to be performed without insurance required by Section 100 of the Act.

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- 4) *If the State of Illinois, a unit of local government, or an institution of higher education maintains in its employ licensed or limited licensed elevator mechanics who maintain only conveyances owned or leased by that entity, the employing entity is not required to be licensed as a contractor under this Section and none of the provisions of the Act concerning licensed contractors shall apply to these entities. [225 ILCS 40(a)]*
- g) Qualifications for a Limited Contractor License
  - 1) No license shall be granted to any person or firm unless the application fee required by Section 1000.100(e) is paid.
  - 2) Qualifications for a limited contractor license shall be the same as for an elevator contractor license with the exception that work experience shall consist of work performed on ASME A18.1 conveyances (platform lifts and stairway chairlifts). Examinations will cover ASME A18.1 standards, the Act, and this Part.
- h) Qualifications for Elevator Inspection Company License
  - 1) No company, limited liability company, corporation, not for profit corporation, partnership, limited partnership, sole proprietorship, or any other business organization authorized by law shall inspect or cause an employee to inspect any conveyance within buildings or structures, including, but not limited to, private residences, unless the company has an inspection company license.
  - 2) *No elevator inspection company license shall be granted to any person who has not paid the application fee required by Section 1000.100(c). [225 ILCS 312/50]*
  - 3) No inspection company license shall be granted to any company unless the company proves to the satisfaction of OSFM that one or more officers of the company meet the current ASME QEI-1, Standard for the Qualification of Elevator Inspectors. To be licensed as an elevator inspector, the applicant must have attained QEI certification (see Section 1000.60(a)(1)(D)).

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- 4) An elevator inspection company shall notify OSFM within 24 hours after suspension, termination or expiration of the officer's QEI certification. No inspection company shall perform any inspection covered by the Act without at least one officer possessing a current QEI certification and an Illinois inspector license and the company possessing a valid elevator inspection company license.
  - 5) All elevator inspection company license applicants are required to submit proof of insurance as required by Section 100 of the Act and must provide notice at least 10 days in advance to OSFM of any substantial alteration or cancellation of a policy. No work covered by the Act is to be performed without insurance required by Section 100 of the Act.
- i) Miscellaneous Requirements
- 1) No licensee shall work on non-registered or non-permitted conveyances covered by the Act, except for those conveyances exempted from registration by the Act or Section 1000.120(g).
  - 2) All license holders are required to report violations of the Act, this Part and the standards listed in Section 1000.60 to OSFM.
  - 3) Each licensee shall have his/her valid license, and each elevator industry apprentice or helper shall have his/her valid registration card, in his/her possession when working on conveyances covered by the Act.

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

**Section 1000.160 Administrative Hearing**

- a) An Administrative Order issued by the Board or OSFM may be appealed in accordance with 41 Ill. Adm. Code 210-~~20~~.
- b) All appeals shall be submitted in writing to the Board no later than 10 working days following the date of the Administrative Order to correct the conveyance endangering public safety and welfare; all other appeals shall be made within 30 days following the date of the Administrative Order.

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- c) All hearings conducted by the Board will be conducted pursuant to 41 Ill. Adm. Code 210.
- d) The Board may appoint a hearing officer to assist the Board with the hearing procedures.
- e) ~~Failure~~In accordance with 41 Ill. Adm. Code 210.150, failure of a party to appear on the date of the hearing shall constitute default. The Board will hold the hearing and enter a final order.
- f) All final administrative decisions of OSFM or the Board are subject to judicial review under the Administrative Review Law [735 ILCS 5/Art. III].

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

## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: The Illinois Liquor Control Commission
- 2) Code Citation: 11 Ill. Adm. Code 100
- 3) Section Number: 100.245                      Proposed Action: New Section
- 4) Statutory Authority: Implementing and authorized by Section 3-12(a)(2) of the Liquor Control Act [235 ILCS 5/3-12(a)(2)]
- 5) A Complete Description of the Subjects and Issues Involved: The proposed rule prohibits a manufacturer and distributor of alcoholic liquor from conditionally selling alcoholic liquor on consignment. In addition, the rule defines bona fide reasons a retailer and distributor of alcoholic liquor can return alcoholic liquor to the seller.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will the proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
100.15	New Section	38 Ill. Reg. 16634; August 8, 2014
100.90	Amendment	38 Ill. Reg. 16634; August 8, 2014
100.250	Amendment	38 Ill. Reg. 16634; August 8, 2014
100.255	New Section	38 Ill. Reg. 16634; August 8, 2014
100.270	Amendment	38 Ill. Reg. 16634; August 8, 2014
100.275	New Section	38 Ill. Reg. 16634; August 8, 2014
100.285	New Section	38 Ill. Reg. 16634; August 8, 2014
100.325	New Section	38 Ill. Reg. 16634; August 8, 2014
100.326	New Section	38 Ill. Reg. 16634; August 8, 2014
100.410	New Section	38 Ill. Reg. 16634; August 8, 2014
100.420	New Section	38 Ill. Reg. 16634; August 8, 2014
100.430	New Section	38 Ill. Reg. 16634; August 8, 2014

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100.460	New Section	38 Ill. Reg. 16634; August 8, 2014
100.480	New Section	38 Ill. Reg. 16634; August 8, 2014

- 11) Statement of Statewide Policy Objectives: This rulemaking does not adversely affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A 45-day written comment period will begin on the day the Notice of Proposed Amendment appears in the *Illinois Register*. Please mail written comments on proposed rulemaking to the attention of:  
  
Richard Haymaker  
Liquor Control Commission  
100 W. Randolph, Suite 7-801  
Chicago IL 60601  
  
312/814-1804
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect holders of manufacturing, distributing and retailing liquor licenses.
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of Professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: The rule not included in either of the two most recent Agendas because the rules had not been approved by the Commission at the time of publication.

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

## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF PROPOSED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY  
SUBTITLE A: ALCOHOL  
CHAPTER I: ILLINOIS LIQUOR CONTROL COMMISSIONPART 100  
THE ILLINOIS LIQUOR CONTROL COMMISSION

Section	
100.5	Penalties
100.10	Definitions
100.20	Employment of Minors
100.30	Violation of Federal Law, State Statute or City, Village or County Ordinance or Regulation
100.40	Registration of Tasting Representatives
100.50	Advertising
100.60	Geographical Territories
100.70	Labels
100.80	Bonds (Repealed)
100.90	Credit to Retail Licensees
100.100	Internal Changes Within Corporations
100.110	Application Forms
100.120	Railroad Licenses
100.130	Books and Records
100.140	Miniatures (Repealed)
100.150	Salvaged Alcoholic Liquors
100.160	Sanitation
100.170	Taps
100.180	Procedure Before Commission on Citations
100.190	Procedure Before Commission on Request for Continuance of Any Hearing
100.200	Wagering Stamps (Repealed)
100.210	Inducements
100.220	Retail Licensee Clubs (Repealed)
100.230	Resumption of Business on Appeal
100.240	Transactions Involving Use of Checks and Their Equivalent (Repealed)
<a href="#">100.245</a>	<a href="#">Consignment Sales Prohibited; Bona Fide and Non-Bona Fide Returns</a>
100.250	Transfer of Alcohol
100.260	Uniform Systems of Accounts
100.270	Multi-Use Facilities
100.280	Giving Away of Alcoholic Liquors

## ILLINOIS LIQUOR CONTROL COMMISSION

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100.290	Refilling
100.300	Authorization to Remove Bottles
100.310	Food Service at Park Districts
100.320	Airplanes
100.330	Advertising
100.340	Petitions for the Adoption, Amendment or Repeal of a Rule
100.350	Procedures For Filing Appeals From an Order of the Local Liquor Control Commissioner
100.360	Review on Record – Certification of Ordinance
100.370	Procedures Before the Commission
100.380	Ex Parte Consultations
100.390	Transcripts – Administrative Review
100.400	Procedures Before the Commission on Disputes under Section 35 of the Illinois Wine and Spirits Industry Fair Dealing Act (Repealed)
100.410	Representation of Licensees <del>before</del> Before the Commission (Repealed)

AUTHORITY: Implementing and authorized by Section 3-12(a)(2) of the Liquor Control Act [235 ILCS 5/3-12(a)(2)].

SOURCE: Rules and Regulations of the Illinois Liquor Commission, amended March 31, 1977; amended July 7, 1977; amended at 3 Ill. Reg. 12, p. 65, effective March 22, 1979; codified at 5 Ill. Reg. 10706; amended at 8 Ill. Reg. 6041, effective April 19, 1984; amended at 12 Ill. Reg. 19387, effective November 7, 1988; amended at 18 Ill. Reg. 4811, effective March 9, 1994; amended at 20 Ill. Reg. 834, effective January 2, 1996; expedited correction at 20 Ill. Reg. 4469, effective January 2, 1996; amended at 21 Ill. Reg. 5542, effective May 1, 1997; amended at 23 Ill. Reg. 3787, effective March 15, 1999; emergency amendment at 23 Ill. Reg. 8687, effective July 13, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13609, effective October 28, 1999; amended at 25 Ill. Reg. 13596, effective October 15, 2001; amended at 26 Ill. Reg. 17966, effective December 9, 2002; amended at 27 Ill. Reg. 17386, effective November 10, 2003; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 100.245 Consignment Sales Prohibited; Bona Fide and Non-Bona Fide Returns**

- a) It is unlawful for a manufacturer, non-resident dealer, foreign importer, importing distributor or distributor to sell, offer for sale, or contract to sell to any retailer, or for any such retailer to purchase, offer to purchase, or contract to purchase any products:

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- 1) on consignment or conditional sale, pursuant to which the retailer has no obligation to pay for the product until sold;
  - 2) with the privilege of return;
  - 3) on any basis other than a bona fide sale; or
  - 4) if any part of the sale involves, directly or indirectly, the acquisition by the retailer of other products from a manufacturer, non-resident dealer, foreign importer, importing distributor or distributor, or the agreement to acquire other products from the manufacturer, non-resident dealer, foreign importer, importing distributor or distributor.
- b) Transactions involving the bona fide return of products for ordinary and usual commercial reasons arising after the product has been sold are not prohibited.
- c) Unless there is a bona fide business reason for replacement of damaged or defective alcoholic liquor product when delivered, the product may not be replaced free of charge to a retailer. Replacement of alcoholic liquor damaged while in a trade buyer's possession constitutes the providing of something "of value" and a violation of Sections 6-4, 6-5 and 6-6 of the Act. A manufacturer, non-resident dealer, foreign importer, importing distributor or distributor is under no obligation to accept the return of products for the reasons stated in subsections (e)(1) through (8).
- 1) A manufacturer with the privilege of self-distribution, importing distributor or distributor may not accept the return of alcoholic liquor products as "breakage" if the product was damaged after delivery and while in the possession of the retailer. The self-distributing manufacturer, importing distributor or distributor may replace damaged cartons or packaging at any time.
  - 2) Under no circumstances may alcoholic liquor products or other compensation be furnished to a retailer for product breakage that occurs as a result of handling by the retailer or its agents, employees or customers.
  - 3) If the alcoholic liquor product has been damaged prior to or at the time of actual delivery, the product may only be exchanged for an equal quantity

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of identical product or returned for credit. If identical product is unavailable, exchange will be permitted for similar type product.

- 4) If the alcoholic liquor product has been damaged prior to or at the time of actual delivery, the product may only be exchanged within a reasonable time after delivery. If pre-delivery damage is visible at the time of delivery, the retailer must identify the damaged product immediately. If the damage is latent and not visible at the time of delivery, the retailer must notify the manufacturer with self-distribution privileges, importing distributor or distributor of the pre-delivery damage within 15 days after delivery, or date of invoice, whichever is later.
- d) It is unlawful to sell, offer to sell, or contract to sell alcoholic liquor products with the privilege of return for any reason, other than those considered to be "ordinary and usual commercial reasons", arising after the product has been sold. A manufacturer, non-resident dealer, foreign importer, importing distributor or distributor is under no obligation to accept a return or make an exchange for any product. A manufacturer with self-distribution privileges, non-resident dealer, foreign importer, importing distributor or distributor that elects to make an authorized exchange of product or return of product for cash or credit does so at its sole discretion and must maintain proper books and records of the transaction, in accordance with Section 100.130.
- e) Ordinary and usual commercial reasons for the return of alcoholic liquor products are limited to:
- 1) Defective Products. Products that are unmarketable because of product deterioration, leaking containers, damaged labels or missing or mutilated tamper evident closures may be exchanged for an equal quantity of identical products, or credit against outstanding indebtedness.
  - 2) Error in Products Delivered. Any discrepancy between products ordered and products delivered may be corrected, within 15 days after the date of delivery or date of invoice, whichever is later, by exchange of the products delivered for those that were ordered or by a return for credit against outstanding indebtedness.
  - 3) Products that May No Longer be Lawfully Sold. Products that may no longer be lawfully sold may be returned for credit against outstanding

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indebtedness. This would include situations in which, due to a change in regulation or administrative procedure over which a retailer has no control, a particular size or brand is no longer permitted to be sold.

- 4) Termination of Business. Products on hand at the time a foreign importer, importing distributor, distributor or retailer terminates operations may be returned for cash or credit against outstanding indebtedness. This does not include a temporary seasonal shutdown.
  - 5) Termination of Franchise. When a manufacturer, non-resident dealer, or foreign importer has sold products for cash or credit to one of its importing distributors or distributors and the distributorship arrangement is subsequently terminated, stocks of the product on hand may be returned for cash or credit against outstanding indebtedness.
  - 6) Change in Product. A retailer's inventory of a product that has been changed in formula, proof, label or container may be exchanged for equal quantities of the new version of that product.
  - 7) Discontinued Products. When a manufacturer, non-resident dealer, foreign importer or importing distributor discontinues the production or importation of a product, a distributor or retailer, as the case may be, may return its inventory of that product for cash or credit against outstanding indebtedness.
  - 8) Seasonal Dealers. Manufacturers, non-resident dealers, foreign importers, importing distributors or distributors may accept the return of product from retailers who are only open a portion of the year, if the products are likely to spoil during the off season. These returns will be for cash or credit against outstanding indebtedness.
- f) Without limitation, the following are specifically not considered ordinary and commercial reasons to justify a return of alcoholic liquor product:
- 1) Overstocked and Slow Moving Alcoholic Liquor Products. The return or exchange of a product because it is overstocked or slow moving does not constitute a return for "ordinary and usual commercial reasons".

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- 2) Seasonal Alcoholic Liquor Products. The return or exchange of products for which there is only a limited or seasonal demand, such as holiday decanters and certain distinctive bottles, does not constitute a return for "ordinary and usual commercial reasons". Nothing in this subsection (f) shall prohibit the exchange of deteriorated product that includes product near or beyond the manufacturer's expiration or "code" date. It is a violation of this subsection (f) and Sections 6-4, 6-5 and 6-6 of the Act for a retailer to hold on to deteriorated product in order for it to be exchanged or returned as "out of code".

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

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## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Student Loan Repayment Program Code
- 2) Code Citation: 77 Ill. Adm. Code 582
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
582.10	New Section
582.20	New Section
582.30	New Section
582.40	New Section
582.100	New Section
582.105	New Section
582.110	New Section
582.115	New Section
582.120	New Section
582.125	New Section
582.130	New Section
582.135	New Section
582.140	New Section
582.145	New Section
582.150	New Section
582.155	New Section
582.160	New Section
582.165	New Section
582.170	New Section
- 4) Statutory Authority: Sections 338B and 331(i) of the Public Health Service Act (42 USC 254d(i) and 254L-1), 42 CFR 62, National Health Service Corps Scholarship and Loan Repayment Programs and Section 4.10 of the Family Practice Residency Act [110 ILCS 935]
- 5) A Complete Description of the Subjects and Issues Involved: A new Part is proposed to assist in the management and oversight of the federal government's Student Loan Repayment Program (SLRP). This program provides loan repayment for educational debt in exchange for the health professional working in a health shortage area. Illinois participates in SLRP and follows the federal guidelines for managing the program. The proposed administrative rules will maintain the federal stipulations and incorporate Illinois specific requirements regarding terms of performance for recipients.

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

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

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency 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 does not create or expand a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the publication of this issue of the *Illinois Register* to:

Susan Meister  
Division of Legal Services  
Illinois Department of Public Health  
535 W. Jefferson St., 5<sup>th</sup> floor  
Springfield IL 62761

217/782-2043  
dph.rules@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not for profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None

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- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2013

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

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TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER g: GRANTS TO DENTAL AND MEDICAL STUDENTSPART 582  
STUDENT LOAN REPAYMENT PROGRAM CODE

## SUBPART A: GENERAL PROVISIONS

Section	
582.10	Definitions
582.20	Incorporated and Referenced Materials
582.30	Administrative Hearings
582.40	Freedom of Information

## SUBPART B: STATE LOAN REPAYMENT PROGRAM

Section	
582.100	Eligibility Requirements
582.105	Use of Funds
582.110	Application Procedure
582.115	Application Review Process
582.120	Loan Repayment Agreement
582.125	Service Obligation Fulfillment
582.130	Service Obligation Suspension
582.135	Service Obligation Waiver
582.140	Medical Facility Transfer
582.145	Reporting Requirements
582.150	Loan Repayment Award Monitoring
582.155	Cooperation with Investigations and Audits
582.160	Penalty for Failure to Fulfill Service Obligation
582.165	Suspension or Termination of Loan Repayment Funding
582.170	Loan Repayment Funds Recovery

AUTHORITY: Authorized by and implementing sections 338B and 331(i) of the Public Health Service Act (42 USC 254d(i) and 254L-1), 42 CFR 62, National Health Service Corps Scholarship and Loan Repayment Programs and Section 4.10 of the Family Practice Residency Act [110 ILCS 935].

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SOURCE: Adopted at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

**Section 582.10 Definitions**

"Accredited school" means a college or university in which a degree in allopathic medicine, osteopathic medicine, dentistry or an equivalent credential for a health program is earned and for which the Council for Higher Education Accreditation ([www.chea.org](http://www.chea.org)) or its affiliates has determined that the school meets specific standards for its programs, faculty and curriculum. A person who earns a degree from an unaccredited school is unable to participate in the State Loan Repayment Program.

"Administrative duties" means charting, research, attending meetings and other non-treatment activities pertaining to the health care professional's practice.

"Administrative law judge" shall have the meaning ascribed in the Department's Practice and Procedure in Administrative Hearings.

*"Advanced practice nurse" or "APN" means a person who has met the qualifications for a certified nurse midwife (CNM); certified nurse practitioner (CNP); certified registered nurse anesthetist (CRNA); or clinical nurse specialist (CNS) and has been licensed by the Department of Financial and Professional Regulation as a nurse. (Section 50-10 of the Nurse Practice Act)*

"Allopathic medicine" means the use of pharmacological agents or physical interventions to treat or suppress symptoms or processes of diseases or conditions.

"Applicant" means a health care professional or medical facility that applies for loan repayment assistance funds.

"Approved graduate training" means training in medicine, dentistry or other health professions that leads to eligibility for board certification, provides evidence of completion, is approved by the appropriate health care professional's body, and is in a specialty needed by the National Health Service Corps.

"Breach of service obligation" means failure for any reason to begin or complete a contractual service commitment.

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"Calendar day" means all days in a month or prescribed time frame. It includes weekends and federal or State government declared holidays.

"Certified local health department" means a county, multi-county, municipal or district public health agency recognized by the Department under the Certified Local Health Department Code.

"Commercial loans" means loans made by banks, credit unions, savings and loan associations, insurance companies, schools and other financial institutions.

"Community health center" or "CHC" means a migrant health center, community health center, health care program for the homeless or for residents of public housing supported under Section 330 of the federal Public Health Service Act, or FQHC, including FQHC Look-Alikes, as designated by the U.S. Department of Health and Human Services, that operate at least one federally designated primary health care delivery site in Illinois.

"Default" means failure to meet the legal obligations or conditions of a loan.

*"Department" means the Illinois Department of Public Health. (Section 3.01 of the Family Practice Residency Act)*

"Dentist" means a person licensed to practice dentistry under the Illinois Dental Practice Act.

*"Director" means the Director of the Illinois Department of Public Health. (Section 3.02 of the Family Practice Residency Act)*

"Federally Qualified Health Center" or "FQHC" means a health center funded under section 330 of the Public Health Service Act.

"Federally Qualified Health Center Look-Alike" or "FQHC Look-Alike" means a health center that meets the requirements for receiving a grant under section 330 of the Public Health Service Act but does not receive funding under that authority.

"Forbearance" means a postponement of loan payments by a lender for a temporary period of time to give the borrower time to make up for overdue payments.

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"Full-time clinical practice" means working a minimum of 40 hours per week, for a minimum of 45 weeks per service year, at a medical facility.

"Funding year" means the 12-month period beginning September 1 and ending on August 31 of the following year.

"Government loans" means loans made by federal, State, county or city agencies authorized to make those loans.

"Half-time clinical practice" means working a minimum of 20 hours per week but no more than 39 hours per week, for a minimum of 45 weeks per year, at a medical facility.

"Health care professional" means a physician, physician assistant, advanced practice nurse, or dentist who applies for loan repayment assistance.

"Health professional shortage area" or "HPSA" means a designation from the U.S. Department of Health and Human Services that indicates the shortage of primary medical care, dental or mental health providers. The designation may be geographic (a county or service area), demographic (low income population) or institutional (comprehensive health center, FQHC or other public facility).

"Health professional shortage area score" or "HPSA score" means a score calculated by the U.S. Department of Health and Human Services that is assigned to areas or facilities having a health professional shortage designation to determine priorities for assignment of clinicians.

"Lender" means the commercial or government entity that made the qualifying loan.

"Loan repayment award" or "award" means the amount of funding awarded to a recipient based upon his/her reasonable educational expenses, up to a maximum established by the program.

"Loan repayment agreement" or "agreement" means the written instrument defining a legal relationship entered into between the Department and a recipient.

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"Medical facility" means a facility for the delivery of health services (Section 3.08 of the Family Practice Residency Act). A medical facility must be a non-profit or public facility and includes:

A Federally Qualified Health Center (FQHC);

An FQHC Look-Alike;

A rural health clinic;

A State or federal correctional facility;

A community mental health facility;

A community outpatient facility;

A critical access hospital;

A free clinic;

A mobile clinic;

A school-based health program; or

A State, county or local health department.

"Metropolitan Statistical Area" or "MSA" means one or more adjacent counties that have at least one urban core area of at least 50,000 in population, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties.

"National Health Service Corps" or "NHSC" means the program within the U.S. Department of Health and Human Services to address health professional shortages in HPSAs through the assignment of clinicians to provide primary health services.

"On call" means a referring status in which a physician can be reached and arrive at a hospital within 30 minutes after being paged.

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"Osteopathic medicine" means medical practice based on the theory that diseases are due to loss of structural integrity, which can be restored by manipulation of the parts, supplemented by therapeutic measures.

"Physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.

"Physician assistant" means an individual licensed under the Physician Assistant Practice Act of 1987.

"Primary care" means health care that encompasses prevention services, basic diagnostic and treatment services, and support services, including laboratory, radiology, transportation and pharmacy.

*"Primary care physician" means a person licensed to practice medicine in all its branches in Illinois under the Medical Practice Act of 1987 with a specialty in family practice, internal medicine, obstetrics and gynecology, or pediatrics, or geriatrics as defined by recognized standards for professional medical practice. (Section 3.05 of the Family Practice Residency Act)*

"Primary health services" means health services regarding family medicine, internal medicine, pediatrics, obstetrics/gynecology, dentistry or mental health that are provided by physicians or other health care professionals.

"Psychiatrist" means a physician licensed to practice medicine in Illinois under the Medical Practice Act of 1987 who has successfully completed an accredited residency program in psychiatry.

"Qualifying loan" means government or commercial loans used for tuition and reasonable educational and living expenses related to undergraduate or graduate education that were obtained by the recipient prior to his/her application for loan repayment. These loans shall be contemporaneous with the education received.

"Reasonable educational expenses" means costs for education, exclusive of tuition. These costs include, but are not limited to, fees, books, supplies, clinical travel, educational equipment, materials, board certification or licensing examinations. These costs shall not exceed the estimated standard budget for expenses for the degree program and for the years of enrollment.

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"Reasonable living expenses" means room and board, transportation and commuting costs. These expenses shall not exceed the estimated standard budget for the recipient's degree program and for the years of enrollment.

"Recipient" means a health care professional or medical facility that may use loan repayment funds.

"Rural" means any geographic area not located in an MSA or a county located in an MSA and having a population of 60,000 or less.

"Rural health clinic" means a facility certified by the U.S. Department of Health and Human Services that receives special Medicare or Medicaid reimbursement.

"SLRP" means the Student Loan Repayment Program created by this Part.

"State" means the State of Illinois.

"Suspension" means an action by the Department to suspend a recipient's participation in Department grant and loan repayment programs for a specified period of time.

"Teaching" means providing clinical education to students or residents in their area of expertise at a medical facility.

"U.S. citizen" means an individual born in the United States, Puerto Rico, Guam, Northern Mariana Islands, U.S. Virgin Islands, American Samoa or Swain's Island; foreign-born children, under the age of 18, residing in the U.S. with their birth or adoptive parents, at least one of whom is a U.S. citizen by birth or naturalization; and individuals granted citizenship status by the U.S. Customs and Immigration Service.

"Urban" means any geographic area that does not meet this Section's definition of "rural".

**Section 582.20 Incorporated and Referenced Materials**

- a) The following materials are referenced in this Part:
  - 1) Illinois Statutes:

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- A) Illinois Grant Funds Recovery Act [30 ILCS 705]
  - B) Medical Practice Act of 1987 [225 ILCS 60]
  - C) Freedom of Information Act [5 ILCS 140]
  - D) Physician Assistant Practice Act of 1987 [225 ILCS 95]
  - E) Illinois Dental Practice Act [225 ILCS 25]
  - F) Nurse Practice Act [225 ILCS 65]
  - G) State Comptroller Act [15 ILCS 405]
  - H) Family Practice Residency Act [110 ILCS 935]
  - I) Illinois Administrative Review Law [735 ILCS 5/Art. III]
- 2) Illinois Administrative Rules:
    - A) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)
    - B) Certified Local Health Department Code (77 Ill. Adm. Code 600)
  - 3) Federal Statute: Sections 331(i) and 338B of the Public Health Service Act (42 USC 254d(i) and 254L-1)
- b) The following materials are incorporated by reference in this Part:  
  
Federal Regulation: National Health Service Corps Scholarship and Loan Repayment Program (42 CFR 62) (August 30, 2013)
  - c) Federal regulations incorporated by reference in this Part are incorporated on the date specified and do not include any subsequent amendments or editions.

**Section 582.30 Administrative Hearings**

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Administrative hearings conducted by the Department concerning the provisions of this Part shall be governed by the Department's Practice and Procedure in Administrative Hearings.

**Section 582.40 Freedom of Information**

The provisions of the Freedom of Information Act shall apply to this Part.

## SUBPART B: STATE LOAN REPAYMENT PROGRAM

**Section 582.100 Eligibility Requirements**

A medical facility or a health care professional may apply to the Department for loan repayment assistance.

- a) If the medical facility is the applicant, the medical facility shall forward the loan repayment funds to the health care professional employed by the medical facility to pay educational debt.
- b) To be eligible for this program, the medical facility shall:
  - 1) Be located in an HPSA in Illinois;
  - 2) Be a non-profit or public facility;
  - 3) Participate as a provider in the Medicare, Medicaid and Children's Health Insurance Programs, as appropriate;
  - 4) See and treat all patients regardless of the patient's ability to pay for services; and
  - 5) Provide discounts for individuals with limited incomes.
- c) If the health care professional is the applicant, the individual shall:
  - 1) Either:
    - A) Be working at a medical facility in an HPSA in Illinois; or

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- B) Have accepted an offer of employment at a medical facility in an HPSA in Illinois and will begin employment at that site within 60 calendar days after the submission of the application;
  - 2) Have a degree in allopathic or osteopathic medicine or dentistry or other eligible health profession from an accredited school; have completed an approved graduate training program; and have a current, valid and unencumbered license to practice the health profession in Illinois;
  - 3) Participate, or be eligible to participate, as a provider in the Medicare, Medicaid and Children's Health Insurance Programs, as appropriate;
  - 4) Agree to see and treat all patients at the medical facility regardless of the patient's ability to pay for services;
  - 5) Submit an application to participate in the loan repayment program;
  - 6) Not be in breach of a health professional service obligation to the federal, State or local government;
  - 7) Not have any judgment liens arising from federal debt;
  - 8) Not be excluded, suspended or disqualified by a federal agency;
  - 9) Sign a written agreement attesting to accepting repayment of health professional educational loans and to serve for the applicable period of obligated service in an HPSA; and
  - 10) Be a U.S. citizen.
- d) Individuals who owe an obligation for health professional service to the federal government or to the State or other entity under an agreement with the federal, State or other entity are ineligible for this program unless the obligation will be completely satisfied prior to the beginning of the service obligation under this Part.
  - e) Individuals who are in a reserve component of the U.S. Armed Forces are eligible to participate in the program. These individuals shall note the following:

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- 1) Military training or service performed by a health care professional will not satisfy the obligation commitment. If a health care professional's military training or service, in combination with the health care professional's absence from the medical facility, will exceed seven weeks per service year, the health care professional shall request a suspension of his/her obligation (see Section 582.130(a)(3)). Once the suspension is complete and the health care professional returns to the medical facility, the service obligation end date will be extended to compensate for the break in service.
  - 2) If deployed, the health care professional shall return to the medical facility where he/she served prior to deployment. If unable to return to the original medical facility, the health care professional shall request a transfer to another medical facility (see Section 582.140). If the health care professional does not obtain a transfer, he/she shall resume work at the original medical facility. If the health care professional does not obtain a transfer and refuses to return to the medical facility or accept assignment to another medical facility, he/she will be in breach of the service obligation (see Section 582.160).
- f) Health care professionals will not be accepted if one or more of the following exist:
- 1) Breach on a prior service obligation to the federal, State or local government, or other entity, even if the health care professional has satisfied the obligation through service, monetary payment or other means;
  - 2) Failure to apply previously awarded loan repayment funds to the health care professional's qualifying educational loans;
  - 3) Default on any federal payment obligation, federal income tax liability, federally guaranteed/insured loans or non-federal payment obligation;
  - 4) Default on any State payment obligation or State income tax liability; or
  - 5) Write off of any federal or non-federal debt as uncollectible, or waiver of any federal service or payment obligation.

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- g) Health care professionals shall demonstrate satisfactory professional competence and meet discipline and specialty-specific education, training and licensure requirements.
- 1) Physicians shall:
    - A) Either:
      - i) Have certification in a primary care specialty from a specialty board approved by the American Board of Medical Specialties or the American Osteopathic Association; or
      - ii) Have completed a residency program in a primary care specialty, approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association; and
    - B) Be licensed in Illinois as a physician under the Medical Practice Act of 1987.
  - 2) Physician Assistants shall:
    - A) Have a degree (associate's, bachelor's or master's) from a physician assistant educational program accredited by the Accreditation Review Commission on Education for the Physician Assistant at a college, university or educational institution that is accredited by the U.S. Department of Education and a nationally recognized accrediting body or organization; and
    - B) Be licensed in Illinois as a physician assistant under the Physician Assistant Practice Act of 1987.
  - 3) Advanced Practice Nurses
    - A) Certified nurse practitioners shall:
      - i) Have a master's degree, post-master's certificate or doctoral degree from a school accredited by the National League for

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Nursing Accrediting Commission or the Commission on Collegiate Nursing Education; and

- ii) Be licensed in Illinois as a nurse under the Nurse Practice Act.
- B) Certified nurse midwives shall:
  - i) Have a master's degree or post-baccalaureate certificate from a school accredited by the American College of Nurse Midwives; and
  - ii) Be licensed in Illinois as a nurse under the Nurse Practice Act.
- 4) Dentists
  - A) Dentists shall:
    - i) Have a Doctor of Dental Surgery or Doctor of Dental Medicine degree from a program accredited by the American Dental Association;
    - ii) Be licensed in Illinois as a dentist under the Illinois Dental Practice Act; and
    - iii) Work at a medical facility that is located in a Dental HPSA.
  - B) A dentist whose practice is limited to pediatric patients shall meet the requirements of this subsection (g)(4) and also document completion of a two-year training program in pediatric dentistry accredited by the American Dental Association.
- 5) Psychiatrists
  - A) Psychiatrists shall:

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- i) Have a certification in psychiatry from a specialty board approved by the American Board of Medical Specialties or the American Osteopathic Association;
  - ii) Have completed a residency program in psychiatry, approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association; or
  - iii) Be licensed in Illinois as a physician under the Medical Practice Act of 1987; and
- B) Work at a medical facility that is located in a Mental Health HPSA.

**Section 582.105 Use of Funds**

- a) Loan repayment funds shall be used:
  - 1) To repay qualifying educational loans of health care professionals who agree to serve in HPSAs for a specified period of time;
  - 2) For educational loans that were obtained prior to the date the recipient submits an application for loan repayment assistance;
  - 3) To retire qualifying educational loans if the loans are the result of consolidated or refinanced debt. To qualify, the consolidated or refinanced loans shall:
    - A) Be from a government (federal, State or local) or commercial lender; and
    - B) Include only qualifying educational loans of the health care professional.
- b) Loan repayment funds shall not be used:

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- 1) To repay a practice obligation resulting from educational loans or scholarships, whether from Illinois-based institutions or governments or those in other states;
- 2) To fulfill practice obligations to the federal government or the State or other entity under an agreement with the federal, State or other entity; or
- 3) To retire qualifying educational loans if the consolidated or refinanced debt is:
  - A) Commingled with non-qualifying debt; or
  - B) Consolidated with loans owed by another person, such as a spouse or child.
- c) The following types of debt are ineligible for loan repayment assistance through this Part:
  - 1) Loans for which the associated documentation does not identify the loan as applicable to undergraduate or graduate education;
  - 2) Loans not obtained from a government entity or commercial lending institution;
  - 3) Parent PLUS loans;
  - 4) Co-signed loans;
  - 5) Loans currently in default;
  - 6) Loans currently in forbearance;
  - 7) Personal lines of credit;
  - 8) Residency relocation loans; and
  - 9) Credit card debt.

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- d) Loan repayment funds cannot be used by the recipient to reimburse himself or herself for loans that have been repaid.
- e) Under the provisions of the federal Treasury Offset Program and the State Comptroller Act, recipients will have their loan repayment assistance funds offset to fulfill a delinquent federal or State debt. The offset of loan repayment assistance funds will not reduce, waive or suspend a recipient's service obligation under this Part.

**Section 582.110 Application Procedure**

- a) *Any person or organization, public or private, desiring to receive loan repayment funds, must submit an application to the Department. Applications for loan funds shall be made on prescribed forms developed by the Department. (Section 4(a) of the Illinois Grant Funds Recovery Act)*
- b) The following are eligible to apply for loan repayment assistance:
  - 1) A health care professional or one who can be expected to be licensed in Illinois and who intends to practice in an HPSA in Illinois; or
  - 2) A medical facility that is located in an HPSA in Illinois. If loan repayment funds are awarded to the medical facility, it shall forward those funds to the health care professional employed at the medical facility to pay educational debt.
- c) Applicants shall request applications from the Department. The name "State Loan Repayment Program" shall be included in the request.
- d) The Department will provide application instructions and forms to applicants. The application can be obtained from the Department's web site at [http://www.idph.state.il.us/about/rural\\_health/rural\\_home.htm](http://www.idph.state.il.us/about/rural_health/rural_home.htm).
- e) Completed applications shall be returned to the Department at the address indicated on the application form. All applications shall be submitted on the forms provided by the Department and *shall include, without being limited to, the following provisions:*

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- 1) *The name and address of the applicant* (Section 4(a)(1) of the Illinois Grant Funds Recovery Act);
  - 2) The Legislative House District, Legislative Senate District, and Congressional District of the applicant (based on the applicant's legal address in Illinois);
  - 3) Social Security number of the applicant;
  - 4) *A general description of the program, project or use for which loan repayment funding is requested* (Section 4(a)(2) of the Illinois Grant Funds Recovery Act);
  - 5) *Such plans, equipments lists, and other documents as may be required to show the type, structure, and general character of the program, project, or use for which loan repayment funding is requested* (Section 4(a)(3) of the Illinois Grant Funds Recovery Act);
  - 6) *Cost estimates of developing, constructing, operating, or completing the program, project, or use for which loan repayment funding is requested* (Section 4(a)(4) of the Illinois Grant Funds Recovery Act);
  - 7) *A program of proposed expenditures for the loan repayment funds* (Section 4(a)(5) of the Illinois Grant Funds Recovery Act). This shall be in the form of documentation required in subsection (f) of this Section; and
  - 8) Proof of citizenship, including a copy of the applicant's notarized birth certificate or a copy of the applicant's documents demonstrating that he or she is a naturalized citizen.
- f) As an appendix to the application, health care professionals shall document current educational loan debt to a governmental or commercial lending institution incurred for expenses in pursuit of the applicant's medical, dental or other health care professional degree. For each loan that is being submitted for consideration, the applicant shall provide two types of documentation: an account statement and a disbursement report.

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- 1) The account statement is used to provide current information on a qualifying educational loan. This document must:
  - A) Be on official letterhead or other clear verification that it came from the lender;
  - B) Include the name of the borrower;
  - C) Contain the loan's account number;
  - D) Include the date of the statement (date cannot be more than 30 calendar days from the date of application submission);
  - E) Include the current outstanding balance (principal and interest) or the current payoff balance; and
  - F) Include the current interest rate.
- 2) The disbursement report is used to verify the originating loan information. This document must:
  - A) Be on official letterhead or other clear verification that it comes from the lender;
  - B) Include the name of the borrower;
  - C) Contain the loan's account number;
  - D) Include the type of loan;
  - E) Include the original loan date (date must be prior to the date of the application submission);
  - F) Include the original loan amount; and
  - G) Include the purpose of the loan.

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- g) Health care professionals not yet in practice, or not yet in practice in an HPSA in Illinois, shall document intent to practice in an HPSA by written confirmation from the medical facility within the HPSA.
- h) If an applicant intends to work at more than one medical facility (e.g., several satellite clinics), each location shall be in an HPSA in Illinois.
- i) If an applicant intends to work for more than one employer, each employers' medical facility shall be in an HPSA in Illinois.
- j) The medical facility shall agree to employ the health care professional for a minimum of two years and shall document a willingness to pay up to 50% of the health care professional's loan repayment award.
- k) The medical facility shall provide a written statement that the salary offered to the health care professional is at a level equivalent to that offered to other health care professionals with equivalent skills and experience recruited by the medical facility.
- l) The medical facility shall provide a written statement attesting that loan repayment funds will not be used as a salary offset to the health care professional.

**Section 582.115 Application Review Process**

- a) The Department will perform a technical review to ensure that all required materials are submitted and comply with submission requirements. The review will include whether the application form includes all required information and the applicant's signature and date of signature. During the course of the review, the Department may contact the applicant for additional information.
- b) The Department will perform a qualitative review to assess the quality of the application in relation to the program, federal requirements, or any other corresponding prerequisites. Past performance of the applicant will be considered if the applicant has received loan repayment funds or other Department grants in the past.
- c) In determining which applications will be accepted, the Department will apply the following criteria (if the applicant is a medical facility, it shall provide this information on behalf of the health care professional):

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- 1) Applicant Criteria
  - A) The extent to which an individual's training is in a health profession or specialty determined by the Department to be needed in Illinois;
  - B) The individual's commitment to serve in an HPSA;
  - C) The availability of the individual for service, with highest consideration given to individuals who will be available for service at the earliest date; and
  - D) The length of the individual's proposed service obligation, with greatest consideration given to persons who agree to serve for longer periods of time.
- 2) When all other selection criteria are essentially equal among a group of applicants, preference will be given to the applicant with the greater educational indebtedness.
- 3) Geographic and Provider Criteria
  - A) One-third of the available funds will be used for educational loan repayment of physician assistants and advanced practice nurses, if the number of applications is sufficient to warrant the amount.
  - B) When the number of applications is sufficient to support a geographical separation into urban and rural groupings, an equal number of applicants will be selected from each group.
  - C) When the number of applications is sufficient, an equal number of applicants will be selected from Chicago and from the remaining urban areas of the State.
  - D) Within the geographical considerations, preference will be given to applications from health care professionals who will work at sites in rural areas with ongoing problems recruiting providers and community health centers.

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- d) The Department will not accept more than two complete applications from a medical facility in a funding year.
- e) A current recipient of loan repayment assistance will receive priority for a new award if the recipient continues to meet all of the applicable criteria in Sections 582.100, 582.110, 582.125, 582.145 and 582.150.
- f) Applicants will be notified as to whether the application is approved or denied. The notice will be made by regular mail or other communication.
- g) If the amount of funds available is insufficient to award the maximum amount of loan repayment funds requested to each approved applicant, the Department may divide the funds equally among the qualified applicants; rank order the applicants and prorate the award of funds based on the rank order; or choose another method of allocating funds. In determining how to award funds, the Department will consider, but is not limited to, the amount of funds available, the number of approved applicants, the requirements of the program, and statutory requirements.
- h) No more than 50% of an SLRP award may come from federal sources. The remainder of funds for an SLRP award may come from the Department, the medical facility or other non-federal sources.

**Section 582.120 Loan Repayment Agreement**

- a) The loan repayment award to an applicant will not be final until the applicant and the Department have executed a loan repayment agreement setting forth the terms and conditions of the agreement, using the form prescribed by the Department. The Department will retract the loan repayment award if a consensus cannot be reached on the terms of the agreement.
- b) Pursuant to the Illinois Grant Funds Recovery Act, the agreement shall, at a minimum:
  - 1) *Describe the purpose of the award and be signed by the Department and the recipient;*
  - 2) *Specify how payments shall be made, what constitutes permissible expenditure of award funds, and the financial controls applicable to the*

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award, including, for those awards in excess of \$25,000, the filing of quarterly reports describing the recipient's progress in the program, project, or use and the expenditure of the award funds related to the program, project or use;

- 3) *Specify the period of time for which the award is valid and the period of time during which award funds may be expended by the recipient;*
  - 4) *Contain a provision that any recipients receiving award funds are required to permit the Department, the Auditor General or the Attorney General to inspect and audit any books, records or papers related to the program, project, or use for which award funds are provided;*
  - 5) *Contain a provision in which the recipient certifies under oath that all information in the loan repayment agreement is true and correct to the best of the recipient's knowledge, information and belief; that all funds shall be used only for the purposes described in the loan repayment agreement; and that the award of loan repayment funds is conditioned upon the certification. (Section 4(b) of the Illinois Grant Funds Recovery Act)*
- c) The amount of a loan repayment award shall be based on the following:
- 1) If the health care professional works full-time at a medical facility for an initial two-year period, the health care professional can receive up to \$50,000 if the health care professional has that amount in educational debt;
  - 2) If the health care professional works the initial four-year half-time option at a medical facility, the health care professional can receive up to \$50,000 if the health care professional has that amount in educational debt;
  - 3) If the health care professional works full-time for one year at an FQHC, FQHC Look-Alike or rural health clinic, the health care professional can receive up to \$20,000 if the health care professional has that amount of educational debt.
- d) Awards may be issued for an additional period of time based upon successful completion of the initial agreement.

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**Section 582.125 Service Obligation Fulfillment**

In exchange for loan repayment assistance, health care professionals shall fulfill a service obligation at a medical facility in an HPSA in Illinois.

- a) **Full-time Service Obligation Option**

Health care professionals shall provide two years of full-time service. The 40 hours per week requirement can be compressed into no fewer than four days per week, with no more than 12 hours of work performed in a 24-hour period. Health care professionals will not receive service credit for hours worked over the required 40 hours per week, and excess hours cannot be applied to any other work week. Time spent on call will not count toward the service requirement. Service obligation is fulfilled through the following:

  - 1) For all health care professionals except those noted in subsection (a)(2):
    - A) At least 32 hours per week shall be spent providing direct patient care during normal scheduled office hours.
    - B) The remaining eight hours shall be spent providing clinical services for patients, teaching, providing clinical services in alternative settings (e.g., hospitals, nursing homes, shelters), or performing administrative duties.
  - 2) For physicians practicing obstetrics/gynecology, family medicine physicians who practice obstetrics on a regular basis, and pediatric dentists:
    - A) At least 21 hours per week shall be spent providing direct patient care during normal scheduled office hours.
    - B) The remaining 19 hours per week shall be spent providing clinical services for patients, teaching, providing clinical services in alternative settings (e.g., hospitals, nursing homes, shelters), or performing administrative duties.
    - C) Administrative duties shall not exceed eight hours per week.

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- b) Half-time Service Obligation Option
- 1) Half-time clinical practice means that a health care professional works a minimum of 20 hours per week (not to exceed 39 hours per week), for a minimum of 45 weeks per year. Health care professionals shall provide four years of part-time service. The 20 hours per week requirement can be compressed into no fewer than two work days per week, with no more than 12 hours of work performed in any 24-hour period. Health care professionals shall not receive service credit for hours worked over the required 20 hours per week, and excess hours shall not be applied to any other week. Full-time work performed shall not change the health care professional's half-time status and shall not entitle the health care professional to full-time service credit. Time spent on call shall not count toward the service requirement. Service obligation is fulfilled through the following:
- A) For all health care professionals except those noted in subsection (b)(2):
- i) At least 16 hours per week shall be spent providing direct patient care during normal scheduled office hours.
- ii) The remaining four hours per week shall be spent providing clinical services for patients, providing clinical services in alternative settings (e.g., hospitals, nursing homes, shelters), or performing administrative duties.
- B) For physicians practicing obstetrics/gynecology, family medicine physicians who practice obstetrics on a regular basis, certified nurse midwives and pediatric dentists:
- i) At least 11 hours per week shall be spent providing direct patient care during normal scheduled office hours.
- ii) The remaining nine hours per week shall be spent providing clinical services for patients, providing clinical services in alternative settings (e.g., hospitals, nursing homes, shelters), or performing administrative duties.

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- iii) Administrative duties shall not exceed four hours per week.
- c) Conversion of Clinical Practice Status
- 1) A health care professional may convert from full-time to half-time status if the following are met:
    - A) The health care professional notifies the Department in writing of the request;
    - B) The medical facility agrees in writing that the health care professional may change to half-time clinical practice; and
    - C) The health care professional agrees in writing (by signing an amendment to the agreement) to complete the remaining service obligation through half-time practice for twice as long as the remaining full-time commitment.
  - 2) A health care professional shall not convert from half-time to full-time status. However, a health care professional may enter into a new full-time agreement if the following are met:
    - A) The health care professional has completed the initial two-year full-time or four-year half-time service agreement and any continuation contract;
    - B) The medical facility agrees in writing that the health care professional will work a full-time clinical practice; and
    - C) The recipient signs a new contract, agreeing to perform one year of full-time clinical practice at the medical facility.
  - 3) A health care professional will not be allowed to enter into a new full-time agreement within a contract period.
- d) To initiate the service obligation, the recipient and Department will enter into a loan repayment agreement. Service credit begins upon the beginning date of the agreement term or the date service starts, whichever is later. Health care

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professionals will not receive service credit for any employment at a medical facility prior to the beginning date of the terms in the agreement.

- e) A health care professional may be eligible to receive loan repayment assistance beyond the initial agreement, one year at a time, and pay off all qualifying educational loans. To remain eligible, the health care professional shall:
  - 1) Have unpaid qualifying educational loans;
  - 2) Have applied all previously received loan repayment assistance funds to reduce his/her qualifying educational loans;
  - 3) Continue to serve at a medical facility in an HPSA in Illinois; and
  - 4) Continue to meet all applicable program eligibility criteria in effect at the time the health care professional is being considered for continuation.

**Section 582.130 Service Obligation Suspension**

A suspension temporarily relieves the health care professional of the service commitment but shall not permanently alleviate the health care professional's obligation.

- a) Suspension requests shall be submitted in writing to the Department. The request shall detail the reasons for and duration of the suspension. Suspension requests shall be accompanied and supported by documentation as described in this subsection (a).
  - 1) A suspension may be granted for up to one year, if the health care professional provides independent medical documentation of a physical or mental health disability, or personal circumstance, that results in the health care professional's temporary inability to fulfill his/her service obligation. Independent medical documentation shall include a letter from the health care professional's licensed physician fully explaining and attesting to the health care professional's temporary inability to fulfill the service obligation.
  - 2) A suspension may be granted for up to 12 weeks for maternity, paternity or adoption leave. If the health care professional's leave will exceed 12 weeks, a suspension may be granted based on documented medical need.

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- 3) Health care professionals who are military reservists and are called to active duty will be granted a suspension beginning on the activation date in the active duty order. The health care professional shall submit a copy of the order to active duty with the written request for suspension. The duration of the suspension shall equal the health care professional's period of active military duty. The period of active military duty will not be credited toward the health care professional's service obligation.
- b) An approved suspension will extend the health care professional's service commitment end date.
- c) The agreement will be amended accordingly to incorporate the new extended service commitment end date.
- d) If the suspension request is denied, the health care professional shall fulfill the service obligation as stipulated in the agreement and in this Part.

**Section 582.135 Service Obligation Waiver**

Waiver of the obligation requirement permanently relieves the health care professional of all or part of the service obligation. Waiver requests shall be submitted in writing to the Department. The request shall detail the reasons for the waiver request and shall be accompanied and supported by documentation as described in this Section.

- a) Reasons for waiver requests can include the health care professional's:
  - 1) Total and permanent disability;
  - 2) Incompetency; or
  - 3) Death.
- b) If a waiver is requested because of total and permanent disability, the request shall be supported by a letter from the health care professional's physician fully explaining and attesting to the health care professional's inability to continue with the service obligation.

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- 1) If the request is approved, the Department will notify the health care professional in writing that the service obligation is waived, that the health care professional is discharged from all obligations to the Department in connection with this Part, and that the health care professional is ineligible to participate in the program in the future (see Section 582.100(f)(1)).
  - 2) If the request is denied, the health care professional shall fulfill the service obligation as stipulated in the agreement and in this Part.
- c) If the waiver is requested because the health care professional has been adjudicated as incompetent, the request shall be supported by documentation by a court of law explaining and attesting to the health care professional's inability to continue with the service obligation.
- 1) If the request is approved, the Department will notify the health care professional's legal guardian in writing that the service obligation is waived, that the health care professional is discharged from all obligations to the Department in connection with this Part, and that the health care professional is ineligible to participate in the program in the future (see Section 582.100(f)(1)).
  - 2) If the request is denied, the health care professional shall fulfill the service obligation as stipulated in the agreement and in this Part.
- d) If the waiver is requested because of the health care professional's death, the request shall be supported by a copy of the health care professional's death certificate, obituary or documentation from the medical facility.

**Section 582.140 Medical Facility Transfer**

A health care professional may transfer from the medical facility stipulated in the agreement to a new medical facility, provided that the requirements in this Section are met.

- a) The health care professional shall request a transfer in writing to the Department. The request must be approved before the health care professional transfers to the new site.

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- b) If a health care professional transfers sites prior to Department approval, the health care professional will not receive service credit for the time period between the transfer and the approval.
- c) The new medical facility shall be in an HPSA in Illinois.
- d) The new medical facility's HPSA score shall be equal to or higher than the HPSA score from the original site.
- e) If the transfer request is denied, the health care professional shall continue to work at the original medical facility.
- f) If the transfer request is denied and the health care professional refuses assignment to his/her current medical facility or to another approved medical facility, the health care professional will be placed into breach.
- g) A health care professional who resigns from his/her current medical facility without prior approval from the Department or is terminated by the medical facility for cause shall not receive a transfer to another medical facility and shall be placed into the breach.

**Section 582.145 Reporting Requirements**

Failure of the health care professional to comply with the requirements of this Section shall result in the Department's withholding or suspending loan repayment funds and recovery of previously disbursed loan repayment funds (see Section 4.1 of the Illinois Grant Funds Recovery Act).

- a) The health care professional shall submit a written progress report (at a minimum) to the Department every three months for the duration of the agreement.
- b) For the progress report, the health care professional shall document that:
  - 1) Funds were used to pay off educational debt (documentation shall consist of copies of payments made to the lending institution where the qualifying educational loans were obtained or copies of account statements that document payments made during the reporting period); and

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- 2) The health care professional is still working (full-time or half-time as applicable) at the medical facility, by reporting the hours worked at the medical facility.
- c) The payment history shall document that all loan repayment funds received were paid toward the qualifying educational loan.
- d) Non-compliance by the provider with Department reporting requirements will be shared with the medical facility. The medical facility is required to withhold the non-federal share of the loan repayment until the reporting requirements of the Department have been satisfied.
- e) If the Department determines that all loan repayment funds were not paid toward the qualifying educational loan, the Department may either place the recipient on a corrective action plan and hold the processing of vouchers until the issue is resolved, or terminate the agreement and take any appropriate or necessary action to recover loan repayment funds.

**Section 582.150 Loan Repayment Award Monitoring**

- a) Agreements will be monitored throughout the agreement period. Components in the monitoring process include, but are not limited to, the agreement; the health care professional's financial reports; the health care professional's or medical facility's progress reports; correspondence, e-mails and telephone calls concerning the agreement; and site visits.
- b) The health care professional and medical facility shall cooperate with the Department's efforts to monitor and verify compliance with the agreement, including providing supporting documentation. The health care professional and medical facility shall retain all records relating to the agreement until after all final reports have been submitted to the Department and have been reviewed.
- c) Health care professionals and medical facilities shall maintain the processes necessary to monitor their compliance, take appropriate action to meet the stated objectives, and notify the Department of any breaches of the agreement or of problems or concerns.
- d) Health care professionals and medical facilities shall be subject to on-site visits by the Department during normal business hours. Health care professionals and

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medical facilities shall provide, upon request, copies of all documents concerning the expenditure of loan repayment funds.

- e) The Department will relay any questions and concerns regarding management of loan repayment funds to the health care professional or medical facility in writing. The health care professional or medical facility will be requested to respond in writing addressing the concerns. If the Department's concerns are not satisfied, a financial review or audit will be conducted.
- f) If the Department finds evidence of financial mismanagement, depending on the severity of the situation, the amount of money involved, and the recipient's ability to clarify the situation, the Department may either place the recipient on a corrective action plan and hold the processing of vouchers until the issue is resolved, or terminate the agreement and take any appropriate or necessary action to recover loan repayment funds.

**Section 582.155 Cooperation with Investigations and Audits**

Recipients shall cooperate with all investigations and audits of the use of loan repayment funds. Recipients shall provide the Department with unrestricted access to the recipient's records, files and activities during normal business hours. A failure to cooperate shall create a presumption that loan repayment funds have not been spent in accordance with the agreement and the grounds for immediate suspension or termination of any agreement and the recovery of loan repayment funds.

**Section 582.160 Penalty for Failure to Fulfill Service Obligation**

- a) If the health care professional fails to fulfill his/her obligation to provide service at the medical facility for the duration specified in the agreement, the health care professional shall be in breach of the loan repayment agreement.
- b) Breach shall include, but not be limited to, the following:
  - 1) Failure to practice at the location specified in the agreement;
  - 2) Resignation from the health care professional's current site without prior approval from the Department or termination by the medical facility for cause (see Section 582.140(f) and (g));

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- 3) Material misstatement in furnishing information to the Department;
  - 4) Any misrepresentation for the purpose of obtaining loan repayment assistance;
  - 5) Failure to provide care because of an individual's inability to pay; or
  - 6) Failure to retire educational loan balances by the amount of educational loan repayment assistance received during the agreement term.
- c) When the Department has determined that a breach of the agreement has occurred, it shall notify the recipient and schedule an administrative hearing. The administrative hearing will identify the item or items breached in the agreement, propose a resolution to address the agreement's breach, and propose a repayment process to the Department.
- d) Any dispute about the terms of performance or repayment will be governed by the administrative hearing process. The administrative law judge will make the final decision and will send it to all parties.
- e) When the administrative hearing process determines that the agreement has not been fulfilled, the Department and recipient shall enter into a contract for the repayment of the obligation.
- 1) A health care professional who breaches a commitment to serve full-time shall be liable to the Department for an amount equal to the sum of the following:
    - A) The amount of loan repayment assistance, paid to the health care professional, representing any period of obligated service not completed;
    - B) The amount of \$7,500 multiplied by the number of months of obligated service not completed; and
    - C) Interest on the amounts in subsections (e)(1)(A) and (B) at the maximum legal prevailing rate, as determined by the U.S. Treasurer, from the date of the breach of the loan repayment agreement.

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- 2) A health care professional who breaches on a commitment to serve half-time shall be liable to the Department for an amount equal to the sum of the following:
  - A) The amount of loan repayment assistance paid to the health care professional representing any period of obligated service not completed;
  - B) The amount of \$3,750 multiplied by the number of months of obligated service not completed; and
  - C) Interest on the amounts in subsections (e)(2)(A) and (B) at the maximum legal prevailing rate, as determined by the U.S. Treasurer, from the date of the breach of the loan repayment agreement.
- 3) The minimum amount the Department is entitled to recover from a health care professional who breaches on a commitment to serve full-time or half-time will not be less than \$31,000.
- 4) To fulfill the repayment requirements of this Section, the recipient shall have 30 calendar days after the conclusion of the administrative hearing to enter into a repayment contract with the Department. This contract shall contain terms of the repayment and provisions for the enforcement of the agreement.
- 5) Any dispute about the terms of performance or repayment shall be governed by the administrative hearing process. The administrative law judge makes the final decision and will send it to all parties.
- 6) If the recipient does not repay all funds owed to the Department within the required time period, the Department may use all collection methods available, including referral to the Illinois Attorney General or a collection agency for resolution.
- 7) The amounts paid to the Department shall be deposited into the fund where the payment originated.

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**Section 582.165 Suspension or Termination of Loan Repayment Funding**

- a) Availability of Appropriation or Sufficiency of Funds
  - 1) The agreement is contingent upon and subject to the availability of funds. The Department may terminate or suspend the agreement, in whole or in part, without penalty or further payment being required, if:
    - A) The Illinois General Assembly or the federal funding source fails to make an appropriation sufficient to pay the obligation, or if funds needed are insufficient for any reason;
    - B) The Governor decreases the Department's funding by reserving some or all of the Department's appropriation or appropriations pursuant to power delegated to the Governor by the Illinois General Assembly; or
    - C) The Department or the Governor determines that a reduction is necessary or advisable based upon actual or projected budgetary considerations.
  - 2) The recipient will be notified in writing of the lack of appropriation or a reduction or decrease.
- b) Termination for Cause
  - 1) The Department may immediately terminate the agreement, in whole or in part, upon notice to the recipient, if:
    - A) The recipient is convicted of committing any illegal act;
    - B) The Department determines that the actions or inactions of the recipient have caused, or reasonably could cause, jeopardy to health, safety or property;
    - C) The Department has notified the recipient that the Department is unable or unwilling to perform the agreement; or

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- D) The Department has reasonable cause to believe that the recipient cannot lawfully perform the agreement.
- 2) If the recipient breaches any material term, condition or provision of the agreement or violates a material provision of the agreement, the Department may cancel the agreement, upon 15 days prior written notice to the recipient. For termination for any of the causes contained in this Section, the Department retains its right to seek any available legal or equitable remedies and damages.

**Section 582.170 Loan Repayment Funds Recovery**

- a) Loan repayment awards made under this Part are subject to the Illinois Grant Funds Recovery Act. If a provision of this Part conflicts with a provision of the Illinois Grant Funds Recovery Act, the provision of the Illinois Grant Funds Recovery Act will control.
- b) The Department shall have the authority to issue subpoenas as part of an official investigation into the use of loan repayment funds. Subpoenas shall be issued and enforced according to Illinois Supreme Court Rules and the Code of Civil Procedure.
- c) Every recipient shall keep complete and accurate records of all loan repayment funds that the recipient receives. A recipient's failure to create and maintain records that demonstrate the recipient's receipt and use of all loan repayment funds shall create a presumption in favor of recovery by the Department.
- d) *Whenever the Department believes that loan repayment funds are subject to recovery, the Department shall provide the recipient the opportunity for at least one informal hearing to determine the facts and issues and to resolve any conflicts as amicably as possible before taking any formal recovery actions.* (Section 7 of the Illinois Grant Funds Recovery Act)
- e) The offer of an informal hearing will be in writing and will provide the recipient with no fewer than 10 calendar days in which to request an informal hearing. A recipient's failure to deliver a timely request for an informal hearing shall constitute the recipient's waiver of the informal hearing. During any informal hearing, the recipient may be represented by a licensed attorney.

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## NOTICE OF PROPOSED RULES

- f) If, after an informal hearing or if no timely request for an informal hearing is received, the Department determines that any loan repayment funds are to be recovered, the Department will provide the recipient with formal written notice of its intent to recover loan repayment funds. The notice will identify the funds, the amount to be recovered and the specific facts that permit recovery.
- g) A recipient shall have 35 days from the receipt of the notice required in subsection (f) to request a hearing to show why recovery is not proper.
- h) If a recipient timely requests a hearing, the Department will hold a formal hearing in accordance with Practice and Procedure in Administrative Hearings, at which the recipient may present evidence and witnesses to show why recovery should not occur. After the conclusion of the hearing, if recovery is warranted, the Department will issue a written final recovery order and send a copy of the order to the recipient by certified U.S. Mail.
- i) A recipient may seek judicial review in the circuit court of any Department final recovery order, pursuant to the Administrative Review Law.
- j) If a recipient timely requests a formal hearing, the Department will not take any action of recovery until at least 35 days after a final recovery order has been issued.
- k) If a recipient does not timely request a hearing, the Department may proceed with recovery of the loan repayment funds identified in the notice issued pursuant to this Section, at any time after the expiration of the 35-day request period.
- l) Any notice or mailing required or permitted by this Section shall be deemed received five days after the notice or mailing is deposited in the US mail, with the recipient's current address and with sufficient U.S. postage affixed, or the date of actual delivery, whichever is sooner.
- m) During any formal hearing, the recipient may be represented by a licensed attorney.

## DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Illinois Certified Shorthand Reporters Act of 1984
- 2) Code Citation: 68 Ill. Adm. Code 1200
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1200.20	Amendment
1200.30	Amendment
1200.35	Amendment
1200.40	Amendment
1200.45	Amendment
1200.50	Amendment
1200.60	Repealed
1200.70	Amendment
1200.75	Amendment
1200.80	Amendment
1200.90	Amendment
- 4) Statutory Authority: Implementing the Illinois Certified Shorthand Reporters Act of 1984 [225 ILCS 415] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)]
- 5) Effective Date of Rule: October 10, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporation by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal published in *Illinois Register*: May 16, 2014; 38 Ill. Reg. 10510
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: There are no substantive differences between the proposed and adopted versions.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This adopted rule includes updating to the Continuing Education (CE) Section as well as an increase of the fee for restoration of a non-renewed license from \$20 to \$50. It also made numerous non-substantive changes, including changing references throughout the entire Part from "Department" to "Division" to reflect the consolidation of agencies into the Department of Financial and Professional Regulation and the creation of the Division of Professional Regulation. Obsolete language, including Section 1200.60 requiring the submission of an annual report from the Board, has been removed.
- 16) Information and questions regarding this adopted rule shall be directed to:

Department of Financial and Professional Regulation  
Attention: Craig Cellini  
320 West Washington, 3rd Floor  
Springfield IL 62786

217/785-0813  
fax: 217/557-4451

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

## DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF [FINANCIAL AND PROFESSIONAL REGULATION](#)  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSPART 1200  
ILLINOIS CERTIFIED SHORTHAND REPORTERS ACT OF 1984

Section	
1200.20	Application for Examination/Licensure
1200.30	Examinations
1200.35	Renewals
1200.40	Restoration
1200.45	Endorsement
1200.50	Fees for the Administration of the Act
1200.60	Annual Report of Board ( <a href="#">Repealed</a> )
1200.70	Conduct of Hearings
1200.75	Continuing Education
1200.80	Granting Variances
1200.90	Standards of Professional Conduct

**AUTHORITY:** Implementing the Illinois Certified Shorthand Reporters Act of 1984 [225 ILCS 415] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

**SOURCE:** Adopted at 5 Ill. Reg. 7518, effective July 2, 1981; codified at 5 Ill. Reg. 11024; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; emergency amendments at 8 Ill. Reg. 672, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 16443, effective August 29, 1984; amended at 11 Ill. Reg. 14073, effective August 5, 1987; recodified from Chapter I, 68 Ill. Adm. Code 200 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1200 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2917; amended at 12 Ill. Reg. 16718, effective September 30, 1988; amended at 13 Ill. Reg. 18865, effective November 21, 1989; amended at 16 Ill. Reg. 3169, effective February 18, 1992; amended at 19 Ill. Reg. 940, effective January 17, 1995; amended at 23 Ill. Reg. 7102, effective June 4, 1999; amended at 27 Ill. Reg. 9026, effective May 27, 2003; amended at 38 Ill. Reg. 19662, effective October 10, 2014.

**Section 1200.20 Application for Examination/Licensure**

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- a) An applicant for examination/licensure shall file an application on forms supplied by the Department of Financial and Professional Regulation-Division of Professional Regulation (Division) ~~(the Department)~~ at least 60 days prior to an examination date. The application shall include:
- 1) Certification of graduation from high school or its equivalent;
  - 2) Either:
    - A) An Affidavit of Ability, signed by an official of a shorthand reporter school, stating that the applicant has successfully completed a verbatim record of unfamiliar testimony dictated for 5 minutes at a minimum speed of 225 words per minute with at least 94% accuracy; or
    - B) Proof that the applicant possesses at least minimum competency skills to sit for the examination, as recommended by the Certified Shorthand Reporters Board of Examiners (Board) and approved by the Division~~Department~~. In determining competency the Board shall review the applicant's education, training and/or experience (such as practicing with a restricted license in the court system pursuant to Section 6 of the Act or practice in another jurisdiction); and
  - 3) ~~A complete work history since graduation from high school; and 4)~~ The required application and examination fees ~~as~~ specified in Section 1200.50 ~~of this Part~~.
- b) An applicant who submits an official copy of a Registered Merit Reporter or a Registered Professional Reporter certificate by examination issued by the National Shorthand Reporters Association shall not be required to sit for the examination. The Division~~Department~~, upon recommendation of the Board, has determined that the examinations given by the National Shorthand Reporters Association are equivalent to the examination set forth in Section 1200.30.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.30 Examinations**

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- a) The examination for certification as a certified shorthand reporter shall be administered by the ~~Division~~Department or its designated testing service.
- 1) Written Knowledge Examination. The written examination is given to determine the applicant's competency and ability:
- A) To understand the English language, including reading, spelling and the applicant's knowledge of day to day vocabulary, as well as medical, legal and technical vocabulary, without the use of a dictionary;
- B) To accurately report any of the matters comprising the practice of shorthand reporting as defined in the Illinois Certified Shorthand Reporters Act of 1984 [225 ILCS 415] (the Act), by the use of any system of manual or mechanical shorthand or shorthand writing;
- C) To clearly understand the obligations between a shorthand reporter and the parties to any proceedings reported; and
- D) To understand the provisions of the Act.
- 2) Dictation Examination
- A) This portion of the examination shall consist of the following parts:
- i) General dictation at 200 words per minute for 5 minutes with an allowance of 50 errors. (Definition: spoken words presented in court proceedings, depositions, arbitrations, speeches and hearings).
- ii) Testimony, 2 voice, 225 words per minute for 5 minutes with an allowance of 57 errors.
- B) Transcription. Upon completion of both parts of the Dictation Examination, the applicant shall transcribe both parts in double-spaced form.
- C) The applicant shall be allowed an aggregate of three hours to complete all transcription. Those retake applicants required to

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transcribe only one part of the Dictation Examination shall be allowed one and one-half hours.

- b) Grading of the Examination
- 1) The passing score on the Written Knowledge Examination set forth in subsection (a)(1) of this Section is 75% or better.
  - 2) An applicant shall pass the Dictation Examination set forth in subsection (a)(2) of this Section if he/she successfully transcribes within the given time periods set forth in subsections (b)(2)(A) and (B) ~~below~~:
    - A) 200 words per minute for 5 minutes with 50 errors or fewer on the general dictation part; and
    - B) 225 words per minute for 5 minutes with 57 errors or fewer on the 2 voice testimony.
  - 3) In scoring the Dictation Examination, "Q" representing question and "A" representing answer shall not be counted as words in the testimony portion; however, such signs must appear in proper order in the transcript.
  - 4) Applicants who fail a portion of an examination will be required to retake within a period of three years only the portion or dictation part of the examination they did not pass.
- c) Required Supplies for the Examination
- 1) Each applicant must supply his/her own bound dictionary, pens, pencils, stenographic machine, erasers, stenograph paper, and notebooks or note paper. The use of only one dictionary per person is permitted. Computers shall be supplied at the location of the examination.
  - 2) Applicants shall not be permitted to use tape recorders or other electronic recording devices during the examination sessions.
  - 3) Typing paper will be provided.
- d) The provisions of this Section shall apply to applicants upon adoption without

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regard to where the applicant is in the application process.

- e) An applicant for licensure who possesses an active Registered Professional Reporter certificate by examination or a Registered Merit Reporter certificate issued by the National Court Reporters Association shall not be required to sit for the examination. The ~~Division~~Department, upon recommendation of the Board, has determined that the Registered Professional Reporter and Registered Merit Reporter examinations are equivalent to the examination administered by the ~~Division~~Department.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.35 Renewals**

- a) Every certificate of registration issued under the Act shall expire on May 31 of each odd numbered year. The holder of a certificate of registration may renew such certificate during the month preceding the expiration date thereof by paying the required fee.
- b) It is the responsibility of each registrant to notify the ~~Division~~Department of any change of address. Failure to receive a renewal form from the ~~Division~~Department shall not constitute an excuse for failure to pay the renewal fee.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.40 Restoration**

- a) A person seeking restoration of a certificate after it has expired or has been placed on inactive status for more than 5 years shall file an application with the ~~Division~~Department together with the required fees specified in Section 1200.50. ~~In of this Part. After May 31, 1997, in~~ order to restore a license, a person shall submit proof of 10 hours of continuing education completed within 2 years before restoration in accordance with Section 1200.75 ~~of this Part~~. The applicant shall also submit one of the following either:
- 1) Certification of current licensure from another jurisdiction completed by the appropriate board or licensure authority;

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- 2) Affidavits from 2 members of the bench or bar attesting to the applicant's active practice of shorthand reporting in a state that does not require licensure for at least one year immediately prior to the date of application;
  - 3) An affidavit attesting to military service as provided in Section 14 of the Act; or
  - 4) Other proof acceptable to the ~~Division~~Department of the applicant's fitness to have the certificate restored.
- b) A registrant seeking restoration of a certificate that has expired for less than 5 years shall have the certificate restored upon payment of \$10 plus all lapsed renewal fees required by Section 1200.50 ~~of this Part~~. After May 31, 1997, in order to restore a license, a person shall submit proof of 10 hours of continuing education completed within 2 years before restoration in accordance with Section 1200.75 ~~of this Part~~.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the coursework or experience is questioned by the ~~Division~~Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the person seeking restoration of a license shall be requested to:
- 1) Provide such information as may be necessary; and/or
  - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information. Upon the recommendation of the Board and approval of the ~~Division~~Department, an applicant shall have the license restored.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.45 Endorsement**

- a) An applicant who is licensed under the laws of another jurisdiction shall file an application with the ~~Division~~Department, together with:
  - 1) a certification from the licensing authority of the jurisdiction stating:

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- ~~A)1)~~ The time during which the applicant was licensed in that jurisdiction;
- ~~B)2)~~ Whether the file on the applicant contains any record of any disciplinary actions taken or pending; and
- ~~C)3)~~ A brief description of the examination taken and the grades received. The brief description shall include the speeds of dictation, the percentage of accuracy to pass and the contents of the written knowledge test; and.
- 24) a copy of the statuteAct and rulesRules from the state of original licensure thatwhich were in effect at the time of licensure.
- b) ~~A complete work history since date of original licensure in another jurisdiction to present;~~ ~~e)~~ The applicant may be required to appear for an oral interview:
- 1) To clarify or explain information contained in the submitted documentation;
  - 2) To provide additional documentation or information as requested by the Division;
  - 3) To determine substantial equivalence of the applicant's qualifications to the licensing requirements in this State.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.50 Fees for the Administration of the Act**

The following fees shall be paid to the Department for the administration of the Act and shall be nonrefundable.

- a) ApplicationApplications Fees-
- 1) The fee for application and for a certificate as a certified shorthand reporter is \$25. In addition, the applicants may be required to pay the Department, or its designated testing service, a fee for the cost of providing the examination.

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- 2) The fee to be paid for a certificate issued at the request of the Director of the Administrative Office of the Courts as set forth under Section 6 of the Act is \$35.
  - 3) The fee for application as a continuing education sponsor is \$300. State agencies, State colleges and State universities in Illinois shall be exempt from this fee.
- b) Renewal Fees-
- 1) The fee for the renewal of a certificate shall be calculated at the rate of \$20 per year.
  - 2) The fee for the renewal as a continuing education sponsor shall be calculated at the rate of \$50 per year.
- c) General Fees-
- 1) The fee for placing a certificate on inactive status is \$20.
  - 2) The fee for restoration of a certificate from inactive status is the current renewal fee.
  - 3) The fee for restoration of a certificate from other than inactive status is ~~\$50~~ plus all lapsed renewal fees, not to exceed \$150.
  - 4) The fee for certification of a license record is \$20.
  - 5) The fee for a wall certificate shall be the actual cost of producing ~~the~~ certificate.
  - 6) The fee for the issuance of a duplicate certificate, for the issuance of a replacement certificate, or for the issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on ~~Division~~ records when no duplicate license is issued.
  - 7) The fee for a roster of certificate holders is the cost of producing the

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roster. The cost of producing the roster shall be determined in accordance with the following formula: Total number of registrants in the list requested divided by 1000 multiplied by the Multiplier, plus Fixed Costs (such as personnel and handling) = Total Roster Cost.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.60 Annual Report of Board (Repealed)**

~~The Board shall submit a written report on an annual basis, to the Director in which it shall evaluate its own and the Department's performance, inform the Department of practice developments within the shorthand reporting profession, and provide recommendations for statutory or regulatory program changes.~~

(Source: Repealed at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.70 Conduct of Hearings**

Any hearing conducted by the ~~Division~~Department pursuant to Section 23.2 of the Act shall be conducted in accordance with the ~~Division's~~Department's Rules of Practice in Administrative Hearings (68 Ill. Adm. Code 1110).

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.75 Continuing Education**

- a) Continuing Education (CE) Requirements
  - 1) Beginning with the May 31, 1997, renewal and every renewal thereafter, every registrant who applies for renewal of a certificate of registration as a certified shorthand reporter shall complete during the prerenewal period 10 hours of continuing education (CE) relevant to the practice of shorthand reporting.
  - 2) A prerenewal period is the 24 months preceding May 31 of each odd-numbered year.
  - 3) A CE hour means a minimum of 50 minutes of actual clock time spent by a registrant in actual attendance at and completion of an approved CE

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activity. After completion of the initial CE hour, credit may be given in one-half hour increments.

- 4) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois certificate of registration.
  - 5) Shorthand reporters registered in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
- b) How to Acquire CE Credits
- 1) CE hours may be earned from:
    - A) Verified attendance at or participation in a program, activity or course through the National Court Reporters Association.
    - B) Verified attendance (e.g., certificate of attendance or certificate of completion) at or participation in a program, activity or course ("program") presented by a continuing education sponsor in subsection (c) ~~below~~.
    - C) Verified attendance at a program that is of general information value to shorthand reporters but does not directly relate to the reporter's ability to produce an accurate and timely transcript. A maximum of 5 hours credit may be counted during a prerenewal period for ~~those such~~ programs, which include:
      - i) Professionalism, including knowledge and application of standards of professional responsibility, impartiality, public relations, attire; and
      - ii) Office procedures, record-keeping, health, including a reporter's approach to personal tax management, planning for retirement or changing careers within reporting, maintaining the individual reporter's health and emotional adjustment, ability to listen, to concentrate, to communicate, to cope.

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- D) Verified personal preparation of educational presentations pertaining to the profession of court reporting and serving as an instructor, speaker or panel member at an approved course will be allowed as CE credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Credits for preparation time shall not be allowed for repetitious presentations. No more than 5 hours of credit can be earned under this category in any one renewal period.
- E) Writing articles pertaining to the profession of court reporting and published in a state or nationally recognized professional journal of court reporting or law. Each article shall be eligible for 2.5 hours of CE credit and no more than 5 hours of credit can be earned under this category in any one renewal period. Credits will not be allowed for the same article published in more than one publication.
- 2) Courses completed that are a part of the curriculum of a university, college or other educational institution. One semester of course work is equivalent to 15 hours of CE and one quarter of course work is equivalent to 10 hours of CE.
- 3) Passing any leg of the Registered Merit Reporter (RMR), Certified Realtime Reporter (CRR), Certified Communication Access Realtime Translation Provider (CCP), Certified Broadcast Captioner (CBC) or Registered Diplomat Reporter (RDR) exam offered by the National Court Reporters Association (NCRA). Successful passage of any of these examinations shall be eligible for 2.5 hours of CE credit.
- c) CE Sponsors and Programs
- 1) Sponsor, as used in this Section, shall mean the following:
- A) The NCRA or programs or courses approved by NCRA~~National Court Reporters Association~~;
- B) The Illinois Court Shorthand Reporters Association or any state court reporters association whose course or program has been approved for CE credits under the guidelines of the National Court

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Reporters Association;

C) ~~Any computer users group whose program or course has been approved for CE credits under the guidelines of the National Court Reporters Association;~~ D) A city, county, ~~State~~ or federal judicial body responsible for coordination and presentation of CE courses or programs for its employees;

~~D)~~ E) A university or college course or adult education program that contributes directly to the ~~certified shorthand reporter's~~ ~~Certified Shorthand Reporter's~~ knowledge, ability or competence to perform his/her duties; and

~~E)~~ F) Any other school, college or university, State agency, or any other person, firm or association that has been approved and authorized by the ~~Division~~ ~~Department~~ to coordinate and present CE courses and programs in conjunction with this Section.

2) Entities seeking approval as CE sponsors shall file an application, on forms supplied by the ~~Division~~ ~~Department~~, along with the application fee set forth in Section 1200.50 ~~of this Part~~. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee.) Along with the application, the applicant shall submit a list of proposed programs including the description, location, date and time of the programs. The application shall include the following:

A) Certification:

- i) That all programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(3) ~~below~~ and all other criteria in this Section;
- ii) That the sponsor will be responsible for verifying attendance at each program and provide a certificate of attendance as set forth in subsection (c)(10) ~~below~~;
- iii) That, upon request by the ~~Division~~ ~~Department~~, the sponsor will submit evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance

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with this Section. Evidence shall be required when the ~~Division~~Department has reason to believe that there is not full compliance with this Part and that the information is necessary to ensure compliance;

- iv) That each sponsor shall submit to the ~~Division~~Department written notice of program offerings, including program offerings of subcontractors, 30 days prior to course dates. Notice shall include the description, location, date and time of the program to be offered;
- B) A copy of sample program with faculty, course materials and syllabi.
- 3) All programs shall:
  - A) Contribute to the advancement, extension and enhancement of the professional skills and knowledge of the individual registrant in the practice of shorthand reporting;
  - B) Include one or more of the following subjects directly related to the shorthand reporter's ability to produce accurate and timely transcripts:
    - i) English, including grammar, punctuation, general principles, spelling, vocabulary, etymology, usage, semantics, regional and minority dialects or colloquialisms, English history, transcript styles;
    - ii) Medical, including Greek and Latin derivatives, homonyms, abbreviations, surgical procedures, pharmacy, anatomy and physiology, specialized medical fields (i.e., neurology, dentistry, radiology, gastroenterology), with emphasis on terminology and techniques or concepts likely to be encountered during litigation;
    - iii) Legal, including terminology, research techniques, presentations on the various subdivisions of law (i.e., criminal torts, domestic relations, corporate, admiralty,

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- patent, environmental) and procedural law (i.e., depositions, trials, administrative proceedings) presentations by legal specialists or experts in the field, history of the American/world legal system;
- iv) Technical subjects presented by experts with emphasis on terminology and concepts encountered by the shorthand reporter during litigation (i.e., accident reconstruction, chemistry, construction, geology, insurance, maritime, aerospace, products liability, industrial and environmental pollution);
  - v) Technology related to new developments in the field of reporting (i.e., computer technology, computer techniques, video, telecommunications, equipment maintenance);
  - vi) General litigation procedures as they relate to court, deposition and administrative proceedings (i.e., reporting depositions, court hearings, arbitrations, conventions and the court reporter's responsibility with regard to these proceedings, notary responsibilities, marking exhibits, reading back, going on and off the record, review of statutes, rules related to the reporter);
  - vii) Transcript preparation, including indexing of witnesses, exhibits, formats, dictating, editing and scoping, reference libraries and research techniques, proofreading; and
  - viii) Management, including financial, marketing, personnel, equipment maintenance, time and stress management;
- C) Be relevant to the needs of shorthand reporters and also to the reporting service needs of the users ([i.e., courses in golf, tennis, dancing or basket-weaving shall not be given credit](#));
  - D) Be developed and presented by persons with education and/or experience in the subject matter of the program;
  - E) Specify for whom the program is primarily designed, the course

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objectives, course content and teaching methods to be used; and

- F) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for renewal of the certification of registration.
- 4) Each CE program shall provide a mechanism for evaluation of the program by the participants. The evaluation may be completed on-site immediately following the program or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.
- 5) An approved sponsor may subcontract with individuals and organizations to provide approved programs.
- 6) Continuing education credits may be awarded for home study courses and correspondence courses, provided they are courses administered by approved sponsors.
- 7) All programs given by approved sponsors shall be open to all registered shorthand reporters and not be limited to members of a single organization or group.
- 8) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.
- 9) To maintain approval as a sponsor, each sponsor shall submit to the ~~Division~~Department by May 31 of each odd-numbered year a renewal application, the required fee set forth in Section 1200.50 ~~of this Part~~, and a list of courses and programs offered within the last 24 months. The list shall include a brief description, location, date and time of each course given.
- 10) Certificate of Attendance. It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:

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- A) The name, address and certificate number of the sponsor;
  - B) The name and address of the participant;
  - C) A brief statement of the subject matter;
  - D) The number of hours attended in each program;
  - E) The date and place of the program; and
  - F) The signature of the sponsor.
- 11) The sponsor shall maintain attendance records for not less than 5 years.
  - 12) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.
  - 13) Upon the failure of a sponsor to comply with any of the foregoing requirements, the ~~Division~~Department, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of that sponsor's CE programs until such time as the ~~Division~~Department receives assurances of compliance with this Section.
  - 14) Notwithstanding any other provision of this Section, the ~~Division~~Department or Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with requirements of this Section.
- d) ~~Activities Not Qualifying for CE Credit~~
- 1) ~~Certain activities that shall not be considered acceptable for continuing education credits include, but shall not be limited to, the following:~~
    - A) ~~Attendance or participation at professional or association business meetings, conferences, general sessions, elections, policymaking sessions or program orientation;~~
    - B) ~~Serving on committees;~~

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- ~~C)~~ ~~Entertainment and recreation;~~
- ~~D)~~ ~~Tours, visiting exhibits;~~
- ~~E)~~ ~~Any function for which the registrant receives remuneration as part of his/her regular employment;~~
- ~~F)~~ ~~In house training on office equipment; and~~
- ~~G)~~ ~~Courses with a main thrust of teaching nonverbal skills (i.e., golf, tennis, dancing, basket weaving).~~

~~d)~~e) Certification of Compliance with CE Requirements

- 1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsections (a) and (b) ~~above~~.
- 2) The ~~Division may~~Department shall conduct random audits to verify compliance with CE requirements.
- 3) The ~~Division~~Department may require additional evidence (e.g., certificate of attendance). This additional evidence shall be required in the context of the ~~Division's~~Department's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.
- 4) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

~~e)~~f) Continuing Education Earned in Other Jurisdictions

- 1) If a registrant has earned CE hours offered in another state or territory not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a \$25 processing

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fee, prior to participation in the program or 90 days prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) ~~of this Section.~~

- 2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the \$25 processing fee plus a \$10 per hour late fee not to exceed \$150. The Board shall review and recommend approval and disapproval of the program using the criteria set forth in subsection (c)(3) ~~of this Section.~~

~~f)g)~~ Restoration of Nonrenewed or Inactive Certificate of Registration. Upon satisfactory evidence of compliance with CE requirements, the ~~Division~~Department shall restore the certificate upon payment of the required fee as provided by Section 1200.50 ~~of this Part.~~

~~g)h)~~ Waiver of CE Requirements

- 1) Any renewal applicant seeking renewal of a certificate of registration without having fully complied with these CE requirements shall file with the ~~Division~~Department a renewal application along with the required fee set forth in Section 1200.50 ~~of this Part~~, a statement setting forth the facts concerning non-compliance and request a waiver of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the ~~Division~~Department, upon the written recommendation of the Board, finds from ~~the~~sueh affidavit or any other evidence submitted that extreme hardship has been shown for granting a waiver, the ~~Division~~Department shall waive enforcement of CE requirements for the renewal period for which the applicant has applied.
  - A) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
    - i) Full-time service in the armed forces of the United States during a substantial part of the prerenewal period;

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- ii) An incapacitating illness documented by a statement from a currently licensed physician, nurse practitioner or physician's assistant; or;
  - iii) ~~A physical inability to travel to the sites of approved programs documented by a currently licensed physician; iv) Being retired from practice and not performing any reporting services; or v)~~ Any other similar extenuating circumstances.
- B) Persons employed as full-time court reporters under the Court Reporters Act [705 ILCS 70] may apply for a waiver from the continuing education requirements. The waiver shall be granted upon the submission of evidence satisfactory to the Division~~Department~~ (i.e., statement from employer) that the certified shorthand reporter is employed as a full-time court reporter under the Court Reporters Act.
- 2) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section, shall be deemed to be in good standing until the final decision on the application is made by the Division~~Department~~.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.80 Granting Variances**

- a) The Director may grant variances from this Part~~these rules~~ in individual cases when he or she~~where he~~ finds that:
  - 1) The provision from which the variance is granted is not statutorily mandated;
  - 2) No party will be injured by the granting of the variance; and
  - 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director of the Department of Financial and Professional Regulation-

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Division of Professional Regulation with the authority granted by the Secretary (Director) shall notify the Certified Shorthand Reporters Board of Examiners of the granting of ~~the~~ variance, and the reasons for granting the ~~variance~~, at the next meeting of the Board.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

**Section 1200.90 Standards of Professional Conduct**

In order to establish and maintain a high standard of integrity in the practice of shorthand reporting, the following Standards of Professional Conduct shall be binding on every person holding a certificate of registration as a certified shorthand reporter.

- a) A licensee shall be fair and impartial toward each participant in all aspects of reported proceedings.
- b) A licensee should only accept an assignment if his/her level of competence will result in the preparation of an accurate transcript and will remove himself/herself from an assignment if he/she believes his/her abilities are inadequate, recommending or assigning another licensee only if ~~the~~ licensee has the competence required for ~~the~~ assignment.
- c) A licensee, if requested, shall provide information regarding services to be rendered regarding administration of professional services to all parties. The licensee must strive to meet promised delivery dates whenever possible, make timely delivery of transcripts when no date is specified, and provide immediate notification of delays.
- d) A licensee shall be alert to situations that are conflicts of interest or that may give the appearance of a conflict of interest. If a conflict arises, the licensee must disclose that conflict or potential conflict.
- e) A licensee who becomes impaired and unable to function according to the standards of practice should immediately seek inactive status and refrain from practice. It is the licensee's responsibility to seek supervision and/or personal therapy for any problem that is interfering with the ability to perform professional services.
- f) A licensee shall preserve the confidentiality and ensure the security of

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information, oral or written, entrusted to the licensee by any and all of the parties in a proceeding.

- g) It is the licensee's responsibility to preserve his/her shorthand notes for a period of no less than 10 years from the date the notes or transcripts were taken ~~five years~~, except as otherwise prescribed by law, through storage of the original paper notes and/or an electronic copy of either the shorthand notes or the English transcript of the notes on computer disks, cassettes, backup tape systems, ~~or~~ optical or laser disk systems, or other retrieval systems available at the time that the notes or transcripts were taken.
- h) A licensee's signature, license number and expiration date shall be affixed to a transcript of his/her stenographic notes to certify to its correctness if the transcript has been prepared by him/her or under his/her direct supervision.
- i) A licensee shall not permit the use of his/her name or firm's name, nor shall a licensee be associated in business ventures with persons or firms that the licensee has reason to believe to be engaging in fraudulent or dishonest business practices.
- j) A licensee having knowledge of any alleged violation of the Certified Shorthand Reporter Act shall cooperate with the ~~Division~~Department or appropriate governmental agency, furnishing such information or assistance as may be required to conduct an investigation resulting from a complaint.
- k) The licensee shall at all times be aware of and avoid not only the fact of, but the appearance of, impropriety, which may include, but is not limited to:
  - 1) The establishment of contingent fees as a basis of compensation.
  - 2) The giving or receiving of, directly or indirectly, any gift, incentive, reward or anything of value to anyone as a condition for the performance of professional services.
  - 3) The offering to pay, either directly or indirectly, any commission or other consideration in order to secure professional assignments.
  - 4) The entering into any financial relationship, written or oral, with counsel, parties in interest or their intermediaries that:

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- A) undermines the actual or perceived impartiality of the court reporter; or
  - B) does not provide or offer any party in interest comparable court reporting services in the same proceedings.
- l) A licensee shall be truthful and accurate when making public statements or when advertising qualifications or services provided.
  - m) A licensee shall meet all mandated continuing education requirements and should keep abreast of current literature and technological advances and developments.
  - n) The ~~Division~~Department hereby incorporates by reference "The Code of Professional Ethics" of the National Court Reporters Association, 8224 Old Courthouse Road~~118 Park Street, S.E.~~, Vienna, Virginia 22182-3808, 201322180, with no later amendments or editions.

(Source: Amended at 38 Ill. Reg. 19662, effective October 10, 2014)

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- 1) Heading of the Part: Illinois Physical Therapy Act
- 2) Code Citation: 68 Ill. Adm. Code 1340
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1340.20	Amendment
1340.30	Amendment
1340.40	Amendment
1340.50	Amendment
1340.55	Amendment
1340.57	Amendment
1340.60	Amendment
1340.61	Amendment
1340.65	Amendment
1340.70	Amendment
- 4) Statutory Authority: Implementing the Illinois Physical Therapy Act [225 ILCS 90] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)]
- 5) Effective Date of Rule: October 10, 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 rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal published in the *Illinois Register*: December 13, 2013 at 37 Ill. Reg. 19767.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: The proposed version had stricken language in Section 1340.20 (Approved Curriculum) regarding accepting coursework in which the applicant received lower than a C grade for physical therapists (PTs) but not for assistant physical therapists (PTAs). The adopted version restores the stricken requirement for PTs so that the requirement for both PTs and PTAs are consistent. The

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adopted version also added clearer wording to Section 1340.30 (e) (Application for Licensure on the Basis of Examination) regarding how much time an applicant has after approval of a license to take the examination. The adopted version also deletes the prohibition on continuing education (CE) credit for training completed as a condition of employment in Section 1340.61 (b)(4)(B) (Continuing Education). Additional technical changes were also made to the adopted version.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The CE requirements for PTs and PTAs will now include at least 3 hours on the ethical practice of physical therapy, and may also include up to 5 hours of skills certification courses such as Basic Life Support or CPR. References to "Committee" have been changed to "Board", and the Code of Ethics has been updated. Additional clean up changes have been made as well as changes made to reflect standard Department language and procedures.
- 16) Information and questions regarding this adopted rule shall be directed to:

Department of Financial and Professional Regulation  
Attention: Craig Cellini  
320 West Washington, 3rd Floor  
Springfield IL 62786

217/785-0813

Fax: 217/557-4451

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

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## TITLE 68: PROFESSIONS AND OCCUPATIONS

## CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

## SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

## PART 1340

## ILLINOIS PHYSICAL THERAPY ACT

## Section

1340.15	Application for Licensure Under Section 8.1 of the Act (Grandfather) (Repealed)
1340.20	Approved Curriculum
1340.30	Application for Licensure on the Basis of Examination
1340.40	Examination
1340.50	Endorsement
1340.55	Renewals
1340.57	Fees
1340.60	Restoration
1340.61	Continuing Education
1340.65	Unprofessional Conduct
1340.66	Advertising
1340.70	Granting Variances

**AUTHORITY:** Implementing the Illinois Physical Therapy Act [225 ILCS 90] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

**SOURCE:** Adopted at 5 Ill. Reg. 6500, effective June 3, 1981; codified at 5 Ill. Reg. 11048; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 9 Ill. Reg. 1906, effective January 28, 1985; recodified from Chapter I, 68 Ill. Adm. Code 340 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1340 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2959; amended at 12 Ill. Reg. 8030, effective April 25, 1988; amended at 15 Ill. Reg. 5254, effective March 29, 1991; emergency amendment at 15 Ill. Reg. 11503, effective July 30, 1991, for a maximum of 150 days; emergency expired December 27, 1991; amended at 16 Ill. Reg. 3175, effective February 18, 1992; amended at 17 Ill. Reg. 14606, effective August 27, 1993; amended at 20 Ill. Reg. 10678, effective July 26, 1996; amended at 23 Ill. Reg. 11970, effective September 17, 1999; amended at 24 Ill. Reg. 567, effective December 31, 1999; amended at 26 Ill. Reg. 11953, effective July 18, 2002; amended at 28 Ill. Reg. 16252, effective December 2, 2004; amended at 38 Ill. Reg. 19686, effective October 10, 2014.

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**Section 1340.20 Approved Curriculum**

- a) In determining whether an applicant's curriculum should be approved, the Department of Financial and Professional Regulation-Division of Professional Regulation (Division) shall take into consideration, but not be bound by, accreditation of the applicant's school by the Commission on Accreditation in Physical Therapy Education (CAPTE).
- b) The ~~Department of Financial and Professional Regulation-Division of Professional Regulation (Division)~~ shall, upon the recommendation of the Physical Therapy Licensing and Disciplinary ~~Board (Board) Committee (the Committee)~~, approve an applicant's physical therapist curriculum if it meets the following minimum criteria:
- 1) The school from which the applicant was graduated:
    - A) Is legally recognized and authorized by the jurisdiction in which it is located to confer a physical therapy degree; and
    - B) Has a faculty ~~that comprises a sufficient number of full-time instructors~~ to make certain that the educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their areas of teaching from professional colleges or institutions; and
    - C) Maintains permanent student records that summarize the credentials for admission, attendance, grades and other records of performance.
  - 2) Prior to January 1, 2002, the applicant's curriculum shall have a minimum of 120 semester hours which shall include a minimum of 50 semester hours credit in general education and at least the following subject areas in professional education (a minimum of 57 semester hours required):
    - A) Basic Health Sciences
      - i) Anatomy
      - ii) Physiology

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- iii) Pathology
  - iv) Kinesiology
  - v) Neurology
  - vi) Psychology
- B) Clinical Sciences to include, but not limited to the major areas of:
- i) Medicine
  - ii) Surgery
  - iii) Physical therapy theory and application, including therapeutic exercise, evaluation procedures, physical agents, mechanical modalities, electrotherapy, massage, orthotics and prosthetics, and professional issues
- C) Clinical Education – a minimum of 800 clock hours.
- 3) Applicants graduating after January 1, 2002 must have a minimum of a master's degree in physical therapy.
- 4) No course in which the applicant received a grade lower than a C will be accepted for coursework.
- ~~c)~~ The Division shall, upon the recommendation of the ~~Board~~Committee, approve an applicant's physical therapist assistant curriculum if it meets the following minimum criteria:
- 1) The school from which the applicant was graduated:
    - A) Is legally recognized and authorized by the jurisdiction in which it is located to offer a physical therapist assistant curriculum that leads to an associate degree;
    - B) Has a faculty ~~that comprises a sufficient~~ number of full-time

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~~instructors~~ to make certain that the educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their areas of teaching from professional colleges or institutions;

- C) Maintains permanent student records that summarize the credentials for admission, attendance, grades and other records of performance.
- 2) The applicant's curriculum includes at least the following subject areas in professional education (a minimum of 29 semester hours required):
- A) Basic Health Sciences
    - i) Anatomy and physiology
    - ii) Pathology
    - iii) Psychology
    - iv) Kinesiology
  - B) Clinical Sciences to include, but not be limited to, the major areas of:
    - i) Medicine and surgery
    - ii) Applied physical therapy science, including gross evaluation techniques, physical agents, mechanical modalities, therapeutic exercise, electrotherapy, massage, and professional issues
  - C) Clinical Education – a minimum of 600 clock hours.
- 3) No course in which the applicant received lower than a C will be accepted for coursework.
- e) ~~In determining whether an applicant's curriculum should be approved, the Division shall take into consideration, but not be bound by, accreditation of the~~

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~~applicant's school by the Commission on Accreditation in Physical Therapy Education (CAPTE).~~

- d) Recommendation of Approval
- 1) The Division, upon the recommendation of the ~~Board~~Committee, has determined that the curricula of all physical therapist and physical therapist assistant programs accredited by CAPTE as of January 1, 1996, meet the minimum criteria set forth in subsections (~~ba~~) and (~~cb~~) and are, therefore, approved.
  - 2) In the event of a decision by ~~CAPTE~~the above accrediting body to ~~deny~~orsuspend, withdraw ~~or revoke~~ accreditation of any physical therapist or physical therapist assistant program, the ~~Board~~Committee shall proceed to evaluate the curriculum and either approve or disapprove it in accordance with subsections (b) and (c)~~(a) and (b)~~.
- e) Graduates from Outside the United States
- 1) A graduate of a physical therapist program outside the United States or its territories shall have his or her credentials evaluated, by a credentialing service acceptable to the ~~Board~~Committee, to determine equivalence of education to a physical therapist degree conferred by a regionally accredited college or university in the United States. The credentialing service must have a physical therapist consultant on its staff. The ~~Board~~Committee recognizes the Foreign Credentialing Commission of Physical Therapy, Inc. (FCCPT), P.O. Box 25827, Alexandria, Virginia 22313 as a service determined by the ~~Board~~Committee to be acceptable. A person who graduated from a physical therapist program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL)~~and the Test of Spoken English (TSE)~~.
  - 2) A graduate of a physical therapist assistant program outside the United States or its territories shall have his or her ~~credentials~~degree evaluated, by a credentialing service acceptable to the Board, to determine equivalence of education to a physical therapist assistant degree conferred by a regionally accredited college or university in the United States. The Board recognizes the Foreign Credentialing Commission of Physical Therapy,

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~~Inc. (FCCPT), P.O. Box 25827, Alexandria, Virginia 22313 as a service determined by the Board to be acceptable or its territories pursuant to Section 1340.20(b).~~ A person who graduated from a physical therapist assistant program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) ~~and the Test of Spoken English (TSE).~~

- 3) An individual who is deficient in course work may complete the required courses at a regionally accredited college or university within the United States or its territories. The individual will be required to submit an official transcript from the program indicating successful completion of the course and a course description. A passing CLEP (College Level Examination Program) test score is also acceptable in satisfying a deficiency requirement.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

**Section 1340.30 Application for Licensure on the Basis of Examination**

- a) An applicant for a physical therapist license by examination shall file an application on forms supplied by the Division. The application shall include:
  - 1) ~~A complete work history indicating all employment since graduation from a physical therapist program;~~ 2) Certification of graduation from successful completion of a physical therapist program, signed by the Director of the Physical Therapy Program or other authorized university official and bearing the seal of the university, which meets the requirements set forth in Section 1340.20 ~~of this Part;~~ and
  - ~~2)3)~~ The required fee specified in Section 1340.57 ~~of this Part.~~
- b) An applicant for a physical therapist assistant license by examination shall file an application on forms supplied by the Division. The application shall include:
  - 1) ~~A complete work history indicating all employment since graduation from a physical therapist assistant program;~~ 2) Certification of graduation from a physical therapist assistant program and attainment of a minimum of an associate's degree signed by the director of the Physical Therapist Program

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or other authorized school official and bearing the seal of a school that meets the requirements set forth in Section 1340.20 ~~of this Part~~; and

~~2)3)~~ The required fee specified in Section 1340.57.

- c) If supporting documentation for the application is not in English, a certified translation must be included.
- d) Graduates from Outside the United States
- 1) A graduate of a physical therapist program outside the United States or its territories shall have his or her credentials evaluated, by a credentialing service acceptable to the ~~Board~~Committee, to determine equivalence of education to a physical therapist degree conferred by a regionally accredited college or university in the United States or its territories pursuant to Section 1340.20(b). The credentialing service must have a physical therapist consultant on its staff. The ~~Board~~Committee recognizes the Foreign Credentialing Commission of Physical Therapy, Inc. (FCCPT), P.O. Box 25827, Alexandria, Virginia 22313 as a service determined by the ~~Board~~Committee to be acceptable.
  - 2) A graduate of a physical therapist assistant program outside the United States or its territories shall have his or her ~~credentials~~degree evaluated, by a credentialing service acceptable to the Board, to determine equivalence of education to a physical therapist assistant degree conferred by a regionally accredited college or university in the United States or its territories pursuant to Section 1340.20(b). The Board recognizes the Foreign Credentialing Commission of Physical Therapy, Inc. (FCCPT), P.O. Box 25827, Alexandria, Virginia 22313 as a service determined by the Board to be acceptable~~A person who graduated from a physical therapist assistant program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE).~~
- e) An applicant shall have 60 days, or until the next date when the test is administered, after approval of the application to take the examination. If the examination is not taken on the authorized test date~~within those 60 days~~, the examination fee is forfeited and the applicant shall resubmit the required

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examination fee to Continental Testing Services, Inc. An applicant who fails to take the examination on the authorized test date~~within 60 days~~ shall forfeit his/her right to work as a physical therapist or physical therapist assistant until the examination is passed.

- f) If the applicant has ever been licensed/registered in another state or territory of the United States, he/she shall also submit a certification, on forms provided by the Division, from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant predominantly practices and is currently licensed, stating:
- 1) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license;
  - 2) A description of the examination in that jurisdiction;
  - 3) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- g) An applicant for a license, who has successfully completed the examination recognized by the Division in another jurisdiction but who has not been licensed in that jurisdiction, shall file an application in accordance with subsection (a) or (b) and have the examination scores submitted to the Division by the reporting entity.
- h) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Division or the Board Committee because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide such information as may be necessary; and/or
  - 2) Appear for an interview before the Board Committee to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.
- i) If the applicant has been determined eligible for licensure except for passing of the examination, the applicant shall be issued a letter of authorization which

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allows him/her to practice under supervision in accordance with Section 2 of the Act. Supervision shall constitute the presence of the licensed physical therapist on site to provide supervision. The applicant shall not begin practice as a physical therapist or physical therapist assistant, license pending, until the letter of authorization is received from the Division.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

**Section 1340.40 Examination**

- a) The examination for a physical therapist license shall be the National Physical Therapy Examination (NPTE) of the Federation of State Boards of Physical Therapy~~examination~~ for physical therapists.
- b) The examination for a physical therapist assistant license shall be the National Physical Therapy Examination (NPTE) of the Federation of State Boards of Physical Therapy ~~examination~~ for physical therapist assistants.
- c) The passing grade on the physical therapy and physical therapist assistant examination shall be a scaled score of 600. The scores shall be submitted to the Division~~Department~~ from the testing entity.
- d) An applicant who has 3 failures of the examination shall be ineligible to retake the examination in Illinois until such time as he/she submits certification of remedial training on forms supplied by the Department, to the Committee that, subsequent to the third failure, the applicant has successfully completed a structured clinical training program of not less than 3 months on a full-time basis. The training shall be under the direct, on site, personal supervision of a licensed physical therapist, as approved by the Committee.
- e) Any person licensed in Illinois as a physical therapist or physical therapist assistant shall not be admitted to the examination. However, in no way shall this provision limit the Division's~~Department's~~ ability to require reexaminations for restoration or enforcement purposes.
- f) The provisions of this Section shall apply to all applicants regardless of where the applicant is in the application process.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

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**Section 1340.50 Endorsement**

- a) An applicant who is currently licensed under the laws of another state or territory of the United States and who wishes to be licensed as a physical therapist or physical therapist assistant by endorsement, shall file an application with the Division, on forms provided by the Division, which shall include:
- 1) Certification, on forms provided by the Division, of successful completion of an approved physical therapist or physical therapist assistant program in accordance with Section 1340.20;
  - 2) Certification from the state or territory of original licensure and the state in which the applicant is currently licensed and practicing, if other than original, stating the time during which the applicant was licensed in that state, whether the file on the applicant contains record of any disciplinary actions taken or pending, and the applicant's license number;
  - 3) The Division may waive the TOEFL ~~and TSE~~ examination for individuals who are licensed and have been actively practicing in another jurisdiction for 3 years prior to the date of application for licensure in Illinois;
  - 4) A report of the applicant's examination record forwarded directly from the test reporting service; and
  - 5) ~~Complete work history since graduation from the physical therapist or physical therapist assistant program; and 6)~~ The required fee specified in Section 1340.57.
- b) Graduates from Outside the United States
- 1) A graduate of a physical therapist program outside the United States or its territories shall have his or her credentials evaluated, by a credentialing service acceptable to the ~~Board~~Committee, to determine equivalence of education to a physical therapist degree conferred by a regionally accredited college or university in the United States or its territories. The credentialing service must have a physical therapist consultant on its staff. The ~~Board~~Committee recognizes the Foreign Credentialing Commission of Physical Therapy, Inc. (FCCPT), P.O. Box 25827, Alexandria, Virginia

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22313 as a service determined by the ~~Board~~Committee to be acceptable. A person who graduated from a physical therapist program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) ~~and the Test of Spoken English (TSE).~~

- 2) A graduate of a physical therapist assistant program outside the United States or its territories shall have his or her ~~credentials~~degree evaluated by a credentialing service acceptable to the Board, to determine equivalence of education to a physical therapist assistant degree conferred by a regionally accredited college or university in the United States. The Board recognizes the Foreign Credentialing Commission of Physical Therapy, Inc. (FCCPT), P.O. Box 25827, Alexandria, Virginia 22313 as a service determined by the Board to be acceptable ~~or its territories pursuant to Section 1340.20(b).~~ A person who graduated from a physical therapist assistant program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) ~~and the Test of Spoken English (TSE).~~

- 3) Applicants who were licensed in another state between August 1, 1996 and September 1, 1999 will have their curriculum reviewed on an individual basis. All programs previously approved by the Division will no longer be considered approved.

- c) The Division shall examine each endorsement application to determine whether the requirements in the jurisdiction at the date of licensing were substantially equivalent to the requirements then in force in this State and whether the applicant has otherwise complied with the Act.
- d) ~~Applicants who were licensed in another state between August 1, 1996 and September 1, 1999 will have their curriculum reviewed on an individual basis. All programs previously approved by the Division will no longer be considered approved.~~ e) The Division shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reasons for the denial of the application.
- e)f) When an applicant for licensure by endorsement as a physical therapist or physical therapist assistant is notified in writing by the Division that the

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application is complete, the applicant may practice in Illinois for one year or until licensure has been granted or denied, whichever period of time is lesser, as provided in Section 2(4) of the Act.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

**Section 1340.55 Renewals**

- a) Every physical therapy license issued under the Act shall expire on September 30 of each even numbered year. Every physical therapist assistant license issued under the Act shall expire on September 30~~th~~ or each odd numbered year. The holder of a license may renew such license during the month preceding the expiration date thereof by paying the required fee and completing continuing education in accordance with Section 1340.61.
- b) It is the responsibility of each licensee to notify the ~~Division~~Department of any change of address. Failure to receive a renewal form from the ~~Division~~Department shall not constitute an excuse for failure to renew a license or pay the renewal fee.
- c) Practicing or offering to practice on a license which has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 31 of the Act.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

**Section 1340.57 Fees**

The following fees shall be paid to the Division and are not refundable:

- a) Application Fees
  - 1) The fee for application for a license as a physical therapist or physical therapist assistant is \$100. In addition, applicants for an examination shall be required to pay, either to the Division or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the

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Division or the designated testing service, shall result in the forfeiture of the examination fee.

- 2) The fee for application as a continuing education sponsor is \$500. Illinois State colleges and universities and Illinois State agencies are exempt from payment of this fee.

b) Renewal Fees

- 1) The fee for the renewal of a license shall be calculated at the rate of \$30 per year.
- 2) The fee for renewal of continuing education sponsor approval is \$250 for the renewal period.

c) General Fees

- 1) The fee for the restoration of a license other than from inactive status is ~~\$50~~\$20 plus payment of all lapsed renewal fees, but not to exceed \$200.
- 2) The fee for restoration of a license from inactive status is the current renewal fee.
- 3) The fee for the issuance of a duplicate license, for the issuance of a replacement license for a license that has been lost or destroyed or for the issuance of a license with a change of name or address, other than during the renewal period, is \$20. No fee is required for name and address changes on Division records when no duplicate license is issued.
- 4) The fee for a certification of a licensee's record for any purpose is \$20.
- 5) The fee to have the scoring of an examination authorized by the Division reviewed and verified is \$20 plus any fees charged by the applicable testing service.
- 6) The fee for a wall certificate showing licensure shall be the actual cost of producing the certificate.
- 7) The fee for a roster of persons licensed as physical therapists or physical

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therapist assistants in this State shall be the actual cost of producing the roster.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

**Section 1340.60 Restoration**

- a) ~~Any~~A person ~~seeking applying for~~ restoration of a license ~~that which~~ has ~~been~~ expired or ~~been~~ placed on inactive status for more than 5 years shall file an application, ~~on forms supplied by with the Division, together Department along~~ with the ~~fee~~ required ~~by Section 1340.57 and proof of having met the continuing education requirements of Section 1340.61. Continuing education must be completed during the 24 months preceding application for restoration. In addition, the applicant~~ ~~fee and~~ shall ~~also~~ do one of the following:
- 1) Submit certification of current licensure from another state or territory completed by the appropriate state board, and show proof of current active practice; or
  - 2) Submit an affidavit attesting to military service as provided in Section 15 of the Act. If application is made within 2 years of discharge, and if all other provisions of Section 15 of the Act are satisfied, the applicant will not be required to pay a restoration fee or any lapsed renewal fees; or
  - 3) Pass the examination set forth in Section 1340.40; or
  - 4) Submit evidence of recent attendance at educational programs in physical therapy, including attendance at college level courses, ~~professionally oriented continuing education classes,~~ special seminars, or any other similar program, or evidence of recent related work experience to show that the applicant has maintained competence in his/her field. The ~~Division~~Department will accept:
    - A) For an applicant whose license has lapsed 5 to 10 years, 160 contact hours of clinical training under the supervision of a licensed physical therapist ~~or 20 hours of continuing education relating to the clinical aspects of physical therapy or any combination thereof~~ approved by the ~~Board~~Committee.

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- B) For an applicant whose license has lapsed for 10 years or more, 320 contact hours of clinical training under the supervision of a licensed physical therapist ~~or 40 hours of continuing education relating to the clinical aspects of physical therapy, or any combination thereof~~ approved by the Board Committee.
- b) A person applying for restoration of a license that has expired for 5 years or less shall file an application with the Division Department and submit ~~\$20 plus all lapsed renewal~~ fees as specified in Section 1340.57. If application is made within 2 years after discharge from military service, and if all other provisions of Section 15 of the Act are satisfied, the applicant will be required to pay only the current renewal fee. A licensee seeking restoration of a license shall be required to submit proof of the required hours of continuing education in accordance with Section 1340.61. These CE hours shall be earned within the 2 years immediately preceding the restoration of the license.
- c) A registrant seeking restoration of a license that has been on inactive status for less than 5 years shall have the license restored upon payment of the current renewal. A licensee seeking restoration of a license shall be required to submit proof of the required hours of continuing education in accordance with Section 1340.61. These CE hours shall be earned within the 2 years immediately preceding the restoration of the license.
- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Division Department or the Board Committee because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking restoration shall be requested to:
- 1) Provide such information as may be necessary; and/or
  - 2) Appear for an interview before the Board Committee to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts of information. Upon the recommendation of the Board Committee and approval by the Director of the Division with the authority delegated by the Secretary, an applicant shall have the license restored or will be notified in writing of the reason for the denial of the application.

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(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

**Section 1340.61 Continuing Education**

- a) Continuing Education Hour Requirements
- 1) ~~Every~~Beginning with the September 30, 2004 renewal and every renewal thereafter, every physical therapist shall complete 40 hours of continuing education (CE) relevant to the practice of physical therapy during each prerenewal period as a condition of renewal. Beginning with the September 2016 renewal, at least 3 hours of the 40 hours must include content related to the ethical practice of physical therapy.
  - 2) ~~Every~~Beginning with the September 30, 2005 renewal and every renewal thereafter, every physical therapist assistant shall complete 20 hours of CE relevant to the practice of physical therapy during each prerenewal period as a condition of renewal. Beginning with the September 2017 renewal, at least 3 hours of the 20 hours must include content related to the ethical practice of physical therapy.
  - 3) A prerenewal period is the 24 months preceding September 30 in the year of the renewal.
  - 4) A CE hour equals 50 minutes. After completion of the initial CE hour, credit may be given in one-half hour increments.
  - 5) Courses that are part of the curriculum of a university, college or other educational institution shall be allotted CE credit at the rate of 15 CE hours for each semester hour or 10 CE hours for each quarter hour of academic credit awarded.
  - 6) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.
  - 7) Physical therapists and physical therapist assistants licensed in Illinois but residing and practicing in other states must comply with the CE requirements set forth in this Section. CE credit hours used to satisfy the CE requirements of another state may be submitted for approval for fulfillment of the CE requirements of the State of Illinois if the CE

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requirements in the other state are equivalent to the CE requirements in this Section.

- b) Approved Continuing Education
- 1) All CE activities shall be relevant to the advancement, extension and enhancement of providing patient/client management, including but not limited to physical therapy examination, evaluation, intervention, and prevention and providing physical therapy services or fulfilling the other professional roles of a physical therapist or physical therapist assistant. Courses not acceptable for the purpose of this definition include, but are not limited to, personal estate planning, personal financial planning, personal investments, and personal health.
  - 2) CE hours may be earned by verified attendance at or participation in a program that is offered by an approved continuing education sponsor who meets the requirements set forth in subsection (c). Credit shall not be given for courses taken in Illinois from unapproved sponsors.
  - 3) CE may also be earned from the following activities:
    - A) Teaching a course for an approved CE sponsor or a CAPTE accredited PT or PTA program. An applicant will receive 2 hours of credit for each CE hour awarded to course attendees the first time the course is taught and 1 hour of credit for each CE hour the second time the same course is taught; no credit will be given for teaching the same course 3 or more times. A maximum of 50% of the total CE requirements may be earned through CE instruction. The applicant must be able to provide verification of unique content for each CE course taught via course goals, objectives, and outline.
    - B) American Board of Physical Therapy Specialties (ABPTS) Clinical Specialist Certification. An applicant will receive 40 hours of CE credit for the prerenewal period in which the initial certification is awarded.
    - C) American Physical Therapy Association (APTA)~~APTA~~-approved post-professional clinical residency or fellowship. An applicant

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will receive 1 hour of CE credit for every 2 hours spent in clinical residency, up to a maximum of 20 hours. Clinical residency hours may not be used for CE credit if the applicant is also seeking [CE](#) credit for hours earned for post-professional academic coursework in the same prerenewal period.

- D) Professional research/writing. An applicant may receive CE credit for publication of scientific papers, abstracts, or review articles in peer-reviewed and other professional journals; publication of textbook chapters; and poster or platform presentations at conferences sponsored by any entity that has pre-approved status, up to a maximum of 50% of the total CE requirements:
- i) 15 hours for each refereed article.
  - ii) 3 hours for each non-refereed article, abstract of published literature or book review.
  - iii) 5 hours for each textbook chapter.
  - iv) 5 hours for each poster or platform presentation or review article.
- E) Self-study. A maximum of 50% of the total CE requirements may be earned through the following self-study activities:
- i) An applicant may obtain ~~up to 20 hours of~~ CE credit by taking correspondence or web-based courses from an approved CE sponsor. These courses shall include a test that must be passed in order to obtain credit.
  - ii) An applicant can receive ~~up to 5 hours of~~ CE credit for utilizing moderated teleconferences, [webinars](#), or ~~pre-recorded audio cassettes/videos of~~ professional presentations offered by approved sponsors. The applicant will be responsible for verifying purchase/registration for teleconferences or audio presentations.
  - iii) An applicant can receive ~~up to 5 hours of~~ CE credit for

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completion of published tests/quizzes based on APTA publications. The applicant will be responsible for verifying successful completion. (These publication-based tests/quizzes, typically offered for less than 1 hour of CE credit, are the only exception to the requirement that all approved CE activities must be at least 1 hour.)

- F) Journal clubs. Up to 5 hours of CE credit may be obtained for participation in a journal club. Credit will be earned based on actual hours of participation and must be verified with an attendance list and list of articles from peer-reviewed journals discussed at each meeting.
- G) Educational programs at Illinois Physical Therapy Association (IPTA) district meetings. Up to 5 hours of CE credit may be obtained for attendance at these programs. Credit will be earned based on actual hours of participation and must be verified with an attendance list and referenced presentation materials.
- H) Departmental inservices. Up to 5 hours of CE credit may be obtained for attendance at inservices at healthcare facilities or organizations. Credit will be earned based on actual hours of participation and must be verified with an attendance list and referenced presentation materials.
- I) Up to 5 CE hours may be earned for completion of skills certification courses. A maximum of 2 hours in cardiopulmonary resuscitation certified by the American Red Cross, American Heart Association, or other qualified organization may be accepted, while a maximum of 3 hours may be accepted for certification or recertification in Basic Life Support for Healthcare Providers (BLS), Advanced Cardiac Life Support (ACLS), or Pediatric Advanced Life Support (PALS) or their equivalent.~~Professional leadership. Up to 5 hours of CE credit may be obtained for being a member of the Physical Therapy Licensing and Disciplinary Committee, an officer of the American Physical Therapy Association, Illinois Physical Therapy Association or the Federation of State Boards of Physical Therapy. Credit will be~~

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~~earned based on months of service with one hour of CE credit earned per 3 months of service.~~

- J) Clinical instructor. Up to 5 hours of CE credit may be obtained by being a clinical instructor for either PT or PTA students. Credit will be earned based on hours of cumulative student clinical instruction, with 1 hour of CE credit per 120 student hours. CE credit hours for clinical instruction will be awarded by the student's academic institution.
- 4) CE will not be awarded for the following types of activities:
- A) Entry-level physical therapist or physical therapist assistant academic coursework.
  - B) Employee orientation programs ~~or training completed as a condition of employment.~~
  - C) Professional meetings or conventions, other than educational programming by approved sponsors.
  - D) Committee meetings.
  - E) Work experience.
  - F) Individual scholarship, mass media programs or self-study activities not identified in subsection (b)(2)(E).
- c) Continuing Education Sponsors and Programs
- 1) Approved sponsor, as used in this Section, shall mean:
    - A) ~~APTA American Physical Therapy Association~~ and its components, including programs, courses and activities approved by the IPTA Illinois Physical Therapy Association;
    - B) Federation of State Boards of Physical Therapy, including programs, courses and activities approved through its ProCert program;

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~~C)B)~~ Colleges, universities, or community colleges or institutions with physical therapist or physical therapist assistant education programs accredited by the Commission on Accreditation in Physical Therapy Education; for post-professional academic coursework, all regionally accredited colleges and universities would be approved sponsors; and

~~D)C)~~ Any other person, firm, association, corporation, or group that has been approved and authorized by the Division pursuant to subsection (c)(2) ~~of this Section~~ upon the recommendation of the Board to coordinate and present continuing education courses or programs.

- 2) Entities seeking a license as a CE sponsor pursuant to subsection (c)(1) ~~(D)C)~~ shall file a sponsor application, along with the required fee set forth in Section 1340.57. (State agencies, State colleges and State universities in Illinois shall be exempt from paying this fee.) The applicant shall certify to the following:
  - A) That all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (b) and all other criteria in this Section. The applicant shall be required to submit a sample 3 hour CE program with course materials, presenter qualifications and course outline for review prior to being approved as a CE sponsor;
  - B) That the sponsor will be responsible for verifying attendance at each course or program, and provide a certification of attendance as set forth in subsection (c)(7)(A); and
  - C) That, upon request by the Division, the sponsor will submit evidence as is necessary to establish compliance with this Section. Evidence shall be required when the Division has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance.
- 3) Each licensed sponsor shall submit by September 30 of each even numbered year a sponsor application along with the renewal fee set forth

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in Section 1340.57. With the application the sponsor shall be required to submit to the Division a list of all courses and programs offered within the past 24 months, which includes a description, location, date and time the course was offered.

- 4) Each CE program by a licensed sponsor shall provide a mechanism for written evaluation of the program and instructor by the participants. Such evaluation forms shall be kept for 5 years and shall be made available to the Division upon written request.
- 5) All courses and programs shall:
  - A) Contribute to the advancement, extension and enhancement of professional clinical skills and scientific knowledge in the practice of physical therapy;
  - B) Provide experiences that contain scientific integrity, relevant subject matter and course materials;
  - C) Be developed and presented by persons with education and/or experience in the subject matter of the program; ~~and~~
  - D) Provide for a mechanism for the evaluation of the program by the participants; ~~;~~
  - E)6) ~~Be~~ All programs shall be open to all licensed physical therapists and physical therapist assistants and not be limited to the members of a single organization or a group; and
  - F) ~~Specify~~ and shall specify the number of CE hours that may be applied toward Illinois CE requirements for licensure renewal.
- 6)7) Certificate of Attendance by a Licensed Sponsor
  - A) It shall be the responsibility of the sponsor to provide each participant in a program with a certificate of attendance signed by the sponsor. The sponsor's certificate of attendance shall contain:
    - i) The name ~~and address~~ of the sponsor;

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- ii) The name ~~and address~~ of the participant;
  - iii) A detailed statement of the subject matter;
  - iv) The number of hours actually attended in each topic;
  - v) The date of the program;
  - vi) Signature of the sponsor.
- B) The sponsor shall maintain these records for not less than 5 years.
- ~~7)8)~~ The licensed sponsor shall be responsible for assuring verified continued attendance at each program. No renewal applicant shall receive credit for time not actually spent attending the program.
- ~~8)9)~~ Upon the failure of a licensed sponsor to comply with any of the foregoing requirements, the Division, after notice to the sponsor and hearing before and recommendation by the Board pursuant to the Administrative Hearing Rules (see 68 Ill. Adm. Code 1110) shall thereafter refuse to accept CE credit for attendance at or participation in any of that sponsor's CE programs until such time as the Division receives reasonably satisfactory assurances of compliance with this Section.
- d) Continuing Education Earned in Other Jurisdictions
- 1) If a licensee has earned CE hours in another jurisdiction from a nonapproved sponsor for which he/she will be claiming credit toward full compliance in Illinois, that applicant shall submit an application along with a \$20 processing fee prior to taking the program or 90 days prior to the expiration date of the license. The Board shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.
  - 2) If a licensee fails to submit an out of state CE approval form within the required time, late approval may be obtained by submitting the application with the \$20 processing fee plus a \$10 per CE hour late fee not to exceed \$150. The Board shall review and recommend approval or disapproval of

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this program using the criteria set forth in this Section.

- e) Certification of Compliance with CE Requirements
  - 1) Each renewal applicant shall certify, on the renewal application, full compliance with CE requirements set forth in subsection (a).
  - 2) The Division may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance for a minimum of 5 years.
  - 3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Board, at which time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].
- f) Waiver of CE Requirements
  - 1) Any renewal applicant seeking renewal of his/her license without having fully complied with these CE requirements shall file with the Division a renewal application, the renewal fee set forth in Section 1340.57, a statement setting forth the facts concerning such non-compliance, and a request for waiver of the CE requirements on the basis of such facts. If the Division, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted that good cause has been shown for granting a waiver, the Division shall waive enforcement of such requirements for the renewal period for which the applicant has applied.
  - 2) Good cause shall be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
    - A) Full-time service in the armed forces of the United States of America during a substantial part of such period; or
    - B) Extreme hardship, which shall be determined on an individual basis by the Board and shall be limited to documentation of:

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- i) An incapacitating illness documented by a currently licensed physician;
  - ii) A physical inability to travel to the sites of approved programs; or
  - iii) Any other similar extenuating circumstances.
- 3) If an interview with the Board is requested at the time the request for ~~thesueh~~ waiver is filed with the Division, the renewal applicant shall be given at least 20 days written notice of the date, time and place of ~~thesueh~~ interview by certified mail, return receipt requested.
- 4) Any renewal applicant who submits a request for waiver pursuant to subsection (f)(1) ~~of this Section~~ shall be deemed to be in good standing until the Division's final decision on the application has been made.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

**Section 1340.65 Unprofessional Conduct**

- a) Pursuant to Section 17(1)(H) of the Act, unprofessional conduct in the practice of physical therapy shall include, but not be limited to:
  - 1) The promotion of the sale of services, goods, appliances or drugs in such manner as to exploit the patient or client for the financial gain of the practitioner or of a third party.
  - 2) Directly or indirectly offering, giving, soliciting, or receiving, or agreeing to receive any fee or other consideration to or from a third party for the referral of a patient or client.
  - 3) Revealing of personally identifiable facts, data or information about a patient or client obtained in a professional capacity without the prior consent of the patient or client, except as authorized or required by law.
  - 4) Practicing or offering to practice beyond the scope permitted by law, or accepting and performing professional responsibilities which the licensee

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knows or has reason to know that he or she is not competent to perform.

- 5) Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that the person to whom the responsibilities were delegated is not qualified by training, experience, or licensure to perform them.
- 6) Failing to exercise appropriate supervision over persons who are authorized to practice only under the supervision of a licensed physical therapist.
- 7) Overutilizing services by providing excessive evaluation or treatment procedures not warranted by the condition of the patient or by continuing treatment beyond the point of possible benefit.
- 8) Making gross or deliberate misrepresentations or misleading claims as to professional qualifications or of the efficacy or value of the treatments or remedies given or recommended, or those of another practitioner.
- 9) Gross and willful and continued overcharging for professional services, including filing false statements for collection of fees for which services are not rendered.
- 10) Failing to maintain a record for each patient that accurately reflects the evaluation and treatment of the patient.
- 11) Advertising or soliciting for patronage in a manner that is fraudulent or misleading. Examples of advertising or soliciting which is considered fraudulent or misleading shall include, but not be limited to:
  - A) Advertising by means of testimonials, anecdotal reports of physical therapy practice successes or claims of superior quality of care to entice the public; or
  - B) Advertising which contains false, fraudulent, deceptive or misleading materials, warranties or guarantees of success, statements which play upon vanities or fears of the public or statements which promote or produce unfair competition.

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- b) The Division hereby incorporates by reference the "Code of Ethics", July 2010~~June 2000~~, approved by the American Physical Therapy Association, 1111 North Fairfax Street, Alexandria VA 22314, with no later amendments or editions.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

**Section 1340.70 Granting Variances**

- a) The Director may grant variances from this Part~~these rules~~ in individual cases when~~where~~ he or she finds that:
- 1) the provision from which the variance is granted is not statutorily mandated;
  - 2) no party will be injured by the granting of the variance; and
  - 3) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director shall notify the Board~~Committee~~ of the granting of the variance, and the reasons for granting the variance~~therefor~~, at the next meeting of the Board~~Committee~~.

(Source: Amended at 38 Ill. Reg. 19686, effective October 10, 2014)

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- 1) Heading of the Part: Plumbers Licensing Code
- 2) Code Citation: 68 Ill. Adm. Code 750
- 3) 

<u>Section Numbers</u> :	<u>Adopted Action</u> :
750.100	Repealed
750.115	Repealed
750.120	Amendment
750.125	New Section
750.300	Amendment
750.310	Amendment
750.500	Amendment
750.530	Amendment
750.550	Amendment
750.710	Amendment
750.900	Amendment
750.1000	Amendment
750.1100	Amendment
750.1110	Amendment
- 4) Statutory Authority: Illinois Plumbing License Law [225 ILCS 320]
- 5) Effective Date of Rule: September 23, 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 rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposed Amendments published in the *Illinois Register*: April 25, 2014; 38 Ill. Reg. 8700
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: The following changes were made in response to comments received during the first notice or public comment period:

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Section 750.710, the following was added: "All persons who inspect plumbing in the State shall meet the minimum requirements for certification, as established in this Part. No person shall inspect plumbing in the State without first obtaining certification from the Department. Licensed plumbers providing plumbing inspection services to a unit of local government authorized under the Plumbing Licensing law may continue for a period of not more than six months from October 1, 2014 to provide inspection service, after which the certification requirements of this Part shall apply."

Section 750.710(c), the following was deleted: "Nothing in this Section shall prohibit a licensed plumber who does not apply for Department certification from working as a plumbing inspector."

Section 750.710 (c)(1), "cannot" was stricken and "shall not" was added.

Section 750.710 (c)(3)(A), "Applications" was stricken and "The Department will accept applications" was added; "at any time during normal business hours" was added after "or the examination".

In 750.710 (c)(3)(A), "will be accepted if postmarked at least 30 days before the examination date" was stricken.

In 750.710 (c)(3)(B), underlined text was deleted and existing text was stricken. The following was added: "The Department will schedule examinations when it has sufficient applicants, in the opinion of the Department, to establish an examination date and location. Applicants will also be allowed to take the examination at any time acceptable to the Department."

In Section 750.900(a)", or plumbing inspector who is not certified by the Department" was stricken.

The following changes were made in response to comments and suggestions of JCAR:

Section 750.310(j)(2) was reinstated.

In Section 750.530(c)(2), "(see 23 Ill. Adm. Code 25.72)" was added after "Code".

In Section 750.710 ", as" was deleted in the first sentence.

In Section 750.710(c)(3) (B), "at Department" was deleted.

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

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Changes to these rules include amendments to the existing plumbers' and apprentice plumbers' examination and licensure fees recommended by the Plumbing Code Advisory Council to reflect the progressive cost increase that the Department has incurred for over a decade and the progressive cost increase that the Department will incur in the near future for the production and administration of examination and licensure. Minor modifications to format are being made to increase uniformity between the Part and the required codification system established by the Secretary of State.
- 16) Information and questions regarding this adopted rule shall be directed to:

Susan Meister  
Division of Legal Services  
Department of Public Health  
535 West Jefferson, 5<sup>th</sup> Floor  
Springfield IL 62761

217/782-2043  
e-mail: [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)

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

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER IV: DEPARTMENT OF PUBLIC HEALTH

PART 750  
PLUMBERS LICENSING CODE

SUBPART A: GENERAL PROVISIONS

Section	
750.100	Applicability ( <u>Repealed</u> )
750.110	Definitions
750.115	Statutory Authority ( <u>Repealed</u> )
750.120	Administrative Hearings
<u>750.125</u>	<u>Referenced Materials</u>

SUBPART B: STATE BOARD OF PLUMBING EXAMINERS

Section	
750.200	Organization of the State Board of Plumbing Examiners
750.205	Election of Officers ( <u>Repealed</u> )
750.210	Duties of the State Board of Plumbing Examiners
750.215	Duties of Chairman ( <u>Repealed</u> )
750.220	Records of the State Board of Plumbing Examiners
750.225	Duties of Vice-Chairman ( <u>Repealed</u> )
750.235	Quorum ( <u>Repealed</u> )
750.245	Meetings ( <u>Repealed</u> )

SUBPART C: ADMINISTRATION OF AND REQUIREMENTS FOR  
PLUMBING LICENSE EXAMINATION

Section	
750.300	Requirements for Admission to the Plumbing License Examination
750.310	Administration of the Plumbing License Examination
750.320	Plumbing License Examination Results
750.330	Course Credit ( <u>Repealed</u> )

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- 750.410 Licensing of Apprentice Plumbers
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Section

- 750.500 Continuing Education Requirements for Licensed Plumbers
- 750.510 Department Approval of Continuing Education Sponsors and Courses
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- 750.530 Department Approval and Evaluation of Courses of Instruction in Plumbing
- 750.540 Topics for Approved Programs of Instruction in Plumbing and Approved Continuing Education Courses
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- 750.600 Organization of Plumbing Firms

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- 750.700 Purpose and Authority for Certification of Plumbing Inspectors
- 750.710 Certification of Plumbing Inspectors
- 750.720 Renewal of Plumbing Inspector Certification and Continuing Education Requirements for Certified Plumbing Inspectors
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- 750.800 Governmental Units Establishing Plumbing Programs

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Section	
750.900	Plumber's and Apprentice Plumber's License Violations
750.910	Certified Plumbing Inspector Violations

## SUBPART J: CIVIL PENALTIES FOR UNLICENSED PLUMBERS

Section	
750.1000	Civil Penalties for Unlicensed Plumbers

## SUBPART K: ADMINISTRATIVE FEES

Section	
750.1100	Plumbers' and Apprentice Plumbers' Examination and Licensure Fees
750.1110	Other Fees

AUTHORITY: Authorized by and implementing the Illinois Plumbing License Law [225 ILCS 320].

SOURCE: Adopted at 2 Ill. Reg. 40, p. 1, effective October 1, 1978; codified at 5 Ill. Reg. 10870; Part repealed, new Part adopted at 13 Ill. Reg. 19564, effective December 1, 1989; emergency amendment at 16 Ill. Reg. 12785, effective July 30, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 417, effective December 28, 1992; recodified at 23 Ill. Reg. 14649; amended at 24 Ill. Reg. 12019, effective August 1, 2000; amended at 38 Ill. Reg. 19715, effective September 23, 2014.

SUBPART A: GENERAL PROVISIONS**Section 750.100 Applicability (Repealed)**

~~This Part shall govern the activities of the Department and the Illinois State Board of Plumbing Examiners relating to the licensing of plumbers and apprentice plumbers.~~

(Source: Repealed at 38 Ill. Reg. 19715, effective September 23, 2014)

**Section 750.115 Statutory Authority (Repealed)**

~~These rules are promulgated under authority of the Illinois Plumbing License Law [225 ILCS 320].~~

(Source: Repealed at 38 Ill. Reg. 19715, effective September 23, 2014)

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**Section 750.120 Administrative Hearings**

Administrative Hearings for persons under this ~~Part~~ shall be conducted in accordance with ~~Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)~~.

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

**Section 750.125 Referenced Materials**

The following materials are referenced in this Part:

- a) Illinois Plumbing License Law [225 ILCS 320]
- b) School Code [105 ILCS 5]
- c) Illinois Plumbing Code (77 Ill. Adm. Code 890)
- d) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

(Source: Added at 38 Ill. Reg. 19715, effective September 23, 2014)

**SUBPART C: ADMINISTRATION OF AND REQUIREMENTS FOR  
PLUMBING LICENSE EXAMINATION****Section 750.300 Requirements for Admission to the Plumbing License Examination**

- a) To apply for admittance to the examination for a plumber's license, a person shall file an application for examination on forms provided by the Department.
  - 1) The application form may be obtained by downloading the application from the Department's website (<http://www.idph.state.il.us/envhealth/plumbing.htm>)~~writing to the Illinois Department of Public Health, 828 S. Second Street, Springfield, Illinois 62704.~~
  - 2) The application shall be submitted to the Illinois Department of Public Health, 525 West Jefferson Street, 3<sup>rd</sup> Floor, Springfield, Illinois 62761.
  - 3) ~~2)~~ The Department will accept applications~~Applications will be accepted if~~

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postmarked at least 30 days before the examination date. On each examination date, not more than 50 applicants (not more than 40 during winter months) will be examined. The examination will be scheduled at least once every three months. The Department and the Board may schedule additional examination dates as they deem necessary, based on the number of applicants.

- ~~43)~~ The Department and the Board will establish examination Examination dates and locations. This information will ~~shall be established by the Department and the Board and shall~~ be included with the examination application form.
- b) For each application the following materials must be received by the Department, postmarked at least 30 days before the examination date:
- 1) ~~A~~ completed application form;
  - 2) ~~A~~ photograph of the face of the applicant at least 1½ inches by 2½ inches;
  - 3) ~~Proof~~ proof of eligibility as specified in subsection (e); and
  - 4) ~~The~~ required non-refundable application fee as specified in Section 750.1100.
- c) The applicant shall be a citizen of the United States or shall have declared his or her intent to become a citizen. (Notarized papers, such as "Intent to File for Citizenship", shall be submitted to the Department.)
- d) The applicant shall have completed at least a ~~two~~2 year course of study in a high school, or an equivalent course of study, equal to 10 credit hours;
- e) To be eligible for the plumbing license examination, an applicant shall possess one of the following combinations of experience and education and ~~shall~~ must provide proof of ~~such~~ experience and education as ~~follows~~ specified below:
- 1) Illinois licensed apprentice plumber; ~~Licensed Apprentice Plumber~~
    - A) Each applicant ~~shall~~ must have served a minimum of four4 years as

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an Illinois licensed apprentice plumber.

- B) Each applicant who has served an apprenticeship ~~shall~~must be able to establish that he or she received instruction through practical experience under the supervision of a licensed plumber.
  - C) The term of apprenticeship shall be not less than 1,400 hours per year, for a total of ~~5,600~~5600 hours in ~~four~~4 years.
- 2) Illinois licensed apprentice plumber with training or education; ~~Licensed Apprentice Plumber with Training or Education~~
- A) Each applicant ~~shall~~must have served at least ~~two~~2 years as an Illinois licensed apprentice plumber and have ~~two~~2 years of approved courses in plumbing (see Section 750.540) for a total of ~~5,600~~5600 hours.
  - B) Proof of practical experience shall be provided as specified in subsection (e)(1)(B).
  - C) A person who submits evidence of classroom ~~and~~and/or laboratory training in a vocational or trade school, a branch of the military service, or a college or university shall be given credit hours at the rate of two credit hours for each classroom hour, not to exceed a maximum of 24 months' credit.
  - D) Evidence shall consist of transcripts, degrees, military service records ~~and~~and/or certificates of completion. If the course submitted by an applicant for the plumbing license examination has already been evaluated and approved by the Department, the applicant need only verify participation in the course.
- 3) Licensed apprentice in another state or territory; ~~Apprentice in Another State or Territory~~ of the United States:
- A) Each applicant ~~shall~~must have the equivalent of ~~four~~4 years as a licensed apprentice in another state or territory of the United States.

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- B) Proof of practical experience shall be provided as specified in subsection (e)(1)(B).
- C) A person who submits evidence of experience in plumbing through an apprentice plumbing program in another ~~state or territory~~State or Territory of the United States, or a municipality ~~in another state or territory therein~~, other than the State of Illinois shall be given credit on an hour-for-hour basis toward the minimum four years of apprenticeship required.
- 4) A person who has completed a course of study approved by the Department as equivalent to a four4 year apprenticeship served by an Illinois licensed apprentice plumber:-
- A) An approved course of instruction in plumbing shall cover the subject areas and provide the number of hours of instruction and practical training specified in Section 750.550. An approved course of instruction shall total 2,800~~2800~~ hours of credit.
- B) Evidence shall consist of transcripts, degrees, ~~and/~~ or certificates of completion to verify completion of a course that has been evaluated and approved by the Department.
- 5) Licensed ~~plumber in another state, municipality or territory~~Plumber in Another State or Territory of the United States with no apprentice plumber program:~~No Apprentice Plumber Program~~
- A) Documents verifying licensure and plumbing experience and training will be considered on an hour-for-hour basis toward meeting the apprenticeship requirement of 1,400~~1400~~ hours per year. An applicant shall~~A plumber would need to~~ obtain documentation from the licensing state, municipality, or territory to verify to the Department that he/she was tested to obtain his/her license and that the test consisted of at least three areas – knowledge of plumbing design, practical or working skill evaluation, and knowledge of plumbing standards applicable to the licensing entity's jurisdiction (see Section 750.310).
- B) A copy of the rules from the licensing entity pertaining to the

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licensing of plumbers ~~shall~~must accompany the examination application.

- 6) Licensed ~~plumber in a foreign state~~:Plumber in A Foreign State
- A) Each applicant shall have at least ~~two~~2 years of experience as an Illinois licensed apprentice plumber or ~~two~~2 years of courses in plumbing, approved in accordance with Section 750.540.
- B) Documentation of ~~the~~ applicant's license issued by a foreign state ~~shall~~must be submitted.

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

**Section 750.310 Administration of the Plumbing License Examination**

The examinations administered to applicants for a plumber's license shall be uniform and comprehensive and shall test applicants' knowledge and qualifications in the planning and design of plumbing systems; their knowledge, qualifications, and manual skills in plumbing; and their knowledge of the ~~State's minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems (the Illinois Plumbing Code, 77 Ill. Adm. Code 890).~~

- a) The examination for a plumber's license shall consist of the following:
- 1) Written questions (true/false or multiple choice). Questions will be based on the Illinois Plumbing Code. All applicants shall be required to read the examination questions and write the answers unassisted.
  - 2) Drawings ~~and~~/or charts. The applicant will be required to complete charts that show plumbing fixtures and that require drainage and vent lines to be added.
  - 3) Practical (shop). Projects requiring copper, cast iron, lead and plastic to be assembled as indicated in the assignment will be assigned to each applicant. All three parts of the practical examination shall be completed before any part is eligible for grading.
- b) An applicant who ~~has a physical disability~~is handicapped will be assisted with unloading, carrying, and reloading of tools or equipment; but the applicant

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~~shall~~must take all parts of the examination unassisted.

- c) Each applicant will be responsible for providing his/her own tools and other required material. Each applicant will be advised in writing as to what to bring to the examination.
- d) No persons other than the Board, Department staff, and those persons directly associated with the examinee for the transport of necessary equipment are permitted in the examination area.
- e) Any examinee wearing a shirt, jacket, cap or any article of clothing bearing pictures, writing, inscriptions or logos of any kind will not be permitted into the ~~examination~~exam. Safety glasses shall be worn at all times when in the shop.
- f) Upon starting the examination, an examinee will not be permitted to leave the ~~examination~~exam area without permission.
- g) The maximum grade value of each part of the examination shall be 100 points. An examinee must make an average of 75 or above on the examination and a grade of 61 or above on each part of the examination to pass.
- h) An examinee who fails to pass the examination shall be admitted to a subsequent regularly scheduled ~~examination~~exam after filing a retake application form and fee. ~~The~~Such application and fee shall be submitted in accordance with Section 750.300.
- i) An examinee who fails to pass the examination and applies to take the examination again shall retake all parts of the examination, even if the examinee passed one or more parts of the examination the first time it was taken.
- j) An examinee who is observed cheating during the course of an examination shall be immediately expelled from the examination in progress and shall appear before the Board of Plumbing Examiners and representatives of the Department on the day that ~~the~~such offense occurs. The Board shall recommend that the examination be declared void. A written record of the meeting shall be made and become a part of the examinee's file. The Board shall make as a part of the record its recommendations concerning the examinee a part of the record and shall forward the ~~such~~ recommendations to the Department.

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- 1) The Department ~~will~~ send to the applicant a notice of intent to deny or suspend the applicant's license. The applicant ~~shall~~ request ~~in writing~~ a hearing, in writing, within the time specified in the notice. If the applicant does not request a hearing in writing within the time specified in the notice, the applicant's right to a hearing shall be waived.
- 2) All hearings shall be conducted in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).
- 3) The Department ~~will~~ advise the Board of its final decision concerning the examinee.

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

SUBPART E: PROGRAMS OF INSTRUCTION  
AND CONTINUING EDUCATION HEARINGS

**Section 750.500 Continuing Education Requirements for Licensed Plumbers**

- a) Each licensed plumber shall, as a condition of each annual license renewal after the first license renewal, provide proof of completion of ~~four~~4 hours of continuing education. ~~Continuing~~~~Such continuing~~ education hours ~~shall~~ must be completed in one or more courses offered by course sponsors approved by the Department pursuant to Section 750.510.
- b) A licensed plumber is not required to complete continuing education for the year in which the person's plumbing license was initially issued.
- c) A licensed retired plumber is not required to complete continuing education unless the licensed retired plumber wishes to restore his or her license to the status of a licensed plumber. The Department will determine the number of continuing education hours required for ~~such~~ a change in licensure, based on the length of time the plumber has been retired.
- d) Licensed plumbers who have been found to have committed repeated violations of the Illinois Plumbing Code shall complete a minimum of ~~two~~2 hours of additional continuing education conducted by the Department, at a time and location to be determined by the Department.

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(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

**Section 750.530 Department Approval and Evaluation of Courses of Instruction in Plumbing**

- a) A college, university, trade school or vocational school that has established a program providing a course of instruction in plumbing may submit a letter to the Department requesting approval of its program or course of instruction.
  - 1) The request for approval shall include information on the curriculum offered by the program, qualifications of the instructors, and information indicating that the teaching facility to be used for the program provides both shop and classroom facilities.
  - 2) For a program to be approved, it ~~shall~~must provide instruction in plumbing courses.
- b) The Department ~~will~~shall evaluate a training program before making a determination to approve or deny a request for approval. Approval will be granted based on the information included in the request letter, including confirmation of the qualifications of the instructors, evidence that the program's courses provide instruction in the subject areas specified in Section 750.540, and determination that the teaching facility provides both shop and classroom facilities.
- c) Each instructor participating in a program of instruction in plumbing shall be considered qualified by meeting one of the criteria specified in subsections (c)(1) through (3) ~~below~~. ~~The instructor shall provide verification~~Verification of ~~the~~such license or certificate ~~shall be required by the Department~~. A copy of the instructor's ~~educator~~teaching license will establish ~~such~~ verification.
  - 1) ~~An~~An Illinois licensed plumber;
  - 2) ~~An~~An individual who possesses a provisional career and technical educator endorsement on an educator license~~vocational certificate~~, issued by the State Board of Education pursuant to Section ~~21B-2021-10~~ of the ~~Illinois~~ School Code ~~(see 23 Ill. Adm. Code 25.72)~~[105 ILCS 5/21-10], in a field related to plumbing (such as hydraulics, pneumatics, or water chemistry);  
or

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- 3) ~~Aa~~ representative of an industry or a manufacturing business related to plumbing, including, but not limited to, the copper industry, plastic pipe industry or cast iron industry. Courses that are taught by industry representatives shall be educational and shall not be sales oriented. Industry representatives shall be assisted by an Illinois licensed plumber during the presentation of a course of instruction.
- d) The Department may evaluate an approved program to determine the ongoing effectiveness of the training program. An evaluation ~~will~~ shall be conducted:
  - 1) ~~As~~ shall the result of a complaint to the Department;
  - 2) ~~Upon~~ shall the failure of 25% of students from the program who complete the plumbing license examination; or
  - 3) ~~As~~ shall a result of changes in the curriculum.
- e) The program's curriculum will be evaluated for compliance with the list of topics for courses of instruction in plumbing in Section 750.540.
- f) The program's facilities will be evaluated for the type of tools, condition of tools, safety devices, and ventilation for the discharge of heat, smoke, and fumes.
- g) The Department ~~will~~ shall notify the training program sponsor of all deficiencies determined in the evaluation.
  - 1) The program sponsor shall contact the Department within 15 days after receiving the notice of deficiencies to arrange a plan of correction for the deficiencies. The program sponsor shall have 90 days from the date of the notice of deficiencies to remedy the deficiencies.
  - 2) If the deficiencies are not remedied within the time frame specified in subsection (a) ~~above~~, the Department will withdraw its approval ~~Department's approval shall be withdrawn~~ in writing. Upon withdrawal of approval ~~such action~~, the training program sponsor shall have the right to request a hearing. (See Section 750.120.)

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

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**Section 750.550 Programs of Instruction and Practical Training in Plumbing Approved as Equivalent to Illinois Licensed Apprenticeship**

A program of instruction and practical training in plumbing that is approved as equivalent to ~~four~~4 years of an Illinois licensed apprenticeship shall cover the following subject areas and provide the number of hours of instruction and practical training specified in this Section. An approved course of instruction shall total ~~2,800~~2800 hours of credit.

Subject	Hours of Instruction
Public health and its relationship to plumbing	140
State of Illinois Plumbing License Law	24
Administration and enforcement	40
Licensing of apprentice plumbers and plumbers	16
<u>Illinois</u> Plumbing Code requirements	20
Plumbing inspection	30
Basic principles of plumbing	40
Job safety	52
Sciences of pneumatics and hydraulics as they apply to plumbing	60
Use and care of tools and equipment	16
Plumbing materials, fixtures, and equipment	100
Joints and connections	81
Water supply and distribution system	120
Indirect waste piping and special wastes	90

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Hangers and separators	20
Interceptors and separators	40
Traps and cleanouts	42
Drainage system	110
Vents and venting systems	134
Soldering, welding, caulking and wiping	128
Cast iron plumbing system, including Durham system	155
Copper material plumbing system	150
Glass material plumbing system	40
Plastics and thermoplastics material plumbing system	60
Alternate plumbing system	55
Solar plumbing systems	40
Hot water systems and water heaters	90
Safety devices allied with a plumbing system	50
Pumping of waste	63
Handling and disposition of wastes that would damage a <del>plumbing</del> plumbing system and waste disposal facilities	120
Inspection and testing of a plumbing system	120
Private sewage disposal systems, municipal or public sewage disposal systems, <del>and/</del> or sanitary districts	120

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Public and private water supply systems	134
Planning and designing a plumbing system including estimating, installation, repair, maintenance, alteration, extension, and dismantling	300

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

## SUBPART G: CERTIFICATION OF PLUMBING INSPECTORS

**Section 750.710 Certification of Plumbing Inspectors**

All persons who inspect plumbing in the State shall meet the minimum requirements for certification established in this Part. No person shall inspect plumbing in the State without first obtaining certification from the Department. Licensed plumbers providing plumbing inspection services to a unit of local government authorized under the Plumbing Licensing Law may continue for a period of not more than six months from October 1, 2014 to provide inspection service, after which the certification requirements of this Part shall apply. The Department will issue a plumbing inspector's certification to any~~Any~~ licensed plumber who meets the qualifications for a plumbing inspector specified in this Section and who pays to the Department the required fees specified in Section 750.1100 ~~shall be issued a plumbing inspector's certification by the Department. The application form may be obtained by writing to the Illinois Department of Public Health, 828 S. Second Street, Springfield, Illinois 62704. Nothing in this Section shall prohibit a licensed plumber who does not apply for Department certification from working as a plumbing inspector. To qualify for certification as a plumbing inspector an applicant shall:~~

- a) The application form may be obtained by downloading the application from the Department's website (<http://www.idph.state.il.us/envhealth/plumbing.htm>).
- b) The application shall be submitted to the Illinois Department of Public Health, 525 West Jefferson Street, 3<sup>rd</sup> Floor, Springfield, Illinois 62761.
- c) To qualify for certification as a plumbing inspector, an applicant shall:
  - 1) ~~a)~~ Be currently licensed by the Department as a plumber. An apprentice plumber's license or retired plumber's license ~~shall not~~ shall not be used to fulfill this requirement.

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- ~~2)b)~~ Have held an Illinois plumbing license for at least ~~seven~~<sup>7</sup> years. An apprentice plumber's license or retired plumber's license ~~shall not~~<sup>cannot</sup> be used to fulfill this requirement.
- ~~3)e)~~ Have passed the examination administered by the Department for certification of plumbing inspectors.
- ~~A)1)~~ ~~The Department will accept applications~~<sup>Applications</sup> for the examination ~~at any time during normal business hours~~<sup>will be accepted if postmarked at least 30 days before the examination date.</sup>
- ~~B)2)~~ ~~The Department will schedule examinations when it has sufficient applicants, in the opinion of the Department, to establish an examination date and location. Applicants will also be allowed to take the examination at any time acceptable to the Department. Examinations shall be scheduled for May and November of each year. Examination dates and locations shall be established by the Department and the Board and shall be included with the examination application form.~~

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

SUBPART I: VIOLATIONS OF PLUMBER'S LICENSE  
AND PLUMBING INSPECTOR'S CERTIFICATION

**Section 750.900 Plumber's and Apprentice Plumber's License Violations**

- a) The Department may take disciplinary action against a licensed plumber ~~or~~<sup>or</sup> licensed apprentice plumber, ~~or plumbing inspector who is not certified by the Department~~ for violations of the Act, this Part or the Illinois Plumbing Code. Pursuant to Section 20 of the Act, ~~disciplinary~~<sup>such</sup> action may include the revocation, suspension, or denial of a license issued by the Department; and under Section 5(b.10) of the Act may include an Order of Correction to a telecommunications carrier for improper advertising.
- b) A violation, for the purposes of this Section, shall be considered to mean a finding of violation of a Section of the Act, this Part, or the Illinois Plumbing Code by the Director in a final order issued pursuant to the Act, and may include any one of the following acts:

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- 1) Any licensed plumber who permits his/~~her~~ name or plumbing license number to be used to imply ~~that~~ he/~~she~~ is a member of a sole proprietorship, association, partnership or corporation, and evidence indicates ~~that~~ he/~~she~~ is not participating in the plumbing activities of the sole proprietorship, association, partnership or corporation. Evidence used by the Department in making ~~this~~~~such~~ a determination may include payroll, records, time sheets, W-2 forms and documents on file with the Secretary of State;
- 2) Any licensed plumber who refuses to correct Illinois Plumbing Code violations as requested by the Department, continues to install plumbing in violation of Illinois Plumbing Code requirements, or is found guilty of negligence or incompetence in the performance of plumbing;
- 3) Any licensed plumber who employs individuals to install plumbing and fails or refuses to license them as Illinois apprentice plumbers;
- 4) Any licensed plumber who fails to adequately train apprentices under his employment or supervision in a manner qualifying them to pass the plumbing license examination. In reaching a finding of adequacy, the Department shall consider ~~such~~ factors such as number of hours worked by the apprentice, types and varieties of plumbing work performed and inspections of finished work;
- 5) Any licensed plumber or approved apprenticeship program that sponsors an apprentice and does not directly supervise or employ the apprentice in the plumbing trade a minimum of 1,400~~1400~~ hours a year;
- 6) Any licensed plumber who does not complete continuing education as required by Section 750.500 for license renewal;
- 7) Any licensed plumber or approved apprenticeship program that fails to submit to the Department, within 15 days after an apprentice is no longer employed and supervised by that plumber or program, a letter stating that sponsorship of the apprentice has been canceled;
- 8) Any licensed plumber or licensed apprentice plumber who advertises his or her services as a certified plumbing inspector without obtaining

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certification from the Department or who uses or attempts to use the certificate of a certified plumbing inspector;

- 9) Any licensed apprentice plumber who performs plumbing work without the supervision of the sponsor/agent or approved apprenticeship program sponsoring the apprentice; or
- 10) Any licensed apprentice plumber who does not work in the plumbing trade for a minimum of ~~1,400~~1400 hours a year or who does not fulfill all requirements of an approved apprenticeship program.

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

## SUBPART J: CIVIL PENALTIES FOR UNLICENSED PLUMBERS

**Section 750.1000 Civil Penalties for Unlicensed Plumbers**

- a) A person who practices, offers to practice, or holds himself or herself out to practice as a plumber without being licensed under the provisions of the Act may be subject to an Order of Correction to a telecommunications carrier for improper advertising under Section 5(b.10) of the Act and shall be issued a civil penalty under the following criteria:
  - 1) First Offense
    - A) Where no violations of the Illinois Plumbing Code (~~77 Ill. Adm. Code 890~~) are found, the person:
      - i) Shall pay a civil penalty of ~~\$1,000~~1000;
      - ii) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.
    - B) Where violations of the Illinois Plumbing Code are found, the person:
      - i) Shall pay a civil penalty of ~~\$3,000~~3000. The Department may reduce this amount to \$1,000 upon the condition that

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the unlicensed person pays for a licensed plumber to correct the violations of the Illinois Plumbing Code. The licensed plumber correcting the violations ~~shall~~must be acceptable to the other party to the original contract or agreement;

- ii) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.

## 2) Second Offense

- A) Where no violations of the Illinois Plumbing Code are found, the person:

- i) Shall pay a civil penalty of ~~\$3,000~~3000;
- ii) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.

- B) Where provisions of the Illinois Plumbing Code are found, the person:

- i) Shall pay a civil penalty of \$5,000. The Department may reduce this amount to ~~\$3,000~~3000 upon the condition that the unlicensed person pays for a licensed plumber to correct the violations of the Illinois Plumbing Code. The licensed plumber correcting the violations ~~shall~~must be acceptable to the other party to the original contract or agreement;
- ii) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of ~~the~~this Act.

## 3) Third and Subsequent Offenses

- A) The person shall pay a civil penalty of ~~\$5,000~~5000;

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- B) The person shall be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.
- b) A licensed plumber, firm, corporation, partnership, or association; who directs, authorizes or allows a person to practice, offer to practice, attempt to practice, or hold himself or herself out to practice as a plumber without being licensed under the provisions of the Act:
- 1) First Offense
    - A) Shall pay a civil penalty of ~~\$5,000~~5000;
    - B) Shall be required to pay for a licensed plumber to correct any violations of the Illinois Plumbing Code. The licensed plumber correcting the violations ~~shall~~must be acceptable to the other party to the original contract or agreement;
    - C) Shall have his or her plumbing license suspended;
    - D) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.
  - 2) Second Offense
    - A) Shall pay a civil penalty of ~~\$5,000~~5000;
    - B) Shall be required to pay for a licensed plumber to correct any violations of the Illinois Plumbing Code. The licensed plumber correcting the violations ~~shall~~must be acceptable to the other party to the original contract or agreement;
    - C) Shall have his or her plumbing license revoked;
    - D) Shall be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

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## SUBPART K: ADMINISTRATIVE FEES

**Section 750.1100 Plumbers' and Apprentice Plumbers' Examination and Licensure Fees**

The applicable fee shall be submitted to the Department with each application for examination, licensure or certification as follows:

- |    |  |                             |
|----|--|-----------------------------|
| a) | Plumber's Examination Fees   |                             |
|    | 1) Plumber's License Examination Fee when applicant is licensed as <del>an</del> Apprentice Plumber in Illinois              | <del>\$175</del> <u>400</u> |
|    | 2) Plumber's License Examination Fee when applicant is registered or licensed in a state other than Illinois                 | <del>\$225</del> <u>425</u> |
|    | 3) Plumber's License Re-Examination Fee  | <del>\$175</del> <u>400</u> |
|    | 4) Plumber's License Re-Examination Fee when applicant is registered or licensed in a state other than Illinois              | <del>\$175</del> <u>400</u> |
| b) | Plumber's License Fees   |                             |
|    | 1) Plumber's License Fee (Initial or Renewal)  | <del>\$150</del> <u>400</u> |
|    | 2) Apprentice Plumber's License Fee (Initial or Renewal)   | <del>\$100</del> <u>50</u>  |
|    | 3) Late Fee or Reinstatement Fee for any License Renewal (in addition to all lapsed renewal fees)                            | <del>\$100</del> <u>25</u>  |
|    | 4) Restoration of a Plumber's Expired License Fee (includes the fee for the first examination only)                          | <del>\$175</del> <u>400</u> |
|    | 5) Duplicate License Fee   | <del>\$50</del> <u>25</u>   |
|    | 6) Retired Plumber's Annual License  | \$25                        |
|    | 7) Reinstatement of a <u>Plumber's License from a Retired Plumber's License with fewer than five years</u> <u>(per year)</u> | \$100                       |

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out)

8)	Restoration of a <u>Plumber's License from a Retired Plumber's License of more than five years (includes fee for first examination only)</u>	<u>\$175400</u>
9)	<u>Retired Plumber's License Fee after Passing Examination</u>	<u>\$100</u>
c)	Certified Plumbing Inspector's Examination and Certification Fees	
1)	Plumbing Inspector's Examination	<u>\$175400</u>
2)	Plumbing Inspector's Certification Late Fee	<u>\$10025</u>
3)	<u>Chicago Licensed Certified Plumbing Inspector</u>	<u>\$150</u>

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

**Section 750.1110 Other Fees**

- a) Copies of the Illinois Plumbing Code may be obtained from the Department's Department website. The applicable fee shall be submitted with requests for copies as follows:
- 1) One copy of the current Illinois Plumbing Code will be provided free of charge to each newly licensed apprentice plumber. The fee for additional copies shall be \$40 per copy.
  - 2) One copy of amendments to the Illinois Plumbing Code (not including binder) will be provided free of charge to each Illinois licensed plumber and licensed apprentice plumber. The fee for additional copies shall be \$20.
  - 3) The fee for copies of the current Illinois Plumbing Code provided to persons other than licensed apprentice plumbers shall be \$40.
  - 4) The fee for copies of amendments to the Illinois Plumbing Code (not including binder) provided to persons other than Illinois licensed plumbers

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~~and licensed apprentice plumbers shall be \$20.~~

~~5) The fee for the current Illinois Plumbing Code on CD Rom shall be \$100.~~

- b) The fee for a dishonored, negotiable instrument including, but not limited to, returned checks or insufficient payment shall be \$~~100~~20.

(Source: Amended at 38 Ill. Reg. 19715, effective September 23, 2014)

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- 1) Heading of the Part: Evaluation of Educator Licensed Employees under Articles 24A and 34 of the School Code
- 2) Code Citation: 23 Ill. Adm. Code 50
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
50.10	Amendment
50.20	Amendment
50.30	Amendment
50.300	Amendment
50.400	Amendment
50.410	Amendment
- 4) Statutory Authority: 105 ILCS 5/24A-7
- 5) Effective Date of Rule: September 29, 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 rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: April 25, 2014; 38 Ill. Reg. 8682
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreement letter was issued
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? Yes

Section Numbers:                      Proposed Action:              Illinois Register Citation:

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50.30	Amendment	38 Ill. Reg. 14200; July 11, 2014
50.200	Amendment	38 Ill. Reg. 14200; July 11, 2014
50.210	New Section	38 Ill. Reg. 14200; July 11, 2014
50.220	New Section	38 Ill. Reg. 14200; July 11, 2014
50.230	New Section	38 Ill. Reg. 14200; July 11, 2014

- 15) Summary and Purpose of the Rulemaking: Section 24A-2.5 of the School Code [105 ILCS 5/24A-2.5] requires that school districts performing in the lowest 20 percent of all school districts statewide implement performance evaluation systems incorporating data and indicators of student growth beginning September 1, 2015 (Section 50.20(d) of the rules). The rules provided that the list of low-performing school districts would be developed using preliminary State assessment data released in summer 2014. This spring, however, the State Board began to pilot-test in a limited number of school districts new State assessments, which align to the recently revised Illinois Learning Standards (ILS) for English Language Arts and Mathematics. This presented a dilemma for State Board staff in identifying school districts whose performance ranks in the lowest 20 percent of districts statewide, since it would be inappropriate to use results from two different assessments (i.e., current State assessment and piloting assessment) to construct a single list for Performance Evaluation Reform Act (PERA; 105 ILCS 5/Art. 24A) implementation purposes.

Therefore, Section 50.20(e) was modified to allow for the use of the composite results from the 2011, 2012 and 2013 administrations of the state assessments (i.e., Illinois Alternative Assessment (IAA), Illinois Standards Achievement Test (ISAT) and Prairie State Achievement Examination (PSAE)). The composite ISAT scores for each of the three years have been recalibrated to reflect new cut-scores that better align to the revised ILS for English Language Arts and Mathematics. Additionally, the ISAT scores reflect performance levels more closely matched to the PSAE; therefore, it will no longer be necessary to group districts by type (i.e., elementary, unit, high school) when establishing the rank order of performance.

Specifically, the changes in the methodology are intended to communicate that:

The list will identify school districts as the lowest performing 20 percent statewide at a single point in time;

The list will be used once for purposes of PERA implementation only; and

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The proposed method will focus on district performance *as a whole* rather than be influenced by the performance of a subset of schools.

Additionally, other changes in Part 50 align terminology used in the rules with the educator licensure system implemented July 1, 2013.

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

Jason Helfer, Assistant Superintendent  
Department of Teacher and Leader Effectiveness  
Illinois State Board of Education  
100 North First Street,  
Springfield IL 62777

217/557-6763

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 50

EVALUATION OF EDUCATOR LICENSED~~CERTIFIED~~ EMPLOYEES  
UNDER ARTICLES 24A AND 34 OF THE SCHOOL CODE

SUBPART A: GENERAL REQUIREMENTS

Section

- 50.10 Purpose
- 50.20 Applicability
- 50.30 Definitions

SUBPART B: PERFORMANCE EVALUATION PLANS: TEACHERS

Section

- 50.100 Plan Components Required for the Evaluation of Teachers
- 50.110 Student Growth Components
- 50.120 Professional Practice Components for Teachers
- 50.130 Reporting

SUBPART C: STATE PERFORMANCE EVALUATION MODEL FOR TEACHERS

Section

- 50.200 Implementation Requirements

SUBPART D: PERFORMANCE EVALUATION PLANS:  
PRINCIPALS AND ASSISTANT PRINCIPALS

Section

- 50.300 Plan Components Required for the Evaluation of Principals and Assistant Principals
- 50.310 Student Growth Components
- 50.320 Professional Practice Components for Principals and Assistant Principals
- 50.330 Reporting

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## SUBPART E: TRAINING FOR EVALUATORS

## Section

- 50.400 School District-Developed Prequalification Process or Retraining Program  
50.410 Minimum Requirements for Prequalification Process and Retraining Program  
50.420 Competencies of Qualified Evaluators

## 50.APPENDIX A Illinois Standards for Principal Evaluation

AUTHORITY: Implementing and authorized by Section 24A-7 of the School Code [105 ILCS 5/24A-7].

SOURCE: Old Part repealed at 29 Ill. Reg. 15902, effective October 3, 2005; new Part adopted at 36 Ill. Reg. 8330, effective May 21, 2012; amended at 38 Ill. Reg. 19741, effective September 29, 2014.

## SUBPART A: GENERAL REQUIREMENTS

**Section 50.10 Purpose**

This Part establishes the minimum requirements for the establishment of valid and reliable performance evaluation systems for ~~certified~~ employees who hold a professional educator license endorsed in a teaching or administrative field and are serving as a teacher, principal or assistant principal. Pursuant, pursuant to Article 24A of the School Code [105 ILCS 5/Art. 24A], the performance evaluation systems shall~~that~~ assess both professional competence or practice and student growth. The purposes of this Part are to:

- a) identify the minimum components, including those that address the use of data and indicators of student growth as a significant factor in rating performance, of a teacher performance evaluation system and of a principal and, as applicable, assistant principal performance evaluation system that each school district must implement;
- b) provide a State model for the evaluation of teachers that addresses *the use of data and indicators on student growth as a significant factor in rating teacher performance*, some or all of which shall be required of a school district under certain circumstances outlined in Section 24A-4 of the School Code [105 ILCS 5/24A-4]; and

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- c) establish criteria for locally developed programs to prequalify and retrain evaluators, pursuant to Section 24A-3 of the School Code [105 ILCS 5/24A-3].

(Source: Amended at 38 Ill. Reg. 19741, effective September 29, 2014)

**Section 50.20 Applicability**

Sections 24A-2.5 and 24A-15 of the School Code [105 ILCS 5/24A-2.5 and 24A-15] establish the dates for specific groups of school districts (or for schools within certain districts) to implement performance evaluation systems, including both professional practice and data and indicators of student growth, for teachers, principals, and assistant principals that meet the requirements of this Part and Article 24A of the School Code and, for City of Chicago School District 299 (CPS), Sections 34-8 and 34-85c of the School Code [105 ILCS 5/34-8 and 34-85c].

- a) Each school district shall implement a performance evaluation system for principals by September 1, 2012. (See Section 24A-15 of the School Code.)
- b) Each school district located outside of the city of Chicago shall implement a performance evaluation system for assistant principals by September 1, 2012. (See Section 24A-15 of the School Code.)
- c) CPS shall implement a performance evaluation system for teachers *in at least 300 schools by September 1, 2012 and in the remaining schools by September 1, 2013.* (Section 24A-2.5 of the School Code)
- d) School districts that have received a grant under Section 1003(g) of Title I of the Elementary and Secondary Education Act (ESEA; 20 USC 6301 et seq.), as reauthorized by the No Child Left Behind Act of 2001 (PL 107-110), or under Race to the Top (American Recovery and Reinvestment Act of 2009, Section 14005-6, Title XIV (Public Law 111-5)) shall implement a performance evaluation system for teachers in those schools that are covered by Section 1003(g) or Race to the Top funds by the date set forth in the approved grants. (See Section 24A-2.5 of the School Code.)
- e) School districts located outside of the City of Chicago whose student performance ranks in the lowest 20 percent among all Illinois school districts ~~of their type (i.e., unit, elementary or high school)~~ shall implement a performance evaluation system for teachers by September 1, 2015. (See Section 24A-2.5 of the School Code.) For purposes of this subsection (e), "student performance" shall be determined

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based upon a school district's overall performance on ~~the spring 2014 administration of~~ the State assessments authorized under Section 2-3.64 of the School Code [105 ILCS 5/2-3.64], as determined by averaging the district's composite results from the 2011, 2012 and 2013 test administrations.

- f) Any school district not subject to subsection (c) or (e) ~~of this Section~~ and schools located in school districts subject to subsection (d) ~~of this Section~~ that are not covered by a grant under Section 1003(g) of Title I of ESEA or Race to the Top shall implement a performance evaluation system for teachers by September 1, 2016. (See Section 24A-2.5 of the School Code.)
- g) In accordance with the provisions of Section 24A-2.5 of the School Code, a school district and either its exclusive bargaining representative of teachers or its teachers, if the teachers are not represented by an exclusive bargaining representative, may jointly agree to an implementation date that is earlier than the date specified in this Section for their district type. When an earlier implementation date is agreed upon, the school district shall provide to the State Board of Education, within 30 days after an agreement is executed, a dated copy of the written agreement specifying the agreed upon implementation date and signed by the district superintendent and the exclusive bargaining representative or teachers, as applicable.

(Source: Amended at 38 Ill. Reg. 19741, effective September 29, 2014)

**Section 50.30 Definitions**

As used in this Part:

"Assessment" means any instrument that measures a student's acquisition of specific knowledge and skills. Assessments used in the evaluation of teachers, principals and assistant principals shall be aligned to one or more instructional areas articulated in the Illinois Learning Standards (see 23 Ill. Adm. Code 1.Appendix D) or Illinois Early Learning and Development Standards – Children Age 3 to Kindergarten Enrollment Age (see 23 Ill. Adm. Code 235.Appendix A), as applicable. For the purposes of this Part, assessments will be defined as the following types.

"Type I assessment" means a reliable assessment that measures a certain group or subset of students in the same manner with the same potential

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assessment items, is scored by a non-district entity, and is administered either statewide or beyond Illinois. Examples include assessments available from the Northwest Evaluation Association (NWEA), Scantron Performance Series, Star Reading Enterprise, College Board's SAT, Advanced Placement or International Baccalaureate examinations, or ACT's EPAS<sup>®</sup> (i.e., Educational Planning and Assessment System).

"Type II assessment" means any assessment developed or adopted and approved for use by the school district and used on a districtwide basis by all teachers in a given grade or subject area. Examples include collaboratively developed common assessments, curriculum tests and assessments designed by textbook publishers.

"Type III assessment" means any assessment that is rigorous, that is aligned to the course's curriculum, and that the qualified evaluator and teacher determine measures student learning in that course. Examples include teacher-created assessments, assessments designed by textbook publishers, student work samples or portfolios, assessments of student performance, and assessments designed by staff who are subject or grade-level experts that are administered commonly across a given grade or subject. A Type I or Type II assessment may qualify as a Type III assessment if it aligns to the curriculum being taught and measures student learning in that subject area (see Section 50.110(b)(2) ~~of this Part~~).

"Assistant principal" means an administrative employee of the school district who is required to hold ~~an administrative certificate issued in accordance with Article 21 of the School Code [105 ILCS 5/Art. 21]~~ or a professional ~~educator~~educator's license issued in accordance with Article 21B of the School Code [105 ILCS 5/21B] endorsed for either general ~~administrative~~administration or principal, and who is assigned to assist the principal with his or her duties in the overall administration of the school.

"Formal observation" means a specific window of time that is scheduled with the teacher, principal, or assistant principal for the qualified evaluator, at any point during that window of time, to directly observe professional practices in the classroom or in the school. (Also see Sections 50.120(c) and 50.320(c) ~~of this Part~~.)

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"Joint committee" means a committee composed of *equal representation selected by the district and its teachers or, when applicable, the exclusive bargaining representative of its teachers*, which shall have the duties set forth in this Part regarding the establishment of a performance evaluation plan that *incorporates data and indicators of student growth as a significant factor in rating teacher performance*. (Section 24A-4 of the School Code)

"Informal observation" means observations of a teacher, principal, or assistant principal by a qualified evaluator that are not announced in advance of the observation and not subject to a minimum time requirement.

"Measurement model" means the manner in which two or more assessment scores are analyzed for the purpose of identifying a change in a student's knowledge or skills over time.

"Performance evaluation plan" means a plan to evaluate a teacher, principal, or assistant principal that includes data and indicators on student growth as a significant factor in judging performance, measures the individual's professional practice, and meets the requirements of Article 24A of the School Code and this Part.

"Performance evaluation rating" means the final rating of a teacher's, principal's, or assistant principal's performance, using the rating levels required by Sections 24A-5(e), 34-8, and 34-85c of the School Code [105 ILCS 5/24A-5(e), 34-8, and 35-85c], that includes consideration of both data and indicators of student growth, when applicable under Section 24A-2.5 of the School Code [105 ILCS 5/24A-2.5] and Section 50.20 of this Part, and professional practice.

"Qualified Evaluator" shall have the meaning set forth in Section 24A-2.5 or 24A-15 of the School Code and shall be an individual who has completed the prequalification process required under Section 24A-3 of the School Code or Subpart E of this Part, as applicable, and successfully passed the State-developed assessments specific to evaluation of teachers or principals and assistant principals. Each qualified evaluator shall maintain his or her qualification by completing the retraining required under Section 24A-3 of the School Code or Subpart E of this Part, as applicable.

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"Student growth" means a demonstrable change in a student's or group of students' knowledge or skills, as evidenced by gain and/or attainment on two or more assessments, between two or more points in time.

"Teacher" means full-time or part-time professional employees of the school district who are required to hold a ~~teaching certificate issued in accordance with Article 21 of the School Code or a~~ professional educator's license endorsed for a teaching field issued in accordance with Article 21B of the School Code. For the purposes of the requirements specific to student growth outlined in Article 24A of the School Code and this Part, "teacher" shall not include any individual who holds a ~~school service personnel certificate issued under Article 21 of the School Code or a~~ professional educator license endorsed for school support personnel issued under Article 21B of the School Code and is assigned to an area designated as requiring this ~~certificate or~~ endorsement, including but not limited to school counselor, school psychologist, nonteaching school speech and language pathologist, school nurse, or school social worker.

(Source: Amended at 38 Ill. Reg. 19741, effective September 29, 2014)

SUBPART D: PERFORMANCE EVALUATION PLANS:  
PRINCIPALS AND ASSISTANT PRINCIPALS

**Section 50.300 Plan Components Required for the Evaluation of Principals and Assistant Principals**

Each school district shall implement a performance evaluation plan for its principals and assistant principals no later than September 1, 2012. (See Sections 24A-15 and 34-8 of the School Code.) Assistant principals employed by CPS shall not be subject to the performance evaluations system established under Article 24A of the School Code and this Part.

- a) A school district may choose to develop its own performance evaluation plan or adopt or adapt the State model authorized under Section 24A-7 of the School Code.
  - 1) The plan shall *consider the principal's or, as applicable, assistant principal's specific duties, responsibilities, management and competence as a principal or assistant principal.* (Sections 24A-15(c)(1) and (c-5)(1) and 34-8 of the School Code)

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- 2) The plan shall consider *the principal's or, as applicable, assistant principal's strengths and weaknesses, with supporting reasons*. (Sections 24A-15(c)(2) and (c-5)(2) and 34-8 of the School Code)
  - 3) The plan shall consider the performance goals developed pursuant to Sections 10-23.8a and 34-8.1 of the School Code [105 ILCS 5/10-23.8a and 34-8.1] for any principal or, as applicable, assistant principal who has a performance-based contract.
- b) The plan shall identify the person who will evaluate the principal or assistant principal. For a principal who also serves as the district superintendent, the evaluator shall be appointed by the local board of education, and the board's appointment shall not be the person whose performance as principal is being evaluated. The evaluator so appointed shall hold a current and valid ~~administrative certificate or~~ professional educator license endorsed for superintendent issued under ~~Article 21 or~~ Article 21B of the School Code; ~~respectively~~; and have completed the prequalification process and any retraining, as applicable, required under Section 24A-3 of the School Code or Subpart E of this Part.
  - c) The plan shall provide for the completion of the evaluation (i.e., collection of data and information on student growth and conducting observations) no later than March 1 annually for a principal or assistant principal (Section 24A-15 of the School Code) for school districts located outside of the City of Chicago, or by July 1 annually for a principal employed by CPS. (See Section 34-8 of the School Code.)
  - d) At the start of the school term (i.e., the first day students are required to be in attendance), the school district shall provide a written notice (either electronic or paper) to each principal and, as applicable, assistant principal that a performance evaluation will be conducted, or, if the principal or assistant principal is hired or assigned to the position after the start of the school term, then no later than 30 days after the contract is signed or the assignment is made. The written notice shall include:
    - 1) a copy of the rubric to be used to rate student growth and professional practice of the principal or assistant principal; and

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- 2) a summary of the manner in which student growth and professional practice measures to be used in the evaluation relate to the performance evaluation ratings of "excellent", "proficient", "needs improvement", and "unsatisfactory".
- e) On or before October 1 of each year, the qualified evaluator and principal or assistant principal shall meet to set the student growth measurement models and targets to be used. If the qualified evaluator and principal or assistant principal fail to agree on the student growth measures and targets to be included, then the qualified evaluator shall determine the goals to be considered.
- f) On or before October 1 of each year, the qualified evaluator and principal or assistant principal shall establish professional growth goals, which shall be based on the results of the performance evaluation conducted in the previous school year, if any. If the qualified evaluator and principal or assistant principal fail to agree on the professional growth goals to be included, then the qualified evaluator shall determine the goals to be considered.
- g) When the performance evaluation is completed, the qualified evaluator shall meet with the principal or assistant principal to inform the principal or assistant principal of the rating given for the student growth and professional practice components of the evaluation and of the final performance evaluation rating received, and discuss the evidence used in making these determinations. The qualified evaluator shall discuss the strengths demonstrated by the principal or assistant principal and identify specific areas of growth.

(Source: Amended at 38 Ill. Reg. 19741, effective September 29, 2014)

## SUBPART E: TRAINING FOR EVALUATORS

**Section 50.400 School District-Developed Prequalification Process or Retraining Program**

Section 24A-3 of the School Code requires that an individual who conducts evaluations of teachers, principals, or assistant principals after September 1, 2012 be prequalified before undertaking any evaluations and participates in a regularly scheduled retraining program, either of which must be developed or approved by the State Board of Education. In order to ensure that a school district-developed prequalification process or retraining program meets the rigor of the State Board of Education-developed trainings, any prequalification process or retraining program

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developed and used by a school district shall, at a minimum, meet the requirements of this Subpart E.

- a) Prequalification Process
  - 1) Beginning September 1, 2012, an evaluator shall not conduct a performance evaluation of a teacher, principal, or assistant principal unless he or she has successfully completed the prequalification process and passed the State-developed assessment specific to rating professional practice.
  - 2) Beginning on a school district's applicable implementation date, as set forth in Section 50.20 ~~of this Part~~, or by an earlier implementation date as determined by the school district and its teachers, or exclusive bargaining representative, as applicable (see Section 50.20(g) ~~of this Part~~), an evaluator shall not conduct a performance evaluation of a teacher, principal, or assistant principal that addresses student growth unless he or she has successfully completed the prequalification process for student growth and passed the State-developed assessment specific to the consideration of data and indicators of student growth.
- b) A school district offering its own retraining program shall ensure that each qualified evaluator completes the program at least once during each five-year ~~educator certificate or~~ licensure renewal cycle. (See Section 24A-3 of the School Code.)
  - 1) An individual who has not completed the retraining program, as required, during any applicable five-year cycle shall be ineligible to conduct evaluations until the retraining program is completed.
  - 2) An individual who will be evaluating teachers in a school district that implements a performance evaluation system beginning September 1, 2015 or later shall be required to successfully complete a retraining program specific to professional practice of teachers before conducting any performance evaluations of teachers.
- c) A school district developing its own prequalification process or retraining program shall notify the State Board of Education no later than July 1 immediately preceding the school year in which the process or program will be

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implemented. The notification shall at least include the type of training to be offered, names of the individuals presenting the training, and date upon which each school district-designated trainer completed the "train-the-trainers" program offered by, or on behalf of, the State Board of Education.

(Source: Amended at 38 Ill. Reg. 19741, effective September 29, 2014)

**Section 50.410 Minimum Requirements for Prequalification Process and Retraining Program**

A school district-developed prequalification process or retraining program shall contain each of the elements listed in this Section. A school district is not required to develop both a prequalification process and retraining program, nor is it required to address both teachers and principals. Similarly, a locally developed prequalification process or retraining program may address professional practice only, student growth only, or both. Any school district not offering a unified course of study (i.e., professional practice and student growth) either for teachers or principals shall ensure that those individuals successfully complete the State-developed prequalification process or retraining program in those areas not being covered by the locally developed process or program.

- a) Each individual who will present a prequalification process or retraining program shall complete the "train-the-trainer" program offered by, or on behalf of, the State Board of Education.
- b) Individual course modules shall address each of the following areas:
  - 1) Use of student growth data and indicators to evaluate teachers;
  - 2) Use of student growth data and indicators to evaluate principals;
  - 3) Methods and strategies for evaluating the professional practice of teachers;  
and
  - 4) Methods and strategies for evaluating the professional practice of principals.
- c) Each course module shall outline course goals, objectives, and participant outcomes and include training materials that align to the school district's evaluation plan.

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- d) Each course module shall include "field practice" in a variety of virtual, simulated, or live contexts in order to allow evaluators to apply their understanding to actual situations.
- e) Standards
- 1) Course modules for teachers shall be aligned to the Illinois Professional Teaching Standards (23 Ill. Adm. Code 24); and
  - 2) Course modules for principals shall be aligned to the Illinois Standards for Principal Evaluation contained in Appendix A ~~of this Part~~.
- f) Course Content
- Course modules shall address the following content:
- 1) State statutory and regulatory requirements for evaluating ~~certified~~ staff (i.e., teachers, principals and assistant principals holding professional educator licenses), including the use of the required performance evaluation ratings of "excellent", "proficient", "needs improvement", and "unsatisfactory";
  - 2) Protocols and best practices for conducting classroom observations for teachers or observations of school practices for principals;
  - 3) Case studies that exemplify collaborative learning environments;
  - 4) Skills for engaging teachers or principals in high-quality opening conferences, feedback sessions, and end-of-year evaluation discussions;
  - 5) Methods for developing and supporting individualized professional development plans for tenured teachers rated as "needs improvement";
  - 6) Methods for developing and supporting individualized remediation plans for tenured teachers rated as "unsatisfactory";
  - 7) Methods for developing and supporting individual and school-level growth and development goals and plans for principals;

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- 8) Methods for analyzing multiple measures of student growth;
  - 9) Methods for constructing performance evaluation ratings from disparate, variously subjective indicators; and
  - 10) Strategies for evaluating ~~teacher~~certified staff in specialized disciplines (e.g., special education; bilingual education; career and technical education; skill-based subject areas, such as art and music).
- g) Any individual who completes the school district-developed prequalification process but who fails the State-developed assessment shall be required to participate in the State-developed prequalification program before retaking the assessment.
  - h) A school district shall include remediation for individuals who did not successfully complete one or more courses of the retraining program. The remediation shall include content or approaches that are different than what was provided in the initial course module to assist the individual in mastering the material.
  - i) Course modules may be presented in-person or through distance-learning or video-conferencing technology or through a configuration that best accommodates the content.

(Source: Amended at 38 Ill. Reg. 19741, effective September 29, 2014)

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- 1) Heading of the Part: Transitional Bilingual Education
- 2) Code Citation: 23 Ill. Adm. Code 228
- 3) 

<u>Section Numbers</u> :	<u>Adopted Action</u> :
228.10	Amendment
228.15	Amendment
228.30	Amendment
228.35	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.39(1) and Art. 14C
- 5) Effective Date of Rule: September 29, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes. See Sections 228.10 and 228.30.
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: May 30, 2014; 38 Ill. Reg. 11459
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: A definition of "school district" was added to Section 28.10.

Section 228.30(c)(3) and (c)(3)(B) now make clear that part-time placement is to be made only when it is beneficial to the student.

Section 228.30(c)(3)(B)(v) was modified to more completely explain the circumstances under which a district may limit the provision of native language instruction in transitional bilingual education programs.

Additional specificity was added in Section 228.35(c)(3) about the staffing plan required of a district unable to hire fully qualified staff.

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- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreement letter was issued.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of the Rulemaking: The modifications in Part 228 address the following.

English Development Standards. Since 2006, the rules governing bilingual education programs have relied on English language development standards (prekindergarten through grade 12) of the World-class International Design and Assessment Consortium (WIDA) at University of Wisconsin at Madison as the basis of the English proficiency test and starting in 2010, for English as a second language instruction. In 2012, the standards were modified to apply only to students in kindergarten through grade 12. WIDA has now completed English language development standards for prekindergarten (i.e., ages 2½ through 5½) and these also are being incorporated into the rules. Both sets of standards are now defined in Section 228.10, and references to them in the body of the rules will direct the reader to Section 228.10 for the standards applicable to the ages/grade levels of the students being served.

Screening Instrument. Section 228.10 currently requires the use of the WIDA ACCESS Placement Test (W-APT™) as a screening instrument for use with students in the second semester of grade 1 through grade 12. Students in kindergarten or in the first semester of grade 1, however, must be screened using a different screener, WIDA's Measure of Developing English Language, or MODEL™. Either test would be appropriate for students in the second semester of grade 1 and grades 2 through 12, and the rule provides flexibility to school districts to choose which screening instrument to use for these students.

English as a Second Language (ESL) Instruction. The two components of a transitional program of instruction (TPI) are instruction or support in the student's native language and English as a second language (ESL) instruction. The purpose of ESL is to provide direct instruction in the acquisition of the English language. Under Article 14C of the School Code [105 ILCS 5/Art. 14C], school districts are required to provide programs that will help English learners learn English. Therefore, the changes in Section 228.30(d)

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do not create a new mandate but clarify the existing rule to make clear that ESL instruction is not an optional component for TPI programs.

**Staff Qualifications.** Starting July 1, 2014, instruction provided to English learners in early childhood classrooms must be provided by an individual who holds a professional educator license endorsed for both early childhood and for the specific type of bilingual instruction that is being provided (i.e., either instruction conducted in the student's home language or English as a second language instruction). This requirement was placed in Section 228.35(c) in 2010 in response to modifications to Article 14C of the School Code requiring the provision of bilingual education services by school districts to English learners served in preschool programs.

Due to an inability of all school districts to meet the requirements and in order to avoid potential penalties for school districts with preschool programs that may jeopardize services for English learners in these settings, the rules delay until July 1, 2016, the requirement for school districts to have fully qualified early childhood staff for their preschool programs. School districts that are unable to meet the staffing requirements between now and July 1, 2016, must submit to the agency an annual staffing plan that includes a description of how the needs of English learners will be met, thereby balancing the need for English learners to have fully qualified staff with the difficulty some school districts are experiencing in recruiting and employing fully credentialed preschool personnel.

Finally, a slight technical modification has been made in Section 228.30(c)(3)(B)(v), which addresses placement of certain English learners in part-time transitional bilingual education (TBE) programs. The provision was added in August 2013 and modified in response to public comment received. Its intent is to communicate that under certain circumstances (i.e., when the native language has no written component or is one for which written instructional materials are not available), English learners may receive limited native language instruction.

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

David Nieto Gonzalez, Division Administrator  
English Language Learning Division  
Illinois State Board of Education  
100 West Randolph, Suite 14-300  
Chicago IL 60602

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312/814-3850

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER I: STATE BOARD OF EDUCATION  
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 228  
TRANSITIONAL BILINGUAL EDUCATION

## Section

228.5	Purpose and Applicability
228.10	Definitions
228.15	Identification of Eligible Students
228.20	Student Language Classification Data
228.25	Program Options, Placement, and Assessment
228.27	Language Acquisition Services for Certain Students Exiting the Program
228.30	Establishment of Programs
228.35	Personnel Qualifications; Professional Development
228.40	Students' Participation; Records
228.50	Program Plan Approval and Reimbursement Procedures
228.60	Evaluation

**AUTHORITY:** Implementing Article 14C and authorized by Section 2-3.39(1) of the School Code [105 ILCS 5/Art. 14C and 2-3.39(1)].

**SOURCE:** Adopted May 28, 1976; codified at 8 Ill. Reg. 5176; Part repealed, new Part adopted at 11 Ill. Reg. 5969, effective March 23, 1987; amended at 17 Ill. Reg. 104, effective December 18, 1992; amended at 26 Ill. Reg. 898, effective January 15, 2002; amended at 27 Ill. Reg. 9996, effective June 20, 2003; amended at 30 Ill. Reg. 17434, effective October 23, 2006; amended at 34 Ill. Reg. 11581, effective July 26, 2010; amended at 35 Ill. Reg. 3735, effective February 17, 2011; amended at 35 Ill. Reg. 16870, effective September 29, 2011; amended at 37 Ill. Reg. 16803, effective October 2, 2013; amended at 38 Ill. Reg. 19757, effective September 29, 2014.

**Section 228.10 Definitions**

"English as a Second Language" or "ESL" means specialized instruction designed to assist students whose home language is other than English in attaining English language proficiency. ESL instruction includes skills development in listening, speaking, reading, and writing. (ESL is not to be confused with English language arts as taught to students whose home language is English.)

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"English Language Development Standards" means either the:

"2012 Amplification of English Language Development Standards Kindergarten-Grade 12" (2012) for students in kindergarten and grades 1 through 12 published by the Board of Regents of the University of Wisconsin System on behalf of the World-class Instructional Design and Assessment (WIDA) Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 and posted at <http://wida.us/standards/eld.aspx> (no later amendments to or editions of these standards are incorporated); or

"Early English Language Development Standards Ages 2.5-5.5 2013 Edition" (2013) for students in preschool education programs published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 and posted at <http://www.wida.us/standards/eeld.aspx> (no later amendments to or editions of these standards are incorporated).

"English Language Proficiency Assessment" means the ACCESS for ELLs® (~~WIDA World-class Instructional Design and Assessment~~ Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006)).

"English Learners" means any student in preschool, kindergarten or any of grades 1 through 12, whose home language background is a language other than English and whose proficiency in speaking, reading, writing, or understanding English is not yet sufficient to provide the student with:

the ability to meet the State's proficient level of achievement on State assessments;

the ability to successfully achieve in classrooms where the language of instruction is English; or

the opportunity to participate fully in the school setting.

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For the purposes of this Part, the terms "limited English proficient student" and "students with limited English proficiency", as used in Article 14C of the School Code, are understood to be "English learners".

"Home Language" means that language normally used in the home by the student and/or by the student's parents or legal guardians.

"Language Background other than English" means that the home language of a student in preschool, kindergarten or any of grades 1 through 12, whether born in the United States or born elsewhere, is other than English or that the student comes from a home where a language other than English is spoken by the student, or by his or her parents or legal guardians, or by anyone who resides in the student's household.

"Preschool Program" means instruction provided to children who are ages 3 up to but not including those of kindergarten enrollment age as defined in Section 10-20.12 of the School Code [105 ILCS 5/10-20.12] in any program administered by a school district, regardless of whether the program is provided in an attendance center or a non-school-based facility.

"Prescribed Screening Instrument" means the:

WIDA ACCESS Placement Test (W-APT™) (~~2013~~~~2006~~ ~~or~~ ~~2007~~) for students ~~entering~~ ~~or~~ in the second semester of grade 1 or in grades 2 through 12 (~~WIDA World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706~~) and accessible at <http://www.wida.us/assessment/W-APT/>; or

Measure of Developing English Language (MODEL™) (2008) for students ~~in~~ ~~entering~~ kindergarten ~~through~~ ~~or~~ the first semester of grade 1 (~~WIDA World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706~~); this instrument also may be used for students in the second semester of grade 1 through grade 12.

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"Prescribed Screening Procedures" means the procedures that a school district determines to be appropriate to assess a preschool student's level of English language proficiency (minimally in the domains of speaking and listening), in order to determine whether the student is eligible to receive bilingual education services. The procedures may include, without limitation, established screening instruments or other procedures provided that they are research-based. Further, screening procedures shall at least:

Be age and developmentally appropriate;

Be culturally and linguistically appropriate for the children being screened;

Include one or more observations using culturally and linguistically appropriate tools;

Use multiple measures and methods (e.g., home language assessments; verbal and nonverbal procedures; various activities, settings, and personal interactions);

Involve family by seeking information and insight to help guide the screening process without involving them in the formal assessment or interpretation of results; and

Involve staff who are knowledgeable about preschool education, child development, and first and second language acquisition.

"School District" means a public school district established under Article 10 or Article 34 of the School Code [105 ILCS 5/Art. 10 or 34] or a charter school established under Article 27A of the School Code [105 ILCS 5/Art. 27A].

"Sheltered Content Instruction" means instruction that is generally intended for English learners who demonstrate intermediate or advanced English proficiency and consists of adapting the language used in the particular subject to the student's English proficiency level to assist the student in understanding the content of the subject area and acquiring the knowledge and skills presented.

(Source: Amended at 38 Ill. Reg. 19757, effective September 29, 2014)

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**Section 228.15 Identification of Eligible Students**

- a) Each school district shall administer a home language survey with respect to each student in preschool, kindergarten or any of grades 1 through 12 who is entering the district's schools or any of the district's preschool programs for the first time, for the purpose of identifying students who have a language background other than English. The survey should be administered as part of the enrollment process or, for preschool programs, by the first day the student commences participation in the program. The survey shall include at least the following questions, and the student shall be identified as having a language background other than English if the answer to either question is yes:
  - 1) Whether a language other than English is spoken in the student's home and, if so, which language; and
  - 2) Whether the student speaks a language other than English and, if so, which language.
- b) The home language survey shall be administered in English and, if feasible, in the student's home language.
- c) The home language survey form shall provide spaces for the date and the signature of the student's parent or legal guardian.
- d) The completed home language survey form shall be placed into the student's temporary record as defined in 23 Ill. Adm. Code 375 (Student Records).
- e) The district shall screen the English language proficiency of each student identified through the home language survey as having a language background other than English by using the prescribed screening instrument applicable to the student's grade level (i.e., kindergarten or any of grades 1 through 12), [as set forth in Section 228.10](#), or the prescribed screening procedures identified by the preschool program. This screening shall take place within 30 days either after the student's enrollment in the district or, for preschool programs, after the student commences participation in the program, for the purpose of determining the student's eligibility for bilingual education services and, if eligible, the appropriate placement for the student. For kindergarten, all students identified through the home language survey, including students previously screened when enrolled in preschool, must be screened using the prescribed screening instrument

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for kindergarten.

- 1) The prescribed screening instrument does not need to be administered to a student who, in his or her previous school district:
  - A) has been screened and identified as English language proficient as required in this subsection (e); or
  - B) has met the State exit requirements as described in Section 228.25(b)(2) ~~of this Part~~; or
  - C) has met all of the following criteria:
    - i) resides in a home where a language other than English is spoken, and
    - ii) has not been screened or identified as an English learner, and
    - iii) has been enrolled in the general program of instruction in the school he or she has previously attended, and
    - iv) has been performing at or above grade level as evidenced by having met or exceeded the Illinois Learning Standards in reading and math on the student's most recent State assessment administered pursuant to Section 2-3.64 of the School Code [105 ILCS 5/2-3.64] or, for students for whom State assessment scores are not available, a nationally normed standardized test, provided that either assessment was not administered with accommodations for English learners. This provision applies only to a student who had been enrolled in any of the grades in which the State assessment is required to be administered in accordance with Section 2-3.64 of the School Code.
- 2) For purposes of eligibility and placement, a district must rely upon a student's score attained on the English language proficiency assessment prescribed under Section 228.25(b) ~~of this Part~~, if available from another school district or another state, provided that the score was achieved no

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sooner than the school year previous to the student's enrollment in the district.

- 3) If results are not available pursuant to subsection (e)(2) ~~of this Section~~, then a district must rely upon a student's score on the prescribed screening instrument if available from another school district or another state for the purposes of eligibility and placement for students entering any of grades 1 through 12, if the student's score on the prescribed screening instrument was achieved no more than 12 months prior to the district's need to assess the student's proficiency in English.
- 4) Each student whose score on the prescribed screening instrument or procedures, as applicable, is identified as not "proficient" as defined by the State Superintendent of Education shall be considered to be an English learner and therefore to be eligible for, and shall be placed into a program of, bilingual education services.
  - A) For preschool programs using a screening procedure other than an established assessment tool where "proficiency" is defined as part of the instrument, "proficiency" is the point at which performance identifies a child as proficient in English, as set forth in the program's proposed screening process.
  - B) For any preschool student who scores at the "proficient" level, the school district may consider additional indicators such as teachers' evaluations of performance, samples of a student's work, or information received from family members and school personnel in order to determine whether the student's proficiency in English is limited and the student is eligible for services.
- f) Each district shall ensure that any accommodations called for in the Individualized Education Programs of students with disabilities are afforded to those students in the administration of the screening instrument or procedures, as applicable, discussed in this Section and the English language proficiency assessment prescribed under Section 228.25(b) ~~of this Part~~.
- g) The parent or guardian of any child resident in a school district who has not been identified as an English learner may request the district to determine whether the child should be considered for placement in a bilingual education program, and

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the school district shall make that determination upon request, using the process described in this Section.

(Source: Amended at 38 Ill. Reg. 19757, effective September 29, 2014)

**Section 228.30 Establishment of Programs**

## a) Administrative Provisions

- 1) Program Facilities – Other than for preschool education programs, TBE and TPI programs *shall be located in regular public school facilities rather than in separate facilities.* (Section 14C-6 of the School Code [105 ILCS 5/14C-6]) If such a location is not feasible, the substitute location shall be comparable to those made available to a majority of the district's students with respect to space and equipment. If housed in a facility other than a public school (including a charter school), the school district shall provide a written explanation in its annual application to the State Superintendent of Education as to why the use of a public school building is not feasible.
- 2) Course Credit – Students enrolled in approved programs shall receive full credit for courses taken in these programs, which shall count toward promotion and fulfillment of district graduation requirements. Courses in ESL shall count toward English requirements for graduation. Students who change attendance centers or school districts shall do so without loss of credit for coursework completed in the program.
- 3) *Extracurricular Activities – Each district shall ensure that students enrolled in programs shall have the opportunity to participate fully in the extracurricular activities of the public schools in the district.* (Section 14C-7 of the School Code [105 ILCS 5/14C-7])
- 4) Inclusion of Students Whose First or Home Language is English – Students whose first or home language is English may be included in a program under this Part provided that all English learners are served.
- 5) Joint Programs – A school district may join with one or more other school districts to provide joint programs or services in accordance with the provisions of Section 10-22.31a of the School Code [105 ILCS 5/10-

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22.31a]. The designated administrative agent shall adhere to the procedures contained in 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) as they pertain to cooperative agreements.

- 6) *Preschool and Summer School – A school district may establish preschool and summer school programs for English learners or join with other school districts in establishing these programs. Summer school programs shall not replace programs required during the regular school year.* (Section 14C-11 of the School Code [105 ILCS 5/14C-11]) A school district that offers a summer school program or preschool program shall provide transitional bilingual education programs or transitional programs of instruction for English learners in accordance with Article 14C and this Part.

b) Instructional Specifications

- 1) **Student-Teacher Ratio** – The student-teacher ratio in the ESL and home language components of programs serving students in kindergarten or any of grades 1 through 12 as of September 30 of each school year shall not exceed 90% of the average student-teacher ratio in general education classes for the same grades in that attendance center. Decreases in the ratio for general education during the course of a school year due to students' mobility shall not require corresponding adjustments within the bilingual program. Further, additional students may be placed into bilingual classes during the course of a school year, provided that no bilingual classroom may exhibit a student-teacher ratio that is greater than the average for general education classes in that grade and attendance center as a result of these placements. Preschool programs established pursuant to Section 2-3.71 of the School Code [105 ILCS 5/2-3.71] that provide bilingual education services shall meet the requirements of 23 Ill. Adm. Code 235.30 (Early Childhood Block Grant) rather than the requirements of this subsection (b)(1).
- 2) **Grade-Level Placement** – *Students enrolled in a program of transitional bilingual education shall be placed in classes with students of approximately the same age or grade level, except as provided in subsection (b)(3)-of this Section.* (Section 14C-6 of the School Code)

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- 3) *Multilevel Grouping – If students of different age groups or educational levels are combined in the same class, the school district shall ensure that the instruction given each student is appropriate to his/her age or grade level.* (Section 14C-6 of the School Code) Evidence of compliance with this requirement shall be:
    - A) individualized instructional programs; or
    - B) grouping of students for instruction according to grade level.
  - 4) Beginning with the 2012-13 school year, instruction in Spanish language arts, where provided under subsection (c) or (d) of this Section, shall be aligned to the standards that are appropriate to the ages or grade levels of the students served, which are set forth in the document titled "World-Class Instructional Design and Assessment: Spanish Language Arts Standards" (2005), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, University of Wisconsin-Madison, 1025 West Johnson Street, MD #23, Madison WI 53706, and posted at <http://wida.us/standards/sla.aspx>. No later amendments to or editions of these standards are incorporated by this Section.
  - 5) *Language Grouping – School districts may place English learners who have different home languages in the same class, provided that, in classes taught in the home language:*
    - A) instructional personnel or assistants representing each of the languages in the class are used; and
    - B) the instructional materials are appropriate for the languages of instruction.
  - 6) *Program Integration – In courses of subjects in which language is not essential to an understanding of the subject matter, including, but not necessarily limited to, art, music, and physical education, English learners shall participate fully with their English-speaking classmates.* (Section 14C-7 of the School Code)
- c) Specific Requirements for Transitional Bilingual Education (TBE) Programs

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- 1) Each full-time TBE program shall consist of at least the following components (Section 14C-2 of the School Code):
  - A) *Instruction in subjects which are either required by law (see 23 Ill. Adm. Code 1) or by the student's school district, to be given in the student's home language and in English; core subjects such as math, science and social studies must be offered in the student's home language, except as otherwise provided in subsection (c)(3) of this Section;*
  - B) *Instruction in the language arts in the student's home language;*
  - C) *Instruction in English as a second language, which must align to the [applicable English language development standards set forth in Section 228.102012 Amplification of the English Language Development Standards Kindergarten-Grade 12 \(2012\)](#), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, University of Wisconsin-Madison, 1025 West Johnson Street, MD #23, Madison WI 53706, and posted at <http://wida.us/standards/eld.aspx>. No later amendments to or editions of these standards are incorporated by this Section; and*
  - D) *Instruction in the history and culture of the country, territory, or geographic area which is the native land of the students or of their parents and in the history and culture of the United States.*
- 2) Programs may also include other services, modifications, or activities such as counseling, tutorial assistance, learning settings, or special instructional resources that will assist English learners in meeting the Illinois Learning Standards (see 23 Ill. Adm. Code 1, Appendix D) and for preschool programs established pursuant to Section 2-3.71 of the School Code, the Illinois Early Learning and Development Standards – Children Age 3 to Kindergarten Enrollment Age (see 23 Ill. Adm. Code 235, Appendix A).
- 3) Beginning September 1, 2013, students may be placed into a part-time program, or students previously placed in a full-time program may be placed in a part-time program, in accordance with the requirements of this

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subsection (c)(3) and only when the placement is instructionally beneficial for the student.

- A) If an assessment of the student's English language skills has been performed in accordance with the provisions of either Section 228.15(e) or Section 228.25(b) ~~of this Part~~ and the assessment results indicate that the student has sufficient proficiency in English to benefit from a part-time program.
- i) Evidence of sufficient proficiency shall be achievement of the minimum score to be used for this purpose set by the State Superintendent either on the prescribed screening instrument required in Section 228.15(e) ~~of this Part~~ or the English language proficiency assessment required in Section 228.25(b). The State Superintendent shall inform districts of the minimum score to be used for the prescribed screening instrument or the English language proficiency assessment, and post the minimum score on the State Board's website. Should the minimum score be modified, the State Superintendent shall inform school districts no later than July 1 of the scores to be used and modify the State Board's website accordingly.
  - ii) Preschool programs shall use as evidence of sufficient proficiency either a minimum score for an established screening instrument or a minimum level of performance documented through established screening procedures.
- B) If the student's score either on the prescribed screening instrument required in Section 228.15(e) ~~of this Part~~ or the English language proficiency assessment required in Section 228.25(b) is below the minimum identified pursuant to subsection (c)(3)(A) ~~of this Section~~, the student may be placed in a part-time program only if one of the following conditions is met and the placement is instructionally beneficial for the student.
- i) Native Language Proficiency  
A native language proficiency test documents that the student has minimal or no proficiency in the home

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language and a parent provides written confirmation that English is the primary language spoken in the home.

- ii) **Academic Performance in Subjects Taught in English**  
Any student whose student grades, teacher recommendations and State or local assessment results in the previous school year indicate that the student has performed at or above grade level in one or more core subject areas (i.e., reading, English language arts, mathematics, physical sciences, social sciences) that were taught exclusively in English.
- iii) **Academic Performance**  
Any student in a departmentalized setting whose student grades, teacher recommendations and State or local assessment results in the previous school year indicate that the student has performed at or above grade level in at least two core subject areas that were taught in a U.S. school in the student's native language or via sheltered instruction in English.
- iv) **Students with Disabilities**  
Any student with a disability whose Individualized Education Program developed in accordance with 23 Ill. Adm. Code 226.Subpart C identifies a part-time transitional bilingual education program as the least restrictive environment for the student.
- v) **Limited Native Language Instruction**  
The use of native language instruction ~~is permissible~~ for a student whose native language has no written component or one for which written instructional materials are not available and cannot be developed may be limited to those components that exist in the language or to those components for which materials are available. Oral native language instruction or support should be provided based on the student's needs. School districts shall maintain evidence of their attempts to secure written instructional materials, as applicable, and present that evidence to the

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State Board staff upon request.

- C) A part-time program shall consist of components of a full-time program that are selected for a particular student based upon an assessment of the student's educational needs. Each student's part-time program shall provide daily instruction in English and in the student's home language as determined by the student's needs.
- 4) *Parent and Community Participation – Each district or cooperative shall establish a parent advisory committee consisting of parents, legal guardians, transitional bilingual education teachers, counselors, and community leaders. This committee shall participate in the planning, operation, and evaluation of programs. The majority of committee members shall be parents or legal guardians of students enrolled in these programs. Membership on this committee shall be representative of the languages served in programs to the extent possible . (Section 14C-10 of the School Code [105 ILCS 5/14C-10])*
- A) The committee shall:
- i) meet at least four times per year;
  - ii) maintain on file with the school district minutes of these meetings;
  - iii) review the district's annual program application to the State Superintendent of Education; and
  - iv) *autonomously carry out their affairs, including the election of officers and the establishment of internal rules, guidelines, and procedures. (Section 14C-10 of the School Code)*
- B) Each district or cooperative shall ensure that training is provided annually to the members of its parent advisory committee. This training shall be conducted in language that the parent members can understand and shall encompass, but need not be limited to, information related to instructional approaches and methods in bilingual education; the provisions of State and federal law related

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to students' participation and parents' rights; and accountability measures relevant to students in bilingual programs.

- d) Specific Requirements for Transitional Program of Instruction (TPI)
- 1) Program Structure – The level of a student's proficiency in English, as determined by an individual assessment of the student's language skills on the basis of either the prescribed screening instrument or procedures, as applicable, required in Section 228.15(e) ~~of this Part~~ or the English language proficiency assessment required in Section 228.25(b) ~~of this Part~~ in conjunction with other information available to the district regarding the student's level of literacy in his or her home language, will determine the structure of the student's instructional program.
  - 2) Program Components – A transitional program of instruction must include instruction or native language support ~~other assistance~~ in the student's home language to the extent necessary, as determined by the district on the basis of the prescribed screening instrument or procedures, as applicable, required in Section 228.15(e) ~~of this Part~~ or the English language proficiency assessment required in Section 228.25(b) ~~of this Part~~, to enable the student to keep pace with his/her age or grade peers in achievement in the core academic content areas. A transitional program of instruction ~~shall~~ may include, ~~but is not limited to, the following components:~~ A) instruction in ESL, which must align to the applicable English language development standards set forth in Section 228.10. A transitional program of instruction also may include, but is not limited to: 2012 Amplification of the English Language Development Standards Kindergarten Grade 12 (2012), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, University of Wisconsin-Madison, 1025 West Johnson Street, MD #23, Madison WI 53706, and posted at <http://wida.us/standards/eld.aspx>. No later amendments to or editions of these standards are incorporated by this Section;
    - AB) language arts in the students' home language; and
    - BC) instruction in the history and culture of the country, territory, or geographic area that is the native land of the students or of their parents and in the history and culture of the United States.

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(Source: Amended at 38 Ill. Reg. 19757, effective September 29, 2014)

**Section 228.35 Personnel Qualifications; Professional Development**

- a) Each individual assigned to provide instruction in a student's home language shall meet the requirements for bilingual education teachers set forth in 23 Ill. Adm. Code 25 (Educator Licensure) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision), as applicable.
- b) Each individual assigned to provide instruction in ESL shall meet the requirements for ESL or English as a New Language teachers set forth in 23 Ill. Adm. Code 25 and 23 Ill. Adm. Code 1, as applicable.
- c) **Preschool Programs**
  - 1) Each individual assigned to provide instruction to students in a preschool program shall meet the requirements of 23 Ill. Adm. 235.20(c) (Application Procedure and Content for New or Expanding Programs).
  - 2) By July 1, ~~2016~~2014, each individual assigned to provide instruction to students in a preschool program also shall meet the applicable requirements of subsection (a) or (b) ~~of this Section~~, depending on the assignment, except as provided in subsection (c)(3).
  - 3) During school years 2014-15 and 2015-16, any school district unable to meet the requirements of subsection (c)(2) shall submit a plan to the State Superintendent of Education by September 15 of each year that demonstrates how the program is actively working toward recruiting and hiring fully qualified staff and serves preschool-age English learners. The plan shall be developed and monitored jointly by school administrators responsible for the preschool program and the bilingual education program. Using a format prescribed by the State Superintendent of Education, the plan shall include, but is not limited to:
    - A) Past and current efforts undertaken by the district to recruit and hire fully qualified staff (early childhood, bilingual or special education) to include, as applicable, steps taken to support current preschool teachers in their efforts to obtain the early childhood

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education or bilingual education endorsement and/or to retain fully qualified staff;

B) Reasons why individuals meeting the requirements of subsection (a) or (b) were not hired, if applicable;

C) Professional development activities focused on the needs of preschool-age English learners; and

D) How the educational program for English learners will meet the needs of those students without fully qualified staff, to include information relative to the components set forth in Section 228.27(b) through (f).

43) Staff who are employed to assist in instruction in a preschool program but do not hold a professional educator license shall meet the requirements of 23 Ill. Adm. 235.20(c).

d) Administrators

Beginning July 1, 2014, each individual assigned to administer a program under this Part shall meet the applicable requirements of this subsection (d).

- 1) Except as provided in subsections (d)(2) and (3) ~~of this Section~~, any person designated to administer either a TBE or a TPI program must hold a valid administrative or a supervisory endorsement issued on a professional educator license by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 (Educator Licensure) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) and must meet the requirements of 23 Ill. Adm. Code 1.783 (Requirements for Administrators of Bilingual Education Programs), as applicable.
- 2) A person designated to administer a TBE or TPI program in a district with fewer than 200 TBE/TPI students shall be exempt from all but the requirement for an administrative or a supervisory endorsement issued on a professional educator license, provided that he or she annually completes a minimum of eight hours of professional development. An assurance that this requirement has been met shall be provided annually in a school district's application submitted pursuant to Section 228.50 ~~of this Part~~.

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Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.

- 3) A person who has been assigned to administer a TPI program in a district that experiences such growth in the number of students eligible for bilingual education that a TBE program is required shall become subject to the requirements of subsection (d)(1)~~-of this Section~~ at the beginning of the fourth school year of the TBE program's operation. A person who has been assigned to administer a program under subsection (d)(2)~~-of this Section~~ in a district where the number of students eligible for bilingual education reaches 200 shall become subject to the requirements of subsection (d)(1)~~-of this Section~~ at the beginning of the fourth school year in which the eligible population equals or exceeds 200 or more students. That is, each individual may continue to serve for the first three school years on the credentials that qualified him or her to administer the program previously operated.
- e) Professional Development for Staff
- 1) Each school district having a program shall annually plan professional development activities for the licensed and nonlicensed personnel involved in the education of English learners. This plan shall be included in the district's annual application and shall be approved by the State Superintendent of Education if it meets the standards set forth in subsections (e)(2) and (e)(3)~~-of this Section~~.
  - 2) Program staff beginning their initial year of service shall be involved in training activities that will develop their knowledge of the requirements for the program established under this Part and the employing district's relevant policies and procedures.
  - 3) Training activities shall be provided to all bilingual program staff at least twice yearly and shall address at least one of the following areas:
    - A) current research in bilingual education;
    - B) content-area and language proficiency assessment of English learners;

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- C) research-based methods and techniques for teaching English learners;
  - D) research-based methods and techniques for teaching English learners who also have disabilities; and
  - E) the culture and history of the United States and of the country, territory or geographic area that is the native land of the students or of their parents.
- 4) In addition to any other training required under this subsection (e), each individual who is responsible for administering the prescribed screening instrument referred to in Section 228.15(e) ~~of this Part~~ or the annual English language proficiency assessment discussed in Section 228.25(b) ~~of this Part~~ shall be required to complete on-line training designated by the State Superintendent of Education and to pass the test embedded in that material.
- 5) ~~Each~~ Beginning in the 2012-13 school year, each district that operates either a TBE or a TPI program for students of Spanish language background in kindergarten and any of grades 1 through 12 shall provide annually at least one training session related to the implementation of the Spanish language arts standards required under Section 228.30(b)(4) ~~of this Part~~ for staff members of that program who are providing instruction in the Spanish language arts.

(Source: Amended at 38 Ill. Reg. 19757, effective September 29, 2014)

## ILLINOIS TOLL HIGHWAY AUTHORITY

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- 1) Heading of the Part: State Toll Highway Rules
- 2) Code Citation: 92 Ill. Adm. Code 2520
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2520.740	Amendment
2520.750	Amendment
- 4) Statutory Authority: 605 ILCS 10/10
- 5) Effective Date of Rule: September 25, 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 rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill.Reg. 13843; July 7, 2014
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: The Authority withdrew its proposed amendment to 2520.APPENDIX A as part of its First Notice Changes.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No charges were requested.
- 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: The rule updates the Tollway's administrative rules to put notice/challenge periods on a consistent 30 day time table.
- 16) Information and questions regarding this adopted rule shall be directed to:

Robert T. Lane

ILLINOIS TOLL HIGHWAY AUTHORITY

NOTICE OF ADOPTED AMENDMENTS

Senior Assistant Attorney General  
2700 Ogden Avenue  
Downers Grove IL 60515

630/241-6800 x1530  
fax: 630/271-7559

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

## ILLINOIS TOLL HIGHWAY AUTHORITY

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TITLE 92: TRANSPORTATION  
CHAPTER IV: ILLINOIS STATE TOLL HIGHWAY AUTHORITYPART 2520  
STATE TOLL HIGHWAY RULES

## SUBPART A: AUTHORITY AND DEFINITIONS

## Section

2520.100	Authority
2520.110	Authority Rulemaking
2520.120	Related Statutes
2520.130	Definitions

## SUBPART B: GENERAL TRAFFIC RULES AND REGULATIONS

## Section

2520.200	Illinois Vehicle Code
2520.203	Use of Tollway Prohibited or Restricted
2520.206	Vehicles Excepted from Provisions of Section 2520.203
2520.209	Transportation of Hazardous Materials
2520.212	Special Usage Toll
2520.215	Loading or Unloading of Vehicles
2520.218	Full Stop at All Toll Plazas
2520.221	Entering and Leaving the Tollway
2520.224	"U" Turns, Etc.
2520.227	Backing Up of Vehicles
2520.230	Parking, Standing or Stopping
2520.233	Relocating of Vehicles
2520.236	Pushing or Towing of Vehicles
2520.239	Stopping or Halting Vehicles by the Authority
2520.242	Destruction of Authority Property
2520.245	Picnics
2520.248	Aircraft
2520.251	Sale of Goods and Services
2520.254	Solicitation of Rides
2520.257	Loitering or Interfering with Traffic
2520.260	Approaching/Departing a Toll Plaza
2520.263	Compliance with Orders or Directions of State Troopers, Etc.

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2520.266	Duty Upon Striking Fixtures, Structures or Other Property on Tollway
2520.269	Payment of Tolls
2520.272	I-Pass Registration
2520.275	Prohibited and Restricted Lanes
2520.278	Traffic Control Devices
2520.281	Penalty for Violation

## SUBPART C: TRESPASS

Section	
2520.300	Authority
2520.310	Restriction of Vehicles Using the Tollway
2520.320	Restriction on Nature of Use of Tollway
2520.340	Persons and Vehicles Excepted from the Requirements of Subpart C
2520.350	Penalties

## SUBPART D: SPEED RESTRICTIONS

Section	
2520.410	Maximum Speed Limits for Passenger Cars
2520.420	Maximum Speed Limits for Trucks, Buses, Passenger Cars Towing Trailers, House Trailers and Campers
2520.430	Maximum Speed Limits for Designated I-Pass Lanes, Service Areas, Parking Areas, Access Roads and Ramps, and Barrier Toll Plaza Approaches
2520.440	Road Hazards and Construction Zones
2520.450	Special Road Conditions
2520.460	Minimum Speed Limits

## SUBPART E: FINES AND PENALTIES

Section	
2520.510	Violations
2520.520	Littering – Penalty
2520.530	Spurious or Counterfeit Tickets, Coupons or Tokens – Penalty
2520.540	Toll Collection Devices – Penalty for Breaking
2520.550	I-PASS Customer – Penalties

## SUBPART F: TOLL VIOLATIONS – ADMINISTRATIVE ADJUDICATION SYSTEM

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## Section

2520.700	Authority
2520.705	Notice of Violation to Respondent
2520.710	Effective Date of Notices
2520.715	Establishment of the Toll-Free Telephone Number
2520.720	Timely Request for Hearing
2520.725	Hearing Officers – Appointment, Disqualification, Powers and Duties
2520.730	Discovery
2520.735	Continuance
2520.740	Hearings Format
2520.745	Failure to Respond to Notice of Violation – Default
2520.750	Penalties
2520.755	Liability of Lessor
2520.760	Liability of Registered Owner
2520.765	Enforcement of Final Order
2520.770	Judicial Review

## SUBPART G: EMPLOYMENT

2520.800	Tollway Employees
2520.APPENDIX A	Rules and Regulations for Overweight and Overdimension Vehicles and Loads

AUTHORITY: Implementing and authorized by the Toll Highway Act [605 ILCS 10].

SOURCE: Filed January 3, 1973; effective February 1, 1973; codified at 8 Ill. Reg. 19884; Part repealed, new Part adopted at 17 Ill. Reg. 8539, effective May 27, 1993; amended at 20 Ill. Reg. 10200, effective July 12, 1996; emergency amendment at 24 Ill. Reg. 2737, effective February 4, 2000, for a maximum of 150 days; emergency expired July 2, 2000; emergency amendment at 24 Ill. Reg. 4234, effective February 29, 2000, for a maximum of 150 days; emergency expired July 27, 2000; amended at 24 Ill. Reg. 16078, effective October 11, 2000; emergency amendment at 26 Ill. Reg. 16325, effective October 31, 2002, for a maximum of 150 days ; amended at 27 Ill. Reg. 6325, effective April 1, 2003; emergency amendment at 27 Ill. Reg. 18238, effective November 6, 2003, for a maximum of 150 days; emergency expired April 5, 2004; emergency amendment at 28 Ill. Reg. 1780, effective January 14, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 6911, effective April 23, 2004; emergency amendment at 28 Ill. Reg. 7688, effective May 24, 2004, for a maximum of 150 days; emergency expired October 20, 2004; amended at 28 Ill. Reg. 14530, effective October 25, 2004; old Part repealed at 30 Ill. Reg.

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11261 and new Part adopted at 30 Ill. Reg. 11264, effective June 9, 2006; amended at 35 Ill. Reg. 535, effective December 27, 2010; emergency amendment at 38 Ill. Reg. 2433, effective January 7, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 4037, effective January 27, 2014; amended at 38 Ill. Reg. 11369, effective May 9, 2014; amended at 38 Ill. Reg. 19780, effective September 25, 2014.

## SUBPART F: TOLL VIOLATIONS – ADMINISTRATIVE ADJUDICATION SYSTEM

**Section 2520.740 Hearings Format**

- a) Each toll violation shall be considered an individual violation.
- b) The Authority may be represented by an employee or duly authorized agent at the hearing or may proceed on the Notice of Violation. The hearing officer shall not present any evidence on behalf of the Authority; provided, however, that the Notice of Violation may be placed into the record by the hearing officer. A respondent may represent himself or herself or be represented by a duly authorized agent.
- c) The Authority and the respondent may introduce into evidence, and the hearing officer may consider, all video or photo surveillance evidence relating to the alleged violations, the evidentiary foundation for which shall be presumed valid subject to rebuttal. A Notice of Violation or facsimile of the notice, sworn or affirmed to or certified by a duly authorized agent of the Authority based upon an inspection of photographs, microphotographs, videotape, or other recorded images produced by a video or photo surveillance system, shall be admitted as prima facie evidence of the correctness of the facts contained in the Notice of Violation.
- d) Each party to the hearing may make an opening statement, call, examine and cross-examine witnesses, and offer evidence for the record. Evidence may be written or oral.
- e) Each party may make a closing argument at the conclusion of the hearing.
- f) No testimony shall be given or received at the hearing relating to discussions, offers, counter offers, rejections or admissions at any settlement conferences that may have occurred.

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- g) Any written stipulations of the parties may be introduced as evidence at the hearing. These stipulations shall be introduced at the beginning of the hearing and shall become part of the record of the hearing.
- h) The Authority may, at its sole discretion, establish a process in which respondents may contest alleged violations by a telephonic hearing or mail-in hearing as opposed to an in-person hearing.
- i) The hearing officer shall have full authority to conduct and control the procedure at the hearing. The hearing officer shall not be bound by the strict rules of evidence applicable to the courts; irrelevant, immaterial, or unduly repetitious evidence shall be excluded. Evidence not admissible under the rules of evidence may be admitted (except where precluded by statute) if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. Objections to evidentiary offers may be made, shall be ruled upon by the hearing officer, and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, any part of the evidence may be received in written form. Oral testimony in in-person or telephonic hearings may be recorded by audio or electronic means, provided that, in the event of a recording loss or malfunction, the hearing officer may prepare a written summary of the oral testimony for purposes of administrative review.
- j) The hearing officer shall apply a preponderance of the evidence standard to determine respondent's liability for the alleged violations.
- k) Upon completion of a hearing on the merits, the hearing officer shall issue a final order setting forth his or her findings as to liability or non-liability of the respondent. If the hearing officer finds for the Authority, the final order of liability shall assess the tolls, fines and fees that the respondent owes to the Authority. The final order of liability shall state that an additional fine of \$50 per violation will be assessed, by operation of law and without further notice or order, if respondent fails to pay the proper toll, fine and/or fee to the Authority within ~~30~~ 3014 calendar days after the issuance of a final order of liability. A final order of liability shall inform the parties of their right to seek judicial review under the Administrative Review Law and include a statement that failure to satisfy any toll, fine or fee imposed by the final order of liability may result in the Secretary of State suspending the driving privileges, vehicle registration, or both of the registered vehicle owner.

ILLINOIS TOLL HIGHWAY AUTHORITY  
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(Source: Amended at 38 Ill. Reg. 19780, effective September 25, 2014)

**Section 2520.750 Penalties**

The Authority shall assess the registered owner of any vehicle driven through a toll plaza without the payment of the proper toll the following penalties:

- a) Upon a finding of liability, the registered owner of the vehicle shall be liable for the outstanding toll, a \$20 fine per violation and applicable fees.
- b) Additional Fine
  - 1) Upon the failure of the registered owner to pay the toll, fine and/or fee to the Authority within 30 days after notice of a final order of liability, the Authority shall assess the registered owner an additional fine of \$50 for each violation without further notice or order.
  - 2) Pilot Program  
Notwithstanding the requirement of subsection (a), the Authority Board may establish by Resolution a temporary program under which the \$50 additional fine for any or all classes of vehicles is suspended for the time period specified in the Resolution. After that period, the Board will determine whether the additional fine policy will be discontinued, modified or continued and this Section will be amended to reflect that decision.
- c) Upon failure of a registered owner of a vehicle to satisfy any toll, fine or fee resulting from a final order or orders of liability relating to 5 or more toll violations, the Authority shall notify the Secretary of State to suspend the registered owner's vehicle registration and/or driver's license.
  - 1) A prerequisite to the suspension of vehicle registration and/or driver's license by the Secretary of State, under 625 ILCS 5/3-704.2 or 6-306.7, shall be the submission to the Secretary of State, by the Authority, of a Certified Report containing the following information:
    - A) The name, last known address as recorded with the Secretary of State or, for a lessee of a cited vehicle, at the last address known to

## ILLINOIS TOLL HIGHWAY AUTHORITY

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the lessor of the cited vehicle at the time of the lease, and the driver's license number of the person who failed to satisfy the final order of liability and the registration number of any vehicle known to be registered in this State to the person.

- B) A statement that the Authority sent a notice of impending suspension of the person's driver's license, vehicle registration, or both, to the person named in the report at the address recorded with the Secretary of State, the date on which the notice was sent, and the address to which the notice was sent.
- 2) The person to whom the notice of impending suspension was sent may challenge the accuracy of the information contained in the Certified Report by submitting his/her challenges, within ~~30~~21 days after the date of the notice, in writing, to:

The Illinois State Toll Highway Authority  
ATTN: Violation Administration Center  
2700 Ogden Avenue  
Downers Grove, Illinois 60515

Challenges to the accuracy of the information contained in the Certified Report shall be limited to the following:

- A) The person who received the notice was not the registered owner of the vehicle in question at the time of the alleged violations.
- B) The person who received the notice has already paid the fine and any fees.
- 3) The Authority shall notify the Secretary of State whenever a person named in the Certified Report has satisfied the previously reported fines or penalties or whenever the Authority determines that the original report was in error. Upon receipt of the Authority's notification, the Secretary of State shall terminate the suspension. (See 625 ILCS 5/6-306.7.)
- 4) In addition to any tolls, fines or fees assessed by the Authority for toll violations, the registered owner of the vehicle involved in the toll

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violations at issue shall be required to reimburse the Authority for all fees paid to the Illinois Secretary of State for the enforcement of this Section.

- d) Upon failure of a registered owner of a vehicle to satisfy any toll, fine or fee resulting from a final order issued by the Authority relating directly or indirectly to 5 or more toll violations, any and all vehicles registered to the registered owner shall be subject to immobilization, towing and/or impoundment.
- 1) If the vehicle was immobilized, a sticker shall be affixed to the vehicle in a conspicuous space. The sticker shall state:
    - A) that the vehicle has been immobilized pursuant to Section 10(a-5) of the Toll Highway Act for non-payment of 5 or more toll violations;
    - B) that all immobilized vehicles are subject to immediate tow and impoundment;
    - C) the procedures for making payment to obtain release of the immobilization;
    - D) the procedures for contesting the immobilization; and
    - E) that any unauthorized attempt to remove the immobilizing device shall constitute a petty offense.
  - 2) If the vehicle was towed and/or impounded, the Tollway shall notify the registered owner of the vehicle by First Class Mail or other means provided by law at the registered owner's address of record as recorded with the Secretary of State's vehicle registration records. The notification shall state:
    - A) that the vehicle has been towed and/or impounded pursuant to Section 10(a-5) of the Toll Highway Act for non-payment of 5 or more toll violations;
    - B) the entity that is currently storing the vehicle;

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- C) the procedures for making payment to obtain release of the towed and/or impounded vehicle;
  - D) the procedures for contesting the tow and/or impoundment; and
  - E) that the vehicle may be sold or otherwise disposed of in accordance with Section 4-208 of the Vehicle Code if the vehicle is not retrieved within 30 days after the date of the notification.
- 3) The registered owner may challenge the immobilization, tow and/or impoundment within 30~~21~~ days after the date of the notification specified in subsection (d)(1) or (d)(2), in writing, to:
- The Illinois State Toll Highway Authority  
ATTN: Violation Administration Center  
2700 Ogden Avenue  
Downers Grove, Illinois 60515
- 4) Challenges to the immobilization, tow and/or impoundment of a vehicle shall follow the procedures set forth in this Subpart F.
- 5) If a hearing officer determines that the registered owner was not the registered owner of the vehicle in question at the time of the alleged violations or the registered owner has already paid the outstanding fines and fees, the hearing officer shall order the Authority to release the vehicle without any costs to the registered owner.
- 6) If a hearing officer determines that the registered owner was not the registered owner of the vehicle in question at the time of the alleged violations or the registered owner has not already paid the fines and any fees, the hearing officer may order the Authority to release the vehicle only upon payment in full to the Authority of any and all outstanding final order judgment totals plus all fees paid by the Authority relating to the immobilization, tow, impoundment and/or storage of the registered owner's vehicle.
- 7) The Authority may contract with other public or private entities to carry out the provisions of this subsection (d). If the immobilization is performed by the State Police utilizing an Authority-owned

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immobilization device, an additional immobilization administrative release fee of \$50 shall be applied. If the immobilization, tow and/or impoundment is performed by another public or private entity, the additional administrative release, tow and/or storage fees shall be set by contract between the Authority and the public or private entity.

- 8) Judicial review of all final orders of the Authority with respect to immobilized, towed or impounded vehicles shall be conducted in accordance with the Administrative Review Law.

(Source: Amended at 38 Ill. Reg. 19780, effective Septemeber 25, 2014)

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Administration of Funds Created by the Wireless Emergency Telephone Safety Act
- 2) Code Citation: 83 Ill. Adm. Code 729
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
729.400	Amendment
729.610	New Section
- 4) Statutory Authority: Implementing and authorized by the Wireless Emergency Telephone Safety Act [50 ILCS 751]
- 5) Effective Date: October 1, 2014
- 6) If these emergency amendments are to expire before the end of the 150-day period, please specify the date on which they are to expire: Upon adoption of the proposed permanent rulemaking
- 7) Date Filed with the Index Department: September 25, 2014
- 8) A copy of the emergency rules, including any materials incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: PA 98-634 authorizes the Agency to implement emergency rules to carry out certain provisions added by the legislation to the Wireless Emergency Telephone Safety Act [50 ILCS 751]; the emergency amendments address requirements contained in those provisions that go into operation on October 1, 2014.
- 10) A Complete Description of the Subjects and Issues Involved: PA 98-634 took effect in June 2014, amending several statutes related to the provision of 9-1-1 services in Illinois, including the Wireless Emergency Telephone Safety Act [50 ILCS 751] (WETSA). One change made by the new legislation is the addition of Section 27 to WETSA, requiring certain local governmental entities to submit financial statements to the Illinois Commerce Commission. Under the new provisions, the initial 9-1-1 financial reports are due October 1, 2014, with the next filing due more than a year later, on January 31, 2016.

New Section 27(d) of WETSA directs the Commission to withhold the monthly grant that would otherwise be made under Section 25 to an emergency telephone system board or qualified governmental entity if the board or entity fails to file the financial statements

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF EMERGENCY AMENDMENTS

required by Section 27; monthly grants are to be withheld by the Commission until the board or entity complies with the filing requirements. Grants that have been withheld for 12 months or more are to be forfeited, and the Commission is to distribute the forfeited funds on a proportional basis to emergency telephone system boards and qualified governmental entities that are in compliance with the financial reporting requirements of the statute. Section 27(e) authorizes the Commission to adopt emergency rules that are necessary for carrying out the provisions of the new section. The emergency rules contained in this rulemaking are intended to establish a process for reviewing the statements now required by section 27 and for ensuring compliance with its other provisions, including the withholding of the monthly payments and the eventual forfeiture and redistribution of those funds.

- 11) Are there any other proposed rulemakings pending on this Part? A permanent rulemaking incorporating the present emergency amendments, as well as amendments of a non-emergency nature, is also being pursued.
- 12) Statement of Statewide Policy Objectives: The emergency rulemaking neither creates nor expands any State mandate on units of local government, school districts, or community college districts.
- 13) Information and questions regarding these emergency rules shall be directed to:

Brian W. Allen  
Office of General Counsel  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield IL 62701

217/558-2387  
fax: 217/524-8928

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

ILLINOIS COMMERCE COMMISSION

NOTICE OF EMERGENCY AMENDMENTS

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER f: TELEPHONE UTILITIES

PART 729  
ADMINISTRATION OF FUNDS CREATED BY THE  
WIRELESS EMERGENCY TELEPHONE SAFETY ACT

SUBPART A: GENERAL PROVISIONS

Section	
729.100	Scope
729.110	Definitions
729.120	Duties of the Commission

SUBPART B: ELIGIBILITY OF PROVIDERS AND CARRIERS

Section	
729.200	Eligibility of Providers
729.210	Eligibility of Carriers

SUBPART C: GENERAL ADMINISTRATION

Section	
729.300	Transmission of Subscriber Information
729.310	Transmission of Surcharge Moneys
729.320	Allocation of Surcharges
729.330	Administrative Costs

SUBPART D: ADMINISTRATION OF THE WIRELESS SERVICES EMERGENCY FUND

Section	
729.400	Distribution of Moneys
<u>EMERGENCY</u>	
729.410	Grants for Subscribers in Overlapping Jurisdictions
729.420	Overpayments and Underpayments

SUBPART E: ADMINISTRATION OF THE  
WIRELESS CARRIER REIMBURSEMENT FUND

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF EMERGENCY AMENDMENTS

## Section

729.500	Permitted Reimbursements
729.510	Reimbursement for Approved Expenditures
729.520	Priority of Distributions
729.530	Overpayments and Underpayments

## SUBPART F: DISPUTES

## Section

729.600	Resolution of Disputes
<a href="#">729.610</a>	<a href="#">Failure to File Financial Reports</a>

[EMERGENCY](#)

## SUBPART G: MISCELLANEOUS

## Section

729.700	Use of Grants and Reimbursements
729.710	Distributions Subject to Appropriation
729.720	Records
729.730	Physical Inspections
729.740	Indemnification

  

729.APPENDIX A	Form of Electronic Carrier Subscriber Information Transmittal
729.APPENDIX B	Format of Carrier Remittance Transmittal
729.APPENDIX C	Form of Sworn Statement

AUTHORITY: Implementing and authorized by the Wireless Emergency Telephone Safety Act [50 ILCS 751].

SOURCE: Adopted at 29 Ill. Reg. 19153, effective December 1, 2005; emergency amendment at 38 Ill. Reg. 19792, effective October 1, 2014, for a maximum of 150 days.

## SUBPART D: ADMINISTRATION OF THE WIRELESS SERVICES EMERGENCY FUND

**Section 729.400 Distribution of Moneys**

[EMERGENCY](#)

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF EMERGENCY AMENDMENTS

Subject to appropriation, moneys in the WSEF may be used only for grants to providers and to pay administrative costs.

- a) Except as provided in this Section and in Section 729.610, the Commission, subject to appropriation, shall make monthly proportional grants to each provider eligible to receive a grant under Section 729.200 based on the number of monthly subscribers in the geographic area (defined by zip code) in which the provider is certified as a wireless 9-1-1 service provider by the Commission.
- b) All surcharge moneys allocated to the WSEF in a given month shall be distributed to the appropriate providers, except as reduced in subsections (d) and (e), and except as provided in Section 729.610.
- c) Funds allocated to the WSEF for geographic areas (defined by zip codes) that have not been properly claimed as the jurisdiction of an eligible provider and located within the Statewide Wireless Emergency 9-1-1 System shall be allocated to DSP. Funds allocated to the WSEF for billing addresses located outside the State of Illinois, or geographic areas (defined by zip code) that have not been claimed as the jurisdiction of an eligible provider and are located outside the Statewide Wireless Emergency 9-1-1 System, shall be allocated proportionately to eligible providers in the manner set forth in subsection (a).
- d) Funds allocated to the WSEF for geographic areas that are contested between eligible providers shall be held in escrow until proper determination has been made by the Commission as provided in Section 729.600.
- e) Estimated administrative expenses shall be withheld on a monthly basis, with at least an annual adjustment based upon actual costs.

(Source: Amended by emergency rulemaking at 38 Ill. Reg. 19792, effective October 1, 2014, for a maximum of 150 days)

## SUBPART F: DISPUTES

**Section 729.610 Failure to File Financial Reports**  
**EMERGENCY**

- a) This Section applies to an emergency telephone system board or qualified governmental entity that receives funds from the Wireless Service Emergency

## ILLINOIS COMMERCE COMMISSION

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Fund, and that fails to file the 9-1-1 system financial reports as required under Section 27 of the Act. [50 ILCS 750/27(d)] Such an emergency telephone system board or qualified governmental entity is referred to in the remainder of this Section as a "noncompliant provider."

- b) The Staff of the Commission shall review the financial statements reported to the Commission under Section 27(b) of the Act to determine whether an emergency telephone system board or qualified governmental entity that receives funds from the Wireless Service Emergency Fund has failed to file the 9-1-1 system financial reports as required under Section 27 of the Act, or has filed a report that is not *in a form and manner as prescribed by the Illinois Commerce Commission's Manager of Accounting*. [50 ILCS 750/27(b)] Staff shall present to the Commission a verified report concerning each allegedly noncompliant provider.
- c) When the Commission receives a verified Staff Report concerning an allegedly noncompliant provider and determines that the Staff Report establishes a basis to proceed, it shall enter an Order on its own motion that initiates a formal show-cause proceeding. The Order shall also provide for the withholding of monthly grants as follows:
- 1) if the Staff Report establishes that the noncompliant provider has not filed a report at all, the Order shall direct that the monthly grants otherwise payable to the allegedly noncompliant provider under Section 25 of the Act be suspended and withheld until the Commission determines that the noncompliant provider is substantially in compliance with Section 27 of the Act and has filed the report in the form and manner prescribed by the Commission's Manager of Accounting, or until the grants have been withheld for 12 months or more and provided to compliant providers, as provided in subsection (d); or
  - 2) if the Staff Report states that the noncompliant provider has made an effort to file a report, but the report is not substantially in a form and manner as prescribed by the Commission's Manager of Accounting, the Order shall direct that the monthly grants otherwise payable to the allegedly noncompliant provider under Section 25 of the Act will be suspended beginning 30 days after the date of the Order, and withheld until the Commission determines that the noncompliant provider is substantially in compliance with Section 27 of the Act and has filed the report in the form and manner prescribed by the Commission's Manager of Accounting, or

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until the grants have been withheld for 12 months or more and provided to compliant providers, as provided in subsection (d) .

- d) The formal proceeding shall be heard as is provided in 83 Ill. Adm. Code 200, and the Commission shall determine on the basis of the record, no later than 12 months after the initiation of the proceeding, whether the grants should continue to be suspended and withheld under Section 27 of the Act. Any monthly grants that have been withheld for 12 months or more shall, without further order of the Commission, be forfeited by the emergency telephone system board or qualified governmental entity and shall be distributed proportionally by the Illinois Commerce Commission to compliant emergency telephone system boards and qualified governmental entities that receive funds from the Wireless Service Emergency Fund. [50 ILCS 751/27(d)] The Commission's Order shall specify the date as of which the monthly grants shall begin to be forfeited as provided in this Section. A grant is deemed to be "withheld" as of the date on which Commission personnel responsible for forwarding direction to the Comptroller to pay monthly proportional grants to providers under Section 25 of the Act exclude the noncompliant provider from the list of providers forwarded to the Comptroller. Nothing in this Section precludes a provider from seeking a rehearing of the Commission's order or other relief under Section 10-113 of the Public Utilities Act [220 ILCS 5/10-113]. When Staff determines that a provider previously found by the Commission to be noncompliant has come into compliance, Staff shall immediately inform the Commission personnel responsible for forwarding direction to the Comptroller to pay monthly proportional grants to providers under Section 25 of the Act, and shall recommend, at the next available open meeting of the Commission, that the Order directing the withholding and redistribution of that provider's monthly grants be rescinded, to the extent that the grants have not already been forfeited pursuant to Section 27(d) of the Act.
- e) The payment of any monthly proportional grant to an emergency telephone system board or qualified governmental entity shall not constitute acknowledgment by the Commission or its Manager of Accounting that the emergency telephone system board or qualified governmental entity has filed a 9-1-1 system financial reports as required under Section 27 of the Act, or has filed a report that is in a form and manner as prescribed by the Illinois Commerce Commission's Manager of Accounting.

(Source: Added by emergency rulemaking at 38 Ill. Reg. 19792, effective October 1, 2014, for a maximum of 150 days)

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Special Eligibility Groups
- 2) Code Citation: 89 Ill. Adm. Code 118
- 3) Section Number: 118.700                      Emergency Action: New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date: October 1, 2014
- 6) This emergency rule will not expire before the end of the 150-day period.
- 7) Date Filed with the Index Department: September 29, 2014
- 8) A copy of the emergency rule, including any materials incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Pursuant to PA 98-651, which amended 305 ILCS 5/5-5, effective for dates of outpatient services and inpatient discharges on and after October 1, 2014, any non-citizen is eligible for kidney transplantation where each of the criteria set forth in the new Subpart 118.700 are met.
- 10) Complete Description of the Subjects and Issues Involved: PA 98-651 added 5 ILCS 100/5-45(r) granting the Department the authority to file emergency rulemaking to provide for the expeditious and timely implementation of the provisions of 98-651. The adoption of emergency rules authorized by the new subsection (r) is deemed to be necessary for the public interest, safety, and welfare.
- 11) Are there any other rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objectives: This emergency amendment neither creates nor expands any State mandate affecting units of local government.
- 13) Information and questions regarding this emergency rule shall be directed to:

Jeanette Badrov  
General Counsel  
Illinois Department of Healthcare and Family Services

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DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

201 South Grand Avenue East, 3rd Floor  
Springfield IL 62763-0002

217/782-1233

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 118

SPECIAL ELIGIBILITY GROUPS

SUBPART A: DISABLED ADULT CHILDREN

Section  
118.100 Disabled Adult Children

SUBPART B: PERSONS WITH ACQUIRED IMMUNODEFICIENCY  
SYNDROME (AIDS) OR AIDS RELATED COMPLEXES (ARC)

Section  
118.150 Continuation of Health Insurance Coverage  
118.200 Drugs to Prolong the Lives of Persons With Acquired Immunodeficiency  
Syndrome (AIDS) or AIDS Related Complexes (ARC)

SUBPART C: WIDOWS AND WIDOWERS

Section  
118.300 Widows and Widowers

SUBPART D: MISCELLANEOUS PROGRAM PROVISIONS

Section  
118.400 Incorporation by Reference

SUBPART E: CERTAIN NON-CITIZEN CHILDREN

Section  
118.500 Medical Services for Certain Non-Citizen Children

SUBPART F: FAMILYCARE ELIGIBILITY

Section  
118.600 Limited FamilyCare Expansion (Repealed)

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

SUBPART G: KIDNEY TRANSPLANTATION FOR NONCITIZENS  
WITH END-STAGE RENAL DISEASESection118.700 Kidney Transplantation for Noncitizens with End-Stage Renal Disease  
EMERGENCY

AUTHORITY: Implementing Articles III, IV, VI and Section 5-18 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI, 5-18 and 12-13].

SOURCE: Emergency rule adopted at 12 Ill. Reg. 3037, effective January 15, 1988, for a maximum of 150 days; adopted at 12 Ill. Reg. 6301, effective March 18, 1988; amended at 12 Ill. Reg. 8068, effective April 26, 1988; amended at 13 Ill. Reg. 3950, effective March 10, 1989; amended at 14 Ill. Reg. 10442, effective June 20, 1990; emergency amendment at 15 Ill. Reg. 8708, effective June 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 11607, effective July 15, 1992; emergency amendment at 17 Ill. Reg. 11217, effective July 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19956, effective November 12, 1993; amended at 19 Ill. Reg. 7959, effective June 5, 1995; emergency amendment at 22 Ill. Reg. 15724, effective August 12, 1998, for a maximum of 150 days; amended at 23 Ill. Reg. 562, effective December 24, 1998; recodified from Department of Public Aid to the Department of Healthcare and Family Services at 29 Ill. Reg. 5601, effective July 1, 2005; emergency amendment at 30 Ill. Reg. 10129, effective May 17, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 16966, effective October 13, 2006; emergency amendment at 33 Ill. Reg. 10780, effective June 30, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 15702, effective November 2, 2009; emergency amendment at 36 Ill. Reg. 10223, effective July 1, 2012 through June 30, 2013; amended at 37 Ill. Reg. 10201, effective June 27, 2013; emergency amendment at 38 Ill. Reg. 19799, effective October 1, 2014, for a maximum of 150 days.

SUBPART G: KIDNEY TRANSPLANTATION FOR NONCITIZENS  
WITH END-STAGE RENAL DISEASESection 118.700 Kidney Transplantation for Noncitizens with End-Stage Renal Disease  
EMERGENCY

Pursuant to Public Act 98-0651, which amended 305 ILCS 5/5-5, effective for dates of outpatient services and inpatient discharges on and after October 1, 2014, notwithstanding 305 ILCS 5/1-11 and any citizenship or immigration requirements under Title 89, any non-citizen is eligible for kidney transplantation where each of the following criteria are met:

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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- a) The non-citizen:
- 1) has end stage renal disease;
  - 2) is enrolled with the Department with coverage limited to renal dialysis services;
  - 3) is not eligible for comprehensive medical benefits under any government funded or private insurance plan;
  - 4) otherwise meets the income, asset and categorical requirements of the medical assistance program;
  - 5) meets the residency requirements of 305 ILCS 5/5-3 and 89 Ill. Adm. Code 120.311; and
  - 6) is not a migrant worker under 305 ILCS 5/5-3.
- b) Notwithstanding any other provisions under this Title, providers, including transplant centers, providing kidney transplantation services under this Subpart shall be pre-certified by the Department and meet all provider requirements consistent with 89 Ill. Adm. Code 148.82. Only providers, including transplant centers, enrolled in the Medical Assistance Program and located in the State of Illinois shall be allowed to perform the kidney transplantation and conduct the medically necessary care identified in subsection (c).
- c) The kidney transplantation shall be medically necessary and shall be prior approved by the Department. Only medically necessary services associated with kidney transplantation shall be covered, including but not limited to donor and recipient transplant surgeries (including facility, surgical and anesthesia services), recommended pre-op evaluation and screening, assessment for evaluation of recipient's ability to comply with medical and follow up instructions, acquisition and harvesting, hospitalization, medical follow up and testing, rehabilitative and home nursing services, pharmacy costs including anti-rejection and anti-infective medicines and incidental costs for care of complications in the peri-operative period.

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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- d) Request for repeat kidney transplantation shall be considered in exceptional circumstances and shall require prior approval by the Department;
- e) Transplantation of organs other than kidneys shall not be a covered service under this Subpart.
- f) Clinical Trials shall not be a covered service under this Subpart.
- g) Experimental procedures shall not be a covered service under this Subpart.
- h) Notwithstanding any other provisions under Title 89, reports, including patient's progress, kidney function tests, complications, if any, and a list of current medications shall be submitted to the Department from the transplant center and transplant surgeon at three months after surgery and at the anniversary date of transplantation annually for five years.
- i) Notwithstanding any other provisions under this Title, payment for services rendered under this Subpart shall be at a single bundled rate, which shall be payment in full for all medically necessary services associated with the transplantation under this Subpart, with the exception of immunosuppressant drugs. The bundled rate shall have two components. First, the inpatient stay during which the transplant takes place will be priced using the Department's hospital rate methodology pursuant to 89 Ill. Adm. Code 149.100, second, the Department will then add \$15,000.00 to this price to cover all ancillary services covered in subsection (c) except immunosuppressant drugs. These two components will comprise the single bundled rate for the transplant.
- j) Drugs paid for under this Subpart shall be subject to all the Department's pharmaceutical protocols and procedures, including but not limited to placement on the prior approval list, preferred drug list, generic drug preference, and utilization controls, except
  - 1) drugs may not be shipped to any address outside the State of Illinois; and
  - 2) immunosuppressant drugs shall be paid for at the Department's prevailing rates under 89 Ill. Adm. Code 140 to a pharmacy provider approved specifically for this program. Immunosuppressant drugs paid under this Subpart shall be covered by the Department as long as medically

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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[necessary and as long as the non-citizen remains eligible under this Subpart.](#)

(Source: Added by emergency rulemaking at 38 Ill. Reg. 19799, effective October 1, 2014, for a maximum of 150 days)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

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

<u>Section Numbers:</u>	<u>Peremptory Action:</u>
310.260	Amendment
310.APPENDIX A TABLE K	Amendment
310.APPENDIX A TABLE AC	Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Sections 310.260 and 310.Appendix A Table K based on the Memorandum of Understanding (MOU) between CMS and the Illinois Nurses Association (INA) for the Corrections Nurse Trainee title signed August 28, 2014. Effective August 28, 2014, the MOU assigns the RC-023-17 pay grade to the Corrections Nurse Trainee and rates to the RC-023-17 pay grade.  
  
The Section 310.Appendix A Table AC is amended based on the MOU between the Illinois Nurses Association and the State of Illinois' Department of Central Management Services signed September 4, 2014. This MOU provides correct rates of pay effective July 1, 2014. In the original master collective bargaining agreement, effective July 1, 2012 through June 30, 2015, some of the rates of pay effective July 1, 2014 were incorrect. These rates of pay are applicable to the Public Service Administrator, Option 8L positions and employees at the Department of Healthcare and Family Services that are represented by the RC-036 bargaining unit.
- 5) Statutory Authority: Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)], subsection (d) of Section 1-5 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(d)] and by Sections 4, 6, 15 and 21 of the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21]
- 6) Effective Date: September 26, 2014
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.260, the RC-023-17 pay grade is assigned to the Corrections Nurse Trainee title and pending negotiations is removed.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

In Section 310.Appendix A Table K, the Corrections Nurse Trainee title, its title code, Pay Plan Code and rates in RC-023-17 are added for Pay Plan Codes Q and S.

In Section 310.Appendix A Table AC and rate table effective July 1, 2014, the Steps 1c, 1a, 2, 5 and 6 are corrected to those in the MOU.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: September 26, 2014
- 10) This and other Pay Plan rulemakings are available in the Division of Technical Services of the Bureau of Personnel.
- 11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?  
Yes
- 12) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
310.410	Amendment	38 Ill. Reg. 13489; July 7, 2014
310.Appendix A Table A	Amendment	38 Ill. Reg. 13489; July 7, 2014
310.Appendix A Table W	Amendment	38 Ill. Reg. 13489; July 7, 2014
310.Appendix A Table AE	Amendment	38 Ill. Reg. 13489; July 7, 2014
310.47	Amendment	38 Ill. Reg. 17823; August 29, 2014
310.260	Amendment	38 Ill. Reg. 17823; August 29, 2014
310.410	Amendment	38 Ill. Reg. 17823; August 29, 2014

- 13) Statement of Statewide Policy Objectives: The amendments to the Pay Plan affects only the employees subject to the Personnel Code and does not set out any guidelines that affect local or other jurisdictions in the State.
- 14) Information and questions regarding this preemptory rulemaking shall be directed to:

Mr. Jason Doggett  
 Manager  
 Compensation Section  
 Division of Technical Services and Agency Training and Development  
 Bureau of Personnel  
 Department of Central Management Services

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

504 William G. Stratton Building  
Springfield IL 62706

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

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

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY 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 PEREMPTORY 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)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

- 310.640 Increases in Pay (Repealed)  
310.650 Other Pay Provisions (Repealed)  
310.660 Effective Date (Repealed)  
310.670 Negotiated Rate (Repealed)  
310.680 Trainee Rate (Repealed)  
310.690 Educator Schedule for Frozen RC-063 and Frozen HR-010 (Repealed)
- 310.APPENDIX A Negotiated Rates of Pay
- 310.TABLE A RC-104 (Conservation Police Supervisors, Illinois Fraternal Order of Police Labor Council)  
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)  
310.TABLE I RC-009 (Institutional Employees, AFSCME)  
310.TABLE J RC-014 (Clerical Employees, AFSCME)  
310.TABLE K RC-023 (Registered Nurses, INA)  
310.TABLE L RC-008 (Boilermakers)  
310.TABLE M RC-110 (Conservation Police Lodge)  
310.TABLE N RC-010 (Professional Legal Unit, AFSCME)  
310.TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)  
310.TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)  
310.TABLE Q RC-033 (Meat Inspectors, IFPE)  
310.TABLE R RC-042 (Residual Maintenance Workers, AFSCME)  
310.TABLE S VR-704 (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)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

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)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

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)
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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

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

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.

## 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:

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-15

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

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 <a href="#">RC-023-17</a> Pending	MS-08
Corrections Nurse Trainee	09838	<del>Negotiations</del>	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
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
Firearms Eligibility Analyst Trainee	15375	Pending Negotiations	
Fire Prevention Inspector Trainee	15320	RC-029-12	MS-10
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

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

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
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

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

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
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

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

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 by peremptory rulemaking at 38 Ill. Reg. 19806, effective September 26, 2014)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

**Section 310.APPENDIX A Negotiated Rates of Pay****Section 310.TABLE K RC-023 (Registered Nurses, INA)**

**Effective July 1, 2014**  
**Bargaining Unit: RC-023**

<u>Title</u>	<u>Title Code</u>	<u>Pay Plan Code</u>	<u>STEPS</u>							
			<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
Child Welfare Nurse Specialist	07197	B	5293	5542	5810	6074	6462	6687	6923	7197
Corrections Nurse I	09825	Q	5017	5250	5499	5734	6110	6326	6547	6809
Corrections Nurse I	09825	S	5067	5300	5549	5784	6160	6376	6597	6859
Corrections Nurse II	09826	Q	5640	5905	6186	6471	6882	7126	7375	7669
Corrections Nurse II	09826	S	5690	5955	6236	6521	6932	7176	7425	7719
<u>Corrections Nurse Trainee</u>	<u>09838</u>	<u>Q</u>	<u>4617</u>	<u>4838</u>	<u>5058</u>	<u>5284</u>	<u>5621</u>	<u>5818</u>	<u>6022</u>	<u>6264</u>
<u>Corrections Nurse Trainee</u>	<u>09838</u>	<u>S</u>	<u>4667</u>	<u>4888</u>	<u>5108</u>	<u>5334</u>	<u>5671</u>	<u>5868</u>	<u>6072</u>	<u>6314</u>
Health Facilities Surveillance Nurse	18150	B	5293	5542	5810	6074	6462	6687	6923	7197
Nursing Act Assistant Coordinator	29731	B	5622	5910	6182	6464	6870	7108	7358	7652
Registered Nurse I (See Note)	38131	B	4710	4936	5161	5392	5733	5937	6144	6389
Registered Nurse I (See Note)	38131	Q	4779	5008	5236	5469	5818	6022	6233	6484
Registered Nurse II (See Note)	38132	B	5293	5542	5810	6074	6462	6687	6923	7197
Registered Nurse II (See Note)	38132	Q	5371	5622	5892	6161	6558	6787	7021	7303
Registered Nurse – Advanced Practice (See Note)	38135	B	5965	6272	6563	6863	7291	7544	7810	8123

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Registered Nurse – Advanced Practice (See Note)	38135	Q	6052	6365	6660	6965	7399	7657	7924	8246
Registered Nurse – Advanced Practice	38135	S	6102	6415	6710	7015	7449	7707	7974	8296

NOTES: Shift Differential Pay – Shift Differential for bargaining unit employees shall be 10% of the employee's straight time hourly rate. Effective July 1, 2009, shift differential shall be 11% of the employee's straight time hourly rate. This payment shall be in addition to the employee's base salary for all hours worked in a day if their regular schedule provides that the employee is scheduled to work half or more of the hours before 7:00 a.m. or after 3:00 p.m. Employees working schedules that qualify for shift differential shall receive shift differential for all paid time off, including use of accumulated compensatory time. Employees who work p.m. or night shifts shall be paid the differential provided they worked at least one-half or more of an evening or night shift regardless of regular schedule.

Longevity Pay – Effective July 1, 2010, the Step 8 rate shall be increased to \$50 per month for those employees who have three or more years of creditable service on Step 8 in the same pay grade. Effective July 1, 2010, the Step 8 rate shall be increased to \$75 per month for those employees who have six or more years of creditable service on Step 8 in the same pay grade. Effective July 1, 2013, the Step 8 rate shall be increased to \$75 per month for those employees who have three or more years of creditable service on Step 8 in the same pay grade. Effective July 1, 2013, the Step 8 rate shall be increased to \$100 per month for those employees who have six or more years of creditable service on Step 8 in the same pay grade.

Pension Formula – Effective January 1, 2011, employees newly hired into positions allocated to the Registered Nurse I, Registered Nurse II or Registered Nurse – Advanced Practice titles and outside of the Departments of Corrections and Juvenile Justice receive Pay Plan Code B rates. Employees newly hired are employees hired on or after January 1, 2011 who have never been a member of the State Employees' Retirement System (SERS) or any other reciprocal retirement system. Other reciprocal retirement systems are the Chicago Teachers' Pension Fund, County Employees' Annuity and Benefit Fund of Cook County, Forest Preserve District Employees' Annuity and Benefit Fund of Cook County, General Assembly Retirement System (GARS), Illinois Municipal Retirement Fund (IMRF), Judges Retirement System (JRS), Laborers' Annuity and Benefit Fund of Chicago, Metropolitan Water Reclamation District Retirement Fund, Municipal Employees

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Annuity and Benefit Fund of Chicago, State Universities Retirement System (SURS) and Teachers' Retirement System of the State of Illinois (TRS).

Uniform Allowance – All nurses who are in the Departments of Corrections and Veterans' Affairs, in certified status, and mandated to wear uniforms or scrubs, receive an annual reimbursement benefit of a maximum of \$450 effective July 1, 2011.

(Source: Amended by preemptory rulemaking at 38 Ill. Reg. 19806, effective September 26, 2014)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay

Section 310.TABLE AC RC-036 (Public Service Administrators Option 8L Department of Healthcare and Family Services, INA)

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>
Public Service Administrator, Option 8L (Department of Healthcare and Family Services' Office of Inspector General's Bureau of Administrative Legislation)	37015	RC-036	B

NOTE: Longevity Pay – Effective September 23, 2013, the Step 8 rate shall be increased by \$75 a month for employees who attain 10 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2013. Employees who attain 15 years of continuous services and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2013, the Step 8 shall increase by \$100 a month.

Effective July 1, 2014

STEPS

<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<del>6009</del>	6188	<del>6374</del>	6564	<del>6913</del>	7277	7623	<del>7976</del>	<del>8335</del>	8859	9213
6008		6373		6912			7977	8336		

(Source: Amended by peremptory rulemaking at 38 Ill. Reg. 19806, effective September 26, 2014)

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Supplemental Nutrition Assistance Program (SNAP)
- 2) Code Citation: 89 Ill. Adm. Code 121
- 3) 

<u>Section Numbers</u> :	<u>Peremptory Action</u> :
121.59	Amendment
121.60	Amendment
121.61	Amendment
121.63	Amendment
121.64	Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute Which Requires this Peremptory Rulemaking: These changes are being made to conform with Food and Nutrition Service regulations.
- 5) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13]
- 6) Effective Date: October 1, 2014
- 7) A Complete Description of the Subjects and Issues Involved: The changes in this rulemaking are the result of the FY 2015 Costs of Living Adjustment to the SNAP standards and are required by Food and Nutrition Service regulations. This rulemaking increases the Maximum Gross and Net Income Standards, the Asset Limit, the Maximum Excess Shelter Deduction and the Standard Deductions by household size, and the Maximum SNAP benefit amounts for all SNAP units.

In addition to the above changes, this rulemaking changes the SNAP utility standard amounts. The annual review of the state's utility standards, as mandated by federal regulations, determined that a decrease is warranted for the Air Conditioning/Heating Standard to \$370. The results of the review provide for an increase in the Limited Utility Standard to \$280, the Single Utility Standard to \$62 and the Telephone Standard to \$31.

Effective October 1, 2014, more applicants may qualify for SNAP due to the increase in the Maximum Gross and Net Income Standards and the Asset Limit. Some active customers may see an increase in benefits due to the increase in the Excess Deduction, Standard Deductions and the three Utility Standards. Those customers impacted by the

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

reduction in the Air Conditioning/Heating Standard may have a small decrease in benefits or have no change at all.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: October 1, 2014
- 10) A copy of the preemptory amendments, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 11) This rulemaking is in compliance with Section 5-50 of the Illinois Administrative Procedure Act.
- 12) Are there any proposed rulemakings pending on this Part? No
- 13) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 14) Information and questions regarding these preemptory amendments shall be directed to:

Tracie Drew, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
Harris Bldg., 3<sup>rd</sup> Floor  
Springfield IL 62762

217/785-9772

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121  
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

SUBPART A: APPLICATION PROCEDURES

Section

- 121.1 Application for Assistance
- 121.2 Time Limitations on the Disposition of an Application
- 121.3 Approval of an Application and Initial Authorization of Assistance
- 121.4 Denial of an Application
- 121.5 Client Cooperation
- 121.6 Emergency Assistance
- 121.7 Expedited Service
- 121.8 Express Stamps Application Project
- 121.10 Interviews

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 121.18 Work Requirement
- 121.19 Ending a Voluntary Quit Disqualification (Repealed)
- 121.20 Citizenship
- 121.21 Residence
- 121.22 Social Security Numbers
- 121.23 Work Registration/Participation Requirements
- 121.24 Individuals Exempt from Work Registration Requirements
- 121.25 Failure to Comply with Work Provisions
- 121.26 Periods of Sanction
- 121.27 Voluntary Job Quit/Reduction in Work Hours
- 121.28 Good Cause for Voluntary Job Quit/Reduction in Work Hours
- 121.29 Exemptions from Voluntary Quit/Reduction in Work Hours Rules

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

121.30	Unearned Income
121.31	Exempt Unearned Income
121.32	Education Benefits (Repealed)
121.33	Unearned Income In-Kind
121.34	Lump Sum Payments and Income Tax Refunds
121.40	Earned Income
121.41	Budgeting Earned Income
121.50	Exempt Earned Income
121.51	Income from Work/Study/Training Programs
121.52	Earned Income from Roomers or Boarders
121.53	Income From Rental Property
121.54	Earned Income In-Kind
121.55	Sponsors of Aliens
121.57	Assets
121.58	Exempt Assets
121.59	Asset Disregards

## SUBPART D: ELIGIBILITY STANDARDS

Section	
121.60	Net Monthly Income Eligibility Standards
121.61	Gross Monthly Income Eligibility Standards
121.62	Income Which Must Be Annualized
121.63	Deductions from Monthly Income
121.64	Supplemental Nutrition Assistance Program (SNAP) Benefit Amount

## SUBPART E: HOUSEHOLD CONCEPT

Section	
121.70	Composition of the Assistance Unit
121.71	Living Arrangement
121.72	Nonhousehold Members
121.73	Ineligible Household Members
121.74	Strikers
121.75	Students
121.76	Categorically Eligible Households

## SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Section	
121.80	Fraud Disqualification (Renumbered)
121.81	Initiation of Administrative Fraud Hearing (Repealed)
121.82	Definition of Fraud (Renumbered)
121.83	Notification To Applicant Households (Renumbered)
121.84	Disqualification Upon Finding of Fraud (Renumbered)
121.85	Court Imposed Disqualification (Renumbered)
121.90	Monthly Reporting and Retrospective Budgeting (Repealed)
121.91	Monthly Reporting (Repealed)
121.92	Budgeting
121.93	Issuance of Food Stamp Benefits
121.94	Replacement of the EBT Card or SNAP Benefits
121.95	Restoration of Lost Benefits
121.96	Uses for SNAP Benefits
121.97	Supplemental Payments
121.98	Client Training Brochure for the Electronic Benefits Transfer (EBT) System
121.105	State Food Program (Repealed)
121.107	New State Food Program
121.108	Transitional Food Stamp (TFS) Benefits
121.117	Farmers' Market Technology Improvement Program
121.120	Redetermination of Eligibility
121.125	Simplified Reporting Redeterminations
121.130	Residents of Shelters for Battered Women and their Children
121.131	Fleeing Felons and Probation/Parole Violators
121.135	Incorporation By Reference
121.136	Food and Nutrition Act of 2008
121.140	Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers
121.145	Quarterly Reporting (Repealed)

## SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section	
121.150	Definition of Intentional Violations of the Program
121.151	Penalties for Intentional Violations of the Program
121.152	Notification To Applicant Households
121.153	Disqualification Upon Finding of Intentional Violation of the Program
121.154	Court Imposed Disqualification

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

## SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

## Section

121.160	Persons Required to Participate
121.162	Program Requirements
121.163	Vocational Training
121.164	Orientation (Repealed)
121.165	Community Work
121.166	Assessment and Employability Plan (Repealed)
121.167	Counseling/Prevention Services
121.170	Job Search Activity
121.172	Basic Education Activity
121.174	Job Readiness Activity
121.176	Work Experience Activity
121.177	Illinois Works Component (Repealed)
121.178	Job Training Component (Repealed)
121.179	JTPA Employability Services Component (Repealed)
121.180	Grant Diversion Component (Repealed)
121.182	Earnfare Activity
121.184	Sanctions for Non-cooperation with Food Stamp Employment and Training
121.186	Good Cause for Failure to Cooperate
121.188	Supportive Services
121.190	Conciliation
121.200	Types of Claims (Recodified)
121.201	Establishing a Claim for Intentional Violation of the Program (Recodified)
121.202	Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)
121.203	Collecting Claim Against Households (Recodified)
121.204	Failure to Respond to Initial Demand Letter (Recodified)
121.205	Methods of Repayment of Food Stamp Claims (Recodified)
121.206	Determination of Monthly Allotment Reductions (Recodified)
121.207	Failure to Make Payment in Accordance with Repayment Schedule (Recodified)
121.208	Suspension and Termination of Claims (Recodified)

## SUBPART I: WORK REQUIREMENT FOR FOOD STAMPS

## Section

121.220	Work Requirement Components (Repealed)
121.221	Meeting the Work Requirement with the Earnfare Component (Repealed)

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

- 121.222 Volunteer Community Work Component (Repealed)
- 121.223 Work Experience Component (Repealed)
- 121.224 Supportive Service Payments to Meet the Work Requirement (Repealed)
- 121.225 Meeting the Work Requirement with the Illinois Works Component (Repealed)
- 121.226 Meeting the Work Requirement with the JTPA Employability Services Component (Repealed)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with

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no substantive change) at 8 Ill. Reg. 17898; preemptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; preemptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; preemptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; preemptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; preemptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; preemptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; preemptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; preemptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; preemptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; preemptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; preemptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; preemptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; preemptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; preemptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; preemptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991;

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emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994; amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective August 14, 1996; emergency amendment at 20 Ill. Reg. 13381, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13668, effective October 8, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3156, effective February 28, 1997; amended at 21 Ill. Reg. 7733, effective June 4, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; emergency amendment at 22 Ill. Reg. 1954, effective January 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 5502, effective March 4, 1998; amended at 22 Ill. Reg. 7969, effective May 15, 1998; emergency amendment at 22 Ill. Reg. 10660, effective June 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12167, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16230, effective September 1, 1998; amended at 22 Ill. Reg. 19787, effective October 28, 1998; emergency amendment at 22 Ill. Reg. 19934, effective November 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 20099, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 2601, effective February 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 3374, effective March 1, 1999; amended at 23 Ill. Reg. 7285, effective June 18, 1999; emergency amendment at 23 Ill. Reg. 13253, effective October 13, 1999, for a maximum of 150 days; emergency amendment at 24 Ill. Reg. 3871, effective February 24, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 4180, effective March 2, 2000; amended at 24 Ill. Reg. 10198, effective June 27, 2000; amended at 24 Ill. Reg. 15428, effective October 10, 2000; emergency amendment at 24 Ill. Reg. 15468, effective October 1, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 845, effective January 5, 2001; amended at 25 Ill. Reg. 2423, effective

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January 25, 2001; emergency amendment at 25 Ill. Reg. 2439, effective January 29, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 3707, effective March 1, 2001, for a maximum of 150 days; emergency expired July 28, 2001; amended at 25 Ill. Reg. 7720, effective June 7, 2001; amended at 25 Ill. Reg. 10823, effective August 12, 2001; amended at 25 Ill. Reg. 11856, effective August 31, 2001; emergency amendment at 25 Ill. Reg. 13309, effective October 1, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 151, effective January 1, 2002; amended at 26 Ill. Reg. 2025, effective February 1, 2002; amended at 26 Ill. Reg. 13530, effective September 3, 2002; preemptory amendment at 26 Ill. Reg. 15099, effective October 1, 2002; amended at 26 Ill. Reg. 16484, effective October 25, 2002; amended at 27 Ill. Reg. 2889, effective February 7, 2003; expedited correction at 27 Ill. Reg. 14262, effective February 7, 2003; amended at 27 Ill. Reg. 4583, effective February 28, 2003; amended at 27 Ill. Reg. 7273, effective April 7, 2003; amended at 27 Ill. Reg. 12569, effective July 21, 2003; preemptory amendment at 27 Ill. Reg. 15604, effective October 1, 2003; amended at 27 Ill. Reg. 16108, effective October 6, 2003; amended at 27 Ill. Reg. 18445, effective November 20, 2003; amended at 28 Ill. Reg. 1104, effective December 31, 2003; amended at 28 Ill. Reg. 3857, effective February 13, 2004; amended at 28 Ill. Reg. 10393, effective July 6, 2004; preemptory amendment at 28 Ill. Reg. 13834, effective October 1, 2004; emergency amendment at 28 Ill. Reg. 15323, effective November 10, 2004, for a maximum of 150 days; emergency expired April 8, 2005; amended at 29 Ill. Reg. 2701, effective February 4, 2005; amended at 29 Ill. Reg. 5499, effective April 1, 2005; preemptory amendment at 29 Ill. Reg. 12132, effective July 14, 2005; emergency amendment at 29 Ill. Reg. 16042, effective October 4, 2005, for a maximum of 150 days; emergency expired March 2, 2006; preemptory amendment at 29 Ill. Reg. 16538, effective October 4, 2005; emergency amendment at 30 Ill. Reg. 7804, effective April 6, 2006, for a maximum of 150 days; emergency expired September 2, 2006; amended at 30 Ill. Reg. 11236, effective June 12, 2006; amended at 30 Ill. Reg. 13863, effective August 1, 2006; amended at 30 Ill. Reg. 15681, effective September 12, 2006; preemptory amendment at 30 Ill. Reg. 16470, effective October 1, 2006; amended at 31 Ill. Reg. 6991, effective April 30, 2007; amended at 31 Ill. Reg. 10482, effective July 9, 2007; amended at 31 Ill. Reg. 11318, effective July 23, 2007; preemptory amendment at 31 Ill. Reg. 14372, effective October 1, 2007; amended at 32 Ill. Reg. 2813, effective February 7, 2008; amended at 32 Ill. Reg. 4380, effective March 12, 2008; amended at 32 Ill. Reg. 4813, effective March 18, 2008; amended at 32 Ill. Reg. 9621, effective June 23, 2008; preemptory amendment at 32 Ill. Reg. 16905, effective October 1, 2008; preemptory amendment to Sections 121.94(c), 121.96(d)(2) and 121.150(b) suspended at 32 Ill. Reg. 18908, effective November 19, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 33 Ill. Reg. 200, effective February 5, 2009; preemptory amendment repealed by emergency rulemaking at 33 Ill. Reg. 3514, effective February 5, 2009, for a maximum of 150 days; preemptory amendment at 32 Ill. Reg. 18092, effective November 15, 2008; emergency amendment at 33 Ill. Reg. 4187, effective February 24, 2009, for a maximum of 150 days; emergency expired July 23, 2009; preemptory amendment at 33 Ill. Reg. 5537,

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effective April 1, 2009; emergency amendment at 33 Ill. Reg. 11322, effective July 20, 2009, for a maximum of 150 days; emergency expired December 16, 2009; amended at 33 Ill. Reg. 12802, effective September 3, 2009; amended at 33 Ill. Reg. 14121, effective September 22, 2009; emergency amendment at 33 Ill. Reg. 14627, effective October 13, 2009, for a maximum of 150 days; emergency expired March 11, 2010; amended at 33 Ill. Reg. 16875, effective November 30, 2009; amended at 33 Ill. Reg. 17350, effective December 14, 2009; amended at 34 Ill. Reg. 4777, effective March 17, 2010; amended at 34 Ill. Reg. 5295, effective April 12, 2010; amended at 34 Ill. Reg. 5823, effective April 19, 2010; emergency amendment at 34 Ill. Reg. 6967, effective May 1, 2010, for a maximum of 150 days; emergency expired September 27, 2010; amended at 34 Ill. Reg. 7265, effective May 10, 2010; amended at 34 Ill. Reg. 7685, effective May 18, 2010; amended at 34 Ill. Reg. 12547, effective August 11, 2010; preemptory amendment at 34 Ill. Reg. 15543, effective October 1, 2010; amended at 35 Ill. Reg. 1042, effective December 28, 2010; amended at 35 Ill. Reg. 7688, effective April 29, 2011; amended at 35 Ill. Reg. 10119, effective June 7, 2011; preemptory amendment at 35 Ill. Reg. 16118, effective October 1, 2011; preemptory amendment at 35 Ill. Reg. 16904, effective October 1, 2011; amended at 35 Ill. Reg. 17120, effective October 5, 2011; amended at 35 Ill. Reg. 18780, effective October 28, 2011; amended at 35 Ill. Reg. 19278, effective November 8, 2011; amended at 35 Ill. Reg. 19778, effective December 5, 2011; preemptory amendment at 36 Ill. Reg. 15148, effective October 1, 2012; emergency amendment at 37 Ill. Reg. 15423, effective September 9, 2013, for a maximum of 150 days; preemptory amendment at 37 Ill. Reg. 16016, effective October 1, 2013; emergency amendment at 37 Ill. Reg. 16845, effective October 1, 2013, for a maximum of 150 days; preemptory amendment at 37 Ill. Reg. 17983, effective November 1, 2013; amended at 38 Ill. Reg. 5382, effective February 7, 2014; emergency amendment at 38 Ill. Reg. 8414, effective April 1, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 17616, effective August 8, 2014; preemptory amendment at 38 Ill. Reg. 19831, effective October 1, 2014.

## SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

**Section 121.59 Asset Disregards**

- a) Households which are categorically eligible, as defined in Section 121.76, do not have to meet the asset limits in this Section.
- b) \$3,250 for all households with a qualifying member, as defined in Section 121.61.
- c) ~~\$2,250~~\$2,000 for all other households.

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(Source: Amended by preemptory rulemaking at 38 Ill. Reg. 19831, effective October 1, 2014)

SUBPART D: ELIGIBILITY STANDARDS

**Section 121.60 Net Monthly Income Eligibility Standards**

- a) Households that are not categorically eligible whose net monthly income does not exceed the maximum monthly income standards shall be assigned SNAP benefits based on the net monthly SNAP income.
- b) The maximum net monthly income standards are:

Household Size	Amount
1 .....	\$ <u>973958</u>
2 .....	<u>1,3114,293</u>
3 .....	<u>1,6504,628</u>
4 .....	<u>1,9884,963</u>
5 .....	<u>2,3262,298</u>
6 .....	<u>2,6652,633</u>
7 .....	<u>3,0032,968</u>
8 .....	<u>3,3413,303</u>
Each additional member .....	<u>339335</u>

Derived from Office of Management and Budget non-farm, income poverty guidelines.

(Source: Amended by preemptory rulemaking at 38 Ill. Reg. 19831, effective October 1, 2014)

**Section 121.61 Gross Monthly Income Eligibility Standards**

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- a) Gross Monthly Income Eligibility Standards
- 1) The gross income standards of eligibility shall be 130 percent of the nonfarm income poverty guidelines prescribed by the Office of Management and Budget (see 7 CFR 273.9(a)(1)) for all households including categorical households as defined in Section 121.76, except elderly, blind or disabled households that shall be considered categorically eligible if the household's gross income is at or below 200%. Households containing a member who is elderly, blind or disabled that are not categorically eligible will be exempt from this gross income check (see also 7 CFR 273.9(c)), but must meet the net income standards in Section 121.60. To qualify for increased benefits, a household must contain a member who meets one of the following requirements:
- A) A member is 60 years of age or older. An individual is considered age 60 in the fiscal month in which he or she becomes 60.
- B) A member receives Supplemental Security Income (SSI) benefits under Title XVI of the Social Security Act, (this includes the household where the member is receiving SSI income pending a final decision from the Social Security Administration. This SSI income is being provided on a temporary or emergency basis).
- C) A member receives Social Security disability or blindness benefits under Title II (RSDI) of the Social Security Act.
- D) A member receives State Supplemental Payment (SSP) due to blindness or disability.
- E) A veteran with a service-connected disability rated or paid as totally disabled by the Department of Veterans Affairs (VA).
- F) A veteran considered by the VA to be in need of regular aid and attendance or permanently housebound.
- G) A veteran's surviving spouse who is considered in need of aid and attendance or considered permanently housebound by the VA or a veteran's surviving child who is considered permanently incapable

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of self-support by the VA.

- H) A veteran's surviving spouse or child entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death from the VA, if the spouse or child also has a disability considered permanent under Social Security requirements.
  - I) A member receives federal, state, or local government disability pension and is considered permanently disabled under Social Security requirements.
  - J) A member receives Railroad Retirement disability benefits.
  - K) A member receives an annuity payment from Railroad Retirement and is eligible for Medicare.
  - L) A member receives disability-related medical assistance benefits (Categories 92, 93 and P3) under Title XIX (Medicaid) of the Social Security Act.
- 2) For those veterans, surviving spouses, or children mentioned in subsections (a)(1)(F) and (G) of this Section, proof of receipt of VA disability benefits is sufficient verification of disability. For those veterans mentioned in subsection (a)(1)(E) of this Section, a verified statement, in writing, from the VA that the individual is totally disabled must be provided. To verify disability for those individuals mentioned in subsection (a)(1)(H) of this Section, the individual must provide a statement from the Social Security Administration or from a physician licensed under the Medical Practice Act of 1987 [225 ILCS 60], or a licensed or certified psychologist under the Clinical Psychologist Licensing Act [225 ILCS 15] that the individual suffers from one of the disabilities listed in the preamble to Section 221(i) of the Social Security Act (42 USC 421(i)) or if the disability is obvious, by the observation of the caseworker (for example, permanent loss of use of both hands).
- 3) Legally obligated child support payments paid by a household member shall be excluded from gross income when comparing income to the gross income standard to determine eligibility.

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- b) The gross income standards are:

Household Size	Gross Income 130%	Gross Income 200%
One Person	<del>\$1,265</del> <u>1,245</u>	<del>\$1,945</del> <u>1,915</u>
Two Persons	<del>1,705</del> <u>1,681</u>	<del>2,622</del> <u>2,585</u>
Three Persons	<del>2,144</del> <u>2,116</u>	<del>3,298</del> <u>3,255</u>
Four Persons	<del>2,584</del> <u>2,552</u>	<del>3,975</del> <u>3,925</u>
Five Persons	<del>3,024</del> <u>2,987</u>	<del>4,652</del> <u>4,595</u>
Six Persons	<del>3,464</del> <u>3,423</u>	<del>5,328</del> <u>5,265</u>
Seven Persons	<del>3,904</del> <u>3,858</u>	<del>6,005</del> <u>5,935</u>
Eight Persons	<del>4,344</del> <u>4,294</u>	<del>6,682</del> <u>6,605</u>
Each Additional Member	+ <del>440</del> <u>436</u>	+ <del>677</del> <u>670</u>

(Source: Amended by preemptory rulemaking at 38 Ill. Reg. 19831, effective October 1, 2014)

**Section 121.63 Deductions from Monthly Income**

- a) The deductions described in this Section shall be allowed in the determination of the adjusted net monthly SNAP income.
- b) **Earned Income Deduction.** Eighty percent of total gross earned income is considered. See Sections 121.40 through 121.54 for a description of earned income.
- c) **Standard Deduction.** The standard deduction for a household size of one through three persons is ~~\$155~~152. The standard deduction for a household size of four persons is ~~\$165~~163. The standard deduction for a household size of five persons is ~~\$193~~191. For households of six or more persons, the standard deduction is ~~\$221~~219. Due to the Standard Medical Deduction Demonstration Project, the standard deduction will be adjusted as explained in subsection (h) of this Section.
- d) **Dependent Care Deduction**
- 1) The dependent care deduction consists of payments for the care of a child or other dependent when necessary for a household member to accept or

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continue employment or to seek employment in compliance with the job search criteria or to attend training or pursue education which is preparatory for employment (see 89 Ill. Adm. Code 112.70 through 112.83).

- 2) The amount of the deduction is to be determined by the actual costs for care per month for each dependent household member.
- e) Child Support Deduction. The child support deduction is the amount of legally obligated child support paid by a household member to or for a nonhousehold member.
- f) Shelter Costs Deduction
- 1) The shelter deduction is the amount of shelter costs that exceeds 50% of the household's total income after the allowable deductions in subsections (b), (c), (d), and (e) of this Section have been made. The shelter deduction shall not exceed \$490478.
  - 2) If the household contains a member who is elderly or disabled, as defined at 7 CFR 271.2 (2013) and Section 121.61, there is no limit on the amount of the excess shelter deduction.
  - 3) Shelter costs include only the following:
    - A) continuing charges for the shelter occupied by the household (rent, mortgage and other charges leading to the ownership of the shelter, including interest on such charges);
    - B) property taxes, State and local assessments and insurance on the structure itself; and
    - C) utility costs, as described in subsection (g) of this Section.
  - 4) Shelter costs for a home temporarily unoccupied by the household because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss, if:
    - A) the household intends to return to the home;

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- B) the current occupants of the home, if any, are not claiming the shelter costs for SNAP purposes; and
  - C) the home is not leased or rented during the absence of the household.
- 5) Charges for repair of a home which was damaged or destroyed due to a natural disaster. Shelter costs shall not include repair charges which have been or will be reimbursed by private or public relief agencies, insurance companies or any other source.
- g) Utility Costs
- 1) Utility costs include:
    - A) the cost of heating and cooking fuel, air conditioning, electricity, water, sewerage, garbage and trash collection;
    - B) basic service fee for one telephone (including tax on the basic fee) of ~~\$3228~~; and
    - C) fees charged by the utility provider for initial installation.
  - 2) Utility deposits are not considered to be utility costs.
  - 3) A standard must be used if the household is billed for utilities. Federal regulations require an annual review of the State's utility standards and approval of the utility standard amounts by Food and Nutrition Service (FNS). See Section 121.63(g)(7) for households that claim utility expenses for an unoccupied home. Households that are billed for heating or air conditioning, or both, or heating, air conditioning and electricity, must use the air conditioning/heating standard allowance of ~~\$370380~~. Those households that are not billed for air conditioning or heating but are billed for at least two other utilities must use the limited utility standard allowance of ~~\$280226~~. Those households that are not billed for air conditioning or heating but are billed for a single utility, other than telephone, must use the single utility standard allowance of ~~\$6250~~. If only a separately-billed telephone expense is claimed, the basic telephone

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standard allowance of ~~\$3228~~ per month will be allowed. Households living in rental housing who are billed on a regular basis by a landlord for costs for utilities must use the appropriate standard.

- 4) A household that is billed less often than monthly for its costs for utilities must continue to use the appropriate standard between billing months.
  - 5) Households in public housing or privately-owned rental units that receive a bill for over-usage are entitled to use the air conditioning/heating standard allowance. When households (as defined at 7 CFR 273.1(a) (2013)) live together, the air conditioning/heating standard allowance, the limited utility standard allowance, or the single utility standard allowance, whichever is appropriate, shall be allowed for each household that contributes toward the utility costs whether or not each household participates in the program.
  - 6) Households whose expense for heat or electricity, or both, is covered by indirect energy assistance payments under the Low Income Home Energy Assistance Program (LIHEAP) (47 Ill. Adm. Code 100) shall be entitled to the air conditioning/heating standard allowance (7 CFR 273.9 and 273.10(d)(6) (2013)). Households who receive a LIHEAP payment of \$21 or more during the month of application or the preceeding 12-month period shall be allowed the air conditioning/heating standard allowance (7 CFR 273.9 (2013)). The provisions of subsection (f)(3) of this Section are applicable to households whose expenses for heating or electricity, or both, are covered by indirect energy assistance payments.
  - 7) A household that has both an occupied home and an unoccupied home is entitled to only one standard. The appropriate utility standard may be used for the home the household chooses.
- h) Excess Medical Deduction. A deduction for excess medical expenses shall be allowed for households which contain an elderly or disabled member as defined at 7 CFR 271.2 (2013) and Section 121.61. When a qualifying household member incurs medical expenses that are over \$35, the household will be given a Standard Medical Deduction if the expenses will not be reimbursed by insurance or a third party. The Standard Medical Deduction is a result of a Demonstration Project authorized by USDA FNS. The Standard Medical Deduction is \$450 a month for residents of Group Homes or Supportive Living Facilities and \$210 a month for

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all other eligible households. Households whose medical expenses exceed \$485 and \$245 a month, respectively, may opt to claim actual documented medical expenses in lieu of the Standard Medical Deduction and the amount over \$35 will be allowed as a deduction. To ensure federal costs do not increase, the Standard Deduction in subsection (c) of this Section will be reduced by \$4 per month for all SNAP households.

(Source: Amended by preemptory rulemaking at 38 Ill. Reg. 19831, effective October 1, 2014)

**Section 121.64 Supplemental Nutrition Assistance Program (SNAP) Benefit Amount**

a) The monthly Supplemental Nutrition Assistance Program (SNAP) benefit amount is determined by subtracting 30% of the adjusted net monthly income from the maximum monthly SNAP benefit amount.

b) Maximum Monthly SNAP Benefit Amount:

Household Size	Amount
1 .....	<u>\$194189</u>
2 .....	<u>\$357347</u>
3 .....	<u>\$511497</u>
4 .....	<u>\$649632</u>
5 .....	<u>\$771750</u>
6 .....	<u>\$925900</u>
7 .....	<u>\$1,022995</u>
8 .....	<u>\$1,1691,137</u>
Each additional member .....	<u>\$146142</u>

c) All one and two-person households will receive a minimum monthly food stamp benefit amount of \$1615.

(Source: Amended by preemptory rulemaking at 38 Ill. Reg. 19831, effective October 1, 2014)

## CHIEF PROCUREMENT OFFICER FOR CAPITAL DEVELOPMENT BOARD

## NOTICE OF PUBLIC INFORMATION

## NOTICE OF CAMPAIGN CONTRIBUTION VIOLATION OF PROCUREMENT CODE

1. Statutory Authority: Section 50-37 of the Illinois Procurement Code, 30 ILCS 500/50-37, prohibits business entities with contracts and solicitations worth in excess of \$50,000 in combined annual value pending with a given officeholder responsible for awarding the contracts from making campaign contributions to campaign committees established to promote the candidacy of the officeholder or any other declared candidate for that office. The prohibition also extends to contributions made by various affiliated persons and businesses of a business entity that is subject to the prohibition. Section 50-37 requires that notice of violation of the prohibition and the penalty imposed is to be published in the Illinois Register.
2. Name of Contributor: Craig R. Baum, Core Construction Services of Illinois, Inc.
3. Date of Violation: January 14, 2010.
4. Description of Violation: Craig R. Baum, an affiliated person of the business entity Core Construction Services of Illinois, Inc., made a contribution of \$200.00 to Proft for Governor, a campaign committee established to support the election of Dan Proft to Governor. At the time of the contribution, Dan Proft was a declared candidate for the office of Governor, and Core Construction Services of Illinois, Inc. had a contract with the Capital Development Board valued at over \$30,000,000 for a project at Eastern Illinois University, CDB Project Number 815-010-062. The prohibition and repayment of the contribution was addressed in a previous action related to Craig R. Baum being an affiliated person of Otto Baum Company, in a procurement involving the Otto Baum Company. Because he is an affiliated person of both entities, the prohibition applies to each entity.
5. Summary of Action Taken by the Agency: Section 50-37 provides that State contracts with a business entity that violates the campaign contribution prohibition are voidable at the discretion of the chief procurement officer. The Chief Procurement Officer for the Capital Development Board has notified the entity of the apparent violation, reviewed responsive material, and has considered the value, status, and necessity of the contracts. In addition, the Chief Procurement Officer has taken into consideration the recognition by the entities of the violation and their understanding of the necessity to avoid such situations in the future. The Chief Procurement Officer finds that voiding affected contracts, bids or proposals would not be in the best interest of the State. Because repayment has been made, notice to Proft for Governor is not being made.

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## OCTOBER AGENDA

MICHAEL A. BILANDIC BUILDING  
ROOM 600C  
CHICAGO, ILLINOIS  
OCTOBER 14, 2014  
11:30 A.M.

***NOTICE:** It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:*

*Joint Committee on Administrative Rules  
700 Stratton Office Building  
Springfield, Illinois 62706*

**RULEMAKINGS SCHEDULED FOR JCAR REVIEW**

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

**PROPOSED RULEMAKINGS**Chief Procurement Officer – General Services

1. Chief Procurement Officer for General Services Standard Procurement (44 Ill. Adm. Code 1)
  - First Notice Published: 38 Ill. Reg. 10327 – 5/16/14
  - Expiration of Second Notice – 11/17/14

Commerce and Economic Opportunity

2. State Administration of the Federal Community Development Block Grant Program for Small Cities (47 Ill. Adm. Code 110)
  - First Notice Published: 38 Ill. Reg. 14071 – 7/11/14
  - Expiration of Second Notice: 11/1/14

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## OCTOBER AGENDA

Commerce Commission

3. Rules of Practice (83 Ill. Adm. Code 200)
  - First Notice Published: 38 Ill. Reg. 6 – 2/7/14
  - Expiration of Second Notice: 10/30/14
4. Governmental Electric Aggregation (83 Ill. Adm. Code 470)
  - First Notice Published: 37 Ill. Reg. 20544 – 12/27/13
  - Expiration of Second Notice: 10/21/14

Education

5. Educator Licensure (23 Ill. Adm. Code 25)
  - First Notice Published: 38 Ill. Reg. 14081 – 7/11/14
  - Expiration of Second Notice: 11/1/14
6. Dismissal of Tenured Teachers Under Article 24 and Dismissal of Tenured Teachers and Principals Under Article 34 of the School Code (23 Ill. Adm. Code 51)
  - First Notice Published: 38 Ill. Reg. 14217 – 7/11/14
  - Expiration of Second Notice: 11/1/14
7. Charter Schools (23 Ill. Adm. Code 650)
  - First Notice Published: 38 Ill. Reg. 11482 – 5/30/14
  - Expiration of Second Notice: 11/1/14

Emergency Management Agency

8. General Provisions for Radiation Protection (32 Ill. Adm. Code 310)
  - First Notice Published: 38 Ill. Reg. 10730 – 5/23/14
  - Expiration of Second Notice: 10/14/14
9. Licensing of Radioactive Material (32 Ill. Adm. Code 330)
  - First Notice Published: 38 Ill. Reg. 10752 – 5/23/14
  - Expiration of Second Notice: 10/14/14
10. Licensing Requirements for Source Material Milling Facilities (32 Ill. Adm. Code 332)
  - First Notice Published: 38 Ill. Reg. 10760 – 5/23/14
  - Expiration of Second Notice: 10/14/14

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## OCTOBER AGENDA

11. Licensing and Radiation Safety Requirements for Irradiators (32 Ill. Adm. Code 346)
  - First Notice Published: 38 Ill. Reg. 10768 – 5/23/14
  - Expiration of Second Notice: 10/14/14

Environmental Protection Agency

12. Collection of Out-of-Service Mercury Thermostats (35 Ill. Adm. Code 190)
  - First Notice Published: 38 Ill. Reg. 15811 – 7/25/14
  - Expiration of Second Notice: 10/29/14

Financial and Professional Regulation

13. Licensing and Regulation of Pawn Brokers (38 Ill. Adm. Code 360)
  - First Notice Published: 38 Ill. Reg. 10502 – 5/16/14
  - Expiration of Second Notice: 11/11/14
14. The Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 (68 Ill. Adm. Code 1175)
  - First Notice Published: 38 Ill. Reg. 13595 – 7/7/14
  - Expiration of Second Notice: 11/5/14
15. Environmental Health Practitioner Licensing Act (68 Ill. Adm. Code 1247)
  - First Notice Published: 38 Ill. Reg. 16053 – 8/1/14
  - Expiration of Second Notice: 11/7/14

Gaming Board

16. Riverboat Gambling (86 Ill. Adm. Code 3000)
  - First Notice Published: 38 Ill. Reg. 14641 – 7/18/14
  - Expiration of Second Notice: 10/25/14

Healthcare and Family Services

17. Mental Health Services in Nursing Facilities (89 Ill. Adm. Code 145)
  - First Notice Published: 38 Ill. Reg. 14076 – 7/11/14
  - Expiration of Second Notice: 11/12/14
18. Mental Health Services in Nursing Facilities (89 Ill. Adm. Code 145)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## OCTOBER AGENDA

-First Notice Published: 38 Ill. Reg. 14772 – 7/18/14

-Expiration of Second Notice: 11/12/14

19. Specialized Health Care Delivery Systems (89 Ill. Adm. Code 146)
  - First Notice Published: 38 Ill. Reg. 14779 – 7/18/14
  - Expiration of Second Notice: 11/12/14
20. Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill. Adm. Code 147)
  - First Notice Published: 38 Ill. Reg. 14781 – 7/18/14
  - Expiration of Second Notice: 11/12/14
21. Long Term Care Reimbursement Changes (89 Ill. Adm. Code 153)
  - First Notice Published: 38 Ill. Reg. 14802 – 7/18/14
  - Expiration of Second Notice: 11/12/14

Labor

22. Health and Safety (56 Ill. Adm. Code 350)
  - First Notice Published: 38 Ill. Reg. 13728 – 7/7/14
  - Expiration of Second Notice: 11/26/14

Natural Resources

23. Allocation of Water From Lake Michigan (17 Ill. Adm. Code 3730)
  - First Notice Published: 38 Ill. Reg. 5754 – 3/7/14
  - Expiration of Second Notice: 10/19/14
24. Hydraulic Fracturing Regulatory Act (62 Ill. Adm. Code 245)
  - First Notice Published: 37 Ill. Reg. 18097 – 11/15/13
  - Expiration of Second Notice: 11/14/14
25. The Illinois Oil and Gas Act (62 Ill. Adm. Code 240)
  - First Notice Published: 37 Ill. Reg. 18081 – 11/15/13
  - Expiration of Second Notice: 11/14/14

Public Health

26. Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300)
  - First Notice Published: 38 Ill. Reg. 11666 – 6/6/14

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## OCTOBER AGENDA

-Expiration of Second Notice: 10/22/14

27. Specialized Mental Health Rehabilitation Facilities Code (77 Ill. Adm. Code 380)
  - First Notice Published: 38 Ill. Reg. 11713 – 6/6/14
  - Expiration of Second Notice: 11/25/14
28. Visa Waiver Program for International Medical Graduates (77 Ill. Adm. Code 591)
  - First Notice Published: 38 Ill. Reg. 15816 – 7/25/14
  - Expiration of Second Notice: 11/5/14
29. The Dental Student Grant Act (77 Ill. Adm. Code 592)
  - First Notice Published: 38 Ill. Reg. 15847 – 7/25/14
  - Expiration of Second Notice: 11/5/14
30. The Illinois Food, Drug and Cosmetic Act (77 Ill. Adm. Code 720)
  - First Notice Published: 38 Ill. Reg. 10815 – 5/23/14
  - Expiration of Second Notice: 10/22/14
31. Food Service Sanitation Code (77 Ill. Adm. Code 750)
  - First Notice Published: 38 Ill. Reg. 10822 – 5/23/14
  - Expiration of Second Notice: 10/22/14
32. Grade A Pasteurized Milk and Milk Products (77 Ill. Adm. Code 775)
  - First Notice Published: 38 Ill. Reg. 10853 – 5/23/14
  - Expiration of Second Notice: 10/22/14
33. Tanning Facilities Code (77 Ill. Adm. Code 795)
  - First Notice Published: 38 Ill. Reg. 10869 – 5/23/14
  - Expiration of Second Notice: 10/22/14
34. Lawn Irrigation Contractor and Lawn Sprinkler System Registration Code (77 Ill. Adm. Code 892)
  - First Notice Published: 38 Ill. Reg. 8756 – 4/25/14
  - Expiration of Second Notice: 10/23/14
35. Plumbing Contractor Registration Code (77 Ill. Adm. Code 894)
  - First Notice Published: 38 Ill. Reg. 8772 – 4/25/14
  - Expiration of Second Notice: 10/22/14

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## OCTOBER AGENDA

Racing Board

36. Prohibited Conduct (11 Ill. Adm. Code 423)  
-First Notice Published: 38 Ill. Reg. 14811 – 7/18/14  
-Expiration of Second Notice: 10/25/14
37. Fines, Suspension, and Expulsion (11 Ill. Adm. Code 1322)  
-First Notice Published: 38 Ill. Reg. 14815 – 7/18/14  
-Expiration of Second Notice: 10/25/14

Teacher's Retirement System

38. The Administration and Operation of the Teachers' Retirement System (80 Ill. Adm. Code 1650)  
-First Notice Published: 38 Ill. Reg. 13203 – 6/27/14  
-Expiration of Second Notice: 10/29/14

**PEREMPTORY RULEMAKING**Central Management Services

39. Pay Plan (80 Ill. Adm. Code 310)  
-First Notice Published: 38 Ill. Reg. 18791 – 9/12/14

**AGENCY RESPONSES**Revenue

40. Home Rule County Retailers Occupation Tax (86 Ill. Adm. Code 220)  
-First Notice Published: 38 Ill. Reg. 6549 – 3/21/14  
-Agency Response: Agreement
41. Home Rule Municipal Retailers' Occupation Tax (86 Ill. Adm. Code 270)  
-First Notice Published: 38 Ill. Reg. 6562 – 3/21/14  
-Agency Response: Agreement
42. Regional Transportation Authority Retailers' Occupation Tax (86 Ill. Adm. Code 320)  
-First Notice Published: 38 Ill. Reg. 6575 – 3/21/14  
-Agency Response: Agreement

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## OCTOBER AGENDA

43. Metro East Mass Transit District Retailers' Occupation Tax (86 Ill. Adm. Code 370)
  - First Notice Published: 38 Ill. Reg. 6588 – 3/21/14
  - Agency Response: Agreement
44. Metro-East Park and Recreation District Retailers' Occupation Tax (86 Ill. Adm. Code 395)
  - First Notice Published: 38 Ill. Reg. 6601 – 3/21/14
  - Agency Response: Agreement
45. County Water Commission Retailers' Occupation Tax (86 Ill. Adm. Code 630)
  - First Notice Published: 38 Ill. Reg. 6614 – 3/21/14
  - Agency Response: Agreement
46. Special County Retailers' Occupation Tax for Public Safety (86 Ill. Adm. Code 670)
  - First Notice Published: 38 Ill. Reg. 6627 – 3/21/14
  - Agency Response: Agreement
47. Salem Civic Center Retailers' Occupation Tax (86 Ill. Adm. Code 690)
  - First Notice Published: 38 Ill. Reg. 6640 – 3/21/14
  - Agency Response: Agreement
48. Non-Home Rule Municipal Retailers' Occupation Tax (86 Ill. Adm. Code 693)
  - First Notice Published: 38 Ill. Reg. 6653 – 3/21/14
  - Agency Response: Agreement
49. County Motor Fuel Tax (86 Ill. Adm. Code 695)
  - First Notice Published: 38 Ill. Reg. 6666 – 3/21/14
  - Agency Response: Agreement

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of September 23, 2014 through September 29, 2014. The rulemakings are scheduled for review at the Committee's October 14, 2014 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
11/5/14	<u>Department of Public Health</u> , The Dental Student Grant Act (77 Ill. Adm. Code 592)	7/25/14 38 Ill. Reg. 15847	10/14/14
11/5/14	<u>Department of Public Health</u> , Visa Waiver Program for International Medical Graduates (77 Ill. Adm. Code 591)	7/25/14 38 Ill. Reg. 15816	10/14/14
11/7/14	<u>Department of Financial and Professional Regulation</u> , Environmental Health Practitioner Licensing Act (68 Ill. Adm. Code 1247)	8/1/14 38 Ill. Reg. 16053	10/14/14
11/12/14	<u>Department of Healthcare and Family Services</u> , Mental Health Services in Nursing Facilities (89 Ill. Adm. Code 145)	7/11/14 38 Ill. Reg. 14076	10/14/14
11/12/14	<u>Department of Healthcare and Family Services</u> , Mental Health Services In Nursing Facilities (89 Ill. Adm. Code 145)	7/18/14 38 Ill. Reg. 14772	10/14/14
11/12/14	<u>Department of Healthcare and Family Services</u> , Specialized Health Care Delivery Systems (89 Ill. Adm. Code 146)	7/18/14 38 Ill. Reg. 14779	10/14/14

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

11/12/14	<u>Department of Healthcare and Family Services,</u> Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill. Adm. Code 147)	7/18/14 38 Ill. Reg. 14781	10/14/14
11/12/14	<u>Department of Healthcare and Family Services,</u> Long Term Care Reimbursement Changes (89 Ill. Adm. Code 153)	7/18/14 38 Ill. Reg. 14802	10/14/14

## PROCLAMATIONS

**2014-310****Infant Safe Sleep Awareness Month (Revised)**

WHEREAS, hundreds of infants die each year because they are placed in unsafe sleeping environments; and,

WHEREAS, Sudden Unexpected Infant Deaths (SUID) is the sudden and unexpected death of an infant, birth to age 1 year, in which the manner and cause of death are not immediately obvious prior to investigation; and,

WHEREAS, Sudden Infant Death Syndrome (SIDS) is a subset of SUID and remains the number one cause of infant death between the age of 28 days of life to 1 year; and,

WHEREAS, the tragedy of SUID can happen to any family, regardless of race, ethnic or economic group; and,

WHEREAS, adult beds, waterbeds, couches, chairs, pillows, quilts and other soft surfaces are not appropriate or safe for sleeping infants; and,

WHEREAS, babies sleep safest when sleeping alone, on their backs, in a bassinet or crib with a firm mattress and tightly fitted sheets free of pillows, bumpers, blankets and other items, in a smoke-free environment; and,

WHEREAS, Illinois law requires hospitals to provide education and materials regarding SIDS prevention and safe sleep practices to parents of newborns; and,

WHEREAS, during the month of October, in partnership with the Illinois Department of Children and Family Services, Sudden Infant Death Services of Illinois, Inc., the Illinois Department of Public Health, the American Academy of Pediatrics, the Illinois Hospital Association, Prevent Child Abuse Illinois and other community partners, we raise awareness of the important steps parents can take to ensure the safety of their infant children while sleeping; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as **INFANT SAFE SLEEP AWARENESS MONTH** in Illinois in order to raise awareness about sudden unexplained infant death and to encourage infant safe sleep practices so that no parent will have to endure the tragedy of infant death.

Issued by the Governor July 14, 2014

Filed by the Secretary of State September 23, 2014

## PROCLAMATIONS

**2014-329****Illinois Veterans & Community Classroom Project Day (Revised)**

WHEREAS, over our nation's history, millions of men and women have made countless personal sacrifices to defend our country, and it is imperative that we continually identify ways to recognize their service; and,

WHEREAS, in 2008, the Illinois Veterans and Community Classroom Project was conceived and developed as an intergenerational, instructional technology project by the WWII Illinois Veterans Memorial Board and Area 5 Learning Technology Center in collaboration with Teaching with Primary Resources Projects at Quincy University and Southern Illinois University Edwardsville, Illinois Central Management Services, Illinois State Board of Education, Illinois Learning Technology Centers, Illinois State Library, IlliniCloud and the Thirteen Folds Project, Illinois Principals Association; and,

WHEREAS, the collaborators recruited, trained and assisted students in Illinois schools with the Illinois Veterans and Community Classroom Project. This project allows students to learn, understand, and reflect on the sacrifices of their forebearers by working together to digitally preserve local historical resources such as books, journal series, manuscript collections, photographic images, slides, maps, prints, posters, audio, and video; and,

WHEREAS, since 2008, over 30 schools statewide have participated in the Illinois Veterans & Community Classroom Project. The students are taught how to conduct historical and archival research, prepare and lead interviews, and use video-editing software to produce a 20-minute documentary telling the story of an Illinoisan who lived through war in some capacity with a three-minute student reflection at the end; and,

WHEREAS, over 5000 middle and high school students and educators statewide have participated in this project since 2008; and,

WHEREAS, Harlem High School showcased their local Illinois Veteran & Community Classroom Project at the annual conference of the International Society for Technology. Additionally, the school highlights exemplar ways technology and digital media is being used to enhance instruction in classrooms today; and,

WHEREAS, more than 400 short video documentaries of interviewed veterans have been conceived, narrated, produced and edited by students. Stories of Illinois veterans have been saved for future generation, and raw footage submitted to the Library of Congress' Veterans History Project; and,

## PROCLAMATIONS

WHEREAS, in 2013, the Illinois Veterans & Community Classroom Project expanded to capture the important community and military stories and documents of Illinois' Korean, Vietnam, Gulf War, and other veterans; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2nd, 2014, as the **ILLINOIS VETERANS & COMMUNITY CLASSROOM PROJECT DAY IN ILLINOIS**, in recognition of this project's contribution to educating students and preserving the history of our nation's heroic veterans.

Issued by the Governor July 30, 2014

Filed by the Secretary of State September 23, 2014

**2014-386****"Illinois Sister Rivers and Lakes Week"**

WHEREAS, the State of Illinois has been uniquely defined geographically, historically and economically by the Illinois River, Lake Michigan, and other waterways which are treasures that should be preserved and saved for all time; and,

WHEREAS, the stewardship of Illinois' waterways is a noble duty proudly assumed by elected and non-elected government officials at the state, county and local levels, by advocates, and by all who use our waterways for drinking water, commerce or recreation; and,

WHEREAS, countless species of fish, birds, reptiles, amphibians, mammals, insects and plants rely on healthy Illinois waterways; and,

WHEREAS, some of the challenges faced by our waterways are also faced by waterways worldwide, such as invasive species, sedimentation, flooding, drought, obsolete dams and aging water treatment facilities; and,

WHEREAS, inspired by the success of the Sister Cities program, the Illinois Sister Rivers and Lakes Initiative was launched in 2007 to share innovative solutions to common problems, boost tourism and raise awareness; and,

WHEREAS, Illinois has entered into partnerships with waterway authorities in eight nations on four continents: Brazil's Capibaribe River, China's Huangpu River, Ireland's River Lee, Israel's Lake Kinneret, Japan's Saitama Prefecture, Mexico's Lake Pátzcuaro, Poland's Vistula River and South Korea's Han River; and,

WHEREAS, through the Sister Rivers and Lakes Initiative, Illinois has shared some of its successes with waterway expert around the globe, including the "Mud-to-Parks" program,

## PROCLAMATIONS

Illinois Clean Water Initiative, and our efforts to remove unneeded dams while informing boaters of dam safety; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 7-13, 2014, as "**ILLINOIS SISTER RIVERS AND LAKES WEEK.**"

Issued by the Governor September 2, 2014

Filed by the Secretary of State September 23, 2014

**2014-387****National Surgical Technologist Week**

WHEREAS, surgical technologists in Illinois play a vital role in the care and health of surgical patients; and,

WHEREAS, surgical technologists, also called scrubs and surgical or operating room technicians, are members of operating room teams, which most commonly include surgeons, anesthesiologists, and circulating nurses; and under the supervision of surgeons, registered nurses, or other surgical personnel, surgical technicians assist medical operations in a number of capacities; and,

WHEREAS, surgical technologists preserve and protect the operative sterile field and work tirelessly to prevent surgical site infections that threaten patients' optimal recovery; and,

WHEREAS, today, all major hospitals in Illinois employ surgical technologists to work with surgeons in the operating room to provide quality patient care; and,

WHEREAS, as the baby boomer generation, which accounts for a large percentage of the general population, approaches retirement age, and technological advances, such as fiber optics and laser technology, permit new surgical procedures that surgical technologists often operate, employment of surgical technicians is expected to grow faster than average for all other occupations; and,

WHEREAS, encouragingly, the Illinois community college system currently has several programs that graduate top quality students each year; and,

WHEREAS, surgical technology is projected to grow faster than the average of all other medical occupations through the year 2020; and,

WHEREAS, the Association of Surgical Technologists annually designates a week in September as National Surgical Technologist Week to celebrate and promote the profession; and,

## PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21 – 27, 2014 as **NATIONAL SURGICAL TECHNOLOGIST WEEK** in Illinois in honor of the outstanding service surgical technologists perform for surgical patients, and in support of the Association of Surgical Technologist's efforts to raise public awareness about the profession.

Issued by the Governor September 2, 2014

Filed by the Secretary of State September 23, 2014

**2014-388****Childhood Lead Poisoning Prevention Week**

WHEREAS, in 2013, an estimated 535,000 children in the United States have blood lead levels greater than the intervention level recommended by the U.S. Centers for Disease Control and Prevention (CDC); and,

WHEREAS, Illinois identified approximately 13,000 children with confirmed blood lead levels greater than the new intervention level recommended by the CDC; and,

WHEREAS, lead poisoning is one of the most preventable environmental health problems; and,

WHEREAS, even at low levels, lead poisoning can affect nearly every system in the body, causing learning disabilities, shortened attention span, behavioral problems and, in extreme instances, seizure, coma and even death; and,

WHEREAS, lead poisoning can affect any family regardless of race, socioeconomic status and education; and,

WHEREAS, the major source of lead exposure among Illinois children continues to be lead-contaminated dust and lead-based paint banned in 1978; and,

WHEREAS, while Illinois data indicates a significant decline in the number of lead poisoned children from 1996 to 2013, there still remains more than 3.5 million housing units built prior to 1978 and an estimated 1 million homes in Illinois have lead-based paint hazards that can result in childhood lead poisoning; and,

WHEREAS, Illinois passed the Lead Poisoning Prevention Act in 1973 to set mandatory assessment, testing and reporting requirements; and,

## PROCLAMATIONS

WHEREAS, Illinois established the Lead Poisoning Prevention Program in the Illinois Department of Public Health to monitor the identification and treatment of lead poisoned children; and,

WHEREAS, Illinois amended the Lead Poisoning Prevention Act in 2014, establishing new guidelines to expand on lead poisoning prevention efforts in the state; and,

WHEREAS, Illinois is pleased to join with health care professionals, agencies and their delegates in observance of National Lead Poisoning Prevention Week, and in an effort to increase awareness and promote prevention of lead poisoning in children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 19-25, 2014, as **CHILDHOOD LEAD POISONING PREVENTION WEEK** in Illinois, and encourage all citizens to recognize the prevalence of lead poisoning in our society and to join in working toward eradicating this unfortunate and unnecessary condition.

Issued by the Governor September 3, 2014

Filed by the Secretary of State September 23, 2014

**2014-389****Mexican Dance Ensemble Day**

WHEREAS, dance provides an outlet for creativity and a way of sharing the arts in communities throughout Illinois. It also fosters confidence, self-esteem, skills, and values among its participants; and,

WHEREAS, one of the most successful dance companies in Illinois is the Mexican Dance Ensemble (MDE), a non-profit organization founded in 2001, which focuses on providing a challenging environment that promotes cultural awareness, preserving Mexican folklore, and cultivating dance by striving to reach a high level of artistic excellence; and,

WHEREAS, the main objectives of MDE are to offer a performing platform for emerging artists and expand the importance and the value of the arts; and,

WHEREAS, MDE has performed all over the world, including in Turkey, Taiwan, and Spain, and at important venues in Illinois such as the Auditorium Theatre of Roosevelt University, the Chicago Theatre, the Olympic Theatre, Harris Theatre, and several others; and,

WHEREAS, in 2005, MDE was awarded first place in both competitions "La Gran Competencia de Cuadros Folkloricos" in Dallas, Texas, and "the Second International Folkloric Dance Competition" in New York City; and,

## PROCLAMATIONS

WHEREAS, as a result of its contributions, MDE has received recognition from several government entities and other organizations; and,

WHEREAS, the successes of MDE would not be possible without the hard work and dedication of its founder, Sam Cortez; and,

WHEREAS, on October 10, 2014, MDE will host its annual gala, providing an opportune time for the State of Illinois to recognize this accomplished dance company; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 10, 2014, as **MEXICAN DANCE ENSEMBLE DAY** in Illinois, in recognition of today's event, Sam Cortez, and all of the performers, volunteers, and employees who have played a role in this critically important dance company's achievements.

Issued by the Governor September 3, 2014

Filed by the Secretary of State September 23, 2014

**2014-390****MSA Awareness Day & MSA Awareness Month**

WHEREAS, Multiple System Atrophy (MSA) is a rare neurodegenerative disorder that is caused by cell loss in certain areas of the brain and spinal cord that impairs your body's involuntary functions, including blood pressure, heart rate, bladder function and digestion; and,

WHEREAS, formerly called Shy-Drager syndrome, MSA shares many similar symptoms of Parkinson's disease, such as slowness of movement, muscle rigidity and poor balance; and,

WHEREAS, people with MSA may have other difficulties with body functions that occur involuntarily including: urinary and bowel dysfunction, sweating abnormalities, sleep disorders, difficulty controlling blood pressure, sexual dysfunction, cardiovascular problems, and psychiatric problems; and,

WHEREAS, diagnosis of (MSA) can be challenging as many symptoms compare with that of Parkinson's disease, as a result, some people are never properly diagnosed; and,

WHEREAS, the progression of MSA varies from person to person, but the condition does not go into remission. As the disorder progresses, daily activities become increasingly difficult; and,

WHEREAS, novel treatment options are being investigated but currently management options are very limited and there is no cure; and,

## PROCLAMATIONS

WHEREAS, people typically live about seven to nine years after MSA symptoms first appear and surviving ten years is rare; and,

WHEREAS, treatment for MSA includes medications and lifestyle changes that may manage symptoms. MSA is a progressive condition that in due course will lead to death; and,

WHEREAS, early detection and diagnosis is vital and may improve the quality of life as well as prolong life expectancy of an MSA sufferer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 3rd 2014 as **MSA AWARENESS DAY**, and March 2015 **MSA AWARENESS MONTH** in Illinois, and encourage all citizens to support awareness and education of this rare neurodegenerative disorder.

Issued by the Governor September 3, 2014

Filed by the Secretary of State September 23, 2014

**2014-391****National Nuclear Science Week**

WHEREAS, the American Nuclear Society and other organizations and professionals nationwide are recognizing National Nuclear Science Week from October 20-24, 2014; and,

WHEREAS, 18 million nuclear medicine procedures are performed per year among 305 million people in the United States; and,

WHEREAS, 104 operating nuclear reactors in the U.S. employ an average of 700 people in 31 states; and,

WHEREAS, thousands of nuclear science professionals are dedicated to the service and progress of the communities they serve and all people; and,

WHEREAS, through education, communication, research, application and technology innovation, the nuclear science industry is advancing a modern understanding of the nuclear sciences; and,

WHEREAS, the hard work of a collective community of citizens and professionals in the nuclear science industry help to achieve the industry's goals of the peaceful application of nuclear science in the fields of energy, medicine, research and more; and,

## PROCLAMATIONS

WHEREAS, nuclear medicine is used in thousands of diagnostic and therapeutic procedures every day to improve the health and lives of Illinois citizens; and,

WHEREAS, nuclear space propulsion systems are being used safely and reliably in robotic missions and science experiments beyond our solar system; and,

WHEREAS, nuclear energy is a vital part of America's energy portfolio; and,

WHEREAS, nuclear energy provides about 20 percent of the country's electricity and the six nuclear facilities in Illinois generate more than 48 percent of the state's electricity; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 20-24, 2014 as **NATIONAL NUCLEAR SCIENCE WEEK** in Illinois.

Issued by the Governor September 3, 2014

Filed by the Secretary of State September 23, 2014

**2014-392****BLET Illinois State Legislative Board Day**

WHEREAS, historically, the rail industry has served as the lifeblood of rural America as well as one of the largest private employers in the United States, and Illinois is proud of its distinguished history as a center of American railway travel; and,

WHEREAS, we recognize that the industrial and economic development of our State was largely due to our railway infrastructure, and it has allowed both our citizens and freight to move cross-country more quickly and efficiently than ever before; and,

WHEREAS, it was an Illinoisan, President Abraham Lincoln, who signed the Pacific Railroad Act on July 1, 1862, creating the original Railroad; and,

WHEREAS, The Pacific Railroad Act of 1862 tasked Union Pacific with building Westward, and Central Pacific Railroad of California with building Eastward, thereby joining East and West; and,

WHEREAS, seven years, 20,000 men and 1,700 miles later the Railroad was completed on May 10, 1869 with the hammering of a golden spike; and,

WHEREAS, it was during this construction period, on May 8, 1863, that The Brotherhood of Locomotive Engineers and Trainmen was founded in order to represent thousands of individuals

## PROCLAMATIONS

employed by the rail industry, who, by working together, built one of largest infrastructure systems in the history of our nation; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen remain organized to this day, building upon their storied tradition of leadership in the rail industry while maintaining a distinguished record of service; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen is the oldest railway labor organization in the Western Hemisphere; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen Illinois State Legislative Board will celebrate its 125th Anniversary on February 17, 2014; and,

WHEREAS, The Brotherhood of Locomotive Engineers and Trainmen Illinois State Legislative Board's 3,500 active and retired members throughout the State of Illinois have devoted their lives to the rail industry and provided a great public service to our communities and economy; and,

WHEREAS, Illinois was among the first to adopt and benefit from railway travel, and looks forward to continuing this legacy with our adoption of the innovative and economical high-speed rail with the assistance and support of all rail workers who construct, operate and maintain this valuable component to our infrastructure; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 8, 2014 as **BLET ILLINOIS STATE LEGISLATIVE BOARD DAY** in Illinois, in honor of their anniversary and encourage all residents to celebrate the contributions of rail throughout Illinois' and our nation's history.

Issued by the Governor September 4, 2014

Filed by the Secretary of State September 23, 2014

**2014-393****Thomas Vincent Ramos Day**

WHEREAS, Thomas Vincent Ramos was a Garifuna community organizer in Belize whose efforts led to proclaiming the first Garifuna Holiday in Latin America and the Caribbean, which is known as Garifuna Settlement Day; and,

WHEREAS, Thomas Vincent Ramos was born in Puerto Cortés, Honduras, on September 17, 1887, and was educated at Wesleyan Methodist primary schools in Stann Creek Town (now Dangriga) and Belize City; and,

## PROCLAMATIONS

WHEREAS, while in school, Thomas Vincent Ramos took correspondence courses in business administration, public speaking, journalism, and accounting; and,

WHEREAS, Thomas Vincent Ramos married Elisa Marian Fuentes in 1914 and moved permanently to Dangriga in 1923; and,

WHEREAS, after moving to Belize, Thomas Vincent Ramos became a school teacher and a visionary leader. Concerned with the systematic neglect of health facilities in Dangriga, he founded the Carib Development and Sick Aid Society and later the Carib International Society, which had affiliations in Guatemala and Honduras; and,

WHEREAS, the mission of the Carib Development Society was to help the sick and assist those who needed financial assistance to bury their deceased family members; and,

WHEREAS, a deeply religious man, Thomas Vincent Ramos was a preacher who wrote several Garifuna hymns, some of which are sung each year at his memorial; and,

WHEREAS, Thomas Vincent Ramos fought discrimination against the Garifuna people and all Afro-Belizeans. He founded the Independent Manhood and Exodus Uplift Society and the Colonial Industrial Instruction Association; and,

WHEREAS, the City of Chicago and State of Illinois are home to one of the largest Garifuna populations in the United States; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 17, 2014, as **THOMAS VINCENT RAMOS DAY** in Illinois, in celebration of his birthday and in recognition of his fortitude and tremendous contributions to the Garifuna people.

Issued by the Governor September 4, 2014

Filed by the Secretary of State September 23, 2014

**2014-394****Trisha Yearwood and Garth Brooks Day**

WHEREAS, Illinois is a leader in supporting the arts, and music has always been an important component of the artistic fabric of our state; and,

WHEREAS, there are few forms of music more purely American than the Country music genre; and,

## PROCLAMATIONS

WHEREAS, it is important that prominent country musicians such as Trisha Yearwood and Garth Brooks are recognized for their contributions; and,

WHEREAS, born in Monticello, Georgia, Trisha Yearwood is one of the highest-selling female artists in Country music history. Since her debut album, she has recorded 12 albums, the most recent one being Heaven, Heartache And the Power of Love; and,

WHEREAS, Trisha Yearwood has recorded nine # 1 songs and twenty Top Ten hits; and,

WHEREAS, Trisha Yearwood has been honored with an American Music Award, a Pollstar Concert Industry Award, and was inducted into the George Music Hall of Fame in 2000. She has performed at the Olympics in Atlanta, at the White House during President Clinton's inauguration, and in Italy with Luciano Pavarotti; and,

WHEREAS, Trisha Yearwood captured the Best Female Country Vocal Performance Grammy for "How do I Live" and Best Country Vocal Collaboration for "In Another's Eyes" with Garth Brooks; and,

WHEREAS, outside of music, Trisha Yearwood is a bestselling cookbook author; and,

WHEREAS, Trisha Yearwood and Garth Brooks were married on December 10, 2005; and,

WHEREAS, born in Tulsa, Oklahoma, Garth Brooks joined a band during high school, devoted himself full-time to music after college, and eventually landed a contract with Capitol Records. His self-titled debut album topped at number 2 on the country albums chart and included 4 Top Ten country singles: "Much Too Young (To Feel This Damn Old)," "If Tomorrow Never Comes," "Not Counting You," and "The Dance,"; and,

WHEREAS, a decorated musician, Garth Brooks is now certified at 134 albums and was named by the RIAA in 2001 as the # 1 selling solo artist in U.S. history; and,

WHEREAS, Garth Brooks was inducted into the Country Music Hall of Fame on October 21, 2012, in Nashville, Tennessee; and,

WHEREAS, in 2008, Garth Brooks headlined President Obama's Inaugural Celebration at the Lincoln Memorial; and,

WHEREAS, on the first stop of his world tour, Garth Brooks will perform in Rosemont, a city that is grateful to welcome him and appreciative of his talents. We hope that Trisha Yearwood and Garth Brooks return to the Land of Lincoln many more times in the future; and,

## PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 4, 2014, as **TRISHA YEARWOOD AND GARTH BROOKS DAY** in Illinois, in recognition of their tremendous musical successes, contributions to the entertainment industry and for launching their highly anticipated world tour in Rosemont.

Issued by the Governor September 4, 2014

Filed by the Secretary of State September 23, 2014

**2014-395**  
**Americorps Day**

WHEREAS, throughout our history, Illinois' residents have stepped up to meet national challenges such as poverty reduction, disaster relief, environmental stewardship, and veteran assistance by volunteering in their communities; and,

WHEREAS, every day in communities across Illinois, AmeriCorps members are making a powerful impact on the most critical issues facing our state; and,

WHEREAS, on September 12, 2014, the nation will mark the 20th anniversary of AmeriCorps with a simultaneous, nationwide swearing-in of a new class of AmeriCorps members and recognition events saluting AmeriCorps members and alums for their powerful impact; and,

WHEREAS, since 1994, more than 33,000 of Illinois residents have served more than 47 million hours and have qualified for Segal AmeriCorps Education Awards totaling more than \$108,005,000; and,

WHEREAS, the Serve Illinois Commission supports more than 1,700 current AmeriCorps members of all ages and backgrounds who serve in Illinois in order to provide vital support to our people and improve the quality of life in our state; and,

WHEREAS, AmeriCorps members serve in more than 300 locations in Illinois, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and,

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing experience, career skills, and college scholarships for those who serve; and,

WHEREAS, AmeriCorps members demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, and after their terms of service remain engaged in

## PROCLAMATIONS

our communities as volunteers, public servants, and civic leaders in disproportionately high levels; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 12, 2014, as **AMERICORPS DAY** in the State of Illinois, and encourage residents to recognize the positive impact of AmeriCorps in our state; thank those who serve; and to find ways to give back to their communities.

Issued by the Governor September 9, 2014

Filed by the Secretary of State September 23, 2014

**2014-396****Central American Independence Day**

WHEREAS, the State of Illinois is honored to join the Central American community and their Honorable Consuls in celebrating the 193rd Anniversary of Central American Independence; and,

WHEREAS, this event commemorates the date of September 15, 1821, when the Central American nations of Guatemala, Honduras, El Salvador, Costa Rica, and Panama jointly declared their independence from Spain; and,

WHEREAS, now, nearly two centuries later, Guatemalans, Hondurans, El Salvadorians, Costa Ricans, and Panamanians all across the globe gather to commemorate the birth of their freedom; and,

WHEREAS, here in Illinois, the Central American community is flourishing and has made many significant economic and cultural contributions to the Land of Lincoln; and,

WHEREAS, on September 15, 2014, Hon. Hugo Haroldo Hun Archila, Consul General Guatemala and Hon. Patricia Maza-Pittsford, Consul General El Salvador, will be hosting a reception to commemorate the anniversary of Central American Independence; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 15, 2014, as **CENTRAL AMERICAN INDEPENDENCE DAY** in Illinois, in recognition of Central America's 193rd Anniversary of Independence, and in tribute to all Central Americans who call Illinois home.

Issued by the Governor September 9, 2014

Filed by the Secretary of State September 23, 2014

## PROCLAMATIONS

**2014-397****Domestic Violence Awareness Month**

WHEREAS, domestic violence is a prevalent social problem that not only harms the victim, but also negatively affects the victim's family, friends and community at large; and,

WHEREAS, domestic violence knows no boundaries; it exists in all neighborhoods and cities, and affects people of all ages, racial, ethnic, economic, and religious backgrounds; and,

WHEREAS, one in four women will experience domestic violence sometime in her life. In Illinois alone, there are approximately 115,000 to 125,000 domestic crimes each year; and,

WHEREAS, for many victims of domestic violence, abuse experienced at home often follows them to the workplace, when they are harassed by threatening phone calls and/or emails; and,

WHEREAS, the health-related costs of rape, physical assault, stalking and homicide by intimate partners amount to nearly \$6 billion every year, and the annual cost of lost productivity in the workplace due to domestic violence is estimated to be hundreds of millions of dollars, with nearly 8 million paid workdays lost per year; and,

WHEREAS, the Victims' Economic Security and Safety Act (VESSA) provides workplace protections specifically for victims of domestic or sexual violence; and,

WHEREAS, VESSA, which is enforced by the Illinois Department of Labor, allows employees who are victims of domestic or sexual violence or who have a family or household member who is a victim of domestic or sexual violence, up to 12 workweeks of unpaid leave in any 12-month period; and,

WHEREAS, VESSA prohibits employer discrimination against any employee who is a victim of domestic or sexual violence or any employee who has a family or household member who is a victim of domestic or sexual violence; and,

WHEREAS, the Illinois Department of Human Services is dedicated to ensuring that Illinois residents live free from domestic violence, promoting prevention, and working in partnership with communities to advance equality, dignity, and respect for all; and,

WHEREAS, the Illinois Department of Human Services supports dozens of multi-service domestic violence programs throughout the state, offering counseling and advocacy, legal assistance, children's services, and shelter and support services at no cost to the victim; and,

## PROCLAMATIONS

WHEREAS, throughout the month of October, the Illinois Coalition Against Domestic Violence and its 52 member organizations, including Apna Ghar, will hold numerous events across the state in observance of Domestic Violence Awareness Month, including 5kwalk/runs, Silent Witness events, candlelight vigils, and marches; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as **DOMESTIC VIOLENCE AWARENESS MONTH** in Illinois, to raise awareness about the problem of domestic violence throughout the state and its devastating effects on families and communities, and to urge all victims to seek help either by calling the Statewide Domestic Violence Helpline, 1-877-TO END DV (1-877-863-6338) or visiting a local help center.

Issued by the Governor September 9, 2014

Filed by the Secretary of State September 23, 2014

**2014-398****Latin American Health Weeks**

WHEREAS, Latin American Health Weeks is a series of annual health fairs, informational workshops, conferences, medical exams, and other activities organized by the 13 Latin American Consulates in the Midwest and their network of agencies, health departments, hospitals, community organizations, schools, and churches; and,

WHEREAS, an official ceremony for Latin American Health Weeks will take place at the Consulate General of Mexico on September 30th, while this year's main event will take place at Unity High in Cicero, Illinois; and,

WHEREAS, as a part of Binational Health Week, the objective of Latin American Health Weeks is to improve the health and well-being of underserved Latinos; and,

WHEREAS, the State of Illinois is supportive of Latin American Health Weeks and its efforts to improve health outcomes for Latinos living in the Land of Lincoln and across the Midwest; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 30-October 17, 2014, as **LATIN AMERICAN HEALTH WEEKS** in Illinois, and encourage all citizens to unite to improve the quality of life for the people of Illinois.

Issued by the Governor September 9, 2014

Filed by the Secretary of State September 23, 2014

**2014-399****Lights On Afterschool Day**

## PROCLAMATIONS

WHEREAS, the citizens of the State of Illinois stand firmly committed to quality afterschool programs and opportunities; and,

WHEREAS, afterschool programs provide safe, challenging, and engaging learning experiences that help children develop social, emotional, physical and academic skills; and,

WHEREAS, afterschool programs also support working families by ensuring their children are safe and productive after the regular school day ends; and,

WHEREAS, afterschool programs benefit everyone because they build stronger communities by involving students, parents, business leaders and adult volunteers in the lives of young people, thereby promoting positive relationships among youth, families and adults; and,

WHEREAS, the State of Illinois has provided significant leadership in the area of community involvement and the education and well-being of our youth, which is grounded in the principle that quality afterschool programs are key to helping our children become successful adults; and,

WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and unfortunately, 15.1 million children have no place to go after school; and,

WHEREAS, a high percentage of youth are unsupervised afterschool and the demand for afterschool programs outstrips capacity; and,

WHEREAS, afterschool programs strengthen our communities by providing students a safe and healthy environment for them to learn while helping working parents; and,

WHEREAS, the State of Illinois is committed to investing in the health and safety of all young people by providing expanded learning opportunities that will help close the achievement gap and prepare young people to compete in the global economy; and,

WHEREAS, Lights On Afterschool is a national celebration of afterschool programs that will be held this year on October 23; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 23, 2014, as **LIGHTS ON AFTERSCHOOL DAY** in Illinois, in recognition of the importance of quality afterschool programs in the lives of children, families and communities.

Issued by the Governor September 9, 2014

Filed by the Secretary of State September 23, 2014

## PROCLAMATIONS

**2014-400****Patriot Day and National Day of Service and Remembrance**

WHEREAS, on September 11, 2001, the peace and security of our nation was shattered by terrorist attacks that killed thousands of innocent and brave people at the World Trade Center Towers in New York City, at the United States Pentagon, and in the fields of Shanksville, Pennsylvania; and,

WHEREAS, the objective of the terrorists on 9/11 was to strike a powerful blow to the hearts of all Americans and to tear the fabric of our nation. But instead, there emerged from the ashes of that tragedy a remarkable spirit of unity, compassion, and determination that will never be forgotten, just as we will never forget those who were lost and injured on that day, and those who rose to service during the rescue-and-recovery effort and in defense of our nation; and,

WHEREAS, by a joint resolution in December of 2001, the U.S. Congress designated September 11 of each year as Patriot Day and on April 21, 2009, President Barack Obama signed into law the Edward M. Kennedy Serve America Act, which includes language to officially establish September 11 as an annually recognized National Day of Service and Remembrance; and,

WHEREAS, this enduring and compassionate legacy truly honors the 9/11 victims and their families, the first responders and rescue-and-recovery workers, the servicemen and women who defend our freedom and safety, and the many volunteers who spontaneously contributed their efforts in the immediate aftermath of 9/11; and,

WHEREAS, on Patriot Day and National Day of Service and Remembrance, we pledge to carry on their legacy of courage and compassion, and to move forward together as one people; and,

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 11, 2014, as **PATRIOT DAY AND NATIONAL DAY OF SERVICE AND REMEMBRANCE** in Illinois, and order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise to sunset on this day, and urge my fellow citizens to contribute their time and energy in assisting others through community service today and throughout the year to honor those who died on September 11, 2001.

Issued by the Governor September 9, 2014

Filed by the Secretary of State September 23, 2014

**2014-401****G.R.E.A.T. Day**

## PROCLAMATIONS

WHEREAS, the State of Illinois is committed to ensuring the safety and security of all those living in and visiting our state; and,

WHEREAS, the State of Illinois is committed to providing enduring education to middle and elementary school students; and,

WHEREAS, youth violence, delinquency, and bullying are concerns both locally and nationally; and,

WHEREAS, Gang Resistance Education And Training (G.R.E.A.T.) is an evidence-based and effective gang and violence prevention program built around school-based, law enforcement officer-instructed classroom curricula; and,

WHEREAS, the G.R.E.A.T. program offers a continuum of components for students and their families that focus on providing life skills to help youth avoid bullying, delinquent behaviors, and violence to solve problems; and,

WHEREAS, the G.R.E.A.T. Pledge, "I pledge to use my G.R.E.A.T. skills to reduce violence in my community, work to resolve conflicts peacefully, and stop bullying whenever I see it," effectively serves to remind students to use these life skills; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 1, 2014 as **G.R.E.A.T. DAY** in Illinois and urge all middle and elementary school children of Illinois to sign the **G.R.E.A.T.** Pledge on this day.

Issued by the Governor September 10, 2014

Filed by the Secretary of State September 23, 2014

**2014-402**  
**Moravian Day**

WHEREAS, Moravia is a province of Czech Republic, also known as the "Bread Basket of Czechoslovakia," and Moravians are one of the oldest cultural groups in the world, dating back to before the Holy Roman Empire; and,

WHEREAS, Moravia has given birth to several prominent individuals, such as the "Teacher of Nations" Jan Amos Komensky, and Thomas G. Masaryk, who would later go on to influence the entire Czechoslovak region; and,

WHEREAS, the United States of America is a land of opportunity where people are recognized for their diverse heritage; and,

## PROCLAMATIONS

WHEREAS, the beautiful Moravian folk costumes and traditional folk music were always a part of every community and civic function in Chicago dating back to before the mid 1920s; and,

WHEREAS, twenty-two individual Moravian social organizations banded together on November 29, 1938, and formed the United Moravian Societies; and,

WHEREAS, the Chicago Moravian Clubs were one of the first ethnic groups to participate in war bond rallies and they gave performances on State Street in Chicago's Loop for the purposes of promoting the sale of War Bonds and Stamps during World War II; and,

WHEREAS, Czech-Americans contribute significantly to this country through working in a variety of different professions. It is important that we recognize their valuable contributions to making the United States a world leader in business and politics, and the courage they have displayed in serving our country during times of war; and,

WHEREAS, this year, Czech-Americans throughout Chicagoland, and throughout the United States and North America will celebrate the 75th annual Moravian Day event; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 21, 2014 as **MORAVIAN DAY** in the State of Illinois and encourage all citizens to learn about the wonderful contributions that Czech Immigrants have made to our state, and to the nation as a whole.

Issued by the Governor September 10, 2014

Filed by the Secretary of State September 23, 2014

**2014-403****Lions and Lionesses Diabetes Awareness Campaign Days**

WHEREAS, diabetes has reached epidemic proportions in the United States; 23.6 million people or 7.8 percent of the population have diabetes. 17.9 million have diagnosed diabetes and 5.7 million undiagnosed. In Illinois, more than 841,626 adults (age 18 and older) or 8.8 percent have diagnosed diabetes. An additional 260,000 adults may have undiagnosed diabetes and approximately 3 million people are at increased risk for developing diabetes due to age, obesity and sedentary lifestyle; and,

WHEREAS, type 2 diabetes can be prevented in those at high risk by changes in lifestyle with improved diet, increased physical activity, and/or modest weight loss; and,

## PROCLAMATIONS

WHEREAS, in Illinois, diabetes - both type 1 and type 2 - account for nearly \$7.3 billion in total direct healthcare and indirect costs every year. It is estimated that the direct medical care costs per person per year with diabetes is 2.3 times higher than the person without diabetes. Studies estimate that a one percent reduction in A1c values can reduce total healthcare costs for a patient with type 2 diabetes by up to \$950 per year; and,

WHEREAS, numerous studies support that people with diabetes can prevent or delay the progression of complications by practicing goal-oriented management of blood glucose, lipids and blood pressure, receiving diabetes self-management education, ensuring proper food intake and physical activity to help achieve target values, maintaining a healthy body weight, and receiving recommended eye and foot examinations; and,

WHEREAS, as many as one in four people with diabetes will develop a foot ulcer in their lifetime. Proper daily foot care, regular examinations by a physician or podiatrist and early detection and treatment of possible ulcers may prevent amputations. People with diabetes under the care of a podiatrist or multidisciplinary health care team have fewer deep ulcers; and,

WHEREAS, retinopathy, a disease of the small blood vessels in the retina, is one of the most common eye problems for people with diabetes; and people with diabetes have a higher risk of blindness than people without diabetes. A person with diabetes should have regular eye examinations with an eye care professional. Early detection and treatment of retinopathy may prevent further damage and blindness; and,

WHEREAS, the Lions and Lioness Clubs of Illinois are sponsoring the Lions and Lioness Diabetes Awareness Campaign this year throughout the months of March, April and May; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 1 through May 31, 2015 as **LIONS AND LIONESSES DIABETES AWARENESS CAMPAIGN DAYS** in Illinois.

Issued by the Governor September 11, 2014

Filed by the Secretary of State September 23, 2014

**2014-404****Niles North High School Day**

WHEREAS, Niles North High School was established in 1964 and is celebrating 50 years of dedicated service to the students and families of the Skokie area; and,

WHEREAS, Niles North is proud to provide a world class education to a diverse population of more than two thousand two hundred students who speak more than 90 different languages; and,

## PROCLAMATIONS

WHEREAS, Niles North aims to provide every student with a robust educational experience that helps to ensure students' ability to fulfill their potential both academically and personally; and,

WHEREAS, Niles North students have received countless accolades recognizing impressive accomplishments in music, philanthropy, science, debate, research, theater, and writing; and,

WHEREAS, Niles North aims to instill its students with a strong sense of civic responsibility and a commitment to serve their communities; and,

WHEREAS, Niles North provides extracurricular programs to develop a student's mental, physical, and social skills; and,

WHEREAS, Newsweek named Niles North among the best high schools in the nation; and,

WHEREAS, the faculty at Niles North have also received national recognition and awards for excellence in teaching; and,

WHEREAS, the outstanding educators, administrators, and staff at the school have strengthened the readiness for postsecondary success of countless graduates, enabling students to pursue their academic and career goals; and,

WHEREAS, in addition to preparing students for success in college and careers, family engagement and community partnerships are top priorities for Niles North; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 19, 2014, as **NILES NORTH HIGH SCHOOL DAY**, in honor of its impressive student and educator achievements and the rich legacy of contributions it has made to both the local community and the state as a whole over the past half century.

Issued by the Governor September 11, 2014

Filed by the Secretary of State September 23, 2014

**2014-405**

**Roy Leonard Day**

WHEREAS, born into humble beginnings in Redwood Falls, Minnesota, Ray Leonard would become one of the most noteworthy broadcasters to ever work in the Land of Lincoln; and,

## PROCLAMATIONS

WHEREAS, before retiring in 1998, Roy Leonard spent 31 years at WGN Radio and TV. He hosted the "Family Classics" movie series from 1985-2000 and reviewed theater and films for WGN-TV; and,

WHEREAS, Roy Leonard's top rated radio shows featured him interviewing celebrities, authors, politicians, musicians, and sports figures; and,

WHEREAS, from Tom Cruise to Christopher Reeve, and Dustin Hoffman, Roy Leonard introduced some of our nation's most prominent entertainers to his loyal listeners; and,

WHEREAS, prior to arriving at WGN in 1967, Roy Leonard attended Emerson College, served in the United States Air Force and the Armed Forces Radio, held different radio gigs, and worked as a sports play-by-play broadcaster; and,

WHEREAS, perhaps most importantly, Roy Leonard was a kind-hearted and thoughtful man who was always looking for ways to serve others. He left an indelible mark on everyone who met him, and his kindness serves as an inspiration to other broadcasters; and,

WHEREAS, Roy Leonard passed away on September 4, 2014, at the age of 83; and,

WHEREAS, a visitation will be held on Friday, September 12, 2014, for Roy Leonard, who is survived by many loving family members, friends, and listeners who are grateful for the numerous ways he touched their lives; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby declare September 12, 2014, as **ROY LEONARD DAY** in Illinois, in recognition of his success as a broadcaster and the powerful legacy he leaves behind.

Issued by the Governor September 11, 2014

Filed by the Secretary of State September 23, 2014

**2014-406****Life Insurance Awareness Month**

WHEREAS, the vast majority of Americans recognize that it is important to protect loved ones with life insurance, with a recent survey indicating that 80 percent agree that most people need coverage; and,

WHEREAS, the life insurance industry pays \$63 billion to beneficiaries each year, providing a tremendous source of financial relief and security to families that experience the loss of a loved one; and,

## PROCLAMATIONS

WHEREAS, despite the importance that people place on life insurance and the peace of mind that it brings to millions of American families, there are still too many Americans who lack adequate coverage; and,

WHEREAS, the unfortunate reality is that more than 95 million adult Americans have no life insurance and most with coverage have less than most experts recommend; and,

WHEREAS, millions of Americans realize that they are underinsured, with nearly one in three believing that they do not have enough coverage; and,

WHEREAS, during times like these when so many families continue to struggle, life insurance coverage is more important than ever because people have fewer financial resources to fall back on than in years past, increasing their financial vulnerability; and,

WHEREAS, the nonprofit Life Happens and a coalition representing hundreds of leading life insurance companies and organizations have designated September 2014 as "Life Insurance Awareness Month," whose goal is to get consumers thinking about their need for life insurance protection, to encourage them to seek advice from a qualified insurance professional, and to take the actions necessary to achieve a financially secure future for their loved ones; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2014 as **LIFE INSURANCE AWARENESS MONTH** in Illinois, and do urge our citizens to learn more about life insurance and its benefits.

Issued by the Governor September 12, 2014

Filed by the Secretary of State September 23, 2014

**2014-407****Pumpkin Pie Day**

WHEREAS, the State of Illinois is immensely proud that we grow more pumpkins than any other state; and,

WHEREAS, pumpkin pie, a traditional sweet dessert, is eaten often during fall and early winter, especially during the Thanksgiving and Christmas holidays; and,

WHEREAS, the largest pumpkin pie ever made was over five feet in diameter and in excess of 350 pounds. It took six hours to bake and used 80 pounds of cooked pumpkin, 36 pounds of sugar, and 12 dozen eggs; and,

## PROCLAMATIONS

WHEREAS, there are few foods more purely American than pumpkin pie. With its connections to rural life, family, and hard work, pumpkin pie symbolizes the values that are close to the heart of all Illinoisans; and,

WHEREAS, around a half-billion pounds of pumpkin are produced annually in Illinois, and our top ten pumpkin producing counties are Tazewell, Kankakee, Mason, Logan, Will, Marshall, Kane, Pike, Carroll, and Woodford; and,

WHEREAS, 80 percent of the pumpkin supply in the United States is available in October, and around 90 to 95 percent of the processed pumpkins in our nation are grown in Illinois; and,

WHEREAS, the \$32.8 million pumpkin industry in Illinois plays a vital role in promoting economic development, and it is critically important that the State of Illinois recognize the contributions of pumpkin farmers and the delicious pumpkin pie that is served at restaurants and eaten by individuals and families across our state; and,

WHEREAS, featuring a parade, Pumpkin Business Expo, Pumpkin Classic Run/Walk, and Pumpkin Craft Faire, along with many other activities, this year's Morton Pumpkin Festival provides an opportune time to support HB6292, sponsored by Representative Keith Sommer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 13, 2014, as **PUMPKIN PIE DAY** in Illinois, in recognition of the delicious pumpkin pie made in the Land of Lincoln and in support of passing HB6292.

Issued by the Governor September 12, 2014

Filed by the Secretary of State September 23, 2014

**2014-408****Zac Brown Band Day**

WHEREAS, from northern Illinois into Chicago and down to southern Illinois, there are countless music fans across the Land of Lincoln; and,

WHEREAS, based out of Atlanta, Georgia, the three-time GRAMMY winners and multi-platinum artists Zac Brown Band have become one of music's most heralded acts; and,

WHEREAS, the Zac Brown Band was founded by bassist John Hopkins, fiddler Jimmy De Martini, and Zac Brown, who developed a passion for music at a young age and began playing in local venues in Georgia as a teenager; and,

## PROCLAMATIONS

WHEREAS, the members of the three-time GRAMMY winning Zac Brown Band are Zac Brown, Jimmy De Martini, John Driskell Hopkins, Coy Bowles, Chris Fryar, Clay Cook, Daniel De Los Reyes, and Matt Mangano; and,

WHEREAS, the Zac Brown Band's three platinum-selling albums, Uncaged, You Get What You Give, and The Foundation have together sold over six million copies; and,

WHEREAS, the Zac Brown Band has recorded four studio albums and produced eleven #1 singles; and,

WHEREAS, the Zac Brown Band's latest album, The Grohl Sessions Vol. 1, is out now on Southern Grand and features a 45-minute film by Southern Reel on the making of the album; and,

WHEREAS, always loyal to its fans, the Zac Brown Band performed for over 1.3 million people in 2013, in numerous venues across the nation and internationally; and,

WHEREAS, inspired by his own experiences as a camp counselor, Zac Brown is the driving force behind Camp Southern Ground, a state-of-the-art facility whose programs will allow children of all backgrounds to overcome academic, social, and emotional difficulties. The camp's mission is to help children reach their full potential by providing them with the opportunity and tools necessary to achieve excellence in all facets of their lives; and,

WHEREAS, the Zac Brown Band is currently on the 'Great American Road Trip Tour,' which included a two-night stand at Fenway Park without any support acts, a feat only accomplished by four other bands; and,

WHEREAS, the Zac Brown Band will headline their first ever Wrigley Field concert on Saturday, September 13, 2014; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 13, 2014, as **ZAC BROWN BAND DAY** in Illinois, in recognition of their performance in Chicago and outstanding musical contributions.

Issued by the Governor September 12, 2014

Filed by the Secretary of State September 23, 2014

**2014-409**  
**Chicago Football Classic Day**

## PROCLAMATIONS

WHEREAS, since its founding in 1997, the Chicago Football Classic has worked to empower Chicago and Illinois' African- American youth and their families, exposing them to diverse, success-oriented opportunities; and,

WHEREAS, thanks to the dynamic dedication, positive persistence and community commitment of several prominent Chicago businessmen - - Larry Huggins, Everett Rand and Tim Rand, the Chicago Football Classic, which was founded more than a decade ago, has eliminated barriers and fostered opportunities for young Illinoisans to achieve their educational aspirations; and,

WHEREAS, the 17th Annual Chicago Football Classic Benefit, with its motto "Aspire to Inspire," featuring a gridiron rematch between two educational powerhouses, Morehouse College and Central State University, will be held on Saturday, September 20, 2014, at Soldier Field; and,

WHEREAS, it is important to recognize the commitment of this renowned community-based philanthropic organization to expanding educational opportunities for Chicago youth at our nation's Historically Black Colleges and Universities (HBCU's); and,

WHEREAS, given the Chicago Football Classic's progressive philosophy of emphasizing academic excellence, self-help and determination, this community-based initiative helps ensure brighter futures for young people by providing hope and inspiration; and,

WHEREAS, the Chicago Football Classic's mission to increase the educational attainment among African-American youth is having a positive impact on a variety of social and economic initiatives in neighborhoods throughout Chicago and across the State of Illinois; and,

WHEREAS, the sustained longevity of the Chicago Football Classic is a direct testament to the continued commitment of its founders and staff, its sponsors, youthful supporters, their families and others, as well as college football fans and HBCU alumni from across the U.S. to ensuring that young people can reap the future rewards of educational achievement and economic empowerment; and,

WHEREAS, on behalf of the citizens of Illinois, I salute the Chicago Football Classic for its continuing efforts to make a real difference in the lives of thousands of young people across the greater Chicago area; and,

THEREFORE, I Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 20, 2014 as **CHICAGO FOOTBALL CLASSIC DAY** in Illinois, in recognition of its overall achievements.

## PROCLAMATIONS

Issued by the Governor September 15, 2014  
Filed by the Secretary of State September 23, 2014

**2014-410**  
**Maria Kaupas Center Day**

WHEREAS, The Maria Kaupas Center is named after Mother Maria Kaupas, a dedicated woman who founded the Sisters of St. Casimir; and,

WHEREAS, The Maria Kaupas Center is a faith-based community center that serves the Marquette Park area and offers children and teens a safe place to relax, make friends, and develop new skills; and,

WHEREAS, The Maria Kaupas Center offers several enrichment programs for elementary and high school students as well as adults; and,

WHEREAS, the practice of Daily Reflection is a unique feature that the center offers, where everyone gathers in a non-denominational prayer circle to reflect on victories, tragedies, and struggles in unity; and,

WHEREAS, The Maria Kaupas Center will host an Open House on Thursday, September 25, 2014. This event will be an excellent opportunity to tour the facility, meet staff members, and learn about the wide range of essential services that the center provides; and,

WHEREAS, the featured speakers for this year's open house will include Chicago City Clerk Susana Mendoza, and Illinois Appellate Court Justice Jesse G. Reyes; and,

WHEREAS, as Governor of the State of Illinois, I am pleased to welcome everyone gathered for The Maria Kaupas Center's Open House and on behalf of the people of Illinois, I offer my best wishes for an enjoyable and memorable occasion; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim September 25, 2014, as **MARIA KAUPAS CENTER DAY** in Illinois, in recognition of tonight's event and in support of the important programs and services offered by the organization.

Issued by the Governor September 15, 2014  
Filed by the Secretary of State September 23, 2014

**2014-411**  
**International Pumpkin Day**

## PROCLAMATIONS

WHEREAS, the name pumpkin originated from "pepon" – the Greek word for "large melon"; and,

WHEREAS, pumpkins, which have origins in Central America and are members of the vine crops family called cucurbits, range in size from less than a pound to over 1,000 pounds; and,

WHEREAS, pumpkins come in an array of colors, shapes, and sizes, and can be eaten, decorated, carved, and even used for medicinal purposes; and,

WHEREAS, the largest pumpkin ever grown weighed 1,140 pounds; and,

WHEREAS, 80 percent of the pumpkin supply in the United States is available in October, and around 90 to 95 percent of the processed pumpkins in our nation are grown in Illinois; and,

WHEREAS, the State of Illinois is not only the nation's leading pumpkin producer, but also its leading pumpkin processor; and,

WHEREAS, Morton, Illinois is the "pumpkin capital" of the world; and,

WHEREAS, around a half-billion pounds of pumpkin are produced annually in Illinois, and our top ten pumpkin producing counties are Tazewell, Kankakee, Mason, Logan, Will, Marshall, Kane, Pike, Carroll, and Woodford; and,

WHEREAS, the largest pumpkin pie ever made was over five feet in diameter and weighed over 350 pounds. It used 80 pounds of cooked pumpkin, 36 pounds of sugar, 12 dozen eggs and took six hours to bake; and,

WHEREAS, the \$32.8 million pumpkin industry in Illinois plays a vital role in promoting economic development, and it is critically important that the State of Illinois recognize the contributions of pumpkin farmers and the delicious pumpkin pie that is served at restaurants and eaten by individuals and families across our state; and,

WHEREAS, October 11, 2014 will be the 6th annual celebration of International Pumpkin Day, a holiday created in Chicago, Illinois and celebrated the second Saturday of October each year; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 11, 2014, as **INTERNATIONAL PUMPKIN DAY** in Illinois, in recognition of the history and many uses of the remarkably delicious and widely celebrated pumpkin.

## PROCLAMATIONS

Issued by the Governor September 16, 2014  
Filed by the Secretary of State September 23, 2014

**2014-412**  
**"Jumpstart's Read for the Record Day"**

WHEREAS, Jumpstart, a national early education organization, is working to ensure that all children in America enter kindergarten prepared to succeed; and,

WHEREAS, year-round, Jumpstart recruits and trains college students and community volunteers to deliver a high quality early education curriculum to preschool children in low-income neighborhoods, helping them to develop the key language and literacy skills they need to succeed in school and in life; and,

WHEREAS, since 1993, Jumpstart has trained nearly 36,000 college students and community volunteers to transform the lives of more than 76,000 preschool children nationwide; and,

WHEREAS, Jumpstart is a proud part of the AmeriCorps family here in Illinois, with a devoted Corps of members supporting the mission of my Serve Illinois Commission on Volunteerism and Community Service; and,

WHEREAS, the goals of the campaign are to raise national awareness of the importance of early childhood education, support Jumpstart's early education programs in preschools in low-income neighborhoods nationwide through donations and sponsorship, and celebrate the commencement of Jumpstart's program year; and,

WHEREAS, October 21, 2014 would be an appropriate date to designate as "Jumpstart's Read for the Record Day" because it is the date Jumpstart aims to set the world record for the largest shared reading experience; and,

WHEREAS, Jumpstart hopes to engage over 2.4 million adults and children in Illinois in reading Bunny Cakes by Rosemary Wells during this record-breaking celebration of reading and service, all in support of Illinois preschool children; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 21, 2014 as "**JUMPSTART'S READ FOR THE RECORD DAY**" in Illinois, and applaud the efforts of Jumpstart in raising awareness of the critical importance of early childhood education and of Jumpstart Corps members in committing hundreds of hours of service each year to young children in Illinois.

## PROCLAMATIONS

Issued by the Governor September 16, 2014  
Filed by the Secretary of State September 23, 2014

**2014-413**  
**Keep Chicago Beautiful Day**

WHEREAS, protecting the environment is becoming more important than ever; and,

WHEREAS, Keep Chicago Beautiful was established on June 11, 1987, in order to sustain and improve the quality of life for individuals on this Earth by protecting the environment for those who inhabit it, by pledging to reduce, reuse and recycle and to spread their work to those throughout the city, state and nation; and,

WHEREAS, Keep Chicago Beautiful has successfully founded the nationwide program known as "Waste in Place" which has educated younger generations on the importance of reducing, reusing and recycling, as well the advantages of eradicating litter to clean up Chicago; and,

WHEREAS, this organization understands the importance of maintaining a beautiful environment, leading by example through their efforts with the city of Chicago, and appreciates the significance of educating those who will nurture the environment for years to come; and,

WHEREAS, it is fitting and proper to officially recognize this organization on their efforts to preserve our environment and to keep it beautiful; and,

WHEREAS, on October 2, 2014, Keep Chicago Beautiful will celebrate their 27th Annual Vision Awards Event; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2, 2014, as **KEEP CHICAGO BEAUTIFUL DAY** and call upon all citizens to observe the day by becoming familiar with the actions that harm the environment and measures that can be taken to ensure that we maintain and preserve the beautiful environment in which we live.

Issued by the Governor September 16, 2014  
Filed by the Secretary of State September 23, 2014

**2014-414**  
**Principals Week & Principals Day**

WHEREAS, school principals play an important role in the education and growth of children in elementary, middle, and secondary schools across the State of Illinois; and,

## PROCLAMATIONS

WHEREAS, school principals are responsible for promoting education and working with parents and teachers to ensure that each child receives services that meet their needs to excel in the classroom; and,

WHEREAS, it is the responsibility of the State of Illinois to preserve and improve resources for schools so that all students have the opportunity to receive a quality education and foundation for a successful future; and,

WHEREAS, the Illinois Principals Association, which represents 4,400 educational leaders statewide, believes that learning is a lifelong process and that the education of our children is the highest priority; and,

WHEREAS, for that reason, the Illinois Principals Association is dedicated to advancing student learning through effective and innovative educational leadership development; and,

WHEREAS, educational leaders face many challenges in educating our young people and it is through their perseverance and passion that Illinois is able to continue to produce quality, career ready students; and,

WHEREAS, we must continue to encourage, support, and recognize those who have a positive impact on Illinois students' and the educational system in the Land of Lincoln; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of October 19-25, 2014 as **PRINCIPALS WEEK** and October 24, 2014 as **PRINCIPALS DAY** in Illinois, to recognize principals and the Illinois Principals Association for all that they do to help our children learn and succeed.

Issued by the Governor September 16, 2014

Filed by the Secretary of State September 23, 2014

**2014-415**  
**Vaccinate Illinois Week**

WHEREAS, vaccines are considered one of the most safe, successful and cost effective public health tools available for preventing disease and death; and,

WHEREAS, yearly vaccination of everyone 6 months of age and older is the first and most important step in protecting against influenza; and,

WHEREAS, in 2013, there were 705 intensive care unit (ICU) hospital admissions related to influenza and 91 deaths related to influenza in Illinois; and,

## PROCLAMATIONS

WHEREAS, influenza vaccination can reduce influenza illnesses, doctors' visits, missed work due to influenza, as well as prevent influenza-related hospitalizations and deaths; and,

WHEREAS, National Influenza Vaccination Week (NIVW) focuses local and national attention on the importance of getting vaccinated against influenza through the holiday season and beyond; and,

WHEREAS, the Illinois Department of Public Health has partnered with local health departments, including the Chicago Department of Public Health, the Illinois Chapter of American Academy of Pediatrics, EverThrive Illinois, Walgreens, CVS and Safeway pharmacies, Blue Cross and Blue Shield of Illinois, local health coalitions, and health advocate organizations to promote and support immunization activities throughout the state; and,

WHEREAS, the week of December 7-13, 2014, has been declared Vaccinate Illinois Week to help ensure citizens ages 6 months and older get vaccinated against influenza; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim the week of December 7 – 13, 2014, as **VACCINATE ILLINOIS WEEK** in Illinois, and encourage all citizens to spread the immunization message throughout their communities and urge all citizens 6 months of age and older to get vaccinated against influenza.

Issued by the Governor September 16, 2014

Filed by the Secretary of State September 23, 2014

**2014-416**

**Jesse D. Madison Day**

WHEREAS, Americans are served every single day by public servants at the federal, state, county, and city levels of government. These unsung heroes do the work that keeps our nation running; and,

WHEREAS, one remarkable public servant is Jesse D. Madison, who served the State of Illinois for 40 years in various capacities, including 10 years on the Prisoner Review Board; and,

WHEREAS, born in Memphis, Tennessee, to Mildred and Walter Madison, Jesse Madison graduated from Manassas High School and Roosevelt University in Chicago, where he received a B.A. in Business Administration; and,

WHEREAS, an accountant by trade, Jesse Madison spent ten years in the profession, rising to the position of Senior Accountant with the Maremont Corporation; and,

## PROCLAMATIONS

WHEREAS, Jesse Madison served under the late Mayor Harold Washington as Commissioner of Consumer Services and as the Chicago Park District President/CEO; and,

WHEREAS, as a state legislator from 1974 to 1978, Jesse Madison helped pass the Public Aid Appropriations Bill, the Adult Education Bill, and many others. In 1976, he was voted "Best Legislator" by the Independent Voters of Illinois; and,

WHEREAS, in addition to his work in government, Jesse Madison was always active with numerous civic organizations, including the African American Family Commission, the Make-A-Wish Foundation, the Child Welfare Advisory Council, the Urban League, and the Abraham Lincoln Center; and,

WHEREAS, Jesse Madison's work has undoubtedly created a lasting impact and his professionalism earned him the respect of his colleagues; and,

WHEREAS, Jesse Madison's commitment to public service helped to make our state stronger, and he serves as an inspiration to the people of the Land of Lincoln. Furthermore, his work ethic exemplified the dedication to service the citizens of the State of Illinois have come to expect and deserve; and,

WHEREAS, sadly, on August 8, 2014, Jesse Madison passed way, leaving behind many loving family members and friends; and,

WHEREAS, perhaps most importantly, Jesse Madison was a loving husband to his wife, Frances, and their two beautiful children, Shanlynn and Tracey, and grandchildren; and,

WHEREAS, in order to recognize Jesse Madison's lifetime of successes, the Illinois African American Commission will be hosting "A Night of Honor" for him on October 4, 2014, which will feature dinner, tributes, presentations, and music by Joan Collaso, an international Emmy Award winning Jazz performer; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 4, 2014, as **JESSE D. MADISON DAY** in Illinois, in recognition of the important contributions that he has made to the people of our state and the powerful legacy that he leaves behind.

Issued by the Governor September 17, 2014

Filed by the Secretary of State September 23, 2014

**2014-417**

**Complex Regional Pain Syndrome Awareness Day**

## PROCLAMATIONS

WHEREAS, Complex Regional Pain Syndrome (CRPS), also known as Reflex Sympathetic Dystrophy Syndrome (RSDS), is a nerve disorder that causes chronic pain and can strike at any age, most often affecting one of the arms, feet, hands, or legs; and,

WHEREAS, the pain often spreads to include the entire arm or leg, and typical characteristics of CRPS include dramatic changes in the color and temperature of the skin over the affected limb or body part, accompanied by intense burning pain, skin sensitivity, sweating, and swelling; and,

WHEREAS, although CRPS occurs especially after an injury or trauma to a limb, doctors are uncertain what causes it and even though there are different types of treatments, there is no cure; and,

WHEREAS, though treatment can relieve painful symptoms, the prognosis varies from person to person; and,

WHEREAS, several institutes of the National Institutes of Health (NIH) are supporters of research relating to CRPS; and,

WHEREAS, the National Institute of Neurological Disorders and Stroke (NINDS), the primary federal supporter of research on the brain and central nervous system, has scientists that are studying new approaches to treat CRPS and intervene more aggressively after traumatic injury to lower the chances of developing the disorder; and,

WHEREAS, this research is encouraging to everyone who hopes CRPS will one day be eliminated; and,

WHEREAS, on November 3, 2014, members of the Complex Regional Pain Syndrome community will be celebrating the first annual Color the World Orange Day to spread awareness of this poorly understood pain disorder; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim November 3, 2014, as **COMPLEX REGIONAL PAIN SYNDROME AWARENESS DAY** in Illinois, to raise awareness about CRPS and in support of the effort to combat this disorder that affects so many throughout the country and our state.

Issued by the Governor September 18, 2014

Filed by the Secretary of State September 23, 2014

**2014-418**  
**Harry Wilson Day**

## PROCLAMATIONS

WHEREAS, it is critically important that Illinois recognizes the contributions of residents who demonstrate a commitment to making our state a better place; and,

WHEREAS, one remarkable individual deserving of commendation is Harry Wilson. Born in Petersburg, Illinois, he would go on to become a dedicated service member, carpenter, family member, and friend whose masterful works stand in perpetuity; and,

WHEREAS, military service is a noble and honorable deed, and Harry Wilson heroically enlisted in the United States Navy at age 17 and served in the Atlantic Theater as a Signalman Second Class, United States Navy, from July 6, 1943, to March 4, 1946; and,

WHEREAS, upon completing military service, Harry Wilson returned to Petersburg, where he married his love, Marilyn Ross Wilson, of Tallula, Illinois, a marriage that would last 65 years. Together, they were proud parents of their beautiful daughter, Holly Wilson Crowl, who was born on December 25, 1959, and two wonderful grandchildren, Taylor Wilson Crowl and Logan Matthew Crowl; and,

WHEREAS, Harry Wilson, a second generation carpenter, who built his own home and dozens of others in Petersburg, also renovated some of our state's most cherished buildings, including the Dana Thomas House, the Springfield Train Station, the Governor's Mansion, and the State Capitol Building; and,

WHEREAS, the people of Illinois are appreciative of Harry Wilson's efforts to build and improve the aesthetic quality of some of our state's most historically significant buildings; and,

WHEREAS, Harry Wilson's work has undoubtedly created a lasting impact and his professionalism earned him the respect of his colleagues; and,

WHEREAS, despite the successes he achieved, Harry Wilson always remained loyal to the people of Illinois; and,

WHEREAS, sadly, Harry Wilson has passed way, leaving behind many loving family members and friends who are grateful for the numerous ways he touched their lives; and,

WHEREAS, Harry Wilson's funeral will be held on Monday, September 22, 2014, providing an opportune time for the State of Illinois to honor him; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim September 22, 2014, as **HARRY WILSON DAY** in Illinois, in recognition of his accomplishments and the powerful legacy he leaves behind.

## PROCLAMATIONS

Issued by the Governor September 18, 2014

Filed by the Secretary of State September 23, 2014

**2014-419**

**Marillac Center Day**

WHEREAS, the Marillac Center has been serving the needs of the poor and working poor throughout the City of Chicago for 100 years; and,

WHEREAS, sponsored by the Daughters of Charity, the Marillac Center provides vital programs and services in the areas of child development, social services, outreach to at-risk families and individuals, senior services, and youth programs; and,

WHEREAS, the Marillac Center is committed to the values of integrity, excellence, creativity, advocacy, respect, and empowerment; and,

WHEREAS, throughout time, the Marillac Center has proven to be adaptable and willing to operate creatively in order to meet the needs of the community members it serves; and,

WHEREAS, this year, the Marillac Center will celebrate its 100th anniversary, providing an opportune time for the people of Illinois to recognize its longevity and commitment to improving the lives of others in the Chicago area; and,

WHEREAS, 100 years of existence is a testament to the dedication of the Marillac Center's volunteers and staff; and,

WHEREAS, I am pleased to welcome everyone gathered for the Marillac Center's Centennial Celebration and dedication of the Vince and Pat Foglia Family and Youth Center. On behalf of the people of Illinois, I offer my best wishes for an enjoyable and memorable occasion; and,

THEREFORE, I, Pat Quinn, Governor of Illinois, do hereby proclaim September 20, 2014, as **MARILLAC CENTER DAY** in Illinois, in recognition of today's event and in support of the important programs and services offered by this organization.

Issued by the Governor September 18, 2014

Filed by the Secretary of State September 23, 2014

**2014-420**

**USS Honolulu CL-48 Day**

## PROCLAMATIONS

WHEREAS, the USS Honolulu CL-48 was built in the Brooklyn Navy Yard and launched in August 1937; and,

WHEREAS, the USS Honolulu is the only light cruiser named for a city of a territory that had not yet become a state, and was sponsored by Helen Poindexter, the daughter of Joseph B. Poindexter, Governor of Hawaii; and,

WHEREAS, the USS Honolulu was commissioned on June 15, 1938, with Captain Oscar Smith in command; and,

WHEREAS, on December 7, 1941, the USS Honolulu was moored in Pearl Harbor where she received underwater damage by a Japanese bomb attack but suffered no casualties; and,

WHEREAS, after repairs, the USS Honolulu re-entered the Pacific fleet to safely escort convoys, intercept enemy convoys, bombard islands for troop landings, provide screenings for troop landings, and to engage with enemy ships; and,

WHEREAS, the USS Honolulu, while fighting in the Battle of Kolombangara, sank an enemy destroyer and cruiser before being struck by a torpedo; and,

WHEREAS, following repairs, she resumed her mission and fought at Guam, Palau, and Leyte Gulf; and,

WHEREAS, while engaged in the largest Naval battle in history at Leyte Gulf, the USS Honolulu was struck by a torpedo at 1601 hours on October 20, 1944, causing the loss of 62 souls and inflicting serious and near fatal injuries on 36 more; and,

WHEREAS, the USS Honolulu served heroically in the Pacific Theater, earned 10 Battle Stars and a Presidential Unit Citation; sank 4 enemy Destroyers, 1 enemy Cruiser, and shot down several enemy aircraft; and,

WHEREAS, 'The Blue Goose', as the USS Honolulu was nicknamed and is fondly known to her crew, was decommissioned February 3, 1947, thus ending over two decades of meritorious service; and,

WHEREAS, the remaining crew of the USS Honolulu have determined that this 'Anniversary' reunion, so named to commemorate the 70th anniversary of the torpedo strike on the ship at Leyte Gulf, is the FINAL Ship's reunion; and,

## PROCLAMATIONS

WHEREAS, because the site of the inaugural USS Honolulu reunion was held at O'Hare Field in Chicago, Illinois, in 1977, the crew should come full circle to return to O'Hare Field in 2014; and,

WHEREAS, the final reunion will be held in Rosemont at the Hilton Rosemont/Chicago O'Hare; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 20, 2014, as **USS HONOLULU CL-48 DAY** in Illinois, in recognition of the brave Sailors and Marines who served aboard the ship.

Issued by the Governor September 18, 2014

Filed by the Secretary of State September 23, 2014

**2014-421****First Ladies Health Day**

WHEREAS, service to others is a hallmark of the American character, and throughout our history citizens have stepped up to meet our challenges by volunteering in their communities; and,

WHEREAS, due to the hardships that many Americans are facing, volunteering and national service are needed more than ever; and,

WHEREAS, churches are often the centerpieces of African-American communities and it is widely known that the First Ladies, or pastors' wives, are the backbone of churches and the primary influences who are able to positively affect change through motivating and being an example; and,

WHEREAS, the Walgreens First Ladies Health Initiative allows Illinoisans the opportunity to seek free medical screenings for a variety of chronic illnesses that disproportionately affect African-Americans, including HIV/AIDS, high blood pressure, diabetes, breast cancer, Alzheimer's, migraines and obesity; and,

WHEREAS, more than 50 churches in Illinois will host volunteers from a unique coalition of public and private health organizations to provide free screenings on-site at participating churches; and,

WHEREAS, more than 50,000 individuals, some unknowingly gravely ill, have received free medical screenings and counseling during the lifetime of the Illinois-based First Ladies Health Initiative, which also extends to Gary, Indiana and to Los Angeles, California; and,

## PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois do hereby proclaim September 28, 2014 as **FIRST LADIES HEALTH DAY** in Illinois, and urge citizens to thank participating First Ladies, and volunteers from Walgreens, Blue Cross Blue Shield of Illinois, the Illinois Department of Public Health, the AIDS Foundation of Chicago, the American Diabetes Association, the American Heart Association, Alzheimer's Association, and other partners for their service, and to find ways to give back to their communities.

Issued by the Governor September 19, 2014

Filed by the Secretary of State September 23, 2014

**2014-422**

**Frances E. Willard Day**

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by exceptional individuals who have ties to the Land of Lincoln; and,

WHEREAS, this year is the 175th anniversary of Frances E. Willard's birth, a prominent figure in women's history who thrust Evanston, Chicago, and the state of Illinois into the national and world spotlight during her lifetime; and,

WHEREAS, Frances Willard was one of the most prominent social reformers of the late 19th century and her ideals of social justice and activism are still present and represented in Illinois today; and,

WHEREAS, Frances Willard was a leading activist addressing women's suffrage, women's economic and religious rights, temperance, prison reforms, education reforms, and labor reforms; and,

WHEREAS, when Illinois submitted statues to the Hall of Statuary at the U.S. Capital, we selected Frances Willard as our submission, making her the only woman represented; and,

WHEREAS, in 1965 the Willard House became Evanston's first building to be designated as a National Historic Landmark, in addition to being the first house commemorating the legacy of a woman's life to receive this designation as a National Historic Landmark; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do proclaim September 28, 2014, as **FRANCES E. WILLARD DAY** in Illinois, and call upon the people of our state to join their fellow citizens across the United States in recognizing her unique contributions to history and participating in this special observance.

## PROCLAMATIONS

Issued by the Governor September 19, 2014  
Filed by the Secretary of State September 23, 2014

**2014-423**  
**Project Fit America Day**

WHEREAS, studies show that children who exercise regularly achieve higher academically and are better learners; and,

WHEREAS, Project Fit America (PFA) is a non-profit organization, now in three hundred cities in forty-five states, whose mission is to establish exemplary fitness in Education in schools to get children physically fit and to empower them to take care of their health; and,

WHEREAS, Project Fit America creates exemplary academic programs that provide equipment, curriculum instruction, on site teacher training, and measurable outcomes as well as rewards and incentives for all the students participating; and,

WHEREAS, on Friday, October 3, 2014 Sarah Bush Lincoln Health System will launch Project Fit America at Lake Crest Elementary School; and,

WHEREAS, Sarah Bush Lincoln Health System has done a magnificent job gathering an impressive group of teachers, parents, and community members to create model programs in their area schools since 2008; and,

WHEREAS, now with the addition of Lake Crest Elementary School launching PFA, over 2000 children will be impacted for fit and healthy lifestyle development; and,

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 3, 2014 as **PROJECT FIT AMERICA DAY** in Illinois, in support of the efforts of Project Fit America.

Issued by the Governor September 19, 2014  
Filed by the Secretary of State September 23, 2014

**ILLINOIS ADMINISTRATIVE CODE**  
**Issue Index - With Effective Dates**

Rules acted upon in Volume 38, Issue 41 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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14 - 395	9/9/2014 .....	19872
14 - 396	9/9/2014 .....	19873
14 - 397	9/9/2014 .....	19874
14 - 398	9/9/2014 .....	19875
14 - 399	9/9/2014 .....	19875
14 - 400	9/9/2014 .....	19877
14 - 401	9/10/2014 .....	19877
14 - 402	9/10/2014 .....	19878
14 - 403	9/11/2014 .....	19879

14 - 404	9/11/2014 .....	19880
14 - 405	9/11/2014 .....	19881
14 - 406	9/12/2014 .....	19882
14 - 407	9/12/2014 .....	19883
14 - 408	9/12/2014 .....	19884
14 - 409	9/15/2014 .....	19885
14 - 410	9/15/2014 .....	19887
14 - 411	9/16/2014 .....	19887
14 - 412	9/16/2014 .....	19889
14 - 413	9/16/2014 .....	19890
14 - 414	9/16/2014 .....	19890
14 - 415	9/16/2014 .....	19891
14 - 416	9/17/2014 .....	19892
14 - 417	9/18/2014 .....	19893
14 - 418	9/18/2014 .....	19894
14 - 419	9/18/2014 .....	19896
14 - 420	9/18/2014 .....	19896
14 - 421	9/19/2014 .....	19898
14 - 422	9/19/2014 .....	19899
14 - 423	9/19/2014 .....	19900

## ORDER FORM

<input type="checkbox"/> Print Version of the Illinois Register <input type="checkbox"/> New <input type="checkbox"/> Renewal	\$290.00 (annually)
<input type="checkbox"/> Back Issues of the Illinois Register (2012-2013 Only) Volume # _____ Issue# _____ Date _____	\$ 10.00 (each)
<input type="checkbox"/> Microfiche sets of the Illinois Register (1977 – 2003) Specify Year(s) _____	\$ 200.00 (per set)
<input type="checkbox"/> Cumulative/Sections Affected Indices (2010) Specify Year(s) _____	\$ 5.00 (per set)
(Processing fee for credit cards purchases, if applicable.)	\$ 2.00
<b>TOTAL AMOUNT OF ORDER</b>	\$ _____

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Check    Make Checks Payable To: **Secretary of State**

<input type="checkbox"/> VISA <input type="checkbox"/> Master Card <input type="checkbox"/> Discover <small>(There is a \$2.00 processing fee for credit card purchases.)</small>
Card #: _____ Expiration Date: _____
Signature: _____

**Send Payment To:** Secretary of State  
 Department of Index  
 Administrative Code Division  
 111 E. Monroe  
 Springfield, IL 62756

**Fax Order To:** (217) 557-8919

Name:	Attention:	ID #:
Address:		
City:	State:	Zip Code:
Phone:	Fax:	E-Mail:

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