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**March 29, 2019 Volume 43, Issue 13**

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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 2019

<b>Issue#</b>	<b>Rules Due Date</b>	<b>Date of Issue</b>
1	December 26, 2018	January 4, 2019
2	December 31, 2018	January 11, 2019
3	January 7, 2019	January 18, 2019
4	January 14, 2019	January 25, 2019
5	January 22, 2019	February 1, 2019
6	January 28, 2019	February 8, 2019
7	February 4, 2019	February 15, 2019
8	February 11, 2019	February 22, 2019
9	February 19, 2019	March 1, 2019
10	February 25, 2019	March 8, 2019
11	March 4, 2019	March 15, 2019
12	March 11, 2019	March 22, 2019
13	March 18, 2019	March 29, 2019
14	March 25, 2019	April 5, 2019
15	April 1, 2019	April 12, 2019
16	April 8, 2019	April 19, 2019
17	April 15, 2019	April 26, 2019
18	April 22, 2019	May 3, 2019
19	April 29, 2019	May 10, 2019
20	May 6, 2019	May 17, 2019
21	May 13, 2019	May 24, 2019
22	May 20, 2019	May 31, 2019

23	May 28, 2019	June 7, 2019
24	June 3, 2019	June 14, 2019
25	June 10, 2019	June 21, 2019
26	June 17, 2019	June 28, 2019
27	June 24, 2019	July 5, 2019
28	July 1, 2019	July 12, 2019
29	July 8, 2019	July 19, 2019
30	July 15, 2019	July 26, 2019
31	July 22, 2019	August 2, 2019
32	July 29, 2019	August 9, 2019
33	August 5, 2019	August 16, 2019
34	August 12, 2019	August 23, 2019
35	August 19, 2019	August 30, 2019
36	August 26, 2019	September 6, 2019
37	September 3, 2019	September 13, 2019
38	September 9, 2019	September 20, 2019
39	September 16, 2019	September 27, 2019
40	September 23, 2019	October 4, 2019
41	September 30, 2019	October 11, 2019
42	October 7, 2019	October 18, 2019
43	October 15, 2019	October 25, 2019
44	October 21, 2019	November 1, 2019
45	October 28, 2019	November 8, 2019
46	November 4, 2019	November 15, 2019
47	November 12, 2019	November 22, 2019
48	November 18, 2019	December 2, 2019
49	November 25, 2019	December 6, 2019
50	December 2, 2019	December 13, 2019
51	December 9, 2019	December 20, 2019
52	December 16, 2019	December 27, 2019

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Secretary of State Standard Procurement
- 2) Code Citation: 44 Ill. Adm. Code 2000
- 3) Section Number: 2000.4570                      Proposed Action: Amendment
- 4) Statutory Authority: The Secretary of State Act [15 ILCS 305/19]
- 5) A Complete Description of the Subjects and Issues Involved: The Secretary of State Act was amended by PA 100-801 to require the Secretary of State to establish aspirational goals for contract awards substantially in accordance with the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and to annually post the Office's utilization of businesses owned by minorities, women, and persons with disabilities during the preceding fiscal year.
- 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? Yes; June 30, 2020
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
2000.15	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.1005	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.1510	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.2005	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.2010	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.2050	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.4015	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.4025	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.4030	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.4035	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.4545	Amendment	42 Ill Reg. 24773; December 28, 2018

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

2000.5037	Amendment	42 Ill Reg. 24773; December 28, 2018
2000.5039	Amendment	42 Ill Reg. 24773; December 28, 2018

- 11) Statement of Statewide Policy Objective: These proposed amendments will not create or enlarge a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days to:  
  
Amy Williams  
Legal Advisor  
298 Howlett Building  
Springfield IL 62756  
  
217/785-3094  
Awilliams3@ilsos.net
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No adverse impact.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

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

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

TITLE 44: GOVERNMENT CONTRACTS, GRANTMAKING, PROCUREMENT  
AND PROPERTY MANAGEMENT  
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES  
CHAPTER XXV: SECRETARY OF STATE

PART 2000  
SECRETARY OF STATE STANDARD PROCUREMENT

SUBPART A: GENERAL

Section	Title
2000.01	Title
2000.05	Policy
2000.08	Illinois Procurement Code
2000.10	Application
2000.15	Definition of Terms Used in This Part
2000.25	Property Rights

SUBPART B: PROCUREMENT RULES

Section	Rules
2000.525	Rules

SUBPART C: PROCUREMENT AUTHORITY

Section	Conduct and Oversight of Procurements
2000.1005	Conduct and Oversight of Procurements

SUBPART D: PUBLICIZING PROCUREMENT ACTIONS

Section	Illinois Procurement Bulletin
2000.1510	Illinois Procurement Bulletin
2000.1560	Supplemental Notice
2000.1570	Error in Notice
2000.1580	Direct Solicitation

SUBPART E: SOURCE SELECTION AND CONTRACT FORMATION

Section
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NOTICE OF PROPOSED AMENDMENT

- 2000.2005 General Provisions
- 2000.2010 Competitive Sealed Bidding
- 2000.2012 Multi-Step Sealed Bidding
- 2000.2015 Competitive Sealed Proposals
- 2000.2020 Small Purchases
- 2000.2025 Sole Economically Feasible Source Procurement
- 2000.2030 Emergency Procurements
- 2000.2035 Competitive Selection Procedures for Professional and Artistic Services
- 2000.2036 Other Methods of Source Selection
- 2000.2037 Tie Bids and Proposals
- 2000.2038 Mistakes
- 2000.2040 Cancellation of Solicitations; Rejection of Bids or Proposals

SUBPART F: SUPPLIERS, PREQUALIFICATION AND RESPONSIBILITY

Section

- 2000.2043 Suppliers
- 2000.2044 Vendor List/Required Use
- 2000.2045 Prequalification
- 2000.2046 Responsibility

SUBPART G: BID, PROPOSAL AND PERFORMANCE SECURITY

Section

- 2000.2047 Security Requirements

SUBPART H: SPECIFICATIONS AND SAMPLES

Section

- 2000.2050 Specifications and Samples

SUBPART I: CONTRACT TYPE

Section

- 2000.2055 Types of Contracts

SUBPART J: DURATION OF CONTRACTS

Section

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

2000.2060 Duration of Contracts – General

## SUBPART K: CONTRACT MATTERS

## Section

2000.2560 Prevailing Wage  
2000.2570 Equal Employment Opportunity; Affirmative Action  
2000.2580 Subcontractors

## SUBPART L: CONTRACT PRICING

## Section

2000.2800 All Costs Included

SUBPART M: CONSTRUCTION AND  
CONSTRUCTION RELATED PROFESSIONAL SERVICES

## Section

2000.3005 Construction and Construction Related Professional Services

## SUBPART N: REAL PROPERTY LEASES AND CAPITAL IMPROVEMENT LEASES

## Section

2000.4000 Applicability  
2000.4005 Requests for Space/Department Responsibilities  
2000.4010 General Acquisition Procedures  
2000.4015 Acquisition of Leases by RFI  
2000.4020 Leases Acquired by Other Methods  
2000.4025 Renewal or Extension of Lease in Effect Prior to July 1, 1998  
2000.4030 Renewal of Leases Entered into After July 1, 1998  
2000.4035 Purchase Options  
2000.4040 Lease Administration  
2000.4045 Emergency Lease Procurement

## SUBPART O: PREFERENCES

## Section

2000.4505 Procurement Preferences  
2000.4510 Resident Bidder Preference

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NOTICE OF PROPOSED AMENDMENT

- 2000.4530 Correctional Industries
- 2000.4535 Sheltered Workshops for the Disabled
- 2000.4540 Gas Mileage
- 2000.4545 Small Business
- 2000.4570 Contracting with Businesses Owned and Controlled by Minorities, Females and Persons with Disabilities

SUBPART P: ETHICS

- Section
- 2000.5013 Conflicts of Interest
- 2000.5015 Negotiations for Future Employment
- 2000.5020 Exemptions
- 2000.5030 Revolving Door
- 2000.5035 Disclosure of Financial Interests and Potential Conflicts of Interest
- 2000.5037 Vendor Registration, Certification and Prohibition on Political Contributions
- 2000.5039 Procurement Communication Reporting Requirement

SUBPART Q: CONCESSIONS

- Section
- 2000.5310 Concessions

SUBPART R: COMPLAINTS, PROTESTS AND REMEDIES

- Section
- 2000.5510 Complaints Against Vendors or Subcontractors
- 2000.5520 Suspension
- 2000.5530 Resolution of Contract Controversies
- 2000.5540 Violation of Statute or Rule
- 2000.5550 Protests
- 2000.5555 Hearings and Decisions

SUBPART S: SUPPLY MANAGEMENT AND DISPOSITIONS

- Section
- 2000.6010 Supply Management and Dispositions

SUBPART T: GOVERNMENTAL JOINT PURCHASING

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## Section

- 2000.6500 General  
2000.6510 No Agency Relationship

## SUBPART U: MISCELLANEOUS PROVISIONS OF GENERAL APPLICABILITY

## Section

- 2000.7000 Severability  
2000.7010 Government Furnished Property  
2000.7015 Inspections  
2000.7020 Records and Audits  
2000.7025 Written Determinations  
2000.7030 No Waiver of Sovereign Immunity

AUTHORITY: The Illinois Procurement Code [30 ILCS 500].

SOURCE: Emergency rule adopted at 22 Ill. Reg. 12208, effective July 1, 1998, for a maximum of 150 days; adopted at 22 Ill. Reg. 20306, effective November 9, 1998; emergency amendment at 23 Ill. Reg. 5911, effective April 30, 1999, for a maximum of 150 days; emergency expired September 26, 1999; amended at 23 Ill. Reg. 13953, effective November 8, 1999; amended at 35 Ill. Reg. 4629, effective March 3, 2011; recodified Title header at 39 Ill. Reg. 5903; amended at 39 Ill. Reg. 11100, effective July 24, 2015; amended at 40 Ill. Reg. 13954, effective September 23, 2016; amended at 43 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART O: PREFERENCES

**Section 2000.4570 Contracting with Businesses Owned and Controlled by Minorities, Females and Persons with Disabilities**

- a) Introduction  
The Business Enterprise Act for Minorities, Females, and Persons with Disabilities [30 ILCS 575] (Act) sets a goal (minimum 20%) for contracting with businesses owned or controlled by minorities, females, or persons with disabilities.
- b) Goal
- 1) The CPO shall establish a goal that at least 20% of the dollar value of

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## NOTICE OF PROPOSED AMENDMENT

State contracts be awarded to minority-, ~~and~~ female-, and persons with disabilities-owned businesses. Of that 20%, 7% shall be for female-owned businesses, 2% for businesses owned by persons with disabilities and not-for-profit agencies for the disabled, and the remaining 11%~~5%~~ for other minority-owned businesses, unless these percentages are modified by the Council created under the Act.

- 2) The goals established in subsection (b)(1) may be satisfied, in whole or in part, by counting expenditures made by the Secretary of State vendors to subcontractors.
- c) Upon direction of the CPO, and pursuant to direction from the Council, the SOS may establish set-asides, including but not limited to small businesses and State use, and other preferences for vendors certified under the~~that~~ Act.
- d) Certification  
Certification procedures are set forth in rules governing the Business Enterprise Program: Contracting with Businesses Owned and Controlled by Minorities, Females and Persons with Disabilities Act (44 Ill. Adm. Code 10). In addition to the certifications done by the Business Enterprise Council, the Secretary of State may consider other forms of certifications, including internal certifications of the Secretary of State.
- e) List of Certified Businesses
- 1) The CPO for DCMS shall maintain a list of businesses that have been certified.
  - 2) The names and addresses of certified vendors shall be made available to the public.
- f) The CPO may undertake the following actions to reach the goal established in subsection (b):
- 1) Focus solicitation upon vendors from the list of certified businesses ascertained by the Council, other agencies, or by other means;
  - 2) Advertise in appropriate media;

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

- 3) Divide job or project requirements, when economically, technically, and programmatically feasible, into smaller tasks or quantities;
  - 4) Eliminate extended experience or capitalization requirements when programmatically feasible;
  - 5) Identify specific, proposed projects, purchases, or contracts as particularly appropriate for participation by businesses owned by minorities, women, or persons with disabilities; and establish set-asides in accordance with applicable law.
- g) The CPO shall acquire and maintain a list of businesses certified by the Council. The names and addresses of certified vendors shall be made available to the public.
- h) Those categories of contracts and expenditures exempted by the Council as set forth in 44 Ill. Adm. Code 10.22 are exempt from the contracting goal established in this Section. In addition, the CPO may exempt specific contracts or expenditures from the goal, prior to the advertisement for bids or solicitation of proposals, when the CPO has determined, based upon the best information available at the time of the determination, that there is an insufficient number of businesses owned by minorities, women, and persons with disabilities to ensure adequate competition and an expectation of reasonable prices on bids or proposals solicited for the specific contract or expenditure.~~Professional and Artistic Contract Reporting~~  
~~Professional and artistic contracts, which must be reported to the Business Enterprise Council pursuant to Section 6a of the Business Enterprise Act, shall be reported as follows:~~
- 1) ~~Notice that an agency intends to enter into a professional and artistic contract shall be given to the Council. Notice may be mailed, hand delivered or given by fax, and must be submitted on the same date that the potential vendor is contacted. If the contract is advertised in the Bulletin, reporting to the Council is not required.~~
  - 2) ~~The notice shall include the agency name and address; contact person; contract reference number; date bid or proposal was first available; return dates and opening dates; term of the contract; services to be provided; special requirements; and dollar value. Notice should be given on the form~~

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

~~available from the CPO for DCMS.~~

(Source: Amended at 43 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies
- 2) Code Citation: 59 Ill. Adm. Code 50
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
59.50	Amendment
59.60	Amendment
59.70	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 1-17 of the Department of Human Services Act [20 ILCS 1305].
- 5) Effective Date of Rules: March 15, 2019
- 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 rules, including any material incorporated, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 42 Ill. Reg. 23535; December 21, 2018
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: No substantive changes were made to the text of the proposed rulemaking.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.
- 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: This rulemaking specifies required on-going training for OIG investigators authorized to conduct investigations and specifies on-going

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

training for OIG investigators authorized to conduct investigations at community agencies. Additionally, this rulemaking requires that the victim or guardian be provided with a redacted copy of investigative reports in substantiated cases; allows recommendations to be reconsidered; indicates reconsideration requests will be subject to a multi-layer review, in which at least one reviewer will not have participated in the investigation or approval of the original investigative process; and provides investigations shall be reopened if further investigation is necessary. This rulemaking also allows unredacted investigative reports, as well as raw data, to be shared with local law enforcement, state's attorney's offices and coroner's offices upon request.

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

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

217/785-9772

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

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 59: MENTAL HEALTH  
CHAPTER I: DEPARTMENT OF HUMAN SERVICESPART 50  
OFFICE OF INSPECTOR GENERAL  
INVESTIGATIONS OF ALLEGED ABUSE OR NEGLECT IN  
STATE-OPERATED FACILITIES AND COMMUNITY AGENCIES

## Section

50.10	Definitions
50.20	Reporting an Allegation of Abuse, Neglect, or Financial Exploitation and Death Reports
50.30	Responsibilities of OIG for Intake Assessment
50.40	General Responsibilities
50.50	Conducting Investigations
50.60	Processing Investigative Reports, Reconsideration and Clarification Request Requirements, and the Contents of Case Files
50.70	Completed Investigations
50.80	Written Responses
50.90	Reporting by the Inspector General to the Illinois Department of Public Health Health Care Worker Registry
50.100	Removal of an Employee's Name and Finding from the Illinois Department of Public Health Health Care Worker Registry

**AUTHORITY:** Implementing and authorized by Section 1-17 of the Department of Human Services Act [20 ILCS 1305].

**SOURCE:** Adopted at 22 Ill. Reg. 19334, effective October 19, 1998; emergency amendment at 23 Ill. Reg. 4513, effective April 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 10812, effective August 23, 1999; emergency amendment at 26 Ill. Reg. 484, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 8352, effective May 24, 2002; amended at 32 Ill. Reg. 8132, effective May 16, 2008; emergency amendment at 33 Ill. Reg. 13489, effective September 10, 2009, for a maximum of 150 days; emergency expired February 6, 2010; amended at 34 Ill. Reg. 5239, effective March 25, 2010; emergency amendment at 38 Ill. Reg. 18242, effective August 13, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 19152, effective September 10, 2014; amended at 38 Ill. Reg. 22642, effective November 20, 2014; emergency amendment at 39 Ill. Reg. 13271, effective September 18, 2015, for a maximum of 150 days; amended at 39 Ill. Reg. 15134, effective November 6, 2015; amended at 40 Ill. Reg. 1824, effective January 5, 2016; amended at 41 Ill. Reg. 6516, effective May 26,

## DEPARTMENT OF HUMAN SERVICES

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2017; amended at 42 Ill. Reg. 15437, effective July 26, 2018; amended at 43 Ill. Reg. 3878, effective March 15, 2019.

**Section 50.50 Conducting Investigations**

- a) Depending on the nature of the allegation, an investigation shall consist of, but not be limited to, the following procedures:
  - 1) Ensure that the victim is not in imminent danger;
  - 2) Protect the integrity of the investigation at all times;
  - 3) Secure the scene of the incident;
  - 4) Identify and separate witnesses;
  - 5) Preserve and secure all evidence;
  - 6) Obtain statements from persons involved, including victims, accused employees, and witnesses by face-to-face interviews, in writing, or by telephone; and
  - 7) Obtain copies of pertinent documents relating to the investigation, i.e., progress notes, incident or injury reports, patient or resident records, photographs, etc.
  
- b) **Confidentiality**

Any allegations or investigations of reports of abuse, neglect and financial exploitation shall remain confidential until a final report is completed (Section 1-17(m) of the Act). The identity of any person as a complainant shall remain confidential in accordance with the Freedom of Information Act [5 ILCS 140] or unless identification is authorized by the complainant. Information concerning diagnosis and treatment for alcohol or drug abuse shall be disclosed to OIG by community agencies only in accordance with federal regulations at 42 CFR 2. Information concerning tests for human immunodeficiency virus (HIV) and diagnosis and treatment for acquired immune deficiency syndrome (AIDS) shall be disclosed to OIG by community agencies only in accordance with the AIDS Confidentiality Act [410 ILCS 305]. All personal health related information contained in OIG investigative reports shall remain confidential in accordance

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (P.L. 104-191) (45 CFR 160, 162 and 164).

- c) All investigations shall be conducted in a manner that respects the dignity and human rights of all persons involved.
- d) Every OIG Investigator authorized to conduct investigations shall receive ongoing training regarding OIG Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies (59 Ill. Adm. Code 50). Additionally, every OIG Investigator authorized to conduct investigations at community agencies shall receive ongoing training regarding Standards and Licensure Requirements for Community-Integrated Living Arrangements (59 Ill. Adm. Code 115); Administration of Medication in Community Settings (59 Ill. Adm. Code 116); and Minimum Standards for Certification of Developmental Training Programs (59 Ill. Adm. Code 119).
- ed) Representation during Interviews  
An employee may request representation at an interview with OIG if he or she has reasonable grounds to believe that the interview may be used to support disciplinary action against him or her. If the investigator denies the request, the employee's statement may not be used in any subsequent disciplinary proceeding against that employee. No representative of the agency or facility that employs the interviewee may be present at an investigatory interview. Union representation for AFSCME employees, Council 31 (State-operated facilities), shall be granted in accordance with the applicable union contract.
- fe) No person shall interfere with or obstruct an OIG interview or investigation. This is a violation of Section 1-17(i)(2) of the Act.
- gf) OIG shall be granted access, for the purpose of investigating abuse, neglect or financial exploitation, to any facility or program operated, funded, licensed or certified by the Department that is subject to the provisions of Section 1-17 of the Act.
  - 1) When advance notice to an authorized representative or his or her designee is not provided, OIG shall, on arrival at the community agency or facility site, request that an on-duty and on-site employee notify the authorized representative or his or her designee of OIG's arrival.

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 2) Facilities and community agencies shall obtain and provide OIG with all written statements and any requested documents in a timely manner.
- hg) If OIG determines that:
- 1) An individual's health or safety is in imminent danger, the Inspector General shall immediately notify the Secretary or his or her designee and the authorized representative of the community agency or facility or his or her designee.
  - 2) There is reason to believe that a violation of an existing Department rule may have occurred, OIG shall notify the authorized representative of the community agency or his or her designee and the appropriate Department office or division.

(Source: Amended at 43 Ill. Reg. 3878, effective March 15, 2019)

**Section 50.60 Processing Investigative Reports, Reconsideration and Clarification Request Requirements, and the Contents of Case Files**

- a) Processing Investigative Reports
  - 1) Upon receipt of an investigative report, the Inspector General will determine whether to accept the findings.
  - 2) When the Inspector General determines that abuse, neglect or financial exploitation of an individual is substantiated against an employee, the Inspector General shall note in the investigative report any aggravating or mitigating circumstances as those terms are defined in this Part.
  - 3) When the Inspector General substantiates neglect against an employee, the Inspector General shall make a determination in the investigative report if the neglect is egregious.
  - 4) Finalizing Investigative Reports and Notifications to Community Agencies and Facilities
    - A) After determining the finding, for substantiated cases, unsubstantiated cases and unfounded cases with recommendations,

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

the Inspector General shall notify the community agency or facility by submitting to it a copy of the investigative report. The director of the facility or agency shall be responsible for maintaining the confidentiality of the investigative report consistent with State and federal law. For unfounded cases without recommendations, a letter of finding will be sent to the facility or agency.

- B) The community agency or facility shall submit a written response when required as described in Section 50.80.
- 5) After determining the finding in all cases, in addition to the facility or agency, the Inspector General shall also notify the following parties:
- A) the complainant;
  - B) the individual who was allegedly abused, neglected or financially exploited or his or her legal guardian (if applicable); and
  - C) the person alleged to have committed the offense.
- 6) The notice provided to the following parties shall identify the outcome of the investigation and include a statement of the right to request clarification or reconsideration of the finding:
- A) the individual who was allegedly abused, neglected or financially exploited or his or her legal guardian (if applicable);
  - B) the person alleged to have committed the offense; and
  - C) the facility or agency.
- 7) In substantiated cases, the Inspector General shall provide the perpetrator and the victim or guardian with a redacted copy of the investigative report.
- b) Reconsideration and clarification requirements: Requests that the Inspector General provide clarification of the findings or reconsideration of the findings or the recommendations must be submitted within 15 days after receipt of the report or notification of the findings.

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- 1) All clarification and reconsideration requests must be in writing.
- 2) Community agency or facility clarification and reconsideration requests must be on letterhead signed by the authorized representative.
- 3) All clarification and reconsideration requests must clearly identify the nature of the request and reconsideration requests must clearly indicate include new information that could change the specific findings and/or specific recommendations to be considered~~finding~~.
- 4) Reconsideration requests shall be subject to a multi-layer review and shall include at least one reviewer who did not participate in the investigation or approval of the original investigative report.
- 54) If a reconsideration request is denied or after clarification has been provided, the community agency or facility shall submit a written response as set forth in Section 50.80.
- 65) If the Inspector General determines further investigation is necessary based on the request for reconsideration or clarification of the findings, the investigation shall be reopened and an amended investigative report shall be issued.

(Source: Amended at 43 Ill. Reg. 3878, effective March 15, 2019)

**Section 50.70 Completed Investigations**

- a) The investigative report and the investigation shall be considered complete 30 calendar days after the notice required in Section 50.60(a)(5)(A) has been sent to the facility or agency, barring cases when a reconsideration request has been granted to any requestor.
- b) Distribution of Completed Investigative Reports
  - 1) *Within 10 days after the transmittal of a completed investigative report substantiating an allegation, finding an allegation is unsubstantiated, or if a recommendation is made, the Inspector General shall provide the investigative report on the case to the Secretary and to the director of the facility or agency where the abuse, neglect or financial exploitation*

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*occurred. The director of the facility or agency shall be responsible for maintaining the confidentiality of the investigative report consistent with State and federal law. (Section 1-17(m) of the Act)*

- 2) The Inspector General shall provide a completed investigative report within 10 calendar days to Equip for Equality, Inc., and the Illinois Guardianship and Advocacy Commission.
- 3) The Inspector General shall provide a completed investigative report of all substantiated cases from Department facilities serving individuals with developmental disabilities within 10 calendar days to the Illinois Department of Public Health and the Department's Office of Developmental Disabilities.
- 4) The Inspector General shall provide a completed investigative report of all substantiated cases from Department facilities serving individuals with mental illness within 10 calendar days to the Department's Office of Mental Health.
- 5) If the Inspector General substantiates abuse, neglect or financial exploitation at a community agency serving individuals with developmental disabilities or recommends administrative action, the investigative report shall be provided to the Department's Office of Developmental Disabilities within 10 calendar days.
- 6) If the Inspector General substantiates abuse, neglect or financial exploitation at a community agency serving individuals with mental illness or recommends administrative action, the investigative report shall be provided to the Department's Office of Mental Health within 10 calendar days.
- 7) The Inspector General shall provide a completed investigative report of all cases of abuse, neglect or financial exploitation in community agencies within 10 calendar days after closure to the Department's Bureau of Accreditation, Licensure and Certification.
- 8) The Inspector General shall provide a completed investigative report in all cases substantiating abuse, neglect or financial exploitation against a Department employee within 10 calendar days to the Department's Bureau

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of Labor Relations.

- 9) The Inspector General shall provide a completed investigative report substantiating abuse, neglect or financial exploitation if a legal issue is involved within 10 calendar days to the Department's General Counsel.
  - 10) When an accused employee in a substantiated case is licensed by the Department of Financial and Professional Regulation, the Inspector General shall provide a copy of the investigative report to that agency.
- c) The Office of the Inspector General shall inform the accused employee of the results of a reconsideration request or of any changes in the finding that resulted from a reconsideration request within 15 days.
  - d) If the finding substantiates physical abuse, sexual abuse, egregious neglect or financial exploitation, the Inspector General shall report the identity of the accused employee and finding to the Health Care Worker Registry. The Inspector General shall notify the accused employee of the right to appeal the action that will place his or her identity on the Health Care Worker Registry as described in Section 50.90.
  - e) Release of Investigative Reports
    - 1) *All investigative reports prepared by the Office of the Inspector General shall be considered confidential and shall not be released except as provided by the law of this State or as required under applicable federal law. (Section 1-17(m) of the Act)*
    - 2) Substantiated findings shall be released in accordance with the Act, the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110] and the Freedom of Information Act [5 ILCS 140].
    - 3) *Unsubstantiated and unfounded investigative reports shall not be disclosed except as allowed pursuant to Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act [210 ILCS 30] or a valid court order. (Section 1-17(m) of the Act)*
    - 4) The identity of any person as a complainant shall remain confidential in accordance with the Freedom of Information Act [5 ILCS 140], or unless

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authorized by the complainant in writing. The identity of a required reporter shall only remain confidential under certain circumstances as determined by OIG on a case-by-case basis.

- f) [Release of Unredacted Investigative Reports and Raw Data](#)  
[Unredacted investigative reports, as well as raw data, may be shared, upon written request, with local law enforcement, state's attorney's offices and coroner's offices.](#)
- gf) Recommendations for Sanctions
- 1) The Inspector General may recommend to the Secretary of the Department of Human Services that sanctions be imposed against facilities or community agencies to protect residents, including:
    - A) appointment of on-site monitors or receivers;
    - B) transfer or relocation of an individual or individuals;
    - C) closure of units; and
    - D) Termination of any one or more of the following:
      - i) Department licensing;
      - ii) Department funding; or
      - iii) Department certification.
  - 2) The Inspector General may seek the assistance of the Attorney General of Illinois or the State's attorney for imposing sanctions listed in subsection (gf)(1).

(Source: Amended at 43 Ill. Reg. 3878, effective March 15, 2019)

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

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
250.100	Amendment
250.105	Amendment
250.240	Amendment
250.320	Amendment
250.1070	Amendment
250.1110	Amendment
250.1520	Amendment
250.1830	Amendment
- 4) Statutory Authority: Hospital Licensing Act [210 ILCS 85]
- 5) Effective Date of Rules: March 18, 2019
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in *Illinois Register*: October 12, 2018; 42 Ill. Reg. 18384
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Various non-substantive, typographical and grammatical changes were made in response to 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

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- 15) Summary and Purpose of Rulemaking: This rulemaking implements PA 99-834 relating to mandatory hearing testing for newborn infants and updates several Sections to include the new terminology for Advanced Practice Registered Nurses.
- 16) Information and questions regarding these adopted rules shall be directed to:

Erin Conley  
Rules Coordinator  
Illinois Department of Public Health  
Division of Legal Services  
535 W. Jefferson St., 5th 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:

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TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 250  
HOSPITAL LICENSING REQUIREMENTS

SUBPART A: GENERAL PROVISIONS

Section	
250.100	Definitions
250.105	Incorporated and Referenced Materials
250.110	Application for and Issuance of Permit to Establish a Hospital
250.120	Application for and Issuance of a License to Operate a Hospital
250.130	Administration by the Department
250.140	Hearings
250.150	Definitions (Renumbered)
250.160	Incorporated and Referenced Materials (Renumbered)

SUBPART B: ADMINISTRATION AND PLANNING

Section	
250.210	The Governing Board
250.220	Accounting
250.230	Planning
250.240	Admission and Discharge
250.245	Failure to Initiate Criminal Background Checks
250.250	Visiting Rules
250.260	Patients' Rights
250.265	Language Assistance Services
250.270	Manuals of Procedure
250.280	Agreement with Designated Organ Procurement Agencies
250.285	Smoking Restrictions
250.290	Safety Alert Notifications

SUBPART C: THE MEDICAL STAFF

Section	
250.310	Organization

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250.315	House Staff Members
250.320	Admission and Supervision of Patients
250.330	Orders for Medications and Treatments
250.340	Availability for Emergencies

## SUBPART D: PERSONNEL SERVICE

Section	
250.410	Organization
250.420	Personnel Records
250.430	Duty Assignments
250.435	Health Care Worker Background Check
250.440	Education Programs
250.450	Personnel Health Requirements
250.460	Benefits

## SUBPART E: LABORATORY

Section	
250.510	Laboratory Services
250.520	Blood and Blood Components
250.525	Designated Blood Donor Program
250.530	Proficiency Survey Program (Repealed)
250.540	Laboratory Personnel (Repealed)
250.550	Western Blot Assay Testing Procedures (Repealed)

## SUBPART F: RADIOLOGICAL SERVICES

Section	
250.610	General Diagnostic Procedures and Treatments
250.620	Radioactive Isotopes
250.630	General Policies and Procedures Manual

## SUBPART G: GENERAL HOSPITAL EMERGENCY SERVICES

Section	
250.710	Classification of Emergency Services
250.720	General Requirements
250.725	Notification of Emergency Personnel

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- 250.730 Community or Areawide Planning
- 250.740 Disaster and Mass Casualty Program
- 250.750 Emergency Services for Sexual Assault Victims

## SUBPART H: RESTORATIVE AND REHABILITATION SERVICES

## Section

- 250.810 Applicability of Other Parts of These Requirements
- 250.820 General
- 250.830 Classifications of Restorative and Rehabilitation Services
- 250.840 General Requirements for all Classifications
- 250.850 Specific Requirements for Comprehensive Physical Rehabilitation Services
- 250.860 Medical Direction
- 250.870 Nursing Care
- 250.880 Additional Allied Health Services
- 250.890 Animal-Assisted Therapy

## SUBPART I: NURSING SERVICE AND ADMINISTRATION

## Section

- 250.910 Nursing Services
- 250.920 Organizational Plan
- 250.930 Role in hospital planning
- 250.940 Job descriptions
- 250.950 Nursing committees
- 250.960 Specialized nursing services
- 250.970 Nursing Care Plans
- 250.980 Nursing Records and Reports
- 250.990 Unusual Incidents
- 250.1000 Meetings
- 250.1010 Education Programs
- 250.1020 Licensure
- 250.1030 Policies and Procedures
- 250.1035 Domestic Violence Standards
- 250.1040 Patient Care Units
- 250.1050 Equipment for Bedside Care
- 250.1060 Drug Services on Patient Unit
- 250.1070 Care of Patients
- 250.1075 Use of Restraints

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250.1080	Admission Procedures Affecting Care
250.1090	Sterilization and Processing of Supplies
250.1100	Infection Control
250.1110	Mandatory Overtime Prohibition
250.1120	Staffing Levels
250.1130	Nurse Staffing by Patient Acuity

## SUBPART J: SURGICAL AND RECOVERY ROOM SERVICES

Section	
250.1210	Surgery
250.1220	Surgery Staff
250.1230	Policies & Procedures
250.1240	Surgical Privileges
250.1250	Surgical Emergency Care
250.1260	Operating Room Register and Records
250.1270	Surgical Patients
250.1280	Equipment
250.1290	Safety
250.1300	Operating Room
250.1305	Visitors in Operating Room
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250.1320	Postanesthesia Care Units

## SUBPART K: ANESTHESIA SERVICES

Section	
250.1410	Anesthesia Service

## SUBPART L: RECORDS AND REPORTS

Section	
250.1510	Medical Records
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## SUBPART M: FOOD SERVICE

Section	
250.1610	Dietary Department Administration

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250.1620	Facilities
250.1630	Menus and Nutritional Adequacy
250.1640	Diet Orders
250.1650	Frequency of Meals
250.1660	Therapeutic (Modified) Diets
250.1670	Food Preparation and Service
250.1680	Sanitation

## SUBPART N: HOUSEKEEPING AND LAUNDRY SERVICES

## Section

250.1710	Housekeeping
250.1720	Garbage, Refuse and Solid Waste Handling and Disposal
250.1730	Insect and Rodent Control
250.1740	Laundry Service
250.1750	Soiled Linen
250.1760	Clean Linen

## SUBPART O: OBSTETRIC AND NEONATAL SERVICE

## Section

250.1810	Applicability of Other Provisions of this Part
250.1820	Obstetric and Neonatal Service (Perinatal Service)
250.1830	General Requirements for All Obstetric Departments
250.1840	Discharge of Newborn Infants from Hospital
250.1845	Caesarean Birth
250.1850	Single Room Postpartum Care of Mother and Infant
250.1860	Special Programs (Repealed)
250.1870	Labor, Delivery, Recovery and Postpartum Care

SUBPART P: ENGINEERING AND MAINTENANCE OF THE PHYSICAL PLANT, SITE,  
EQUIPMENT, AND SYSTEMS – HEATING, COOLING, ELECTRICAL, VENTILATION,  
PLUMBING, WATER, SEWER, AND SOLID WASTE DISPOSAL

## Section

250.1910	Maintenance
250.1920	Emergency electric service
250.1930	Water Supply
250.1940	Ventilation, Heating, Air Conditioning, and Air Changing Systems

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250.1950	Grounds and Buildings Shall be Maintained
250.1960	Sewage, Garbage, Solid Waste Handling and Disposal
250.1970	Plumbing
250.1980	Fire and Safety

## SUBPART Q: CHRONIC DISEASE HOSPITALS

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250.2010	Definition
250.2020	Requirements

## SUBPART R: PHARMACY OR DRUG AND MEDICINE SERVICE

Section	
250.2110	Service Requirements
250.2120	Personnel Required
250.2130	Facilities for Services
250.2140	Pharmacy and Therapeutics Committee

## SUBPART S: PSYCHIATRIC SERVICES

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250.2210	Applicability of other Parts of these Regulations
250.2220	Establishment of a Psychiatric Service
250.2230	The Medical Staff
250.2240	Nursing Service
250.2250	Allied Health Personnel
250.2260	Staff and Personnel Development and Training
250.2270	Admission, Transfer and Discharge Procedures
250.2280	Care of Patients
250.2290	Special Medical Record Requirements for Psychiatric Hospitals and Psychiatric Units of General Hospitals or General Hospitals Providing Psychiatric Care
250.2300	Diagnostic, Treatment and Physical Facilities and Services

## SUBPART T: DESIGN AND CONSTRUCTION STANDARDS

Section	
250.2410	Applicability of these Standards
250.2420	Submission of Plans for New Construction, Alterations or Additions to Existing

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	Facility
250.2430	Preparation of Drawings and Specifications – Submission Requirements
250.2440	General Hospital Standards
250.2442	Fees
250.2443	Advisory Committee
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250.2460	Finishes
250.2470	Structural
250.2480	Mechanical
250.2490	Plumbing and Other Piping Systems
250.2500	Electrical Requirements

## SUBPART U: CONSTRUCTION REQUIREMENTS FOR EXISTING HOSPITALS

Section	
250.2610	Applicability of Subpart U
250.2620	Codes and Standards
250.2630	Existing General Hospital Requirements
250.2640	Details
250.2650	Finishes
250.2660	Mechanical
250.2670	Plumbing and Other Piping Systems
250.2680	Electrical Requirements

## SUBPART V: SPECIAL CARE AND/OR SPECIAL SERVICE UNITS

Section	
250.2710	Special Care and/or Special Service Units
250.2720	Day Care for Mildly Ill Children

## SUBPART W: ALCOHOLISM AND INTOXICATION TREATMENT SERVICES

Section	
250.2810	Applicability of Other Parts of These Requirements
250.2820	Establishment of an Alcoholism and Intoxication Treatment Service
250.2830	Classification and Definitions of Service and Programs
250.2840	General Requirements for all Hospital Alcoholism Program Classifications
250.2850	The Medical and Professional Staff
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250.2870	Referral
250.2880	Client Legal and Human Rights
250.APPENDIX A	Codes and Standards (Repealed)
250.EXHIBIT A	Codes (Repealed)
250.EXHIBIT B	Standards (Repealed)
250.EXHIBIT C	Addresses of Sources (Repealed)
250.ILLUSTRATION A	Seismic Zone Map
250.TABLE A	Measurements Essential for Level I, II, III Hospitals
250.TABLE B	Sound Transmission Limitations in General Hospitals
250.TABLE C	Filter Efficiencies for Central Ventilation and Air Conditioning Systems in General Hospitals (Repealed)
250.TABLE D	General Pressure Relationships and Ventilation of Certain Hospital Areas (Repealed)
250.TABLE E	Piping Locations for Oxygen, Vacuum and Medical Compressed Air
250.TABLE F	General Pressure Relationships and Ventilation of Certain Hospital Areas
250.TABLE G	Insulation/Building Perimeter

AUTHORITY: Implementing and authorized by the Hospital Licensing Act [210 ILCS 85].

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

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effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993; amended at 18 Ill. Reg. 11945, effective July 22, 1994; amended at 18 Ill. Reg. 15390, effective October 10, 1994; amended at 19 Ill. Reg. 13355, effective September 15, 1995; emergency amendment at 20 Ill. Reg. 474, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 3234, effective February 15, 1996; amended at 20 Ill. Reg. 10009, effective July 15, 1996; amended at 22 Ill. Reg. 3932, effective February 13, 1998; amended at 22 Ill. Reg. 9342, effective May 20, 1998; amended at 23 Ill. Reg. 1007, effective January 15, 1999; emergency amendment at 23 Ill. Reg. 3508, effective March 4, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9513, effective August 1, 1999; amended at 23 Ill. Reg. 13913, effective November 15, 1999; amended at 24 Ill. Reg. 6572, effective April 11, 2000; amended at 24 Ill. Reg. 17196, effective November 1, 2000; amended at 25 Ill. Reg. 3241, effective February 15, 2001; amended at 27 Ill. Reg. 1547, effective January 15, 2003; amended at 27 Ill. Reg. 13467, effective July 25, 2003; amended at 28 Ill. Reg. 5880, effective March 29, 2004; amended at 28 Ill. Reg. 6579, effective April 15, 2004; amended at 29 Ill. Reg. 12489, effective July 27, 2005; amended at 31 Ill. Reg. 4245, effective February 20, 2007; amended at 31 Ill. Reg. 14530, effective October 3, 2007; amended at 32 Ill. Reg. 3756, effective February 27, 2008; amended at 32 Ill. Reg. 4213, effective March 10, 2008; amended at 32 Ill. Reg. 7932, effective May 12, 2008; amended at 32 Ill. Reg. 14336, effective August 12, 2008; amended at 33 Ill. Reg. 8306, effective June 2, 2009; amended at 34 Ill. Reg. 2528, effective January 27, 2010; amended at 34 Ill. Reg. 3331, effective February 24, 2010; amended at 34 Ill. Reg. 19031, effective November 17, 2010; amended at 34 Ill. Reg. 19158, effective November 23, 2010; amended at 35 Ill. Reg. 4556, effective March 4, 2011; amended at 35 Ill. Reg. 6386, effective March 31, 2011; amended at 35 Ill. Reg. 13875, effective August 1, 2011; amended at 36 Ill. Reg. 17413, effective December 3, 2012; amended at 38 Ill. Reg. 13280, effective June 10, 2014; amended at 39 Ill. Reg. 5443, effective March 25, 2015; amended at 39 Ill. Reg. 13041, effective September 3, 2015; amended at 41 Ill. Reg. 7154, effective June 12, 2017; amended at 41 Ill. Reg. 14945, effective November 27, 2017; amended at 42 Ill. Reg. 9507, effective May 24, 2018; amended at 43 Ill. Reg. 3889, effective March 18, 2019.

## SUBPART A: GENERAL PROVISIONS

**Section 250.100 Definitions**

Abnormal Slide – a slide not having the characteristics of healthy tissue.

Act – the Hospital Licensing Act [210 ILCS 85].

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Advanced Practice [Registered](#) Nurse – a person licensed to practice under Article 65 of the Nurse Practice Act.

Advanced Practice Provider –an advanced practice [registered](#) nurse or a physician assistant.

Allied Health Personnel – persons other than medical staff members, licensed or registered by the State of Illinois or recognized by an organization acceptable to the Department and recognized to function within their licensed, registered or recognized capacity by the medical staff and the governing authority of the hospital.

Control Materials – a sample in which the chemical composition and physical properties resemble the specimen to be analyzed on which sufficient analyses have been run to give a reasonably good approximation of the concentration of the constituent being assayed. The control materials are routinely analyzed along with patient specimens to determine the precision and accuracy of the analytical process used.

Dentist – any person licensed to practice dentistry as provided in the Illinois Dental Practice Act [225 ILCS 25].

Department – the Illinois Department of Public Health.

Drugs – the term "drugs" means and includes:

articles recognized in the official United States Pharmacopoeia, official National Formulary, or any supplement to either of them and being intended for and having for their main use the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals;

all other articles intended for and having for their main use the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals;

articles (other than food) having for their main use and intended to affect the structure or any function of the body of man or other animals; and

articles having for their main use and intended for use as a component or

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any articles specified in this definition, but does not include devices or their components, parts or accessories.

*Federally designated organ procurement agency – the organ procurement agency designated by the Secretary of the U.S. Department of Health and Human Services for the service area in which a hospital is located; except that in the case of a hospital located in a county adjacent to Wisconsin which currently contracts with an organ procurement agency located in Wisconsin that is not the organ procurement agency designated by the U.S. Secretary of Health and Human Services for the service area in which the hospital is located, if the hospital applies for a waiver pursuant to 42 USC 1320b-8(a), it may designate an organ procurement agency located in Wisconsin to be thereafter deemed its federally designated organ procurement agency for the purposes of the Act. (Section 3(F) of the Act)*

*Follow-up health care – health care services related to a sexual assault, including laboratory services and pharmacy services, rendered within 90 days after the initial visit for hospital emergency services. (Section 1a of the Sexual Assault Survivors Emergency Treatment Act)*

Hospital – the term "hospital" shall have the meaning ascribed in Section 3(A) of the Act.

Hospitalization – the reception or care of any person in any hospital either as an inpatient or as an outpatient.

House Staff Member – an individual who is a graduate of a medical, dental, osteopathic, or podiatric school; who is licensed as appropriate; who is appointed to the hospital's medical, osteopathic, dental, or podiatric graduate training program that is approved or recognized in accordance with the statutory requirements applicable to the practitioner; and who is participating in patient care under the direction of licensed practitioners who have clinical privileges in the hospital and are members of the hospital's medical staff.

Licensed Practical Nurse – a person with a valid Illinois license to practice as a practical nurse under the Nurse Practice Act.

Medical Staff – an organized body composed of the following individuals granted the privilege by the governing authority of the hospital to practice in the hospital:

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persons who are graduates of a college or school approved or recognized by the Illinois Department of Financial and Professional Regulation, and who are currently licensed by the Department of Financial and Professional Regulation to practice medicine in all its branches; practice dental surgery; or, practice podiatric medicine in Illinois, regardless of the title of the degree awarded by the approving college or school.

Medicines – drugs or chemicals or preparations of drugs or chemicals in suitable form intended for and having for their main use the prevention, treatment, relief, or cure of diseases in man or animals when used either internally or externally.

Normal Slide – a slide having the characteristics of healthy tissue.

Nurse – a registered nurse or licensed practical nurse as defined in the Nurse Practice Act.

Nursing Staff – registered nurses, licensed practical nurses, nursing assistants and others who render patient care under the supervision of a registered professional nurse.

Patient Care Unit or Nursing Care Unit – an organized unit in which nursing services are provided on a continuous basis. This unit is a clearly defined administrative and geographic area to which specific nursing staff is assigned.

Pharmacist – a person who is licensed as a pharmacist under the Pharmacy Practice Act.

Pharmacy – the term "Practice of Pharmacy" includes, but is not limited to:

the soliciting of prescriptions;

the compounding of prescriptions;

the dispensing of any drug or medicine on a prescription;

the transfer of any drug or medicine from one container into another container that is to be delivered to or for the ultimate patient, on a prescription, or to or for the ultimate consumer, without a prescription;  
and

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the placing of directions for use or other required labeling information on a container of any drug or medicine which is to be delivered to or for the ultimate consumer, without a prescription.

The term "pharmacy" or "a drug store" as referred to in Section 3 of the Pharmacy Practice Act, means and includes that area licensed by the Department of Financial and Professional Regulation in which the practice of pharmacy is conducted. Any room or designated area where drugs and medicines are dispensed (including the repackaging for distribution to a nursing station or storage area) shall be considered to be a pharmacy and be licensed by the Department of Financial and Professional Regulation.

Physical Rehabilitation Facility – a licensed specialty hospital or clearly defined special unit or program of an acute care hospital providing physical rehabilitation services either through the facility's own staff members or when appropriate, through the mechanism of formal affiliations and consultations.

Physical Rehabilitation Services – a complete, intensive multi-disciplinary process of individualized, time-limited, goal-oriented services, including evaluation, restoration, personal adjustment, and continuous medical care under the supervision and direction of a physician "qualified by training and experience in physical rehabilitation". Physical rehabilitation has two major components: inpatient and outpatient care. Both components involve the patient and, whenever possible, the family in establishing treatment goals and discharge plans, and consist of the following scope of services available for inpatient care: physician, rehabilitation nursing, physical therapy, occupational therapy, speech therapy, audiology, prosthetic and orthotic services, as well as rehabilitation counseling, social services, recreational therapy, psychology, pastoral care, and vocational counseling. Basic scope of services for outpatient facilities shall include at least a physician, physical therapy, occupational therapy, speech therapy, vocational services, psychology and social service. The purpose of multi-faceted services is to reduce the disability and dependency in activities of daily living while promoting optimal personal adjustment in dimensions such as psychological, social, economic, spiritual and vocational.

Physician – a person licensed to practice medicine in all of its branches as provided in the Medical Practice Act of 1987.

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Physician Assistant – a person authorized to practice under the Physician Assistant Practice Act of 1987.

Podiatrist – a person licensed to practice podiatry under the Podiatric Medical Practice Act of 1987.

Reference Materials – a sample in which the chemical composition and physical properties resemble the specimen to be analyzed on which sufficient analyses have been run to give a reasonably good approximation of the concentration of the constituent being assayed. The reference materials are routinely analyzed along with patient specimens to determine the precision and accuracy of the analytical process used.

Registered Nurse – a person with a valid Illinois license to practice as a registered professional nurse under the Nurse Practice Act.

*Safe Lifting Equipment and Accessories – mechanical equipment designed to lift, move, reposition, and transfer patients, including, but not limited to, fixed and portable ceiling lifts, sit-to-stand lifts, slide sheets and boards, slings, and repositioning and turning sheets. (Section 6.25(a) of the Act)*

*Save Lifting Team – at least 2 individuals who are trained in the use of both safe lifting techniques and safe lifting equipment and accessories, including the responsibility for knowing the location and condition of such equipment and accessories. (Section 6.25(a) of the Act)*

Standard Solution – a solution used for calibration in which the concentration is determined solely by dissolving a weighted amount of primary standard material in an appropriate amount of solvent.

*Tissue bank – any facility or program operating in Illinois that is certified by the American Association of Tissue Banks or the Eye Bank Association of America and is involved in procuring, furnishing, donating, or distributing corneas, bones, or other human tissue for the purpose of injecting, transfusing or transplanting any of them into the human body. "Tissue bank" does not include a licensed blood bank. For the purposes of the Act, "tissue" does not include organs. (Section 3(G) of the Act)*

(Source: Amended at 43 Ill. Reg. 3889, effective March 18, 2019)

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**Section 250.105 Incorporated and Referenced Materials**

- a) The following regulations and standards are incorporated in this Part:
- 1) Private and Professional Association Standards
    - A) American Society for Testing and Materials (ASTM), Standard No. E90-99 (2009): Standard Test Method for Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions and Elements, which may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959.
    - B) ASTM E 662 (2012), Standard Test Method for Specific Optical Density of Smoke Generated by Solid Materials, which may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959.
    - C) ASTM E 84 (2010), Standard Test Method for Surface Burning Characteristics of Building Materials, which may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959.
    - D) The following standards of the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), which may be obtained from the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc., 1791 Tullie Circle, N.E., Atlanta, Georgia 30329:
      - i) ASHRAE Handbook of Fundamentals (2009)
      - ii) ASHRAE Handbook for HVAC Systems and Equipment (2004)
      - iii) ASHRAE Handbook-HVAC Applications (2007)
    - E) The following standards of the National Fire Protection

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Association (NFPA), which may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169:

- i) NFPA 101 (2012): Life Safety Code and all applicable references under Chapter 2, Referenced Publications.
  - ii) NFPA 101A (2013): Guide on Alternative Approaches to Life Safety
- F) American Academy of Pediatrics and American College of Obstetricians and Gynecologists, Guidelines for Perinatal Care, Seventh Edition (2012), which may be obtained from the American College of Obstetricians and Gynecologists Distribution Center, P.O. Box 933104, Atlanta, Georgia 31193-3104 (800-762-2264) (See Section 250.1820.)
- G) American College of Obstetricians and Gynecologists, Guidelines for Women's Healthcare, Fourth Edition (2014), which may be obtained from the American College of Obstetricians and Gynecologists Distribution Center, P.O. Box 933104, Atlanta, Georgia 31193-3104 (800-762-2264) (See Section 250.1820.)
- H) American Academy of Pediatrics (AAP), Red Book: Report of the Committee on Infectious Diseases, 28<sup>th</sup> Edition (2009), which may be obtained from the American Academy of Pediatrics, 141 Northwest Point Blvd., Elk Grove Village, Illinois 60007 (See Section 250.1820.)
- I) American Academy of Pediatrics and the American Heart Association, 2011 American Heart Association (AHA) Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiovascular Care (ECC) of Pediatric and Neonatal Patients: Neonatal Resuscitation Guidelines, which may be obtained from the American Academy of Pediatrics, 141 Northwest Point Blvd., Elk Grove Village, Illinois 60007, or at [pediatrics.aappublications.org/cgi/reprint/117/5/e1029.pdf](http://pediatrics.aappublications.org/cgi/reprint/117/5/e1029.pdf) (See Section 250.1830.)

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- J) National Association of Neonatal Nurses, Position Statement #3009 Minimum RN Staffing in NICUs, which may be obtained from the National Association of Neonatal Nurses, 4700 W. Lake Ave., Glenview, Illinois 60025, or at [nann.org/pdf/08\\_3009\\_rev.pdf](http://nann.org/pdf/08_3009_rev.pdf) (See Section 250.1830.)
- K) National Council on Radiation Protection and Measurements (NCRP), Report 49: Structural Shielding Design and Evaluation for Medical Use of X-rays and Gamma Rays of Energies up to 10 MeV (1976) and NCRP Report 102: Medical X-Ray, Electron Beam and Gamma-Ray Protection for Energies Up to 50 MeV (Equipment Design, Performance and Use) (1989), which may be obtained from the National Council on Radiation Protection and Measurements, 7910 Woodmont Ave., Suite 800, Bethesda, Maryland 20814-3095 (See Sections 250.2440 and 250.2450.)
- L) DOD Penetration Test Method MIL STD 282 (2012): Filter Units, Protective Clothing, Gas-mask Components and Related Products: Performance Test Methods, which may be obtained from Naval Publications and Form Center, 5801 Tabor Avenue, Philadelphia, Pennsylvania 19120 (See Section 250.2480.)
- M) National Association of Plumbing-Heating-Cooling Contractors (PHCC), National Standard Plumbing Code (2009), which may be obtained from the National Association of Plumbing-Heating-Cooling Contractors, 180 S. Washington Street, P.O. Box 6808, Falls Church, Virginia 22046 (703-237-8100)
- N) International Building Code (2012), which may be obtained from the International Code Council, 4051 Flossmoor Road, Country Club Hills, Illinois 60477-5795 (See Section 250.2420.)
- O) American National Standards Institute, ANSI A117.1 (2009), Standard for Accessible and Usable Buildings, which may be obtained from the American National Standards Institute, 25 West 433<sup>rd</sup> Street, 4<sup>th</sup> Floor, New York, New York 10036 (See Section 250.2420.)
- P) ASME Standard A17.1-2007, Safety Code for Elevators and

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Escalators, which may be obtained from the American Society of Mechanical Engineers (ASME) International, 22 Law Drive, Box 2900, Fairfield, New Jersey 07007-2900

- Q) Accreditation Council for Graduate Medical Education, Essentials of Accredited Residencies in Graduate Medical Education (1997), which may be obtained from the Accreditation Council for Graduate Medical Education, 515 North State Street, Suite 2000, Chicago, Illinois 60610 (See Section 250.315.)
  - R) The Joint Commission, 2006 Hospital Accreditation Standards (HAS), Standard PC.3.10, which may be obtained from the Joint Commission, One Renaissance Boulevard, Oakbrook Terrace, Illinois 60181 (See Section 250.1035.)
  - S) National Quality Forum, Safe Practices for Better Health Care (2009), which may be obtained from the National Quality Forum, 601 13<sup>th</sup> Street, NW, Suite 500 North, Washington DC 20005, or from [www.qualityforum.org](http://www.qualityforum.org)
- 2) Federal Government Publications:
- A) Department of Health and Human Services, United States Public Health Service, Centers for Disease Control and Prevention, "Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings 2007" and "Guidelines for Infection Control in Health Care Personnel, 1998, which may be obtained from National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161 (See Section 250.1100.)
  - B) Department of Health and Human Services, United States Public Health Service, Centers for Disease Control and Prevention, "Guidelines for Environmental Infection Control in Health-Care Facilities: Recommendations – Animals in Health Care Facilities", "Morbidity and Mortality Weekly Report", June 6, 2003/Vol. 52/No. RR-10, which may be obtained from the Centers for Disease Control and Prevention, 1600 Clifton Road, MS K-95, Atlanta, Georgia 30333

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- C) Department of Health and Human Services, United States Public Health Services, Centers for Disease Control and Prevention, "Guidelines for Hand Hygiene in Health-Care Settings", October 25, 2002, which may be obtained from the National Technical Information Services (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161
  - D) Department of Health and Human Services, United States Public Health Service, Centers for Disease Control and Prevention, "Guidelines for Disinfection and Sterilization in Healthcare Facilities, 2008", which may be obtained from the Centers for Disease Control and Prevention, 1600 Clifton Road, Atlanta, Georgia 30333
  - E) National Center for Health Statistics and World Health Organization, Geneva, Switzerland, "International Classification of Diseases", 10<sup>th</sup> Revision, Clinical Modification (ICD-10-CM) (1990), Version for 2015, which can be accessed at <http://www.who.int/classifications/icd/en/>
- 3) Federal Regulations:
- A) 45 CFR 46.101, To What Does the Policy Apply? (October 1, 2017)
  - B) 45 CFR 46.103(b), Assuring Compliance with this Policy – Research Conducted or Supported by any Federal Department or Agency (October 1, 2017)
  - C) 42 CFR 482, Conditions of Participation for Hospitals (October 1, 2017)
  - D) 21 CFR, Food and Drugs (April 1, 2017)
  - E) 42 CFR 489.20, Basic Commitments (October 1, 2017)
  - F) 29 CFR 1910.1030, Bloodborne Pathogens (July 1, 2017)

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- G) 42 CFR 413.65(d) and (e), Requirements for a determination that a facility or an organization has provider-based status (October 1, 2017)
- b) All incorporations by reference of federal regulations and guidelines and the standards of nationally recognized organizations refer to the regulations, guidelines and standards on the date specified and do not include any editions or amendments subsequent to the date specified.
- c) The following statutes and State regulations are referenced in this Part:
- 1) State of Illinois statutes:
    - A) Hospital Licensing Act [210 ILCS 85]
    - B) Illinois Health Facilities Planning Act [20 ILCS 3960]
    - C) Medical Practice Act of 1987 [225 ILCS 60]
    - D) Podiatric Medical Practice Act of 1987 [225 ILCS 100]
    - E) Pharmacy Practice Act [225 ILCS 85]
    - F) Physician Assistant Practice Act of 1987 [225 ILCS 95]
    - G) Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25]
    - H) X-ray Retention Act [210 ILCS 90]
    - I) Safety Glazing Materials Act [430 ILCS 60]
    - J) Mental Health and Developmental Disabilities Code [405 ILCS 5]
    - K) Nurse Practice Act [225 ILCS 65]
    - L) Health Care Worker Background Check Act [225 ILCS 46]
    - M) MRSA Screening and Reporting Act [210 ILCS 83]

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- N) Hospital Report Card Act [210 ILCS 88]
- O) Illinois Adverse Health Care Events Reporting Law of 2005 [410 ILCS 522]
- P) Smoke Free Illinois Act [410 ILCS 82]
- Q) Health Care Surrogate Act [755 ILCS 40]
- R) Perinatal HIV Prevention Act [410 ILCS 335]
- S) Hospital Infant Feeding Act [210 ILCS 81]
- T) Medical Patient Rights Act [410 ILCS 50]
- U) Hospital Emergency Service Act [210 ILCS 80]
- V) Illinois Anatomical Gift Act [775 ILCS 50]
- W) Illinois Public Aid Code [305 ILCS 5]
- X) Illinois Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 305]
- Y) ID/DD Community Care Act [210 ILCS 47]
- Z) Specialized Mental Health Rehabilitation Act [210 ILCS 48]
- AA) Veterinary Medicine and Surgery Practice Act of 2004 [225 ILCS 115]
- BB) Alternative Health Care Delivery Act [210 ILCS 3]
- CC) Gestational Surrogacy Act [750 ILCS 47]
- DD) Code of Civil Procedure (Medical Studies) [735 ILCS 5/8-2101]
- EE) Sexual Assault Survivors Emergency Treatment Act [410 ILCS 70]

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FF) Civil Administrative Code of Illinois (Department of Public Health Powers and Duties Law) [20 ILCS 2310]

GG) AIDS ~~Confidentiality~~ Confidentiality Act [410 ILCS 305]

HH) Nursing Home Care Act [210 ILCS 45]

II) Illinois Controlled Substances Act [720 ILCS 570]

JJ) Early Hearing Detection and Intervention Act [410 ILCS 213]

2) State of Illinois Administrative Rules:

A) Department of Public Health, Illinois Plumbing Code (77 Ill. Adm. Code 890)

B) Department of Public Health, Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545)

C) Department of Public Health, Control of Communicable Diseases Code (77 Ill. Adm. Code 690)

D) Department of Public Health, Food Service Sanitation Code (77 Ill. Adm. Code 750)

E) Department of Public Health, Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)

F) Department of Public Health, Maternal Death Review (77 Ill. Adm. Code 657)

G) Department of Public Health, Control of Sexually Transmissible Infections Code (77 Ill. Adm. Code 693)

H) Department of Public Health, Control of Tuberculosis Code (77 Ill. Adm. Code 696)

I) Department of Public Health, Health Care Worker Background

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Check Code (77 Ill. Adm. Code 955)

- J) Department of Public Health, Language Assistance Services Code (77 Ill. Adm. Code 940)
- K) Department of Public Health, Regionalized Perinatal Health Care Code (77 Ill. Adm. Code 640)
- L) Health Facilities and Services Review Board, Narrative and Planning Policies (77 Ill. Adm. Code 1100)
- M) Health Facilities and Services Review Board, Processing, Classification Policies and Review Criteria (77 Ill. Adm. Code 1110)
- N) Department of Public Health, Private Sewage Disposal Code (77 Ill. Adm. Code 905)
- O) Department of Public Health, Ambulatory Surgical Treatment Center Licensing Requirements (77 Ill. Adm. Code 205)
- P) Department of Public Health, HIV/AIDS Confidentially and Testing Code (77 Ill. Adm. Code 697)
- Q) Capital Development Board, Illinois Accessibility Code (71 Ill. Adm. Code 400)
- R) State Fire Marshal, Boiler and Pressure Vessel Safety (41 Ill. Adm. Code 120)
- S) State Fire Marshal, Fire Prevention and Safety (41 Ill. Adm. Code 100)
- T) Illinois Emergency Management Agency, Standards for Protection Against Radiation (32 Ill. Adm. Code 340)
- U) Illinois Emergency Management Agency, Use of X-rays in the Healing Arts Including Medical, Dental, Podiatry, and Veterinary Medicine (32 Ill. Adm. Code 360)

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- 3) Federal Statutes:
  - A) Health Insurance Portability and Accountability Act of 1996 (110 USC 1936)
  - B) Emergency Medical Treatment & Labor Act (42 USC 1395dd)

(Source: Amended at 43 Ill. Reg. 3889, effective March 18, 2019)

## SUBPART B: ADMINISTRATION AND PLANNING

**Section 250.240 Admission and Discharge**

- a) Principle  
The hospital shall have written policies for the admission, discharge, and referral of all patients who present themselves for care. Procedures shall assure appropriate utilization of hospital resources such as preadmission testing, ambulatory care programs, and short-term procedure units.
- b) Access
  - 1) All persons shall be admitted to the hospital, whether as inpatients or outpatients, by a member of the medical staff with admitting privileges, an advanced practice [registered](#) nurse, or a physician assistant with clinical privileges recommended by the medical staff and granted by the hospital governing board. All persons admitted to the hospital shall be under the professional care of a member of the medical staff.
  - 2) Insofar as possible, the hospital shall assign patients to accommodations with regard to gender, age, and medical requirement.
  - 3) The hospital shall provide basic and effective care to each patient. No person seeking necessary medical care from the hospital shall be denied care for reasons not based on sound medical practice or the hospital's charter, and, particularly, no person shall be denied care on account of race, creed, color, religion, gender, or sexual orientation.
  - 4) When the hospital does not provide the services required by a patient or a

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person seeking necessary medical care, an appropriate referral shall be made.

- c) Required Testing for All Admissions
  - 1) The laboratory examinations required on all admissions shall be determined by the medical staff and shall be consistent with the scope and nature of the hospital. The required list or lists of tests shall be in written form and shall be available to all members of the medical staff. The required examinations shall be consistent with the requirements of this subsection (c).
  - 2) Uterine Cytologic Examination for Cancer
    - A) *Every hospital shall offer a uterine cytologic examination for cancer to every female inpatient 20 years of age or over, unless one of the following conditions exists:*
      - i) *The examination is considered contra-indicated by the attending physician; or*
      - ii) *The patient has had a uterine cytologic examination for cancer performed within the previous year prior to the admission to the hospital.*
    - B) *Every woman for whom the test is applicable shall have the right to refuse such test on the counsel of the attending physician or on her own judgment.*
    - C) Patient records for all female inpatients 20 years of age or older shall indicate one of the following:
      - i) *The results of the test;*
      - ii) *The reasons that the test offer requirement was not applicable as provided under subsection (c)(2)(A); or*
      - iii) *A statement that it was refused by the patient. (Section 2310-540 of the Civil Administrative Code).*

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- 3) Testing for Infection with Human Immunodeficiency Virus (HIV)
  - A) The hospital shall *offer testing for infection with human immunodeficiency virus (HIV) to patients upon request.*
  - B) The hospital shall ensure that *pre-test and post-test counseling* is provided to the patient in accordance with the provisions of the AIDS Confidentiality Act and the HIV/AIDS Confidentiality and Testing Code.
  - C) Testing that is performed under the Act and this Part *shall be subject to the provisions of the AIDS Confidentiality Act and the HIV/AIDS Confidentiality and Testing Code.* (Section 6.10 of the Act)
- d) Discharge Notification
  - 1) The hospital shall develop a discharge plan of care for all patients who present themselves to the hospital for care.
  - 2) The discharge plan shall be based on an assessment of the patient's needs by various disciplines responsible for the patient's care.
  - 3) When a patient is discharged to another level of care, the hospital shall ensure that the patient is being transferred to a facility that is capable of meeting the patient's assessed needs.
  - 4) *Whenever a patient who qualifies for the federal Medicare program is hospitalized, the patient shall be notified of discharge at least 24 hours prior to discharge from the hospital.* The notification shall be provided by, or at the direction of, *a physician with medical staff privileges at the hospital or any appropriate medical staff member.* The notification shall include:
    - A) The anticipated date and time of discharge.
    - B) *Written information concerning the patient's right to appeal the discharge pursuant to the federal Medicare program, including the*

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*steps to follow to appeal the discharge and the appropriate telephone number to call if the patient intends to appeal the discharge. This written information does not need to be included in the notification, if it has already been provided to the patient. (Section 6.09 of the Act)*

- 5) *Every hospital shall develop and implement policies and procedures to provide the discharge notice required in subsection (d)(4). The policies and procedures may also include a waiver of the notification requirement in either or both of the following cases:*
  - A) *When a discharge notice is not feasible due to a short length of stay in the hospital by the patient. The hospital policy shall specify the length of stay when discharge notification will not be considered feasible.*
  - B) *When the patient voluntarily desires to leave the hospital before the expiration of the 24 hour period. (Section 6.09 of the Act)*
- e) *Patient Notice of Observation Status. Within 24 hours after a patient's placement into observation status by a hospital, the hospital shall provide that patient with an oral and written notice that the patient is not admitted to the hospital and is under observation status. The written notice shall be signed by the patient or the patient's legal representative to acknowledge receipt of the written notice and shall include, but not be limited to, the following information:*
  - 1) *A statement that observation status may affect coverage under the federal Medicare program, the medical assistance program under Article V of the Illinois Public Aid Code, or the patient's insurance policy for the current hospital services, including medications and other pharmaceutical supplies, as well as coverage for any subsequent discharge to a skilled nursing facility or for home and community based care; and*
  - 2) *A statement that the patient should contact his or her insurance provider to better understand the implications of being placed into observation status. (Section 6.09b of the Act)*
- f) *The hospital shall develop a written policy for cases in which a patient in observation status is incapacitated and attempts to contact the patient's legal*

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representative within 24 hours pursuant to subsection (e) have been unsuccessful. The hospital shall document all attempts to contact the patient's legal representative.

- g) Background Checks for Patients Transferring to a Long-Term Care Facility
- 1) *Before transfer of a patient to a long term care facility licensed under the Nursing Home Care Act where elderly persons reside, a hospital shall as soon as practicable initiate a name-based criminal history background check by electronic submission to the Department of State Police for all persons between the ages of 18 and 70 years; provided, however, that a hospital shall be required to initiate such a background check only with respect to patients who:*
    - A) *are transferring to a long term care facility for the first time;*
    - B) *have been in the hospital more than 5 days;*
    - C) *are reasonably expected to remain at the long term care facility for more than 30 days;*
    - D) *have a known history of serious mental illness or substance abuse; and*
    - E) *are independently ambulatory or mobile for more than a temporary period of time.*
  - 2) *A hospital may also request a criminal history background check for a patient who does not meet any of the criteria set forth in subsections (g)(1)(A) through (E).*
  - 3) *A hospital shall notify a long term care facility if the hospital has initiated a criminal history background check on a patient being discharged to that facility. In all circumstances in which the hospital is required by this subsection (g) to initiate the criminal history background check, the transfer to the long term care facility may proceed regardless of the availability of criminal history results.*

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- 4) *Upon receipt of the results, the hospital shall promptly forward the results to the appropriate long term care facility. If the results of the background check are inconclusive, the hospital shall have no additional duty or obligation to seek additional information from, or about, the patient.*  
(Section 6.09(d) of the Act)

(Source: Amended at 43 Ill. Reg. 3889, effective March 18, 2019)

## SUBPART C: THE MEDICAL STAFF

**Section 250.320 Admission and Supervision of Patients**

- a) All persons admitted to the hospital shall be under the professional care of a member of the medical staff. Patients admitted by a podiatrist or a dentist shall be under the care of both the admitting medical staff member and a physician who is also a medical staff member. The podiatrist or the dentist shall be responsible for all care within the limits of the privileges granted to them; the physician shall be responsible for all aspects of general medical care. Patients admitted by a dentist or a podiatrist may have their histories and physical examinations-performed by the admitting dentist or podiatrist, provided that the dentist or podiatrist is a member of the hospital medical staff, that the dentist or podiatrist has been approved to perform histories and physical examinations by the hospital governing board and that the history and physical examination are directly related or incident to the dental or podiatrist service, operation, or surgery for which the patient is being admitted.
- b) Patients admitted by an advanced practice [registered](#) nurse or physician assistant shall be under the care of both the advanced practice provider and a physician who also is a medical staff member. The advanced practice provider shall be responsible for care within the limits of the privileges granted to him or her.

(Source: Amended at 43 Ill. Reg. 3889, effective March 18, 2019)

## SUBPART I: NURSING SERVICE AND ADMINISTRATION

**Section 250.1070 Care of Patients**

- a) All persons shall be admitted to the hospital, by a member of the medical staff with admitting privileges, an advanced practice [registered](#) nurse, or a physician

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assistant with clinical privileges recommended by the medical staff and granted by the governing board. All persons admitted to the hospital, whether as inpatients or outpatients, shall be under the professional care of a member of the medical staff. (See Section 250.240(b)(1).)

- b) The hospital shall provide basic and effective care to each patient. Insofar as possible, the hospital shall assign patients to accommodations that will provide for adequate segregation with regard to sex, age, and medical management. (See Section 250.240(b)(2).)

(Source: Amended at 43 Ill. Reg. 3889, effective March 18, 2019)

**Section 250.1110 Mandatory Overtime Prohibition**

- a) As used in this Section, the following definitions apply:

"Agreed-to, predetermined shift" – nursing hours of work, provided in advance to staff, in a prospective nurse staffing schedule for each patient care unit. Any work hours in addition to the predetermined shifts or prospective work schedule must be agreed to between the nurse employee and the employer. The agreed-to, predetermined shift may include "on call" but does not include other overtime staffing mechanisms in which a nurse employee's work, or availability to work additional hours, is at the sole discretion of the employer.

*"Mandated overtime" – work that is required by the hospital in excess of an agreed-to, predetermined work shift. Time spent by nurses required to be available as a condition of employment in specialized units, such as surgical nursing services, shall not be counted or considered in calculating the amount of time worked for the purpose of applying the prohibition against mandated overtime. (Section 10.9(a) of the Act)*

*"Nurse" – any advanced practice registered nurse, registered professional nurse, or licensed practical nurse, as defined in the Nursing and Advanced Practice Nursing Act, who receives an hourly wage and has direct responsibility to oversee or carry out nursing care. For the purposes of this Section, "advanced practice registered nurse" does not include a certified registered nurse anesthetist who is primarily engaged in performing the duties of a nurse anesthetist. (Section 10.9(a) of the Act)*

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"On-call/available" – the voluntary agreement by any nurse to be assigned specific agreed-to, predetermined hours of availability for work as a condition of employment. Additional hours of on-call in excess of the nurse's predetermined hours of work shall be strictly voluntary.

"Overtime" – the hours of work in excess of an agreed-to predetermined regularly scheduled shift, not to exceed 40 hours of work in a seven-day workweek.

"Retaliation" – disciplining, discharging, suspending, demoting, harassing, denying employment or promotion, laying off, or taking any adverse action against a nurse.

"Specialized unit" – a unit, such as surgical nursing services.

"Substantially affect" – affecting a situation, except for deviations that result in unimportant changes, given the particular situation involved.

"*Unforeseen emergent circumstances*" –

*Any declared national, State or municipal disaster or other catastrophic event, or implementation of a hospital's disaster plan, that will substantially affect or increase the need for health care services; or*

*Any circumstances in which patient care needs require specialized nursing skills through the completion of a procedure.*

*An "unforeseen emergent circumstance" does not include situations in which the hospital fails to have enough nursing staff to meet the usual and reasonably predictable nursing needs of its patient. (Section 10.9(a) of the Act)*

- b) *Mandated overtime is prohibited. No nurse shall be required to work mandated overtime except in the case of an unforeseen emergent circumstance when such overtime is required only as a last resort.*
- 1) *Such mandated overtime shall not exceed 4 hours beyond an agreed-to, predetermined work shift. (Section 10.9(b) of the Act)*
  - 2) *Time spent by nurses required to be available as a condition of*

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*employment in specialized units, such as surgical nursing services, shall not be counted or considered in calculating the amount of time worked for the purpose of applying the prohibition against mandating overtime.*  
(Section 10.9(a) of the Act)

- 3) For any nurse who does not agree to employment requiring on-call hours, the refusal of a nurse employee to agree to such on-call availability shall not constitute grounds for retaliation, discrimination, dismissal, discharge, or any other penalty, threat of reports for discipline, or employment decisions adverse to the nurse employee.
  - 4) The hospital's written staffing plan shall include an on-call policy for those units where on-call is required as a condition of employment.
  - 5) On-call is not to be used to fill vacancies resulting from chronic or foreseeable staff shortages.
- c) *When a nurse is mandated to work up to 12 consecutive hours, the nurse shall be allowed at least 8 consecutive hours of off-duty time immediately following the completion of a shift.* (Section 10.9(c) of the Act)
- d) *No hospital shall discipline, discharge, or take any other adverse employment action against a nurse solely because the nurse refused to work mandated overtime as prohibited under subsection (b) ~~of this Section~~.* (Section 10.9(d) of the Act)
- e) *Violations*
- 1) *Any employee of a hospital that is subject to the Act and this Part may file a complaint with the Department of Public Health regarding an alleged violation of the Act.* (Section 10.9(e) of the Act)
    - A) A complaint shall be submitted to the Department in writing, by telephone, or by personal visit.
    - B) An oral complaint will be reduced to writing by the Department.
  - 2) *The complaint shall be filed within 45 days following the occurrence of the incident giving rise to the alleged violation. The Department will forward*

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*notification of the alleged violation to the hospital in question within 3 business days after the complaint is filed. (Section 10.9(e) of the Act)*

- 3) *Upon receiving a complaint of a violation of this Section, the Department may take any action authorized under Section 7 or 9 of the Act. (Section 10.9(e) of the Act)*
- f) *Any violation of this Section shall be proved by clear and convincing evidence that a nurse was required to work overtime against his or her will. The hospital may defeat the claim of a violation by presenting clear and convincing evidence that an unforeseen emergent circumstance, which required overtime work, existed at the time the employee was required or compelled to work. (Section 10.9(f) of the Act) Hearings shall be conducted in accordance with Section 250.140 of this Part.*

(Source: Amended at 43 Ill. Reg. 3889, effective March 18, 2019)

## SUBPART : RECORDS AND REPORTS

**Section 250.1520 Reports**

- a) Each hospital shall submit reports containing pertinent data as may reasonably be required by the Department.
- b) In the reporting of communicable disease cases the hospital shall comply with the Control of Communicable Diseases Code.
- c) See Sections 250.1830 and 250.1840 regarding reports pertaining to mothers and infants, and regarding children to be discharged to a person other than a natural parent.
- d) See Section 250.1830 regarding birth, stillbirth and death reports.
- e) The death of a pregnant woman or the death of a woman within one year following the termination of a pregnancy shall be reported to the Department as required by the Department's rules titled Maternal Death Review and in Section 250.1830(i)(2) of this Part. This is required regardless of the type of hospital or the reason for the patient's admission.

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- f) Any incident or occurrence in a hospital that could be considered a catastrophe or creates an immediate jeopardy or dangerous threat and that requires the transfer of patients to other parts of the facility or other facilities, including but not limited to fire, flood, or power failure, shall be reported to the Department within two working days after its occurrence.
- g) Reporting Opioid Overdoses
- 1) *As used in this Section, the following definitions apply:*
- "Overdose" – has the same meaning as provided in Section 414 of the Illinois Controlled Substances Act.*
- "Health care professional" – a physician licensed to practice medicine in all its branches, a physician assistant, or an advanced practice registered nurse licensed in Illinois.*
- 2) *When treatment is provided in a hospital's emergency department, a health care professional who treats a drug overdose, hospital administrator, or the designee of either shall report the case to the Department of Public Health within 48 hours after providing treatment for the drug overdose or at such time the drug overdose is confirmed.*
- 3) The hospital shall report to the Department the following information electronically or on forms provided by the Department:
- A) *Whether an opioid antagonist was administered and, if yes, the name of the antagonist;*
- B) *The cause of the overdose, including, but not limited to, whether the overdose was caused by an opioid or heroin; and*
- C) *The demographic information of the person treated. The demographic information shall include, but is not limited to, the patient's:*
- i) Age;
- ii) Sex;

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- iii) Federal Information Process Standards county code;
  - iv) Zip code;
  - v) Race, using the Centers for Disease Control and Prevention (CDC) race category; and
  - vi) Ethnicity, using the CDC ethnicity group.
- 4) *The person completing the form shall not disclose the name, address, or any other personal information of the individual experiencing the overdose.*
- 5) *The identity of the person and hospital reporting under this subsection (g) shall not be disclosed to the subject of the report. For the purposes of this subsection (g), the health care professional, hospital administrator, or designee making the report, and his or her employer, shall not be held criminally, civilly, or professionally liable for reporting under this subsection (g)(5), except for willful or wanton misconduct. (Section 6.14g of the Act)*

(Source: Amended at 43 Ill. Reg. 3889, effective March 18, 2019)

## SUBPART O: OBSTETRIC AND NEONATAL SERVICE

**Section 250.1830 General Requirements for All Obstetric Departments**

- a) The temperature and humidity in the nurseries and in the delivery suite shall be maintained at a level best suited for the protection of mothers and infants as recommended by the Guidelines for Perinatal Care. Chilling of the neonate shall be avoided; a non-stable neonate shall, immediately after birth, be placed in a radiant heat source that is ready to receive the infant and that allows access for resuscitation efforts. The radiant heat source shall comply with the recommendations of the Guidelines for Perinatal Care. When the neonate has been stabilized, if the mother wishes to hold her newborn, a radiant heater or pre-warmed blankets shall be available to keep the neonate warm. Stable infants shall be placed, and remain, in direct skin-to-skin contact with their mother immediately after delivery to optimally support infant breastfeeding and to

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promote mother/infant bonding. Personnel shall be available who are trained to use the equipment to maintain a neutral thermal environment for the neonate. For general temperature and humidity requirements, see Section 250.2480(d)(1). In general, a temperature between 72 degrees and 76 degrees and relative humidity between 35% and 60% are acceptable.

- b) Linens and Laundry: Linens shall be cleaned and disinfected in compliance with the Guidelines for Perinatal Care.
  - 1) Nursery linens shall be washed separately from other hospital linens.
  - 2) No new unlaundered garments shall be used in the nursery.
- c) Sterilizing equipment, as required in Section 250.1090, shall be available. Sterilizing equipment may be provided in the obstetric department or in a central sterilizing unit, provided that flash sterilizing equipment or adequate sterile supplies and instruments are provided in the obstetric department.
- d) Accommodations and Facilities for Obstetric Patients
  - 1) The hospital shall identify specific rooms and beds, adjacent when possible to other obstetric facilities, as obstetric rooms and beds. These rooms and beds shall be used exclusively for obstetric patients or for combined obstetric and clean gynecological service beds in accordance with Section 250.1820(g).
  - 2) Patient rooms and beds that are adjacent to another nursing unit may be used for clean cases as part of the adjacent nursing unit. A corridor partition with doors is recommended to provide a separation between the obstetric beds and facilities and the non-obstetric rooms. The doors shall be kept closed except when in active use as a passageway.
  - 3) Facilities shall be available for the immediate isolation of all patients in whom an infectious condition inimical to the safety of other obstetric and neonatal patients exist.
  - 4) Labor rooms shall be convenient to the delivery rooms and shall have facilities for examination and preparation of patients. Each room used for labor, delivery and postpartum (see Section 250.1870) shall include a

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

- 5) Delivery rooms shall be equipped and staffed to provide emergency resuscitation for infants pursuant to the recommendation of the American Academy of Pediatrics and ACOG and shall comply with the American Academy of Pediatrics/American Health Association's American Heart Association (AHA) Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiovascular Care (ECC) of Pediatric and Neonatal Patients: Neonatal Resuscitation Guidelines.
  - 6) If only one delivery room is available and in use, one labor room shall be arranged as an emergency delivery room and shall have a minimum clear floor area of 180 square feet.
  - 7) The patient shall be kept under close observation until her condition is stabilized following delivery. Observations at established time intervals shall be recorded in the patient's medical record. A recovery area shall be provided. Emergency equipment and supplies shall be available for use in the recovery area.
- e) Accommodations and Facilities for Infants
- 1) Level I nurseries:
    - A) A clean nursery or nurseries shall be provided, near the mothers' rooms, with adequate lighting and ventilation. A minimum of 30 square feet of floor area for each bassinet and 3 feet between bassinets shall be provided. Equipment shall be provided to prevent direct draft on the infants. Individual nursery rooms shall have a capacity of six to eight neonates or 12 to 16 neonates. The normal newborn infant care area in a smaller hospital shall limit room size to eight neonates, with a minimum of two rooms available to permit cohorting in the presence of infection.
    - B) Bassinets equipped to provide for the medical examination of the newborn infant and for the storage of necessary supplies and

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equipment shall be provided in a number to exceed obstetric beds by at least 20% to accommodate multiple births, extended stay, and fluctuating patient loads. Bassinets shall be separated by a minimum of 3 feet, measuring from the edge of one bassinet to the edge of the adjacent one.

- C) A glass observation window shall be provided through which infants may be viewed.
- D) Resuscitation equipment as described in subsection (e)(1)(E)(iii), and personnel trained to use it, shall be available in the nursery at all times.
- E) Each nursery shall have necessary equipment immediately available to stabilize the sick infant prior to transfer. Equipment shall consist of:
  - i) A heat source capable of maintaining the core temperature of even the smallest infant at 98 degrees (an incubator, or preferably a radiant heat source);
  - ii) Equipment with the ability to monitor bedside blood sugar;
  - iii) A resuscitation tray containing equipment pursuant to the American Heart Association (AHA) Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiovascular Care (ECC) of Pediatric and Neonatal Patients: Neonatal Resuscitation Guidelines; and
  - iv) Equipment for delivery of 100% oxygen concentration, and the ability to measure delivered oxygen in fractional inspired concentrations (FI O<sub>2</sub>) pursuant to AAP recommendations. The oxygen analyzer shall be calibrated and serviced according to the manufacturer's instructions at least monthly by the hospital's respiratory therapy department or other responsible personnel trained to perform the task.
- F) Consultation and Referral Protocols shall comply with the

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## Regionalized Perinatal Health Care Code.

- 2) Level II and Level III nurseries shall comply with the Regionalized Perinatal Health Care Code. Cribs shall be separated by 4 to 6 feet to allow for ease of movement of additional personnel, and to allow space for additional equipment used in care of infants in these areas. New buildings or additions or material alterations to existing buildings that affect the Level II with Extended Neonatal Capabilities nursery shall provide at least 70 square feet of space for each infant.
  - 3) A Level III nursery shall provide 80 to 100 square feet of space for each infant.
  - 4) Facilities shall be available for the immediate isolation of all newborn infants who have or are suspected of having an infectious disease.
  - 5) When an infectious condition exists or is suspected of existing, the infant shall be isolated in accordance with policies and procedures established and approved by the hospital and consistent with recommended procedures of the Guidelines for Perinatal Care and the Control of Communicable Diseases Code.
- f) The personnel requirements and recommendations set forth in Subpart D apply to the operation of the obstetric department, in addition to the following:
- 1) Each hospital shall have a staffing plan for nursing personnel providing care for obstetric and neonatal patients. The registered nursing components of the plan shall comply with Section 250.1130 of this Part, with requirements for the level of perinatal care, as designated in accordance with the Regionalized Perinatal Health Care Code, the Guidelines for Perinatal Care, the National Association of Neonatal Nurses' (NANN) Position Statement #3009 Minimum RN Staffing in NICUs, and the following parameters:
    - A) Nursing supervision by a registered nurse shall be provided for the entire 24-hour period for each occupied unit of the obstetric and neonatal services. This nurse shall have education and experience in obstetric and neonatal nursing.

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

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LPN.

- B) The capability to provide neonatal resuscitation in the delivery room shall be demonstrated by the current completion of a nationally recognized neonatal resuscitation program by medical, nursing and respiratory care staff or a hospital rapid response team, in accordance with the requirements of the Regionalized Perinatal Health Care Code.
- C) Hospitals shall have the capability for continuous electronic maternal-fetal monitoring for patients, with staff available 24 hours a day, including physician and nursing, who are knowledgeable of electronic maternal-fetal monitoring use and interpretation. Physicians and nurses shall complete a competence assessment in electronic maternal-fetal monitoring every two years, in accordance with the Regionalized Perinatal Health Care Code.
- 3) Nursing staff – Level II requirements for occupied units. These units shall meet the requirements for Level I in subsection (f)(2). Nursery personnel may be shared with the Level I nursery as needed.
- 4) Nursing staff – Level II with Extended Neonatal Capabilities requirements for occupied units. In addition to the requirements in subsection (f)(3), the obstetric-newborn nursing services shall be directed by a full-time registered nurse experienced in perinatal nursing. Preference shall be given to registered nurses with a master's degree.
- 5) Nursing staff – Level III requirements for occupied units. These units shall meet the following requirements in addition to requirements in subsection (f)(3). Half of all neonatal intensive care direct nursing care hours shall be provided by registered nurses who have two years or more of nursing experience in a Level III NICU. All neonatal intensive care direct nursing care hours shall be provided or supervised by registered nurses who have advanced neonatal intensive care training and documented competence in neonatal pathophysiology and care technologies used in the NICU.
- 6) Medical personnel

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- A) Each hospital providing obstetric services shall have an organized obstetric staff with a chief of obstetric service. The chief's level of qualification and expertise shall be appropriate to the hospital's designated level of care. The responsibilities of the chief of obstetric services shall include the following requirements, as they relate to the care of obstetric patients:
- i) General supervision of the care of the perinatal patients assigned to the unit;
  - ii) Establishment of criteria for admissions;
  - iii) Adherence to licensing requirements;
  - iv) Adoption, by the medical staff, of standards of practice and privileges;
  - v) Identification of clinical conditions and procedures requiring consultation;
  - vi) Arrangement of conferences, held at least quarterly, to review operations, complications and mortality;
  - vii) Assurance that the clinical records, consultations and reports are properly completed and analyzed; and
  - viii) Provision for exchange of information between medical, administrative and nursing staffs.
- B) Each hospital providing pediatric services shall have an organized pediatric staff with a chief of pediatric service. The chief's level of qualification and expertise shall be appropriate to the hospital's designated level of care. The responsibilities of the chief of pediatric services shall include those listed in subsection (f)(6)(A), as they relate to the care of newborn infants.
- C) Level I shall comply with the Regionalized Perinatal Health Care Code:

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- i) One physician shall be Chief of Obstetrical Care. He or she shall be a board certified or board qualified obstetrician. If this is not possible, a physician with experience and regular practice may be the Chief and be responsible for obstetrical care and available on a 24-hour basis, and a source of obstetric or maternal fetal medicine consultation shall be documented when indicated.
  - ii) One physician shall be Chief of Pediatric Service. He or she shall be a board certified or board qualified pediatrician. If this is not possible, a physician with experience and regular practice may be the Chief and be responsible for pediatric care and available on a 24-hour basis, and a source of neonatology consultation shall be documented when indicated.
- D) Level II shall comply with the Regionalized Perinatal Health Care Code:
- A board certified obstetrician shall be Chief of Obstetrical Care. A board certified pediatrician shall be Chief of Neonatal Care. Obstetrical anesthesia shall be directed by a board certified anesthesiologist with experience and competence in obstetrical anesthesia. Hospital staff shall also include a pathologist and an on call radiologist 24 hours a day. Specialized medical and surgical consultation shall be readily available.
- E) Level II With Extended Neonatal Capabilities: Staffing shall comply with the Regionalized Perinatal Health Care Code.
- F) Level III: Staffing shall comply with the Regionalized Perinatal Health Care Code.
- g) Practices and procedures for care of mothers and infants:
- 1) The hospital shall follow procedures approved by the infection control committee for the isolation of known or suspected cases of infectious disease in the obstetric department.

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- 2) Patients with clean obstetric complications (regardless of month of gestation), such as pregnancy-induced hypertension for observation and treatment, placenta previa for observation or delivery, ectopic pregnancy, and hypertensive heart disease in a pregnant patient, may be admitted to the obstetric department and be subject to the same requirements as any other obstetric case. (See Section 250.1820(g)(6).)
- 3) The physician shall determine whether a prenatal serological test for syphilis and a test for HIV have been done on each mother and the results recorded. If no tests have been done before the admission of the patients, the tests shall be performed as soon as possible pursuant to the Perinatal HIV Prevention Act. Specimens for a syphilis test may be submitted in appropriate containers to an Illinois Department of Public Health laboratory for testing without charge. Mothers shall be tested for Group B streptococcus prior to delivery and for Hepatitis B prior to discharge of either mother or infant, pursuant to AAP recommendations.
- 4) No obstetric patient under the effect of an analgesic or an anesthetic, in the second stage of labor or delivery, shall be left unattended at any time.
- 5) Fetal lung maturity shall be established and documented prior to elective inductions and caesarean sections if the infant is at less than 39 weeks of gestation, or 38 weeks of gestation for twins. The hospital shall establish a written policy and procedure concerning the administration of oxytocic drugs.
  - A) Oxytocin shall be used for the contraction stress test only when qualified personnel, determined by the hospital staff and administration, can attend the patient closely. Written policies and procedures shall be available to the team members assuming this responsibility.
  - B) The oxytocin solution shall be administered intravenously via a controlled infusion device, using both a primary intravenous solution and a secondary oxytocin solution.
  - C) Oxytocin shall be used for medical induction or stimulation of labor only when qualified personnel, determined by the hospital

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staff and administration, can attend the patient closely. Written policies and procedures shall be available to the team members assuming this responsibility. The following shall be included in these policies:

- i) An attending physician shall evaluate the patient for induction or stimulation, especially with regard to indications.
  - ii) The physician or other individuals starting the oxytocin shall be familiar with its effect and complications and be qualified to identify both maternal and fetal complications.
  - iii) A qualified physician shall be immediately available as is necessary to manage any complication effectively.
  - iv) During oxytocin administration, the fetal heart rate; the resting uterine tone; and the frequency, duration and intensity of contractions shall be monitored electronically and recorded. Maternal blood pressure and pulse shall be monitored and recorded at intervals comparable to the dosage regimen; that is, at 30 to 60 minute intervals, when the dosage is evaluated for maintenance, increase or decrease. Evidence of maternal and fetal surveillance shall be documented.
- 6) Identification of infants:
- A) While the neonate is still in the delivery room, the nurse in the delivery room shall prepare identical identification bands for both the mother and the neonate, as outlined in the hospital's policy. Wrist bands alone may be used; however, it is recommended that both wrist and ankle bands be used on the neonate. The hospital shall not use foot-printing and fingerprinting alone as methods of patient identification. The bands shall indicate the mother's admission number, the neonate's gender, the date and time of birth, and any other information required by hospital policy. Delivery room personnel shall review the bands prior to securing them on the mother and the neonate to ensure that the information on the

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bands is identical. The nurse in the delivery room shall securely fasten the bands on the neonate and the mother without delay as soon as he/she has verified the information on the identification bands. The birth records and identification bands shall be checked again before the neonate leaves the delivery room.

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

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- 8) A single parenteral dose of vitamin K-1, water soluble to 0.5-1.0 milligrams, shall be given to the infant, shortly after birth, but usually within the first hour after delivery, as a prophylaxis against hemorrhagic disorder in the first days of life.
- 9) Mandatory Hearing Screening
- A) Each hospital shall conduct bilateral hearing screening of each newborn infant prior to discharge unless medically contraindicated or the infant is transferred to another hospital before the hearing screening can be completed. (Section 5(a) of the Early Hearing Detection and Intervention Act)
- B) The hospital performing the hearing screening shall report the results of the hearing screening to the Department within 7 days after screening.
- i) If there is no hearing screening result or an infant does not pass the hearing screening in both ears at the same time, the hospital shall refer the infant's parents or guardians to a health care practitioner for follow-up, and document and report the referral, including the name of the health care practitioner, to the Department in a format determined by the Department.
- ii) For infants born outside a hospital, the newborn's primary care provider shall refer the patient to a hospital for the hearing screening to be done in compliance with the Act and this Section within 30 days after birth, unless a different time period is medically indicated. (Section 5(b) of the Early Hearing Detection and Intervention Act)
- 109) Each infant shall be given complete individual crib-side care. The use of a common bath table is prohibited. Scales shall be adequately protected to prevent cross-infection.
- 1140) Artificial feedings and formula changes shall not be instituted except by written order of the attending physician, pursuant to the requirements of

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the Hospital Infant Feeding Act.

- ~~124~~) Facilities for drug services. See Section 250.2130(a).
- ~~132~~) Newborn infants shall be transported from the delivery room to the nursery in a safe manner. Adequate support systems (heating, oxygen, suction) shall be incorporated into the transport units for infants (e.g., to x-ray). Chilling of the newborn and cross-infection shall be avoided. If travel is excessive and through other areas, special transport incubators may be required. The method of transporting infants from the nursery to the mothers shall be individual, safe and free from cross-infection hazards.
- ~~143~~) The stay of the mother and the infant in the hospital after delivery shall be planned to allow the identification of problems and to reinforce instructions in preparation for the infant's care at home. The mother and infant shall be carefully observed for a sufficient period of time and assessed prior to discharge to ensure that their conditions are stable. Healthy infants shall be discharged from the hospital simultaneously with the mother, or to other persons authorized by the mother, if the mother remains in the hospital for an extended stay. Follow-up shall be provided for mothers and infants discharged within 48 hours after delivery, including a face-to-face encounter with a health care provider who will assess the condition of mother and infant and arrange for intervention if problems are identified.
- ~~154~~) When a patient's condition permits, an infant may be transferred from an intensive care nursery to the referring nursery or to another nursery that is nearest the home and at which an appropriate level of care may be provided. Transfers shall be conducted pursuant to the Regionalized Perinatal Health Care Code.
- ~~165~~) The hospital shall have a policy regarding circumcisions performed by a Mohel.
- ~~176~~) Circumcisions shall not be performed in the delivery room or within the first six hours after birth. A physician may order and perform a circumcision when the infant is over the age of six hours and, in the physician's professional judgment, is healthy and stable.

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~~1817~~) The hospital shall comply with the Guidelines for Perinatal Care and Guidelines for Women's Health Care (see Section 250.160).

## h) Medical Records

## 1) Obstetric records:

- A) Adequate, accurate, and complete medical records shall be maintained for each patient. The medical records shall include findings during the prenatal period, which shall be available in the obstetric department prior to the patient's admission and shall include medical and obstetric history, observations and proceedings during labor, delivery and the postpartum period, and laboratory and x-ray findings.
- B) Records shall be maintained in accordance with hospital medical records policies and procedures, including the applicable requirements of the Health Insurance Portability and Accountability Act and the minimum observations and laboratory tests outlined in Guidelines for Perinatal Care and Guidelines for Women's Health Care. The physician director of the obstetric department shall require all physicians delivering obstetric care to send copies of the prenatal records, including laboratory reports, to the obstetric unit at or before 37 weeks of gestation, including updates from that time until admission.

## 2) Infant records. Accurate and complete medical records shall be maintained for each infant. The medical records shall include:

- A) History of maternal health and prenatal course, including mother's HIV status, if known.
- B) Description of labor, including drugs administered, method of delivery, complications of labor and delivery, and description of placenta and amniotic fluid.
- C) Time of birth and condition of infant at birth, including the Apgar score at one and five minutes, the age at which respiration became spontaneous and sustained, a description of resuscitation if

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required, and a description of abnormalities and problems occurring from birth until transfer from the delivery room.

- D) Report of a complete and detailed physical examination within 24 hours following birth; report of a physical examination within 24 hours before discharge and daily during any remaining hospital stay.
  - E) Physical measurements, including length, weight and head circumference at birth, and weight every day; temperature twice daily.
  - F) Documentation of infant feeding: intake, content, and amount if by formula.
  - G) Clinical course during hospital stay, including treatment rendered and patient response; clinical note of status at discharge.
- 3) The hospital shall keep a record of births that contains data sufficient to duplicate the birth certificate. The requirement may be met by:
- A) ~~Retain~~ the yellow "hospital copy" of the birth certificate properly bound in chronological order, or
  - B) ~~Retain~~ this copy with the individual medical record.
- i) Reports
- 1) Each hospital that provides obstetric and neonatal services shall submit a monthly perinatal activities report to its affiliated Administrative Perinatal Center.
  - 2) Maternal death report
    - A) The hospital shall submit an immediate report of the occurrence of a maternal death to the Department, in accordance with the Department's rules titled Maternal Death Review. Maternal death is the death of any woman dying of any cause whatsoever while pregnant or within one year after termination of the pregnancy,

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irrespective of the duration of the pregnancy at the time of the termination or the method by which it was terminated. A death shall be reported regardless of whether the death occurred in the obstetric department or any other section of the hospital, or whether the patient was delivered in the hospital where death occurred, or elsewhere.

- B) The filing of this report shall in no way preclude the necessity of filing a death certificate or of including the death on the Perinatal Activities Report.
- 3) The hospital shall comply with the laws of the State and the rules of the Department in the preparation and filing of birth, death and fetal death certificates.
- 4) Epidemic and communicable disease reporting
  - A) The hospital shall develop a protocol for the management and reporting of infections consistent with the Control of Communicable Diseases Code, the Perinatal HIV Prevention Act, Guidelines for Perinatal Care and Guidelines for Women's Health Care, and as approved by the infection control committee. These policies shall be known to obstetric and nursery personnel.
  - B) The hospital facility shall particularly address those infections specifically related to mothers and infants, including but not limited to, methicillin-resistant Staphylococcus Aureus occurring in infants under 61 days of age, ophthalmia neonatorum, and perinatal hepatitis B infection.
- j) Infant Feeding Policy
  - 1) For the purposes of this subsection (j):
    - A) *Baby-Friendly Hospital Initiative means the voluntary program sponsored by the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF) that recognizes hospitals that meet certain evaluation criteria regarding the promotion of breastfeeding.*

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- B) *Infant Nutrition Resource means breastfeeding education and infant formula safety and preparation.*
- 2) *Infant Feeding Policy Required*
- A) *Every hospital that provides birthing services must adopt an infant feeding policy that promotes breastfeeding. In developing the policy, a hospital shall consider guidance provided by the Baby-Friendly Hospital Initiative.*
- B) *An infant feeding policy adopted under this Section shall include guidance on the use of formula for medically necessary supplementation, if preferred by the mother, or when exclusive breastfeeding is contraindicated for the mother or for the infant.*
- 3) *Communication of Policy. A hospital shall routinely communicate the infant feeding policy to staff in the hospital's obstetric and neonatal areas, beginning with hospital staff orientation. The hospital shall also ensure that the policy and infant nutrition resources are posted in a conspicuous place in the hospital's obstetric or neonatal area or on the hospital's Internet or Intranet web site or on the Internet or Intranet web site of the health system of which the hospital is a part. The hospital shall make copies of the policy available to the Department upon request.*
- 4) *Application of Policy. A hospital's infant feeding policy adopted under the Hospital Infant Feeding Act must apply to all mother-infant couplets in the hospital's obstetric and neonatal areas. (Sections 5 through 20 of the Hospital Infant Feeding Act)*
- k) **Breast Milk and Formula**
- 1) Pursuant to the requirements of subsection (j), the hospital shall provide the mother with information regarding lactation, the nutritional benefits of breast milk, and lactation support organizations within the area. The hospital staff shall include, at a minimum, lactation support staff with certification or experience in lactation training. The lactation support staff shall attend continuing education in relation to lactation counseling and training, consistent with hospital policy. At least one lactation support

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staff shall be on duty at all times in the obstetric department.

- 2) Pursuant to the requirements of subsection (j), the hospital shall have a policy for the preparation of formula by hospital staff when hospital-prepared formula is needed in place of commercially prepared formula. Adequate space, equipment and procedures for processing, handling and storing commercially-prepared formula shall be provided.
  - A) All hospitals providing obstetric or pediatric services that prepare their own formula shall provide a well-ventilated and well-lighted formula room, which shall be adequately supervised and used exclusively for the preparation of formulas.
  - B) Equipment shall include hand-washing facilities with hot and cold running water with knee, foot or elbow controlled valves; a double-section sink for washing and rinsing bottles; facilities for storing cleaning equipment, refrigeration facilities; utensils in good condition for preparation of formulas; cupboard and work space and a work table; an autoclave and a supply of individual formula bottles, nipples and protecting caps, adequate to prepare a 24-hour supply of formula and water for each infant. Procedures shall be established by the hospital and enforced.
- 1) Visiting Policy
  - 1) The visiting requirements set forth in Subpart B shall apply to obstetric departments, except as modified in this subsection (1).
  - 2) Each obstetric department shall have a visiting policy that complies with the Guidelines for Perinatal Care and is approved by the hospital's infection control committee.
  - 3) The visiting policy shall cover all programs in the obstetric department.
  - 4) The visiting policy shall comply with the hospital's infection control policy and shall include signage instructing visitors to wash their hands.
- m) *Every hospital shall demonstrate to the Department that the following have been adopted:*

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- 1) *Procedures designed to reduce the likelihood that an infant patient will be abducted from the hospital. The procedures may include, but need not be limited to, architectural plans to control access to infant care areas, video camera observation of infant care areas, and procedures for identifying hospital staff and visitors.*
  
- 2) *Procedures designed to aid in identifying allegedly abducted infants who are recovered. The procedures may include, but need not be limited to, foot-printing infants by staff who have been trained in that procedure, photographing infants, and obtaining and retaining blood samples for genetic testing. (Section 6.15 of the Act)*

(Source: Amended at 43 Ill. Reg. 3889, effective March 18, 2019)

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- 1) Heading of the Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1010.421	Amendment
1010.425	Amendment
1010.426	Amendment
1010.459	New Section
- 4) Statutory Authority: Authorized by Section 2-104(b) of, and implementing Chapters 3 and 5 of, the Illinois Vehicle Code [625 ILCS 5].
- 5) Effective Date of Rules: March 15, 2019
- 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 rules, 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*: 42 Ill. Reg. 24826; December 28, 2018
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: No substantive changes made between proposal and adoption.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were issued.
- 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: Amends and updates requirements for Remittance Agents regarding Seven Day and Non-Resident Drive-Away Permits. Also

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promulgates rulemaking for the generation and use of Universal Decals on registration plates.

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

Secretary of State  
Gina Harrison, Legal Advisor  
100 W. Randolph, #5-400  
Chicago IL 60601

312/814-7246

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

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TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE

PART 1010  
CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

SUBPART A: DEFINITIONS

Section	
1010.10	Owner – Application of Term
1010.20	Secretary and Department

SUBPART B: TITLES

Section	
1010.110	Salvage Certificate – Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate
1010.120	Salvage Certificate – Assignments and Reassignments
1010.130	Exclusiveness of Lien on Certificate of Title
1010.140	Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards
1010.150	Transferring Certificates of Title Upon the Owner's Death
1010.160	Repossession of Vehicles by Lienholders and Creditors
1010.170	Junking Notification
1010.180	Specially Constructed Vehicles – Defined
1010.185	Specially Constructed Vehicles – Required Documentation for Title and Registration
1010.190	Issuance of Title and Registration Without Standard Ownership Documents – Bond
1010.193	Procedures for Application for Title for Vehicles Purchased at Mechanic's Lien Sales
1010.195	Procedures and Disclosures for Vehicles Previously Titled in Areas Flooded as a Result of a Natural Disaster

SUBPART C: REGISTRATION

Section	
1010.200	Homemade Trailers – Title and Registration

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- 1010.210 Application for Registration
- 1010.220 Vehicles Subject to Registration – Exceptions
- 1010.230 Refusing Registration or Certificate of Title
- 1010.240 Registration Plates To Be Furnished by the Secretary of State
- 1010.245 Electronic Registration and Titling (ERT) Program Provisions
- 1010.250 Applications For Reassignment

SUBPART D: REVOCATION, SUSPENSION AND  
CANCELLATION OF REGISTRATION

## Section

- 1010.300 Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration
- 1010.310 Improper Use of Evidences of Registration
- 1010.320 Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles
- 1010.330 Operation of Vehicle Without Proper Illinois Registration
- 1010.350 Suspension or Revocation
- 1010.360 Surrender of Plates, Decals or Cards

## SUBPART E: SPECIAL PERMITS AND PLATES

## Section

- 1010.410 Temporary Registration – Individual Transactions
- 1010.420 Temporary Permit Pending Registration In Illinois
- 1010.421 Issuance of Temporary Registration Permits by Persons or Entities Other Than the Secretary of State
- 1010.425 Non-Resident Drive-Away Permits
- 1010.426 Seven Day Permits
- 1010.430 Registration Plates for Motor Vehicles Used for Transportation of Persons for Compensation and Tow Trucks
- 1010.440 Title and Registration of Vehicles with Permanently Mounted Equipment
- 1010.450 Special Plates
- 1010.451 Purple Heart License Plates
- 1010.452 Special Event License Plates
- 1010.453 Retired Armed Forces License Plates
- 1010.454 Gold Star License Plates
- 1010.455 Collectible License Plates
- 1010.456 Sample License Plates For Motion Picture and Television Studios

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1010.457	Korean War Veteran License Plates
1010.458	Collegiate License Plates
<a href="#">1010.459</a>	<a href="#">Universal Plate Decal</a>
1010.460	Special Plates for Members of the United States Armed Forces Reserves
1010.465	Requests for General Issuance Specialty License Plates
1010.470	Dealer Plate Records
1010.480	State of Illinois In-Transit Plates

## SUBPART F: FEES

Section	
1010.510	Determination of Registration Fees
1010.520	When Fees Returnable
1010.530	Circuit Breaker Registration Discount
1010.540	Fees
1010.550	Determining Age of Vehicle

## SUBPART G: MISCELLANEOUS

Section	
1010.610	Unlawful Acts, Fines and Penalties
1010.620	Change of Engine

## SUBPART H: SECOND DIVISION VEHICLES

Section	
1010.705	Reciprocity
1010.710	Vehicle Proration
1010.715	Proration Fees
1010.720	Vehicle Apportionment
1010.725	Trip Leasing
1010.730	Intrastate Movements, Foreign Vehicles
1010.735	Interline Movements
1010.740	Trip and Short-term Permits
1010.745	Signal 30 Permit for Foreign Registration Vehicles (Repealed)
1010.750	Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)
1010.755	Mileage Tax Plates
1010.756	Suspension or Revocation of Illinois Mileage Weight Tax Plates
1010.760	Transfer for "For-Hire" Loads

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1010.765 Suspension or Revocation of Exemptions as to Foreign Registered Vehicles  
1010.770 Required Documents for Trucks and Buses to detect "intrastate" movements  
1010.775 Certificate of Safety

1010.APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement  
1010.APPENDIX B International Registration Plan  
1010.APPENDIX C Affirmation Supporting Salvage Certificate  
1010.APPENDIX D Specialty License Plates Request Form

AUTHORITY: Authorized by Section 2-104(b) of, and implementing Chapters 3 and 5 of, the Illinois Vehicle Code [625 ILCS 5].

SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill. Reg. 19066, effective November 15, 1990; amended at 15 Ill. Reg. 12782, effective August 15, 1991; amended at 16 Ill. Reg. 12587, effective August 1, 1992; amended at 19 Ill. Reg. 11947, effective August 1, 1995; amended at 19 Ill. Reg. 16289, effective November 27, 1995; amended at 20 Ill. Reg. 11349, effective August 1, 1996; amended at 21 Ill. Reg. 8408, effective June 23, 1997; amended at 21 Ill. Reg. 13372, effective September 17, 1997; amended at 22 Ill. Reg. 8521, effective April 28, 1998; amended at 22 Ill. Reg. 22059, effective January 1, 1999; amended at 25 Ill. Reg. 7731, effective June 6, 2001; emergency amendment at 25 Ill. Reg. 14201, effective October 22, 2001, for a maximum of 150 days; emergency expired March 20, 2002; amended at 26 Ill. Reg. 14282, effective September 16, 2002; amended at 27 Ill. Reg.

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4790, effective February 27, 2003; amended at 29 Ill. Reg. 8915, effective June 10, 2005; amended at 31 Ill. Reg. 2668, effective January 29, 2007; amended at 32 Ill. Reg. 17253, effective October 15, 2008; amended at 32 Ill. Reg. 17590, effective October 16, 2008; amended at 34 Ill. Reg. 3673, effective March 5, 2010; amended at 34 Ill. Reg. 10202, effective June 29, 2010; amended at 35 Ill. Reg. 1652, effective January 13, 2011; amended at 35 Ill. Reg. 8240, effective May 16, 2011; amended at 36 Ill. Reg. 7674, effective May 2, 2012; amended at 36 Ill. Reg. 14745, effective September 24, 2012; amended at 36 Ill. Reg. 17094, effective November 20, 2012; emergency amendment at 36 Ill. Reg. 17580, effective November 28, 2012, for a maximum of 150 days; amended at 37 Ill. Reg. 4340, effective March 22, 2013; amended at 37 Ill. Reg. 8941, effective June 14, 2013; amended at 37 Ill. Reg. 12578, effective July 17, 2013; amended at 39 Ill. Reg. 5106, effective March 20, 2015; amended at 42 Ill. Reg. 212, effective December 19, 2017; amended at 42 Ill. Reg. 14450, effective July 23, 2018; amended at 43 Ill. Reg. 3945, effective March 15, 2019.

## SUBPART E: SPECIAL PERMITS AND PLATES

**Section 1010.421 Issuance of Temporary Registration Permits by Persons or Entities Other Than the Secretary of State**

- a) In addition to the issuance of Temporary Permits to specific applicants, the Secretary of State may supply, upon request, Temporary Permit plates to the following for issuance by them, provided they have the necessary computer hardware, software and communication devices for accessing the Secretary of State's Internet site for the registration of Temporary Permit plates:
  - 1) Licensed vehicle dealers registered and in good standing with the Secretary of State. Each dealer may issue Temporary Permits only to persons purchasing vehicles from that dealer and only after application for title and registration has been completed. All dealers receiving Temporary Permits shall maintain records [as required by 92 Ill. Adm. Code 1019.40](#) reflecting the information required for completion of the receipt form for a Temporary Permit plate. Failure to do so may result in the denial, revocation, or suspension of a dealer's license under IVC Section 5-501.
  - 2) Licensed remittance agents registered and in good standing with the Secretary of State. Each remittance agent may issue Temporary Permits only to persons whose applications the remittance agent accepts for transmittal to the Secretary of State. All Remittance Agents receiving Temporary Permits shall maintain records reflecting the information

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required for completion of the receipt form for a Temporary Permit. Failure to do so may result in the denial, revocation, or suspension of a Remittance Agent's license under IVC Sections 3-906 and 3-907.

- 3) Currency exchanges licensed by, and in good standing with, the Department of Financial and Professional Regulation. Currency exchanges shall complete and submit an application in a manner prescribed by the Secretary of State to be eligible to receive Temporary Permits. Each currency exchange may issue Temporary Permits only to persons whose applications the currency exchange accepts for transmittal to the Secretary of State. A Temporary Permit may only be issued in connection with an application for title and registration or registration only, but may not be issued in connection with an application for renewal of a registration. All currency exchanges receiving Temporary Permits shall maintain records of their issuance reflecting the information required for completion of the receipt form for a Temporary Permit plate.
- b) Issuers of Temporary Permits must be in compliance with the following:
- 1) Within two business days after receipt of Temporary Permit plates from the Secretary of State the issuer shall access the Secretary of State's Internet site for the registration of Temporary Permit plates and acknowledge receipt of the plates. The issuer shall store the Temporary Permit plates in a secure location to prevent theft, loss or misuse of the plates. Temporary Permit plates shall be issued in numerical sequence as received from the Secretary of State. Temporary Permit plates shall be issued only in conjunction with applications for vehicle registration and all required information regarding the Temporary Permit plate shall be completed on the vehicle registration application form.
  - 2) Contemporaneous with the issuance of a Temporary Permit plate, the issuer shall access the Secretary of State's Internet site for the registration of Temporary Permit plates and enter all requested information with regard to the vehicle for which the Temporary Permit plate was issued and the individuals or entity to which the Temporary Permit plate was issued. When accessing the Secretary of State's Internet site and entering information, issuers shall comply with all protocols provided by the Secretary of State, including, but not limited to, user identification procedures and passwords.

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- 3) Prior to delivering a Temporary Permit plate to the applicant or attaching a Temporary Permit plate to a vehicle, the issuer shall lift the clear overlay covering the expiration date area, blacken in with a permanent black marker the month and year during which the Temporary Permit will expire, making certain to blacken in the entire box including the portion of the silver hologram strip running through the box designating the month, and remove the white backing from the overlay and apply the overlay securely over the expiration date area.
- 4) Temporary Permit plates issued for motor driven cycles or motorcycles shall be of the reduced size designed for motor driven cycles or motorcycles.
- 5) Temporary Permit plates shall be issued only by the dealer, remittance agent, or currency exchange that received the Temporary Permit from the Secretary of State.
- 6) Temporary Permit plate receipt forms shall contain all of the information requested, where applicable. The original of the plate receipt form shall be given to the applicant and the copy shall be maintained by the issuer.
- 7) Temporary Permit plate receipt forms shall bear the name of the issuing entity and the signature of the issuing employee.
- 8) Issuers of Temporary Permits shall reimburse the Secretary of State \$50 per Temporary Permit for lost, missing, stolen, or destroyed Temporary Permits. The Secretary of State shall have the discretion to waive this fee upon satisfactory proof that the Temporary Permits were destroyed by fire or flood, or stolen in connection to a theft of the premises. In the decision to waive the fee, the Secretary of State shall consider whether an insurance claim or police report was filed, or other evidence suggesting that the issuer's loss is the result of fire, flood, or theft of the premises.
- 9) Issuers shall maintain copies of receipt forms for all Temporary Permit plates issued for a period of 3 years.
- 10) When the issuer is no longer engaged in the business of issuing Temporary Permits, the issuer shall return all unissued Temporary Permit plates to

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the Secretary of State. Issuer shall bear risk of loss until all Temporary Permits are received by the Secretary of State.

- c) The Secretary of State shall have free access to the offices and places of business to examine fully all Temporary Permit books and other business records, documents, and files of the issuer to determine whether such issuer is complying with the provisions of this Section.
- d) The issuer is responsible for acts or omissions of issuer's employees while engaged in the distribution of Temporary Permits.
- e) Denial or Revocation of the Authority to Issue Temporary Permits
  - 1) The Secretary of State may refuse to issue Temporary Permits to any dealer, remittance agent or currency exchange that has committed any violation of IVC Chapter 3 or Chapter 5 or any administrative rule adopted pursuant to those statutes. The Secretary of State may demand the return of any unused Temporary Permits from any dealer, remittance agent or currency exchange for any violation of IVC Chapter 3 or Chapter 5 or any administrative rule adopted pursuant to those statutes, or for any other violation relating to the use or issuance of Temporary Permits.
  - 2) If the Secretary of State refuses to issue or revokes unused Temporary Permits, he or she shall so order in writing and notify the dealer, remittance agent or currency exchange by mail. A dealer, remittance agent or currency exchange may request an administrative hearing to review the order.
  - 3) If the Secretary of State revokes unused Temporary Permits, the affected dealer, remittance agent or currency exchange shall not be entitled to apply for or issue any Temporary Permits for a period of 90 days following receipt of the revocation order. A second or subsequent offense resulting in the revocation of Temporary Permits may result in the dealer, remittance agent or currency exchange being prohibited from receiving any Temporary Permits from the Secretary of State.
  - 4) Secretary of State personnel may initiate an action against a dealer, remittance agent or currency exchange by filing a complaint with the Secretary of State's Administrative Hearings Department. Thereafter, a

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notice of hearing shall be issued to the dealer, remittance agent or currency exchange specifying the alleged violation. The dealer, remittance agent or currency exchange shall be entitled to an administrative hearing pursuant to IVC Section 2-118 and regulations promulgated under that Section.

(Source: Amended at 43 Ill. Reg. 3945, effective March 15, 2019)

**Section 1010.425 Non-Resident Drive-Away Permits**

a) For the purpose of this Section, the following definition shall apply:

"Authorized Agent" – A licensed remittance agent or dealer who has made application for and received Drive-Away Permits from the Secretary of State for issuance to subsequent permit purchasers.

"Non-Resident Drive-Away Permit" – a temporary registration permit as provided in IVC Section 3-603 ~~that of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1989, ch. 95½, pars. 3-603) which~~ allows a vehicle to be operated on the highway for the primary purpose of allowing the vehicle to be driven from the place of acquisition to a destination outside of Illinois within a ~~ten~~ (10) day period. The permit can be issued by a licensed dealer, remittance agent, or at most Secretary of State facilities.

"Permit Purchaser" – an Illinois resident or non-resident purchasing a Non-Resident Drive-Away Permit for a vehicle to be driven to a destination outside of Illinois.

"Secretary of State" – Secretary of State of Illinois.

b) If a permit purchaser obtains a Non-Resident Drive-Away Permit at a Secretary of State facility:

- 1) The permit purchaser shall complete a Vehicle Permit Application. The appropriate fee as required by IVC Section 3-811 ~~of the Illinois Vehicle Code~~ must accompany the application.
- 2) The permit purchaser shall provide proof that he/she owns the vehicle.

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Acceptable ownership documents include, but are not limited to:

- A) a title issued in the permit purchaser's name;
  - B) a title assigned to the permit purchaser;
  - C) a Manufacturer's Certificate of Origin issued or assigned to the permit purchaser;
  - D) a registration identification card which has been expired less than one ~~(1)~~ year; or
  - E) verification through the Secretary of State computer file.
- 3) The Secretary of State employee shall attach a photocopy of the proof of ownership to the second part of the permit (the agent's copy). If ownership is verified through the Secretary of State's computer file, the information shall be written on the agent's copy.
- 4) The permits shall be issued in numerical sequence and completed in full containing the following information:
- A) the expiration date of the permit;
  - B) the name and address of the permit purchaser (must show out-of-state address);
  - C) the year, make and vehicle identification number of the vehicle;
  - D) the name and address of the Secretary of State issuing facility; and
  - E) the signature of the Secretary of State employee.
- c) If a dealer or remittance agent wishes to obtain permits for issuance as an authorized agent of the Secretary of State:
- 1) The dealer/remittance agent shall submit an application accompanied by the appropriate fee for each permit to the Secretary of State ~~that~~which contains the following information:

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- A) the name and address of the authorized agent and his/her license number;
  - B) the type and quantity of permits being requested; and
  - C) the signature of the authorized agent.
- d) The sale of permits by an authorized agent is as follows:
- 1) If a permit purchaser obtains a permit from an authorized agent rather than a Secretary of State facility, he/she shall provide proof of ownership to the authorized agent as provided in ~~subsection (b)(2);~~ subsection (b)(2); (A) through (D).
  - 2) The authorized agent shall attach a photocopy of the proof of ownership to the second part of the permit (agent's copy as provided in subsection (b)(3)) and complete the Drive-Away Permit in full as provided in subsection (b)(4). The only difference being that the permit will contain the name, address, and signature of the authorized agent rather than the Secretary of State facility address and the Secretary of State employee's signature.
  - 3) The authorized agent shall issue the permits in numerical order. The authorized agent shall maintain records of the permits issued for ~~three~~ (3) years. The Secretary of State or his representative shall have free access to the records of any such authorized agent issuing Drive-Away Permits.
- e) The permit shall be displayed in the lower left side of the rear window of the vehicle. License plates are not to be displayed on the vehicle if the permit is being used. The permit can be issued to both First and Second Division vehicles. When properly displayed, the permit is an official document recognized by law enforcement agencies. (However, if the owner plans on carrying cargo in a second division vehicle, they will need to check with the various states for special requirements.)
- f) Non-Resident Drive-Away Permits may be issued for a variety of situations including, but not limited to, the following:

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- 1) a non-resident of Illinois who purchases a vehicle from an Illinois resident;
  - 2) a non-resident of Illinois who purchases a vehicle from another non-resident of Illinois within the State of Illinois;
  - 3) an Illinois resident who has expired Illinois registration or Illinois registration that will expire in less than ~~ten (10)~~ days and who has or will be establishing residency in another state, if the out-of-state address is provided on the application; or
  - 4) an Illinois resident who was issued an Illinois title, but was not issued license plates because he/she is moving to another state, if the out-of-state address is provided on the application.
- g) [Under no circumstances may a Non-Resident Drive-Away Permit be issued to a wholesaler or licensed dealer.](#)

(Source: Amended at 43 Ill. Reg. 3945, effective March 15, 2019)

**Section 1010.426 Seven Day Permits**

- a) For the purpose of this Section, the following definitions shall apply:

"Authorized Agent" – a licensed remittance agent or dealer who has made application for and received Seven Day Permits from the Secretary of State for issuance to subsequent permit purchasers.

"Seven Day Permit" – a temporary registration permit as provided in [IVC Section 3-403 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code \[625 ILCS 5/3-403\]](#) issued to an Illinois resident for operation of a non-registered vehicle within the State of Illinois for up to 7 days. In addition, the permit can be issued to a person whose registration has a renewal hold for non-compliance with the emissions program. This will allow the person to drive to an emissions testing station or repair facility. The permit can be issued by a licensed dealer or remittance agent or at most Secretary of State facilities.

"Permit Purchaser" – an Illinois resident purchasing a Seven Day Permit

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for his/her non-registered vehicle.

"Secretary of State" – Secretary of State of Illinois.

"IVC" – Illinois Vehicle Code.

- b) If a permit purchaser obtains a Seven Day Permit at a Secretary of State facility:
- 1) The appropriate fee must accompany the transaction as provided in IVC Section 3-403.
  - 2) The permit purchaser shall provide proof that he/she owns the vehicle. Acceptable ownership documents include, but are not limited to:
    - A) a title issued in the permit purchaser's name;
    - B) a title assigned to the permit purchaser;
    - C) a Manufacturer's Certificate of Origin issued or assigned to the permit purchaser;
    - D) a registration identification card that has been expired less than one year; or
    - E) verification through the Secretary of State computer file.
  - 3) The Secretary of State employee shall attach a photocopy of the proof of ownership to the second part of the permit (the agent's copy). If ownership is verified through the Secretary of State's database, the information shall be written on the agent's copy.
  - 4) The permits shall be issued in numerical sequence and completed in full containing the following information:
    - A) the issuance date and expiration date of the permit;
    - B) the name and address of the permit purchaser;
    - C) the year, make and vehicle identification number of the vehicle;

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- D) the name and address of the Secretary of State issuing facility; and
  - E) the signature of the Secretary of State employee.
- c) If a dealer or remittance agent wishes to obtain permits for issuance as an authorized agent of the Secretary of State:
- 1) The dealer/remittance agent shall submit an application accompanied by the appropriate fee as provided in IVC Section 3-403 for each permit to the Secretary of State that contains the following information:
    - A) the name and address of the authorized agent and his/her license number;
    - B) the type and quantity of permits being requested; and
    - C) the signature of the authorized agent.
- d) The sale of permits by an authorized agent is as follows:
- 1) If a permit purchaser obtains a permit from an authorized agent rather than a Secretary of State facility, he/she shall provide proof of ownership to the authorized agent as provided in ~~subsections~~ subsection (b)(2)(A) through (D).
  - 2) The authorized agent shall attach a photocopy of the proof of ownership to the second part of the permit (agent's copy as provided in subsection (b)(3)) and complete the Seven Day Permit in full as provided in subsection (b)(4). The only difference is that the permit will contain the name, address and signature of the authorized agent rather than the Secretary of State facility address and the Secretary of State employee's signature.
  - 3) The authorized agent shall issue the permits in numerical order. The authorized agent shall maintain records of the permits issued for 3 years. The Secretary of State or his or her representative shall have the authority to inspect the records of any authorized agent issuing Seven Day Permits.

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- e) The permit shall be displayed in the upper left corner of the rear window of the vehicle. License plates are not to be displayed on the vehicle if the permit is being used. The permit can be issued to both first and second division vehicles, but second division vehicles must be operated on empty weight. When properly displayed, the permit is an official document recognized by law enforcement agencies.
- f) Seven Day Permits may be issued for a variety of situations, including, but not limited to, the following:
- 1) test driving a vehicle being sold by a non-dealer without current registration;
  - 2) driving a homemade trailer to a Secretary of State facility for inspection pursuant to IVC Section 3-104(1);
  - 3) driving a vehicle that has a registration renewal hold due to failure to comply with the emissions requirements to an EPA testing station; and
  - 4) driving a vehicle that must be inspected to an authorized inspection site pursuant to IVC Section 3-308 or 13-101.
- g) Under no circumstances shall a Seven Day Permit be issued to a wholesaler.

(Source: Amended at 43 Ill. Reg. 3945, effective March 15, 2019)

**Section 1010.459 Universal Plate Decal**

a) Definitions

"Authorized organization" – an entity that has statutory authority to issue a decal to a universal special plate as set forth in the Illinois Vehicle Code.

"Universal special plate" – a unique standard or motorcycle size registration plate with a space on the left hand side of the registration plate measuring 1½" wide x 2" high for standard plates or 1" wide x 1½" high for motorcycle size plates in which various authorized organizations may create and sell decals to be placed on the registration plate.

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"Decal" – a sticker or adhesive backed picture designed, manufactured and distributed by an authorized organization that affixes to the universal special plate.

- b) Purpose  
This Section sets forth the procedures that an authorized organization that has been authorized to distribute a decal for the universal special plate, as established under the IVC, must follow. The universal special plate is a plate authorized by the General Assembly to be used as a fundraising mechanism that multiple organizations may use to represent their various causes.
- c) Authorized Organization
- 1) The authorized organizations approved by the General Assembly are set forth in IVC Section 3-699.14.
  - 2) It is the responsibility of the authorized organization to design the decal it chooses to issue. The design must be approved by the Secretary prior to issuance to the public. Upon approval of the design, it is the responsibility of the authorized organization to purchase, distribute and maintain a sufficient inventory of the decals.
  - 3) The authorized organization must make the decal available to any registered vehicle owner who has selected the organization to support under the statute.
  - 4) The authorized organization shall communicate to the Secretary the method of receipt it will issue registered vehicle owners for presentation to the Secretary as evidence of purchase.
  - 5) The authorized organization may charge a one time fee not to exceed \$25 per decal to the registered vehicle owner to recoup the costs of manufacturing and administration of the decal program.
- d) Registered Vehicle Owner
- 1) The registered vehicle owner must select an organization approved by the General Assembly.

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- 2) The registered vehicle owner must obtain the decal from the authorized organization of his or her choosing prior to application for the universal special plate. Upon application, the registered vehicle owner must present a receipt, as designated by the authorized organization, to the Secretary as evidence the decal was purchased.
  - 3) The registered vehicle owner must maintain the chosen authorized organization's decal for the entire length of the registration. To choose a different authorized organization, one must apply for a new universal special plate.
  - 4) The decal must be placed in the designated area on the universal special plate.
- e) Decal Sticker Requirements
- 1) The authorized organization must contract with a manufacturer to produce the decal. A copy of the contract between the authorized organization and the manufacturer must be provided to and approved by the Secretary prior to production of the decal. The Secretary shall notify the authorized organization within 30 days after receipt if he or she has any objections to the terms and/or conditions of the contract. Information concerning the costs may be redacted from the contract prior to submission.
  - 2) All decals produced for the authorized organization shall meet specific requirements. The decal must:
    - A) fit within a 1½" wide x 2" high space for a standard size registration plate.
    - B) fit within a 1" wide x 1½" high space for a motorcycle size registration plate.
    - C) adhere to the surface of the registration plate without the necessity of additional adhesive on the reflective material or application surface, or the use of water, other solvents, or heat techniques.
    - D) be precoated with a pressure sensitive adhesive that will create a durable bond to clean, dry, well-painted surfaces or unpainted

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corrosion proof metals. The adhesive must permit application to the prescribed surfaces and clean registration plates at temperatures as high as 125°F and as low as -10°F. The adhesive shall remain adhered at all temperatures for a minimum of 5 years under normal conditions of use.

E) maintain the integrity of the design chosen by the authorized organization for a minimum of 5 years under normal conditions of use.

3) The manufacturer must guarantee the correctness of the decals. Defective decals that will not properly attach to a registration plate, or those that are not properly pressure sealed, must be replaced by the manufacturer at no cost to the Secretary or the registered vehicle owner.

4) If, at any time, it becomes apparent that an authorized organization's decals failed to satisfy the minimum requirements set forth in this Section, the Secretary may order the authorized organization to destroy all additional decals in inventory and replace any decals issued to a vehicle owner with a decal that meets the above specifications. Any compensation the authorized organization receives from the manufacturer when decals are ordered to be replaced shall be determined by the terms of the contract between the authorized organization and the manufacturer. The authorized organization shall not issue any additional decals until the defect has been addressed to the satisfaction of the Secretary.

(Source: Added at 43 Ill. Reg. 3945, effective March 15, 2019)

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- 1) Heading of the Part: The Administration and Operation of the State Employees' Retirement System of Illinois
- 2) Code Citation: 80 Ill. Adm. Code 1540
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1540.350	Amendment
1540.380	Amendment
1540.395	New Section
- 4) Statutory Authority: 40 ILCS 5/14-135.03, 40 ILCS 5/14-147.5(g); 40 ILCS 5/14-147.6(e)
- 5) Effective Date of Rules: March 18, 2019
- 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 rules, including any material incorporated by reference, is on file in the Agency's principal office is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 43 Ill. Reg. 159; January 4, 2019
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Non-substantive grammatical changes were made. Additionally, three substantive changes were made. The final version included a provision that provides that accelerated pension benefit payments shall not be vouchered when a member is subject to pending job-connected felony charges until the adjudication process is completed. If the member is convicted and sentenced to the charges, then such payment will never be vouchered.

The final version included a change that provides that a member who elects the accelerated total benefit payment option is not eligible for a refund of contributions towards the survivor's benefit.

The final version included a provision that provides that the System may not accept QILDRO documents validated by the Court after the member's death. Said different, if

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QILDRO documents directing death benefit payments to an alternate payee are validated after the member's death, then the designated alternate payee(s) as provided on such order shall not be eligible for death benefit payments.

- 12) Have all the changes agree 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? Yes
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: These rules are part of the State Employees' Retirement System's efforts to implement PA 100-587 as directed by statute. PA 100-587 created a voluntary accelerated benefit payment option for Tier 1 members that retire prior to June 30, 2021. At retirement, Tier 1 members may elect to forfeit the Tier 1, 3% compounded automatic annual increase (AAI) and instead receive 1.5% non-compounded AAIs, beginning the January 1st following the 1st anniversary of retirement or the 67th birthdate, whichever is later. Members who elect to forego the Tier 1 AAIs will receive a lump sum payment equal to 70% of the difference in the present value of the Tier 1 AAI and the 1.5% non-compounded AAI. We refer to this option as the accelerated AAI benefit payment.

The rules clarify that both accelerated benefit payment options are payment options provided under the SERS plan and that a member may utilize such options only if he or she declines other payment options that alter the straight-line benefit payment schedule. Said different, a member that elects any of the following payment options are not eligible to elect an accelerated pension benefit payment:

Level Income Option;  
Social Security Offset Removal Option; or  
Reversionary Annuity Option.

The rules provide that a member who retires from SERS utilizing the Retirement Systems Reciprocal Act during the eligibility period and began a proportional annuity from another reciprocal system prior to December 1, 2018 is not eligible for an accelerated benefit payment.

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The rules provide that a member may not elect an accelerated benefit payment option if the receipt of such payment violates the required minimum distribution provisions of the Internal Revenue Code.

The rules provide that a member indebted to the System due to a prior overpayment is ineligible for the accelerated total benefit payment until the debt is repaid in full.

The QILDRO provisions of Statute allow members to divide retirement benefits by Court order in order to provide a portion of such benefits to an alternate payee. The rules provide that if a member seeking to elect an accelerated benefit payment is subject to a QILDRO and the benefits payable to an alternate payee would be impacted by the accelerated benefit payment election, then a supplemental order authorized by a Court must be accepted by the System before that election can be completed. Additionally, all benefit payments payable to the member and the alternate payee will be delayed until the System receives a supplemental order clarifying how the accelerated benefit payment is to be divided.

The rules apply the mistake in benefit payment provisions to accelerated benefit payments. The rules clarify that if the member that received an accelerated benefit payment was underpaid, then the member shall be made whole with a distribution from the State Pension Obligation Acceleration Bond Fund. If a member that received an accelerated benefit payment was overpaid, then amounts collected by the System shall be transmitted to the State Pension Obligation Acceleration Bond Fund.

The rules clarify that the decision to accept an accelerated AAI benefit payment becomes irrevocable on either the date in which the member cashes or deposits the first retirement annuity payment or the date in which the accelerated pension benefit payment is vouchered, whichever occurs earlier.

The rules provide that accelerated benefit payments shall be funded solely from the State Pension Obligation Acceleration Bond Fund. Furthermore, if that fund does not have the money necessary to pay such benefits, then all elections to receive accelerated benefit payments that will not be paid shall be null and void.

The rules clarify that the effective date of an accelerated AAI benefit payment shall not be before December 1, 2018 and shall not be after June 1, 2021. Additionally, the effective date of the accelerated AAI benefit payment may not precede the effective date of the retirement annuity. The rules clarify that the effective date of an accelerated total benefit payment shall not be before April 1, 2019 and shall not be after June 1, 2021.

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Furthermore, the rules provide that a member must submit a valid application for an accelerated benefit payment prior to June 1, 2021. In addition, the effective date of the accelerated total benefit payment may not be before the 1st of the month following the date the System receives the member's application for such payment option.

The rules clarify that only service credit established under SERS may be used for the purposes of determining eligibility for the accelerated total benefit payment. Furthermore, only earnings credit established under SERS may be used for the purposes of determining the calculation of the accelerated total benefit payment. The rationale is that this provision clarifies the language of the statute to reflect the legislative intent.

Included in this rulemaking is a provision that provides that accelerated pension benefit payments shall not be vouchered when a member is subject to pending job-connected felony charges until the adjudication process is completed. If the member is convicted and sentenced to the charges, then such payment will never be vouchered.

This rulemaking provides that a member who elects the accelerated total benefit payment option is not eligible for a refund of contributions towards the survivor's benefit.

Included in this rulemaking is a provision that provides that the System may not accept QILDRO documents validated by the Court after the member's death. Said different, if QILDRO documents directing death benefit payments to an alternate payee are validated after the member's death, then the designated alternate payee(s) as provided on such order shall not be eligible for death benefit payments.

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

Jeff Houch  
Assistant to the Executive Secretary  
State Employees' Retirement System  
2101 South Veterans Parkway  
Springfield IL 62794

jeff.houch@srs.illinois.gov  
217/524-8105

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

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## TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

## SUBTITLE D: RETIREMENT SYSTEMS

## CHAPTER I: STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

## PART 1540

THE ADMINISTRATION AND OPERATION OF THE  
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

## Section

1540.5	Introduction (Repealed)
1540.10	Appointment of Retirement System Coordinator
1540.20	Member's Contribution and Service Credit
1540.30	Determination of Rate of Compensation
1540.40	Prior Service Credit
1540.50	Credit for Service for Which Contributions are Permitted
1540.60	Severance of Employment – A Condition to the Payment of a Refund or Retirement Annuity
1540.70	Death Benefits
1540.80	Disability Claims
1540.90	Benefit Offset
1540.100	Birth Date Verification
1540.110	Marriage Verification
1540.120	Level Income Option
1540.130	Pension Credit for Unused Sick Leave
1540.140	Removal of Children from Care of Surviving Spouse
1540.150	Proof of Dependency
1540.160	Investigations of Benefit Recipients
1540.170	Interest on Member Contributions
1540.180	Date of Application – Retirement Annuity, Occupational and Nonoccupational and Temporary Disability Benefits, and Resignation Refund Payments
1540.190	Lump Sum Salary Payments
1540.195	Mandatory Distributions Pursuant to Section 401(a)(9) of the Internal Revenue Code
1540.200	Removal from the Payroll
1540.210	Latest Date of Membership
1540.220	Period for Payment and Amount of Payment of Contributions
1540.230	Contributions by the State (Repealed)
1540.240	Actuarially Funded Basis (Repealed)
1540.250	Payments to Establish Credit for Service for Which Contributions are Permitted

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- 1540.255 Pick-up Option for Optional Service Contributions
- 1540.260 Contributions and Service Credit During Nonwork Periods
- 1540.270 Written Appeals and Hearings
- 1540.280 Availability for Public Inspection (Recodified)
- 1540.290 Procedure for Submission, Consideration and Disposition of Petitions Seeking the Promulgation, Amendment or Repeal of these Rules and Regulations (Recodified)
- 1540.300 Organization of the State Employees' Retirement System (Recodified)
- 1540.310 Amendments
- 1540.320 Optional Forms of Benefits – Basis of Computation
- 1540.330 Board Elections
- 1540.340 Excess Benefit Arrangement
- 1540.350 Qualified Illinois Domestic Relations Orders (QILDRO)
- 1540.360 Election to be an Employee under Section 14-103.05(b)(3) of the Illinois Pension Code
- 1540.370 Americans With Disabilities Act
- 1540.380 Correction of Mistakes in Benefit Payments
- 1540.385 Suspension of Benefits from Uncashed Warrants
- 1540.390 Freedom of Information Act
- [1540.395 Accelerated Pension Benefit Payment Program](#)

1540.APPENDIX A Grievance Form

1540.TABLE A Optional Forms of Benefits – Basis of Computation

AUTHORITY: Implementing and authorized by Article 14 of the Illinois Pension Code [40 ILCS 5/Art. 14].

SOURCE: Filed December 20, 1977, effective December 31, 1977; filed and effective February 28, 1978; emergency rule at 4 Ill. Reg. 2, page 246, effective January 1, 1980; amended at 4 Ill. Reg. 12, pages 530, 532, 534, effective March 11, 1980; emergency rule at 4 Ill. Reg. 46, page 1300, effective November 1, 1980; amended at 5 Ill. Reg. 3454, effective March 19, 1981; amended at 5 Ill. Reg. 7225, effective July 1, 1981; amended at 5 Ill. Reg. 12846, effective October 30, 1981; amended at 6 Ill. Reg. 2114, effective January 29, 1982; amended at 6 Ill. Reg. 5505, effective April 16, 1982; codified at 6 Ill. Reg. 10935; emergency amendment at 6 Ill. Reg. 11084, effective August 31, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 677, effective December 30, 1982; amended at 7 Ill. Reg. 8831, effective July 15, 1983; emergency amendment at 8 Ill. Reg. 359, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4144, effective March 26, 1984; Sections 1540.280, 1540.290 and 1540.300 recodified to 2 Ill. Adm. Code 2375 at 8 Ill. Reg. 15902; amended at 9 Ill. Reg. 12375, effective July 30, 1985; emergency amendment at 9 Ill. Reg. 19752, effective December 5, 1985, for a

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maximum of 150 days; amended at 10 Ill. Reg. 8889, effective May 14, 1986; amended at 11 Ill. Reg. 11155, effective June 15, 1987; amended at 14 Ill. Reg. 10498, effective June 19, 1990; amended at 15 Ill. Reg. 7379, effective April 26, 1991; amended at 16 Ill. Reg. 14407, effective September 4, 1992; amended at 20 Ill. Reg. 8033, effective June 15, 1996; emergency amendment at 21 Ill. Reg. 476, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4992, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 13187, effective September 15, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 967, effective December 22, 1997; amended at 22 Ill. Reg. 15363, effective August 10, 1998; amended at 23 Ill. Reg. 3824, effective March 9, 1999; amended at 23 Ill. Reg. 11313, effective September 1, 1999; amended at 24 Ill. Reg. 6975, effective April 20, 2000; amended at 24 Ill. Reg. 18090, effective December 1, 2000; amended at 25 Ill. Reg. 5632, effective April 4, 2001; emergency amendment at 26 Ill. Reg. 11133, effective June 28, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16575, effective October 22, 2002; emergency amendment at 28 Ill. Reg. 8775, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 15628, effective November 18, 2004; amended at 29 Ill. Reg. 15554, effective October 1, 2005; amended at 30 Ill. Reg. 12303, effective July 1, 2006; amended at 31 Ill. Reg. 211, effective December 21, 2006; amended at 32 Ill. Reg. 17779, effective October 29, 2008; emergency amendment at 33 Ill. Reg. 9449, effective June 19, 2009, for a maximum of 150 days; emergency expired November 15, 2009; amended at 34 Ill. Reg. 285, effective December 15, 2009; amended at 34 Ill. Reg. 8313, effective June 10, 2010; amended at 38 Ill. Reg. 4023, effective January 24, 2014; emergency amendment at 39 Ill. Reg. 2792, effective February 6, 2015, for a maximum of 150 days; emergency amendment modified in response to Joint Committee on Administrative Rules Objection at 39 Ill. Adm. Code 5626, effective April 7, 2015, for the remainder of the 150 days; amended at 39 Ill. Reg. 9582, effective June 26, 2015; amended at 41 Ill. Reg. 4217, effective March 22, 2017; amended at 42 Ill. Reg. 9568, effective May 29, 2018; emergency amendment at 42 Ill. Reg. 21436, effective November 13, 2018, for a maximum of 150 days; amended at 43 Ill. Reg. 768, effective December 19, 2018; amended at 43 Ill. Reg. 3965, effective March 18, 2019.

**Section 1540.350 Qualified Illinois Domestic Relations Orders (QILDRO)**

- a) Definitions
  - 1) The definitions in Section 1-119(a) of the Illinois Pension Code (the Act) [40 ILCS 5/1-119(a)(2)] shall apply to this Section.
  - 2) "[Death Benefit](#)"~~The phrase "death benefit"~~ in Section 1-119(a)(2) of the Act [40 ILCS 5/1-119(a)(2)] includes a lump sum payment described in Sections 14-116, 14-117 and 14-128 of the Act.

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- 3) "Member's Refund"~~The phrase "member's refund"~~ in Section 1-119(a)(5) of the Act [40 ILCS 5/1-119(a)(5)] does not include an error refund as defined in subsection (a)(4) of this Section.
- 4) "Error Refund"~~The phrase "error refund"~~ as used in this Section includes:
  - A) a refund paid to a member as the result of an error in a payment to the System;
  - B) an interest rebate; or
  - C) a refund paid to a member as the result of the member's failing to complete the required contributions necessary to purchase or reinstate service credit.
- 5) "Disability Benefit"~~The phrase "disability benefit"~~ in Section 1-119(a)(3) of the Act [40 ILCS 5/1-119(a)(3)] includes:
  - A) an occupational disability benefit under Section 14-123 of the Act [40 ILCS 5/14-123];
  - B) a temporary disability benefit under Section 14-123.1 of the Act [40 ILCS 5/14-123.1]; or
  - C) a nonoccupational disability benefit under Section 14-124 of the Act [40 ILCS 5/14-124].
- 6) "Member's Retirement Benefit" ~~The phrase "member's retirement benefit"~~ as used in this Section means the total amount of the retirement benefit as defined in Section 1-119(a)(8) of the Act [40 ILCS 5/1-119(a)(8)] that would be payable to the member in the absence of a QILDRO.
- 7) "Partial Member's Refund"~~The phrase "partial member's refund"~~ as used in this Section includes:
  - A) a refund of widow/survivor benefit contributions;
  - B) a refund of alternative formula contributions as a result of the

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member not completing sufficient service to qualify for the alternative formula retirement benefit; or

- C) a refund of early retirement contributions.
- 8) "Permissive Service"~~The phrase "permissive service"~~ in Section 1-119(a)(5.5) of the Act includes credit purchased by the member for military service, leaves of absence, early retirement incentives, contractual service, federal or out-of-state service, visually handicapped service, legislative staff intern service and unused sick and vacation time.
- 9) "Regular Service"~~The phrase "regular service"~~ in Section 1-119(a)(7.5) of the Act includes service for which compensation was paid on a State payroll and purchased by the member for a qualifying period, short periods of employment, full or partial refund, emergency or temporary employment, and service credit where the member previously opted not to participate in the System and subsequently opted to purchase the service credit for the participation.
- 10) "Accelerated Retirement Benefit" means an accelerated pension benefit payment under Sections 14-147.5 and 14-147.6 of the Illinois Pension Code [40 ILCS 5].
- b) Requirements for a Valid Qualified Illinois Domestic Relations Order  
The System will accept a court order as a valid Qualified Illinois Domestic Relations Order, or QILDRO, that meets all of the following requirements:
- 1) The order must be accompanied by a \$50 non-refundable processing fee, by check payable to the State Employees' Retirement System.
  - 2) If the order applies to a person who became a member of the System before July 1, 1999, the order must be accompanied by the original Consent to Issuance of QILDRO signed by the member.
  - 3) The order must be a certified copy of an original order dated on or after July 1, 1999.
  - 4) The order must have been issued by an Illinois court of competent jurisdiction in a proceeding for declaration of invalidity of marriage, legal

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separation, or dissolution of marriage that provides for the distribution of property, or any proceeding to amend or enforce such a property distribution, prior to the death of the member.

- 5) The order must contain the name, residence address, and Social Security number of the member.
  - 6) The order must contain the name, residence address, and Social Security number of the alternate payee.
  - 7) The order must identify the State Employees' Retirement System as the retirement system to which it is directed.
  - 8) The order must express any amount to be paid to the alternate payee from a member's retirement benefit as a dollar amount per month or as a percentage per month.
  - 9) The order must express any amount to be paid to the alternate payee from a member's refund or partial refund as a dollar amount or as a percentage of the refund.
  - 10) The order must express any amount to be paid to the alternate payee from a member's death benefit as a dollar amount or as a percentage of the death benefit.
  - 11) The order must apply only to benefits that are statutorily subject to QILDROs as provided in Section 1-119(b)(1) of the Act [40 ILCS 5/1-119(b)(1)].
  - 12) The order and, if applicable, the Consent to Issuance of QILDRO must be in the form adopted by the System.
  - 13) No language may be added to, or omitted from, the QILDRO form or the consent form adopted by the System.
- c) Requirement for a Valid QILDRO Calculation Order  
The System will accept a court order as a valid QILDRO Calculation Order or as a QILDRO Calculation Order that meets all of the following requirements:

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- 1) The order must be accompanied by a \$50 non-refundable processing fee, with the check made payable to the State Employees' Retirement System.
  - 2) The order must be a certified copy of an original order dated on or after July 1, 2006.
  - 3) The order must have been issued by an Illinois court of competent jurisdiction in a proceeding for declaration of invalidity of marriage, legal separation, or dissolution of marriage that provides for the distribution of property, or any proceeding to amend or enforce such a property distribution, prior to the death of the member.
  - 4) The order must contain the name, residence address, and Social Security number of the member.
  - 5) The order must contain the name, residence address, and Social Security number of the alternate payee.
  - 6) The order must identify the State Employees' Retirement System as the retirement system to which it is directed.
  - 7) The order must apply only to benefits that are statutorily subject to QILDRO Calculation Orders as provided in Section 1-119(b)(1) of the Act.
  - 8) The order must be in the form directed by Section 1-119 of the Act.
  - 9) No language may be added to, or omitted from, the QILDRO Calculation Order form adopted by the System.
  - 10) The QILDRO Calculation Order must not be completed in a manner that changes the intent of the QILDRO to which it relates.
- d) Required Form
- 1) A QILDRO/QILDRO Calculation Order must be in the form directed by Section 1-119 of the Act. The required QILDRO/QILDRO Calculation Order form is available from the System upon request or in PDF at [www.state.il.us/srs](http://www.state.il.us/srs).

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- 2) A QILDRO/QILDRO Calculation Order that is not in the form adopted by the System is invalid.
  - 3) A Consent to Issuance of QILDRO must be in the form adopted by the System as of the date that the QILDRO is received. The required consent form is available from the System upon request or in PDF at [www.state.il.us/srs](http://www.state.il.us/srs).
  - 4) A consent form that is not in the form adopted by the System is invalid.
- e) Filing a QILDRO with the System
- 1) A QILDRO should be sent to the System's Springfield Office, accompanied by the consent form, if applicable, and a \$50 non-refundable processing fee.
  - 2) A QILDRO will be deemed received by the System on the date that it is received in the System's Springfield Office.
  - 3) Within 45 calendar days after receipt of a QILDRO, the System will review the order and notify the member and each alternate payee by first class mail that it has received the order, and whether the order is a valid QILDRO. If the System determines that the order is not a valid QILDRO, the notice will specify the reason or reasons.
  - 4) A QILDRO that has been modified by the issuing court should be submitted in the same manner as the original QILDRO. A separate \$50 non-refundable processing fee is required for each modified QILDRO.
- f) Filing a QILDRO Calculation Order with the System
- 1) A QILDRO Calculation Order should be sent to the System's Springfield Office, accompanied by a \$50 non-refundable processing fee.
  - 2) A QILDRO Calculation Order will be deemed received by the System on the date that it is received in the System's Springfield Office.

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- 3) Within 45 calendar days after receipt of a QILDRO Calculation Order, the System will review the order and notify the member and each alternate payee by first class mail that it has received the order, and whether the order is a valid QILDRO Calculation Order. If the System determines that the order is not a valid QILDRO Calculation Order, the notice will specify the reason or reasons.
  - 4) A QILDRO Calculation Order that has been modified by the issuing court should be submitted in the same manner as the original QILDRO Calculation Order. A separate \$50 non-refundable processing fee is required for each modified QILDRO Calculation Order. A modified QILDRO Calculation Order will not affect the priority of the QILDROs on file.
- g) Benefits Affected by a QILDRO
- 1) A QILDRO may apply only to the following benefits administered by the System:
    - A) a monthly retirement benefit;
    - B) a member's termination refund;
    - C) a member's partial refund; ~~and~~
    - D) a member's death benefit; ~~and~~
    - E) a member's accelerated retirement benefit.
  - 2) If a QILDRO specifies a dollar amount or percentage payable to an alternate payee from any partial member's refund that becomes payable, the aggregate amount paid to the alternate payee from all partial member's refunds shall not exceed the dollar amount or percentage specified in the QILDRO.
  - 3) A QILDRO shall not apply to any of the following:
    - A) a reversionary annuity that becomes payable following the death of the member;

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- B) a survivor benefit;
  - C) any disability benefit;
  - D) an error refund; and
  - E) any other benefit paid under Article 14 [40 ILCS 5/Art. 14] not specifically listed in subsection (g)(1) of this Section.
- 4) If the space provided on the QILDRO form for the dollar amount or percentage the alternate payee is to receive from the member's retirement benefit, member's refund, partial member's refund or death benefit is left blank, then the alternate payee will receive no portion of the benefit or refund for which the space is left blank.
- h) Effect of a Valid QILDRO
- 1) Retirement Benefit
    - A) After the System has determined that a QILDRO applying to a retirement benefit on a dollar basis is valid, one of the following will occur:
      - i) If the member has not yet started receiving benefits, the QILDRO will be placed in the member's file and will be implemented when the first affected benefit payment commences; or
      - ii) If the member is already receiving benefits subject to the QILDRO, payment to the alternate payee will begin with the first payment to the member occurring at least 30 days after the QILDRO is received.
    - B) After the System has determined that a QILDRO applying to a retirement benefit on a percentage basis is valid, that the member has not retired, and that a QILDRO Calculation Order will be needed, the following will occur:

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- i) Within 45 days, the System will provide the information required in Section 1-119(h)(1.5)(B) of the Act;
  - ii) When the member requests a retirement benefit, within 45 days after the System receives all information necessary to determine the actual benefit payable, the System will provide the information required in Section 1-119(h)(1.5)(C) of the Act; and
  - iii) When the member requests a retirement benefit and there is no QILDRO Calculation Order on file, the System will advise the member and alternate payee of the need for a QILDRO Calculation Order. The System will determine an anticipated payment to the alternate payee based on information in the QILDRO, if it is possible to do so. The System will hold the alternate payee's anticipated payment and pay the member's monthly retirement benefit, less the amount held for the alternate payee, pending receipt of the QILDRO Calculation Order. Once the QILDRO Calculation Order is received, the System will adjust the amounts payable in accordance with the QILDRO Calculation Order and begin paying the alternate payee. However, if it is not possible for the System to determine an anticipated payment based only on the QILDRO, then neither the member nor the alternate payee will be paid until the QILDRO Calculation Order is received.
- C) After the System has determined that a QILDRO applying to a retirement benefit on a percentage basis is valid, and that the member is receiving a retirement benefit, the following will occur:
- i) Within 45 days, the System will provide the information required in Section 1-119 (h)(1.5)(C) of the Act; and
  - ii) If there is no QILDRO Calculation Order on file, the System will advise the member and alternate payee of the need for a QILDRO Calculation Order. The System will determine an anticipated payment to the alternate payee based on information in the QILDRO, if it is possible to do

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so. The System will hold the alternate payee's anticipated payment and pay the member's monthly retirement benefit, less the amount held for the alternate payee, pending receipt of the QILDRO Calculation Order. Once the QILDRO Calculation Order is received, the System will adjust the amounts payable in accordance with the QILDRO Calculation Order and begin paying the alternate payee. However, if it is not possible for the System to determine an anticipated payment based only on the QILDRO, then neither the member nor the alternate payee will be paid until the QILDRO Calculation Order is received.

## 2) Refund or Partial Refund

- A) After the System has determined that a QILDRO applicable to a member's refund or partial member's refund is valid, one of the following will occur:
- i) If the QILDRO provides that the refund or partial refund will be allocated on a dollar amount basis and the member has not applied for a refund or partial refund, the QILDRO will be placed in the member's file and will be implemented when payment of the affected refund or partial refund is made;
  - ii) If the QILDRO provides that the refund or partial refund will be allocated on a percentage basis and a QILDRO Calculation Order is not on file when the member requests a refund or partial refund, the System will provide the refund or partial refund amount to the member and alternate payee and will advise of the need for a QILDRO Calculation Order. The System will hold the refund or partial refund until the QILDRO Calculation Order is received;
  - iii) If a refund application is pending when the System receives a QILDRO that purports to apply to the refund but the refund payment has not yet been vouchered, the System

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will hold the portion of the refund that would be payable to the alternate payee until it receives clarification from the court as to whether the QILDRO is effective against that pending refund. It is the member's or alternate payee's responsibility to obtain clarification from the court and to notify the System of the court's clarification; or

- iv) If a refund payment has already been vouchered when the System receives a QILDRO that purports to apply to the refund, the QILDRO shall not be effective against that refund.
- B) "Vouchered", as used in subsection (h)(2)(A), means that the voucher has been signed and dated, even though the warrant has not been issued by the Office of the State Comptroller.
- 3) Death Benefit
- A) After the System has determined that a QILDRO applicable to a member's death benefit is valid, one of the following will occur:
    - i) If the QILDRO provides that the death benefit will be allocated on a dollar amount basis and if the System has not received notice of the member's death, the QILDRO will be placed in the member's file and will be implemented when payment of the affected death benefit is made;
    - ii) If the QILDRO provides that the death benefit will be allocated on a percentage basis and a QILDRO Calculation Order is not on file when the System is notified of the death of the member, the System will provide the death benefit amount to the beneficiary on file and the alternate payee and will advise of the need for a QILDRO Calculation. The System will hold the death benefit until the QILDRO Calculation Order is received.
      - If a death benefit application is pending when the System receives a QILDRO that purports to apply to the death benefit but the death benefit payment

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has not yet been vouchered, the System will hold the portion of the death benefit that would be payable to the alternate payee until it receives clarification from the court as to whether the QILDRO is effective against that pending death benefit. It is the beneficiary or alternate payee's responsibility to obtain clarification from the court and to notify the System of the court's clarification;

- If a death benefit payment has already been vouchered when the System receives a QILDRO that purports to apply to the death benefit, the QILDRO shall not be effective against that death benefit;

B) "Vouchered", as used in subsection (h)(3)(A), means that the voucher has been signed and dated, even though the warrant has not been issued by the Office of the State Comptroller.

4) Accelerated Retirement Benefit

A) For cases in which a valid QILDRO filed with the System grants prospective automatic annual increases to benefits of an alternate payee and the member subject to that QILDRO elects the accelerated retirement benefit under Section 14-147.6 of the Illinois Pension Code, a supplemental order clarifying how the payment option is to be divided must be accepted before any of the retirement benefits payable to the member and alternative payee are vouchered. If no supplemental order was provided by or on behalf of the member subject to the QILDRO at the time he or she applies for the accelerated retirement benefit under Section 14-147.6, the System will advise of the need for a supplemental order. It is the member's or alternate payee's responsibility to obtain the supplemental order.

B) If a member subject to a valid QILDRO elects the accelerated retirement benefit under Section 14-147.5 of the Illinois Pension Code, a supplemental order clarifying how the accelerated retirement benefit is to be divided must be accepted by the System

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before any benefits payable to the member or the alternate payee may be vouchered. If no supplemental order was provided by or on behalf of the member subject to the QILDRO at the time he or she applies for the accelerated retirement benefit under Section 14-147.5, the System will advise of the need for a supplemental order. It is the member's or alternate payee's responsibility to obtain a supplemental order.

C) "Vouchered", as used in this subsection (h)(4), means that the voucher has been signed and dated, even though the warrant has not been issued by the Office of the State Comptroller.

- i) Termination of QILDRO  
The System will consider a QILDRO as having been terminated in any of the following situations:
- 1) Upon receipt of a certified copy of a court order terminating the QILDRO;
  - 2) Upon payment of all amounts provided for in the QILDRO; or
  - 3) When the person to whom the QILDRO applies ceases to be a member or annuitant of the System.
- j) QILDROs Against Persons Who Became Members Prior to July 1, 1999
- 1) A QILDRO that applies to a person who became a member of the System prior to July 1, 1999, must be accompanied by the original Consent to Issuance of QILDRO signed by the member. If the original is unavailable, a certified copy of the consent form filed with the court that issued the QILDRO is acceptable in lieu of the original.
  - 2) The Consent to Issuance of QILDRO must be in the form adopted by the System (including judicial district and county, case number and caption, member's name and SSN, alternate payee's name and SSN, member's signature and date) as of the date the QILDRO is received. A consent form that is not in the form adopted by the System is invalid.
  - 3) In accordance with Section 1-119(m)(1) of the Act [40 ILCS 5/1-119(m)(1)], a consent form must be signed by the member to whom the

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QILDRO applies. A consent form signed by a judge in lieu of the member is invalid.

- k) Alternate Payee's Address
  - 1) An alternate payee is responsible to report to the System in writing each change in his or her name and residence address.
  - 2) When a member's retirement benefit, refund or death benefit subject to a QILDRO becomes payable, the System will send notice to the last address of the alternate payee reported to the System that the benefit, refund or death benefit is payable. Other than sending such notice, the System shall have no duty to take any other action to locate an alternate payee.
  - 3) The 180-day period during which the System will hold the retirement benefit, refund or death benefit as provided in Section 1-119(e)(2) of the Act [40 ILCS 5/1-119(e)(2)] begins on the date that the notice described in subsection (j)(2) of this Section is sent to the last address of the alternate payee reported to the System, or on the date that the retirement benefit, refund or death benefit becomes payable, whichever is later.
- l) Electing Form of Payment
  - 1) A member's election either to receive or forego a proportional annuity under the Retirement Systems Reciprocal Act [40 ILCS 5/20] is not a prohibited election under Section 1-119(j)(1) of the Act [40 ILCS 5/1-119(j)(1)].
  - 2) A member's election to take a refund is not a prohibited election under Section 1-119(j)(1) of the Act.
  - 3) A member's election of a form of payment of annuity that reduces the member's total benefit, while still allowing full payment to the alternate payee under a QILDRO at the date of the election, is not a prohibited election under Section 1-119(j)(1) of the Act.
- m) Automatic Annual Increases
  - 1) The alternate payee will or will not receive a proportionate share of any

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automatic annual increase in the member's retirement benefit under Section 14-114 or 14-115 of the Act [40 ILCS 5/14-114, 14-115], according to the designation in the QILDRO. If the QILDRO fails to designate whether the alternate payee is intended to receive a proportionate share of the automatic annual increase, then the System will presume that the alternate payee is not entitled to a proportionate share of the automatic annual increase in the member's share.

- 2) The initial increase in the amount due the alternate payee under the QILDRO is payable with the next succeeding increase due the member after the date the QILDRO first took effect.
  - 3) The System will calculate the amount of any increase payable to the alternate payee under the QILDRO.
  - 4) The amount of any increase payable to the alternate payee is the percentage of increase due the member under Sections 14-114 or 14-115 of the Act, multiplied by the alternate payee's monthly benefit as of the date of the increase.
- n) Providing Benefit Information for Divorce Purposes
- 1) Within 45 days after receiving a subpoena or request from a member, the System will provide the information required in Section 1-119(h)(1) of the Act.
  - 2) Information provided by the System for divorce purposes does not include the amount of a member's retirement benefit for which no information is yet on file with the System. The System will not provide a retirement benefit amount if the member is not vested. The System will not project earnings or future service. The System will not assume future eligibility for special formula employees or elections by members.
  - 3) Information provided by the System for divorce purposes does not reflect an actuarial opinion as to the present value of a member's retirement benefit, refund, death benefits or other interests.
  - 4) Except as otherwise indicated by the System in a statement regarding a member's benefits, information provided by the System for divorce

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purposes reflects the member's total service career for which service credit in the System has accrued, and is not isolated as to the marital period only. The System will not provide benefit information for the marital period or specific years.

- 5) The System does not calculate the amount of a member's retirement benefit, refund or death benefit that would be payable to a former spouse pursuant to a divorce decree or dissolution judgment.
- 6) While the System makes every effort to provide accurate information for divorce purposes, benefit estimates are by their nature approximate and subject to revision due to errors, omissions, erroneous assumptions, or future changes in the rules and laws governing the System.
- 7) The System does not disclose information for divorce purposes to spouses, former spouses, relatives, or other third parties including the member's attorney, except in response to the member's written authorization to release such information, or in response to a subpoena.

(Source: Amended at 43 Ill. Reg. 3965, effective March 18, 2019)

**Section 1540.380 Correction of Mistakes in Benefit Payments**

- a) As soon as reasonably practicable after discovery that the amount of a benefit being paid to a recipient is incorrect, the System shall notify the recipient in writing. The written communication shall indicate the correct amount of the benefit, when the corrected benefit amount will begin to be paid, and the procedure for appealing this determination. For the purposes of this Section, benefit shall include an accelerated pension benefit payment.
- b) Upon discovering that the System has been paying a benefit that is not correct, the System shall endeavor to determine whether the recipient has been underpaid or overpaid by the System.
  - 1) If the recipient has been underpaid, the System shall pay a lump sum amount to the recipient in the amount necessary to make the recipient whole as to the amounts that should have been paid to the recipient by the System according to the terms of the Act. If the benefit underpaid to the recipient is an accelerated pension benefit payment, the System shall

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follow the provisions of this subsection (b). The amount payable to the recipient in accordance with this Section shall be distributed from the State Pension Obligation Acceleration Bond Fund.

- 2) If the System determines the recipient has been paid more than provided for by the Act, the System shall determine when the overpayments began.
  - A) If the overpayments have been made by the System for more than three years, the recipient will not be required to reimburse the System for the amount of the overpayments unless the overpayments are the result of incorrect or inaccurate information provided by a member, beneficiary or his or her authorized representative.
  - B) If the overpayments have been made for less than three years, the System shall make arrangements for collection of the amount of the overpayment. The overpayment can be repaid by:
    - i) reductions of the remaining payments due to the recipient, survivors and beneficiaries;
    - ii) repayment of the overpayment by the recipient to the System;
    - iii) such other arrangement as the System makes with the recipient; or
    - iv) any other means legally available to the System.
  - C) No matter how long an overpayment has been made to a member or beneficiary, if the overpayment is the result of incorrect or inaccurate information provided by a member, beneficiary or his or her authorized representative, the System shall make arrangements for collection of the amount of the overpayment. The overpayment can be repaid by:
    - i) reductions of the remaining payments due to the recipient, survivors and beneficiaries;

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- ii) repayment of the overpayment by the recipient to the System;
- iii) such other arrangement as the System makes with the recipient; or
- iv) any other means legally available to the System.

D) If the benefit overpaid to the recipient is an accelerated pension benefit payment, the System shall follow the provisions of this Section. Amounts collected in accordance with this subsection (b) shall be remitted to the State Pension Obligation Acceleration Bond Fund.

c) Definitions

"Accelerated Pension Benefit Payment" means an accelerated pension benefit payment under Sections 14-147.5 and 14-147.6 of the Illinois Pension Code.

"State Pension Obligation Acceleration Bond Fund" means the bond fund created by Section 7.7(d) of the General Obligation Bond Act [30 ILCS 330].

(Source: Amended at 43 Ill. Reg. 3965, effective March 18, 2019)

**Section 1540.395 Accelerated Pension Benefit Payment Program**

- a) Purpose. This Section establishes policies specific to SERS concerning the Accelerated Pension Benefit Payment Options authorized by Sections 14-147.5 and 14-147.6 of the Illinois Pension Code.
- b) Payment Option Limitations
  - 1) A member needs to be an eligible person on or before June 1, 2021 in order to elect an accelerated pension benefit payment.
  - 2) A member who elects the Level Income Option is ineligible to elect an accelerated pension benefit payment.

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- 3) A member who elects the Social Security Offset Removal is ineligible to elect an accelerated pension benefit payment.
  - 4) A member who elects a reversionary annuity is ineligible to elect an accelerated pension benefit payment.
  - 5) A member subject to a mandatory distribution pursuant to section 401(a)(9) of the Internal Revenue Code is ineligible to elect an accelerated pension benefit payment at least 30 days prior to the date the mandatory distribution must be paid. The election form of such a member must be received by the System at least 30 days prior to the date the mandatory distribution must be paid.
  - 6) A member who is indebted to the System because of an overpayment is ineligible to elect the accelerated pension benefit payment under section 14-147.5 of the Illinois Pension Code. That member may qualify for an accelerated pension benefit payment upon repaying the debt in full.
  - 7) A member who cashed or deposited the payment of a proportional annuity from another participating system prior to December 1, 2018, when creditable service or earnings credit established under Article 14 of the Illinois Pension Code was used to calculate a proportional annuity or to qualify the member for a proportional annuity, is ineligible to elect an accelerated pension benefit payment.
  - 8) A member who cashed or deposited the payment of a proportional annuity from another participating system prior to December 1, 2018, when creditable service or earnings credit established under another participating system was used to calculate the proportional annuity payable by the System established under Article 14 of the Illinois Pension Code or to qualify the member for the proportional annuity payable by the System established under Article 14 of the Illinois Pension Code is ineligible to elect an accelerated pension benefit payment.
- c) For the purposes of Section 14-147.5(a)(2) of the Illinois Pension Code, "accrued sufficient service credit to be eligible to receive a retirement annuity under this Article" shall mean that a member must have established sufficient creditable service to qualify for a retirement annuity under Article 14 of the Illinois Pension Code. Service credit on file with another participating system at the time of the

## STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

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member's election for an accelerated pension benefit payment under Section 14-147.5 shall be excluded for those purposes.

- d) The present value of pension benefits calculation as determined by Section 14-147.5(b) of the Illinois Pension Code shall not include any earnings credits under another participating system.
- e) For a member that elects the accelerated pension benefit payment prescribed under Section 14-147.5 of the Illinois Pension Code, the effective date of that accelerated pension benefit payment shall not be before April 1, 2019. Furthermore, the effective date of the payment shall not be before the first of the month immediately following the date in which a valid application is received by the System.
- f) The effective date for accelerated pension benefit payment prescribed under Section 14-147.6 of the Illinois Pension Code:
  - 1) shall not be before December 1, 2018; and
  - 2) shall not be before the effective date of the member's retirement annuity.
- g) The accelerated pension benefit payment shall not be transferred to the member's eligible account prior to the effective date of the member's retirement annuity.
- h) A valid application for an accelerated pension benefit must be received by the System before June 1, 2021 in order to qualify a member for an accelerated pension benefit.
- i) The election to receive an accelerated pension benefit payment under Section 14-147.6 of the Illinois Pension Code becomes irrevocable on either the date the member cashes or deposits the first retirement annuity payment, or the date on which the accelerated pension benefit payment is vouchered, whichever occurs earlier.
- j) The election to receive an accelerated pension benefit payment under Section 14-147.5 of the Illinois Pension Code becomes irrevocable on the date the accelerated pension benefit payment is vouchered.

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- k) Accelerated pension benefit payments shall be paid solely from the State Pension Obligation Acceleration Bond Fund. Under no circumstance will the assets of the System be used to pay accelerated pension benefit payments. All elections for an accelerated pension benefit payment that will not be paid from the State Pension Obligation Acceleration Bond Fund shall be null and void.
- l) For cases in which a member is charged with a felony related to or arising out of or in connection with his or her service as an employee and elects an accelerated pension benefit payment, the adjudication process related to the charges must be completed before the accelerated pension benefit payment is vouchered. If the member is convicted and sentenced of a felony related to, arising out of or in connection with, his or her service as an employee, the payment shall not be vouchered.
- m) A member that elects the accelerated pension benefit payment under Section 14-147.5 of the Illinois Pension Code is ineligible to receive a refund under Section 14-130(c) of the Illinois Pension Code.
- n) Definitions
- "Accelerated Pension Benefit Payment" means an accelerated pension benefit payment under Sections 14-147.5 and 14-147.6 of the Illinois Pension Code.
- "Creditable Service" means service defined as "creditable service" under Section 14-103.15 of the Illinois Pension Code.
- "Eligible Account" means a "tax qualified retirement plan or account" required by Sections 14-147.5(e) and 14-147.6(d) of the Illinois Pension Code.
- "Level Income Option" means a benefit payment option prescribed by Section 14-112 of the Illinois Pension Code.
- "Participating System" means a retirement system defined as a "participating system" by Section 20-108 of the Illinois Pension Code.
- "Proportional Annuity" means a retirement annuity paid in accordance with Section 20-121 of the Illinois Pension Code.

## STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

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"Reversionary Annuity" means a reversionary annuity authorized by Section 14-113 of the Illinois Pension Code.

"Social Security Offset Removal" means the 3.825% reduction to a member's retirement annuity established by Sections 14-119(d) and 14-121(g) of the Illinois Pension Code.

"State Pension Obligation Acceleration Bond Fund" means the bond fund created by Section 7.7(d) of the General Obligation Bond Act.

"Vouchered" means that the voucher has been signed and dated, even though the warrant has not been issued by the Office of the State Comptroller.

(Source: Added at 43 Ill. Reg. 3965, effective March 18, 2019)

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Qualification of Drivers
- 2) Code Citation: 92 Ill. Adm. Code 391
- 3) Section Number: 391.2000                      Adopted Action:  
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].
- 5) Effective Date of Rule: March 14, 2019
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of this adopted rule, including any material incorporated, is on file at the Agency's principal office at 2300 S. Dirksen Parkway, Springfield IL 62764 and will be made available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 42 Ill. Reg. 20939; November 30, 2018
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? JCAR did not recommend changes.
- 13) Will this rulemaking replace an emergency rule currently in effect? Yes
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Department is adopting the most recent edition of the applicable federal regulations.
- 16) Information and questions regarding this adopted rule shall be directed to:

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DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED AMENDMENT

Greg Stucka, Rules Manager  
Illinois Department of Transportation  
Office of Chief Counsel  
2300 South Dirksen Parkway, Room 317  
Springfield IL 62764

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

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF ADOPTED AMENDMENT

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER d: MOTOR CARRIER SAFETY REGULATIONSPART 391  
QUALIFICATION OF DRIVERS

## Section

391.1000	Purpose and Applicability
391.2000	Incorporation by Reference of 49 CFR 391

**AUTHORITY:** Implementing and authorized by Sections 18b-102 and 18b-105 of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18b].

**SOURCE:** Adopted at 14 Ill. Reg. 15560, effective September 10, 1990; amended at 15 Ill. Reg. 13189, effective August 21, 1991; amended at 16 Ill. Reg. 5362, effective March 23, 1992; amended at 16 Ill. Reg. 14715, effective September 14, 1992; amended at 18 Ill. Reg. 783, effective January 11, 1994; amended at 19 Ill. Reg. 13077, effective August 30, 1995; amended at 20 Ill. Reg. 15365, effective November 18, 1996; amended at 23 Ill. Reg. 5133, effective March 31, 1999; amended at 24 Ill. Reg. 1991, effective January 19, 2000; amended at 25 Ill. Reg. 2126, effective January 17, 2001; amended at 26 Ill. Reg. 8997, effective June 5, 2002; amended at 27 Ill. Reg. 9238, effective June 2, 2003; amended at 29 Ill. Reg. 19251, effective November 10, 2005; amended at 32 Ill. Reg. 10420, effective June 25, 2008; amended at 36 Ill. Reg. 13242, effective August 3, 2012; amended at 37 Ill. Reg. 18332, effective November 4, 2013; amended at 40 Ill. Reg. 2036, effective January 8, 2016; emergency amendment at 42 Ill. Reg. 21464, effective November 19, 2018, for a maximum of 150 days; amended at 43 Ill. Reg. 3993, effective March 14, 2019.

**Section 391.2000 Incorporation by Reference of 49 CFR 391**

- a) The Department hereby incorporates ~~49 CFR 391~~ by reference 49 CFR 391 as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR ~~subchapter B~~)~~380, 382, 383, 385, appendix B of 386, 387, 390, 391, 392, 393, 395, 396 and 397~~) was in effect on October 1, ~~2018, 2014, as amended at 80 FR 22789, April 23, 2015~~, subject only to the exceptions in subsection (c). No later amendments to or editions of 49 CFR 391 are incorporated. Copies of 49 CFR 391~~the appropriate material~~ are available for inspection at 2300 South Dirksen Parkway, Springfield, Illinois 62764~~from the Division of Traffic Safety, 1340 N. 9<sup>th</sup> Street, Springfield, Illinois 62702~~ or by calling 217/785-1181. The

## DEPARTMENT OF TRANSPORTATION

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~~incorporated CFR may also be accessed via the U.S. Government Publishing Office's FMCSR are available on the National Archives and Records Administration's website at <http://www.ecfr.gov>. <http://ecfr.gpoaccess.gov>. The Division of Traffic Safety's rules are available on the Department's website at <http://www.dot.il.gov/safety.html>.~~

- b) References to subchapters, parts, subparts, sections, or paragraphs shall be read to refer to the appropriate citation in 49 CFR 391.
- c) The following interpretations of, additions to, and deletions from 49 CFR 391 shall apply for purposes of this Part.
  - 1) Authorized Illinois State Police shall place drivers out-of-service for any violation of the Illinois Motor Carrier Safety Law (the Law) [625 ILCS 5/Ch. ~~18b+8B~~] or the Illinois Motor Carrier Safety Regulations that warrants placing the driver out-of-service under the "North American Uniform Out-of-Service Criteria" as defined at 92 Ill. Adm. Code 390.1020. Drivers of covered farm vehicles, as defined in 92 Ill. Adm. Code 390.1020 cannot be placed out-of-service for violations of 49 CFR 391, subpart E.
  - 2) 49 CFR 391.11(b)(1) does not apply to the operator of a commercial motor vehicle used in intrastate commerce.
  - 3) *Paragraphs (b)(3) (insulin dependent diabetic) and (b)(10) (minimum visual acuity) of 49 CFR 391.41 shall not apply to the driver of a commercial motor vehicle with a gross vehicle weight rating or gross combination weight of over 12,000 lbs., used in the intrastate transportation of property who immediately prior to July 29, 1986 was eligible and licensed to operate a motor vehicle subject to the Illinois Motor Carrier Safety Regulations (IMCSR) and was engaged in operating such vehicles, and who was disqualified on July 29, 1986 by the adoption of 49 CFR 391 by reason of the application of paragraphs (b)(3) and (b)(10) of 49 CFR 391.41 with respect to a physical condition existing at that time unless such driver has a record of accidents which would indicate a lack of ability to operate a motor vehicle in a safe manner. (Section 18b-105 of the Law)*
  - 4) Paragraphs (b)(3) (insulin dependent diabetic) and (b)(10) (minimum

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visual acuity) of 49 CFR 391.41 shall not apply to the driver of a commercial motor vehicle that either has a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of between 10,000 and 12,001 pounds; or that is designed to transport more than 15 passengers, including the driver; or that has a GVWR or GCWR of less than 12,001 pounds and transports hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act [430 ILCS 30]. The vehicle must be used in intrastate transportation. The driver must have been eligible and licensed to operate a motor vehicle subject to the IMCSR and engaged in operating that vehicle immediately prior to January 17, 1992. The driver must have been disqualified on January 17, 1992 by the adoption of Public Act 87-829 that made the IMCSR applicable to vehicles described in this subsection (c)(4). The reason for disqualification must have been the application of paragraphs (b)(3) and (b)(10) of 49 CFR 391.41 with respect to a physical condition existing at that time. This exception does not apply to any driver who has a record of accidents that would indicate a lack of ability to operate a motor vehicle in a safe manner.

- 5) 49 CFR 391.43(a) is not incorporated and the following is substituted:

Except as provided by 49 CFR 391.43(b), the medical examination shall be performed by a licensed medical examiner as defined in 92 Ill. Adm. Code 390.1020.

- 6) If a medical examiner determines that the driver is qualified to drive only in intrastate transportation due to the application of the provisions of subsection (c)(3) or (c)(4), the following shall appear on the medical examiner's certificate: "Qualified only for intrastate transportation in Illinois."

- 7) 49 CFR 391.49(a) is not incorporated and the following is substituted:

A person who is not physically qualified to drive under 49 CFR 391, and who is otherwise qualified to drive a commercial motor vehicle, may drive a commercial motor vehicle in interstate or intrastate transportation if the Division Administrator, FMCSA, has granted a Skill Performance Evaluation (SPE) Certificate to that person.

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- 8) 49 CFR 391, subpart E, Physical Qualifications and Examinations, does not apply to drivers of covered farm vehicles as defined in 92 Ill. Adm. Code 390.1020.

(Source: Amended at 43 Ill. Reg. 3993, effective March 14, 2019)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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

<u>Section Number:</u> 310.Appendix A Table X	<u>Peremptory Action:</u> Amendment
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- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Section 310.Appendix A Table X to reflect two Memoranda of Understanding between the State of Illinois and the American Federation of State, County, and Municipal Employees (AFSCME). The first Memorandum of Understanding (MOU) is for the Corrections Assessment Specialist title and signed February 13, 2019. The MOU assigns RC-063-19 pay grade to the title effective November 14, 2018. That is the date the Certification of Unit Clarification (Case No. S-UC-(S)-19-139) was issued by the Illinois Labor Relations Board for the inclusion of the Corrections Assessment Specialist title in the existing RC-063 bargaining unit. The second MOU is for the Educator – Career and Technical title 9-month positions at the Illinois School for the Visually Impaired and signed February 13, 2019. The MOU assigns RC-063-11.5 pay grade to the title effective April 10, 2017. That is the date the Certification of Representative (Case No. S-RC-17-050) was issued by the Illinois Labor Relations Board for the inclusion of the Educator – Career and Technical title 9-month positions at the Illinois School for the Visually Impaired in the existing RC-063 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: March 15, 2019
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A Table X and its title table, the Corrections Assessment Specialist title, its title code 09758, and pay grade RC-063-19 and Educator – Career and Technical title 9-month positions at the Illinois School for the Visually Impaired, its title code 13103 and pay grade RC-063-11.5 are added. In the rate table, rate table's effective date is changed to

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April 10, 2017 and the pay grade RC-063-11.5 is added with the Pay Plan Codes and step rates.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: March 15, 2019
- 10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.
- 11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?  
Yes.
- 12) Are there any other rulemakings pending on this Part? No.
- 13) Statement of Statewide Policy Objective: The amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.
- 14) Information and questions regarding this preemptory amendment shall be directed to:

Ms. Lisa Fendrich  
Compensation Section  
Division of Technical Services  
Bureau of Personnel  
Department of Central Management Services  
504 William G. Stratton Building  
Springfield IL 62706

217/782-7976  
fax: 217/524-4570  
CMS.PayPlan@Illinois.gov

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

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## NOTICE OF PEREMPTORY AMENDMENT

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

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

## SUBPART C: MERIT COMPENSATION SYSTEM

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

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

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## Section

310.600	Jurisdiction (Repealed)
310.610	Pay Schedules (Repealed)
310.620	In-Hiring Rate (Repealed)
310.630	Definitions (Repealed)
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 Locals #330 and #705)
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, Meat and Poultry Inspectors and Meat and Poultry Inspector Trainees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE) (Repealed)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	VR-704 (Departments of Corrections, Financial and Professional

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	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)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, Juvenile Justice School Counselors and Special Education Resources Coordinators, 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) (Repealed)
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)

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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)
310.TABLE T	Frozen HR-010-Rates-of-Pay (Teachers of Deaf, IFT) (Repealed)
310.TABLE V	Frozen CU-500-Rates-of-Pay (Corrections Meet and Confer Employees) (Repealed)
310.TABLE W	Frozen RC-062-Rates-of-Pay (Technical Employees, AFSCME) (Repealed)
310.TABLE X	Frozen RC-063-Rates-of-Pay (Professional Employees, AFSCME) (Repealed)
310.TABLE Y	Frozen RC-063-Rates-of-Pay (Educators and Educator Trainees, AFSCME) (Repealed)
310.TABLE Z	Frozen RC-063-Rates-of-Pay (Physicians, AFSCME) (Repealed)
310.TABLE AB	Frozen RC-150-Rates-of-Pay (Public Service Administrators Option 6, AFSCME) (Repealed)
310.TABLE AD	Frozen RC-184-Rates-of-Pay (Public Service Administrators Option 8X Department of Natural Resources, SEIU Local 73) (Repealed)
310.TABLE AE	Frozen RC-090-Rates-of-Pay (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294) (Repealed)
310.APPENDIX C	Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.ILLUSTRATION A	Classification Comparison Flow Chart: Both Classes are Whole
310.ILLUSTRATION B	Classification Comparison Flow Chart: One Class is Whole and One is Divided
310.ILLUSTRATION C	Classification Comparison Flow Chart: Both Classes are Divided
310.APPENDIX D	Merit Compensation System Salary Schedule
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

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

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SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; 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

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amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; 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,

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effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20

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

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peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory 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; peremptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; peremptory 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; peremptory 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; peremptory 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; peremptory 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; peremptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; peremptory 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; peremptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; peremptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; peremptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; peremptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; peremptory 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; peremptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; peremptory amendment at 28 Ill. Reg. 15336, effective

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November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8418, effective June 1, 2005; amended at 29 Ill. Reg. 9319, effective July 1, 2005; preemptory amendment at 29 Ill. Reg. 12076, effective July 15, 2005; preemptory amendment at 29 Ill. Reg. 13265, effective August 11, 2005; amended at 29 Ill. Reg. 13540, effective August 22, 2005; preemptory amendment at 29 Ill. Reg. 14098, effective September 2, 2005; amended at 29 Ill. Reg. 14166, effective September 9, 2005; amended at 29 Ill. Reg. 19551, effective November 21, 2005; emergency amendment at 29 Ill. Reg. 20554, effective December 2, 2005, for a maximum of 150 days; preemptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; preemptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; preemptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; preemptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill. Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days;

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peremptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; peremptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; peremptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21, 2007; peremptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; peremptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; peremptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; peremptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; peremptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; peremptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; peremptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; peremptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; peremptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; peremptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; peremptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; peremptory amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; peremptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; peremptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; peremptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; peremptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; peremptory amendment at 33 Ill. Reg. 6724, effective May 1, 2009; peremptory 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; peremptory amendment at 33 Ill. Reg. 10823, effective July 2, 2009; peremptory amendment at 33 Ill. Reg. 11082, effective July 10, 2009; peremptory amendment at 33 Ill. Reg. 11698, effective July 23, 2009; peremptory amendment at 33 Ill. Reg. 11895, effective July 31, 2009; peremptory amendment at 33 Ill. Reg. 12872, effective September 3, 2009; amended at 33 Ill. Reg. 14944, effective October 26, 2009; peremptory amendment at 33 Ill. Reg. 16598, effective November 13, 2009; peremptory 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; peremptory amendment at 34 Ill. Reg. 1425, effective January 5, 2010; peremptory amendment at 34 Ill. Reg. 3684, effective March 5, 2010; peremptory amendment at 34 Ill. Reg. 5776, effective April 2, 2010; peremptory amendment at 34 Ill. Reg. 6214, effective April 16, 2010; amended at 34 Ill. Reg. 6583, effective April 30, 2010; peremptory amendment at 34 Ill. Reg. 7528, effective May 14, 2010; amended at 34 Ill. Reg. 7645, effective May 24, 2010; peremptory amendment at 34 Ill. Reg. 7947, effective May 26, 2010; peremptory amendment at 34 Ill. Reg. 8633, effective June 18, 2010; amended at 34 Ill. Reg. 9759, effective July 1, 2010; peremptory amendment at 34 Ill. Reg. 10536, effective

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July 9, 2010; preemptory amendment at 34 Ill. Reg. 11864, effective July 30, 2010; emergency amendment at 34 Ill. Reg. 12240, effective August 9, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 13204, effective August 26, 2010; preemptory amendment at 34 Ill. Reg. 13657, effective September 8, 2010; preemptory amendment at 34 Ill. Reg. 15897, effective September 30, 2010; preemptory amendment at 34 Ill. Reg. 18912, effective November 15, 2010; preemptory amendment at 34 Ill. Reg. 19582, effective December 3, 2010; amended at 35 Ill. Reg. 765, effective December 30, 2010; emergency amendment at 35 Ill. Reg. 1092, effective January 1, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 2465, effective January 19, 2011; preemptory amendment at 35 Ill. Reg. 3577, effective February 10, 2011; emergency amendment at 35 Ill. Reg. 4412, effective February 23, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 4803, effective March 11, 2011; emergency amendment at 35 Ill. Reg. 5633, effective March 15, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 5677, effective March 18, 2011; amended at 35 Ill. Reg. 8419, effective May 23, 2011; amended at 35 Ill. Reg. 11245, effective June 28, 2011; emergency amendment at 35 Ill. Reg. 11657, effective July 1, 2011, for a maximum of 150 days; emergency expired November 27, 2011; preemptory amendment at 35 Ill. Reg. 12119, effective June 29, 2011; preemptory amendment at 35 Ill. Reg. 13966, effective July 29, 2011; preemptory 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,

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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 Ill. Reg. 13416, effective June 11, 2014; amended at 38 Ill. Reg. 14818, effective July 1, 2014; preemptory amendment at 38 Ill. Reg. 15739, effective July 2, 2014; preemptory amendment at 38 Ill. Reg. 17481, effective July 29, 2014; amended at 38 Ill. Reg. 17556, effective August 6, 2014; preemptory amendment at 38 Ill. Reg. 18791, effective August 26, 2014; preemptory amendment at 38 Ill. Reg. 19806, effective September 26, 2014; amended at 38 Ill. Reg. 20695, effective October 14, 2014; amended at 38 Ill. Reg. 24005, effective December 9, 2014; preemptory amendment at 39 Ill. Reg. 728, effective December 23, 2014; emergency amendment at 39 Ill. Reg. 708, effective December 26, 2014, for a maximum of 150 days; preemptory amendment at 39 Ill. Reg. 6964, effective April 29, 2015; amended at 39 Ill. Reg. 7878, effective May 22, 2015; amended at 39 Ill. Reg. 11220, effective July 28, 2015; preemptory amendment at 39 Ill. Reg. 12004, effective August 13, 2015; preemptory amendment at 39 Ill. Reg. 15807, effective November 25, 2015; amended at 40 Ill. Reg. 5893, effective March 28, 2016; preemptory amendment at 40 Ill. Reg. 8462, effective June 1, 2016; preemptory amendment at 40 Ill. Reg. 9658, effective June 30, 2016; amended at 40 Ill. Reg. 9356, effective July 1, 2016; preemptory amendment at 40 Ill. Reg. 11207, effective August 5, 2016; preemptory amendment at 41 Ill. Reg. 1210, effective January 19, 2017; amended at 41 Ill. Reg. 1695, effective January 25, 2017; preemptory amendment at 41 Ill. Reg. 2078, effective February 2, 2017; amended at 41 Ill. Reg. 3191, effective March 6, 2017; amended at 41 Ill. Reg. 4615, effective April 24, 2017; preemptory amendment at 41 Ill. Reg. 5822, effective May 15, 2017; preemptory amendment at 41 Ill. Reg. 6695, effective May 24, 2017; preemptory amendment at 41 Ill. Reg. 7227, effective June 9, 2017; amended at 41 Ill. Reg. 8314, effective July 1, 2017; preemptory amendment at 41 Ill. Reg. 10974, effective August 10, 2017; preemptory amendment at 41 Ill. Reg. 11447, effective August 25, 2017; preemptory amendment at 41 Ill. Reg. 12179, effective September 13, 2017; preemptory amendment at 41 Ill. Reg. 15837, effective December 12, 2017; amended at 42 Ill. Reg. 712, effective December 28, 2017; amended at 42 Ill. Reg. 5357, effective March 9, 2018; preemptory amendment at 42 Ill. Reg. 8967, effective May 16, 2018; amended at 42 Ill. Reg. 13464, effective July 1, 2018; amended at 42 Ill. Reg. 16651, effective September 4, 2018; preemptory amendment at 43 Ill. Reg. 3999, effective March 15, 2019.

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**Section 310.APPENDIX A Negotiated Rates of Pay****Section 310.TABLE X RC-063 (Professional Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Actuary III	00203	RC-063	26
Architect	01440	RC-063	22
Chaplain I	06901	RC-063	16
Chaplain II	06902	RC-063	19
Child Welfare Administrative Case Reviewer	07190	RC-063	22
Child Welfare Advanced Specialist	07215	RC-063	19
Child Welfare Court Facilitator	07196	RC-063	22
Child Welfare Senior Specialist	07217	RC-063	22
Child Welfare Specialist	07218	RC-063	18
Civil Engineer I	07601	RC-063	15
Civil Engineer II	07602	RC-063	17
Civil Engineer III	07603	RC-063	19
Civil Engineer IV	07604	RC-063	22
Clinical Pharmacist	08235	RC-063	25
Clinical Psychologist	08250	RC-063	23
Clinical Psychology Associate	08255	RC-063	18
<u>Corrections Assessment Specialist</u>	<u>09758</u>	<u>RC-063</u>	<u>19</u>
Day Care Licensing Representative II	11472	RC-063	18
Dentist I	11751	RC-063	23
Dentist II	11752	RC-063	26
<u>Educator – Career and Technical (9 Months), Illinois School for the Visually Impaired</u>	<u>13103</u>	<u>RC-063</u>	<u>11.5</u>
Electrical Engineer, Department of Public Health	13180	RC-063	22
Environmental Engineer I	13751	RC-063	15
Environmental Engineer II	13752	RC-063	17
Environmental Engineer III	13753	RC-063	19
Environmental Engineer IV	13754	RC-063	22
Environmental Protection Engineer I	13791	RC-063	15
Environmental Protection Engineer II	13792	RC-063	17
Environmental Protection Engineer III	13793	RC-063	19
Environmental Protection Engineer IV	13794	RC-063	22
Environmental Protection Geologist I	13801	RC-063	15

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Environmental Protection Geologist II	13802	RC-063	17
Environmental Protection Geologist III	13803	RC-063	19
Fire Protection Engineer (State Fire Marshal)	15340	RC-063	22
Geographic Information Specialist I	17271	RC-063	19
Geographic Information Specialist II	17272	RC-063	23
Geographic Information Trainee	17276	RC-063	15
Graduate Pharmacist	17345	RC-063	20
Hearing and Speech Advanced Specialist	18227	RC-063	22
Hearing and Speech Associate	18231	RC-063	18
Hearing and Speech Specialist	18233	RC-063	20
Historical Library Chief of Acquisitions	16987	RC-063	19
Information Services Intern	21160	RC-063	15
Information Services Specialist I	21161	RC-063	17
Information Services Specialist II	21162	RC-063	19
Information Systems Analyst I	21165	RC-063	21
Information Systems Analyst II	21166	RC-063	23
Information Systems Analyst III	21167	RC-063	25
Laboratory Research Scientist	23025	RC-063	23
Landscape Architect	23145	RC-063	22
Landscape Planner	23150	RC-063	19
Librarian I	23401	RC-063	16
Librarian II	23402	RC-063	18
Management Systems Specialist	25583	RC-063	21
Manuscripts Manager, Historic Preservation Agency	25610	RC-063	19
Mechanical Engineer I	26201	RC-063	15
Mechanical Engineer II	26202	RC-063	17
Mechanical Engineer III	26203	RC-063	19
Nutritionist	29820	RC-063	18
Occupational Therapist	29900	RC-063	17
Occupational Therapist Program Coordinator	29908	RC-063	19
Occupational Therapist Supervisor	29910	RC-063	21
Pharmacy Manager (Department of Human Services)	32025	RC-063	27
Pharmacy Services Coordinator	32010	RC-063	25
Physical Therapist	32145	RC-063	17
Physical Therapist Program Coordinator	32153	RC-063	19
Podiatrist	32960	RC-063	14
Project Designer	34725	RC-063	19

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Psychologist I	35611	RC-063	17
Psychologist II	35612	RC-063	20
Psychologist III	35613	RC-063	22
Psychologist Associate	35626	RC-063	15
Public Health Educator	36430	RC-063	19
Public Service Administrator, Option 8D	37015	RC-063	23
Public Service Administrator, Option 8P	37015	RC-063	26
Department of Human Services			
Public Service Administrator, Option 8U	37015	RC-063	21
Department of Human Services			
Public Service Administrator, Options 1, 3, 4, 6, 6E, 7 Criminal Justice Information Authority, 8A Department of Public Health, 8E, 8N, 8S Departments of Human Services and Veterans' Affairs and 8T	37015	RC-063	24
Public Service Administrator, Options 8H, 8I Department of Natural Resources and 9G	37015	RC-063	22
Rehabilitation/Mobility Instructor	38163	RC-063	19
Rehabilitation/Mobility Instructor Trainee	38167	RC-063	15
School Psychologist	39200	RC-063	19
Senior Public Service Administrator, Option 4 Departments of Public Health, Human Services and Commerce and Economic Opportunity and Environmental Protection Agency	40070	RC-063	26
Social Worker II	41412	RC-063	19
Social Worker III	41413	RC-063	20
Social Worker IV	41414	RC-063	22
Staff Pharmacist	41787	RC-063	24
Statistical Research Supervisor	42745	RC-063	20
Veterinarian I	47901	RC-063	18
Veterinarian II	47902	RC-063	20
Veterinarian III	47903	RC-063	21
Vision/Hearing Consultant I	47941	RC-063	16
Vision/Hearing Consultant II	47942	RC-063	20
Vision/Hearing Consultant III	47943	RC-063	21

NOTES: Shift Differential Pay – Employees shall be paid a shift differential of \$0.80 per hour in addition to their base salary rate for all hours worked if their normal work schedule for

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that day provides that they are scheduled to work and they work  $\frac{1}{2}$  or more of the work hours before 7 a.m. or after 3 p.m. The payment shall be for all paid time. Incumbents who currently receive a percentage shift differential providing more than the cents per hour indicated in this Note based on the base rate of pay prior to the effective date shall have that percentage converted to the cents per hour equivalent rounded to the nearest cent and shall continue to receive the higher cents per hour rate. This provision shall not apply to employees who, because of "flex-time" scheduling made at their request, are scheduled and work hours that would otherwise qualify them for premium pay under this provision.

Option Clarification – The positions allocated to the Public Service Administrator title that are assigned to the negotiated RC-063 pay grade have the following options: 1; 3; 4; 6; 6E; 7; 8A; 8D; 8E; 8H; 8I; 8N; 8P; 8S; 8T; 8U; and 9G. The positions allocated to the Senior Public Service Administrator title that are assigned to a negotiated pay grade have the Option 4. See the definition of option in Section 310.50.

Longevity Pay – Effective January 1, 2002, the Step 8 rate shall be increased by \$25 per month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 7 in the same or higher pay grade on or before January 1, 2002. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 7 in the same or higher pay grade on or before January 1, 2002, the Step 8 rate shall be increased by \$50 per month. For employees not eligible for longevity pay on or before January 1, 2002, the Step 8 rate shall be increased by \$25 per month for those 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. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade, the Step 8 rate shall be increased by \$50 per month. Effective July 1, 2010, the Step 8 rate shall be increased by \$50 per month for those 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, 2010. For those employees who attain 15 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, 2010, the Step 8 rate shall be increased by \$75 per month. Effective July 1, 2013, the Step 8 rate shall be increased by \$25 per month to \$75 a month for those 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. For those employees who attain 15 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

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

1, 2013, the Step 8 rate shall be increased by \$25 per month to \$100 a month. Employees whose salaries are red-circled (see Section 310.220(f)) above the maximum Step rate continue to receive all applicable general increases and any other adjustments (except the longevity pay) provided for in the Agreement. For these employees, the longevity pay shall be limited to the amount that would increase the employee's salary to the amount that is equal to that of an employee on the maximum Step rate with the same number of years of continuous and creditable service. Employees receiving the longevity pay shall continue to receive the longevity pay as long as they remain in the same or successor classification as a result of a reclassification or reevaluation. Employees who are eligible for the increase provided for longevity pay on or before January 1, 2002 shall continue to receive longevity pay after being placed on Step 8 while they remain in the same or lower pay grade.

**Effective ~~April 10, 2017~~ July 1, 2014**  
**Bargaining Unit: RC-063**

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
<u>11.5</u>	<u>B</u>	<u>3119</u>	<u>3221</u>	<u>3224</u>	<u>3428</u>	<u>3585</u>	<u>3749</u>	<u>3909</u>	<u>4067</u>	<u>4232</u>	<u>4484</u>	<u>4664</u>
<u>11.5</u>	<u>Q</u>	<u>3254</u>	<u>3361</u>	<u>3469</u>	<u>3575</u>	<u>3747</u>	<u>3920</u>	<u>4083</u>	<u>4249</u>	<u>4424</u>	<u>4686</u>	<u>4875</u>
<u>11.5</u>	<u>S</u>	<u>3313</u>	<u>3422</u>	<u>3531</u>	<u>3640</u>	<u>3814</u>	<u>3986</u>	<u>4151</u>	<u>4487</u>	<u>4487</u>	<u>4754</u>	<u>4943</u>
14	B	3647	3767	3887	4008	4159	4321	4511	4675	4852	5137	5342
14	Q	3803	3928	4053	4178	4336	4515	4709	4886	5073	5367	5580
14	S	3872	4000	4127	4255	4422	4594	4793	4973	5159	5453	5668
15	B	3792	3917	4042	4167	4351	4530	4706	4898	5082	5388	5601
15	Q	3957	4087	4218	4348	4538	4727	4918	5121	5310	5626	5854
15	S	4029	4163	4295	4428	4623	4810	5004	5208	5396	5715	5943
16	B	3969	4099	4230	4362	4556	4758	4954	5162	5368	5685	5913
16	Q	4141	4278	4415	4550	4758	4975	5182	5395	5610	5944	6184
16	S	4221	4361	4498	4638	4843	5060	5269	5480	5699	6027	6267
17	B	4159	4295	4432	4570	4780	4999	5212	5423	5643	5979	6218
17	Q	4338	4481	4625	4767	4996	5226	5444	5665	5898	6248	6500

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

17	S	4417	4562	4708	4853	5085	5314	5534	5753	5982	6339	6591
18	B	4377	4522	4665	4809	5041	5274	5516	5740	5971	6326	6581
18	Q	4571	4722	4873	5024	5271	5515	5766	6001	6240	6615	6878
18	S	4646	4800	4953	5106	5355	5601	5853	6088	6330	6697	6967
19	B	4612	4764	4916	5067	5325	5577	5834	6083	6336	6722	6990
19	Q	4821	4980	5138	5297	5568	5825	6103	6357	6624	7023	7304
19	S	4901	5062	5224	5387	5656	5915	6189	6445	6711	7109	7393
20	B	4873	5033	5194	5354	5625	5885	6167	6435	6701	7108	7392
20	Q	5092	5259	5427	5596	5877	6155	6447	6724	7003	7432	7729
20	S	5172	5344	5514	5684	5965	6240	6532	6810	7090	7514	7815
21	B	5146	5315	5485	5655	5946	6233	6523	6820	7105	7548	7849
21	Q	5377	5555	5732	5910	6214	6513	6817	7129	7428	7889	8204
21	S	5457	5637	5817	5997	6299	6597	6906	7215	7511	7975	8293
22	B	5441	5619	5799	5978	6290	6595	6908	7228	7529	7998	8318
22	Q	5683	5871	6058	6245	6573	6896	7219	7552	7870	8358	8689
22	S	5766	5957	6146	6336	6656	6982	7304	7641	7960	8445	8783
23	B	5770	5961	6151	6341	6677	7020	7352	7690	8023	8531	8873
23	Q	6033	6233	6432	6630	6980	7337	7682	8040	8387	8912	9268
23	S	6111	6313	6514	6716	7065	7424	7769	8124	8474	9000	9357
24	B	6141	6344	6546	6749	7107	7482	7838	8202	8570	9109	9472
24	Q	6419	6630	6843	7054	7431	7816	8194	8567	8956	9519	9900
24	S	6499	6714	6928	7142	7513	7901	8277	8657	9044	9604	9988
25	B	6547	6763	6979	7194	7586	7988	8385	8783	9184	9773	10163
25	Q	6838	7065	7289	7514	7927	8342	8766	9183	9598	10212	10622
25	S	6919	7147	7376	7603	8014	8430	8849	9266	9681	10299	10714
26	B	6984	7214	7445	7676	8097	8527	8957	9375	9796	10427	10844

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

26	Q	7323	7563	7805	8047	8482	8931	9382	9822	10259	10924	11361
26	S	7390	7634	7876	8120	8563	9018	9473	9914	10359	11032	11473
27	B	7456	7702	7949	8195	8641	9096	9556	10005	10455	11129	11576
27	Q	7794	8051	8308	8565	9031	9506	9992	10459	10928	11634	12100
28	B	7823	8081	8340	8598	9063	9544	10029	10499	10969	11679	12148
29	B	8211	8481	8752	9022	9513	10016	10523	11017	11511	12256	12745

(Source: Amended by peremptory rulemaking at 43 Ill. Reg. 3999, effective March 15, 2019)

## DEPARTMENT OF INSURANCE

NOTICE OF WITHDRAWAL TO MEET THE OBJECTION OF  
THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Required Procedure for Filing and Securing Approval of Policy Forms
- 2) Code Citation: 50 Ill. Adm. Code 916
- 3) 

<u>Section Numbers:</u>	<u>Actions:</u>
916.30	Amendment
916.EXHIBIT A	Amendment
- 4) Date Notice of Proposed Amendments published in the *Illinois Register*: October 5, 2018, 42 Ill. Reg. 17342
- 5) Date JCAR Statement of Objection published in the *Illinois Register*: February 1, 2019, 43 Ill. Reg. 1666
- 6) Summary of Action Taken by Agency: Withdrawal. At its meeting on 1/15/19, the Joint Committee on Administrative Rules objected to the above-referenced rulemaking because DOI has not adequately addressed JCAR questions and public comment.

## DEPARTMENT OF INSURANCE

NOTICE OF WITHDRAWAL TO MEET THE OBJECTION OF  
THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Premium Fund Trust Account
- 2) Code Citation: 50 Ill. Adm. Code 3113
- 3) 

<u>Section Numbers</u> :	<u>Actions</u> :
3113.20	Repealed
3113.30	Repealed
3113.40	Repealed
3113.50	Repealed
3113.60	Repealed
3113.70	Repealed
3113.EXHIBIT A	Repealed
- 4) Date Notice of Proposed Repealer published in the *Illinois Register*: October 12, 2018, 42 Ill. Reg. 18372
- 5) Date JCAR Statement of Objection published in the *Illinois Register*: March 8, 2019, 43 Ill. Reg. 3308
- 6) Summary of Action Taken by Agency: Withdrawal. At its meeting on 2/19/19, the Joint Committee on Administrative Rules objected to the above-referenced rulemaking because DOI has not addressed JCAR's concerns about the possibility of policy outside of rule. Sec. 1-70 of the IAPA requires agency statements of general applicability that implement, apply, interpret, or prescribe policies affecting the rights of persons outside the agency to be expressed in rule. Sec. 5-20 of the IAPA requires the standards for an agency's use of discretionary powers in implementing a statute to be stated in rule.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Heading of the Part: Procedure for the Certification of Operations of Wastewater Treatment Works

Code Citation: 35 Ill. Adm. Code 380

<u>Section Numbers:</u>	380.100	380.105	380.110	380.115	380.120
	380.125	380.200	380.205	380.210	380.215
	380.400	380.405	380.410	380.425	380.430
	380.435	380.440	380.500	380.505	380.510
	380.515	380.520	380.525	380.530	380.535
	380.545	380.550	380.600	380.602	380.605
	380.610	380.611	380.613	380.615	380.625
	380.630	380.700	380.705	380.710	380.715
	380.720	380.725	380.730	380.735	380.740
	380.745	380.750	380.755	380.760	380.800
	380.805	380.810	380.900	380.905	380.910
	380.915	380.920	380.925	380.1000	380.1005
	380.1010	380.1015	380.1020		

Date Originally Published in the *Illinois Register*: 5/18/18  
42 Ill. Reg. 8033

At its meeting on 3/12/19, the Joint Committee on Administrative Rules issued a procedural objection with respect to the above-referenced rulemaking because EPA refused to respond to DCEO's request for information about the small business impact of the rulemaking. EPA justified its refusal to respond on Sec. 5-165 of the IAPA, which sets requirements governing *ex parte* communications in the rulemaking process. However, Sec. 5-165 does not prohibit such communication. It simply requires that it be reported and made part of the official record. Furthermore, DCEO was fulfilling its mandate under Sec. 5-30(c) of the IAPA, which requires it to carry out an analysis of a rule's impact on small business upon JCAR's request. It is unlikely that the intent of Sec. 5-165 was to allow agencies to use concerns about *ex parte* communications to avoid talking to the public. It is more improbable that the intent was to enable agencies to obstruct DCEO's process of discerning a proposed rule's effect on small businesses.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

Heading of the Part: Medical Payment

Code Citation: 89 Ill. Adm. Code 140

Section Numbers: 140.990      140.994  
140.991      140.995  
140.992      140.996  
140.993      140.997

Date Originally Published in the *Illinois Register*: 10/12/18  
42 Ill. Reg. 18242

At its meeting on 3/12/19, the Joint Committee on Administrative Rules objected to the above-referenced rulemaking because it does not adequately define or explain the elements of the Integrated Health Home program that it purports to implement. The Department has indicated it intends to withdraw this rulemaking and further consider the issues addressed in this rulemaking in the context of other programs, policies and best practices.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

ILLINOIS RACING BOARD

Heading of the Part: Prohibited Conduct (Repealer)

Code Citation: 11 Ill. Adm. Code 423

Section Numbers: 423.10 423.20 423.30

Date Originally Published in the *Illinois Register*: 12/21/18  
42 Ill. Reg. 23707

At its meeting on 3/12/19, the Joint Committee on Administrative Rules objected to the above-referenced rulemaking because the repeal of this Part would allow the Board to determine, outside of rule, what is considered prohibited conduct by a licensee.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION  
TO PROPOSED RULEMAKING

SECRETARY OF STATE

Heading of the Part: Public Use of Capitol Complex and Springfield Facilities

Code Citation: 71 Ill. Adm. Code 2005

Section Numbers: 2005.30 2005.40

Date Originally Published in the *Illinois Register*: 12/28/18  
42 Ill. Reg. 24819

At its meeting on 3/12/19, the Joint Committee on Administrative Rules objected to the above-referenced rulemaking because of the agency's inability to address concerns raised by public comment within the remainder of the Second Notice period.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of March 6, 2019 through March 18, 2019. These rulemakings are scheduled for the April 9, 2019 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>
4/25/19	<u>Department of Public Health</u> , Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545)	1/11/19 43 Ill. Reg. 971	4/9/19
4/26/19	<u>Department of Employment Security</u> , Claims, Adjudication, Appeals and Hearings (56 Ill. Adm. Code 2720)	1/4/19 43 Ill. Reg. 15	4/9/19
4/27/19	<u>Emergency Management Agency</u> , Conference Registration and Fees (29 Ill. Adm. Code 115)	1/25/19 43 Ill. Reg. 1347	4/9/19
4/27/19	<u>Department of Agriculture</u> , Industrial Hemp Act (8 Ill. Adm. Code 1200)	12/28/18 42 Ill. Reg. 24360	4/9/19
4/28/19	<u>Department of Human Services</u> , General Administrative Provisions (89 Ill. Adm. Code 10)	1/18/19 43 Ill. Reg. 1235	4/9/19
4/28/19	<u>Department of Human Services</u> , Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)	1/18/19 43 Ill. Reg. 1240	4/9/19

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5/1/19	<u>Department of Children and Family Services, Adoption Services for Children for whom the Department of Children and Family Services is Legally Responsible (89 Ill. Adm. Code 309)</u>	12/7/18 42 Ill. Reg. 21529	4/9/19
5/1/19	<u>Department on Aging, Adult Protection and Advocacy Services (89 Ill. Adm. Code 270)</u>	1/11/19 43 Ill. Reg. 939	4/9/19
5/1/19	<u>Teachers' Retirement System of the State of Illinois, The Administrative and Operation of the Teacher's Retirement System (80 Ill. Adm. Code 1650)</u>	2/1/19 43 Ill. Reg. 1500	4/9/19

## PROCLAMATIONS

**2019-5****Desert Storm Remembrance Day**

WHEREAS, throughout our history, millions of brave American men and women have courageously answered the call to defend their country's ideals of freedom and democracy; and,

WHEREAS, twenty-eight years ago, over 600,000 members of the United States Armed Forces risked their lives in the Persian Gulf to liberate Kuwait during Operations Desert Shield and Desert Storm; and,

WHEREAS, eighteen citizens of the State of Illinois made the ultimate sacrifice for their country; and,

WHEREAS, the men and women who served in the United States Armed Forces during Operation Desert Storm have earned the gratitude and respect of their nation; and,

WHEREAS, the observance of the 28th anniversary of the Operation Desert Storm cease-fire allows citizens throughout Illinois, and across the country, the opportunity to honor those who served and those who died during this conflict;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim February 28, 2019, as **DESERT STORM REMEMBRANCE DAY** in Illinois, in honor and remembrance of those who made the ultimate sacrifice to protect our country.

Issued by the Governor February 27, 2019

Filed by the Secretary of State March 13, 2019

**2019-6****Early Hearing Detection and Intervention Day**

WHEREAS, over 500 children in Illinois are identified with hearing loss each year; and,

WHEREAS, approximately 151,000 infants receive hearing screenings in Illinois every year; and,

WHEREAS, the state of Illinois realizes the importance of universal hearing screenings for newborns and their impact on the lives of our children as well as their families and communities; and,

WHEREAS, the Illinois Department of Human Services, Illinois Department of Public Health, Division of Specialized Care for Children, Bureau of Early Intervention, hospital personnel,

## PROCLAMATIONS

healthcare professionals and community-based organizations work together to ensure that the parents of babies who have a hearing loss receive follow-up diagnostic testing and information about communication opportunities and other services for their children; and,

WHEREAS, CHOICES for Parents is a statewide coalition of parents and professionals ensuring that children identified as deaf or hard of hearing and their families connect with the necessary resources, advocacy, information, services and support; and,

WHEREAS, CHOICES for Parents and its coalition members strive to create ongoing awareness of the importance of early hearing detection and intervention so that babies with hearing loss receive early intervention services and support in a timely fashion;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim February 28, 2019, as **EARLY HEARING DETECTION AND INTERVENTION DAY** in Illinois and encourage all citizens to support families with infants who have hearing loss by helping connect them with valuable resources.

Issued by the Governor February 27, 2019

Filed by the Secretary of State March 13, 2019

**2019-7****Illinois Day of the Horse**

WHEREAS, the State of Illinois recognizes the role of equines in the economy, history, and character of Illinois; and,

WHEREAS, our forefathers used horses to settle the prairie and build our great state, transport people and goods, clear and till the land, harvest and thresh grains, herd cattle, power mills, pull barges, serve in the military, fight fires, and deliver mail; and,

WHEREAS, horses today are vital in assisting in police crowd control, providing therapeutic aid to veterans and persons with disabilities, working our farms, and pleasure riding and racing; and,

WHEREAS, there are many kinds of equine properties in Illinois, including breeding farms, boarding and training facilities, riding schools, small acreage farmettes, showgrounds, and equine-based therapy centers; and,

WHEREAS, equine operations encompass thousands of acres, making for a significant part of our land used for open fields, pastures, and forestland; and,

## PROCLAMATIONS

WHEREAS, horses are, both directly and indirectly, the source of jobs and income for thousands of Illinois residents who work as veterinarians, trainers, farriers, chiropractors, grooms, stable hands, entertainers, carriage/sleigh/hay wagon drivers, jockeys, and sellers of goods such as lumber, hay, grain, grass seed, bedding, tack, trucks, horse trailers, and more; and,

WHEREAS, the Horsemen's Council of Illinois helps promote and educate the public about the importance of horses in Illinois and raises awareness of the many significant benefits brought to Illinois agriculture, tourism, and quality of life through the equine industry;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 1, 2019, as **ILLINOIS DAY OF THE HORSE**, and urge our citizens to recognize the importance of horses to our security, economy, recreation, and heritage.

Issued by the Governor February 27, 2019  
Filed by the Secretary of State March 13, 2019

**2019-8**  
**Nutrition Awareness Month**

WHEREAS, good nutrition is essential for growth development and well-being; and,

WHEREAS, many diseases are associated with being overweight and obese; nutrition plays a large role in the incidence of preventable illness and premature death; and,

WHEREAS, educating Illinoisans about health and nutrition is an important part of establishing healthy habits; and,

WHEREAS, it is important for the people of Illinois to be aware of the existence of community nutrition programs, as these programs are important to the health and wellness of all those they serve; and,

WHEREAS, March is a time of national recognition and awareness related to improving nutrition habits and knowledge. The Academy of Nutrition and Dietetics has announced this year's theme to focus attention on the importance of developing sound eating and physical activity habits; and,

WHEREAS, the Illinois Department of Public Health (IDPH) recommends a variety of ways Illinoisans can shift toward a healthier lifestyle, including being mindful of portion sizes; incorporating a variety of healthy foods from each food group daily; and finding enjoyable physical activity to do most days of the week;

## PROCLAMATIONS

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 2019 as **NUTRITION AWARENESS MONTH** and encourage all citizens to engage in healthy eating and physical activity habits.

Issued by the Governor February 27, 2019

Filed by the Secretary of State March 13, 2019

**2019-9****Poison Prevention Month**

WHEREAS, all citizens of Illinois should be made aware of the ever-present dangers posed by potentially harmful household substances; and,

WHEREAS, children too often have access to over-the-counter and prescription medications and potentially toxic household products; and,

WHEREAS, as the oldest, and one of the largest poison centers in the nation, the Illinois Poison Center has provided timely poison prevention and treatment services to the people of Illinois for more than 65 years; and,

WHEREAS, the Illinois Poison Center is a mainstay in the emergency medical care system of the State of Illinois and is recognized nationally for its contributions to poison treatment and prevention; and,

WHEREAS, 42 percent of nearly 80,000 poisonings reported last year to the Illinois Poison Center involved children younger than the age of five, and could have been prevented; and,

WHEREAS, the Illinois Poison Center manages 90 percent of the poison exposure calls from the public at the site of exposure, eliminating the need for a referral to a health care facility and saving the State of Illinois more than \$60 million a year in reduced health care and lost productivity costs;

WHEREAS, during the past 57 years, the nation has observed National Poison Prevention Week to help prevent accidental poisonings and offer tips for promoting community involvement in poison prevention; and,

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 2019 as **POISON PREVENTION MONTH** in Illinois, and encourage all citizens to learn more about the Illinois Poison Center's prevention programs and steps that can be taken to create healthy and safe home, play, learning, and work environments.

## PROCLAMATIONS

Issued by the Governor February 27, 2019  
Filed by the Secretary of State March 13, 2019

**2019-10****Sudden Unexplained Death in Childhood Awareness Month**

WHEREAS, Sudden Unexplained Death in Childhood (SUDC) is the sudden and unexpected death of a child over the age of 12 months which remains unexplained after a thorough case investigation is conducted, including performance of a complete autopsy, examination of the death scene, and review of the child's medical history; and,

WHEREAS, each year, there are approximately 400 cases of SUDC in the United States between the ages of one and nineteen, including more than 240 children under the age of five; and,

WHEREAS, SUDC is the fifth leading cause of death among toddlers, and presently there is no way to prevent SUDC as its causes are unknown; and,

WHEREAS, while less common than Sudden Infant Death Syndrome, which occurs before the first birthday, SUDC is an important health concern deserving of increased public awareness and research; and,

WHEREAS, medical professionals, volunteers, and organizations like the SUDC Foundation are working to better understand the causes of sudden unexplained death, improve the health of infants and children, and provide much needed hope and support for those families grieving the heartbreaking sudden unexplained death of a child;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 2019 as **SUDDEN UNEXPLAINED DEATH IN CHILDHOOD AWARENESS MONTH** in Illinois and encourage all citizens to honor the memory of the young lives that ended too soon, show encouragement and support for the families and loved ones forever devastated by their loss, and increase public awareness of SUDC and the ongoing search for answers.

Issued by the Governor February 27, 2019  
Filed by the Secretary of State March 13, 2019

**2019-11****Trisomy Awareness Month**

WHEREAS, trisomy is the presence of a single extra chromosome within a person's cells, yielding a total of three chromosomes instead of a pair; and,

## PROCLAMATIONS

WHEREAS, as a type of aneuploidy, trisomy can occur with any of the 23 pairs of human chromosomes; and,

WHEREAS, the most common trisomies in newborns are trisomy 21, Down syndrome; trisomy 18, Edwards syndrome; and trisomy 13, Patau syndrome; and,

WHEREAS, local support groups, medical professionals, and online communities offer education, encouragement, and counseling for those managing trisomy pregnancies or raising trisomy-affected children; and,

WHEREAS, now is the time for Illinoisans to educate themselves on all forms of trisomy, support families currently experiencing trisomy, and participate in helping people with developmental disabilities achieve their full potential;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 2019 as **TRISOMY AWARENESS MONTH** in Illinois.

Issued by the Governor February 27, 2019

Filed by the Secretary of State March 13, 2019

**2019-12****Colorectal Cancer Awareness Month**

WHEREAS, Colorectal cancer is the second-leading cause of cancer deaths in the U.S. among men and women combined and there is currently no cure; and,

WHEREAS, one in twenty men and one in twenty-four women will be diagnosed with colorectal cancer in their lifetimes; and,

WHEREAS, there are now more than one million survivors of colorectal cancer in the United States; and,

WHEREAS, the national goal established by the National Colorectal Cancer Roundtable is 80 percent of Americans ages 50 and older be screened in every community; and,

WHEREAS, if the majority of people in the United States age 50 or older were screened regularly for colorectal cancer, half of all cases could be prevented entirely; and,

WHEREAS, it's critical that all people, of all ages, know the signs and symptoms of the disease; and,

## PROCLAMATIONS

WHEREAS, observing a Colorectal Cancer Awareness Month during the month of March will emphasize the importance of early detection and screening; and,

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 2019 as **COLORECTAL CANCER AWARENESS MONTH** in Illinois, in support of raising public awareness of this disease.

Issued by the Governor February 28, 2019

Filed by the Secretary of State March 13, 2019

**2019-13**  
**Lymphedema Day**

WHEREAS, the World Health Organization estimates that over 150 million people worldwide have secondary Lymphedema; and,

WHEREAS, the National Institute of Health estimates that primary Lymphedema could affect as many as 1 in 300 live births; and,

WHEREAS, the World Health Organization estimates that over 120 million people are infected with lymphatic filariasis, leaving 40 million disfigured and incapacitated; and,

WHEREAS, children can be affected with debilitating lymphatic diseases, such as lymphatic malformation and lymphangiectasia, and over 100 million people worldwide suffer from the lymphatic disease filariasis (elephantiasis); and,

WHEREAS, the lymphatic system plays a role in AIDS, diabetes, heart disease, rheumatoid arthritis, lupus, and cancer metastasis; and,

WHEREAS, more people suffer from lymphatic diseases in the United States than suffer from Multiple Sclerosis, Muscular Dystrophy, ALS, Parkinson's disease, and AIDS combined;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 6, 2019, as **LYMPHEDEMA DAY** in Illinois in support of the efforts to raise awareness of lymphatic diseases.

Issued by the Governor February 28, 2019

Filed by the Secretary of State March 13, 2019

**2019-14**  
**Rare Disease Day**

## PROCLAMATIONS

WHEREAS, many rare diseases are serious and debilitating conditions that have a significant impact on the lives of those affected; and,

WHEREAS, there are nearly 7,000 diseases and conditions considered rare in the United States, with each affecting fewer than 200,000 Americans; and,

WHEREAS, while each of these diseases alone may affect only a small number of people, rare diseases as a group affect millions of Americans; and,

WHEREAS, often there is no treatment specific for these rare diseases; and,

WHEREAS, individuals and families affected by rare diseases often experience problems that include a sense of isolation, difficulty obtaining an accurate and timely diagnosis, few treatment options, and complications related to accessing or being reimbursed for treatment; and,

WHEREAS, while some rare diseases, such as "Lou Gehrig's disease" and Huntington's disease, are relatively well known, many others are largely unknown, such as Amyloidosis; and,

WHEREAS, a lack of awareness by the general public means the job of raising the profile of rare diseases and raising funds for research falls on patients and their families; and,

WHEREAS, statistically, nearly one in 10 Americans is affected by rare diseases, resulting in thousands of Illinois residents being affected; and,

WHEREAS, a nationwide observance of Rare Disease Day affords patients, medical professionals, researchers, government officials, and companies developing treatments for rare diseases an opportunity to join together to focus attention on rare diseases as a public health issue;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim February 28, 2019, as **RARE DISEASE DAY** in Illinois, in support of this important public awareness campaign.

Issued by the Governor February 28, 2019

Filed by the Secretary of State March 13, 2019

**2019-15**  
**Youth Art Month**

WHEREAS, the study of art leads to a fuller, more meaningful life; and,

## PROCLAMATIONS

WHEREAS, art education provides substantial educational benefits to all elementary, middle and secondary students; and,

WHEREAS, art education develops students' creative potential and improves problem-solving and critical thinking skills by reinforcing and bringing to life what students learn in other subjects; and,

WHEREAS, art education teaches sensitivity to beauty, order and other expressive qualities, and also gives students a deeper understanding of multi-cultural values and beliefs; and,

WHEREAS, art education advances student mastery in art production, art history, art criticism and aesthetics; and,

WHEREAS, our national leaders have acknowledged the necessity of including art s experiences in all students' education; and,

WHEREAS, the National Art Education Association, in conjunction with the Illinois Art Education Association strives to improve the wellbeing of our communities by upgrading visual awareness of the cultural strengths of Illinois and the United States as a whole; and,

WHEREAS, the residents of Illinois have joined the National Art Education Association and the Illinois Art Education Association in supporting the youth of our community in their intellectual development through artistic endeavors, and offering support to our committed art teachers;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 2019 as **YOUTH ART MONTH** in Illinois, and urge all citizens to give their full support to quality school art programs for children and youth.

Issued by the Governor February 28, 2019

Filed by the Secretary of State March 13, 2019

**2019-16**  
**Americorps Week**

WHEREAS, service to others is a hallmark of the American character, and throughout the country's history, individuals have stepped up to meet our challenges by volunteering in their communities; and,

## PROCLAMATIONS

WHEREAS, since its creation in 1994, the AmeriCorps national service program has proven to be a highly effective way to engage Americans of all ages and backgrounds in meeting a wide range of community needs and promotes the ethic of service and volunteering; and,

WHEREAS, each year AmeriCorps programs, including AmeriCorps\*State and National, AmeriCorps\*VISTA and AmeriCorps\*NCCC, provide opportunities for nearly 75,000 citizens across the nation, including more than 2,400 in Illinois, to give back in an intensive way to our communities, our state, and our country; and,

WHEREAS, more than 1,000,000 men and women across the nation, including more than 41,000 from Illinois, have taken the AmeriCorps pledge to "get things done" since 1994; and,

WHEREAS, those AmeriCorps Members have served a total of 1.4 billion hours nationwide, including more than 59 million served by residents from Illinois; which equates to over \$1.4 billion in impact for Illinois, by helping improve the lives of our state's most vulnerable citizens, strengthening our educational system, protecting our environment, and contributing to our public safety; and,

WHEREAS, AmeriCorps members serve with more than 21,000 nonprofit, community, educational, and faith-based community groups nationwide; including more than 600 in Illinois; and,

WHEREAS, last year AmeriCorps Members in Illinois recruited over 18,000 volunteers, served over 366,000 Illinoisans, provided more than 1.8 million hours of service valued at nearly \$47 million, and helped to leverage more than \$16.4 million in cash and in-kind resources; and,

WHEREAS, residents of Illinois have earned more than \$140 million in Segal AmeriCorps Education Awards to help pay for college or pay back student loans since 1994; and,

WHEREAS, AmeriCorps members, after their terms of service end, remain engaged in our communities as volunteers, teachers, public servants, and nonprofit leaders in disproportionately high levels; and,

WHEREAS, the Serve Illinois Commission on Volunteerism and Community Service and the federal Corporation for National and Community Service play a key role in determining where AmeriCorps resources should be directed to meet state and local needs; and,

WHEREAS, AmeriCorps Week, March 10-16, 2019, is an opportune time for the people of Illinois to salute AmeriCorps members and alums for their service; thank AmeriCorps' community partners; and bring more Americans into service;

## PROCLAMATIONS

THEREFORE, I, JB Pritzker, Governor of Illinois, do hereby proclaim March 10-16, 2019 as **AMERICORPS WEEK** in Illinois, and urge citizens to thank AmeriCorps Members and alumni for their service and to find ways to give back to their communities at [www.Serve.Illinois.gov](http://www.Serve.Illinois.gov).

Issued by the Governor March 5, 2019

Filed by the Secretary of State March 13, 2019

**2019-17****Child Abuse Prevention Month**

WHEREAS, every child deserves to grow up in a nurturing environment, free from abuse, neglect, violence or endangerment of any kind; and,

WHEREAS, child abuse and neglect causes serious harm to child development and have lifelong effects that endanger safety, hinder permanency in relationships, and reduce well-being, creating greater demands on society; and,

WHEREAS, child abuse prevention is a shared responsibility and finding solutions requires the involvement and collaboration of individuals, organizations, and government entities throughout Illinois and the country; and,

WHEREAS, Illinoisans make more than 250,000 calls to the Illinois Child Abuse Hotline each year, offer temporary safe haven for more than 15,000 children as foster families, and have provided permanent, loving homes for more than 15,000 children through adoption over the last decade; and,

WHEREAS, partnerships created by the Illinois Department of Children and Family Services, Prevent Child Abuse Illinois, Children's Home + Aid Society of Illinois, Children's Advocacy Centers of Illinois, Voices for Illinois Children and other government entities, social services agencies, schools, religious organizations, law enforcement agencies, businesses and individual citizens help prevent child abuse; and,

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim April 2019 as **CHILD ABUSE PREVENTION MONTH** in Illinois, and encourage all individuals to respond to the call of "How will you help?" by supporting child abuse prevention programs and reporting suspected cases of abuse to the Illinois Child Abuse Hotline at (800) 25-ABUSE.

Issued by the Governor March 5, 2019

Filed by the Secretary of State March 13, 2019

## PROCLAMATIONS

**2019-18**  
**Learn As You Play Day**

WHEREAS, parents are their children's first and most influential teachers; and,

WHEREAS, a child's early years provide the foundation on which their future success is built; and,

WHEREAS, children seek parents, family members, and friends to aid them in reaching important goals; and,

WHEREAS, families and communities play vital roles in helping children develop a positive self-image, sense of belonging, sense of competence, and strong educational foundation; and,

WHEREAS, Learn as You Play Day is a special day set aside each year to encourage and remind adults that the meaningful time they share with children is important to their development; and,

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim April 21st, 2019, as **LEARN AS YOU PLAY DAY**, and urge all residents to engage the children in their lives in foundational learning activities.

Issued by the Governor March 5, 2019

Filed by the Secretary of State March 13, 2019

**2019-19**  
**Girl Scout Week**

WHEREAS, 2019 marks the 107th anniversary of Girl Scouts of the U.S.A., the largest and most successful leadership program for girls in the world; and,

WHEREAS, Girl Scouts unleashes the G.I.R.L. (Go-getter, Innovator, Risk-taker, Leader) in every girl, preparing her for a lifetime of leadership; and,

WHEREAS, Girl Scouts combines time-tested, research-backed methods with exciting, modern programming that speaks to today's girls and is designed to cater to the strengths of girls' leadership and development; and,

WHEREAS, Girl Scouts offers girls 21st century programming in science, technology, engineering, and math (STEM); the outdoors; and entrepreneurship, helping girls develop invaluable life skills and take the lead early and often; and,

## PROCLAMATIONS

WHEREAS, as the world's premier leadership development organization for girls, Girl Scouts welcomes girls of all backgrounds and interests who want to develop the courage confidence, and character to make the world a better place; and,

WHEREAS, research shows that girls learn best in an all-girl, girl-led environment in which their specific needs are addressed and met; and,

WHEREAS, the Girl Scout Gold Award, the highest and most prestigious award in Girl Scouting, calls on Girl Scouts in grades 9 to 12 to take on projects that have a measurable and sustainable impact on a community by first assessing a need, designing a solution, completing a project, and inspiring others to sustain it; and,

WHEREAS, with more than 100 years of experience, Girl Scouts brings a wealth of knowledge to programs that deliver girls cornerstone experiences with benefits that last a lifetime; and,

WHEREAS, today, more than 50 million women are Girl Scout alums, and 2.6 million girls and adults are current members;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim the week of March 10-16, 2019 as **GIRL SCOUT WEEK** in Illinois and applaud the Girl Scout Movement and the Girl Scouts of Southern Illinois for providing girls with a safe, inclusive, all-girl space where they can hone their skills and develop leadership abilities.

Issued by the Governor March 7, 2019

Filed by the Secretary of State March 13, 2019

**2019-20****Narcolepsy Awareness Day**

WHEREAS, Narcolepsy is a chronic neurological disorder caused by the brain's inability to regulate sleep-wake cycles; and,

WHEREAS, Narcolepsy affects an estimated 1 in every 2,000 Americans; and,

WHEREAS, Narcolepsy is an under-recognized and under diagnosed condition; and,

WHEREAS, the symptoms of narcolepsy, especially when undiagnosed, can lead to accidents, injuries, and problems with learning, and working; and,

WHEREAS, Narcolepsy affects people neurologically, socially, and emotionally; and,

## PROCLAMATIONS

WHEREAS, Narcolepsy affects people of all ages, with onset typically between the ages of 15 and 25; and,

WHEREAS, Narcolepsy Network is a national organization created to promote awareness of the disease and support for those who suffer from narcolepsy;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby proclaim March 9, 2019 as **NARCOLEPSY AWARENESS DAY** in Illinois.

Issued by the Governor March 7, 2019

Filed by the Secretary of State March 13, 2019

**2019-21****Flag Lowering – Holli Bolinski**

WHEREAS, on Tuesday, March 5, 2019, United States Army Sergeant Holli R. Bolinski of Pickneyville, Illinois died at age 37 while serving her country in Kuwait, where Sergeant Bolinski was serving in support of Operation Inherent Resolve; and,

WHEREAS, Sergeant Bolinski was a Unit Administrator assigned to 657th Transportation Company, 419th Transportation Battalion, 103rd Sustainment Command, based at Mount Vernon, Illinois; and,

WHEREAS, Sergeant Bolinski is survived by her husband, Robert, her five children, Kendal Woodside, Kamden Woodside, Bryson Shearer, Hayden Shearer, and Eva Shearer, her mother, Janie Meier, as well as many family and friends; and,

WHEREAS, funeral services for Sergeant Bolinski will be held on Thursday, March 21, 2019 at St. Bruno Catholic Church in Pickneyville, Illinois;

THEREFORE, I, JB Pritzker, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on Tuesday, March 19, 2019, until sunset on Thursday, March 21, 2019, in honor and remembrance of United States Army Sergeant Holli R. Bolinski whose selfless service and sacrifice shall forever be an inspiration to the people of Illinois.

Issued by the Governor March 18, 2019

Filed by the Secretary of State March 18, 2019

**ILLINOIS ADMINISTRATIVE CODE**  
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