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July 12, 2019 Volume 43, Issue 28

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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

Issue#	Rules Due Date	Date of Issue
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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Licensing Standards for Foster Family Homes
- 2) Code Citation: 89 Ill. Adm. Code 402
- 3)

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
402.2	Amendment
402.4	Amendment
402.8	Amendment
402.9	Amendment
402.11	Amendment
402.12	Amendment
402.13	Amendment
402.14	Amendment
402.15	Amendment
402.17	Amendment
402.25	Amendment
402.26	Amendment
402.Appendix D	New Section
- 4) Statutory Authority: The Child Care Act of 1969 [225 ILCS 10/5.2]
- 5) A Complete Description of the Subjects and Issues Involved: For consistency with current practice, existing laws, best practice standards, and standards of the Council on Accreditation for Families and Children (COA), the Department is proposing amendments to Part 402 as follows:

Adding Appendix D in the section contents area as well as at the end of the document;

Adding updated information to definitions in Section 402.2 for: complete application for foster family home license, expanded capacity license, fictive kin, foster family home, premises, and relative;

Background checks definition has been revised to reflect [225 ILCS 10/4(b)] that all individuals 18 years of age and older in the foster family home submit to a background check.

Adding new definition for "premises" in Section 402.2;

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Adding additional licensing representative and home study requirements as well as specific assurances to be signed by the licensee that include their understanding and adherence to smoking, corporal punishment and substance use restrictions as well as the reasonable & prudent parenting standards in Section 402.4 d);

Adding that a foster home shall have a minimum of a stove, oven, refrigerator and sink as well as a bathroom with properly operating toilet, sink, shower or tub in Section 402.8 d);

Adding language in Section 402.4 e) that the operation of a commercial rooming or boarding house is not permitted on the premises;

Adding water hazard protections and requirement language that pools, hot tubs and spas shall meet all state, tribal and/or local safety requirements and any swimming pool shall be equipped with a life-saving device approved by the government and for sale as a life-saving device as well as the requirement to have a working pump and filtering system when the pool cannot be emptied after each use in Section 402.8 h);

Adding language in Section 402.8 i) that no one shall ever smoke in the foster family home or in a vehicle used to transport a youth in care;

Adding language to 402.8 j) applicants and licensees shall not use illegal substances, abuse prescription or non-prescription drugs or abuse alcohol;

Adding updated language in Section 402.8 k) that alcoholic beverages and toxic materials shall be stored where they cannot be accessed by youth;

Emergency notification and evacuation protocol;

Adding first-aid kit language in Section 402.8 s);

Adding emergency telephone protocol information in Section 402.8 u);

Adding sleeping arrangement information including requirements for attics and basements that are used as sleeping quarters in Section 402.8 y);

Adding language in Section 402.13 b) that licensed foster parents have safe, legal and reliable transportation access

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NOTICE OF PROPOSED AMENDMENTS

Adding language in Section 402.14 b) that medical reports shall include up-to-date immunizations as recommended by the American Academy of Pediatrics unless a primary care physician believes it to be contrary to the child's health. Adding language in Section 402.17 c) that licensee's will follow all recommendations of the American Academy of Pediatrics and the treating physician to ensure the youth in care is up to date on immunizations and tests.

Adding non-safety related licensing rules eligible for waiver including: 402.11 b) in regards to any outside employment not interfering with the proper care of the child, 402.12 2) which requires at least one applicant to be able to read and write at the level needed to meet the needs of the youth in care, 402.15 c) which list additional reasons for an expanded capacity waiver, 402.23 which states that foster parents shall not release a foster to child to anyone except as authorized and Section 402.26 which lists records that are to be maintained by the foster home.

Adding information to Section 402.25 that the supervising agency shall ensure that prior written consents are obtained from legally responsible persons including for work programs, induction into the armed services as well as driving a car and car ownership.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking? None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objective: These rules do not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice. Comments should be submitted to:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Jeff Osowski
Department of Children and Family Services
406 East Monroe, Station # 65
Springfield IL 62701-1498

217/524-1983
TTY: 217/524-3715
CFPolicy@idcfs.state.il.us

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

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, 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: None
- 15) Regulatory Agenda on which this Amendments was summarized: This was not included in either of the 2 most recent regulatory agendas because the need for amendments were not anticipated.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

PART 402

LICENSING STANDARDS FOR FOSTER FAMILY HOMES

Section

402.1	Purpose
402.2	Definitions
402.3	Effective Date of Standards (Repealed)
402.4	Application for License
402.5	Application for Renewal of License
402.6	Provisions Pertaining to Permits
402.7	Provisions Pertaining to the License
402.8	General Requirements for the Foster Home
402.9	Requirements for Sleeping Arrangements
402.10	Nutrition and Meals
402.11	Business and Employment of Foster Parents
402.12	Qualifications of Foster Family
402.13	Background Inquiry
402.14	Health of Foster Family
402.15	Number and Ages of Children Served
402.16	Meeting Basic Needs of Children
402.17	Health Care of Children
402.18	Religion
402.19	Recreation and Leisure Time
402.20	Education
402.21	Discipline of Children
402.22	Emergency Care of Children
402.23	Release of Children
402.24	Confidentiality of Information
402.25	Required Written Consents
402.26	Records to be Maintained
402.27	Licensing Supervision
402.28	Adoptive Homes
402.29	Director's Waivers
402.30	Severability of This Part

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

402.APPENDIX A	Criminal Convictions That Prevent Licensure
402.APPENDIX B	Number and Ages of Children in Foster Family Home: No Child Requires Specialized Care
402.APPENDIX C	Number and Ages of Children in Foster Family Home: Child Requires Specialized Care
402.APPENDIX D	Non-Safety Related Licensing Rules Eligible for a Waiver

AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10].

SOURCE: Adopted and codified at 5 Ill. Reg. 9548, effective October 1, 1981; emergency amendment at 6 Ill. Reg. 15580, effective December 15, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 3439, effective April 4, 1983; amended at 7 Ill. Reg. 13858, effective November 1, 1983; amended at 8 Ill. Reg. 23197, effective December 3, 1984; amended at 11 Ill. Reg. 4292, effective March 1, 1987; emergency amendment at 16 Ill. Reg. 11879, effective July 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 267, effective December 21, 1992; emergency amendment at 18 Ill. Reg. 8481, effective May 20, 1994, for a maximum of 150 days; emergency expired on October 17, 1994; amended at 19 Ill. Reg. 1801, effective February 1, 1995; amended at 19 Ill. Reg. 9463, effective July 1, 1995; emergency amendment at 19 Ill. Reg. 10743, effective July 1, 1995, for a maximum of 150 days; emergency expired November 27, 1995; amended at 20 Ill. Reg. 1589, effective January 10, 1996; emergency amendment at 20 Ill. Reg. 3954, effective February 16, 1996, for a maximum of 150 days; emergency expired July 15, 1996; amended at 21 Ill. Reg. 4548, effective April 1, 1997; amended at 22 Ill. Reg. 205, effective December 19, 1997; amended at 23 Ill. Reg. 7877, effective July 15, 1999; emergency amendment at 24 Ill. Reg. 6417, effective March 27, 2000, for a maximum of 150 days; emergency expired August 23, 2000; amended at 24 Ill. Reg. 17052, effective November 1, 2000; amended at 26 Ill. Reg. 2624, effective February 11, 2002; amended at 26 Ill. Reg. 11796, effective August 1, 2002; amended at 30 Ill. Reg. 6321, effective March 31, 2006; amended at 33 Ill. Reg. 11441, effective August 1, 2009; amended at 36 Ill. Reg. 4086, effective March 5, 2012; amended at 40 Ill. Reg. 808, effective December 31, 2015; amended at 40 Ill. Reg. 7797, effective May 16, 2016; amended at 42 Ill. Reg. 2253, effective January 17, 2018; amended at 42 Ill. Reg. 20321, effective October 31, 2018; amended at 43 Ill. Reg. _____, effective _____.

Section 402.2 Definitions

"Adoptive placement" means a living arrangement with a family that is directed toward establishing that family as the child's new legal parents. To be considered an adoptive placement, the child must be placed in a licensed foster family home

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or license exempt relative home for purposes of adoption and:

be legally free (parental rights have been terminated or both parents have surrendered their parental rights); or

be placed in a legal risk adoptive placement that has passed legal screening as described in 89 Ill. Adm. Code 309 (Adoption Services for Children for Whom the Department of Children and Family Services is Legally Responsible).

"Appropriate activities" means activities or items that are generally accepted as suitable for children of the same chronological age or developmental level of maturity. Appropriateness is based on the development of cognitive, emotional, physical, and behavioral capacity that is typical for an age or age group, taking into account the individual child's cognitive, emotional, physical, and behavioral development. [20 ILCS 505/7.3a(b)]

"Approved smoke detector" or "detector" means a smoke detector of the ionization or photoelectric type that complies with all the requirements of the rules and regulations of the Illinois State Fire Marshal. [425 ILCS 60/2]

"Approved in-service training" means:

Foster PRIDE module or other Department approved training;

foster parent conferences sponsored by the Department;

other conferences approved by the Department;

training provided under the auspices of a licensed child welfare agency when the agency's foster care program has been accredited by the Council on Accreditation of Services for Families and Children, Inc., 520 Eighth Avenue, Suite 2202B, New York NY 10018;

materials borrowed from the Department's Foster/Adoptive Parent Lending Libraries;

training toward first-aid, Heimlich maneuver, and/or cardiopulmonary resuscitation (CPR) certification; or

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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other training, substantially meeting the Department's Foster PRIDE/Adopt PRIDE training, approved in writing by the Department of Children and Family Services.

"Background check" means:

Individuals ~~18~~ years of age or older:

a criminal history check via fingerprints that are submitted to the Illinois State Police and the Federal Bureau of Investigation (FBI) for comparison to their criminal history records, as appropriate; and

Individuals 13 years of age or older:

a check of the Statewide Automated Child Welfare Information System (SACWIS) and other state child protection systems, as appropriate, to determine whether an individual is currently alleged or has been indicated as a perpetrator of child abuse or neglect; and

a check of the Illinois Sex Offender Registry.

"Child" means any person under 18 years of age. [225 ILCS 10/2.01]

"Child care assistant" means an adult, 18 years of age or older, (whether a volunteer or an employee) who assists a licensed foster parent in the care of children within the foster home.

"Child care facility" means any person, group of persons, agency, association, organization, corporation, institution, center or group, whether established for gain or otherwise, who or which receives or arranges for care or placement of one or more children, unrelated to the operator of the facility, apart from the parents, with or without the transfer of the right of custody in any facility as defined in the Child Care Act of 1969 [225 ILCS 10], established and maintained for the care of children. Child care facility includes a relative who is licensed as a foster family home under Section 4 of the Child Care Act. [225 ILCS 10/2.05]

"Classifiable fingerprints" means fingerprints obtained through an electronic or

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ink printing process that were determined to provide sufficiently clear impressions to identify the individual from whom the prints were obtained.

"Common parentage" means having the same biological or adoptive father, the same biological or adoptive mother, or the same biological or adoptive father and mother.

"Complete application for foster family home license" means, at a minimum, *a completed written application form; written authorization by the applicant and all adult members of the [applicant's](#) household to conduct a criminal background investigation; medical evidence in the form of a medical report, on forms prescribed by the Department, that the applicant and all members of the household are free from communicable diseases or physical and mental conditions that affect their ability to provide care for the child or children; the names and addresses of at least 3 persons not related to the applicant who can attest to the applicant's moral character; [the name and address of at least one relative who can attest to the applicant's capability to care for the child or children;](#) and fingerprints submitted by the applicant and all adult members of the applicant's household.* [225 ILCS 10/4]

"Contact between siblings" means contact between or among siblings who are residing apart from one another, and may include, but is not limited to: telephone calls; video conferencing; in person visitation; sending/receiving cards, letters, emails, text messages, gifts, etc.; sharing photographs or information; use of any approved social media (e.g., Facebook), and any other agreed upon forms of communication technology.

"Corporal punishment" means hitting, spanking, beating, shaking, pinching, and other measures that produce physical pain.

"Department" means the Illinois Department of Children and Family Services. [225 ILCS 10/2.02]

"Discipline" means the process of helping children to develop inner controls so that they can manage their own behavior in socially acceptable ways. Discipline does not include the use of corporal punishment as defined in this Part.

"Educational advocacy training" means the 6-hour training that prepares foster parents to effectively advocate for the special educational needs of the children in

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their care by providing information on children's educational rights and foster parents' responsibility to protect those rights.

"Expanded capacity license" means the foster family home has been issued a license from the Department authorizing the foster family to accept more than six children for care (including the family's own children under age 18 and all other children under age 18 receiving full-time care) as permitted in Section 402.15(c) (for foster care placements) or (e) (for adoptive placements).

"Fictive kin" means any individual, unrelated by birth or marriage, who:

is shown to have significant and close personal or emotional ties with the child or the child's family prior to the child's placement with the individual; or

is the current foster parent of a child in the custody or guardianship of the Department pursuant to the Child and Family Services Act [20 ILCS 505] and the Juvenile Court Act of 1987 [705 ILCS 405], if the child has been placed in the home for at least one year and has established a significant and family-like relationship with the foster parent, and the foster parent has been identified by the Department as the child's permanent connection. [20 ILCS 505/7(b)]

"Foster family home" means a facility for child care in residences of families who receive no more than 8 children unrelated or related to them, unless all the children are of common parentage, or residences of relatives who receive no more than 8 related or unrelated children placed by the Department, unless the children are of common parentage, for the purpose of providing family care and training for the children on a full-time basis, except the Director of Children and Family Services, pursuant to Department regulations, may waive the limit of 8 children unrelated to an adoptive family for good cause to facilitate an adoptive placement. The family's or relative's own children, under 18 years of age, shall be included in determining the maximum number of children served. [225 ILCS 10/2.17] The Department requires foster family homes to receive an expanded capacity license allowing them to receive more than six children, including their own children under age 18 and all other children under the age of 18 receiving full-time care. [No more than 6 of the 8 children in a foster home shall be youth in care, unless the youth meet exceptions in Section 402.15, i.e., siblings, parenting youth, respite and adoption.](#)

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"Full-time care" means the child is a resident of the household, whether on a temporary, emergency, or permanent basis, and is receiving family care usually provided by a parent or guardian.

"Godparent" is a person who sponsors a child at baptism or one in whom the parents have entrusted a special duty that includes assisting in raising the child if the parent cannot raise the child. If the person is considered to be the child's godparent, in order for placement to occur, the same placement selection criteria as contained in 89 Ill. Adm. Code 301.60 (Placement Selection Criteria) must be met. If the godparent is not a licensed foster parent, all the conditions currently in effect for placement with relatives in 89 Ill. Adm. Code 301.80 (Relative Home Placement) must be met.

"In-service training" means approved training provided to currently licensed foster parents.

"License" means a document issued by the Department of Children and Family Services that authorizes child care facilities to operate in accordance with applicable standards and the provisions of the Child Care Act.

"License applicant" means the operator or person with direct responsibility for daily operation of the facility to be licensed. [225 ILCS 10/4.4]

"Licensed physician" means a person licensed to practice medicine in the State of Illinois.

"Licensee" means those individuals, agencies, or organizations who hold a license or permit issued by the Department of Children and Family Services.

"Licensing representative" means persons authorized by the Department under the Child Care Act to perform licensing activities.

"Licensing study" means a written review and assessment of an application for license, on-site visits, interviews, and the collection and review of supporting documents to determine compliance with the Child Care Act of 1969 and the standards prescribed by this Part.

"Member of the household" means a person who resides in a family home as

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evidenced by factors including, but not limited to, maintaining clothing and personal effects at the household address, or receiving mail at the household address, or using identification with the household address.

"Minor traffic violation" means a traffic violation, under the laws of the State of Illinois or any municipal authority in Illinois or another state or municipal authority, that is punishable solely by fines as a petty offense.

"Multi-purpose room" means a room in the foster family home that has been designed for several purposes. A multi-purpose room that is temporarily converted into a bedroom may only be a pass through room in the home if the privacy of the children using the room for a bedroom can be ensured. Activities within the room shall be normal bedroom activities such as sleeping, dressing and playing while used as a bedroom.

"Non-active status" means a licensed foster home has no foster placements and maintains continuous compliance with this Part that, by mutual written agreement with the Department, does not receive regular licensing monitoring visits by the Department or supervising agency.

"Normalcy parenting" means empowering a foster parent to approve or not approve a child's participation in appropriate extracurricular enrichment, cultural and social activities based on the caregiver's assessment using the reasonable and prudent parent standard, without prior approval of the Department, the caseworker or the court. The goal of normalcy parenting and the reasonable and prudent parent standard is to allow the child's participation in extracurricular, enrichment, cultural and social activities that are appropriate for the child's normal growth and development.

"Permanent connection" means a family-like relationship, consistent with a child's best interests, health, safety and well-being, that provides:

safe, stable and committed parenting;

unconditional love and lifelong support; and

a permanent legal status between child and family.

For a child for whom the Department is legally responsible, a permanent

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connection may be the child's parents or another caregiver in the child's home of origin. When the child cannot be safely returned home, a permanent connection may be the current or former foster parent or relative caregiver, an individual identified as an adoptive or legal guardianship placement resource, or another individual from among the child's or family's lifelong connections with whom a child has developed a familial relationship.

"Permit" means a one-time only document issued by the Department of Children and Family Services for a 2 month period to allow the individuals to become eligible for an initial foster family home license.

"Petty offense" means any offense for which a fine only is provided, and a sentence of imprisonment is not an authorized disposition. [730 ILCS 5/5-1-17]

"Premises" means the location of the foster family home in which the family resides and includes the attached yard, garage, basement and any other outbuildings.

"Reasonable and prudent parent standard" means the standard, characterized by careful and sensible parental decisions that maintain the child's health, safety, and best interests while at the same time supporting the child's emotional and developmental growth, that a caregiver shall use when determining whether to allow a child in out-of-home care to participate in extracurricular, enrichment, cultural, and social activities. [20 ILCS 505/7.3a(b)]

"Relative", for purposes of placement of children for whom the Department is legally responsible, shall include ~~means~~ any person, 21 years of age or over, other than the parent, who:

is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, first cousin once removed (children of one's first cousin to oneself), second cousin (children of first cousins are second cousins to each other), godparent (as defined in this Section), great-uncle or great-aunt; or

is the spouse, or party to a civil union, of such a relative; or

is the child's step-father, step-mother, step-grandfather, step-grandmother

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or adult step-brother or step-sister; or

is the partner, or adult child of a partner, in a civil union with the child's mother or father; or

is a fictive kin as defined in this Section.

"Relative" also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. For children who have been in the guardianship of the Department, have been adopted, and are subsequently returned to the temporary custody or guardianship of the Department, a "relative" may also include any person who would have qualified as a relative under this definition prior to the adoption, but only if the Department determines and documents that it would be in the child's best interests ~~of the child~~ to consider this person a relative. [20 ILCS 505/7(b)]

"Reputable character" means there is satisfactory evidence that the moral character of the applicant is trustworthy.

"Respite foster care" means temporary (not to exceed 30 days), full-time care in a licensed foster family home, group home, or child care institution, or in a license exempt relative home, when such temporary, full-time care is provided to children in care. Respite foster care is provided to children in care in order to give the full-time caregivers a rest from caregiving responsibilities.

"Responsible" means trustworthy performance of expected duties that serves the best interests of the children in care as evidenced by established child welfare standards, State and federal law, and the rules of the Department.

"SACWIS" means the Statewide Automated Child Welfare Information System operated by the Illinois Department of Children and Family Services.

"Siblings" means children who have at least one parent in common. Children continue to be considered siblings after parental rights are terminated, if parental rights were terminated while a petition under Article II of the Juvenile Court Act of 1987 was pending. Children continue to be considered siblings after one or more of the children are adopted or placed in private guardianship, if they were in the custody or guardianship of the Department pursuant to Article II of the

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Juvenile Court Act of 1987 immediately prior to the adoption or guardianship. Step-siblings may be considered "siblings" when the children enter into substitute care together, have a positive relationship, and share at least one parent in common.

"Specialized care" or "specialized foster care services" means care provided to *a child in the custody or guardianship of the Department who requires such services due to emotional, behavioral, developmental or medical needs, or any combination thereof, or any other needs that require special intervention services, the primary goal being to maintain the child in foster care or in a permanency setting.* [20 ILCS 505/5.30(a)] Specialized foster care services are further described in 89 Ill. Adm. Code 301.90 (Foster Family Home Care).

"Supervising agency", for the purpose of this Part, means a licensed child welfare agency, a license-exempt agency, or the Department of Children and Family Services.

"Universal precautions" means an approach to infection control. According to the concept of universal precautions, all human blood and certain body fluids are treated as if known to be infectious for HIV, HBV, and other blood-borne pathogens.

"Visitation" means face-to-face contact:

between parents and their children who are in substitute care;

between siblings in substitute care who are placed apart from one another;
or

between siblings in substitute care with siblings who are not in substitute care (e.g., emancipated, case closed due to independence, adopted, placed in private guardianship, living in home of parent, etc.).

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

Section 402.4 Application for License

- a) Application for license as a foster family home shall be completed, signed by the foster parent applicants, and filed with the Department of Children and Family

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Services by the supervising agency on forms prescribed by the Department. Applications submitted to the Department after July 1, 1995 shall be a complete application for a foster family home license, as defined in Section 402.2. Any relative who receives a child or children for placement on a full-time basis may apply for a license to operate a foster family home as defined in Section 2.17 of the Child Care Act of 1969 [225 ILCS 10/2.17].

- b) When a contractor with the Department or an employee of the State of Illinois seeks to become licensed as a foster family home, the study to determine compliance with licensing standards shall be provided by a licensed child welfare agency other than the Department and by persons who have no significant working relationship or personal relationship with the contractor or State employee. If the license is granted, the contractor or State employee may continue his or her contract or employment while operating the foster family home. The contractor's or employee's foster family home shall be supervised, monitored, licensed and evaluated by a licensed child welfare agency other than the Department and by individuals who have no significant working relationship or personal relationship with the employee. The contractor or employee shall consult with appropriate contract monitors and/or supervisors to make sure his or her official duties do not involve any interaction with the licensed child welfare agency responsible for supervising, monitoring, licensing, or evaluating the foster family home of the contractor or employee. When a foster parent contracted by the Department to provide support services to other foster parents chooses not to be supervised and monitored by a private agency, the foster parent may be licensed by the Department only when licensing and supervision is provided from Department staff in a region outside the contracted foster parent's region of residence and service provision.
- c) As part of the application, each foster family home applicant and adult member of the household shall authorize background checks in accordance with 89 Ill. Adm. Code 385 (Background Checks) and shall submit to fingerprinting to determine if the individual has ever been charged with a crime, and if so, the disposition of the charges. In addition, members of the household ages 13 through 17 must authorize a check of CANTS and the Child Sex Offender Registry.
- d) The child welfare supervising agency shall conduct a home study for each initial application for foster home licensure under its supervision ~~before recommending issuance of a license~~. The home licensing study shall be conducted by a qualified licensing representative and shall be reviewed and approved by a qualified

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~~licensing~~the assigned supervisor. (Supervisor requirements can be found in 89 Ill. Adm. Code 401, Licensing Standards for Child Welfare Agencies.) The home study shall require the licensing representative to have one scheduled initial on-site visit to determine if the home meets licensing standards. The licensing representative shall provide in writing how the applicants can meet standards, or why they cannot meet standards, for foster home licensure at that time. ~~Supervisory approval indicates recommendation for license or denial of a license and compliance or non-compliance with the standards. The study shall be in writing and shall be signed by the licensing representative performing the study and by the assigned supervisor. When the application for a license is denied, the supervising agency shall advise the applicant in writing of the reasons for the denial.~~

- 1) When more than 30 days have passed since the licensing representative has been to the home, prior to the recommendation to issue a foster home license, the licensing representative shall go to the home a second time to ensure the home continues to meet the requirements of this Part.
 - 2) The licensing representative shall make a scheduled visit to the home when all household members are present to observe and assess family dynamics. The licensing representative, with supervisory approval, shall have discretion on whether to interview or observe each household member based on his or her age and development.
 - 3) The licensing representative shall assess the applicant and its ability to communicate and effectively work with youth in care in conjunction with the youth's health care providers and other service providers.
 - 4) Before a final recommendation for licensure is made, applicants shall provide specific and signed assurances they understand and shall adhere to provisions of this Part that include, but are not limited to, corporal punishment, smoking, alcohol and/or drug use, and reasonable and prudent parenting standards.
- e) A new application shall be filed when any of the following occurs:
- 1) when an application for license has been withdrawn, and the licensee or agency seeks to reapply; or

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- 2) when there is a change in the name of the licensee, the address of the foster home or the supervising agency; or
 - 3) when there is a change in the status of joint licensees, such as marriage, entering into a civil union, separation, divorce, dissolving a civil union, or death; or
 - 4) not sooner than 12 months after the Department has revoked or refused to renew a license, and a new license is sought.
- f) A new application may be submitted at any time, including following the denial of an application for license, except that when a license has been revoked or the Department has refused to renew a license, the licensee may not reapply for licensure as a foster family home for a period of one year after revocation or refusal to renew.

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

Section 402.8 General Requirements for the Foster Home

- a) The foster home shall be clean, well ventilated, free from observable hazards, properly lighted, ~~and~~ heated and cooled, and free of fire hazards.
- b) The foster home may not use or have on the premises any unsafe children's product as described in the Children's Product Safety Act [430 ILCS 125] and 89 Ill. Adm. Code 386 (Children's Product Safety).
- c) A foster home shall have a kitchen, including, but not limited to, properly operating appliances (at a minimum, stove, oven, refrigerator and sink).
- d) A foster home shall have a bathroom with properly operating toilet, sink and shower or tub.
- e) The operation of a commercial rooming or boarding house on the premises is not permitted.
- f) The water supply of the foster family home shall comply with the requirements of the local and State health departments. If the foster family home accepts children under age ten or who are developmentally disabled, the maximum hot water

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temperature from all showers and bathtubs shall be no more than 115° Fahrenheit. If well water is used, a copy of the Inspection Report and Compliance with Regulations shall be on file with the supervising agency.

- g) The applicant or licensee shall maintain the home, premises, and all structures on the premises in a safe and sanitary condition, including proper trash disposal and recycling when available.
- h) Water Hazards Protection
Swimming pools, hot tubs and spas shall meet all State, tribal and/or local safety requirements.
- 1) All in-ground swimming pools located in areas accessible to children shall be fenced. The fence shall be at least 5 feet in height and secured by a locked gate.
 - 2) All above-ground pools shall have non-climbable sidewalls that are at least 4 feet high or shall be enclosed with a 5-foot fence that is at least 36 inches away from the pool's side wall and secured with a locked gate. When the pool is not in use, pool's steps shall be removed or the pool shall be otherwise protected to insure the pool cannot be accessed.
 - 3) Any swimming pool shall be equipped with life saving devices, including, but not limited to, a device approved by the government and for sale as a life saving device.
 - 4) A swimming pool shall have a working pump and filtering system when the pool cannot be emptied after each use.
 - 53) Any hot tub not enclosed with a 5-foot fence shall have a securely locked cover.
 - 64) Any portable wading pool not enclosed with a 5-foot fence shall be emptied daily.
 - 75) Licensees in foster family homes with pools, hot tubs, ponds, outdoor fountains, decorative water ponds, fishponds, or the like must have current CPR certification.

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- 86) Foster homes shall come into compliance with the above water hazard requirements by January 1, 2010. Foster homes that have a license or a permit on January 1, 2009 and have had a fence with a minimum height of 3½ foot shall be considered in compliance with the fence requirement.
- ie) No person shall smoke tobacco in a foster family home, in any open or enclosed motor vehicle used to transport youth in care while transporting a foster child, in the presence of youth in care, or within 15 feet of entrances, exits, windows that open, and ventilation intakes that serve the foster family home. [410 ILCS 82/10 and 70] This subsection does not prohibit smoking in a licensed foster home that does not have foster children in placement.
- j) Applicants and licensees shall not use any illegal substance, abuse prescription or non-prescription drugs, or abuse alcohol. Licensees shall not drink alcohol in excess while caring for youth in care.
- k) Alcoholic beverages and toxic/hazardous materials shall be stored where youth in care cannot access them.
- lf) Portable space heaters may be used as a supplementary source of heat if they have an Underwriters Laboratories sticker attached and are used in accordance with local and State building and fire codes. Portable space heaters may not be used in rooms where children are sleeping. Portable and fixed space heaters in areas occupied by children shall be separated by fire resistant partitions or barriers to prevent contact with the heater.
- mg) Dangerous household supplies and dangerous tools shall be kept in a safe place inaccessible to children under 12 years of age. These items shall remain inaccessible to children during disposal.
- nh) When not being dispensed or immediately accessible due to medical necessity, prescription and nonprescription drugs shall be kept in places that are not readily accessible to children under 12 years of age. Expired or unused medications, syringes, medical waste, or medication shall remain inaccessible to children during disposal.
- oi) Any and all firearms and ammunition shall be stored and locked up separately at all times and kept in places inaccessible to children. No firearms possessed in violation of a State or federal law or a local government ordinance shall be

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present in the home at any time. Loaded guns shall not be kept in a foster home unless required by law enforcement officers and in accordance with their law enforcement agency's safety procedures.

- p) Foster parents shall adequately supervise children in their care to assure compliance with laws, including, but not limited to, criminal laws.
- qj) The foster home shall comply with all requirements of the State, tribal and local laws and/or municipal codes for household pets. Certificates of inoculation for rabies shall be available for inspection.
- r) The foster home shall be free from rodent and/or insect infestation.
- s) The foster home shall maintain a first aid kit and supplies, including, but not limited to, adhesive bandages, scissors, thermometer, nonpermeable gloves, sterile gauze pads, adhesive tape, tweezers and mild soap.
- tk) The foster home shall have an operating telephone on the premises unless the supervising agency has approved a written plan detailing the immediate and unrestricted access to a telephone.
- u) The foster home shall maintain a comprehensive list of emergency telephone numbers, including poison control, and shall post those numbers in a prominent place in the home.
- v†) The foster home shall have fire and emergency evacuation plans that are to be discussed and rehearsed quarterly with the children.
- w††) The foster home shall be equipped with a minimum of one approved smoke detector in operating condition on every floor level and within 15 feet of every room used for sleeping purposes, including basements and occupied attics, in accordance with Section 3 of the Smoke Detector Act [425 ILCS 60/3].
- x) The foster home shall have at least one operable fire extinguisher that is readily accessible.
- y) Basements and Attics

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- 1) Basements and attics may be used for sleeping for children who are mobile, capable of self-preservation, and able to understand and follow directions with minimal assistance in an emergency.
 - 2) Children for whom basement or attic sleeping arrangements may be provided shall be individually evaluated and approved by the supervising agency in accordance with the requirements of subsection (y)(1).
 - 3) To be used for sleeping, basements and attics shall have two exits with one exit leading directly to the outside with means to safely reach the ground level. The second exit may be an easily accessible outside window that provides an unobstructed opening, operable from the inside without the use of tools, and large enough to accommodate an adult. The sleeping area shall be separated from the furnace and utility areas.
 - 4) No basement or attic shall be used for sleeping without the approval of the supervising agency after consultation with the appropriate safety authorities.
- zn) A foster home that is not exempted by Section 20 of the Carbon Monoxide Alarm Detector Act [430 ILCS 135] shall be equipped with a minimum of one approved carbon monoxide detector within 15 feet of every sleeping room, in accordance with Section 10 of that Act.
- aa) Adequate closet and dresser space comparable to that provided to the other children of the household shall be provided for each foster child to accommodate personal belongings.
- ab) Foster parents shall respect children's rights to privacy while sleeping, bathing, toileting, and dressing.
- ac) Foster parents shall not co-sleep or bed share with a youth in care.
- ad) The room shall be exposed to an outside window or shall have auxiliary means of ventilation.
- ae) If children placed in foster care exhibit sexually abusive behavior, sleeping arrangements for the sexually abusive child shall comply with the requirements of a safety plan approved by the Department.

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

Section 402.9 Requirements for Sleeping Arrangements

- a) Each foster child shall be provided his own separate bed or crib. Children who have been sharing a bed in compliance with previous versions of this subsection shall be provided his or her own separate bed or crib, by the foster parent, by October 1, 2002.
- ~~b) If children placed in foster care exhibit sexually abusive behavior, sleeping arrangements for the sexually abusive child shall comply with the requirements of a safety plan approved by the Department.~~
- be) Children under six years of age may share a bedroom with related children of the opposite sex who are also under age six if each child is provided with a separate bed or crib.
- cd) Unrelated children under two years of age may share a bedroom with children of the opposite sex who are also under the age of two if each child is provided a separate bed or crib.
- de) A foster child may share a bedroom with his or her own children of either sex if each child is provided a separate bed or crib.
- ef) A foster child shall not share the bedroom with an adult except under emergency conditions for a brief period of time, when a child is ill, needs frequent attention or as allowed in Section 402.9(g). The supervising agency can require that a foster parent occupy sleeping quarters on the same level of the home as a child who has medical or behavioral issues that warrant close supervision. This requirement shall be written into the child's CFS 497, Service Plan, Part IIB.
- fg) When adulthood (age 18) is reached by a foster, biological or adopted child for whom sharing the bedroom with a foster child under eighteen years of age has been determined to be in the best interests of the foster child, the supervising agency shall approve such arrangements in accordance with the provisions of this Section.
- gh) The supervising agency may approve the use of a multi-purpose room for use as a

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bedroom in order to enable children of common parentage to be placed together or when it enables a placement that is otherwise in the best interests of the children. Such approvals shall be in writing and shall contain the names and birth dates of the children for whom the approval was issued. These approvals shall be reviewed and reapproved at each license renewal.

- hi) There shall be a minimum of 40 square feet, excluding the closet and wardrobe area, for the first child occupying a bedroom and a minimum of 35 square feet for each additional child sharing the room. However, the supervising agency may approve a smaller room size on an individual case basis when such approval is in the best interests of the children. Such approvals shall be in writing and shall contain the names and birth dates of the children for whom the approval was issued. These approvals shall be reviewed at each license renewal.
- ~~ij) The room shall be exposed to an outside window or shall have auxiliary means of ventilation.~~
- ik) The springs and mattresses on each bed requiring such shall be level, clean, unsoiled with no rips, tears or sags in the mattress or mattress cover, and not infested with insects. The bedding shall be suitable for the season.
- jl) Linens shall be changed at least weekly for all children and as frequently as needed for children not toilet trained and for those who are enuretic.
- ~~km) Waterproof mattress covers shall be provided for all beds or cribs for enuretic children.~~
- ln) Sleeping rooms shall be comfortable and shall be furnished suitably for the age and sex of the child.
- o) ~~Basements and Attics~~
 - ~~1) Basements and attics may be used for sleeping for children who are mobile, capable of self preservation, and able to understand and follow directions with minimal assistance in an emergency.~~
 - ~~2) Children for whom basement or attic sleeping arrangements may be provided shall be individually evaluated and approved by the supervising agency in accordance with the above cited requirements.~~

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- 3) ~~To be used for sleeping, basements and attics shall have two exits with one exit leading directly to the outside with means to safely reach the ground level. The second exit may be an easily accessible outside window that provides an unobstructed opening, operable from the inside without the use of tools, and large enough to accommodate an adult. The sleeping area shall be separated from the furnace and utility areas.~~
- 4) ~~No basement or attic shall be used for sleeping without the approval of the supervising agency after consultation with the appropriate safety authorities.~~

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

Section 402.11 Business and Employment of Foster Parents

- a) ~~The operation of a commercial rooming or boarding house on the premises is not permitted.~~
- ab) The operation of other business enterprises on the premises is permitted but shall not interfere with the care of the child or endanger the health, safety and welfare of the child. The supervising agency must know and approve of any business operation.
- be) ~~The licensee's employment~~Employment outside of the home is permitted but shall not interfere with the proper care of the foster child. When foster parents are employed outside the home, provision shall be made for adequate supervision of the children. The provision for supervision of the foster children shall be approved in writing by the supervising agency prior to placement of children in the home or at the time of employment. A copy of the approval shall be maintained in the supervising agency's licensing file and shall be sent to the foster parent.

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

Section 402.12 Qualifications of Foster Family

- a) The licensees shall be either a single person or two persons in a marriage or civil union with each other. Each foster parent shall be willing and able to assume

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appropriate responsibilities for the child or children received for care.

- b) An individual may be allowed to share the living arrangements only at the discretion of the supervising agency. The ~~licensee~~foster family is responsible for reporting to the supervising agency that an individual may be sharing the living arrangements prior to the individual moving into the home or prior to licensure. The individual will be subject to the same requirements as other members of the household, such as health certification and background checks as required in 89 Ill. Adm. Code 385 (Background Checks). The license capacity will be redetermined based on the new family composition.
- c) Foster parents shall be stable, law abiding, responsible, mature individuals, at least 21 years of age.
- d) The capability of the foster parents to provide care shall be considered prior to licensure of the foster family home. A decision to establish the age and number of children permitted in the home shall be based on an assessment of the foster family and shall consider at least the following:
- 1) the foster parents' capability to provide care including an evaluation of the caregivers' health, strength, and mobility;
 - 2) whether at least one applicant for foster home licensure can read and write at the level necessary to meet the needs of youth in care and whether the applicants participate effectively in the community in which they reside;
 - 32) the number, chronological and functional age, and characteristics and needs of the children currently under the care of the foster parents. This shall include an assessment of the foster parent's own children under age 18, all other children under age 18 receiving full-time care, and children receiving day care services in the foster family home;
 - 43) the characteristics, limitations, and responsibilities of the caregivers. All members of the foster family shall be free from active alcohol or substance dependency;
 - 54) the caregivers' ability to appropriately care for and adequately supervise the children currently in the home, as well as their ability to care for and supervise the ages, needs, and behaviors of the children who may be

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placed in the foster family home; and

- ~~65)~~ the number of foster parents in the home and the availability and experience of child care assistants.
- e) All members of the household age 13 and older (except for foster children) shall have passed the background check required by 89 Ill. Adm. Code 385 (Background Checks).
- f) Foster parents shall accept agency supervision.
- ~~g)~~ ~~Foster parents shall adequately supervise children in their care to assure compliance with laws including, but not limited to, criminal laws.~~
- ~~gh)~~ Foster home applicants shall provide the names and addresses of at least three persons who are not related to them who can attest that the applicants are of reputable and responsible moral character, as well as the name and address of at least one relative who can attest to the applicant's capability to care for the child or children.
- ~~hi)~~ Foster parents shall respect a child's ties to his or her family and support the child in maintaining connections with his or her family. Foster parents shall cooperate with the supervising agency and the service plan for the child and his/her family. In an effort to become better acquainted with the child's siblings and other family members, a foster parent shall transport children to and supervise family visitation whenever possible.
- ~~ij)~~ The ~~licensee~~foster family shall have sufficient and stable financial resources to provide for all needs of current household members and for any youth placed in the foster home~~basic necessities for themselves and their own children.~~
- ~~jk)~~ As a condition of initial licensure, each foster parent shall complete Pre-licensure Foster PRIDE/Adopt PRIDE Training or an equivalent pre-licensure foster parent training that has been approved by the Department.
- ~~kl)~~ As a condition of fostering unrelated children in a licensed foster home, each foster parent shall complete Pre-placement Foster PRIDE/Adopt PRIDE Training or an equivalent pre-placement foster parent training that has been approved by the Department.

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- 1m) Promoting Joint Placement of Sibling Groups and Sibling Contact
- 1) As part of pre-licensure training, each foster parent shall receive training regarding the importance of maintaining sibling relationships and the child's sense of attachment to his/her siblings, the importance of maintaining sibling relationships over the child's lifespan, and the impact on the child if those relationships are severed. Foster home applicants shall be asked to explore their willingness to help children maintain contact with their siblings and other significant relationships in the children's past, as well as significant relationships they develop in the future. Foster home applicants shall be told that they may be contacted in the future regarding placement of siblings of a child subsequently requiring placement, or visitation and contact with siblings in other living arrangements or living independently.
 - 2) The Department shall assess the prospective foster family's understanding of a foster child's family connections, their willingness to help and support children in maintaining or developing a relationship with their siblings, including siblings with whom the children do not yet have a relationship, and recognize the value of preserving family ties between siblings, including their need for stability and continuity of relationships, and the importance of sibling contact in the development of the each child's identity.
 - 3) When it is not possible to place all of the children together, the Department shall encourage the prospective foster families to encourage and facilitate visitation and contact among the siblings.
- m) In addition, each foster parent shall complete, as a condition of license renewal, 16 clock hours of approved in-service training. The foster home license shall not be renewed until each single foster parent and at least one foster parent in a married couple, or couple in a civil union, has completed educational advocacy training by the Department or approved agency that, if completed in the most recent licensing cycle, may count toward the 16 clock hours of in-service training. Child welfare agencies may require foster families under their supervision to complete additional training as a condition of continued supervision by the agency.

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- n) An expanded capacity license to allow foster homes to serve more than six children (including the foster parent's own children under age 18 and all other children under age 18 receiving full-time care) may be granted if the foster family home meets the requirements of Section 402.15(c). As a provision of retaining the expanded capacity license, foster parents shall complete a total of 9.0 clock hours of approved training each calendar year, beginning the calendar year the expanded capacity license is issued.
- o) A statement that describes how the foster family and the foster family's home comply with the requirements of this Part shall be placed in the permanent foster home record. If the foster family home is not in compliance with any of the licensing standards, these standards shall be specifically recorded and the plan for achieving compliance shall be outlined. The plan for achieving compliance shall indicate whether foster children can remain in the foster home and whether new placements may be made in the foster home while the foster home is achieving compliance with the licensing standards. The statement shall be updated to reflect any changes in the status of the foster family or the foster home. All such updates shall be entered within five working days after the change in status.

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

Section 402.13 Background Inquiry

- a) As a condition of issuance or renewal of a license by the Department, foster parents shall furnish information of:
- 1) any offenses (other than minor traffic violations) for which they have been convicted; and
 - 2) the disposition of the convictions.

The Department shall make a determination concerning the suitability of the foster parents in working with the child in accordance with this Part and 89 Ill. Adm. Code 385 (Background Checks).

- b) Licensed foster parents shall ensure they have access to reliable, legal and safe transportation.

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- 1) All members of the foster family who transport foster children shall submit to annual verification of their driver's license, automobile liability insurance, and driving records.
 - 2) Any vehicle used to transport foster children shall be equipped with safety restraints in accordance with Section 4b of the Child Passenger Protection Act [625 ILCS 25/4b].
 - 3) Any foster family member transporting foster children shall comply with the child passenger restraint requirements of the Child Passenger Protection Act and any other state and local vehicle safety laws or ordinances and shall ensure that all foster children wear required safety restraints at all times while being transported.
- c) Persons who have been convicted of an offense shall not be automatically rejected as foster parents unless the offense is one of those listed in Part 402. Appendix A. Otherwise, the Department shall consider the following:
- 1) the type of crime for which the individual was convicted;
 - 2) the number of crimes for which the individual was convicted;
 - 3) the nature of the offenses;
 - 4) the age of the individual at the time of conviction;
 - 5) the length of time that has elapsed since the last conviction;
 - 6) the relationship of the crime and the capacity to care for children;
 - 7) evidence of rehabilitation; and
 - 8) opinions of community members concerning the individual in question.

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

Section 402.14 Health of Foster Family

- a) Foster parents and all members of the household shall provide medical evidence

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that they are free of communicable diseases or physical and mental conditions that affect the ability of the family to provide care.

- b) Before licensing, the foster parents shall furnish the supervising agency with a medical report on forms provided by the agency for each member of the household. A medical report shall be obtained for the foster parents, each child~~their children~~, other persons residing in the foster home, and child care assistants. Medical reports shall include up-to-date immunizations for all children, as recommended by the American Academy of Pediatrics (AAP), unless the child's licensed primary care physician documents that an immunization is contrary to the child's health. Each medical report shall be no more than 12 months old from the date the application is accepted by the Department. All caregivers in a foster home licensed to care for infants and/or children with special medical needs are required to have the following up-to-date immunizations, per the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention (ACIP): Pertussis, Tdap and an annual flu vaccination, unless their primary care physician documents that an immunization is contrary to their health. ~~The medical reports shall not be more than one year old.~~ Copies of medical examinations of school age children who are members of the household that were completed in accordance with the requirements of the School Code [105 ILCS 5/27-8.1] are acceptable provided copies of the medical examinations are on file with the supervising agency.
- c) If there is a question regarding the mental or emotional health of the foster parent applicant or other adult members of the household, clinical reports and evaluations may be required by the supervising agency.
- d) Medical re-examinations of the foster parents and other members of the household shall be required at least once every four years or upon licensing renewal, whichever comes first. Copies of medical re-examinations of school age children who are members of the household that were completed in accordance with the requirements of the School Code [105 ILCS 5/27-8.1] are deemed to be in compliance with this requirement provided copies of the re-examinations are on file with the supervising agency. A medical re-examination of foster parents and other members of the household shall be required at an earlier date when, through personal observation of, or notification from the foster family, it becomes evident to the supervising agency or the physician has reason to believe that the foster parents or a member of the household has a communicable disease or other physical impairment.

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

Section 402.15 Number and Ages of Children Served

- a) General Rule Regarding the Number of Children in a Foster Family Home
Refer to Appendices B and C of this part for a visual explanation of the number and ages of children allowed in a foster family home.
 - 1) The maximum number of children permitted in a foster family home shall be six children who do not require specialized care, except as permitted in subsections (c), (d) and (e) ~~of this Section~~. This maximum number includes the foster parents' own children under age 18 and all other children under the age of 18 receiving full-time care.
 - 2) When determining how many children a foster family home may accept for care, the maximum number of children shall be reduced as described in Appendix C when the foster, adopted, or biological children have developmental, emotional, behavioral, or medical needs which require specialized care.
- b) General Rules Regarding Ages of Children in a Foster Family Home
 - 1) Four Children Under Age Six
No more than four children under six years of age, including the foster parent's own children, shall receive full-time care in a foster family home at any one time. When all of the foster children are of common parentage, as defined in Section 402.2, the foster home may be specifically approved under subsection (c)(3)(A)(ii) ~~of this Section~~ to care for more than four children under six years of age with the approval of clinical services and licensing.
 - 2) Two Children Under Age Two
No more than two children, including the family's own children, shall be under two years of age unless the foster family home is accommodating a sibling group on a temporary basis.
- c) Expanded Capacity License Provisions for Foster Family Care

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- 1) Foster parents may be licensed to care for more than six children on a full-time basis only if the foster parents are otherwise in compliance with the requirements of this Part, can meet the licensing standards for the additional children and have demonstrated competency in caring for the ages and characteristics of children for whom they are seeking the expanded capacity license. The maximum number of children permitted in a foster family home with an expanded capacity license is eight children unless:
 - A) all of the foster children are of common parentage, as defined in Section 402.2, and the Director of the Department has personally approved the placement; or
 - B) a waiver to permit an adoptive placement has been granted by the Director in accordance with subsection (e)~~below~~.
- 2) No more than two of the children cared for under an expanded capacity license may be under two years of age unless the foster family home is accommodating a sibling group on a temporary basis.
- 3) An expanded capacity license may be issued to allow only the following types of care:
 - A) Sibling Groups
 - i) A licensed foster family home may receive an expanded capacity license to care for a maximum of eight children (including the foster parent's own children under age 18 and all other children under age 18 receiving full-time care) in order to keep one or more sibling groups together in the foster family home.
 - ii) The maximum of no more than four children under age six does not apply when all of the foster children are of common parentage, as defined in Section 402.2, and clinical services and licensing have approved in writing a plan ~~that which~~ allows for the full-time care of more than four children under age six.

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- iii) No expanded capacity license is required to allow overnight visits between siblings.
- B) **Foster Children with Children**
A licensed foster family home may receive an expanded capacity license to care for a maximum of eight children (including the foster parent's own children under age 18 and all other children under age 18 receiving full-time care) to allow foster children who are parents to bring their own children with them to live in the foster family home. The expanded capacity license is to allow the foster family home to accept more than six children, but does not exempt the home from compliance with the requirements of Section 402.15(b) ~~of this Section~~, regarding the ages of children in the home.
- C) **Respite Foster Care**
A licensed foster family home may receive an expanded capacity license to care for a maximum of eight children (including the foster parent's own children under age 18 and all other children under age 18 receiving full-time care), if the home provides respite foster care. Any children received for respite care shall be counted in the maximum of eight children.
- D) **Meaningful Relationships**
To allow a child with an established meaningful relationship with the family to remain with the family and to allow a family with special training or skills to provide care to a child who has a severe disability.
- d) **Foster Care Placements Made Before January 1, 1998**
- 1) These amendments are not retroactive in their effect. If more than six children under age 18 are residing in a foster family home as of December 31, 1997, the appropriateness of continuing in the foster care placement shall be evaluated for each child by June 30, 1998. The results of the evaluation shall be documented in the child's case record and a copy forwarded to the Department's local office of licensing.
 - 2) If the evaluation finds that the foster children are receiving adequate and

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appropriate care in the current foster family home and that remaining in the current foster family home is in the best interests of the foster children, the foster children may remain in the foster care placement, even if there are more than six children in the home (including the foster parent's own children under age 18 and all other children under age 18 receiving full-time care).

- A) Foster parents are not required to obtain an expanded capacity license to continue to care for children already placed with them as of December 31, 1997, but may not accept additional foster children until the home complies with the requirements of Section 402.15 ~~of this Part~~.
 - B) When the foster children in care as of December 31, 1997 move to another placement or attain the age of 18, the capacity of the foster home will be reduced until it reaches the maximum of six children, unless the foster parents have applied for and been granted an expanded capacity license allowing them to care for eight children.
- 3) If the evaluation finds that the foster children are not receiving adequate and appropriate care in their current foster family home or that remaining in the current foster family home is not in the best interests of one or more of the foster children, the affected children shall be moved to another appropriate placement. All such moves shall be made in a planned manner after prior notice has been given to the foster parents, as required by 89 Ill. Adm. Code 337; [\(Service Appeals Process\)](#).
- e) Adoptive Placements
- 1) Maximum Number of Children
A licensed foster family home may receive an expanded capacity license to care for a maximum of eight children (including the foster parent's own children under age 18 and all other children under age 18 receiving full-time care) in order to effect an adoptive placement. The Director of the Department of Children and Family Services may waive in writing the maximum number of eight children to effect an adoptive placement provided the following criteria are met:
 - A) a licensed child welfare agency or the Department proposes to

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place an additional child or children in the home for the purpose of adoption;

- B) a licensed child welfare agency or the Department has documented in the child's case record that this home is the most appropriate choice for an adoptive placement and is consistent with the best interests and special needs of the child or children;
- C) the foster family is otherwise in compliance with the licensing requirements of this Part and can meet licensing standards for the additional child or children; and
- D) the foster family or supervising agency has requested, in writing, that the Director waive the limit of eight children under the age of 18 so that an additional child or children may be placed in their home for purposes of adoption.

2) Ages of Children

The Director of the Department of Children and Family Services may waive in writing the age requirements in subsection (b) ~~of this Section~~, if necessary, to place a child in an adoptive home provided the criteria in subsection (c)(2) ~~of this Section~~ are met and there are a sufficient number of suitable adult caregivers to insure that the children receive proper care and supervision.

- f) Independent Foster Family Homes
Independent foster homes receive children by independent arrangement. These homes are not subject to direct and regular supervision by a child welfare agency. These homes shall not be licensed for more than a maximum of four children under age 18 (including the foster parent's own children under age 18 and all other children under age 18 receiving full-time care) unless all of the unrelated children are of common parentage. No more than two of these children, including the family's own children, shall be under the age of two unless the foster family is accommodating a sibling group on a temporary basis.

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

Section 402.17 Health Care of Children

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- a) Each foster child shall have a medical and dental checkup once a year or upon medical or dental recommendation.
- b) In case of sickness or accident, immediate medical care shall be secured for the child in accordance with the supervising agency's directions.
- c) Licenseses shall follow all recommendations provided by the American Academy of Pediatrics (AAP) and the treating physician to guarantee that each youth in care is up-to-date on immunizations and tests, unless exempt on the religious grounds of the birth parent. The immunizations and tests shall be administered as required by ~~the~~ Department of Public Health regulations, or as recommended by a physician.
- d) Foster parents shall keep the supervising agency informed of any of the child's health concerns, including alcoholism and drug abuse.
- e) Prescription drugs or prescription medicines shall not be given to a foster child without a physician's prescription or authorization. When administering prescription medication, the foster parent shall follow the directions of the physician and all prescription medication administered by the foster parent shall be documented on the required medical log.
- f) Foster parents shall thoroughly acquaint anyone caring for the foster child in their absence with the foregoing health requirements.
- g) Any child who is suspected of having a serious contagious disease shall be separated from other children until a medical determination has been received that the disease is not contagious or is no longer contagious, or a plan for appropriate care and protection of other household members has been approved by the supervising agency after consultation with a licensed physician.

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

Section 402.25 Required Written Consents

- a) The supervising agency shall ensure that prior written consents from legally responsible persons (parent, court, or other legal custodian or guardian) are obtained for certain acts of a child or performance of certain acts on his behalf, including but not limited to:

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- 1) health care and treatment, including medical, surgical, psychiatric, psychological, and dental;
 - 2) use of psychoactive drugs;
 - 3) religious instruction and/or church attendance in a different faith;
 - 4) work programs, induction into the armed services, driving a car and car ownership;
 - 5) extensive visits, trips, or excursions;
 - 6) use of photographs for publicity or other purposes; and
 - 7) consent to marriage for child under age of 18.
- b) Written consents shall be dated and limited to a specific period of time.
- c) Any written or verbal consent or authorization given by the individuals referenced in subsection (a) or by others that conflicts with any of the requirements of this Part is not valid.

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

Section 402.26 Records to be Maintained

- a) Records to be maintained by the foster family shall include:
- 1) the name and date of birth of each youth in care placed in the foster home~~the child~~, the legal guardian of the child, religion of the child, and arrangements for education of the child;
 - 2) a record of immunizations the child has received; any physical problems, limitations, or allergies the child has; any current recommendations for special medical care;
 - 3) the name, address, and telephone number of the child's physician, legal guardian, permanency worker, supervisor, and supervising agency;

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- 4) a log of medication prescribed and given;
 - 5) the names, addresses, and telephone numbers of persons to contact in case of emergency;
 - 6) a list of the names ~~of and~~ persons to whom the child may be released;
 - 7) a record of any waivers granted by the legal guardian for immunizations, medical examinations, and treatment, when applicable;
 - 8) a record and/or receipts for distribution of allowance and clothing funds;
 - 9) a record of the emergency evacuation plan and quarterly rehearsals (see Section 402.8);
 - 10) a record of the child care supervision plan, when required under Section 402.11(be);
 - ~~11) a copy of the CFS 592, Overnight Visit Arrangements that shall be kept for the duration of the visit;~~
 - ~~112) a copy of the any CFS 432, Guardian's Consent for Out-of-State Travel, or Extended Trips, a form prescribed by the Department.~~
- b) The foster family shall maintain records to verify attendance at required pre-service and in-service trainings.
- c) Records maintained by the foster family shall be kept current and shall be open to inspection by the supervising agency. All persons who have access to the foster family's records shall respect their confidential nature.

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

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Section 402.APPENDIX D Non-Safety Related Licensing Rules Eligible for a Waiver

This Appendix identifies portions of this Part identified as nonsafety related licensing standards eligible for waivers when the waiver of one or more of these licensing standards would assist a licensed foster home to care for a related youth in care.

- 1) Section 402.9 Requirements for Sleeping Arrangements
- 2) Section 402.11 Business and Employment of Foster Parents
- 3) Section 402.12 Qualifications of Foster Family
- 4) Section 402.15 Number and Ages of Children Served
- 5) Section 402.23 Release of Children
- 6) Section 402.25 Required Consents
- 7) Section 402.26 Records to be Maintained
- 8) APPENDIX B Number and Ages of Children in Foster Family Home: No Child Requires Specialized Care – Expanded Capacity Chart
- 9) APPENDIX C Number and Ages of Children in Foster Family Home: Child Requires Specialized Care – Expanded Capacity Chart

(Source: Added at 43 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Child Care
- 2) Code Citation: 89 Ill. Adm. Code 50
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
50.230	Amendment
50.320	Amendment
- 4) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13].
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to provisions of 305 ILCS 5/9A-11, this rulemaking indexes the child care income eligibility guidelines so that the threshold for child care benefits is no less than 185% of the most current federal poverty level for each family size effective July 1, 2019. Income ranges up to 200% FPL are included due to bifurcated income eligibility thresholds for new cases (185% FPL) and a higher level (200% FPL) for existing cases that are being redetermined for their next eligibility period. Income ranges for 85% of State Median Income (SMI) are also included as federal regulations sets that level as the uppermost income that would be eligible for federal funds. This rulemaking also adjusts the amount of the parent co-payment fee to no more than 9% of a family's income for the Child Care Assistance Program.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when composing this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these

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

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

217/785-9772

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect businesses that provide child care services.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: This rulemaking will not have an adverse impact on small businesses.
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2019

The full text of the Proposed Amendments is identical to that of the Emergency Amendments for this rulemaking, and begins in this issue of the *Illinois Register* on page: 7632

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- 1) Heading of the Part: Developmental Disabilities Services
- 2) Code Citation: 89 Ill. Adm. Code 144
- 3) Section Number: 144.30 Proposed Action:
New Section
- 4) Statutory Authority: Implementing Section 18.2 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/18.2] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5].
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking is being done to bring the rule in compliance with PA 101-10. Pursuant to PA 101-10, DHS will include in its rates an increase sufficient to provide a 3.50 percent increase for community providers. Providers will determine whether to allocate some or all of the 3.5 percent increase to the wages of direct care personnel. The rulemaking also includes language to account for past wage increases already given to front-line direct care personnel.
- 6) Published studies or reports, along with the sources of underlying data, that were used when composing this rulemaking? None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these amendments within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

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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

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: All community providers of services to people with developmental disabilities
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis:
- A) Types of businesses subject to the proposed rule;

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 - B) Categories that the Agency reasonably believes the rulemaking will impact, including:
 - i. hiring and additional staffing;
 - iii. purchasing;
 - vi. equipment and material needs;
 - vii. training requirements; and
 - ix. compensation and benefits
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized on either of the two most recent regulatory agendas because it was not anticipated by the Department when those agendas were published.

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The full text of the Proposed Amendment is identical to that of the Emergency Amendment for this rulemaking, and begins in this issue of the *Illinois Register* on page: 7649

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Medical Assistance Programs
- 2) Code Citation: 89 Ill. Adm. Code 120
- 3) Section Number: 120.66 Proposed Action:
Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Complete Description of the Subjects and Issues Involved: This amendment proposes to expand the list of provider types that may become Qualified Medicaid Presumptive Eligibility Providers and make presumptive determinations for pregnant women.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

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

217/782-1233

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HFS.Rules@illinois.gov

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

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not anticipated by the Department when the most recent regulatory agendas were published.

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

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NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section

120.1 Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section

- 120.10 Eligibility for Medical Assistance
- 120.11 Eligibility for Pregnant Women and Children
- 120.12 Healthy Start – Medicaid Presumptive Eligibility for Pregnant Women (Repealed)
- 120.14 Presumptive Eligibility for Children (Repealed)
- 120.20 MANG(AABD) Income Standard
- 120.30 MANG(C) Income Standard
- 120.31 MANG(P) Income Standard
- 120.32 FamilyCare Assist
- 120.34 FamilyCare Share and FamilyCare Premium Level 1 (Repealed)
- 120.40 Exceptions To Use Of MANG Income Standard MANG (AABD) (Repealed)
- 120.50 AMI Income Standard (Repealed)

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section

- 120.60 Community Cases
- 120.61 Long Term Care
- 120.62 Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings Under 89 Ill. Adm.
Code 140.643 (Repealed)
- 120.63 Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings (Repealed)
- 120.64 Determination of Eligibility for Cases Subject to Modified Adjusted Gross
Income (MAGI) Methodology

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- 120.65 Department of Mental Health and Developmental Disabilities (DMHDD)
Licensed Community – Integrated Living Arrangements (Repealed)
120.66 ~~Healthy Start~~—Medicaid Presumptive Eligibility for Pregnant Women
120.67 Presumptive Eligibility for Children
120.68 Hospital Presumptive Eligibility (HPE) under the Affordable Care Act

SUBPART D: MEDICARE PREMIUMS

Section

- 120.70 Supplementary Medical Insurance Benefits (SMIB) Buy-In Program
120.72 Eligibility for Medicare Cost Sharing as a Qualified Medicare Beneficiary (QMB)
120.73 Eligibility for Payment of Medicare Part B Premiums for Specified Low-Income
Medicare Beneficiaries (SLIBs) and Qualified Individuals-1 (QI-1)
120.74 Qualified Medicare Beneficiary (QMB) Income Standard
120.75 Specified Low-Income Medicare Beneficiaries (SLIBs) and Qualified
Individuals-1 (QI-1) Income Standards
120.76 Hospital Insurance Benefits (HIB)

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section

- 120.80 Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section

- 120.90 Migrant Medical Program (Repealed)
120.91 Income Standards (Repealed)

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section

- 120.200 Elimination Of Aid To The Medically Indigent
120.208 Client Cooperation (Repealed)
120.210 Citizenship (Repealed)
120.211 Residence (Repealed)
120.212 Age (Repealed)
120.215 Relationship (Repealed)
120.216 Living Arrangement (Repealed)

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120.217	Supplemental Payments (Repealed)
120.218	Institutional Status (Repealed)
120.224	Foster Care Program (Repealed)
120.225	Social Security Numbers (Repealed)
120.230	Unearned Income (Repealed)
120.235	Exempt Unearned Income (Repealed)
120.236	Education Benefits (Repealed)
120.240	Unearned Income In-Kind (Repealed)
120.245	Earmarked Income (Repealed)
120.250	Lump Sum Payments and Income Tax Refunds (Repealed)
120.255	Protected Income (Repealed)
120.260	Earned Income (Repealed)
120.261	Budgeting Earned Income (Repealed)
120.262	Exempt Earned Income (Repealed)
120.270	Recognized Employment Expenses (Repealed)
120.271	Income From Work/Study/Training Program (Repealed)
120.272	Earned Income From Self-Employment (Repealed)
120.273	Earned Income From Roomer and Boarder (Repealed)
120.275	Earned Income In-Kind (Repealed)
120.276	Payments from the Illinois Department of Children and Family Services (Repealed)
120.280	Assets (Repealed)
120.281	Exempt Assets (Repealed)
120.282	Asset Disregards (Repealed)
120.283	Deferral of Consideration of Assets (Repealed)
120.284	Spend-down of Assets (AMI) (Repealed)
120.285	Property Transfers (Repealed)
120.290	Persons Who May Be Included in the Assistance Unit (Repealed)
120.295	Payment Levels for AMI (Repealed)

SUBPART H: MEDICAL ASSISTANCE – NO GRANT (MANG) ELIGIBILITY FACTORS

Section	
120.308	Client Cooperation
120.309	Caretaker Relative
120.310	Citizenship
120.311	Residence
120.312	Age
120.313	Blind

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120.314	Disabled
120.315	Relationship
120.316	Living Arrangement
120.317	Supplemental Payments
120.318	Institutional Status
120.319	Assignment of Rights to Medical Support and Collection of Payment
120.320	Cooperation in Establishing Paternity and Obtaining Medical Support
120.321	Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.322	Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.323	Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause
120.324	Health Insurance Premium Payment (HIPP) Program
120.325	Health Insurance Premium Payment (HIPP) Pilot Program
120.326	Foster Care Program
120.327	Social Security Numbers
120.328	Compliance with Employment and Work Activity Requirements (Suspended; Repealed)
120.329	Compliance with Non-Economic Eligibility Requirements of Article IV (Suspended; Repealed)
120.330	Unearned Income
120.332	Budgeting Unearned Income
120.335	Exempt Unearned Income
120.336	Education Benefits
120.338	Incentive Allowance
120.340	Unearned Income In-Kind
120.342	Child Support and Spousal Maintenance Payments
120.345	Earmarked Income
120.346	Medicaid Qualifying Trusts
120.347	Treatment of Trusts and Annuities
120.350	Lump Sum Payments and Income Tax Refunds
120.355	Protected Income
120.360	Earned Income
120.361	Budgeting Earned Income
120.362	Exempt Earned Income
120.363	Earned Income Disregard – MANG(C)
120.364	Earned Income Exemption
120.366	Exclusion From Earned Income Exemption

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- 120.370 Recognized Employment Expenses
- 120.371 Income From Work/Study/Training Programs
- 120.372 Earned Income From Self-Employment
- 120.373 Earned Income From Roomer and Boarder
- 120.374 Earned Income from Temporary Employment with the Census Bureau
- 120.375 Earned Income In-Kind
- 120.376 Payments from the Illinois Department of Children and Family Services
- 120.379 Provisions for the Prevention of Spousal Impoverishment
- 120.380 Resources
- 120.381 Exempt Resources
- 120.382 Resource Disregard
- 120.383 Deferral of Consideration of Assets
- 120.384 Spenddown of Resources
- 120.385 Factors Affecting Eligibility for Long Term Care Services
- 120.386 Property Transfers Occurring On or Before August 10, 1993
- 120.387 Property Transfers Occurring On or After August 11, 1993 and Before January 1, 2007
- 120.388 Property Transfers Occurring On or After January 1, 2007
- 120.390 Persons Who May Be Included In the Assistance Unit
- 120.391 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Born October 1, 1983, or Later
- 120.392 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 120.393 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project
- 120.395 Payment Levels for MANG (Repealed)
- 120.399 Redetermination of Eligibility
- 120.400 Twelve Month Eligibility for Persons under Age 19

SUBPART I: SPECIAL PROGRAMS

- Section
- 120.500 Health Benefits for Persons with Breast or Cervical Cancer
- 120.510 Health Benefits for Workers with Disabilities
- 120.520 SeniorCare (Repealed)
- 120.530 Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons
- 120.540 Illinois Healthy Women Program

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120.550 Asylum Applicants and Torture Victims
120.560 Survivor Support and Trafficking Prevention

120.TABLE A Value of a Life Estate and Remainder Interest
120.TABLE B Life Expectancy (Repealed)

AUTHORITY: Implementing Articles III, IV, V and VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5] and implementing the federal Deficit Reduction Act of 2005.

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective

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October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; preemptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; preemptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; preemptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; preemptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; preemptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg.

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9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective September 11, 1991; amended at 15 Ill. Reg. 14240, effective September 23, 1991; amended at 16 Ill. Reg. 139, effective December 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. 10034, effective June 15, 1992; amended at 16 Ill. Reg. 11582, effective July 15, 1992; amended at 16 Ill. Reg. 17290, effective November 3, 1992; amended at 17 Ill. Reg. 1102, effective January 15, 1993; amended at 17 Ill. Reg. 6827, effective April 21, 1993; amended at 17 Ill. Reg. 10402, effective June 28, 1993; amended at 18 Ill. Reg. 2051, effective January 21, 1994; amended at 18 Ill. Reg. 5934, effective April 1, 1994; amended at 18 Ill. Reg. 8718, effective June 1, 1994; amended at 18 Ill. Reg. 11231, effective July 1, 1994; amended at 19 Ill. Reg. 2905, effective February 27, 1995; emergency amendment at 19 Ill. Reg. 9280, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 11931, effective August 11, 1995; amended at 19 Ill. Reg. 15079, effective October 17, 1995; amended at 20 Ill. Reg. 5068, effective March 20, 1996; amended at 20 Ill. Reg. 15993, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 692, effective January 1, 1997, for a

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maximum of 150 days; amended at 21 Ill. Reg. 7423, effective May 31, 1997; amended at 21 Ill. Reg. 7748, effective June 9, 1997; amended at 21 Ill. Reg. 11555, effective August 1, 1997; amended at 21 Ill. Reg. 13638, effective October 1, 1997; emergency amendment at 22 Ill. Reg. 1576, effective January 5, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 7003, effective April 1, 1998; amended at 22 Ill. Reg. 8503, effective May 1, 1998; amended at 22 Ill. Reg. 16291, effective August 28, 1998; emergency amendment at 22 Ill. Reg. 16640, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19875, effective October 30, 1998; amended at 23 Ill. Reg. 2381, effective January 22, 1999; amended at 23 Ill. Reg. 11301, effective August 27, 1999; amended at 24 Ill. Reg. 7361, effective May 1, 2000; emergency amendment at 24 Ill. Reg. 10425, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15075, effective October 1, 2000; amended at 24 Ill. Reg. 18309, effective December 1, 2000; amended at 25 Ill. Reg. 8783, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 10533, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16098, effective December 1, 2001; amended at 26 Ill. Reg. 409, effective December 28, 2001; emergency amendment at 26 Ill. Reg. 8583, effective June 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 9843, effective June 26, 2002; emergency amendment at 26 Ill. Reg. 11029, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 15051, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16288, effective October 25, 2002; amended at 27 Ill. Reg. 4708, effective February 25, 2003; emergency amendment at 27 Ill. Reg. 10793, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18609, effective November 26, 2003; amended at 28 Ill. Reg. 4701, effective March 3, 2004; amended at 28 Ill. Reg. 6139, effective April 1, 2004; emergency amendment at 28 Ill. Reg. 6610, effective April 19, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 7152, effective May 3, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11149, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12921, effective September 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13621, effective September 28, 2004; amended at 28 Ill. Reg. 13760, effective October 1, 2004; amended at 28 Ill. Reg. 14541, effective November 1, 2004; amended at 29 Ill. Reg. 820, effective January 1, 2005; amended at 29 Ill. Reg. 10195, effective June 30, 2005; amended at 29 Ill. Reg. 14939, effective September 30, 2005; emergency amendment at 30 Ill. Reg. 521, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 10314, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 15029, effective September 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 2629, effective January 28, 2007; emergency amendment at 31 Ill. Reg. 7323, effective May 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 11667, effective August 1, 2007; amended at 31 Ill. Reg. 12756, effective August 27, 2007; emergency amendment at 31 Ill. Reg. 15854, effective November 7, 2007, for a maximum of 150 days; emergency rule suspended at 31 Ill. Reg. 16060, effective November 13, 2007; emergency rule repealed, effective May 10, 2008; peremptory amendment at 32 Ill. Reg. 7212, effective April 21, 2008; peremptory amendment suspended at

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32 Ill. Reg. 8450, effective May 20, 2008; preemptory amendment repealed under Section 5-125 of the Illinois Administrative Procedure Act, effective November 16, 2008; amended at 32 Ill. Reg. 17428, effective November 1, 2008; preemptory amendment at 32 Ill. Reg. 18889, effective November 18, 2008; preemptory amendment suspended at 32 Ill. Reg. 18906, effective November 19, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 33 Ill. Reg. 6551, effective April 28, 2009; preemptory amendment repealed by emergency rulemaking at 33 Ill. Reg. 6712, effective April 28, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 1681, effective February 1, 2009; amended at 33 Ill. Reg. 2289, effective March 1, 2009; emergency amendment at 33 Ill. Reg. 5802, effective April 2, 2009, for a maximum of 150 days; emergency expired August 29, 2009; emergency amendment at 33 Ill. Reg. 10785, effective June 30, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 12703, effective September 7, 2009; amended at 33 Ill. Reg. 15707, effective November 2, 2009; amended at 33 Ill. Reg. 17070, effective December 2, 2009; amended at 34 Ill. Reg. 889, effective December 30, 2009; emergency rulemaking at 34 Ill. Reg. 13538, effective September 1, 2010, for a maximum of 150 days; amended at 35 Ill. Reg. 379, effective December 27, 2010; amended at 35 Ill. Reg. 979, effective January 1, 2011; amended at 35 Ill. Reg. 18645, effective January 1, 2012; amended at 36 Ill. Reg. 4133, effective March 1, 2012; amended at 36 Ill. Reg. 9095, effective June 11, 2012; emergency amendment at 36 Ill. Reg. 10253, effective July 1, 2012 through June 30, 2013; amended at 36 Ill. Reg. 17044, effective November 26, 2012; emergency amendment at 36 Ill. Reg. 17549, effective December 3, 2012 through June 30, 2013; amended at 37 Ill. Reg. 10208, effective June 27, 2013; emergency amendment at 37 Ill. Reg. 15976, effective October 1, 2013, for a maximum of 150 days; emergency amendment to emergency rule at 38 Ill. Reg. 1139, effective January 1, 2014, for a maximum of 150 days; emergency amendment to emergency rule at 38 Ill. Reg. 2925, effective January 10, 2014, for a maximum of 150 days; emergency amendments effective January 1 and January 10, 2014 repealed by emergency rule at 38 Ill. Reg. 7368, effective March 24, 2014, for the remainder of the 150 day effective periods of each of the emergency rules; amended at 38 Ill. Reg. 5967, effective February 26, 2014; emergency amendment at 38 Ill. Reg. 7650, effective March 24, 2014, for a maximum of 150 days; emergency amendment at 38 Ill. Reg. 15646, effective July 7, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 16214, effective July 17, 2014; amended at 38 Ill. Reg. 18432, effective August 19, 2014; amended at 38 Ill. Reg. 23595, effective December 2, 2014; amended at 39 Ill. Reg. 4376, effective March 11, 2015; amended at 40 Ill. Reg. 2784, effective January 20, 2016; amended at 40 Ill. Reg. 11174, effective August 2, 2016; amended at 41 Ill. Reg. 3279, effective March 8, 2017; amended at 42 Ill. Reg. 8241, effective May 7, 2018; amended at 42 Ill. Reg. 16712, effective August 28, 2018; amended at 43 Ill. Reg. _____, effective _____.

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

Section 120.66 ~~Healthy Start~~—Medicaid Presumptive Eligibility for Pregnant Women

- a) The purpose of ~~Healthy Start~~—Medicaid Presumptive Eligibility (MPE) for pregnant women is to encourage early and continuous prenatal care of low income pregnant women who otherwise may postpone or do without that care. Qualified MPE Providers may make presumptive determinations for MPE.
- b) A pregnant woman, as defined in Section 5-2(5)(a) and (b) of the Public Aid Code [305 ILCS 5] may be found presumptively eligible by a qualified MPE Provider as long as she has not been previously determined presumptively eligible under this Section or Section 120.68 during the current pregnancy.
- c) The presumptive eligibility period shall be the period that:
 - 1) begins with the date on which a qualified provider determines that the family income does not exceed 200 percent of the Federal Poverty Level (FPL) as determined pursuant to Section 120.64; and
 - 2) ends with and includes the earlier of:
 - A) in the case of a woman who files an application pursuant to 89 Ill. Adm. Code 110.10 by the last day of the month following the month during which the qualified MPE Provider makes the determination that she is presumptively eligible, the day on which a determination is made by the State with respect to the eligibility of the woman for medical assistance under the Illinois State Medicaid Plan; or
 - B) in the case of a woman who does not file an application as described in subsection (2)(A) ~~of this Section~~, the last day of the month following the month during which the qualified MPE Provider makes the determination that she is presumptively eligible.
- d) Covered Services – Services covered during the presumptive eligibility period under this Section shall include ambulatory care consisting of all outpatient medical care covered by the Illinois State Medicaid Plan.
- e) Qualified MPE Providers are those providers that comply with all the following:

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- 1) ~~Enroll~~Participate as a Medicaid provider under the Illinois State Medicaid Plan;
- 2) Enter into and abide by the terms of the ~~Healthy Start~~—Medicaid Presumptive Eligibility Provider Agreement with the Department; and
- 3) ~~Furnish services of the type provided by outpatient hospitals, rural health clinics or freestanding, maternity clinics as described in section 1905(a)(2) or 1905(a)(9) of the Social Security Act (42 USC 1396d); and~~
- 34) Meet one or more of the following requirements:
 - A) Providers furnishing health care items or services covered under the State's approved Medicaid State Plan or the Public Aid Code that is eligible to receive payments under the plan or the Public Aid Code;
 - B) Federally Qualified Health Center that receives~~Receives~~ funding under the federal~~as a~~ community or migrant health center program (sections 330 and 330A of the Public Health Service Act (42 USC 201 et seq.));
 - CB) Community Based Health Clinic, including a maternal/child health center that receives funding under~~Receives funding under~~ Title V of the Social Security Act (42 USC 701-713);
 - DC) Local Public Health Department that participates~~Participates~~ in Illinois' perinatal health services program (77 Ill. Adm. Code 640);
 - ED) Entity authorized to determine a child's eligibility to receive assistance~~Receives a grant~~ under the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) (section 17 of the Child Nutrition Act of 1966 (42 USC 1771));
 - FE) Community Service Organization that receives~~Receives~~ a grant under the Commodity Supplemental Food Program (section 4(a) of the Agriculture and Consumer Protection Act of 1973 (PL 93-86));
or

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GF) ~~Is an~~ Indian Health Service provider or ~~a~~ health program facility operated by a tribe or tribal organization under the Indian Self-Determination Act (25 USC 450).

- f) Duties of the Department and qualified MPE Providers
- 1) The Department shall:
 - A) provide such forms as are necessary for a qualified MPE Provider to submit an MPE enrollment and such forms as are necessary for a pregnant woman to make application for medical assistance pursuant to 89 Ill. Adm. Code 110.10;
 - B) provide information on how to make MPE determinations and assist women in completing and filing applications for medical assistance; and
 - C) process MPE enrollments as submitted by qualified MPE Providers.
 - 2) A qualified MPE Provider who determines that a pregnant woman is presumptively eligible for medical assistance under this Section shall:
 - A) notify the Department of the determination within 5 business days after the date on which the determination is made;
 - B) inform the woman at the time the determination is made that:
 - i) her coverage is temporary and will end on the last day of the month following the month in which the MPE determination has been made;
 - ii) services covered are limited to ambulatory care;
 - iii) she must complete and submit an application for medical assistance in order to be considered for full coverage; and

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- C) assist the woman to apply for medical assistance prior to the end of her presumptive eligibility period.

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

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Administration and Operation of the Teachers' Retirement System
- 2) Code Citation: 80 Ill. Adm. Code 1650
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1650.210	Amendment
1650.315	Amendment
1650.417	Amendment
1650.520	Amendment
- 4) Statutory Authority: Implementing and authorized by Article 16 of the Illinois Pension Code [40 ILCS 5/Art. 16].
- 5) A Complete Description of the Subjects and Issues Involved: Sections 1650.210 and 1650.520 will allow the System to transition toward requiring benefit payments via electronic deposit where benefits have been suspended due to the recipient's failure to cash paper warrants. Section 1650.417 provides that mandatory distributions required by federal tax law will be issued as single-sum benefits rather than refunds in keeping with tax regulations. Section 1650.315 improves the process for verifying out-of-system service by utilizing the first year of service in Illinois to determine salary and contributions. The simplified methodology set forth in the amended rule will be more efficient and consistent and benefits the member by reducing verification time.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate under the State Mandates Act [30 ILCS 805].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Cynthia Fain
Senior Legal Counsel
Teachers' Retirement System
2815 W Washington
PO Box 19253
Springfield IL 62794-9243

217/814-2041

- 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: None
- 15) Regulatory Agenda on which this rulemaking was summarized: July 2018

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

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE D: RETIREMENT SYSTEMS

CHAPTER III: TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

PART 1650

THE ADMINISTRATION AND OPERATION OF THE
TEACHERS' RETIREMENT SYSTEM

SUBPART A: REPORTS BY BOARD OF TRUSTEES

Section

1650.10 Annual Financial Report (Repealed)

SUBPART B: BASIC RECORDS AND ACCOUNTS

Section

1650.110 Membership Records
1650.120 Claims Records (Repealed)
1650.130 Individual Accounts (Repealed)
1650.140 Ledger and Accounts Books (Repealed)
1650.150 Statistics (Repealed)
1650.160 Confidentiality of Records
1650.180 Filing and Payment Requirements
1650.181 Early Retirement Incentive Payment Requirements (Repealed)
1650.182 Waiver of Additional Amounts Due
1650.183 Definition of Employer's Normal Cost

SUBPART C: FILING OF CLAIMS

Section

1650.201 Disability Benefits – Application Procedure; Effective Date
1650.202 Disability Benefits – Definitions
1650.203 Disability Retirement Annuity – Definitions
1650.204 Gainful Employment – Consequences
1650.205 Medical Examinations and Investigation of Disability Claims
1650.206 Physician Certificates
1650.207 Disability Due to Pregnancy
1650.208 Disability Payments
1650.209 Computation of Annual Salary When Member Has Different Semester Salary

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

	Rates (Repealed)
1650.210	Claim Applications
1650.211	Disability Recipient Eligible to Receive an Age or Disability Retirement Annuity
1650.220	Reclassification of Disability Claim (Repealed)
1650.221	When Member Becomes Annuitant
1650.222	Death Out of Service
1650.230	Medical Examinations and Investigations of Claims (Repealed)
1650.240	Refunds; Canceled Service; Repayment
1650.250	Death Benefits
1650.260	Evidence of Age
1650.270	Reversionary Annuity – Evidence of Dependency
1650.271	Evidence of Parentage
1650.272	Eligible Child Dependent By Reason of a Physical or Mental Disability
1650.280	Evidence of Marriage
1650.290	Offsets

SUBPART D: MEMBERSHIP AND SERVICE CREDITS

Section	
1650.301	Early Retirement Without Discount – Return to Teaching from a Break in Service
1650.310	Effective Date of Membership
1650.315	Establishing Salary and Assessing Contributions for Optional Verifying Service Credit
1650.320	Method of Calculating Service Credits
1650.325	Method of Calculating Service Credit for Recipients of a Disability Benefit or Occupational Disability Benefit
1650.330	Duplicate Service Credit
1650.335	Unreported Regular Service Credit and Earnings
1650.340	Service Credit for Leaves of Absence
1650.341	Service Credit for Involuntary Layoffs
1650.345	Service Credit for Periods Away From Teaching Due to Pregnancy
1650.346	Service Credit for Periods Away From Teaching Due to Adoption
1650.350	Service Credit for Unused Accumulated Sick Leave Upon Retirement
1650.351	Employer Contribution for Excess Sick Leave
1650.355	Purchase of Optional Service – Required Minimum Payment
1650.356	Payroll Deduction Program (Repealed)
1650.357	Employer Payment of Member's Optional Service and/or Upgrade Contribution Balance (Repealed)
1650.360	Settlement Agreements and Judgments

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

- 1650.370 Calculation of Average Salary (Renumbered)
- 1650.380 Definition of Actuarial Equivalent (Repealed)
- 1650.390 Independent Contractors
- 1650.391 Optional 2.2 Upgrade of Earned and Credited Service
- 1650.392 2.2 Upgrade of Optional Service Not Credited at Initial Upgrade

SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section

- 1650.410 Return of Contributions for Duplicate or Excess Service
- 1650.415 Return of Optional Increase in Retirement Annuity Contributions
- 1650.416 Optional Increase in Retirement Annuity – 1% Contribution Reduction
- 1650.417 Mandatory Distributions Pursuant to Section 401(a)(9) of the Internal Revenue Code
- 1650.420 Interest on Deficiencies (Repealed)
- 1650.430 Installment Payments (Repealed)
- 1650.440 Small Deficiencies, Credits or Death Benefit Payments (Repealed)
- 1650.450 Compensation Recognized As "Salary"
- 1650.451 Reporting of Conditional Payments
- 1650.460 Calculation of Average Salary
- 1650.470 Rollover Distributions
- 1650.480 Rollovers to the System
- 1650.481 Employer Contribution Required for Salary Increases in Excess of 6% or 3%
- 1650.482 Contracts and Collective Bargaining Agreements – Loss of Exemption from Employer Contributions
- 1650.483 Employer Contributions for Salary Increases in Excess of 6% or 3% and Excess Sick Leave – Exemption from Contributions
- 1650.484 Members Not Covered by Collective Bargaining Agreements or Employment Contracts
- 1650.485 Employer Contributions for Salary Increases in Excess of 6% or 3% – Receipt of Bill
- 1650.486 Employer Payment of Member's Optional Service, Refund and/or Upgrade Contribution Balance

SUBPART F: ANNUITANTS AND BENEFICIARIES

Section

- 1650.505 Beneficiary (Repealed)
- 1650.510 Re-entry Into Service (Repealed)

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

1650.511	Separation from Service
1650.512	Verification of Compliance with Post-Retirement Employment Limitations
1650.520	Suspension of Benefits
1650.530	Power of Attorney
1650.540	Conservators/Guardians
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1650.560	Benefits Payable on Death
1650.561	Valid Beneficiary Designations
1650.570	Survivors' Benefits
1650.571	Payment of Monthly Survivor Benefits to a Trust
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1650.580	Evidence of Eligibility
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1650.595	Overpayments

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SUBPART H: ADMINISTRATIVE REVIEW

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1650.620	Right of Appeal
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1650.640	Prehearing Procedure
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SUBPART I: AMENDMENTS TO BYLAWS AND RULES

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TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

Section
1650.810 Parliamentary Procedure

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Section
1650.910 Summary and Purpose (Repealed)
1650.920 Definitions (Repealed)
1650.930 Submission of Requests
1650.940 Form and Content of FOIA Requests (Repealed)
1650.950 Appeal of a Denial (Repealed)
1650.960 Executive Director's Response to Appeal (Repealed)
1650.970 Response to FOIA Requests (Repealed)
1650.980 Inspection of Records at System Office
1650.990 Copies of Public Records
1650.995 Materials Immediately Available

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1650.1001 Elections Date/Election Day – Defined
1650.1010 Petitions
1650.1020 Eligible Voters
1650.1030 Election Materials
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TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

- 1650.1114 Filing a QILDRO or a Calculation Order with the System
- 1650.1115 Benefits Affected by a QILDRO
- 1650.1116 Effect of a Valid QILDRO
- 1650.1117 QILDROs Against Persons Who Became Members Prior to July 1, 1999
- 1650.1118 Alternate Payee's Address
- 1650.1119 Electing Form of Payment
- 1650.1120 Automatic Annual Increases
- 1650.1121 Reciprocal Systems QILDRO Policy Statement (Repealed)
- 1650.1122 Providing Benefit Information for Divorce Purposes
- 1650.1123 Suspension and Expiration of a QILDRO
- 1650.1124 Income Tax Reporting
- 1650.1125 Lump-Sum Death Benefit Allocation to Alternate Payee

SUBPART N: PAYROLL DEDUCTION PROGRAM

Section

- 1650.1200 Payroll Deduction Program Guidelines (Repealed)
- 1650.1201 Employer Responsibility Under the Payroll Deduction Program (Repealed)
- 1650.1202 Payroll Deduction Agreements – Suspensions and Terminations (Repealed)
- 1650.1203 Payroll Deduction Program – Full Time Employment Defined (Repealed)
- 1650.1204 Payroll Deduction Program – Disability Defined (Repealed)
- 1650.1205 Employer Payment of Member's Optional Service, Refund and/or Upgrade Contribution Balance (Repealed)

SUBPART O: RETIREMENT BENEFITS

Section

- 1650.2900 Excess Benefit Arrangement

SUBPART P: COMPETITIVE SELECTION PROCEDURES
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Section

- 1650.3000 Summary and Purpose
- 1650.3005 Definitions
- 1650.3010 Public Markets Manager Database
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- 1650.3017 Candidate Profile for Investment Manager Searches
- 1650.3020 Public Market Searches

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1650.3025	Small and Mid Cap Equity Searches
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Section	
1650.3100	Summary and Purpose
1650.3105	Exclusive Benefit Rule
1650.3110	USERRA (Uniformed Services Employment and Reemployment Rights Act (38 USC 4301-4335)) Compliance
1650.3115	Required Minimum Distributions
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1650.3125	Mortality Tables and Interest Rates

SUBPART R: TIER II MEMBERS AND ANNUITANTS

Section	
1650.3200	Definitions
1650.3220	Automatic Increase in Tier II Disability Benefits
1650.3221	Tier II Disability Retirement Annuity Final Average Salary
1650.3222	Tier II Disability Retirement Annuity Calculation
1650.3230	Contributions for Tier II Members with Reciprocal Earnings

SUBPART S: BUYOUT PROGRAMS

1650.3300	General Provisions
1650.3310	Accelerated Annual Increase Buyout Program
1650.3320	Accelerated Pension Benefit Buyout Program
1650.3330	QILDRO Administration with Buyout Programs

AUTHORITY: Implementing and authorized by Articles 1 and 16 of the Illinois Pension Code [40 ILCS 5]; Freedom of Information Act [5 ILCS 140]; Internal Revenue Code (26 USC 1 et seq.); Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100].

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Filed June 20, 1958; emergency rules adopted at 2 Ill. Reg. 49, p. 249, effective November 29, 1978, for a maximum of 150 days; adopted at 3 Ill. Reg. 9, p. 1, effective March 3, 1979; codified at 8 Ill. Reg. 16350; amended at 9 Ill. Reg. 20885, effective December 17, 1985; amended at 12 Ill. Reg. 16896, effective October 3, 1988; amended at 14 Ill. Reg. 18305, effective October 29, 1990; amended at 15 Ill. Reg. 16731, effective November 5, 1991; amended at 17 Ill. Reg. 1631, effective January 22, 1993; amended at 18 Ill. Reg. 6349, effective April 15, 1994; emergency amendment at 18 Ill. Reg. 8949, effective May 24, 1994, for a maximum of 150 days; emergency modified at 18 Ill. Reg. 12880; amended at 18 Ill. Reg. 15154, effective September 27, 1994; amended at 20 Ill. Reg. 3118, effective February 5, 1996; emergency amendment at 21 Ill. Reg. 483, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 2422, effective January 31, 1997; amended at 21 Ill. Reg. 4844, effective March 27, 1997; emergency amendment at 21 Ill. Reg. 17159, effective December 9, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 7243, effective April 9, 1998; emergency amendment at 22 Ill. Reg. 7314, effective April 9, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 9374, effective May 14, 1998, for a maximum of 150 days; emergency rule modified in response to JCAR Objection at 22 Ill. Reg. 11640; emergency amendment at 22 Ill. Reg. 13151, effective June 29, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 15620, effective August 17, 1998; amended at 22 Ill. Reg. 19079, effective October 1, 1998; amended at 22 Ill. Reg. 22090, effective December 1, 1998; amended at 23 Ill. Reg. 3079, effective February 23, 1999; amended at 24 Ill. Reg. 2440, effective January 27, 2000; amended at 24 Ill. Reg. 10300, effective June 26, 2000; amended at 25 Ill. Reg. 203, effective December 22, 2000; amended at 26 Ill. Reg. 2758, effective February 11, 2002; amended at 26 Ill. Reg. 11476, effective July 11, 2002; amended at 27 Ill. Reg. 1668, effective January 17, 2003; amended at 27 Ill. Reg. 9209, effective May 28, 2003; amended at 28 Ill. Reg. 10055, effective June 29, 2004; amended at 29 Ill. Reg. 1546, effective January 14, 2005; amended at 29 Ill. Reg. 13244, effective August 9, 2005; amended at 30 Ill. Reg. 194, effective December 23, 2005; amended at 30 Ill. Reg. 472, effective December 21, 2005; amended at 30 Ill. Reg. 11728, effective June 23, 2006; amended at 30 Ill. Reg. 17525, effective October 18, 2006; amended at 31 Ill. Reg. 10688, effective July 13, 2007; amended at 32 Ill. Reg. 4073, effective February 28, 2008; amended at 32 Ill. Reg. 7979, effective May 6, 2008; amended at 32 Ill. Reg. 13534, effective August 6, 2008; amended at 33 Ill. Reg. 4401, effective March 3, 2009; amended at 33 Ill. Reg. 15863, effective November 2, 2009; amended at 34 Ill. Reg. 4900, effective March 22, 2010; amended at 34 Ill. Reg. 7787, effective May 21, 2010; amended at 35 Ill. Reg. 2413, effective January 21, 2011; amended at 35 Ill. Reg. 2788, effective January 25, 2011; amended at 35 Ill. Reg. 3781, effective February 18, 2011; amended at 35 Ill. Reg. 19541, effective November 18, 2011; amended at 36 Ill. Reg. 7688, effective May 4, 2012; amended at 36 Ill. Reg. 18914, effective December 14, 2012; amended at 37 Ill. Reg. 5150, effective April 4, 2013; amended at 38 Ill. Reg. 21239, effective October 21, 2014; amended at 39 Ill. Reg. 5259, effective March 20, 2015; amended at 39 Ill. Reg. 14989, effective October 30, 2015; amended

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at 40 Ill. Reg. 14099, effective September 28, 2016; amended at 41 Ill. Reg. 718, effective January 11, 2017; amended at 41 Ill. Reg. 14256, effective November 8, 2017; amended at 42 Ill. Reg. 13666, effective June 29, 2018; amended at 42 Ill. Reg. 22238, effective November 20, 2018; amended at 43 Ill. Reg. 5115, effective April 22, 2019; amended at 43 Ill. Reg. _____, effective _____.

SUBPART C: FILING OF CLAIMS

Section 1650.210 Claim Applications

Any individual claiming a retirement annuity, a disability retirement annuity, a survivor benefit, a disability benefit or an occupational disability benefit shall file an application therefor in the form prescribed by the System. This application, together with the membership record, and such other information as may have been compiled during the membership of the member or submitted by the applicant shall constitute the complete record forming the basis of the claim. An application for survivor benefits shall be accompanied by a certified copy of the death certificate, other public record of death, or a physician's certificate of death. The System may require the claimant to provide a valid depository agreement authorizing funds to be electronically deposited into the recipient's bank account in lieu of paper warrants.

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

SUBPART D: MEMBERSHIP AND SERVICE CREDITS

Section 1650.315 Establishing Salary and Assessing Contributions for Optional Verifying Service Credit

- a) TheWhen salary information for a period of creditable service is unavailable, the System shall establish a salary and assess contributions for optional service utilizing the first year of service as a contributing member of the System by determining a salary at the applicable statutory rate equal to the member's first full-time actual salary paid as a contributing member of the System immediately succeeding the time period in question and assess contributions on the first full-time salary at the applicable statutory rate in the following instances:-
- 1) For out-of-system service, as defined in Sections 16-127(b)(2) and 16-128(b) of the Code, that has not been verified by the System as of January 1, 2020; or

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

- 2) For all other optional service as defined in Sections 16-127 and 16-128, when salary information for a period of creditable service is unavailable.
- b) In the absence of a first full-time actual salary, the System shall determine a salary rate equal to the member's first full-time equivalent salary paid as a contributing member of the System immediately succeeding the time period in question and shall assess contributions on the first full-time equivalent salary at the applicable statutory rate.~~When the unavailable salary information is for part-time contractual employment, the System shall convert the first full-time salary paid succeeding the time period in question to its part-time equivalent.~~

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

SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section 1650.417 Mandatory Distributions Pursuant to Section 401(a)(9) of the Internal Revenue Code

When the System is required to make a mandatory distribution pursuant to section 401(a)(9) of the Internal Revenue Code and the member is eligible to receive either a single-sum benefit under 40 ILCS 5/16-136.4 or a refund under 40 ILCS 5/16-151, but fails to make the required election, the member shall be deemed to have elected a single-sum benefit~~refund~~ under Section 16-136.4 of the Code~~40 ILCS 5/16-151~~.

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

SUBPART F: ANNUITANTS AND BENEFICIARIES

Section 1650.520 Suspension of Benefits

- a) Monthly benefit payments ~~to annuitants~~ may be suspended when ~~four~~two monthly warrants remain uncashed. The System shall notify the benefit recipient in writing of the suspension. To remove the suspension of benefits, the System may require the recipient to provide a valid depository agreement authorizing funds to be electronically deposited into the recipient's bank account in lieu of paper warrants.~~inquire as to the cause for the non-cashing of the warrants. These and subsequent payments shall be made upon learning the circumstances or whereabouts of the warrants, or upon prompt compliance in cashing the warrants.~~

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF PROPOSED AMENDMENTS

- b) Recipients of a non-occupational disability benefit, occupational disability benefit, disability retirement annuity, or monthly survivor benefit who fail to return documentation of continued eligibility within the specified time period shall have their monthly benefit payment suspended. Upon receipt of the required documentation and upon determination of continued eligibility, these and subsequent payments shall be made.

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

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Hospital Financial Assistance under the Fair Patient Billing Act
- 2) Code Citation: 77 Ill. Adm. Code 4500
- 3) Section Number: 4500.APPENDIX A Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 27 of the Fair Patient Billing Act [210 ILCS 88/27].
- 5) Effective Date of Rule: June 28, 2019
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: A copy of the adopted rule is on file and is available for public inspection in the Attorney General's principal office in Chicago (12th Floor, James R. Thompson Center).
- 9) Notice of Proposal published in the *Illinois Register*: 43 Ill. Reg. 3068; March 8, 2019
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: There are no differences between the proposal and the final version.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The amendment updates Appendix A to reflect the 2019 poverty guidelines published by the United States Department of Health and Human Services (DHHS) in the Federal Register on February 1, 2019.
- 16) Information and questions regarding this adopted rule shall be directed to:

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF ADOPTED AMENDMENT

David Buysse
Deputy Chief, Public Interest Division
Office of the Attorney General
100 West Randolph Street, 12th Floor
Chicago IL 60601

312/814-7236

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

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF ADOPTED AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER XVIII: OFFICE OF THE ATTORNEY GENERALPART 4500
HOSPITAL FINANCIAL ASSISTANCE
UNDER THE FAIR PATIENT BILLING ACT

Section

4500.10	Definitions
4500.20	Referenced Materials
4500.30	Hospital Financial Assistance Application Requirements
4500.40	Presumptive Eligibility Criteria
4500.50	Hospital Financial Assistance Electronic and Information Technology
4500.60	Hospital Financial Assistance Reporting Requirements

4500.APPENDIX A [20192018](#) Poverty Income Guidelines

AUTHORITY: Implementing and authorized by Section 27 of the Fair Patient Billing Act [210 ILCS 88].

SOURCE: Adopted at 37 Ill. Reg. 12536, effective July 22, 2013; amended at 38 Ill. Reg. 20263, effective October 10, 2014; amended at 39 Ill. Reg. 10751, effective July 27, 2015; amended at 40 Ill. Reg. 7900, effective May 18, 2016; amended at 41 Ill. Reg. 10653, effective August 4, 2017; amended at 42 Ill. Reg. 13615, effective June 29, 2018; amended at 43 Ill. Reg. 7628, effective June 28, 2019.

OFFICE OF THE ATTORNEY GENERAL

NOTICE OF ADOPTED AMENDMENT

Section 4500.APPENDIX A ~~2019~~2018 Poverty Income Guidelines2019~~2018~~ HEALTH AND HUMAN SERVICES POVERTY GUIDELINES

Persons in Family	Poverty Guideline
1	\$12,490 <u>12,140</u>
2	\$16,910 <u>16,460</u>
3	\$21,330 <u>20,780</u>
4	\$25,750 <u>25,100</u>
5	\$30,170 <u>29,420</u>
6	\$34,590 <u>33,740</u>
7	\$39,010 <u>38,060</u>
8	\$43,430 <u>42,380</u>
For additional persons, add	<u>\$ 4,420</u> 4,320

NOTE: See ~~8483~~ Fed. Reg. ~~11672642~~ through ~~11682644~~ (~~February 1, 2019~~January 18, 2018).

(Source: Amended at 43 Ill. Reg. 7628, effective June 28, 2019)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Child Care
- 2) Code Citation: 89 Ill. Adm. Code 50
- 3)

<u>Section Numbers:</u>	<u>Emergency Actions:</u>
50.230	Amendment
50.320	Amendment
- 4) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13].
- 5) Effective Date of Rules: July 1, 2019
- 6) If these emergency rules are to expire before the end of the 150-day period, please specify the date on which they are to expire: These emergency rules will expire at the end of the 150-day period, or upon adoption of permanent rules, whichever comes first.
- 7) Date Filed with the Index Department: June 27, 2019
- 8) A copy of the emergency rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: The rule is an emergency because it impacts the public interest, including the safety and welfare of children. This rulemaking is necessary to comply with the provisions of 305 ILCS 5/9A-11, which require the Department to index income eligibility guidelines to the most current federal poverty level guidelines. As a result of the increased guidelines, low income families will remain eligible to receive child care assistance longer and more families will be able to receive child care benefits.
- 10) A Complete Description of the Subject and Issues Involved: Pursuant to provisions of 305 ILCS 5/9A-11, this rulemaking indexes the child care income eligibility guidelines so that the threshold for child care benefits is no less than 185% of the most current federal poverty level for each family size effective July 1, 2019. Income ranges up to 200% FPL are included due to bifurcated income eligibility thresholds for new cases (185% FPL) and a higher level (200% FPL) for existing cases that are being redetermined for their next eligibility period. Income ranges for 85% of State Median Income (SMI) are also included as federal regulations sets that level as the uppermost income that would be eligible for federal funds. This rulemaking also adjusts the amount of the parent co-

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

payment fee to no more than 9% of a family's income for the Child Care Assistance Program.

- 11) Are there any other rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.
- 13) Information and questions regarding this emergency rulemaking shall be directed to:

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

217/785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 50
CHILD CARE

SUBPART A: GENERAL PROVISIONS

- Section
- 50.101 Incorporation by Reference
- 50.105 Definitions
- 50.110 Participant Rights and Responsibilities
- 50.120 Notification of Available Services
- 50.130 Child Care Overpayments and Recoveries

SUBPART B: APPLICABILITY

- Section
- 50.210 Child Care
- 50.220 Method of Providing Child Care
- 50.230 Child Care Eligibility
- EMERGENCY
- 50.235 Income Eligibility Criteria
- 50.240 Qualified Provider (Repealed)
- 50.250 Additional Service to Secure or Maintain Child Care
- 50.260 Job Search (Repealed)

SUBPART C: PAYMENT FEES

- Section
- 50.310 Fees for Child Care Services
- 50.320 Maximum Monthly Income and Parent Fee by Family Size, Income Level and Number of Children Receiving Full-time Care

EMERGENCY

SUBPART D: PROVIDER REQUIREMENTS

Section

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 50.400 Purpose
- 50.410 Qualified Provider
- 50.420 Provider Registration and Certification Requirements
- 50.430 Provider Background Checks
- 50.440 Payment for Child Care Services

SUBPART E: GREAT START PROGRAM

- Section
- 50.510 Great START Program
 - 50.520 Method of Providing the Wage Supplement
 - 50.530 Eligibility
 - 50.540 Employer Responsibility
 - 50.550 Notification of Eligibility
 - 50.560 Phase-in of Wage Supplement Scale
 - 50.570 Wage Supplement Scale
 - 50.580 Evaluation

SUBPART F: CHILD CARE COLLABORATION PROGRAM

- Section
- 50.610 Child Care Collaboration Program
 - 50.620 Approvable Models of Collaboration
 - 50.630 Requirements for Approval in the Child Care Collaboration Program
 - 50.640 Notification of Eligibility
 - 50.650 Rules and Reporting for the Child Care Collaboration Program

SUBPART G: GATEWAYS TO OPPORTUNITY CREDENTIALS

- Section
- 50.710 Gateways to Opportunity, the Illinois Professional Development System
 - 50.720 Gateways to Opportunity Credentials
 - 50.730 Application for Credentials
 - 50.740 Framework for Gateways to Opportunity Credentials
 - 50.750 Professional Knowledge
 - 50.760 Gateways to Opportunity Registry

SUBPART H: STAFF QUALIFICATIONS AND TRAINING STANDARDS

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Section	
50.800	Purpose
50.810	Applicability
50.820	Staff Qualifications for License Exempt School-Age Providers
50.830	Training Standards for License Exempt School-Age Providers

AUTHORITY: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13].

SOURCE: Emergency rules adopted at 21 Ill. Reg. 9502, effective July 1, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. 14961, effective November 10, 1997; emergency amendment at 22 Ill. Reg. 12816, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 21037, effective November 27, 1998; emergency amendment at 23 Ill. Reg. 10875, effective August 20, 1999, for maximum of 150 days; amended at 24 Ill. Reg. 1058, effective January 10, 2000; emergency amendment at 24 Ill. Reg. 6604, effective April 5, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 13987, effective September 1, 2000; amended at 24 Ill. Reg. 15423, effective October 10, 2000; emergency amendment at 25 Ill. Reg. 2735, effective February 5, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 8176, effective June 23, 2001; emergency amendment at 25 Ill. Reg. 8443, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 14854, effective October 31, 2001; emergency amendment at 25 Ill. Reg. 16116, effective December 1, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 7113, effective April 25, 2002; amended at 27 Ill. Reg. 12090, effective July 14, 2003; amended at 27 Ill. Reg. 18411, effective November 24, 2003; amended at 28 Ill. Reg. 6895, effective April 23, 2004; emergency amendment at 28 Ill. Reg. 10121, effective July 1, 2004, for a maximum of 150 days; emergency expired November 27, 2004; amended at 29 Ill. Reg. 2687, effective February 4, 2005; emergency amendment at 29 Ill. Reg. 13253, effective August 11, 2005, for a maximum of 150 days; emergency expired January 7, 2006; amended at 30 Ill. Reg. 11190, effective June 6, 2006; amended at 31 Ill. Reg. 12584, effective August 20, 2007; emergency amendment at 31 Ill. Reg. 13350, effective September 10, 2007, for a maximum of 150 days; emergency expired February 6, 2008; amended at 32 Ill. Reg. 6048, effective March 31, 2008; emergency amendment at 32 Ill. Reg. 6652, effective April 1, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 9604, effective June 20, 2008; amended at 32 Ill. Reg. 14742, effective August 28, 2008; amended at 33 Ill. Reg. 8195, effective June 8, 2009; emergency amendment at 33 Ill. Reg. 15889, effective November 1, 2009, for a maximum of 150 days; emergency amendment at 33 Ill. Reg. 16517, effective November 1, 2009, for a maximum of 150 days; emergency expired March 30, 2010; amended at 34 Ill. Reg. 5275, effective March 29, 2010; emergency amendment at 34 Ill. Reg. 8619, effective June 16, 2010, for a maximum of 150 days; emergency expired on November 12, 2010; amended at 34 Ill. Reg. 10512, effective July 8, 2010; amended at 34 Ill. Reg. 19539, effective December 6, 2010; amendment at 35 Ill.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Reg. 1397, effective January 6, 2011; amended at 35 Ill. Reg. 3993, effective February 25, 2011; emergency amendment at 35 Ill. Reg. 6583, effective April 1, 2011, for a maximum of 150 days; emergency expired August 28, 2011; amended at 35 Ill. Reg. 8878, effective May 25, 2011; amended at 36 Ill. Reg. 1564, effective January 17, 2012; amended at 36 Ill. Reg. 12104, effective July 10, 2012; amended at 36 Ill. Reg. 14513, effective September 12, 2012; amended at 36 Ill. Reg. 16085, effective October 29, 2012; amended at 38 Ill. Reg. 18490, effective August 22, 2014; amended at 38 Ill. Reg. 19513, effective September 17, 2014; emergency amendment at 39 Ill. Reg. 10072, effective July 1, 2015, for a maximum of 150 days; emergency rule modified in response to JCAR objection at 39 Ill. Reg. 15158, effective November 9, 2015, for the remainder of the 150 days; amended at 39 Ill. Reg. 15540, effective November 23, 2015; emergency amendment at 41 Ill. Reg. 12890, effective October 1, 2017, for a maximum of 150 days; amended at 42 Ill. Reg. 3745, effective February 7, 2018; amended at 42 Ill. Reg. 8491, effective May 8, 2018; emergency amendment at 42 Ill. Reg. 13898, effective July 1, 2018, for a maximum of 150 days; amended at 42 Ill. Reg. 22555, effective November 27, 2018; emergency amendment at 43 Ill. Reg. 7632, effective July 1, 2019, for a maximum of 150 days.

SUBPART B: APPLICABILITY

Section 50.230 Child Care Eligibility**EMERGENCY**

- a) To the extent resources permit, it is the intent of the Department to provide child care services to all applicants that meet the eligibility requirements set forth in this Section. If it is necessary to limit participation to stay within the amounts appropriated or resources available to the Department for child care services, participation will be limited to the priority service groups specified in subsection (c)(6) and that limitation in participation shall remain until such time as sufficient resources are available to serve all eligible applicants.
- b) Child care services are restricted to children under age 13 and to children under age 19 who are under court supervision or have physical or mental incapacities as documented by a statement from a local health provider or other health professional.
- c) Parents and other relatives eligible to receive child care services include:
 - 1) Recipients of Temporary Assistance for Needy Families (TANF) under Article IV of the Public Aid Code participating in work and/or training-related activities as specified in their RSP (see 89 Ill. Adm. Code

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112.74) as approved by the Department's TANF case worker.

- 2) Working families, including teen parents enrolled full-time in elementary or high school or GED classes to obtain a high school degree or its equivalent, whose monthly incomes do not exceed the following amounts by family size:

Family Size	Gross Monthly Base Income
2	\$2,607 <u>2,538</u>
3	\$3,289 <u>3,204</u>
4	\$3,970 <u>3,870</u>
5	\$4,652 <u>4,536</u>
6	\$5,333 <u>5,202</u>
7	\$6,015 <u>5,868</u>
8	\$6,696 <u>6,534</u>
9	\$7,377 <u>7,200</u>
10	\$8,059 <u>7,866</u>

The above income guidelines will be indexed annually so that the thresholds are no less than 185% of the most current federal poverty level for each family size.

- 3) At the end of each eligibility period, families must fall into the income guidelines below to remain eligible for another 12-month eligibility period:

<u>Family Size</u>	<u>Gross Monthly Base Income</u>
<u>2</u>	<u>\$2,819</u>
<u>3</u>	<u>\$3,555</u>
<u>4</u>	<u>\$4,292</u>
<u>5</u>	<u>\$5,029</u>
<u>6</u>	<u>\$5,765</u>
<u>7</u>	<u>\$6,502</u>
<u>8</u>	<u>\$7,239</u>
<u>9</u>	<u>\$7,975</u>

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The above income guidelines will be indexed annually so that the thresholds are no less than 185% of the most current Federal Poverty Level (FPL) for each family size.

- 4) Any time a family's countable income exceeds 85% of the State Medium Income (SMI), the case will be canceled 10 calendar days from the date of the termination notice was sent to the family and provider(s).

<u>Family Size</u>	<u>Gross Monthly Base Income</u>
<u>2</u>	<u>\$4,307</u>
<u>3</u>	<u>\$5,320</u>
<u>4</u>	<u>\$6,333</u>
<u>5</u>	<u>\$7,346</u>
<u>6</u>	<u>\$8,359</u>
<u>7</u>	<u>\$8,549</u>
<u>8</u>	<u>\$8,739</u>

The above income guidelines will be indexed annually so that the thresholds are no less and no more than 85% of the most current SMI level for each family size.

- 5) If the countable income for a family is between 200% FPL and 85% SMI at the end of an eligibility period, and all other eligibility factors are met, the family will be eligible for a 90-day Graduated Phase-out period which begins the first day of the new eligibility period. If the family request child care assistance at any time after the graduated phase-out period, the request must be treated as a new application and have family income below 200% of the Federal Poverty Level or less to qualify.

- 6) Families who do not receive TANF and need child care services in order to attend school or training (up to and including the acquisition of the first Bachelor's Degree) whose monthly income does not exceed the monthly income ceilings in subsection (c)(2). Clients can be approved for education/training activities that will lead to multiple certificates within a designated career path (from Certified Nursing Assistant to Licensed Practical Nurse, for example) or Associate Degrees, but only the first

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Bachelor's Degree. Clients may also be approved for additional vocational certificate programs if they are beginning a new career path in a new field or if classes are required to remain certified in their current employment. Child care services approved under this Part must be reasonably related to the education or training activity, including class hours and research, study, laboratory, library and transportation time, and unpaid educationally required work activities such as student teaching, an internship, a clinical, a practicum or an apprenticeship. Teen parents enrolled full-time in elementary or high school or GED classes will be eligible for full-time, full-year child care, including summers, when using a licensed child care provider, up to and including a three-month period after graduation, in order to secure employment or to prepare for higher education. If a parent is claimed as a dependent by another person for federal income tax purposes, that parent is only eligible if his or her income, when added to the income of the other person, does not exceed the monthly income ceiling in subsection (c)(2) for that family size. All education programs under this Part must be administered by an educational institution accredited under requirements of State law, including, but not limited to, the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 [225 ILCS 410], the Real Estate Act of 2000 [225 ILCS 454], the Public Community College Act [110 ILCS 805], the University of Illinois Act [110 ILCS 305], the Chicago State University Law [110 ILCS 660], the Eastern Illinois University Law [110 ILCS 665], the Governors State University Law [110 ILCS 670], the Illinois State University Law [110 ILCS 675], the Northeastern Illinois University Law [110 ILCS 680], the Northern Illinois University Law [110 ILCS 685], the Western Illinois University Law [110 ILCS 690], or the Department of Financial and Professional Regulation. Social service agencies that provide recognized English as a Second Language (ESL) and other adult education courses and programs are not required to hold or maintain any separate type of accreditation, as long as the program they offer is supported by an accredited institution.

A) Below Post-Secondary Education Eligibility and Participation Requirements

This category of education includes literacy and other adult basic education, English as a Second Language, and GED preparation programs. Clients/applicants who have already earned a vocational certificate are still eligible for below post-secondary

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education activities if they have not already earned a high school diploma or GED certificate.

- i) There is no work requirement for the first 24 non-consecutive months the client participates. Families eligible to receive child care services while they attend an education or training program under this Section must not already possess a Bachelor's, Master's or Doctorate Degree.
 - ii) From the 25th month on, the client must work at least 20 hours per week. Child care provided to a teen parent to obtain a high school diploma or its equivalent does not count against this 24-month limit. Individuals enrolled in below post-secondary education must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual will be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term. The determination of satisfactory progress must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.
- B) Vocational Education Eligibility and Participation Requirements
Programs in this category of education may be offered by a public community college, public or private university, or private business/technical school.
- i) The program usually results in the receipt of a Certificate of Achievement or Completion and/or prepares the client for a specific job or to obtain a license required by some occupations. Families eligible to receive child care services while they attend an education or training program under this Section must not already possess a Bachelor's, Master's or Doctorate Degree. Clients/applicants may be approved for multiple vocational certificate programs if they are within a designated career path (from Certified

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Nursing Assistant to Licensed Practical Nurse, for example) or are beginning a new career path in a new field, or if classes are required to remain certified in their current employment.

- ii) There is no work requirement for the first 24 non-consecutive months the client participates. From the 25th month on, the client must work at least 20 hours per week. Individuals enrolled in vocational education must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual will be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term. The determination of satisfactory progress must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.

C) Post-Secondary Education

- i) This category of education includes all undergraduate college level courses that could result in an Associate or the client's first Bachelor's Degree. Families eligible to receive child care services while they attend an education or training program under this Section must:
- be enrolled in a program accredited under requirements of State law as stated in subsection (c)(3).
 - not already have a Bachelor's, Master's or Doctorate Degree, if requesting child care to earn an Associate Degree. Child care will not be approved for attainment of a second Associate Degree.
 - not be in an, or have completed an, advanced degree program (beyond a Bachelor's Degree). Child care

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will not be approved for education beyond the attainment of a Bachelor's Degree.

- ii) There is no work requirement for the first 48 non-consecutive months the client participates. From the 49th month on, the client must work at least 20 hours per week. Clients who do not work and who need child care to attend college must maintain a 2.5 grade point average (GPA) (on a 4.0 scale) if this measurement is used by the institution to determine satisfactory progress. Clients who work 20 hours or more per week in paid employment while they attend college must maintain a 2.0 GPA (on a 4.0 scale). In the absence of a GPA, satisfactory progress will be determined by the written policy of the institution. The determination of satisfactory progress, including test/retest results or GPA, must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months. If the client's GPA falls below 2.5 or 2.0 for those students who work or at any time the client does not maintain satisfactory progress, the client may continue to go to school for another semester. If the GPA is below 2.5 or 2.0 two semesters in a row, the client will be ineligible for child care until his or her GPA is at or above 2.5 or 2.0.
- D) For child care services received under education/training, a parent enrolled in web-based courses or correspondence learning from an accredited university or college is only eligible for child care assistance if both of the following are met:
- i) The class is offered only at a regularly scheduled time (i.e., 11:00 a.m. every Monday and Wednesday) or the parent must leave the home to have access to a computer.
 - ii) The child or children for whom care is requested must be under the age of six, except during the summer or school breaks. Care shall not be authorized during the hours the child is in school or is home schooled, or if the child is in a two-parent family when the other parent is available to care for the child.

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- E) Study Time
Child care services may be granted for up to one hour of study time per week for each classroom hour or course credit. When possible, study periods should be arranged around regularly scheduled classes in order to provide a consistent and uninterrupted routine for children in care. Study time granted to add an extra day of care must be approved first by the Department's Bureau of Child Care and Development Policy Unit.
- 4) Relatives (other than parents) who receive child-only TANF benefits as a Representative Payee for children in need of care while they work.
- 5) Families with active CCAP cases in which all parents in the household are called into active military duty and the relative caregivers are employed or in an approved education/training activity.
- 6) In the event the Department must limit participation due to insufficient appropriations or available resources, applicants included in the priority service groups are:
 - A) Recipients of Temporary Assistance for Needy Families as described in subsection (c)(1);
 - B) Teen parents enrolled full-time in elementary school, high school or GED classes to obtain a high school degree or its equivalent;
 - C) Families with a special needs child;
 - D) Working families whose monthly incomes do not exceed 185% of the most current Federal Poverty Level for their family size;
 - E) Families that are not recipients of TANF whose monthly incomes do not exceed 185% of the most current FPL for their family size that need child care assistance to participate in education and training.
- d) All families must be residents of Illinois.

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- e) Payment for child care services to eligible parents may begin:
- 1) if care was provided at the time and all eligibility factors are met, on either:
 - A) the date of the parent's signature; or
 - B) one week (seven calendar days) prior to the stamped date of receipt by the Department or its agents, whichever is later; or
 - 2) on the date the child care provider actually begins providing child care services, if the application is received in advance of services being provided and all eligibility factors are met.
- f) Eligibility ceases 10 calendar days from the date of the termination notice sent to the parent by the Department or its agents following a determination of ineligibility. Care will be terminated immediately if it is determined the child is no longer enrolled with the approved provider.

(Source: Amended by emergency rulemaking at 43 Ill. Reg. 7632, effective July 1, 2019, for a maximum of 150 days)

SUBPART C: PAYMENT FEES

Section 50.320 Maximum Monthly Income and Parent Fee by Family Size and Income Level

EMERGENCY

Family Size 2		Family Size 3	
Monthly Income	Monthly Co-Pay	Monthly Income	Monthly Co-Pay
\$ 0 - 564 549	\$ 2.00	\$ 0 - 711 693	\$ 2.00
565 - 705 550 - 686	3.00	712 - 889 694 - 866	3.00
706 - 846 687 - 823	11.00	890 - 1,067 867 - 1,039	14.00
847 - 987 824 - 961	18.00	1,068 - 1,245 1,040 - 1,213	23.00
988 - 1,128 962 - 1,098	28.00	1,246 - 1,422 1,214 - 1,386	36.00
1,129 - 1,269 1,099 - 1,235	40.00	1,423 - 1,600 1,387 - 1,559	51.00
1,270 - 1,410 1,236 - 1,372	55.00	1,601 - 1,778 1,560 - 1,732	69.00

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1,411 - 1,551 1,552 - 1,691 1,692 - 1,832 1,833 - 1,973 1,974 - 2,114 2,115 - 2,255 2,256 - 2,396 2,397 - 2,537 2,538 - 2,607	1,373 - 1,509 1,510 - 1,646 1,647 - 1,784 1,785 - 1,921 1,922 - 2,058 2,059 - 2,195 2,196 - 2,332 2,333 - 2,469 2,470 - 2,538	71.00 89.00 109.00 131.00 155.00 181.00 209.00 222.00 232.00	239.00 258.00	1,779 - 1,956 1,957 - 2,133 2,134 - 2,311 2,312 - 2,489 2,490 - 2,667 2,668 - 2,844 2,845 - 3,022 3,023 - 3,200 3,201 - 3,289	1,733 - 1,905 1,906 - 2,078 2,079 - 2,252 2,253 - 2,425 2,426 - 2,598 2,599 - 2,771 2,772 - 2,944 2,945 - 3,117 3,118 - 3,204	89.00 112.00 137.00 165.00 195.00 228.00 264.00 280.00 292.00	301.00 326.00	3,290 - 3,378 3,379 - 3,555 3,556 - 5,320	300.00 312.00 312.00
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Family Size 4	
Monthly Income	Monthly Co-Pay
\$ 0 - 859	\$ 2.00
860 - 1,073	3.00
1,074 - 1,288	17.00
1,289 - 1,503	27.00
1,504 - 1,717	43.00
1,718 - 1,932	62.00
1,933 - 2,146	83.00
2,147 - 2,361	108.00
2,362 - 2,575	135.00
2,576 - 2,790	166.00
2,791 - 3,005	199.00
3,006 - 3,219	236.00
3,220 - 3,434	276.00
3,435 - 3,648	318.00
3,649 - 3,863	338.00
3,864 - 3,970	353.00
3,971 - 4,078	362.00
4,079 - 4,292	377.00
4,293 - 6,333	377.00

Family Size 5	
Monthly Income	Monthly Co-Pay
\$ 0 - 1,006	\$ 2.00
1,007 - 1,258	3.00
1,259 - 1,509	20.00
1,510 - 1,760	32.00
1,761 - 2,012	50.00
2,013 - 2,263	72.00
2,264 - 2,515	97.00
2,516 - 2,766	126.00
2,767 - 3,017	158.00
3,018 - 3,269	194.00
3,270 - 3,520	234.00
3,521 - 3,772	277.00
3,773 - 4,023	323.00
4,024 - 4,275	373.00
4,276 - 4,526	396.00
4,527 - 4,652	413.00
4,653 - 4,777	424.00
4,778 - 5,029	441.00
5,030 - 7,346	441.00

Family Size 6

Family Size 7

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Monthly Income	Monthly Co-Pay	Monthly Income	Monthly Co-Pay
\$ 0 - 1,1531,125	\$ 2.00	\$ 0 - 1,3011,269	\$ 2.00
1,154 - 1,4421,126 - 1,406	3.00	1,302 - 1,6261,270 - 1,586	3.00
1,443 - 1,7301,407 - 1,687	23.00	1,627 - 1,9511,587 - 1,903	26.00
1,731 - 2,0181,688 - 1,969	37.00	1,952 - 2,2761,904 - 2,221	42.00
2,019 - 2,3061,970 - 2,250	58.00	2,277 - 2,6012,222 - 2,538	65.00
2,307 - 2,5952,251 - 2,531	83.00	2,602 - 2,9262,539 - 2,855	93.00
2,596 - 2,8832,532 - 2,812	112.00	2,927 - 3,2512,856 - 3,172	126.00
2,884 - 3,1712,813 - 3,093	145.00	3,252 - 3,5763,173 - 3,489	163.00
3,172 - 3,4593,094 - 3,374	182.00	3,577 - 3,9013,490 - 3,806	205.00
3,460 - 3,7483,375 - 3,656	223.00	3,902 - 4,2273,807 - 4,124	251.00
3,749 - 4,0363,657 - 3,937	268.00	4,228 - 4,5524,125 - 4,441	302.00
4,037 - 4,3243,938 - 4,218	317.00	4,553 - 4,8774,442 - 4,758	358.00
4,325 - 4,6124,219 - 4,499	371.00	4,878 - 5,2024,759 - 5,075	418.00
4,613 - 4,9014,500 - 4,780	428.00	5,203 - 5,5275,076 - 5,392	483.00
4,902 - 5,1894,781 - 5,061	454.00 489.00	5,528 - 5,8525,393 - 5,709	512.00 552.00
5,190 - 5,3335,062 - 5,202	474.00 529.00	5,853 - 6,0155,710 - 5,868	534.00 596.00
5,334 - 5,477	487.00	6,016 - 6,177	549.00
5,478 - 5,765	506.00	6,178 - 6,502	571.00
5,766 - 8,359	506.00	6,503 - 8,549	571.00

Family Size 8	
Monthly Income	Monthly Co-Pay
\$ 0 - 1,4481,413	\$ 2.00
1,449 - 1,8101,414 - 1,766	3.00
1,811 - 2,1721,767 - 2,119	29.00
2,173 - 2,5342,120 - 2,473	46.00
2,535 - 2,8962,474 - 2,826	73.00
2,897 - 3,2582,827 - 3,179	104.00
3,259 - 3,6203,180 - 3,532	140.00
3,621 - 3,9823,533 - 3,885	182.00
3,983 - 4,3433,886 - 4,238	228.00
4,344 - 4,7054,239 - 4,592	280.00
4,706 - 5,0674,593 - 4,945	337.00
5,068 - 5,4294,946 - 5,298	398.00

Family Size 9	
Monthly Income	Monthly Co-Pay
\$ 0 - 1,5951,557	\$ 2.00
1,596 - 1,9941,558 - 1,946	3.00
1,995 - 2,3931,947 - 2,335	32.00
2,394 - 2,7922,336 - 2,725	51.00
2,793 - 3,1902,726 - 3,114	80.00
3,191 - 3,5893,115 - 3,503	114.00
3,590 - 3,9883,504 - 3,892	155.00
3,989 - 4,3873,893 - 4,281	200.00
4,388 - 4,7854,282 - 4,670	252.00
4,786 - 5,1844,671 - 5,060	308.00
5,185 - 5,5835,061 - 5,449	371.00
5,584 - 5,9825,450 - 5,838	439.00

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5,430 - 5,791 5,792 - 6,153 6,154 - 6,515 6,516 - 6,696 <u>6,697 - 6,877</u> <u>6,878 - 7,239</u> <u>7,240 - 8,739</u>	5,299 - 5,651 6,004 6,357 6,534 <u>614.00</u> <u>664.00</u> <u>611.00</u> <u>635.00</u> <u>635.00</u>	5,983 - 6,380 6,381 - 6,779 6,780 - 7,178 7,179 - 7,377 <u>7,378 - 7,577</u> <u>7,578 - 7,975</u> <u>7,976 - 8,929</u>	5,839 - 6,227 6,616 7,005 7,200 <u>677.00</u> <u>655.00</u> <u>673.00</u> <u>700.00</u> <u>700.00</u>
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Family Size 10	
Monthly Income	Monthly Co-Pay
\$ 0 - 1,743	\$ 2.00
1,744 - 2,178	3.00
2,179 - 2,614	35.00
2,615 - 3,050	56.00
3,051 - 3,485	87.00
3,486 - 3,921	125.00
3,922 - 4,356	169.00
4,357 - 4,792	219.00
4,793 - 5,227	275.00
5,228 - 5,663	337.00
5,664 - 6,099	405.00
6,100 - 6,534	480.00
6,535 - 6,970	560.00
6,971 - 7,405	647.00
7,406 - 7,841	740.00
7,842 - 8,059	799.00
<u>8,060 - 8,277</u>	<u>735.00</u>
<u>8,278 - 8,712</u>	<u>765.00</u>
<u>8,713 - 9,119</u>	<u>765.00</u>

(Source: Amended by emergency rulemaking at 43 Ill. Reg. 7632, effective July 1, 2019, for a maximum of 150 days)

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NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Developmental Disabilities Services
- 2) Code Citation: 89 Ill. Adm. Code 144
- 3) Section Number: 144.30 Emergency Action:
New Section
- 4) Statutory Authority: Implementing Section 18.2 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/18.2] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5].
- 5) Effective Date of Emergency Rule: July 1, 2019
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency amendment will expire at the end of the 150-day period, or upon adoption of permanent rules, whichever comes first.
- 7) Date Filed with the Index Department: June 27, 2019
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: This emergency rulemaking is being done to bring the rule in compliance with PA 101-10 which requires the Department to adopt rules, including emergency rules, to implement the relevant provisions of PA 101-10. The adoption of this emergency rule is deemed to be necessary for the public interest, safety and welfare.
- 10) A Complete Description of the Subject and Issues: This emergency rulemaking is being done to bring the rule in compliance with PA 101-10. Pursuant to PA 101-10, DHS will include in its rates an increase sufficient to provide a 3.50 percent increase for community providers. Providers will determine whether to allocate some or all of the 3.5 percent increase to the wages of direct care personnel.
- 11) Are there any other rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.

DEPARTMENT OF HUMAN SERVICES

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- 13) Information and questions regarding this emergency rule shall be directed to:

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

217/785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

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

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
 SUBCHAPTER d: MEDICAL PROGRAMS

PART 144
 DEVELOPMENTAL DISABILITIES SERVICES

Section

144.1	Incorporation By Reference
144.5	Determination of Program (Active Treatment) Costs
144.25	ICF/MR Service Criteria
144.30	Developmental Disability Provider Rate Adjustments
<u>EMERGENCY</u>	
144.50	Inspection of Care and Rate Setting Appeal Process
144.75	Comprehensive Functional Assessments and Reassessments (Repealed)
144.100	Exceptional Care Needs of Clients with Developmental Disabilities
144.102	High Medical/High Personal Care Needs of Individuals with Developmental Disabilities
144.105	Individual Program Plan (IPP) (Repealed)
144.125	Specialized Care – Behavior Development Programs
144.150	Specialized Care – Health and Sensory Disabilities
144.160	Base Nursing in Facilities Licensed as ICF/DD-16s including Small Scale (4 and 6 bed) ICF/DD-16s
144.165	Medication Administration in Facilities Licensed as ICF/DD-16s including Small Scale Residential Facilities (4 and 6 beds) ICF/DD-16s
144.175	Functional Needs
144.200	Service Needs – Medical Care (Repealed)
144.205	Service Needs – Medical and Therapy Services (Repealed)
144.225	Individual Rights (Repealed)
144.230	Reconciliation of Resident Funds
144.250	Discharge Planning/Maximum Growth Potential Plan (Repealed)
144.275	Reimbursement for Program (Active Treatment) Costs in Residential Facilities for Clients with Developmental Disabilities
144.300	Reimbursement for Program (Active Treatment) Costs in Small Scale Residential Facilities (4 and 6 bed) ICF/DD-16s
144.325	Capital Rate Calculation
144.TABLE A	Overview of Staff Intensity Scale of Maladaptive Behaviors

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144.TABLE B	Staff Intensity Scale
144.TABLE C	IPP Outcomes (Repealed)
144.TABLE D	Guidelines for Determining Levels of Functioning
144.TABLE E	Standardized Adaptive Functional Assessment

AUTHORITY: Implementing Section 18.2 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/18.2] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5].

SOURCE: Adopted at 14 Ill. Reg. 4166, effective March 9, 1990; Section 144.275 recodified from 89 Ill. Adm. Code 146.225 at 14 Ill. Reg. 7651; amended at 14 Ill. Reg. 17988, effective October 29, 1990; amended at 15 Ill. Reg. 14084, effective September 24, 1991; emergency amendment at 15 Ill. Reg. 16148, effective October 22, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3497, effective February 28, 1992; amended at 16 Ill. Reg. 5898, effective March 20, 1992; amended at 17 Ill. Reg. 8478, effective June 1, 1993; amended at 17 Ill. Reg. 11480, effective July 16, 1993; emergency amendment at 17 Ill. Reg. 15126, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; emergency amendment repealed at 17 Ill. Reg. 22582, effective December 20, 1993; emergency amendment at 18 Ill. Reg. 11314, effective July 1, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16619, effective October 27, 1994; amended at 19 Ill. Reg. 2890, effective February 22, 1995; amended at 19 Ill. Reg. 7906, effective June 5, 1995; amended at 20 Ill. Reg. 6916, effective May 6, 1996; emergency amendment at 20 Ill. Reg. 7426, effective May 24, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 9072, effective June 28, 1996; amended at 20 Ill. Reg. 11326, effective August 1, 1996; amended at 20 Ill. Reg. 12465, effective August 30, 1996; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Reg. 9287, effective May 15, 1998; amended at 23 Ill. Reg. 932, effective January 6, 1999; emergency amendment at 24 Ill. Reg. 6431, effective March 31, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 13404, effective August 18, 2000; emergency amendment at 34 Ill. Reg. 16983, effective November 1, 2010, for a maximum of 150 days; amended at 35 Ill. Reg. 4005, effective February 23, 2011; emergency amendment at 40 Ill. Reg. 7855, effective May 13, 2016, for a maximum of 150 days; amended at 40 Ill. Reg. 13016, effective August 26, 2016; emergency amendment at 40 Ill. Reg. 14366, effective October 7, 2016, for a maximum of 150 days; emergency amendment to emergency rule at 40 Ill. Reg. 15181, effective October 19, 2016, for the remainder of the 150 days; amended at 41 Ill. Reg. 2950, effective February 24, 2017; emergency amendment at 43 Ill. Reg. 7649, effective July 1, 2019, for a maximum of 150 days.

[Section 144.30 Developmental Disability Provider Rate Adjustments](#)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENT

EMERGENCY

Rates established for providers of services to individuals with developmental disabilities effective July 1, 2019 shall be increased 3.5 percent above rates in effect June 30, 2019. Providers shall determine whether to allocate the entirety or a portion of the 3.5 percent to the wages of direct care personnel.

(Source: Added by emergency rulemaking at 43 Ill. Reg. 7649, effective July 1, 2019, for a maximum of 150 days)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF WITHDRAWAL OF PROPOSED AMENTMENTS

- 1) Heading of the Part: Public Use of State Parks and Other Properties of the Department of Natural Resources
- 2) Code Citation: 17 Ill. Adm. Code 110
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
110.4	Amendment
110.5	New Section
110.20	Amendment
110.30	Amendment
110.40	Amendment
110.60	Amendment
110.70	Amendment
110.90	Amendment
110.100	Amendment
110.105	New Section
110.110	Amendment
110.120	Amendment
110.160	Amendment
110.180	Amendment
110.185	Amendment
- 4) Date Notice of Proposed Amendments published in the *Illinois Register*: 43 Ill. Reg. 7079; June 21, 2019
- 5) Reason for the Withdrawal: Upon further consideration, the Department wishes to withdraw proposed amendments to 17 Ill. Adm. Code 110.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

MICHAEL A. BILANDIC BUILDING
ROOM 600C
CHICAGO, ILLINOIS
JULY 16, 2019
11:00 A.M.

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

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

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

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

PROPOSED RULEMAKINGSCentral Management Services

1. Pay Plan (80 Ill. Adm. Code 310)
 - First Notice Published: 43 Ill. Reg. 4543 – 4/19/19
 - Expiration of Second Notice: 7/28/19

Education

2. Public Schools Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)
 - First Notice Published: 43 Ill. Reg. 3385 – 3/15/19
 - Expiration of Second Notice: 8/1/19

Environmental Protection Agency

3. Procedures to Issuing Loan from the Water Pollution Control Loan Program (35 Ill. Adm. Code 365)
 - First Notice Published: 43 Ill. Reg. 2185 – 2/8/19
 - Expiration of Second Notice: 8/4/19
4. Procedures and Requirements for Determining Loan Priorities for Municipal Wastewater Treatment Works (Repealer) (35 Ill. Adm. Code 366)
 - First Notice Published: 42 Ill. Reg. 24449 – 12/28/18
 - Expiration of Second Notice: 8/3/19
5. Procedures for Issuing Loans From the Public Water Supply Loan Program (35 Ill. Adm. Code 662)
 - First Notice Published: 42 Ill. Reg. 24484 – 12/28/18
 - Expiration of Second Notice: 8/4/19
6. Priorities of Projects in the Public Water Supply Loan Program (Repealer) 35 Ill. Adm. Code 663)
 - First Notice Published: 42 Ill. Reg. 24555 – 12/28/18
 - Expiration of Second Notice: 8/3/19

Financial and Professional Regulation

7. Rules of Practice in Administrative Hearings (68 Ill. Adm. Code 1110)
 - First Notice Published: 43 Ill. Reg. 43 – 1/4/19
 - Expiration of Second Notice: 7/17/19

Insurance

8. Unclaimed Life Insurance Benefits (50 Ill. Adm. Code 920)
 - First Notice Published: 42 Ill. Reg. 19362 – 11/2/18
 - Expiration of Second Notice: 7/19/19

Pollution Control Board

9. Introduction (35 Ill. Adm. Code 601)
 - First Notice Published: 42 Ill. Reg. 14474 – 8/10/18
 - Expiration of Second Notice: 7/19/19
10. Permits (35 Ill. Adm. Code 602)
 - First Notice Published: 42 Ill. Reg. 14494 – 8/10/18
 - Expiration of Second Notice: 7/19/19

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11. Design, Operation and Maintenance Criteria (35 Ill. Adm. Code 604)
 - First Notice Published: 42 Ill. Reg. 14523 – 8/10/18
 - Expiration of Second Notice: 7/19/19
 12. Operation and Record Keeping (Repealer) (35 Ill. Adm. Code 607)
 - First Notice Published: 42 Ill. Reg. 16472 – 9/7/18
 - Expiration of Second Notice: 7/19/19
 13. Primary Drinking Water Standards (35 Ill. Adm. Code 611)
 - First Notice Published: 42 Ill. Reg. 14663 – 8/10/18
 - Expiration of Second Notice: 7/19/19

Public Health

14. Home Health, Home Services, and Home Nursing Agency Code (77 Ill. Adm. Code 245)
 - First Notice Published: 43 Ill. Reg. 3321 – 3/15/19
 - Expiration of Second Notice: 7/18/19

Racing Board

15. Horse Health (11 Ill. Adm. Code 605)
 - First Notice Published: 43 Ill. Reg. 4369 – 4/12/19
 - Expiration of Second Notice: 7/19/19
16. Time and Records (Repealer) (11 Ill. Adm. Code 1324)
 - First Notice Published: 43 Ill. Reg. 4373 – 4/12/19
 - Expiration of Second Notice: 7/19/19

Revenue

17. Income Tax (86 Ill. Adm. Code 100)
 - First Notice Published: 42 Ill. Reg. 19605 – 11/9/18
 - Expiration of Second Notice: 8/5/19
18. Retailers' Occupation Tax (86 Ill. Adm. Code 130)
 - First Notice Published: 43 Ill. Reg. 1251 – 1/18/19
 - Expiration of Second Notice: 7/28/19
19. Service Occupation Tax (86 Ill. Adm. Code 140)
 - First Notice Published: 43 Ill. Reg. 1277 – 1/18/19
 - Expiration of Second Notice: 7/28/19

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20. Cigarette Tax Act (86 Ill. Adm. Code 440)
 - First Notice Published: 43 Ill. Reg. 1287 – 1/18/19
 - Expiration of Second Notice: 7/28/19
 21. Cigarette Use Tax Act (86 Ill. Adm. Code 450)
 - First Notice Published: 43 Ill. Reg. 1303 – 1/18/19
 - Expiration of Second Notice: 7/28/19
 22. Tobacco Products Tax Act of 1995 (86 Ill. Adm. Code 660)
 - First Notice Published: 43 Ill. Reg. 1312 – 1/18/19
 - Expiration of Second Notice: 7/28/19

State Fire Marshall

23. Fire Prevention and Safety (41 Ill. Adm. Code 100)
 - First Notice Published: 43 Ill. Reg. 125 – 1/4/19
 - Expiration of Second Notice: 8/2/19

INTERNAL RULEMAKING

Public Health

24. Access to Records of the Department of Public Health (2 Ill. Adm. Code 1127)
 - First Notice Published: 43 Ill. Reg. 7144 – 6/21/19

AGENCY RESPONSE

Commerce Commission

25. Regulatory Accounting Treatment for Cloud-Based Computing Solutions (83 Ill. Adm. Code 289)
 - First Notice Published: 42 Ill. Reg. 12369 – 7/16/18
 - Agency Response: Withdraw

Community College Board

26. Administration of the Illinois Public Community College Act (23 Ill. Adm. Code 1501)
 - First Notice Published: 42 Ill. Reg. 20592 – 11/26/18
 - Agency Response: Agree

Racing Board

- 27. Prohibited Conduct (11 Ill. Adm. Code 423)
 - First Notice Published: 42 Ill. Reg. 23707 – 12/21/18
 - Agency Response: Withdrawal

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of June 25, 2019 through July 1, 2019. These rulemakings are scheduled for the August 13, 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>
8/14/19	<u>Illinois Racing Board</u> , Illinois Racing Board (11 Ill. Adm. Code 200)	5/10/19 43 Ill. Reg. 5189	8/13/19
8/14/19	<u>Illinois Racing Board</u> , Identification of Horses (11 Ill. Adm. Code 1307)	5/10/19 43 Ill. Reg. 5193	8/13/19
8/14/19	<u>Illinois Racing Board</u> , Drivers, Trainers, and Agents (11 Ill. Adm. Code 1317)	5/10/19 43 Ill. Reg. 5198	8/13/19
8/14/19	<u>Pollution Control Board</u> , Control of Emissions from Large Combustion Sources (35 Ill. Adm. Code 225))	10/26/19 42 Ill. Reg. 19158	8/13/19
8/14/19	<u>Pollution Control Board</u> , General Provisions (35 Ill. Adm. Code 1420)	3/1/19 43 Ill. Reg. 2966	8/13/19
8/14/19	<u>Pollution Control Board</u> , Activity Standards (35 Ill. Adm. Code 1421)	3/1/19 43 Ill. Reg. 2983	8/13/19
8/14/19	<u>Pollution Control Board</u> , Design and Operation of Facilities (35 Ill. Adm. Code 1422)	3/1/19	8/13/19

8/14/19	<u>Education</u> , Public Schools Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)	43 Ill. Reg. 2994 10/19/18 42 Ill. Reg. 18831	8/13/19
8/14/19	<u>Commerce Commission</u> , The Waiver of Filing and the Approval of Certain Contracts and Arrangements with Affiliated Interests (83 Ill. Adm. Code 310)	3/8/19 43 Ill. Reg. 3079	8/13/19
8/14/19	<u>Housing Development Authority</u> , Homeownership Mortgage Loan Program (47 Ill. Adm. Code 300)	5/10/19 43 Ill. Reg. 5178	8/13/19

DEPARTMENT ON AGING

JULY 2019 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Public Information, Rulemaking and Organization (2 Ill. Adm. Code 725)
- 1) Rulemaking:
- A) Description: In Sections 725.10, 725.20, and 725.120, the Department on Aging will correct the address listing for its central office location in Springfield, Illinois, update any outdated Sections, and add organizational information.
- B) Statutory Authority: 5 ILCS 100/5-15 and 20 ILCS 105/4.01(11)
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date Agency anticipates First Notice: The Department on Aging anticipates filing this proposed rulemaking project during the next six months of this year.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Tracey L.F. Trigillo
Deputy General Counsel
Illinois Department on Aging
One Natural Resources Way, Suite 100
Springfield IL 62702-1271
- 217/785-3346
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Access to Information of the Department on Aging (2 Ill. Adm. Code 726)
- 1) Rulemaking:

DEPARTMENT ON AGING

JULY 2019 REGULATORY AGENDA

- A) Description: The Department on Aging will amend and/or repeal Part 726 with updated provisions to reflect changes in the Freedom of Information Act and correct the address listing for its central office location in Springfield, Illinois.
- B) Statutory Authority: 5 ILCS 100/5-15; 5 ILCS 140/3(h); and 20 ILCS 105/4.01(11)
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date Agency anticipates First Notice: The Department on Aging anticipates filing this proposed rulemaking project during the next six months of this year.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Tracey L.F. Trigillo
Deputy General Counsel
Illinois Department on Aging
One Natural Resources Way, Suite 100
Springfield IL 62702-1271
- 217/785-3346
- G) Related rulemakings and other pertinent information: None
- c) Part (Heading and Code Citation): Americans With Disabilities Act and Civil Rights Program Grievance Procedure (4 Ill. Adm. Code 1725)
- 1) Rulemaking:
- A) Description: In Section 1725.10 and Appendix A, the Department on Aging will correct the address listings for its central office location in Springfield, Illinois.

DEPARTMENT ON AGING

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- B) Statutory Authority: 20 ILCS 105/4.01(11)
 - C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
 - D) Date Agency anticipates First Notice: The Department on Aging anticipates filing this proposed rulemaking project during the next six months of this year.
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: None
 - F) Agency contact person for information:

Tracey L.F. Trigillo
Deputy General Counsel
Illinois Department on Aging
One Natural Resources Way, Suite 100
Springfield IL 62702-1271

217/785-3346
 - G) Related rulemakings and other pertinent information: None
- d) Part (Heading and Code Citation): General Grantmaking (AGE) (44 Ill. Adm. Code 7020)
- 1) Rulemaking:
 - A) Description: The Department on Aging has reserved and will add Part 7020 to reflect Grant Accountability and Transparency Act required rulemaking unique to the Department.
 - B) Statutory Authority: 30 ILCS 708
 - C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.

DEPARTMENT ON AGING

JULY 2019 REGULATORY AGENDA

D) Date Agency anticipates First Notice: The Department on Aging anticipates filing this proposed rulemaking project during the next six months of this year.

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

F) Agency contact person for information:

Tracey L.F. Trigillo
Deputy General Counsel
Illinois Department on Aging
One Natural Resources Way, Suite 100
Springfield IL 62702-1271

217/785-3346

G) Related rulemakings and other pertinent information: None

e) Part (Heading and Code Citation): General Programmatic Requirements (89 Ill. Adm. Code 220)

1) Rulemaking:

A) Description: Part 220 will be amended or repealed as necessary to: (1) update outdated language or provisions to provide consistency throughout the rulemaking; and (2) correct the address listing in Section 220.503 for the central office location of the Department in Springfield, Illinois.

B) Statutory Authority: 20 ILCS 105/4, 4.01(4), 4.01(11), and 4.02

C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.

D) Date Agency anticipates First Notice: The Department on Aging anticipates filing this proposed rulemaking project during the next six months of this year.

DEPARTMENT ON AGING

JULY 2019 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department does not anticipate an effect upon small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracey L.F. Trigillo
Deputy General Counsel
Illinois Department on Aging
One Natural Resources Way, Suite 100
Springfield IL 62702-1271
- 217/785-3346
- G) Related rulemakings and other pertinent information: None
- f) Part (Heading and Code Citation): Older Americans Act Programs (89 Ill. Adm. Code 230)
- 1) Rulemaking:
- A) Description: Part 230 will be amended as necessary to (1) update outdated language or provisions to provide consistency throughout the rulemaking; (2) update statutory citations; and (3) update provisions to reflect changes in the federal Older Americans Act.
- B) Statutory Authority: 20 ILCS 105/4.01
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date Agency anticipates First Notice: The Department on Aging anticipates filing this proposed rulemaking project during the next six months of this year.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department does not anticipate an effect upon small businesses, small municipalities, or not-for-profit corporations.

DEPARTMENT ON AGING

JULY 2019 REGULATORY AGENDA

F) Agency contact person for information:

Tracey L.F. Trigillo
Deputy General Counsel
Illinois Department on Aging
One Natural Resources Way, Suite 100
Springfield IL 62702-1271

217/785-3346

G) Related rulemakings and other pertinent information: Noneg) Part (Heading and Code Citation): Community Care Program (89 Ill. Adm. Code 240)1) Rulemaking:

A) Description: Part 240 will be amended as necessary in order to (1) update provisions to reflect federal regulations regarding the 1915(c) Medicaid Persons who are Elderly Waiver; (2) revise provisions once the Department on Aging formally incorporates person-centered planning into the care coordination process; (3) modify certification opportunities for entities providing adult day services; (4) update provisions regarding conflicts and the appeals process to improve health, safety, and welfare of program participants; (5) add new subsections to Section 240.260 (care coordination service) that outline intensive casework and intensive monitoring to align with person-centered care coordination; (6) review and address as needed the issues raised by commenters that were outside of the scope of the person-centered planning rulemaking process; (7) propose amendments regarding automated medication dispensers (AMD); (8) propose amendments to sections related to participants' applications and requests for services; (9) propose amendments to add falls prevention options to emergency home response service (EHRS); (10) propose updates to the participant financial eligibility criteria; and (11) propose amendments to clean up words/phrases for consistency throughout the rules, including outdated citations and language.

B) Statutory Authority: 20 ILCS 105/4.01(11) and 4.02

DEPARTMENT ON AGING

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- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date Agency anticipates First Notice: The Department on Aging anticipates filing this proposed rulemaking project during the next six months of this year.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Entities serving as In-Home Service (INH) Provider Agencies, Care Coordination Units (CCUs), Adult Day Service (ADS) Provider Agencies, Emergency Home Response Service (EHRS) Provider Agencies, Automated Medication Dispenser (AMD) Provider Agencies, and the Area Agencies on Aging (AAAs) for the Department on Aging under the Community Care Program.
- F) Agency contact person for information:
- Tracey L.F. Trigillo
Deputy General Counsel
Illinois Department on Aging
One Natural Resources Way, Suite 100
Springfield IL 62702-1271
- 217/785-3346
- G) Related rulemakings and other pertinent information: None
- h) Part (Heading and Code Citation): Adult Protection and Advocacy Services (89 Ill. Adm. Code 270)
- 1) Rulemaking:
- A) Description: Part 270 will be amended to update language implementing House Bill 3065 (upon enactment), which directs that an Adult Protective Service provider agency include interviews or consultations with service agencies, immediate family members, and individuals who may have knowledge about abuse allegations in conducting assessments based on the consent of an eligible adult in all instances, except where the provider agency is acting in the best interest of an alleged victim who is unable to

DEPARTMENT ON AGING

JULY 2019 REGULATORY AGENDA

seek assistance and where there are allegations against a caregiver who has assumed responsibilities in exchange for compensation.

- B) Statutory Authority: House Bill 3065 (upon enactment) and as authorized by 320 ILCS 20/3(a-1) and 10
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date Agency anticipates First Notice: The Department on Aging anticipates filing this proposed rulemaking project during the next six months of this year.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Entities serving as provider agencies for the Department on Aging under the Adult Protective Services Program will be affected.
- F) Agency contact person for information:
- Tracey L.F. Trigillo
Deputy General Counsel
Illinois Department on Aging
One Natural Resources Way, Suite 100
Springfield IL 62702-1271
- 217/785-3346
- G) Related rulemakings and other pertinent information: None

DEPARTMENT OF AGRICULTURE

JULY 2019 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Department of Agriculture Acting as Trustee on Behalf of Claimants (8 Ill. Adm. Code 3)
- 1) Rulemaking:
- A) Description: The Department desires to amend the rules pertaining to bonds that are received by the Department as Trustee and amend them to comport with changes that have occurred in the surety industry.
- B) Statutory Authority: Implementing and authorized by Section 40.23 of the Civil Administrative Code of Illinois [20 ILCS 205/40.23]; implementing Section 16 of the Illinois Feeder Swine Dealer Licensing Act [225 ILCS 620/16]; implementing and authorized by Sections 15, 16 and 16.1 of the Illinois Livestock Dealer Licensing Act [225 ILCS 645/15, 16 and 16.1]; implementing Sections 4 and 4.1 of the Slaughter Livestock Buyers Act [225 ILCS 655/4 and 4.1]; implementing Section 14 of the Slaughter Livestock Buyers Act [225 ILCS 655/14]; implementing Section 3 of the Livestock Auction Market Law [225 ILCS 640/3]; implementing and authorized by Section 8 of the Illinois Pesticide Act [415 ILCS 60/8]; implementing and authorized by Section 16 of the Personal Property Storage Act [240 ILCS 10/16].
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Department of Agriculture
Attention: Albert A. Coll
P.O. Box 19281
Springfield IL 62794-9281

217/782-5051
fax: 217/785-4505

DEPARTMENT OF AGRICULTURE

JULY 2019 REGULATORY AGENDA

G) Related rulemakings and other pertinent information: None

b) Part (Heading and Code Citation): Illinois Fertilizer Act of 1961 (8 Ill. Adm. Code 210)

1) Rulemaking:

A) Description: The Department desires to amend these rules by conducting an extensive re-write to better address current Department policies and procedures, and to reflect changes in the industry.

B) Statutory Authority: Illinois Fertilizer Act of 1961 [505 ILCS 80]

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

D) Date Agency anticipates First Notice: Unknown

E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensees, users, and manufacturers may be affected.

F) Agency contact person for information:

Department of Agriculture
Attention: Albert A. Coll
P.O. Box 19281
Springfield IL 62794-9281

217/782-5051
fax: 217/785-4505

G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Industrial Hemp Act (8 Ill. Adm. Code 1200)

1) Rulemaking:

DEPARTMENT OF AGRICULTURE

JULY 2019 REGULATORY AGENDA

- A) Description: The Department desires to amend these rules in anticipation of the first harvest season, and to adopt rules that deal with the destruction of Industrial Hemp, as agreed to with JCAR.
- B) Statutory Authority: Industrial Hemp Act [505 ILCS 89]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Department of Agriculture
Attention: Albert A. Coll
P.O. Box 19281
Springfield IL 62794-9281

217/782-5051
fax: 217/785-4505

- G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citation): Cannabis Regulation and Tax Act (8 Ill. Adm. Code 1300)

1) Rulemaking:

- A) Description: PA 101-27 creates a regulatory framework for adult-use cannabis cultivation and production. A rulemaking is required within 180 days of the effective date. The Department desires to adopt a rulemaking to meet its statutory requirements.
- B) Statutory Authority: PA 101-27

DEPARTMENT OF AGRICULTURE

JULY 2019 REGULATORY AGENDA

- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Department of Agriculture
Attention: Albert A. Coll
P.O. Box 19281
Springfield IL 62794-9281

217/782-5051
fax: 217/785-4505

- G) Related rulemakings and other pertinent information: None

e) Part (Heading and Code Citation): Renewable Energy Facilities Agricultural Impact Mitigation Act (8 Ill. Adm. Code 770)

1) Rulemaking:

- A) Description: The Department desires to adopt rules related to the administration of this Act.
- B) Statutory Authority: Renewable Energy Facilities Agricultural Impact Mitigation Act [505 ILCS 147]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None

DEPARTMENT OF AGRICULTURE

JULY 2019 REGULATORY AGENDA

F) Agency contact person for information:

Department of Agriculture
Attention: Albert A. Coll
P.O. Box 19281
Springfield IL 62794-9281

217/782-5051
fax: 217/785-4505

G) Related rulemakings and other pertinent information: Nonef) Part (Heading and Code Citation): Standardization of Agriculture Products (8 Ill. Adm. Code 5)1) Rulemaking:

A) Description: The Department desires to repeal these rules as the underlying statutory authority for them has been repealed.

B) Statutory Authority: 20 ILCS 205/40.41 repealed by PA 89-657

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

D) Date Agency anticipates First Notice: Unknown

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

F) Agency contact person for information:

Department of Agriculture
Attention: Albert A. Coll
P.O. Box 19281
Springfield IL 62794-9281

217/782-5051
fax: 217/785-4505

DEPARTMENT OF AGRICULTURE

JULY 2019 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: None

CAPITAL DEVELOPMENT BOARD

JULY 2019 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Grant Agreement Procedures (71 Ill. Admin. Code 41)
- 1) Rulemaking:
- A) Description: Amendments are needed to update the rules to reflect current law and practices. This includes the adoption of the Code of Federal Regulation pursuant to the Grant Accountability and Transparency Act [30 ILCS 708/50]. Other technical revisions may also be made.
- B) Statutory Authority: Section 9.06 of the Capital Development Board Act [20 ILCS 3105/9.06] and Section 50 of the Grant Accountability and Transparency Act [30 ILCS 708/50]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may affect not-for-profit corporations seeking a grant from the Capital Development Board.
- F) Agency contact person for information:
- Capital Development Board
Attn: Lauren Noll
401 S. Spring Street
Stratton Building, 3rd Floor
Springfield IL 62706
- 217/782-0700
fax: 217/524-0565
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Community Health Center Construction (71 Ill. Admin. Code 42)

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1) Rulemaking:

- A) Description: Amendments are needed to update the rules to reflect current law and practices. This includes the adoption of the Code of Federal Regulation pursuant to the Grant Accountability and Transparency Act [30 ILCS 708/50]. Other technical revisions may also be made.
- B) Statutory Authority: Community Health Center Construction Act [30 ILCS 766] and Section 50 of the Grant Accountability and Transparency Act [30 ILCS 708/50]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may affect not-for-profit health centers seeking a grant from the Capital Development Board.
- F) Agency contact person for information:

Capital Development Board
Attn: Lauren Noll
401 S. Spring Street
Stratton Building, 3rd Floor
Springfield IL 62706

217/782-0700
fax: 217/524-0565

- G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Early Childhood Construction Grant Rules (71 Ill. Admin. Code 43)

1) Rulemaking:

- A) Description: Amendments are needed to update the rules to reflect current

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law and practices. This includes the adoption of the Code of Federal Regulation pursuant to the Grant Accountability and Transparency Act [30 ILCS 708/50]. Other technical revisions may also be made.

- B) Statutory Authority: Section 5-300 of the School Construction Law [105 ILCS 230/5-300] and Section 50 of the Grant Accountability and Transparency Act [30 ILCS 708/50]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may affect not-for-profit early childcare providers seeking a grant from the Capital Development Board.
- F) Agency contact person for information:

Capital Development Board
Attn: Lauren Noll
401 S. Spring Street
Stratton Building, 3rd Floor
Springfield IL 62706

217/782-0700
fax: 217/524-0565

- G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citation): Hospital and Healthcare Transformation Capital Investment Grant Program (71 Ill. Admin. Code 44)

1) Rulemaking:

- A) Description: This Part will include rules required by PA 101-10 which amends the Capital Development Board Act [20 ILCS 3105/20] to create a Hospital and Healthcare Transformation Capital Investment Grant Program. The rules will specify the manner of applying for grants, grantee

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eligibility requirements, project eligibility requirements, restrictions on the use of grant moneys, and the manner in which grantees must account for the use of grant moneys, among other things.

- B) Statutory Authority: Section 20 of the Capital Development Board Act [20 ILCS 3105/20] and Section 50 of the Grant Accountability and Transparency Act [30 ILCS 708/50]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may affect not-for-profit hospitals and other qualified healthcare providers seeking a grant from the Capital Development Board.
- F) Agency contact person for information:

Capital Development Board
Attn: Lauren Noll
401 S. Spring Street
Stratton Building, 3rd Floor
Springfield IL 62706

217/782-0700
fax: 217/524-0565

- G) Related rulemakings and other pertinent information: None

e) Part (Heading and Code Citation): Capital Investment Grant Program for Independent Colleges (71 Ill. Admin. Code 45)

1) Rulemaking:

- A) Description: This Part will include rules required by PA 101-10 which amends the Private Colleges and Universities Capital Distribution Formula Act [30 ILCS 769/25-7] to create a Capital Investment Grant Program for

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Independent Colleges. The rules will specify the manner of applying for grants, grantee eligibility requirements, project eligibility requirements, restrictions on the use of grant moneys, and the manner in which grantees must account for the use of grant moneys, among other things.

- B) Statutory Authority: Section 25-7 of the Private Colleges and Universities Capital Distribution Formula Act [30 ILCS 769/25-1] and Section 50 of the Grant Accountability and Transparency Act [30 ILCS 708/50]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may affect not-for-profit colleges and universities seeking a grant from the Capital Development Board.
- F) Agency contact person for information:

Capital Development Board
Attn: Lauren Noll
401 S. Spring Street
Stratton Building, 3rd Floor
Springfield IL 62706

217/782-0700
fax: 217/524-0565

- G) Related rulemakings and other pertinent information: None

f) Part (Heading and Code Citation): Selection of Architects/Engineers (A/E) (44 Ill. Adm. Code 1000)

1) Rulemaking:

- A) Description: Amendments are needed to remove sections of the rules that are duplicitous to the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act, 30 ILCS 535, and to update the rules

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to reflect current law and practices, including changing references from female owned businesses to woman owned business to reflect amendments to the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, 30 ILCS 575, and adding language regarding the use of veteran owned businesses. Other technical revisions may also be made.

- B) Statutory Authority: Sections 9.06 and 16 of the Capital Development Board Act [20 ILCS 3105], Section 1-15.25 and Article 30 of the Illinois Procurement Code [30 ILCS 500], and Section 20 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act [30 ILCS 535]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Agency does not anticipate this rulemaking to affect these entities.
- F) Agency contact person for information:

Capital Development Board
Attn: Lauren Noll
401 S. Spring Street
Stratton Building, 3rd Floor
Springfield IL 62706

217/782-0700
fax: 217/524-0565

- G) Related rulemakings and other pertinent information: None
- g) Part (Heading and Code Citation): Selection of Design-Build Entities (44 Ill. Adm. Code 1030)
- 1) Rulemaking:

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- A) Description: This Part will be updated to remove duplicitous language, to add clarification as to when evaluation of the proposals begins, to update inactive website addresses, correct the title of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act to reflect recent amendments, and to add language on the Design-Build Selection Process when the two-step evaluation process is combined into one step pursuant to 30 ILCS 537/35. Other technical revisions may also be made.
- B) Statutory Authority: The Design-Build Procurement Act [30 ILCS 537], Sections 9.06 and 16 of the Capital Development Board Act [20 ILCS 3105], and Section 1-15.25 and Article 30 of the Illinois Procurement Code [30 ILCS 500]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Agency does not anticipate this rulemaking to affect these entities.
- F) Agency contact person for information:
- Capital Development Board
Attn: Lauren Noll
401 S. Spring Street
Stratton Building, 3rd Floor
Springfield IL 62706
- 217/782-0700
fax: 217/524-0565
- G) Related rulemakings and other pertinent information: None

CHIEF PROCUREMENT OFFICER FOR THE CAPITAL DEVELOPMENT BOARD

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- a) Part (Heading and Code Citation): Chief Procurement Officer for the Capital Development Board (44 Ill. Adm. Code 8)
- 1) Rulemaking:
- A) Description: The Chief Procurement Officer for the Capital Development Board anticipates amendments to address legislative changes made by the 100th General Assembly.
- B) Statutory Authority: 30 ILCS 500
- C) Scheduled meeting/hearing dates: None have been scheduled.
- D) Date Agency anticipates First Notice: October 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The proposals may affect small businesses that contract with the State of Illinois.
- F) Agency contact person for information:
- Arthur Moore
Chief Procurement Officer
Chief Procurement Office for Capital Development Board
401 S. Spring Street
Room 318 Stratton Office Building
Springfield IL 62706
- 217/558-2156
- G) Related rulemakings and other pertinent information: None

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- a) Part (Heading and Code Citation): Public Information, Rulemaking and Organization (2 Ill. Adm. Code 850)
- 1) Rulemaking:
- A) Description: This amendment is necessary to reflect the current organizational structure of the Department.
- B) Statutory Authority: 730 ILCS 3-2-2 and 3-2-5
- C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before January 1, 2020
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277
- 217/558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Reimbursement for Expenses (20 Ill. Adm. Code 110)
- 1) Rulemaking:
- A) Description: This amendment is necessary to provide corrected language for sentence credit as set forth by PA 99-938.

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- B) Statutory Authority: 730 ILCS 5/3-7-6 and 3-2-2
- C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before January 1, 2020
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

- G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Rules of Conduct (20 Ill. Adm. Code 120)

1) Rulemaking:

- A) Description: This amendment is necessary correct the language requiring an employee authorized to carry a firearm, who has been admitted as an inpatient in a mental health hospital, to produce a waiver from lifting the prohibition to possess a firearm or ammunition in accordance with 430 ILCS 65/10(c).
- B) Statutory Authority: 730 ILCS 5/3-2-2 and 3-7-1, 5 ILCS 430/5-15, 10-10, 10-15, and 20-70, 18 USC 922 and 720 ILCS 5/24-3.1(4)
- C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or

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during the First Notice period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before January 1, 2020

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

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citation): School District #428, (20 Ill. Adm. Code 405)

1) Rulemaking:

A) Description: Amendments are required to update the Rulemaking in accordance with the division between IDOC and IDJJ as IDOC is governed by the regulations of the Illinois Community College Board (ICCB), not the Illinois State Board of Education (ISBE).

B) Statutory Authority: Implementing 730 ILCS 5/3-2-2, 3-6-2, 3-6-3, 3-8-3, 3-9-1, 3-10-2, and 3-12-3] and 105 ILCS 5/13-40 through 13-45 and authorized by 730 ILCS 5/3-2-2 and 3-7-1.

C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before January 1, 2020

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

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

G) Related rulemakings and other pertinent information: None

e) Part (Heading and Code Citation): Health Care (20 Ill. Adm. Code 415)

1) Rulemaking:

A) Description: This amendment is necessary to comply with PA 97-323.

B) Statutory Authority: 730 ILCS 5/3-2-2, 3-6-2, 3-7-2, 3-8-2, 3-10-2, 3-10-3, and 5-2-6

C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before January 1, 2020

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

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections

DEPARTMENT OF CORRECTIONS

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1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

G) Related rulemakings and other pertinent information: None

f) Part (Heading and Code Citation): Assignment of Committed Persons (20 Ill. Adm. Code 420)

1) Rulemaking:

A) Description: This rulemaking is necessary to provide corrected language for sentence credit as set forth by PA 99-938 and to ensure proper awards for successful completion of programs and assignments.

B) Statutory Authority: 730 ILCS 5/3-2-2, 3-6-3, 3-8-3, and 3-10-3

C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before January 1, 2020

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

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

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G) Related rulemakings and other pertinent information: None

g) Part (Heading and Code Citation): Chaplaincy Services and Religious Practices (20 Ill. Adm. Code 425)

1) Rulemaking:

A) Description: This rulemaking is required to comply with current law and practice as it relates to accommodations for religious diets.

B) Statutory Authority: 730 ILCS 5/3-7-1

C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before January 1, 2020

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

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

G) Related rulemakings and other pertinent information: None

h) Part (Heading and Code Citation): Work Release Programs (20 Ill. Adm. Code 455)

1) Rulemaking:

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- A) Description: This rulemaking is necessary to provide that, for permanent party residents assigned as cooks, a food service sanitation certificate is preferred but not required.
- B) Statutory Authority: 730 ILCS 5/3-7-1
- C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before January 1, 2020
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

- G) Related rulemakings and other pertinent information: None

i) Part (Heading and Code Citation): Release of Committed Persons (20 Ill. Adm. Code 470)

1) Rulemaking:

- A) Description: This rulemaking is necessary to include the requirement for notification of no less than 14 days prior to release of any offender released early due to an award of earned discretionary sentence credit.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 3-14-1, 3-14-2, and 3-14-3

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- C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before January 1, 2020
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277
- 217/558-2200, extension 6507
- G) Related rulemakings and other pertinent information: None
- j) Part (Heading and Code Citation): Security (20 Ill. Adm. Code 501)
- 1) Rulemaking:
- A) Description: This amendment is necessary to implement the Department's practice that only persons of the same gender as the offender may perform or observe strip searches of offenders and to clarify that canine searches can not be performed on humans.
- B) Statutory Authority: 720 ILCS 5/7-1, 7-3, 7-9, and 31A-1.1; 725 ILCS 5/103-1 et seq.; and 730 ILCS 5/3-2-2, 3-4-3, 3-6-2, 3-6-4, 3-7-2, 3-7-4, 3-8-1, 3-8-7, 3-8-8, and 3-10-8
- C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.

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D) Date Agency anticipates First Notice: On or before January 1, 2020

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

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

G) Related rulemakings and other pertinent information: None

k) Part (Heading and Code Citation): Discipline and Grievances (20 Ill. Adm. Code 504)

1) Rulemaking:

A) Description: This amendment is necessary to provide for the adoption of a receipt process for offender grievances.

B) Statutory Authority: 730 ILCS 5/3-2-2, 3-5-2, 3-6-3, 3-8-7, 3-8-8, 3-10-8, and 3-10-9

C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before January 1, 2020

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

F) Agency contact person for information:

DEPARTMENT OF CORRECTIONS

JULY 2019 REGULATORY AGENDA

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

G) Related rulemakings and other pertinent information: None

1) Part (Heading and Code Citation): Closed Maximum Security Facility (20 Ill. Adm. Code 505)

1) Rulemaking:

A) Description: The Department intends to repeal this Part as it no longer operates facilities under this designation.

B) Statutory Authority: 730 ILCS 5/3-2-2

C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before January 1, 2020

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

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

DEPARTMENT OF CORRECTIONS

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217/558-2200, extension 6507

G) Related rulemakings and other pertinent information: Nonem) Part (Heading and Code Citation): Rights and Privileges (20 Ill. Adm. Code 525)1) Rulemaking:

- A) Description: This rulemaking is necessary to comply with PA 96-1513, codify rules for implementation of video visitation, revise the process under which the Department reviews incoming publications, and to revise mail procedures with regard to intrastate facility correspondence.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 3-7-1, 3-7-2, 3-8-7, 3-8-8, 3-10-8, and 3-10-9
- C) Schedule meeting/hearing dates: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before January 1, 2020
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, extension 6507

G) Related rulemakings and other pertinent information: None

ENVIRONMENTAL PROTECTION AGENCY

JULY 2019 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Public Participation in the Air Pollution Control Permit Program (35 Ill. Adm. Code 252)
- 1) Rulemaking:
- A) Description: The Illinois Environmental Protection Agency (Agency) plans to amend the rules for Public Participation in the Air Pollution Control Permit Program. These changes to the public participation procedures will serve to accommodate a State Implementation Plan (SIP)-approved Prevention of Significant Deterioration (PSD) program in Illinois.
- B) Statutory Authority: Implementing and authorized by Sections 4, 9.1, 39 and 39.1 of the Illinois Environmental Protection Act. [415 ILCS 4, 9.1, 39 and 39.1]
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments are not typically expected to affect the public participation procedures for small business, small municipalities, or not-for-profit corporations in Illinois. To the extent these entities would propose to construct a new major stationary source or a major modification of an existing stationary source subject to PSD permitting it would affect the Illinois EPA's public participation procedures for permitting such projects. However, these entities would not likely be affected by this rulemaking given the PSD program is a preconstruction permitting program that, when applicable to a proposed project, typically only applies to the largest of projects that are not routinely undertaken by these parties.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Sally Carter
Division of Legal Counsel

ENVIRONMENTAL PROTECTION AGENCY

JULY 2019 REGULATORY AGENDA

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
sally.carter@illinois.gov

- G) Related rulemakings and other pertinent information: This Agency rulemaking will be in conjunction with a related Pollution Control Board (Board) rulemaking. In the Board rulemaking, proposed new 35 Ill. Adm. Code Part 204, would create a state PSD permitting program. It would also include relevant amendments to the Board's procedural regulations necessary to accommodate appeals of PSD permits to the Board in 35 Ill. Adm. Code 101, General Rules, and 35 Ill. Adm. Code 105, Appeals of Final Decisions of State Agencies. Finally, the Board proposal would include relevant amendments to the Board's regulations, 35 Ill. Adm. Code 203, Major Stationary Sources Construction and Modification, 35 Ill. Adm. Code 211, Definitions and General Provisions, 35 Ill. Adm. Code 215, Organic Material Emission Standards and Limitations. The revisions to these regulations would update these provisions so that they address both the federal PSD program, which the Illinois EPA has historically implemented, and new Part 204.
- b) Part (Heading and Code Citation): Annual Emissions Report (35 Ill. Adm. Code 254)
- 1) Rulemaking:
- A) Description: The Illinois Environmental Protection Agency (Agency) plans to propose amendments removing reporting requirements related to the Emissions Reduction Market System ("ERMS") from the Annual Emissions Report rule, and to clarify and eliminate other unnecessary reporting requirements in the rule, such as provisions for annual throughput and tanks.
- B) Statutory Authority: Implementing and authorized by Section 4(b) of the Environmental Protection Act [415 ILCS 5/4(b)].

ENVIRONMENTAL PROTECTION AGENCY

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- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses, small municipalities, or not-for-profit corporations subject to reporting obligations under Part 254 could be impacted.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Annet Godiksen
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield IL 62794-9276

217/782-5544

Annet.Godiksen@Illinois.gov

- G) Related rulemakings and other pertinent information: The Annual Emissions Report rule requires permitted sources to report air pollution emissions data of regulated air pollutants. The Agency has proposed that the Illinois Pollution Control Board sunset the ERMS program, as it no longer effectively provides environmental benefit. With said sunset, sources that participated in ERMS will no longer be required to submit to the Agency seasonal emissions data under Part 254.

- c) Part (Heading and Code Citation): Illinois Green Infrastructure Grants Program for Stormwater Management (IGIG) (35 Ill. Adm. Code 361)

1) Rulemaking:

- A) Description: Part 361 establishes the procedures for soliciting grant applications, submitting grant applications, awarding grants, recordkeeping and auditing requirements with respect to grants, and

ENVIRONMENTAL PROTECTION AGENCY

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disbursing grant funds under the Illinois Green Infrastructure Grants Program for Stormwater Management (IGIG).

- B) Statutory Authority: 415 ILCS 5/4(k)
- C) Scheduled meeting/hearing dates: The Agency has not scheduled any meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Fall/Winter 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses, small municipalities, or not-for-profit corporations that enter into a grant agreement regarding improving water quality by preserving, restoring, mimicking or enhancing natural hydrology with the Agency may be affected.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Sara G. Terranova
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
Sara.Terranova@Illinois.gov

- G) Related rulemakings and other pertinent information: None
- d) Part (Heading and Code Citation): Procedures and Criteria for Certification of Applications for Federal Permits or Licenses for Discharges into Waters of the State (35 Ill. Adm. Code 395)
- 1) Rulemaking:
 - A) Description: This amendment removes the requirement to publish hearing notifications in newspapers for Clean Water Act Section 401 public

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hearings. A requirement to publish hearing notice on the Agency's website will replace the newspaper notification requirement.

- B) Statutory Authority: Implementing Section 4(m) of the Environmental Protection Act [415 ILCS 5/4(m) 2018], Section 401 of the Clean Water Act (33 U.S.C. 1341), and 35 Ill. Adm. Code 309.266.
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses that may have published or circulated Clean Water Act Section 401 hearing notifications for the Agency.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Sara G. Terranova
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
Sara.Terranova@Illinois.gov

- G) Related rulemakings and other pertinent information: None
- e) Part (Heading and Code Citation): Introduction and Definitions (35 Ill. Adm. Code 651)
- 1) Rulemaking:
 - A) Description: In 2017 the Agency proposed comprehensive rules governing community water supplies to the Illinois Pollution Control Board. Upon adoption by the Illinois Pollution Control Board, the agency

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plans to repeal its rules for public water supplies in Parts 651, 653 and 654.

- B) Statutory Authority: Implementing and authorized by Sections 14 through 19 of the Illinois Environmental Protection Act [415 ILCS 5/Title IV].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses, small municipalities, or not-for-profit corporations that are, or operate, a community water supply will not be affected.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Sara G. Terranova
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
Sara.Terranova@Illinois.gov

- G) Related rulemakings and other pertinent information: None
- f) Part (Heading and Code Citation): Public Water Supply Capacity (35 Ill. Adm. Code 652)
- 1) Rulemaking:
 - A) Description: The Agency plans to propose amendments updating rules pertaining to community water supplies. The proposed amendments

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address electronic reporting of information to the Agency and corrosion prevention projects for community water supplies.

- B) Statutory Authority: Implementing and authorized by Sections 14 through 19 of the Illinois Environmental Protection Act [415 ILCS 5/Title IV].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses, small municipalities, or not-for-profit corporations that are, or operate, a community water supply could be affected.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Rex L. Gradeless
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
Rex.Gradeless@Illinois.gov

- G) Related rulemakings and other pertinent information: None
- g) Part (Heading and Code Citation): Design, Operation, and Maintenance Criteria (35 Ill. Adm. Code 653)
- 1) Rulemaking:
 - A) Description: In 2017 the Agency proposed comprehensive rules governing community water supplies to the Illinois Pollution Control Board. Upon adoption by the Illinois Pollution Control Board, the Agency

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plans to repeal its rules for public water supplies in Parts 651, 653 and 654.

- B) Statutory Authority: Implementing and authorized by Sections 14 through 19 of the Illinois Environmental Protection Act [415 ILCS 5/Title IV].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses, small municipalities, or not-for-profit corporations that are, or operate, a community water supply will not be affected.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Sara G. Terranova
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
Sara.Terranova@Illinois.gov

- G) Related rulemakings and other pertinent information: None
- h) Part (Heading and Code Citation): Raw and Finished Water Quality and Quantity (35 Ill. Adm. Code 654)
- 1) Rulemaking:
 - A) Description: In 2017 the Agency proposed comprehensive rules governing community water supplies to the Illinois Pollution Control Board. Upon adoption by the Illinois Pollution Control Board, the Agency

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plans to repeal its rules for public water supplies in Parts 651, 653 and 654.

- B) Statutory Authority: Implementing and authorized by Sections 14 through 19 of the Illinois Environmental Protection Act [415 ILCS 5/Title IV].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses, small municipalities, or not-for-profit corporations that are, or operate, a community water supply will not be affected.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Sara G. Terranova
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
Sara.Terranova@Illinois.gov

- G) Related rulemakings and other pertinent information: None
- i) Part (Heading and Code Citation): Water Supply Operator Certification (35 Ill. Adm. Code 681)
 - 1) Rulemaking:
 - A) Description: The Agency plans to propose amendments updating rules pertaining to public water supply operators.

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- B) Statutory Authority: Implementing and authorized by Section 10 of the Public Water Supply Operations Act [415 ILCS 45].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses, small municipalities, or not-for-profit corporations employing public water supply operators could be affected.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:
- Rex L. Gradeless
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276
- 217/782-5544
Rex.Gradeless@Illinois.gov
- G) Related rulemakings and other pertinent information: None

EXECUTIVE ETHICS COMMISSION

JULY 2019 REGULATORY AGENDA

a) Part (Heading and Code Citation): Organization, Information, Rulemaking and Hearings, (2 Ill. Adm. Code 1620)

1) Rulemaking:

A) Description: Assuming Senate Bill 75 of the 101st General Assembly is signed by the Governor, the Commission will propose amendments designed to implement the amended State Officials and Employees Ethics Act. In particular, the rules will address expansion of oversight of the sexual harassment training programs to include prevention of other forms of harassment and unlawful discrimination, new procedural rights of subjects of harassment and discrimination violations, expansion of jurisdiction to include unlawful disclosure of confidential reports by complainants, and reduction of the time within which an executive inspector general may file a complaint with the Commission.

B) Statutory Authority: State Officials and Employees Act [5 ILCS 430] and Section 1-13(e) of the Illinois Procurement Code [30 ILCS 500/1-13(e)]

C) Scheduled meeting/hearing dates: None have been scheduled.

D) Date Agency anticipates First Notice: The Commission anticipates filing the proposed rulemaking in September of this year.

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

F) Agency contact person for information:

Chad Fornoff
Executive Director
Executive Ethics Commission
401 S. Spring St.
513 William Stratton Building
Springfield IL 62706

217/558-1393

G) Related rulemakings and other pertinent information: None

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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I. DIVISION OF FINANCIAL INSTITUTIONS

a) Part (Heading and Code Citation): Illinois Credit Union Act (38 Ill Adm. Code 190)

1) Rulemaking:

A) Description: Senate Bill 1813, which was just passed, requires the Department to adopt rules under the Credit Union Act to establish maximum rates of reasonable compensation for Directors and committee members. The Department would consider including, but not limited to, total assets, tax exempt status, and the best interest of members.

B) Statutory Authority: Illinois Credit Union Act [205 ILCS 305]

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

D) Date Agency anticipates First Notice: December 2019

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

F) Agency contact person for information:

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

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

G) Related rulemakings and other pertinent information: None

II. DIVISION OF PROFESSIONAL REGULATION

a) Part (Heading and Code Citation): Illinois Architecture Practice Act of 1989 (68 Ill Adm. Code 1150)

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- 1) Rulemaking:
 - A) Description: Certain Sections will likely be amended as a result of Senate Bill 1684, the sunset reauthorization of the Act. Technical clean up changes/updates may also be made.
 - B) Statutory Authority: Illinois Architecture Practice Act of 1989 [225 ILCS 305]
 - C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
 - D) Date Agency anticipates First Notice: September 2019
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed architects may be affected.
 - F) Agency contact person for information:

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

217/785-0813
fax: 217/557-4451
 - G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Professional Counselor and Clinical Professional Counselor Licensing Act (68 Ill. Adm. Code 1375)
 - 1) Rulemaking:
 - A) Description: Various Sections may be amended to address changes as a result of the sunset reauthorization of the Act among other legislative changes since then. Technical clean-up changes may also be made.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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- B) Statutory Authority: Professional Counselor and Clinical Professional Counselor Licensing Act [225 ILCS 107]
 - C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
 - D) Date Agency anticipates First Notice: Unknown
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed professional counselors may be affected.
 - F) Agency contact person for information:

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

217/785-0813
fax: 217/557-4451
 - G) Related rulemakings and other pertinent information: None
- c) Part (Heading and Code Citation): Professional Geologist Licensing Act (68 Ill. Adm. Code 1252)
- 1) Rulemaking:
 - A) Description: Various Sections may be amended to address changes as a result of the sunset reauthorization of the Act. Updates to the curriculum requirements as well as technical clean-up language including changes reflecting the consolidation of the Department of Financial and Professional Regulation will also be needed.
 - B) Statutory Authority: Professional Geologist Licensing Act [225 ILCS 745]
 - C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.

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- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed geologists may be affected.
- F) Agency contact person for information:

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

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

- G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citation): Illinois Professional Land Surveyor Act of 1989 (68 Ill Adm. Code 1270).

1) Rulemaking:

- A) Description: Certain Sections will likely be amended as a result of Senate Bill 658, the sunset reauthorization of the Act. Technical clean up changes/updates may also be made.
- B) Statutory Authority: Illinois Professional Land Surveyor Act of 1989 [225 ILCS 330]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed professional land surveyors may be affected.
- F) Agency contact person for information:

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

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

G) Related rulemakings and other pertinent information: None

e) Part (Heading and Code Citation): Marriage and Family Therapy Licensing Act (68 Ill. Adm. Code 1283)

1) Rulemaking:

A) Description: Certain Sections may be amended as a result of PA 100-372, which was the sunset reauthorization of the Act, to include technical clean up changes/updates such as recent changes in education standards.

B) Statutory Authority: Marriage and Family Therapy Licensing Act [225 ILCS 55]

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

D) Date Agency anticipates First Notice: October 2018

E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed marriage and family therapists may be affected.

F) Agency contact person for information:

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

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fax: 217/557-4451

- G) Related rulemakings and other pertinent information: None
- f) Part (Heading and Code Citation): Rules for Administration of the Compassionate Use of Medical Cannabis Pilot Program (68 Ill. Adm. Code 1290)
- 1) Rulemaking:
- A) Description: Senate Bill 2023 requires the Department to adopt rules regarding the return of product and change the selection criteria used in awarding licenses.
- B) Statutory Authority: Compassionate Use of Medical Cannabis Pilot Program Act [410 ILCS 130]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: October 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed cannabis dispensaries may be affected.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield IL 62786
- 217/785-0813
fax: 217/557-4451
- G) Related rulemakings and other pertinent information: PA 101-27 created the Cannabis Regulation and Tax Act which provides that it is lawful for persons 21 years of age or older to possess, use, and purchase limited amounts of cannabis for personal use in accordance with the Act. It also provides for the regulation and licensing of various entities and

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occupations engaged in cultivation, dispensing, processing, transportation, and other activities regarding cannabis for adult use. The new Act sets forth duties of an Illinois Cannabis Regulation Oversight Officer, the Department of State Police, the Department of Agriculture, the Department of Financial and Professional Regulation, the Department of Public Health, the Department of Commerce and Economic Opportunity, the Department of Human Services, the Department of Revenue, the State Treasurer, the Illinois Criminal Justice Information Authority, and other governmental entities. Therefore, a new Part with new rules will need to be promulgated for implementation for the Adult Use Cannabis Program.

g) Part (Heading and Code Citation): Nurse Practice Act (68 Ill Adm. Code 1300)

1) Rulemaking:

- A) Description: PA 100-513, amended the Nurse Practice Act to provide full practice authority for advance practice registered nurses (APRNs). The Department had just adopted rules to address that provision. Additionally, since PA 100-513 was also the sunset reauthorization of the Act, several other sections will need to be amended and updated.
- B) Statutory Authority: Nurse Practice Act [225 ILCS 65]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Individuals applying for licensure or licensed under this Act may be affected.
- F) Agency contact person for information:

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

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fax: 217/557-4451

- G) Related rulemakings and other pertinent information: The Department just adopted rules for PA 100-513 with the intention of proposing another rules package.
- h) Part (Heading and Code Citation): Professional Engineering Practice Act of 1989 (68 Ill Adm. Code 1380).
- 1) Rulemaking:
- A) Description: Certain Sections will likely be amended as a result of Senate Bill 654, the sunset reauthorization of the Act. Technical clean up changes/updates may also be made.
- B) Statutory Authority: Professional Engineering Practice Act of 1989 [225 ILCS 325]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed professional engineers may be affected.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield IL 62786
- 217/785-0813
fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None

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- i) Part (Heading and Code Citation): Clinical Psychologist Licensing Act (68 Ill. Adm. Code 1400)
- 1) Rulemaking:
- A) Description: Senate Bill 1135, which has been sent to the Governor, made several changes to the Act therefore rules will need to be promulgated with various updates and technical clean-up changes may also be made.
- B) Statutory Authority: Clinical Psychologist Licensing Act [225 ILCS 15]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed clinical psychologists may be affected.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield IL 62786
- 217/785-0813
fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None
- j) Part (Heading and Code Citation): Illinois Public Accounting Act (68 Ill. Adm. Code 1420)
- 1) Rulemaking:
- A) Description: PA 100-419 amended several Sections of the Illinois Public Accounting Act. The changes included allowing for CPA firm mobility, allowing for continuing education reciprocity with other jurisdictions and

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updates for the Peer Review process. The proposed rules implement these statutory changes and bring Illinois up to par with other states' practices in regulating the CPA professions.

- B) Statutory Authority: Illinois Public Accounting Act [225 ILCS 450]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: July 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Certified public accountants may be affected.
- F) Agency contact person for information:

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

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

- G) Related rulemakings and other pertinent information: None

k) Part (Heading and Code Citation): Illinois Roofing Industry Licensing Act (68 Ill. Adm. Code 1460)

- 1) Rulemaking:
 - A) Description: Various Sections will need to be amended to address changes as a result of the sunset reauthorization of the Act.
 - B) Statutory Authority: Illinois Roofing Industry Licensing Act [225 ILCS 335]
 - C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.

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- D) Date Agency anticipates First Notice: August 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed roofing contractors and applicants for licensure may be affected.
- F) Agency contact person for information:

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

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

- G) Related rulemakings and other pertinent information: None

- 1) Part (Heading and Code Citation): Illinois Speech-Language Pathology and Audiology Practice Act (68 Ill. Adm. Code 1465)

- 1) Rulemaking:

- A) Description: Various Sections may be amended to address changes as a result of the sunset reauthorization of the Act (PA 100-530). Technical clean-up changes will also need to be made.
- B) Statutory Authority: Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed speech-language pathologists, assistants, and audiologists may be affected.

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F) Agency contact person for information:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
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fax: 217/557-4451

G) Related rulemakings and other pertinent information: Nonem) Part (Heading and Code Citation): Clinical Social Work and Social Work Practice Act
(68 Ill. Adm. Code 1470)1) Rulemaking:

A) Description: Senate Bill 1888 requires the Department to adopt rules allowing an applicant who is enrolled in an approved program for a master's degree in social work to sit for the authorized examination for licensed social workers in the final semester of the program. Certain sections will also need to be amended as a result of PA 100-414, the sunset reauthorization of the Act including date references for ethics the handbook and technical updates/clean-up.

B) Statutory Authority: Clinical Social Work and Social Work Practice Act [225 ILCS 20]

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

D) Date Agency anticipates First Notice: September 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed social workers and clinical social workers may be affected.

F) Agency contact person for information:

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Department of Financial and Professional Regulation
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G) Related rulemakings and other pertinent information: None

n) Part (Heading and Code Citation): The Structural Engineering Practice Act of 1989 (68 Ill Adm. Code 1480).

1) Rulemaking:

A) Description: Certain Sections will likely be amended as a result of Senate Bill 657, the sunset reauthorization of the Act. Technical clean up changes/updates may also be made.

B) Statutory Authority: Structural Engineering Practice Act of 1989 [225 ILCS 340]

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

D) Date Agency anticipates First Notice: September 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed structural engineers may be affected.

F) Agency contact person for information:

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

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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fax: 217/557-4451

- G) Related rulemakings and other pertinent information: None
- o) Part (Heading and Code Citation): Wholesale Drug Distribution Licensing Act (68 Ill. Adm. Code 1510)
- 1) Rulemaking:
- A) Description: SB1839, which has been sent to the Governor, requires licensing and regulation of third-party logistics providers. The Department previously licensed 3PLs in the past. Technical clean up changes/updates may also be made.
- B) Statutory Authority: Wholesale Drug Distribution Licensing Act [225 ILCS 120]
- C) Scheduled meeting/hearing dates: No hearings or meetings have been scheduled.
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Licensed wholesale drug distributors and applicants for licensure may be affected.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield IL 62786
- 217/785-0813
fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None

III. DIVISION OF REAL ESTATE

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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- a) Part (Heading and Code Citation): Home Inspector License Act (68 Ill. Adm. Code 1410)
- 1) Rulemaking:
- A) Description: Rules may be proposed to undo the recent bifurcation of continuing education and renewal deadlines.
- B) Statutory Authority: Home Inspector License Act [225 ILCS 441]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: August 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department does not anticipate that the rule amendments will have any significant effect on small businesses, municipalities or not-for-profits.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield IL 62786
- 217/785-0813
fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Auction License Act (68 Ill. Adm. Code 1440)
- 1) Rulemaking:
- A) Description: Certain Sections will likely be amended as a result of Senate Bill 1674, the sunset reauthorization of the Act, which has been sent to the

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Governor. Technical clean up changes/updates may also be made such as undoing the recent bifurcation of continuing education and renewal deadlines.

- B) Statutory Authority: Auction License Act [225 ILCS 407]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department does not anticipate that the rule amendments will have any significant effect on small businesses, municipalities or not-for-profits.
- F) Agency contact person for information:

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

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

- G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Appraisal Management Company Registration Act (68 Ill. Adm. Code 1452)

1) Rulemaking:

- A) Description: PA 100-604 amended the Appraisal Management Company Registration Act to provide that federally regulated appraisal management companies shall register with the Department of Financial and Professional Regulation and pay all fees associated with registering a federally regulated appraisal management company. Rules will be needed to address this law.

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- B) Statutory Authority: Appraisal Management Company Registration Act, [225 ILCS 459]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: November 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department does not anticipate that the rule amendments will have any significant effect on small businesses, municipalities or not-for-profits.
- F) Agency contact person for information:

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

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

- G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citation): Real Estate Appraiser Licensing (68 Ill. Adm. Code 1455)

1) Rulemaking:

- A) Description: Recently-passed Senate Bill 1872, which was the sunset reauthorization of the Act, included numerous changes to the Real Estate License Act of 2000 to modernize and clarify language in the Act, allow for more efficient Department operations in executing provisions of the Act, and reduce barriers to entry in real estate careers while ensuring proper regulatory oversight and consumer protections. Several sections in the rules will need to be amended in addition to various technical clean up

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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changes/updates such as undoing the recent bifurcation of continuing education and renewal deadlines.

- B) Statutory Authority: Real Estate Appraiser Licensing Act of 2002 [225 ILCS 458]
- C) Scheduled meeting/hearing dates: No meetings or hearings have been scheduled.
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department does not anticipate that the rule changes will have a substantial effect on small businesses, municipalities or not-for-profit entities.
- F) Agency contact person for information:
- Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 3rd Floor
Springfield IL 62786
- 217/785-0813
fax: 217/557-4451
- G) Related rulemakings and other pertinent information: None

ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

JULY 2019 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Human Rights Authority (59 Ill. Adm. Code 310)
- 1) Rulemaking:
- A) Description: The proposed rulemaking aligns the Human Rights Authority meeting rule with the Open Meetings Act.
- B) Statutory Authority: Implementing and authorized by the Guardianship and Advocacy Act [20 ILCS 3955].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: July 26, 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Kenya A. Jenkins-Wright
General Counsel
Guardianship and Advocacy Commission
160 N. LaSalle, S-500
Chicago IL 60601
- 312/793-5900 or TTY 866/333-3362
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Fee Schedule for the Office of State Guardian (59 Ill. Adm. Code 301)
- 1) Rulemaking:
- A) Description: The proposed rulemaking adjusts the rules for Office of State Guardian Fees.
- B) Statutory Authority: Implementing and authorized by the Guardianship and Advocacy Act [20 ILCS 3955].

ILLINOIS GUARDIANSHIP AND ADVOCACY COMMISSION

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- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: August 16, 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None known.
- F) Agency contact person for information:

Kenya A. Jenkins-Wright
General Counsel
Guardianship and Advocacy Commission
160 N. LaSalle, S-500
Chicago IL 60601

312/793-5900 or TTY 866/333-3362

- G) Related rulemakings and other pertinent information: Proposed rulemaking will amend the following Sections: 301.10 Authority and Purpose; 301.30 Assessment of Fees; 301.50 Collection of Fees; and 301.60 Fee Schedules.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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- a) Part (Heading and Code Citation): Child Support Services (89 Ill. Adm. Code 160)
- 1) Rulemaking:
- A) Description: Proposed amendments may be necessary as the result of recent legislative action.
- B) Statutory Authority: Authorized by 750 ILCS 5/505 et seq. and 305 ILCS 5/4-1.6 of the Public Aid Code; and 750 ILCS 46/1 et seq. of the Illinois Parentage Act of 2015.
- C) Scheduled meeting/hearing dates: The Department has not established a schedule of dates for hearings, meetings or other opportunities for public participation in the above referenced rulemaking.
- D) Date Agency anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department is unaware of any affect rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.
- F) Agency contact person for information:
- Christopher Gange
Acting General Counsel
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, Third Floor
Springfield IL 62763-0002
- HFS.Rules@Illinois.gov
- G) Related rulemakings and other pertinent information: None

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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- b) Parts (Heading and Code Citation): Medical Assistance Programs (89 Ill. Adm. Code 120), Covering All Kids Health Insurance Program (89 Ill. Adm. Code 123), Children's Health Insurance Program (89 Ill. Adm. Code 125), Children's Behavioral Health (89 Ill. Adm. Code 139), Specialized Health Care Delivery Systems (89 Ill. Adm. Code 146), Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill. Adm. Code 147), Hospital Services (89 Ill. Adm. Code 148), Diagnosis Related Grouping (DRG) Prospective Payment System (PPS) (89 Ill. Adm. Code 149), Hospital Reimbursement Changes (89 Ill. Adm. Code 152), and Long Term Care Reimbursement Changes (89 Ill. Adm. Code 153).
- 1) Rulemaking:
- A) Description: Proposed amendments may be necessary as the result of legislative action. The Department's rulemaking may include, but not be limited to, changes in eligibility, services, programs, quality or reimbursement rates. Depending on the timing of the legislative mandates or budget agreements, emergency rules may be necessary.
- B) Statutory Authority: Authorized by 305 ILCS 5/12-13, 305 ILCS 5/5-5, and 305 ILCS 5/5b of the Public Aid Code.
- C) Scheduled meeting/hearing dates: The Department has not established a schedule of dates for hearings, meetings or other opportunities for public participation in the above referenced rulemaking.
- D) Date Agency anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department is unaware of any affect rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.
- F) Agency contact person for information:

Christopher Gange

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

JULY 2019 REGULATORY AGENDA

Acting General Counsel
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, Third Floor
Springfield IL 62763-0002

HFS.Rules@Illinois.gov

- G) Related rulemakings and other pertinent information: None
- c) Part (Heading and Code Citation): Medical Payment (89 Ill. Adm. Code 140)
- 1) Rulemaking:
- A) Description: Proposed amendments may be necessary as the result of legislative action. The Department's rulemaking may include, but not be limited to, changes in eligibility, services, programs, quality or reimbursement rates. Depending on the timing of the legislative mandates or budget agreements, emergency rules may be necessary.
- B) Statutory Authority: Authorized by 305 ILCS 5/12-13, 305 ILCS 5/5-5, and 305 ILCS 5/5b of the Public Aid Code.
- C) Scheduled meeting/hearing dates: The Department has not established a schedule of dates for hearings, meetings or other opportunities for public participation in the above referenced rulemaking.
- D) Date Agency anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Department is unaware of any affect rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.
- F) Agency contact person for information:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

JULY 2019 REGULATORY AGENDA

Christopher Gange
Acting General Counsel
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, Third Floor
Springfield IL 62763-0002

HFS.Rules@Illinois.gov

- G) Related rulemakings and other pertinent information: None

HUMAN RIGHTS COMMISSION

JULY 2019 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Procedural Rules (56 Ill. Adm. Code 5300)
- 1) Rulemaking:
- A) Description: Pursuant to PA 96-876 effective 02/02/10, clarifies a respondent's rights upon receipt of a notice of default issued by the Department, explains the rights of the Complainant after the Commission grants a Petition for Default, expands the timeline for complainant to request the Commission review a notice of dismissal of a charge issued by the Department, limit the number of pages for Request for Review. Pursuant to PA 100-1066, eff. 8-24-18, clarifies the duties and responsibilities of the members of the Commission, clarifies the rights of the respondent on the charge, in the case of dismissal, or the complainant, in the case of default, to file a response to the request for review.
- B) Statutory Authority: Authorized by Sections 8-102(E) of the Illinois Human Rights Act [775 ILCS 8-102(E)]
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date Agency anticipates First Notice: During the next six months.
- E) Effect on small business, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Evelio Mora
Assistant General Counsel
Illinois Human Rights Commission
100 W. Randolph St., Ste. 5-100
Chicago IL 60601
- 312/814-1914
T.T.Y. 312/814-4760
- G) Related rulemaking and other pertinent information: None

DEPARTMENT OF HUMAN SERVICES

JULY 2019 REGULATORY AGENDA

- a) Part (Heading and Code Citation): General Grantmaking (DHS) (44 Ill. Adm. Code 7040)
- 1) Rulemaking:
- A) Description: The purpose of this new Part is to adopt the federal grant statute (2 CFR 200) which provides a framework for grantmaking, management, and monitoring/reporting, as required by 30 ILCS 708/50(a).
- B) Statutory Authority: Implementing and authorized by the Grant Accountability and Transparency Act [30 ILCS 708]; 2 CFR 200.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that are awarded grant funding from IDHS.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Standards and Licensure Requirements for Community-Integrated Living Arrangements (59 Ill. Adm. Code 115)
- 1) Rulemaking:

DEPARTMENT OF HUMAN SERVICES

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- A) Description: Amendments to this rule will be made to align with Federal Home and Community Based Services regulations. Specifically, this rulemaking will address person-centered planning, conflict of interest free case management and settings, monitors and receiverships, and terminations and/or discharges.
- B) Statutory Authority: Implementing the Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135] and the Health Care Worker Background Check Act [225 ILCS 46] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104], and Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide community-integrated living arrangements.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None

DEPARTMENT OF HUMAN SERVICES

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- c) Part (Heading and Code Citation): Family Assistance and Home-Based Support Programs for Persons with Mental Disabilities (59 Ill. Adm. Code 117)
- 1) Rulemaking:
- A) Description: This rulemaking is necessary to ensure the rule is consistent with current Program standards and practices that relate to the Family Assistance and Home-Based Support Programs by updating language regarding terminations and/or discharges, modifications to addresses, and program oversight; and repealing the Family Assistance Program.
- B) Statutory Authority: Implementing the Home-Based Support Services Law for Mentally Disabled Adults [405 ILCS 80/2-1] and the Family Assistance Law for Mentally Disabled Children [405 ILCS 80/3-1] and authorized by Section 2-16 of the Home-Based Support Services Law for Mentally Disabled Adults [405 ILCS 80/2-16], Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104], and Section 5 of the Mental Health and Developmental Disabilities Act [20 ILCS 1705/5].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide community-integrated living arrangements.
- F) Agency contact person for information:

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

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- G) Related rulemakings and other pertinent information: None
- d) Part (Heading and Code Citation): Standards and Licensure Requirements for Continuum of Care (59 Ill. Adm. Code 118)
- 1) Rulemaking:
- A) Description: The purpose of this new Part is to govern Agencies providing Continuum of Care services to individuals with a developmental disability. Continuum of Care arrangements will promote optimal independence in daily living for individuals with a developmental disability consistent with the individuals' needs and preferences and to promote stability for individuals by facilitating the transition of individuals among settings within the Continuum of Care arrangement by meeting their needs and preferences.
- B) Statutory Authority: Implementing the Continuum of Care Services for the Developmentally Disabled Act [210 ILCS 42] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Mental Health and Developmental Disabilities Act [20 ILCS 1705/5].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide Continuum of Care services.
- F) Agency contact person for information:

Tracie Drew, Bureau Chief

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Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762

217/785-9772

- G) Related rulemakings and other pertinent information: None
- e) Part (Heading and Code Citation): Minimum Standards for Certification of Developmental Training Programs (59 Ill. Adm. Code 119)
- 1) Rulemaking:
- A) Description: This rulemaking updates the language to be consistent with new federal Home and Community-Based Services waiver regulations which add flexibility to help increase integration into community-based day programs. Additionally, amendments will be made to address the name of the program and to include community integration as a separate billable service.
- B) Statutory Authority: Implementing Section 15.2 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/15.2] and the Health Care Worker Background Check Act [225 ILCS 46] and authorized by Section 15.2 of the Mental Health and Developmental Disabilities Administrative Act.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses that provide developmental disability services in community-based day programs.

DEPARTMENT OF HUMAN SERVICES

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F) Agency contact person for information:

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

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G) Related rulemakings and other pertinent information: Nonef) Part (Heading and Code Citation): Maternal and Child Care Health Services Code (77 Ill. Adm. Code 630)1) Rulemaking:

- A) Description: This rulemaking will update language and ensure clarity of roles between IDPH and IDHS as it relates to Maternal and Child Health services and program. This rulemaking will also add language regarding maternal mortality.
- B) Statutory Authority: Implementing the Developmental Disability Prevention Act [410 ILCS 250], the Lead Poisoning Prevention Act [410 ILCS 45], the Phenylketonuria Testing Act [410 ILCS 240], the Autopsy Act [410 ILCS 505], the Infant Mortality Reduction Act [410 ILCS 220], the Problem Pregnancy Health Services and Care Act [410 ILCS 230], and the Illinois Family Case Management Act [410 ILCS 212], and authorized by Section 2310-25 of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-25].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: October 2019

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E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.

F) Agency contact person for information:

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

217/785-9772

G) Related rulemakings and other pertinent information: None

g) Part (Heading and Code Citation): WIC Vendor Management Code (77 Ill. Adm. Code 672)

1) Rulemaking:

A) Description: As result of WIC EBT, this rulemaking will update language, current terminology, processes, and sanctions in the WIC Vendor Management Code.

B) Statutory Authority: Implementing and authorized by the WIC Vendor Management Act [410 ILCS 255].

C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

D) Date Agency anticipates First Notice: September 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations.

DEPARTMENT OF HUMAN SERVICES

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F) Agency contact person for information:

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

217/785-9772

G) Related rulemakings and other pertinent information: Noneh) Part (Heading and Code Citation): Schedule of Controlled Substances (77 Ill. Adm. Code 2070)1) Rulemaking:

- A) Description: This rulemaking is necessary to add certain drugs to the Schedule of Controlled Substances including Cannabidiol and Dronabinol capsules and will change "Dronabinol (synthetic)" to "Dronabinol (solution)" in Section 2070.1550.
- B) Statutory Authority: Implementing and authorized by Section 100 of the Illinois Controlled Substances Act [720 ILCS 570/100]; 720 ILCS 570/213.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:

DEPARTMENT OF HUMAN SERVICES

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

217/785-9772

G) Related rulemakings and other pertinent information: None

i) Part (Heading and Code Citation): Electronic Prescription Monitoring Program (77 Ill. Adm. Code 2080)

1) Rulemaking:

- A) Description: This rulemaking is necessary to update the Prescription Monitoring Program (PMP) definitions and language to reflect current law and program needs. Specifically, these amendments will address mandated registration, electronic health record integration, unsolicited letters to pharmacies, access to the PMP, and the PMP Advisory and Peer Review Committees.
- B) Statutory Authority: Implementing and authorized by Sections 316, 317, 318, 319, 320 and 321 of Article III of the Illinois Controlled Substances Act [720 ILCS 570/316, 317, 318, 319, 320 and 321]; PA 100-0564; PA 100-0125; and PA 100-1093.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide services under the Prescription Monitoring Program.

DEPARTMENT OF HUMAN SERVICES

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F) Agency contact person for information:

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

217/785-9772

G) Related rulemakings and other pertinent information: Nonej) Part (Heading and Code Citation): Child Care (89 Ill. Adm. Code 50)1) Rulemaking:

- A) Description: This rulemaking changes the eligibility period from a 6-month eligibility period to a 12-month eligibility period including: change reporting; reason for cancellation; allowable grace periods; age of the child; and income limits.
- B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]; 45 CFR 98.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide child care services.
- F) Agency contact person for information:

Tracie Drew, Bureau Chief

DEPARTMENT OF HUMAN SERVICES

JULY 2019 REGULATORY AGENDA

Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762

217/785-9772

G) Related rulemakings and other pertinent information: None

2) Rulemaking:

A) Description: This rulemaking will make revisions related to child care provider requirements including background checks.

B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]

C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

D) Date Agency anticipates First Notice: September 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide child care services.

F) Agency contact person for information:

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

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G) Related rulemakings and other pertinent information: None

3) Rulemaking:

A) Description: This rulemaking will make revisions related to Protective Services Child Care. It will allow families experiencing homelessness and those transitioning from IDCFS Intact Family child care to receive limited approvals for the Child Care Assistance Program (i) without meeting all standard program requirements and (ii) being assessed a reduced or waived family co-payment.

B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]; 45 CFR 98.

C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

D) Date Agency anticipates First Notice: September 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide child care services.

F) Agency contact person for information:

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
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217/785-9772

G) Related rulemakings and other pertinent information: None

4) Rulemaking:

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- A) Description: This rulemaking will add language regarding the payment of provider registration fees for families approved for the Child Care Assistance Program.
- B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]; 45 CFR 98.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide child care services.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None
- 5) Rulemaking:
- A) Description: This rulemaking will revise language related to allowable family income and asset amounts. It will establish a two-tier income eligibility structure and highest-level of income allowed based on the State Medium Income for the family size. It will also allow the Department the

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flexibility to waive co-payments for families at or below 100% of the Federal Poverty Level (FPL).

- B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide child care services.
- F) Agency contact person for information:

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

217/785-9772

- G) Related rulemakings and other pertinent information: None

6) Rulemaking:

- A) Description: This rulemaking will revise language to allow child care providers participating in the Child Care Assistance Program to file an appeal with IDHS on issues related to qualifications, payments, and other issues related to the provider.

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- B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]; 45 CFR 98.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide child care services.
- F) Agency contact person for information:

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

217/785-9772

- G) Related rulemakings and other pertinent information: None

7) Rulemaking:

- A) Description: This rulemaking will make updates and clarifications to definitions and processes for the Child Care Assistance Program regarding: priority groups; processing time frames; parents and other relatives; second parent activity requirements; fees; payment methods; exempt income sources; license-exempt child care center categories; and certification.
- B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]; 45 CFR 98.

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- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide child care services.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None
- 8) Rulemaking:
- A) Description: This rulemaking will update the Great START Program.
- B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]; 20 ILCS 1305/10-22.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019

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- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide child care services.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None
- 9) Rulemaking:
- A) Description: This rulemaking will add language regarding the credentials for Gateways to Opportunity.
- B) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief

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Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762

217/785-9772

G) Related rulemakings and other pertinent information: None

k) Part (Heading and Code Citation): Temporary Assistance for Needy Families (89 Ill. Adm. Code 112)

1) Rulemaking:

A) Description: This rulemaking will revise the TANF payment levels.

B) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

D) Date Agency anticipates First Notice: September 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.

F) Agency contact person for information:

Tracie Drew, Bureau Chief
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Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762

217/785-9772

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- G) Related rulemakings and other pertinent information: This rulemaking is contingent on HB 3129 being signed into law.
- 2) Rulemaking:
- A) Description: This rulemaking will revise the TANF sanctions for adults who fail to comply with work and training and/or child support enforcement.
- B) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: This rulemaking is contingent on HB 3129 being signed into law.
- 1) Part (Heading and Code Citation): Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)

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- 1) Rulemaking:
 - A) Description: In order to maintain the benefit levels, this rulemaking will increase the AABD Grant Adjustment and the Sheltered Care/Personal or Nursing Care Rates by the amount of the January SSA/SSI Cost of Living Adjustment (COLA).
 - B) Statutory Authority: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13] and 20 CFR 416.2096.
 - C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
 - D) Date Agency anticipates First Notice: December 2019
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide sheltered care or nursing care services.
 - F) Agency contact person for information:

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

217/785-9772
 - G) Related rulemakings and other pertinent information: None
- m) Part (Heading and Code Citation): Supplemental Nutrition Assistance Program (SNAP) (89 Ill. Adm. Code 121)
 - 1) Rulemaking:

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- A) Description: This rulemaking will revise the Air Conditioning/Heating Standard, the Limited Utility Standard, the Single Utility Standard, and the Telephone Standard if the annual review of these standards determines that an increase or decrease in these standards is needed. This rulemaking will revise the Net Monthly Income Eligibility Standards, the Gross Monthly Income Eligibility Standards, and the Deduction from Monthly Income for SNAP.
- B) Statutory Authority: Implementing and authorized by Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13] and 7 CFR 273.9.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: October 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None
- 2) Rulemaking:

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- A) Description: This rulemaking will add DuPage County as a mandatory SNAP Work Requirement/Time-Limited Benefits county.
- B) Statutory Authority: Implementing and authorized by Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: October 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None

3) Rulemaking:

- A) Description: This rulemaking will implement a voluntary SNAP Employment and Training program.
- B) Statutory Authority: Implementing and authorized by Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

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- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: October 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: This rulemaking is contingent on SB 1791 being signed into law.

n) Part (Heading and Code Citation): Collections and Recoveries (89 Ill. Adm. Code 165)

1) Rulemaking:

- A) Description: This rulemaking will state that once a debt becomes delinquent after failing to make regular payments for 90 days, the debt remains delinquent regardless of any payments made after the 90 days.
- B) Statutory Authority: Implementing and authorized by Sections 11-18, 12-4.4 and 12-13 of the Illinois Public Aid Code [305 ILCS 5/11-18, 12-4.4 and 12-13] and 7 CFR 273.18.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be

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held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

- D) Date Agency anticipates First Notice: September 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:

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Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762

217/785-9772

- G) Related rulemakings and other pertinent information: None

2) Rulemaking:

- A) Description: This rulemaking will revise and clarify the language regarding the application of collection methods.
- B) Statutory Authority: Implementing and authorized by Sections 11-18, 12-4.4, and 12-13 of the Illinois Public Aid Code [305 ILCS 5/11-18, 12-4.4 and 12-13].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: September 2019

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- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None
- o) Part(s) (Heading and Code Citation): Services to Potentially Eligible Individuals (89 Ill. Adm. Code 554)
- 1) Rulemaking:
- A) Description: This new Part establishes the authority to provide services in the Vocational Rehabilitation program to individuals who meet the definition of "potentially eligible individuals" established in federal regulations.
- B) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b), and (k)] and the State Vocational Rehabilitation Services Program (34 CFR 361); 29 USC 709.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019

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- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None
- p) Part (Heading and Code Citation): Customer Financial Participation (89 Ill. Adm. Code 562)
- 1) Rulemaking:
- A) Description: This rulemaking is necessary to amend the financial requirements to promote greater equity and access to Vocational Rehabilitation services.
- B) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b), and (k)]; 29 USC 709.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not affect small businesses, small municipalities, or not-for-profit corporations.

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F) Agency contact person for information:

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Bureau of Administrative Rules and Procedures
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100 South Grand Avenue, East
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217/785-9772

G) Related rulemakings and other pertinent information: Noneq) Part (Heading and Code Citation): Comparable Benefits (89 Ill. Adm. Code 567)1) Rulemaking:

A) Description: The revisions in this rulemaking will provide clear guidance to Division of Rehabilitation Services and Vocational Rehabilitation customers on utilization of comparable resources.

B) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b), and (k)], 29 USC 721(a)(8), and 34 CFR 361.47(b); 29 USC 709.

C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].

D) Date Agency anticipates First Notice: December 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not affect small businesses, small municipalities, or not-for-profit corporations.

F) Agency contact person for information:

Tracie Drew, Bureau Chief

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Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762

217/785-9772

G) Related rulemakings and other pertinent information: None

r) Part (Heading and Code Citation): Services (89 Ill. Adm. Code 590)

1) Rulemaking:

- A) Description: This rulemaking will amend language affecting medical, psychological, and related services; training and related services; transportation services; and maintenance of services to align with federal regulations.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 5-625 of the Civil Administrative Code of Illinois [20 ILCS 5/5-625]; 29 USC 709.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not affect small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East

DEPARTMENT OF HUMAN SERVICES

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Springfield IL 62762

217/785-9772

G) Related rulemakings and other pertinent information: Nones) Part (Heading and Code Citation): Projects with Industry (89 Ill. Adm. Code 640)1) Rulemaking:

- A) Description: This rule will be repealed because it is obsolete and no longer necessary.
- B) Statutory Authority: Implementing and authorized by Section 3(a), (b), and (k) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(a), (b), and (k)].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not affect small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:

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

217/785-9772

G) Related rulemakings and other pertinent information: None

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- t) Part (Heading and Code Citation): Vending Facility Program for the Blind (89 Ill. Adm. Code 650)
- 1) Rulemaking:
- A) Description: The rules that govern the Business Enterprise Program for the Blind will be put in sequential order. Furthermore, amendments to the following sections will also be made: Definitions, Rights and Responsibilities of Vendors in the Program, Training, Certification of Vendors, Awarding of Facilities, and Disciplinary Procedures for Vendors.
- B) Statutory Authority: Implementing the Randolph-Sheppard Vending Stand Act [20 USC 107] and authorized by the Blind Persons Operating Vending Facilities Act [20 ILCS 2420].
- C) Scheduled meeting/hearing date: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None

DEPARTMENT OF HUMAN SERVICES

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u) Part (Heading and Code Citation): Program Description (89 Ill. Adm. Code 676)1) Rulemaking:

- A) Description: This rulemaking will update and/or add new language regarding Electronic Visit Verification, Medicaid IMPACT enrollment, and Home and Community-Based Services.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]; the SMART Act [305 ILCS 5/5-f(g)]; 42 CFR 440.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide services under the Home Services Program.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: 89 Ill. Adm. Code 677; 89 Ill. Adm. Code 684; 89 Ill. Adm. Code 686

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- v) Part (Heading and Code Citation): Customer Rights and Responsibilities (89 Ill. Adm. Code 677)
- 1) Rulemaking:
- A) Description: This rulemaking will update and/or add new language regarding Electronic Visit Verification, Medicaid IMPACT enrollment, and Home and Community-Based Services.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]; the SMART Act [305 ILCS 5/5-f(g)]; 42 CFR 440.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide services under the Home Services Program.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: 89 Ill. Adm. Code 676; 89 Ill. Adm. Code 684; 89 Ill. Adm. Code 686

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- w) Part (Heading and Code Citation): Determination of Need (DON) and Resulting Service Cost Maximums (SCMs) (89 Ill. Adm. Code 679)
- 1) Rulemaking:
- A) Description: This rulemaking will update language to ensure the rule is consistent with current Program standards and practices that relate to federal Home and Community-Based Services regulations.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]; 42 CFR 440.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide services under the Home Services Program.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: 89 Ill. Adm. Code 681; 89 Ill. Adm. Code 682
- x) Part (Heading and Code Citation): Prescreening (89 Ill. Adm. Code 681)

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- 1) Rulemaking:
 - A) Description: This rulemaking will update language to ensure the rule is consistent with current Program standards and practices that relate to federal Home and Community-Based Services regulations.
 - B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]; 42 CFR 440.
 - C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
 - D) Date Agency anticipates First Notice: December 2019
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide services under the Home Services Program.
 - F) Agency contact person for information:

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
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217/785-9772
 - G) Related rulemakings and other pertinent information: 89 Ill. Adm. Code 679; 89 Ill. Adm. Code 682
- y) Part (Heading and Code Citation): Eligibility (89 Ill. Adm. Code 682)
 - 1) Rulemaking:

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- A) Description: This rulemaking will update language to ensure the rule is consistent with current Program standards and practices that relate to federal Home and Community-Based Services regulations.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]; 42 CFR 440.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide services under the Home Services Program.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: 89 Ill. Adm. Code 679; 89 Ill. Adm. Code 681
- z) Part (Heading and Code Citation): Service Planning and Provision (89 Ill. Adm. Code 684)
- 1) Rulemaking:
- A) Description: This rulemaking will update and/or add new language regarding Electronic Visit Verification, Medicaid IMPACT enrollment,

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Individual Provider requirements, and Home and Community-Based Services.

- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]; the SMART Act [305 ILCS 5/5-f(g)]; 42 CFR 440.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide services under the Home Services Program.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: 89 Ill. Adm. Code 676; 89 Ill. Adm. Code 677; 89 Ill. Adm. Code 686

aa) Part (Heading and Code Citation): Provider Requirements, Type Services, and Rates of Payment (89 Ill. Adm. Code 686)

1) Rulemaking:

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- A) Description: This rulemaking will update and/or add new language regarding Electronic Visit Verification, Medicaid IMPACT enrollment, and Home and Community-Based Services.
- B) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]; the SMART Act [305 ILCS 5/5-f(g)]; 42 CFR 440.
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Yes, this rulemaking will affect small businesses and not-for-profit corporations that provide services under the Home Services Program.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: 89 Ill. Adm. Code 676; 89 Ill. Adm. Code 677; 89 Ill. Adm. Code 684

bb) Part (Heading and Code Citation): Illinois Long-Term Care Partnership Program (89 Ill. Adm. Code 688)

1) Rulemaking:

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- A) Description: This rulemaking will update language to ensure the rule is consistent with current Program standards and practices that relate to the Long-Term Care Partnership Program.
- B) Statutory Authority: Long-Term Care Partnership Program Act [215 ILCS 132] and Section 3(g) of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3(g)].
- C) Scheduled meeting/hearing dates: The public will have an opportunity to comment on these rules during the First Notice period. Hearings will be held if necessary as required by the Illinois Administrative Procedure Act [5 ILCS 100].
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will not have an effect on small businesses, small municipalities, or not-for-profit corporations.
- F) Agency contact person for information:
- Tracie Drew, Bureau Chief
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Department of Human Services
100 South Grand Avenue, East
Springfield IL 62762
- 217/785-9772
- G) Related rulemakings and other pertinent information: None

OFFICE OF THE STATE FIRE MARSHAL

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- a) Part (Heading and Code Citation): Policy and Procedures Manual for Fire Protection Personnel (41 Ill. Adm. Code 141)
- 1) Rulemaking:
- A) Description: A third phase of amendments to this Part will focus on updates to Subpart B (Training Facilities) and Subpart C (Examination). This proposal will also include any updates to certifications approved by the certification subcommittees established by the Fire Advisory Commission and any corrections or clarifications needed for certification requirements in Subpart D.
- B) Statutory Authority: Implementing and authorized by Sections 8 and 11 of the Fire Protection Training Act [50 ILCS 740/8] and the Peace Officer Fire Investigation Act [20 ILCS 2910].
- C) Scheduled meeting/hearing dates: None Scheduled.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may impact small municipalities or fire protection districts that elect to participate in the Office of the State Fire Marshal's voluntary certification program and seek reimbursement for training expenditures from funds appropriated to the Office for these reimbursements. Streamlined procedural rules are expected to speed the curriculum approval time and decrease administrative burdens on participants.
- F) Agency contact person for information:

Mitzi Woodson
Manager
Division of Personnel Standards and Education
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/785-1003

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- G) Related rulemakings and other pertinent information: The first phase of amendments to this Part was published for First Notice on April 1, 2016 (40 Ill. Reg. 5366), received a Certification of No Objection from JCAR and was adopted, effective March 27, 2017. The second phase was published for First Notice on November 18, 2016 (40 Ill. Reg. 15482), received a Certification of No Objection from JCAR and was adopted, effective August 1, 2017
- b) Parts (Heading and Code Citations): Storage, Transportation, Sale and Use of Gasoline and Volatile Oils: Rules and Regulations\ Relating to General Storage (41 Ill. Adm. Code 160); Storage, Transportation, Sale and Use of Gasoline and Volatile Oils (41 Ill. Adm. Code 180)
- 1) Rulemaking:
- A) Description: This rulemaking will update the agency's rules applicable to aboveground storage tanks (ASTs). This includes two primary rule Parts: 41 Ill. Adm. Code 160 and 41 Ill. Adm. Code 180 that are applicable to ASTs used for both dispensing and non-dispensing purposes. Part 160 rules primarily address the use of ASTs for bulk storage of flammable or combustible liquids (storage for other than dispensing purposes). Part 180 rules primarily address the use of ASTs for flammable or combustible liquids used to dispense fuel into vehicles or portable containers. The primary focus of the rules will be to replace the currently outdated rules with references to nationally recognized standards for ASTs and the storage and handling of flammable and combustible liquids.
- B) Statutory Authority: Implementing and authorized by Section 2 of the Gasoline Storage Act [430 ILCS 15/2].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The rules will impact any small business, municipality or not-for-profit corporations that install or relocate an AST containing

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flammable or combustible liquids. The proposed rules are not anticipated to impose further restrictions upon ASTs that are already in-place. It is estimated these changes will make the storage and handling of flammable and combustible liquids, including ASTs, less expensive, more cost effective and safer.

F) Agency contact person for information:

Cathy Stashak
Section Chief
Technical Services Division
Office of the State Fire Marshal
100 W. Randolph St., Suite 4-600
Chicago IL 60601

312/814-2425

G) Related rulemakings and other pertinent information: The proposed changes to 41 Ill. Adm. Code 160 are related to the proposed changes to 41 Ill. Adm. Code 180.c) Parts (Heading and Code Citations): Storage, Transportation, Sale and Use of Gasoline and Volatile Oils: Rules and Regulations\Relating to General Storage (41 Ill. Adm. Code 160); Storage, Transportation, Sale and Use of Gasoline and Volatile Oils (41 Ill. Adm. Code 180)1) Rulemaking:

A) Description: This rulemaking may be filed separately from the one described in paragraph e) above and will amend the agency's rules applicable to aboveground storage tanks (ASTs) in two primary rule Parts: 41 Ill. Adm. Code 160 and 41 Ill. Adm. Code 180. The primary focus of the rulemaking will be to amend the provisions pertaining to the maximum number of storage or dispensing ASTs and maximum allowable capacity for storage or dispensing ASTs at facilities used for fleet dispensing as described in Section 180.20(a)(2).

B) Statutory Authority: Implementing and authorized by Section 2 of the Gasoline Storage Act [430 ILCS 15/2].

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- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not for profit corporations: The rules will impact any small business, municipality or not-for-profit corporations that install or relocate an AST containing flammable or combustible liquids. The proposed rules are not expected to create more stringent restrictions upon ASTs. It is estimated that these changes will make the dispensing of flammable and combustible liquids using ASTs less expensive, more cost effective and safer.
- F) Agency contact person for information:

Cathy Stashak
Section Chief
Technical Services Division
Office of the State Fire Marshal
100 W. Randolph St., Suite 4-600
Chicago IL 60601

312/814-2425

- G) Related rulemakings and other pertinent information: The proposed changes to 41 Ill. Adm. Code 160 are related to the proposed changes to 41 Ill. Adm. Code 180.

d) Part (Heading and Code Citation): Petroleum Equipment Contractor Licensing (41 Ill. Adm. Code 172)

1) Rulemaking:

- A) Description: This rulemaking will update certification and licensure rules for petroleum equipment contractors doing work on underground storage tanks as a result of changes to the program made by PA 97-428. The rulemaking will address inconsistencies between the rules and the statute raised in internal audit findings. It will also update cross-references to

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OSFM rules for which the numbering has changed from Part 170 to Parts 174, 175 and 176.

- B) Statutory Authority: Petroleum Equipment Contractor Licensing Act [225 ILCS 729/25, 35(a)(4), and 35(b)(7)].
- C) Scheduled meeting/hearing dates: None scheduled yet.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking will have a minimal impact on small businesses that conduct permitted work on underground storage tanks.
- F) Agency contact person for information:

Fred Schneller
Manager
Division of Petroleum and Chemical Safety
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield IL 62603

217/557-3131

- G) Related rulemakings and other pertinent information: None

e) Part (Heading and Code Citation): Storage, Transportation, Sale and Use of Liquefied Petroleum Gas (41 Ill. Adm. Code 200)

1) Rulemaking:

- A) Description: This rulemaking will update the agency's rules applicable to liquefied petroleum gas (LPG) tanks. The primary focus of the rules will be to update the reference to a national standard: NFPA 58 Liquefied Petroleum Gas Code. The rule currently references to the 2011 edition of NFPA 58 and the OSFM intends to update that reference to the latest published edition of NFPA 58 (2017 edition) in order to remain current with industry practices. The statute requires that OSFM rules on this topic

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be in substantial conformity with the national codes published by the National Fire Protection Association (NFPA).

- B) Statutory Authority: Liquefied Petroleum Gas Regulation Act [430 ILCS 5/3]
- C) Scheduled meeting/hearing dates: None scheduled
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The rules will impact any small business, municipality or not-for-profit corporation that installs or relocates a LPG (including propane) storage tank. The proposed rules are not anticipated to impose further restrictions upon existing LPG tanks.

- F) Agency contact person for information:

Cathy Stashak
Section Chief
Technical Services Division
Office of the State Fire Marshal
100 W. Randolph St., Suite 4-600
Chicago IL 60601

312/814-2425

- G) Related rulemakings and other pertinent information: None

- f) Part (Heading and Code Citation): Appeals and Enforcement Proceedings (41 Ill. Adm. Code 210)

- 1) Rulemaking:

- A) Description: This Part will be amended to delineate and clarify the appeal process utilized during certain OSFM administrative enforcement proceedings. Amendments will include, among other things, clarification concerning the duties of the respective parties, the initiation of contested hearings, pleadings, motions, discovery, the burden and standard of proof,

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the applicable rules of evidence, the consequences of failing to appear, and default procedures.

- B) Statutory Authority: Implemented and authorized by Section 10-5 of the Illinois Administrative Procedures Act [5 ILCS 100/10-5].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None Anticipated.
- F) Agency contact person for information:

Matt Taksin
General Counsel--Legal Division
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

312/814-6322

- G) Related rulemakings and other pertinent information: None

g) Part (Heading and Code Citation): Pyrotechnic Distributor and Operator Licensing Rules (41 Ill. Adm. Code 230)

1) Rulemaking:

- A) Description: This rulemaking will update referenced industry technical standards and incorporate recent federal requirements relating to OSFM Pyrotechnic Distributor and Operator Licensing Rules. It will also update or delete references to the Music Entertainment Task Force because its work has concluded. It will also develop an expedited licensing protocol for out-of-state production companies with an appropriate fee schedule and require cover license operators to identify out-of-state touring pyrotechnic participants on the display report that summarizes the

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pyrotechnic event. This will also require that distributors identify certain business information on the regulatory application, for example, any assumed name being used as well as the full legal name for the legal entity submitting the application. This will add a fee of \$30 per pyrotechnic assistant at time of registration renewal (every three years). This rulemaking will also make other updates to reflect current procedures.

- B) Statutory Authority: Implemented and authorized by Section 30 of Pyrotechnic Distributor and Operator Licensing Act [225 ILCS 227/30].
- C) Scheduled meeting/hearing dates: None scheduled yet.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: A new fee (\$30) would be required for an assistant's registration renewal. Other aspects of the rules may impact any small business, municipality or not-for-profit corporation that possesses or applies for a State Pyrotechnic license.
- F) Agency contact person for information:

Dale Simpson
Manager
Division of Fire Prevention
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/558-0639

- G) Related rulemakings and other pertinent information: None
- h) Part (Heading and Code Citation): Pyrotechnic and Consumer Display Permitting Rules (41 Ill. Adm. Code 235)
 - 1) Rulemaking:

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- A) Description: This rulemaking will update referenced industry technical standards and incorporate recent federal requirements relating to OSFM Pyrotechnic Distributor and Operator Licensing Rules. It will also require local permitting authorities to maintain certain minimum records.
- B) Statutory Authority: Implementing and authorized by Section 4.1 of the Fireworks Use Act [425 ILCS 35/5].
- C) Scheduled meeting/hearing dates: None scheduled yet.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The rules may impact any small business, municipality or not-for-profit corporation that possesses or applies for a Pyrotechnic or Consumer Display permit.
- F) Agency contact person for information:
- Dale Simpson
Manager
Division of Fire Prevention
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703
- 217/558-0639
- G) Related rulemakings and other pertinent information: Proposed revisions to 41 Ill. Adm. Code 230's requirements for Flame Effect Licensure and Permit requirements.
- i) Parts (Heading and Code Citations): Fire Equipment Distributor and Employee standards (41 Ill. Adm. Code 251); Fire Equipment Administrative Procedures (41 Ill. Adm. Code 280)
- 1) Rulemaking:

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- A) Description: This proposed rulemaking will update the OSFM's rules applicable to fire equipment distributor and employee licensing, and will consider combining the Part 251 and Part 280 rules into one document to address procedures for administering the fire equipment contractor and employee licensing programs. This proposed rulemaking will require a photo or electronic copy of a driver's license or State identification for each employee being licensed. This proposed rulemaking will update rule references to cite the updated statutory authority which is now known as the Fire Equipment Distributor and Employee Regulation Act of 2011 [225 ILCS 217]. This proposed rulemaking will also define the procedures for the citation authority provided in Section 83 of this Act [225 ILCS 217/83]. Finally, this rulemaking will implement statutory changes that eliminated the Fire Equipment Distributor and Employee Advisory Board and divided Class II employees into separate classes for pre-engineered industrial fire suppression systems versus kitchen hood fire suppression systems.
- B) Statutory Authority: Implementing and authorized by the Fire Equipment Distributor and Employee Regulation Act of 2011 [225 ILCS 217].
- C) Scheduled meeting/hearing dates: The agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The rules may impact any small business, small municipality or not-for-profit corporation that may be licensed by the OSFM as a fire equipment distributor or may be involved in the servicing of portable fire extinguishers and/or fixed fire suppression systems other than water-based systems. By clarifying standards and procedures and providing an enforcement mechanism authorized by statute, this will make compliance simpler and more efficient and reliable for the regulated community, including small businesses, small municipalities, and not-for-profit entities. Fire equipment companies will need to ensure their employees have the correct National Association of Fire Equipment Distributors (NAFED) certification to work on and service these systems, and the correct National Institute for Certification in Engineering Technologies (NICET) certification to design the appropriate systems.

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F) Agency contact person for information:

Dale Simpson
Manager
Division of Fire Prevention
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/558-0639

G) Related rulemakings and other pertinent information: Nonej) Part (Heading and Code Citation): Fire Truck Revolving Loan Program (41 Ill. Adm. Code 290)1) Rulemaking:

A) Description: The Office of the Illinois State Fire Marshal (OSFM) and the Illinois Finance Authority (IFA) have authority to jointly administer a program to provide zero-interest loans or low-interest loans to finance or reimburse the purchase of fire trucks or brush trucks by a unit of local government (fire department, fire protection district or township fire department). This rulemaking would update language regarding the work of the review committee in reviewing and scoring loan applications. This would include the deletion of obsolete language about voting and quorums. Makes changes that would allow applicants to use loan proceeds to pay off a loan received within one year of the loan application deadline rather than one year from the receipt of loan proceeds. The rulemaking would also clarify that a function of the Fire Marshal's designee is to have the ability to review applications that may be submitted by a department or district that one of the members of the review committee is employed by.

B) Statutory Authority: Implementing and authorized by Section 825-80 of the Illinois Finance Authority Act [20 ILCS 3501/825-80].

C) Scheduled meeting/hearing dates: None

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- D) Date Agency anticipates First Notice: Fall/Winter 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Changing these references would merely clarify the rules and would not have any fiscal or other impacts.
- F) Agency contact person for information:

Ronny J. Wickenhauser
Chief Fiscal Officer
Office of the Illinois State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/558-0577

- G) Related rulemakings and other pertinent information: None

k) Part (Heading and Code Citation): Small Equipment Grant Program (41 Ill. Adm. Code 291)

1) Rulemaking:

- A) Description: The Office of the Illinois State Fire Marshal (OSFM) administers a program to provide grants for the purchase of small equipment by a not-for-profit ambulance service or a unit of local government (fire department, fire protection district or township fire department) in Illinois that provides emergency medical service within a geographical area. This rulemaking would update language regarding the work of the review committee in reviewing and scoring loan applications. This would include the deletion of obsolete language about voting and quorums. The rulemaking would also clarify that a function of the Fire Marshal's designee is to have the ability to review applications that may be submitted by a department or district that one of the members of the review committee is employed by.
- B) Statutory Authority: Implementing and authorized by Section 2.7 of the State Fire Marshal Act [20 ILCS 2905/2.7].

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- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: Fall/Winter 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Changing these references would merely clarify the rules and would not have any fiscal or other impacts.
- F) Agency contact person for information:

Ronny J. Wickenhauser
Chief Fiscal Officer
Office of the Illinois State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/558-0577

- G) Related rulemakings and other pertinent information: None

- l) Part (Heading and Code Citation): Ambulance Revolving Loan Program (41 Ill. Adm. Code 292)

- 1) Rulemaking:

- A) Description: The Office of the Illinois State Fire Marshal (OSFM) and the Illinois Finance Authority (IFA) have authority to jointly administer a program to provide zero-interest and low-interest loans for the purchase of an ambulance or ambulances by a not-for-profit ambulance service or a unit of local government (fire department, fire protection district or township fire department) in Illinois that provides emergency medical service within a geographical area. This rulemaking would update language regarding the work of the review committee in reviewing and scoring loan applications. This would include the deletion of obsolete language about voting and quorums. Makes changes that would allow applicants to use loan proceeds to pay off a loan received within one year of the loan application deadline rather than one year from the receipt of loan proceeds. The rulemaking would also clarify that a function of the Fire Marshal's designee is to have the ability to review applications that

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may be submitted by a department or district that one of the members of the review committee is employed by.

- B) Statutory Authority: Implementing and authorized by Section 825-85 of the Illinois Finance Authority Act [20 ILCS 3501/825-85].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: Fall/Winter 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Changing these references would merely clarify the rules and would not have any fiscal or other impacts.
- F) Agency contact person for information:

Ronny J. Wickenhauser
Chief Fiscal Officer
Office of the Illinois State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/558-0577

- G) Related rulemakings and other pertinent information: None

m) Part (Heading and Code Citation): Fire Sprinkler Dormitory Revolving Loan Program (41 Ill. Adm. Code 293)

1) Rulemaking:

- A) Description: The Office of the Illinois State Fire Marshal (OSFM) and the Illinois Finance Authority (IFA) have authority to jointly administer a program to provide low-interest loans to post-secondary educational institutions for the planning, purchasing, installing, upgrading, altering, modifying, fixing or repairing of a fire sprinkler system or fire sprinkler systems located in such institutions' on-campus housing. This rulemaking would update language regarding the work of the review committee in reviewing and scoring loan applications. This would include the deletion

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of obsolete language about voting and quorums. Makes changes that would allow applicants to use loan proceeds to pay off a loan received within one year of the loan application deadline rather than one year from the receipt of loan proceeds. The rulemaking would also clarify that a function of the Fire Marshal's designee is to have the ability to review applications that may be submitted by a department or district that one of the members of the review committee is employed by.

- B) Statutory Authority: Implementing and authorized by Section 15 of the Fire Sprinkler Dormitory Act [110 ILCS 47/15].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: Fall/Winter 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Changing these references would merely clarify the rules and would not have any fiscal or other impacts.
- F) Agency contact person for information:

Ronny J. Wickenhauser
Chief Fiscal Officer
Office of the Illinois State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/558-0577

- G) Related rulemakings and other pertinent information: None

n) Part (Heading and Code Citation): Fire Station Revolving Loan Program (41 Ill. Adm. Code 294)

1) Rulemaking:

- A) Description: The Office of the Illinois State Fire Marshal (OSFM) and the Illinois Finance Authority (IFA) have authority to jointly administer a program to provide zero-interest loans or low-interest loans to finance all

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or any portion of the costs associated with the construction, rehabilitation, remodeling or expansion of a fire station by a unit of local government (fire department, fire protection district or township fire department). This rulemaking would update language regarding the work of the review committee in reviewing and scoring loan applications. This would include the deletion of obsolete language about voting and quorums. Makes changes that would allow applicants to use loan proceeds to pay off a loan received within one year of the loan application deadline rather than one year from the receipt of loan proceeds. The rulemaking would also clarify that a function of the Fire Marshal's designee is to have the ability to review applications that may be submitted by a department or district that one of the members of the review committee is employed by.

- B) Statutory Authority: Implementing and authorized by Section 825-81 of the Illinois Finance Authority Act [20 ILCS 3501/825-81].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: Fall/Winter 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Changing these references would merely clarify the rules and would not have any fiscal or other impacts.
- F) Agency contact person for information:

Ronny J. Wickenhauser
Chief Fiscal Officer
Office of the Illinois State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/558-0577

- G) Related rulemakings and other pertinent information: None
- o) Part (Heading and Code Citation): Furniture Fire Safety Regulations (41 Ill. Adm. Code 300)

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1) Rulemaking:

- A) Description: As required by statute [425 ILCS 45], this rulemaking will update referenced standards to the current "bulletins" (standards) used by the State of California's Department of Consumer Affairs: Bureau of Home Furnishings and Thermal Insulation for descriptions of the tests that are required to be performed on upholstered furniture components.
- B) Statutory Authority: Implementing and authorized by Section 15 of the Furniture Fire Safety Act [425 ILCS 45/15].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Unknown
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Any small business or not-for-profit corporation that manufactures upholstered seating furniture used in public occupancies or public assembly areas, or any small business, small municipality or not-for-profit that owns or maintains a public occupancy or public assembly area that contains stuffed or upholstered furniture for specified occupancies. These include assembly occupancies; day care centers; health care occupancies; detention and correctional facilities; and public assembly areas of hotel and motels that contain seating for more than 10 (individual guest rooms are not included). These proposed rules are not anticipated to impose further restriction upon regulated furniture.
- F) Agency contact person for information:

Cathy Stashak
Section Chief
Technical Services Division
Office of the State Fire Marshal
100 W. Randolph St., Suite 4-600
Chicago IL 60601

312/814-2425

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- G) Related rulemakings and other pertinent information: None
- p) Part (Heading and Code Citation): Illinois Elevator Safety Rules (41 Ill. Adm. Code 1000)
- 1) Rulemaking:
- A) Description: Incorporate nationally recognized safety codes which were recently published. Pursuant to statute, the Elevator Safety Board is given 12 months after the effective date of a new standard to adopt any new safety code cited in the statute.
- B) Statutory Authority: Authorized by Section 35 of the Elevator Safety and Regulation Act [225 ILCS 312/35].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: All new conveyances and conveyances being modernized will be required to conform to the new codes. Municipalities would also be required to enforce these new codes locally, per their municipal elevator agreements with OSFM.
- F) Agency contact person for information:
- Bob Capuani
Elevator Safety Division
Office of the Illinois State Fire Marshal
James R. Thompson Center
100 W. Randolph Street
Suite 4-600
Chicago IL 60601
- 312/814-8734
- G) Related rulemakings and other pertinent information: None

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q) Part (Heading and Code Citation): Boiler and Pressure Vessel Safety (41 Ill. Adm. Code 2120)

1) Rulemaking:

A) Description: Incorporate nationally recognized safety codes which were recently published and are required by the Boiler and Pressure Vessel Safety Act to be incorporated into the rules promulgated under that Act.

B) Statutory Authority: Section 2 of the Boiler and Pressure Vessel Safety Act [430 ILCS 75/2].

C) Scheduled meeting/hearing dates: None scheduled yet.

D) Date Agency anticipates First Notice: Fall 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: No significant impact anticipated.

F) Agency contact person for information:

Patrick Polick
Acting Chief Inspector
Division of Boiler and Pressure Vessel Safety
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/836-0821

G) Related rulemakings and other pertinent information: None

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- a) Part (Heading and Code Citation): Regionalized Perinatal Health Care Code (77 Ill. Adm. Code 640)
- 1) Rulemaking:
- A) Description: The Department will be revising Part 640 in its entirety pursuant to a recommendation by the Perinatal Advisory Committee to align Illinois' perinatal levels of care with the American Academy of Pediatrics 2012 policy statement: Levels of Neonatal Care.
- B) Statutory Authority: Developmental Disability Prevention Act [410 ILCS 250]
- C) Scheduled meeting/hearing dates: None scheduled.
- D) Date Agency anticipates First Notice: Winter 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small physician practices may be impacted if they currently contract with hospitals to provide services under the current Part 640. Municipalities and not-for-profit corporations are not expected to be impacted.
- F) Agency contact person for information:
- Erin Conley
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson, 5th Floor
Springfield IL 62761
- 217/782-2043
dph.rules@illinois.gov
- G) Related rulemakings and other pertinent information: None
- b) Parts (Heading and Code Citations): Home Health, Home Services, and Home Nursing Agency Code (77 Ill. Adm. Code 245); Sheltered Care Facilities Code (77 Ill. Adm. Code 330); Illinois Veterans' Homes Code (77 Ill. Adm. Code 340); Intermediate Care for the

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Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350); Long-Term Care For Under Age 22 Facilities Code (77 Ill. Adm. Code 390)

1) Rulemaking:

- A) Description: This rulemaking will implement PA 100-99 regarding patient and resident referrals to licensed facilities.
- B) Statutory Authority: Home Health, Home Services, and Home Nursing Agency Licensing Act [210 ILCS 55]; Nursing Home Care Act [210 ILCS 45]; ID/DD Community Care Act [210 ILCS 47]; MC/DD Act [210 ILCS 46]
- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Facilities will need to comply with new requirements regarding referrals only to licensed facilities.
- F) Agency contact person for information:

Erin Conley
Rules Coordinator
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th Floor
Springfield IL 62761

217/782-2043
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- G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Hospital Licensing Requirements (77 Ill. Adm. Code 250)

1) Rulemaking:

DEPARTMENT OF PUBLIC HEALTH

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- A) Description: This rulemaking will implement PA 100-1051 regarding requirements for hospitals to develop workplace violence prevention programs that comply with OSHA guidelines for preventing workplace violence for health care and social service workers. The Department is also planning amendments to Part 250 to incorporate federal guidelines for hospitals regarding the development of an antibiotic stewardship program and amendments to update Section 250.750 to align with new statutory language in Sexual Assault Survivors Treatment Act pursuant to PA 100-775.
- B) Statutory Authority: Hospital Licensing Act [210 ILCS 85]
- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Hospitals will need to comply with new requirements regarding development of violence prevention and antibiotic stewardship.
- F) Agency contact person for information:

Erin Conley
Rules Coordinator
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th Floor
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- G) Related rulemakings and other pertinent information: Similar rulemakings are planned for 77 Ill. Adm. Codes 300, 330, and 390.
- d) Part (Heading and Code Citation): Children's Community-Based Health Care Center Code (77 Ill. Adm. Code 260)

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- 1) Rulemaking:
 - A) Description: This rulemaking will implement a Centers for Medicare and Medicaid Services (CMS) federal requirement regarding compliance with the National Fire Protection Association 101 Life Safety Code.
 - B) Statutory Authority: Alternative Health Care Delivery Act [210 ILCS 3]
 - C) Scheduled meeting/hearing dates: Summer 2019
 - D) Date Agency anticipates First Notice: Fall 2019
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: Facilities will be required to comply with the updated life safety requirements.
 - F) Agency contact person for information:

Erin Conley
Rules Coordinator
Division of Legal Services
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 - G) Related rulemakings and other pertinent information:
- e) Part (Heading and Code Citation): Birth Center Demonstration Program Code (77 Ill. Adm. Code 265)
 - 1) Rulemaking:
 - A) Description: This rulemaking will implement new Centers for Medicare and Medicaid Services (CMS) requirements regarding compliance with the 2012 edition of the National Fire Protection Association 101 Life Safety Code.

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- B) Statutory Authority: Alternative Health Care Delivery Act [210 ILCS 3]
- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Birth centers will be required to comply with updated fire and life safety standards.
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: The Department is updating all its administrative codes to require compliance with the 2012 edition of the NFPA 101.

f) Part (Heading and Code Citation): Hospice Programs (77 Ill. Adm. Code 280)

1) Rulemaking:

- A) Description: This rulemaking will implement PA 100-744 regarding number of persons who may be served in a residence from 16 to 20. The Department is also planning a rulemaking to implement new Centers for Medicare and Medicaid Services (CMS) requirements regarding compliance with the 2012 edition of the National Fire Protection Association 101 Life Safety Code.
- B) Statutory Authority: Hospice Program Licensing Act [210 ILCS 60]

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- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Hospice care facilities will need to comply with the new maximum resident occupancy restrictions.
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

g) Part (Heading and Code Citation): Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300)

1) Rulemaking:

- A) Description: This rulemaking will implement PA 100-297 and PA 100-432 regarding updates to the requirements for individuals listed on the Health Care Worker Registry and will include technical cleanup to the rule to bring it into alignment with current statutory language.
- B) Statutory Authority: Nursing Home Care Act [210 ILCS 45]
- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019

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- E) Effect on small businesses, small municipalities or not-for-profit corporations: Facilities will need to comply with new requirements regarding the Health Care Worker Registry with regard to employing nursing assistants.
- F) Agency contact person for information:
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- G) Related rulemakings and other pertinent information: None
- h) Parts (Heading and Code Citations): Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300); Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350); Long-Term Care for Under Age 22 Facilities Code (77 Ill. Adm. Code 390)
- 1) Rulemaking:
- A) Description: This rulemaking will implement new Centers for Medicare and Medicaid Services (CMS) and federal requirements regarding development of antibiotic stewardship programs in long-term care facilities.
- B) Statutory Authority: Nursing Home Care Act [210 ILCS 45]; ID/DD Community Care Act [210 ILCS 47]; MC/DD Act [210 ILCS 46]
- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019

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E) Effect on small businesses, small municipalities or not-for-profit corporations: Long-term care facilities will need to comply with new requirements regarding development of antibiotic stewardship programs.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

i) Parts (Heading and Code Citations): Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300); Sheltered Care Facilities Code (77 Ill. Adm. Code 330); Illinois Veterans' Homes Code (77 Ill. Adm. Code 340)

1) Rulemaking:

A) Description: The Department of Public Health will introduce several rulemakings to implement the following: PA 100-217 regarding requirements for staff waivers and the provisions for time residents are subject to a potentially threatening condition; PA 100-293 regarding the use of identification wristlets for residents; PA 100-297 regarding changes nurse aid registry training requirements, and PA 100-1042 regarding requirements for facilities to provide residents with educational information on vaccines and immunization practices.

B) Statutory Authority: Nursing Home Care Act [210 ILCS 45]

C) Scheduled meeting/hearing dates: Spring 2019

D) Date Agency anticipates First Notice: Summer 2019

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E) Effect on small businesses, small municipalities or not-for-profit corporations: These rulemakings will affect long-term care facilities licensed under the Nursing Home Care Act.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

j) Parts (Heading and Code Citations): Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300); Illinois Veterans' Home Code (77 Ill. Adm. Code 340); Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350); Long-Term Care for Under Age 22 Facilities Code (77 Ill. Adm. Code 390)

1) Rulemaking:

A) Description: This rulemaking will implement federal regulations regarding review of medication orders in licensed facilities pursuant to F756 Drug Regimen Review.

B) Statutory Authority: Nursing Home Care Act [210 ILCS 45]; ID/DD Community Care Act [210 ILCS 47]; MC/DD Act [210 ILCS 46]

C) Scheduled meeting/hearing dates: Spring 2019

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Facilities will need to comply with new requirements regarding review of medication orders in licensed facilities.

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G) Related rulemakings and other pertinent information: Nonek) Part (Heading and Code Citation): Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350)1) Rulemaking:

- A) Description: This rulemaking will implement PA 100-915 regarding compliance with Section 2-200(a) of the Mental Health and Developmental Disabilities Code and technical clean up to bring rule into alignment with current statutory language.
- B) Statutory Authority: ID/DD Community Care Act [210 ILCS 47]
- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: DD facilities will need to comply with new requirements regarding information to be made available to the public and posted in the facility pursuant to Section 2-200(a) of the Mental Health and Developmental Disabilities Code.
- F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None1) Part (Heading and Code Citation): Specialized Mental Health Rehabilitation Facilities
Code (77 Ill. Adm. Code 380)1) Rulemaking:

A) Description: This rulemaking will implement PA 100-365 regarding critical incidents by community agencies and SMHRF's to facilitate accurate comparative data collection analyze.

B) Statutory Authority: Specialized Mental Health Rehabilitation Act of 2013 [210 ILCS 49]

C) Scheduled meeting/hearing dates: Spring 2019

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: SMHRF's licensed under the SMHRF Act of 2013 may be affected financially if more resources are needed to comply with requirements.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

m) Part (Heading and Code Citation): Long-Term Care For Under Age 22 Facilities Code (77 Ill. Adm. Code 390)

1) Rulemaking:

A) Description: This rulemaking will amend provisions to comply with the MC/DD Act regarding a de-identified database of residents who have injured facility staff, visitors or other residents for purpose of evaluating and improving resident pre-screening and assessment procedures.

B) Statutory Authority: MC/DD Act [210 ILCS 46]

C) Scheduled meeting/hearing dates: Spring 2019

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Long-term care for under age 22 facilities will be required to comply with amendments regarding reporting, pre-screening and assessment procedures.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

n) Part (Heading and Code Citation): Long-Term Care Assistants and Aides Training Program Code (77 Ill. Adm. Code 395)

1) Rulemaking:

A) Description: This rulemaking will amend provisions regarding instructor requirements to comply with federal code.

B) Statutory Authority: Nursing Home Care Act [210 ILCS 45], the ID/DD Community Care Act [210 ILCS 47] and the MC/DD Act [210 ILCS 46]

C) Scheduled meeting/hearing dates: Spring 2019

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Department anticipates minimal effect on long-term facilities.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

o) Part (Heading and Code Citation): Illinois Clinical Laboratories Code (77 Ill. Adm. Code 450)

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- 1) Rulemaking:
 - A) Description: This rulemaking will make technical updates and reopen formally repealed provisions regarding blood banks licensed by the FDA.
 - B) Statutory Authority: Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25]
 - C) Scheduled meeting/hearing dates: Spring 2019
 - D) Date Agency anticipates First Notice: Summer 2019
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: The economic impact of the proposed rulemaking is unknown.
 - F) Agency contact person for information:

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 - G) Related rulemakings and other pertinent information: None
- p) Part (Heading and Code Citation): Illinois Vital Records Code (77 Ill. Adm. Code 500)
 - 1) Rulemaking:
 - A) Description: Sections 500.10, 20, 30, 40, 45, 47, 70 and 90 are being amended to update language, add definitions, clarify correction and amendment processes based on the implementation of the electronic birth and death registration system, and to include clarifying language regarding

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researchers' access to vital records data. Section 500.22 is being added to clarify procedures for fee waivers in regard to birth record requests.

- B) Statutory Authority: Illinois Vital Records Act [410 ILCS 535]
- C) Scheduled meeting/hearing dates:
- D) Date Agency anticipates First Notice: April, 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: County Clerks and/or Local Registrars will lose revenue on the certificates provided at no cost to inmates and homeless individuals.
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information:
- q) Part (Heading and Code Citation): Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545)
 - 1) Rulemaking:
 - A) Description: This rulemaking will implement PA 100-775 and PA 100-1087 regarding requirements for the treatment of sexual assault survivors.
 - B) Statutory Authority: Sexual Assault Survivors Emergency Treatment Act [410 ILCS 70]
 - C) Scheduled meeting/hearing dates: Summer 2019

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- D) Date Agency anticipates First Notice: Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: May increase administrative costs for hospitals and other health care facilities
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

r) Part (Heading and Code Citation): Nursing Education Scholarships (77 Ill. Adm. Code 597)

1) Rulemaking:

- A) Description: This rulemaking will implement PA 100-872 regarding recipients who are licensed as nurses in Illinois and have defaulted on their scholarships. In addition, the definition of "Approved institution" will be updated to reflect the statutory change from PA 100-183. Also, this rulemaking will update terminology and make changes related to nursing employment and nurse educator employment obligations.
- B) Statutory Authority: Nursing Education Scholarship Law [110 ILCS 975]
- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019

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E) Effect on small businesses, small municipalities or not-for-profit corporations: No effect is anticipated on small businesses, small municipalities, and not-for-profit corporations.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information:

s) Part (Heading and Code Citation): Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545)

1) Rulemaking:

A) Description: This rulemaking will amend several sections of the Code pursuant to PA 100-775 and PA 100-1087. Updates will include new categories of hospitals with sexual assault treatment plans. Emergency rules were adopted to address requirements for hospital treatment plans that are due to the Department in January 2019.

B) Statutory Authority: Sexual Assault Survivors Emergency Treatment Act [410 ILCS 70]

C) Scheduled meeting/hearing dates: Spring 2019

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Hospitals, pediatric health care facilities, and out-of-state hospitals will need to comply with new requirements.

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G) Related rulemakings and other pertinent information: Nonet) Part (Heading and Code Citation): State Loan Repayment Program (77 Ill. Adm. Code 582)1) Rulemaking:

- A) Description: This rulemaking will amend Section 582.115(d). Currently, the rule allows the Department to accept two applications from a medical facility in a funding year. Due to a reduction in funding, the Department needs to amend this rule to state that only one application will be accepted from a medical facility for a new SLRP applicant during the first six months of a funding year. If all SLRP federal funds are not obligated in the first six months of the funding year, the Department will open the application cycle to accept an additional application for a new participant from the same medical facility.
- B) Statutory Authority: Sections 338B and 331(i) of the Public Health Service Act (42 USC 254d(i) and 254L-1) and Section 4.10 of the Family Practice Residency Act [110 ILCS 935]
- C) Scheduled meeting/hearing dates: Spring 2019
- D) Date Agency anticipates First Notice: Summer 2019

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E) Effect on small businesses, small municipalities or not-for-profit corporations: No effect is anticipated on small businesses, small municipalities, and not-for-profit corporations.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information:

u) Part (Heading and Code Citation): Regionalized Perinatal Health Care Code (77 Ill. Adm. Code 640)

1) Rulemaking:

A) Description: The Department will be revising Part 640 in its entirety pursuant to a recommendation by the Perinatal Advisory Committee to align Illinois' perinatal levels of care with the American Academy of Pediatrics 2012 policy statement: Levels of Neonatal Care.

B) Statutory Authority: Developmental Disability Prevention Act [410 ILCS 250]

C) Scheduled meeting/hearing dates: None scheduled.

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Small physician practices may be impacted if they currently contract with hospitals to provide services under the current Part 640.

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Municipalities and not-for-profit corporations are not expected to be impacted.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

v) Parts (Heading and Code Citations): Maternal and Child Health Services Code (77 Ill. Adm. Code 630); Family Planning Services Code (77 Ill. Adm. Code 635); Problem Pregnancy Health Services and Care Projects (77 Ill. Adm. Code 655); School-Based/Linked Health Centers (77 Ill. Adm. Code 641)

1) Rulemaking:

- A) Description: The Department will introduce several rulemakings to implement PA 99-901 which transferred Maternal and Child Health (MCH) programs from the Department of Human Services (DHS) to the Department of Public Health (DPH). Additionally, amendments will be proposed to Part 641 to add requirements around Department policies and procedures.
- B) Statutory Authority: Advisory Board for the Maternal and Child Health Block Grant Act [410 ILCS 221]
- C) Scheduled meeting/hearing dates: None scheduled.
- D) Date Agency anticipates First Notice: Spring 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None anticipated.

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F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: The Department will propose additional amendments to Part 641 as described in this regulatory agenda.w) Parts (Heading and Code Citations): Maternal and Child Health Services Code (77 Ill. Adm. Code 630); Child Health and Student Examination and Immunization Code (77 Ill. Adm. Code 665); Socio-Emotional and Developmental Screening (77 Ill. Adm. Code 664) (New Part)1) Rulemaking:

- A) Description: The Department will introduce several rulemakings to implement PA 99-927 which requires DPH to promulgate rules regarding: age-appropriate social, emotional, and developmental screenings of school-aged children; revise the Child Health Examination Form; and promulgate rules for the use of validated socio-emotional and developmental screening tools appropriate to a child's age or grade.
- B) Statutory Authority: School Code [105 ILCS 5]
- C) Scheduled meeting/hearing dates: None scheduled.
- D) Date Agency anticipates First Notice: Spring 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None anticipated.

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F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: Nonex) Part (Heading and Code Citation): Control of Communicable Diseases Code (77 Ill. Adm. Code 690)1) Rulemaking:

A) Description: The Communicable Disease (CD) Section has identified the need for revisions to the Control of Communicable Disease Code to specify needed control measures and surveillance actions to contain further spread of reportable diseases.

B) Statutory Authority: Communicable Disease Report Act [745 ILCS 45]; Department of Public Health Act [20 ILCS 2305]; Civil Administrative Code of Illinois (Department of Public Health Powers and Duties Law) [20 ILCS 2310]; Code of Civil Procedure [735 ILCS 5]; Animal Control Act [510 ILCS 5]; Freedom of Information Act [5 ILCS 140]; Illinois Emergency Management Act [20 ILCS 3305]; Medical Studies Act [735 ILCS 5/8-2010]; Health Statistics Act [410 ILCS 520]

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: Spring 2019

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

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

y) Part (Heading and Code Citation): AIDS Drug Assistance Program (77 Ill. Adm. Code 692)

1) Rulemaking:

A) Description: This rulemaking updates Appendix A with respect to the federal poverty level changing from the 2019 federal poverty level to the 2020 federal poverty level.

B) Statutory Authority: Ryan White HIV/AIDS Treatment Extension Act of 2009 [Public Law 111-87]; Section 314 of the Civil Administrative Code of Illinois [20 ILCS 2310/315]

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: Winter 2020

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

F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None
- z) Part (Heading and Code Citations): Manufacturing, Processing, Packing or Holding of Food Code (77 Ill. Adm. Code 730) and Food Code (77 Ill. Adm. Code 750)
- 1) Rulemaking:
- A) Description: This rulemaking adds the definition of "retail food establishment" according to the US Food and Drug Administration's 21 CFR 1.227 to the Manufacturing, Processing, Packing or Holding of Food Code 77 Ill. Adm. Code 730. This would allow local health departments to continue to inspect retail food establishments as they always have and not require IDPH to also inspect if there's a small wholesale portions of the facility.
- B) Statutory Authority: Illinois Food, Drug and Cosmetic Act (410 ILCS 620) and the Sanitary Food Preparation Act [410 ILCS 650] and the Food Handling Regulation Enforcement Act [410 ILCS 625]
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: Summer 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: There will be a minimal impact on retail and manufactured food facilities and local health departments.
- F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

aa) Part (Heading and Code Citation): Grade A Pasteurized Milk and Milk Products (77 Ill. Adm. Code 775)

1) Rulemaking:

A) Description: This rulemaking updates documents referenced in the Illinois Grade "A" Pasteurized Milk and Milk Products rules. Without adoption of the most recent 2017 US Food and Drug Administration's Grade A Pasteurized Milk Ordinance documents, the movement of Illinois milk and milk products in interstate commerce could come to an end because of enforcement issues.

B) Statutory Authority: Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635]

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: There will be a minimal impact on bulk milk hauler/samplers, milk tank truck owners, certified pasteurizer sealers and dairy producers and processors.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: Nonebb) Part (Heading and Code Citations): Grade A Pasteurized Milk and Milk Products (77 Ill. Adm. Code 775) and Manufactured Dairy Products (77 Ill. Adm. Code 785)1) Rulemaking:A) Description: This rulemaking is two parts: repeal of the Manufactured Dairy Products code, 77 Ill. Adm. Code 785 and amendment of the necessary portions of the Manufactured Dairy Products Code to be added to and referenced in the Grade A Pasteurized Milk and Milk Products Code, 77 Ill. Adm. Code 775. Our current manufactured dairy rules, for the most part, have not been amended in nearly 30 years.B) Statutory Authority: Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635] and Illinois Food, Drug and Cosmetic Act [410 ILCS 620/21.1]C) Scheduled meeting/hearing dates: NoneD) Date Agency anticipates First Notice: Summer 2019E) Effect on small businesses, small municipalities or not-for-profit corporations: There will be minimal impact on manufactured dairy producers and manufactured dairy plants.F) Agency contact person for information:Erin Conley
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G) Related rulemakings and other pertinent information: None

cc) Part (Heading and Code Citation): Body Art Code (77 Ill. Adm. Code 797)

1) Rulemaking:

- A) Description: This rulemaking seeks to implement PA 99-117, which enhances the Department's enforcement authority for the Tattoo and Body Piercing Establishment Registration Act. This includes the ability to assess fines to unregistered establishments (previously only registered establishments) that provide body art services and are not in compliance. In addition, a late registration renewal fee of \$100 is being added which mirrors the late renewal fee in the tanning facilities program which is the sister program to the body art program in the Division of Food, Drugs and Dairies.
- B) Statutory Authority: Tattoo and Body Piercing Establishment Registration Act (410 ILCS 54)
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: There will be no impact on currently registered valid body art establishments. This will only impact those that are not registered or are late in renewing their registration.
- F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: Nonedd) Part (Heading and Code Citation): Youth Camp Act (77 Ill. Adm. Code 810)1) Rulemaking:A) Description: This rulemaking will update and clarify the incorporated materials, add definitions, provide a section for camp safety program, and provide for current requirements for water, sewer, electric and buildings.B) Statutory Authority: Youth Camp Act [210 ILCS 100]C) Scheduled meeting/hearing dates: NoneD) Date Agency anticipates First Notice: Summer 2019E) Effect on small businesses, small municipalities or not-for-profit corporations: The economic impact of this proposed rulemaking is unknown.F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

DEPARTMENT OF PUBLIC HEALTH

JULY 2019 REGULATORY AGENDA

ee) Part (Heading and Code Citation): Illinois Structural Pest Control Code (77 Illinois Administrative Code Part 830)

1) Rulemaking:

A) Description: This rulemaking will make minor phrasing changes, allow online training to fulfill certain education requirements, note that fees are nonrefundable, establish a fee for processing checks with insufficient funds, and require pest control companies to advise the department prior to performing pretreatment for termites on structures that are under construction.

B) Statutory Authority: Structural Pest Control Act [225 ILCS 235]

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: May allow savings from online rather than in-person training; no other monetary effects anticipated for compliant individuals and companies.

F) Agency contact person for information:

Erin Conley
Rules Coordinator
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th Floor
Springfield IL 62761

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

G) Related rulemakings and other pertinent information: None

ff) Part (Heading and Code Citation): Health and Hazardous Substances Registry Code (77 Ill. Adm. Code 840)

DEPARTMENT OF PUBLIC HEALTH

JULY 2019 REGULATORY AGENDA

1) Rulemaking:

- A) Description: Subpart C: Adverse Pregnancy Outcomes Reporting System, Section 840.200 Adverse Pregnancy Outcome and Section 840.230 Referral of APORS Cases

This subpart provides details on the case criterion for reporting adverse pregnancy outcomes and where referrals should be made. Amendments will add exposure to human immunodeficiency virus (HIV) as a condition reportable to the Adverse Pregnancy Outcomes Reporting System.

- B) Statutory Authority: Illinois Health a Illinois Health and Hazardous Substances Registry Act [410 ILCS 525]
- C) Scheduled meeting/hearing dates: Proposed amendments will be reviewed by the State Board of Health
- D) Date Agency anticipates First Notice: Fall 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None anticipated.
- F) Agency contact person for information:

Erin Conley
Rules Coordinator
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th Floor
Springfield IL 62761

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- G) Related rulemakings and other pertinent information: None

gg) Part (Heading and Code Citation): Illinois Plumbing Contractor Registration Code (77 Illinois Administrative Code Part 894)

DEPARTMENT OF PUBLIC HEALTH

JULY 2019 REGULATORY AGENDA

- 1) Rulemaking:
 - A) Description: This rulemaking will make certain technical updates to the code including updating the definitions, certain sections relating to application, bond and insurance requirements, requirements for registration of contractors performing certain plumbing work. Updates certain sections relating to violations and penalties.
 - B) Statutory Authority: Plumbing Licensing Law [225 ILCS 320]
 - C) Scheduled meeting/hearing dates: None
 - D) Date Agency anticipates First Notice: Summer 2019
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: The effect on small businesses, small municipalities and not-for-profit corporations is unknown at this time, but is anticipated to be beneficial to these entities in complying with the requirements without negative fiscal consequences.
 - F) Agency contact person for information:

Erin Conley
Rules Coordinator
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th Floor
Springfield IL 62761

217/782-2043
dph.rules@illinois.gov
 - G) Related rulemakings and other pertinent information: None
- hh) Part (Heading and Code Citation): Drinking Water Systems Code (77 Ill. Adm. Code 900)
 - 1) Rulemaking:

DEPARTMENT OF PUBLIC HEALTH

JULY 2019 REGULATORY AGENDA

- A) Description: Update of federal changes to rules that govern construction, operation and monitoring of Non-community Public Water Systems.
- B) Statutory Authority: Illinois Groundwater Protection Act [415 ILCS 55/9]
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: Summer 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: No financial impact anticipated. Rule update requires additional surveillance for protection of and response to contaminated water. At this time in Illinois, IDPH and Local Health Departments perform this work.
- F) Agency contact person for information:

Erin Conley
Rules Coordinator
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th Floor
Springfield IL 62761

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dph.rules@illinois.gov

- G) Related rulemakings and other pertinent information: None

ii) Part (Heading and Code Citation): Water Well Construction Code (77 Ill. Adm. Code 920)

1) Rulemaking:

- A) Description: This rulemaking will amend permitting requirements and update construction materials to utilize modern technology.

DEPARTMENT OF PUBLIC HEALTH

JULY 2019 REGULATORY AGENDA

- B) Statutory Authority: Illinois Water Well Construction Code [415 ILCS 30]
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: Summer 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The rulemaking may result in a reduction in water well construction permits.
- F) Agency contact person for information:
- Erin Conley
Rules Coordinator
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th Floor
Springfield IL 62761
- 217/782-2043
dph.rules@illinois.gov
- G) Related rulemakings and other pertinent information: None

DEPARTMENT OF REVENUE

JULY 2019 REGULATORY AGENDA

a) Part (Heading and Code Citation): The Illinois Liquor Control Commission (11 Ill. Adm. Code 100)

1) Rulemaking:

A) Description: Amendments will be made to update the Liquor Control Commission regulations to reflect new statutory developments, decisional law and Commission policies.

B) Statutory Authority: 235 ILCS 5

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date Agency anticipates First Notice: As noted above, there will be a number of rulemakings proposed with respect to Part 100 over the next six months. We anticipate filing rulemakings amending Part 100 on a regular basis during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect businesses licensed under the Liquor Control Act.

F) Agency contact person for information:

Pamela Paziotopoulos
Deputy General Counsel
Illinois Liquor Control Commission
100 West Randolph St., Ste. 7-801
Chicago IL 60601

312/814-1801

G) Related rulemakings and other pertinent information: None

b) Part (Heading and Code Citation): Income Tax (86 Ill. Adm. Code 100)

1) Rulemaking:

DEPARTMENT OF REVENUE

JULY 2019 REGULATORY AGENDA

- A) Description: New rules will be added to Part 100 concerning the tax credit for Tech Prep Youth Vocational Programs (IITA Section 209); the reallocation of items under IITA Section 404; pass-through of investment credits from partnerships and Subchapter S corporations to their partners and shareholders; filing of refund claims and other collection matters, and interest computations.

Part 100 will be amended by adding rules and amending existing rules governing the computation of base income and net income under Article 2 of the IITA, the allocation and apportionment of base income under Article 3 of the IITA, and the filing of returns and payment of taxes under Articles 5 and 6 of the IITA.

Part 100 will be amended to update the provisions defining unitary business groups and computing the combined tax liability of unitary business groups.

Part 100 will be amended by adding rules providing guidance on the addition and subtraction modifications allowed in IITA Section 203, on the credit for residential property taxes paid in IITA Section 208, on the acceptance of substitute W-2s, electronic filing of returns, and rounding amounts on returns to the nearest dollar.

Part 100 will be amended to clarify definitions of terms in IITA Section 1501(a).

Part 100 will be amended to implement legislation enacted, including EDGE credits, limits on exemptions and credits for taxpayers with high adjusted gross incomes, the historic preservation and hospital credits, the foreign tax credit, the education credit, the research and development credit, the angel investment credit, the credit for instructional materials and supplies, the earned income credit, the adoption credit, the historic preservation credit, the River Edge Redevelopment zone historic property rehabilitation credit, the credits and subtractions allowed with respect to enterprise zones, credits for hiring veterans and ex-felons, bonus depreciation adjustments, withholding by employers, partnerships, Subchapter S corporations and trusts, changes to apportionment formulas and taxation of real estate investment trusts and their investors, appeals to the Tax Tribunal, and the Illinois Secure Choice Savings Program Act.

DEPARTMENT OF REVENUE

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Part 100 will be amended to provide additional guidance on nexus and on the Illinois income tax consequences of changes in federal income tax laws.

Finally, the Department will continue the updating and correction of Part 100.

- B) Statutory Authority: 35 ILCS 5/101 and 35 ILCS 5/1401
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: As noted above, there will be a number of rulemakings proposed with respect to Part 100 over the next six months. We anticipate filing rulemakings amending Part 100 on a regular basis during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect any business that incurs an income tax filing obligation.
- F) Agency contact person for information:

Brian Stocker
Associate Counsel, Income Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

- G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Retailers' Occupation Tax (86 Ill. Adm. Code 130)

- 1) Rulemaking:

DEPARTMENT OF REVENUE

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- A) Description: Amendments will be made to update the Retailers' Occupation Tax regulations to reflect new statutory developments, decisional law and Department policies. Rulemakings will also be promulgated as part of the Department's continuing effort to codify policies contained in various letter rulings and to delete outdated provisions. Included are changes to Section 130.340 governing the rolling stock exemption to reflect the provisions of PA 100-321 and changes to Sections 130.455 and 130.2013 to implement the provisions of PA 98-628 and PA 98-1080, which change the method of determining the "selling price" for first division and certain types of second division motor vehicles that are leased for defined periods in excess of one year. Changes will also be made to implement the provisions of PA 101-9 (expansion of the machinery and equipment exemption to include production-related tangible personal property) and SB 690 (anticipated changes to the trade-in exemption; a new exemption for tangible personal property used in data centers; the addition of new tax obligations imposed on certain out-of-State retailers).
- B) Statutory Authority: 35 ILCS 120/12
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: As noted above, there will be a number of rulemakings proposed with respect to Part 130 over the next six months. We anticipate filing rulemakings amending Part 130 on a regular basis during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: Small businesses that sell tangible personal property at retail will be affected by these regulations.
- F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

DEPARTMENT OF REVENUE

JULY 2019 REGULATORY AGENDA

217/782-2844

G) Related rulemakings and other pertinent information: Noned) Part (Heading and Code Citation): Use Tax (86 Ill. Adm. Code 150)1) Rulemaking:

- A) Description: Amendments will be made to update the Use Tax regulations to reflect new statutory developments, decisional law and Department policies. Regulations will be proposed to implement the provisions of PA 101-9, which imposes tax collection obligations upon marketplace facilitators; regulations will be amended to reflect the changes in the definition of "retailer maintaining a place of business" in Illinois under PA 101-9 and SB690 (anticipated enactment) and related nexus regulations will be amended as necessary.
- B) Statutory Authority: 35 ILCS 105/12
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 150 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect persons subject to the Use Tax.
- F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

DEPARTMENT OF REVENUE

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- G) Related rulemakings and other pertinent information: None
- e) Part (Heading and Code Citation): Bingo License and Tax Act (86 Ill. Adm. Code 430)
- 1) Rulemaking:
- A) Description: Regulations will be updated to reflect the provisions of Public PA 93-742, which authorizes the Department to issue 3-year bingo licenses, including regular licenses, limited licenses or senior citizen restricted licenses; the provisions of PA 95-228, dealing with licensing; and the provisions of PA 97-1150, implementing the Criminal Code of 2012. The regulations will also be amended to clarify definitions; record keeping requirements; the documentation required for a license application; the provisions of PA 99-177 regarding special permits, and the provisions of other recent legislation.
- B) Statutory Authority: 230 ILCS 25/1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 430 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: Entities eligible for bingo licenses will be affected by these rulemakings.
- F) Agency contact person for information:

Brian Stocker
Associate Counsel, Income Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

DEPARTMENT OF REVENUE

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- G) Related rulemakings and other pertinent information: There are no related rulemakings.
- f) Part (Heading and Code Citation): Pull Tabs and Jar Games Act (86 Ill. Adm. Code 432)
- 1) Rulemaking:
- A) Description: Regulations will be amended to implement the amendments in PA 95-228 dealing with licensing and to clarify record keeping requirements and the documentation required for a license application, the amendments in PA 97-1150, implementing the Criminal Code of 2012, and other recent legislation.
- B) Statutory Authority: 230 ILCS 20/1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 432 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: Entities eligible for pull tabs and jar games licenses will be affected by these rulemakings.
- F) Agency contact person for information:
- Brian Stocker
Associate Counsel, Income Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794
- 217/782-2844
- G) Related rulemakings and other pertinent information: There are no related rulemakings.

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g) Part (Heading and Code Citation): Uniform Penalty and Interest Act (86 Ill. Adm. Code 700)

1) Rulemaking:

- A) Description: The Department will amend the regulations in Part 700 to reflect recent amendments to the Uniform Penalty and Interest Act and Department policies.
- B) Statutory Authority: 20 ILCS 2505/2505-795
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 700 during the next six months of this year.
- E) Effect on small business, small municipalities and not-for-profit corporations: These rulemakings will provide guidance for any business or not for profit corporation that incurs tax liabilities potentially subject to penalty or interest obligations under the Uniform Penalty and Interest Act.
- F) Agency contact person for information:

Brian Stocker
Associate Counsel, Income Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

- G) Related rulemakings and other pertinent information: None

h) Part (Heading and Code Citation): Home Rule Municipal Retailers' Occupation Tax (86 Ill. Adm. Code 270)

1) Rulemaking:

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- A) Description: Rules will be amended to reflect new statutory developments, decisional law and Department policies.
- B) Statutory Authority: 35 ILCS 120/2-12
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 270 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect any small business that operates at retail in a jurisdiction imposing a local occupation tax.
- F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson Street, MC 5-500
Springfield IL 62794

217/782-2844

- G) Related rulemakings and other pertinent information: None

i) Part (Heading and Code Citation): Motor Fuel Tax (86 Ill. Adm. Code 500)

1) Rulemaking:

- A) Description: Amendments will be made to update the Motor Fuel Tax regulations to reflect new statutory developments, decisional law and Department policies. The rules will also be amended to delete obsolete provisions and make technical changes. Changes will also be made to reflect the provisions of PA 100-9, which changed the manner in which LNG, CNG and LPG are taxed. Regulations will also be amended to reflect the motor fuel tax increase imposed under SB1939 (anticipated enactment).

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- B) Statutory Authority: 35 ILCS 505/14
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 500 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect persons subject to the Motor Fuel Tax and the Motor Fuel Use Tax (IFTA).
- F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

- G) Related rulemakings and other pertinent information: None

j) Part (Heading and Code Citation): Cigarette Tax Act (86 Ill. Adm. Code 440)

1) Rulemaking:

- A) Description: Amendments will be made to update the Cigarette Tax Act regulations to reflect new statutory developments, decisional law and Department policies. Changes will be made to reflect the increase in the tax rate imposed by SB690 (anticipated enactment).
- B) Statutory Authority: 35 ILCS 130/8
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.

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- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 440 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect persons subject to the Cigarette Tax Act and retailers selling cigarettes.
- F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

- G) Related rulemakings and other pertinent information: None

k) Part (Heading and Code Citation): Cigarette Use Tax Act (86 Ill. Adm. Code 450)

1) Rulemaking:

- A) Description: Amendments will be made to update the Cigarette Use Tax Act regulations to reflect new statutory developments, decisional law and Department policies. Changes will also be made to reflect the tax increase imposed by SB690 (anticipated enactment).
- B) Statutory Authority: 35 ILCS 135/21
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 450 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect persons subject to the Cigarette Use Tax Act.

DEPARTMENT OF REVENUE

JULY 2019 REGULATORY AGENDA

F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales and Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: Nonel) Part (Heading and Code Citation): Hotel Operators' Occupation Tax (86 Ill. Adm. Code 480)1) Rulemaking:

A) Description: Amendments will be made to update the Hotel Operators' Occupation Tax Act regulations to reflect new statutory developments, decisional law and Department policies. Included are changes made in response to PA 100-213, which added new exemptions.

B) Statutory Authority: 35 ILCS 145/7

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 480 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect hotel operators and their guests.

F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales and Excise Tax

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Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: None

m) Part (Heading and Code Citation): State Tax Lien Registration Act (86 Ill. Adm. Code 715)

1) Rulemaking:

A) Description: A new Part will be added to implement the State Tax Lien Registration Act.

B) Statutory Authority: 35 ILCS 750/1-35

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 715 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect persons utilizing titling information or services.

F) Agency contact person for information:

Jim Nichelson
Assistant General Counsel
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: None

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n) Part (Heading and Code Citation): Rental Purchase Agreement Occupation and Use Tax Act (86 Ill. Adm. Code 125)

1) Rulemaking:

A) Description: A new Part will be added to implement the Rental Purchase Agreement Occupation and Use Tax Act.

B) Statutory Authority: 35 ILCS 180/40

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 125 during the next six months of this year.

E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect businesses that lease merchandise under rental purchase agreements and their customers.

F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: None

o) Part (Heading and Code Citation): Board of Appeals (86 Ill. Adm. Code 210)

1) Rulemaking:

A) Description: Amendments will be made to update the rules to reflect new statutory developments, decisional law and Department policies.

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- B) Statutory Authority: 20 ILCS 2505/2505-505; 20 ILCS 2505/2505-795
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 210, during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments will affect persons utilizing the Board of Appeals.
- F) Agency contact person for information:
- Brian Wolfberg
Chairman, Board of Appeals
Illinois Department of Revenue
100 W. Randolph
Chicago IL 60601
- 312/814-1607
- G) Related rulemakings and other pertinent information: None
- p) Part (Heading and Code Citation): Amnesty Regulations (86 Ill. Adm. Code 520)
- 1) Rulemaking:
- A) Description: Rules will be amended to implement the new amnesty period authorized by PA 101-9 for the period of October 1, 2019 through November 15, 2019.
- B) Statutory Authority: Illinois Tax Delinquency Amnesty Act [35 ILCS 745]
- C) Scheduled meetings/hearing dates: No schedule has been established at this time.

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D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 520 during the next six months of this year.

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

F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: None

q) Part (Heading and Code Citation): County Water Commission Retailers' Occupation Tax (86 Ill. Adm. Code 630)

1) Rulemaking:

A) Description: This rulemaking will repeal rules due to the statutory termination of the tax on June 1, 2016.

B) Statutory Authority: County Water Commission Act of 1985 [70 ILCS 3720/4]

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 630 during the next six months of this year.

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

DEPARTMENT OF REVENUE

JULY 2019 REGULATORY AGENDA

F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: Noner) Part (Heading and Code Citation): County Water Commission Service Occupation Tax
(86 Ill. Adm. Code 640)1) Rulemaking:

A) Description: This rulemaking will repeal rules due to the statutory termination of the tax on June 1, 2016.

B) Statutory Authority: County Water Commission Act of 1985 [70 ILCS 3720/4]

C) Scheduled meetings/hearing dates: No schedule has been established at this time.

D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 640 during the next six months of this year.

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

F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

DEPARTMENT OF REVENUE

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217/782-2844

G) Related rulemakings and other pertinent information: Nones) Part (Heading and Code Citation): County Water Commission Use Tax (86 Ill. Adm. Code 650)1) Rulemaking:A) Description: This rulemaking will repeal rules due to the statutory termination of the tax on June 1, 2016.B) Statutory Authority: County Water Commission Act of 1985 [70 ILCS 3720/4]C) Scheduled meetings/hearing dates: No schedule has been established at this time.D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 650 during the next six months of this year.E) Effect on small business, small municipalities or not-for-profit corporations: NoneF) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: Nonet) Part (Heading and Code Citation): Tobacco Products Act of 1995 (86 Ill. Adm. Code 660)

DEPARTMENT OF REVENUE

JULY 2019 REGULATORY AGENDA

- 1) Rulemaking:
 - A) Description: Rules will be amended to reflect new statutory developments, Department policy and decisional law. Changes will also remove obsolete language and make technical changes. Regulations will be amended to reflect the taxation of e-cigarettes under SB690 (anticipated enactment).
 - B) Statutory Authority: 35 ILCS 143/10-45; 35 ILCS 120/12
 - C) Scheduled meetings/hearing dates: No schedule has been established at this time.
 - D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 660 during the next six months of this year.
 - E) Effect on small business, small municipalities or not-for-profit corporations: The technical changes and deletion of obsolete provisions in these amendments will clarify the rules for small businesses.
 - F) Agency contact person for information:

Jerilynn Troxell Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/782-2844
 - G) Related rulemakings and other pertinent information: None
- u) Part (Heading and Code Citation): Property Tax Code (86 Ill. Adm. Code 110)
 - 1) Rulemaking:
 - A) Description: Section 110.115 will be amended to clarify, update or remove old language in non-homestead exemption proceedings in Section

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110.115., and to correct a statutory timeframe for filing for administrative review of non-homestead exemptions in Section 110.145 from 20 days to 60 days. Neither rule has been changed since 1996. The rulemaking would remove mention of both the non-existent Board of Appeals and exemption field auditors, update exemption form numbers and examples, and remove several outdated filing requirements.

Section 110.116 will be amended to clarify that all prospective tenants are to receive a copy of the project's non-eviction policy and that the owners must have a written statement on file from all current tenants that they have received a copy of the non-eviction policy. It also changes a seven-line sentence into three easier to understand sentences, corrects a misspelled word and removes an unnecessary "The" in two headings.

Section 110.125 will be amended to eliminate the now non-existent Board of Appeals from the rule Section 110.155. This rulemaking is designed to update this 2000 version of Section 110.155 by eliminating references to the 1999 Public Act and by changing "handicapped individual" to "person with disabilities."

Section 110.135 will be amended to update this 1996 version of Section 110.135 by eliminating references to the now nonexistent Board of Appeals (now Board of Review), "photostatic" copy and the year 1996, to correct real "estate" to real "property," and to clarify by adding the words "affected" to taxing bodies and change the words "at fault" to "in error."

Section 110.145 will be amended to clarify, update or remove old language in non-homestead exemption proceedings in Section 110.115., and to correct a statutory timeframe for filing for administrative review of non-homestead exemptions in Section 110.145 from 20 days to 60 days. Neither rule has been changed since 1996. The rulemaking would remove mention of both the non-existent Board of Appeals and exemption field auditors, update exemption form numbers and examples, and remove several outdated filing requirements.

Section 110.155 will be amended to update this 2000 version of Section 110.155 by eliminating references to the 1999 Public Act and by changing "handicapped individual" to "person with disabilities."

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Section 110.180 will be amended to eliminate the Department's requirement of having two signatures rather than one on the Department's grade request slip. It also upgrades language from "handicapped individuals" to "persons with disabilities".

- B) Statutory Authority: Implementing the Property Tax Code [35 ILCS 200] and authorized by Section 2505-625 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-625].
 - C) Scheduled meeting/hearing dates: No schedule has been established.
 - D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 110 during the next six months of this year.
 - E) Effect on small business, small municipalities or not-for-profit corporations: None
 - F) Agency contact person for information:
Terry Shafer
Associate Counsel, Property Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/557-0965
 - G) Related rulemakings and other pertinent information: None
- v) Part (Heading and Code Citation): Real Estate Transfer Tax (86 Ill. Adm. Code 120)
- 1) Rulemaking:
 - A) Description: Section 120.5 will be amended to eliminate language discussing requirements prior to 2004 in 120.5(a) and to add the notification that electronic signatures affixed to electronically transmitted transfer declarations are as legally binding as handwritten signatures. It also eliminates unnecessary language describing forms for transfers that occurred prior to 2000 and corrects the term "Web site" to "website". The rulemaking also updates the rule to comport with the Department's

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technology in allowing recorders of deeds to utilize an approved interface to electronically transfer declarations and order transfer stamps from the Department for recording in the county offices. This rulemaking also requires county assessment offices utilizing the Department's electronic transfer declaration system provide a file layout to both validate the information transmitted and for any other purpose as determined by the Department.

- B) Statutory Authority: Implementing the Property Tax Code [35 ILCS 200] and authorized by Section 2505-625 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-625]
- C) Scheduled meeting/hearing dates: No schedule has been established.
- D) Date Agency anticipates First Notice: We anticipate filing rulemakings amending Part 120 during the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Terry Shafer
Associate Counsel, Property Tax
Illinois Department of Revenue
101 W. Jefferson, MC 5-500
Springfield IL 62794

217/557-0965

- G) Related rulemakings and other pertinent information: None

w) Part (Heading and Code Citation): Motor Fuel Tax for Municipalities within Cook County (86 Ill. Adm. Code 499)

1) Rulemaking:

- A) Description: A new part will be added to implement the provisions of SB1939 (anticipated enactment). The part will provide provisions for

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implementation of the new tax on motor fuel authorized for municipalities in Cook County. Initially, emergency regulations are anticipated.

- B) Statutory Authority: SB1939, adding new Section 8-11-2.3 to the Illinois Municipal Code, 65 ILCS 5//8-11-2.3.
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing such rulemakings amending Part 499 within the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect municipalities imposing this new tax and any retailers selling motor fuel tax in such municipalities.
- F) Agency contact person for information:

Jerilynn T. Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 West Jefferson, MC 5-550
Springfield IL 62794

217/782-2844

- G) Related rulemakings and other pertinent information: None

x) Part (Heading and Code Citation): County Motor Fuel Tax (86 Ill. Adm. Code 695)

1) Rulemaking:

- A) Description: Regulations will be amended to reflect the expansion of the tax authorized by SB1939 (anticipated enactment that authorizes increase in the tax, as well as imposition by 2 new counties).
- B) Statutory Authority: SB1939, amending the provisions of 55 ILCS 5/5-1035.1).

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- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing such rulemakings amending Part 695 within the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect counties imposing the motor fuel tax and any retailers selling motor fuel tax in such counties.
- F) Agency contact person for information:

Jerilynn T. Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 West Jefferson, MC 5-550
Springfield IL 62794

217/782-2844

- G) Related rulemakings and other pertinent information: None

y) Part (Heading and Code Citation): Parking Excise Tax (86 Ill. Adm. Code 195)

1) Rulemaking:

- A) Description: A new Part will be added to implement the provisions of SB690 (anticipated enactment). The Part will provide for implementation of the new Parking Excise Tax.
- B) Statutory Authority: SB1939, Article 10, which enacts the Parking Excise Tax Act.
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing such rulemakings amending Part 195 within the next six months of this year.

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- E) Effect on small business, small municipalities or not-for-profit corporations: These rulemakings will affect persons using parking spaces in a parking area or garage in this State and the operators providing such parking spaces.
- F) Agency contact person for information:
- Jerilynn T. Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 West Jefferson, MC 5-550
Springfield IL 62794
- 217/782-2844
- G) Related rulemakings and other pertinent information: None
- z) Part (Heading and Code Citation): Cannabis Cultivation Privilege Tax (86 Ill. Adm. Code 422)
- 1) Rulemaking:
- A) Description: This new Part implements the Cannabis Cultivation Privilege Tax imposed under Senate Bill 1939 enrolled, which is a tax upon the privilege of cultivating cannabis at the rate of 7% of the gross receipts from the first sale of cannabis by a cultivator (including a craft grower).
- B) Statutory Authority: SB1939 enrolled, creating Article 60 of the Cannabis Regulation and Tax Act, entitled "Cannabis Cultivation Privilege Tax".
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing such rulemakings amending Part 422 within the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: This rulemaking will affect cannabis cultivators and craft growers who obtain licenses for adult-use cannabis cultivation.

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F) Agency contact person for information:

Jerilynn T. Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 West Jefferson, MC 5-550
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: Noneaa) Part (Heading and Code Citation): Cannabis Purchaser Excise Tax (86 Ill. Adm. Code 423)1) Rulemaking:

- A) Description: This new Part implements the Cannabis Purchaser Excise Tax imposed under Senate Bill 1939 enrolled, which is a tax upon purchasers for the privilege of using cannabis at the rate of 10% for cannabis with THC levels at or below 35%; 20% for cannabis-infused products; and 25% for cannabis with a THC level above 35%.
- B) Statutory Authority: SB1939 enrolled, creating Article 65 of the Cannabis Regulation and Tax Act, entitled "Cannabis Purchaser Excise Tax".
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing such rulemakings amending Part 423 within the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: This rulemaking will affect cannabis dispensaries licensed to sell adult-use cannabis in Illinois.
- F) Agency contact person for information:

Jerilynn T. Gorden

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Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 West Jefferson, MC 5-550
Springfield IL 62794

217/782-2844

G) Related rulemakings and other pertinent information: None

bb) Part (Heading and Code Citation): County Cannabis Retailers' Occupation Tax (86 Ill. Adm. Code 424)

1) Rulemaking:

- A) Description: This new Part provides guidance for the County Cannabis Retailers' Occupation Tax Law created under Senate Bill 1939 enrolled, which Law authorizes counties to impose, by ordinance, a tax on the gross receipts from sales of cannabis (other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program).
- B) Statutory Authority: SB1939 enrolled, creating 55 ILCS 5/5-1006.8.
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date Agency anticipates First Notice: We anticipate filing such rulemakings amending Part 424 within the next six months of this year.
- E) Effect on small business, small municipalities or not-for-profit corporations: This rulemaking will affect adult-use cannabis dispensaries in counties that impose the tax.
- F) Agency contact person for information:

Jerilynn T. Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 West Jefferson, MC 5-550
Springfield IL 62794

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G) Related rulemakings and other pertinent information: Nonecc) Part (Heading and Code Citation): Municipal Cannabis Retailers' Occupation Tax (86 Ill. Adm. Code 425)1) Rulemaking:A) Description: This new Part provides guidance for the Municipal Cannabis Retailers' Occupation Tax Law created under Senate Bill 1939 enrolled, which Law authorizes municipalities to impose, by ordinance, a tax on the gross receipts from sales of cannabis (other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program).B) Statutory Authority: SB1939, adding Section 8-11-22 to the Illinois Municipal Code (65 ILCS 5/8-11-22 new).C) Scheduled meeting/hearing dates: No schedule has been established at this time.D) Date Agency anticipates First Notice: We anticipate filing such rulemakings amending Part 425 within the next six months of this year.E) Effect on small business, small municipalities or not-for-profit corporations: This rulemaking will affect adult-use cannabis dispensaries in municipalities that impose the tax and any small municipality in which the adult-use cannabis dispensary is located.F) Agency contact person for information:

Jerilynn T. Gorden
Deputy General Counsel, Sales & Excise Tax
Illinois Department of Revenue
101 West Jefferson, MC 5-550
Springfield IL 62794

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- G) Related rulemakings and other pertinent information: None

SECRETARY OF STATE

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- a) Part (Heading and Code Citation): Illinois State Library, Government Documents Section (23 Ill. Adm. Code 3020)
- 1) Rulemaking:
- A) Description: Amend Section 3020.150 to change the date from January 15 to July 15 of each year for State agencies to inform the Illinois State Library's Government Documents Section in writing of the person, persons, or positions responsible for distribution of publications of that agency.
- B) Statutory Authority: Implementing Section 21 and authorized by Section 2 of the State Library Act [15 ILCS 320/2 and 21].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: August 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield IL 62701-1796
- 217/558-4185
fax: 217/557-2619
jnatale@ilsos.net
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): The Illinois State Library Grant Programs (23 Ill. Adm. Code 3035)

SECRETARY OF STATE

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1) Rulemaking:

- A) Description: Regarding literacy grants, the definitions in Section 3035.210 will be clarified in order to address issues of electronic and instructional resources; and computation and computing skills. Section 3035.220 will be amended to allow more flexibility for grant applications. Also, delete the second sentence Section 3035.230 regarding grant reviewers recusing themselves from a grant cycle because of a conflict-of-interest since the sentence exists in Section 3035.140, which covers the entire Part. In regards to public library construction, the name of the Illinois Historic Preservation Agency will be changed to to the Illinois Historic Preservation Office in Section 23 Ill. Adm. Code 3035.450 (b)(1)(H) and 23 Ill. Adm. Code 520 (b)(3)(A). In addition, the requirement for an Americans with Disabilities Act self-evaluation in Section 23 Ill. Adm. Code 3035.520 (b)(3)(D) will be removed because it is now a requirement that all construction projects comply with the ADA.
- B) Statutory Authority: Implementing and authorized by the Illinois State Library Act [15 ILCS 320/18].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: August 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield IL 62701-1796

217/558-4185
fax: 217/557-2619
jnatale@ilsos.net

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G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Public Library Non-Resident Services (23 Ill. Adm. Code 3050)

1) Rulemaking:

- A) Description: Amend Section 3050.70 allowing non-residents who lease taxable property in a library service area for business purposes to be exempt from the non-resident fee.
- B) Statutory Authority: Implementing and authorized by Section 4-7 of the Illinois Local Library Act [75 ILCS 5/4-7], and authorized by Section 30-55.60 of the Public Library District Act of 1991 [75 ILCS 16/30-55.60] and Section 8.25 of the State Mandates Act [30 ILCS 805/8.25].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: August 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield IL 62701-1796

fax: 217/557-2619
jnatale@ilsos.net

G) Related rulemakings and other pertinent information: None

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- d) Part (Heading and Code Citation): Commercial Driver Training Schools (92 Ill. Adm. Code 1060)
- 1) Rulemaking:
- A) Description: In 1060.10, we will amend to clarify language in a) and b). In 1060.130, we will remove references to road test requirement that was dropped when the rule was last amended. In 1060.181, we will amend teenage student behind the wheel requirements to address contradiction in the rules. Finally, in 1060.200, we will amend language to allow all CDL Accredited Driving School Class A vehicle types to be tested.
- B) Statutory Authority: Implementing Article IV of the Illinois Driver Licensing Law of the Illinois Motor Vehicle Code [625 ILCS 5/Ch. 6, Art. IV].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: August 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Tom Wekony
Secretary of State, Commercial Driver Training Schools
650 Ropollo Lane
Elk Grove Village IL 60007
- 847/981-7455
- G) Related rulemakings and other pertinent information: None

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- a) Part (Heading and Code Citation): Selection of Architectural, Engineering and Land Surveying Services (44 Ill. Adm. Code 625)
- 1) Rulemaking:
- A) Description: The Department will propose a general update to this Part not inconsistent with the requirements of 23 C.F.R. 172. Amendments will include updates to the notification procedures for selected firms and changes to the membership of the selection committee. Additional non-substantive amendments are expected.
- B) Statutory Authority: 30 ILCS 535/10; 605 ILCS 5/4-201.1; and 20 ILCS 5/5-625
- C) Scheduled meeting/hearing dates: None scheduled.
- D) Date Agency anticipates First Notice: Within six months
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: The rulemaking will affect small businesses that bid on State contracts for architectural, engineering, and land surveying services; however, no adverse impact is expected.
- F) Agency contact person for information:
- Greg Stucka, Rules Manager
Illinois Department of Transportation
2300 S. Dirksen Parkway, Room 317
Springfield IL 62764
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Oversize and Overweight Permit Movements on State Highways (92 Ill. Adm. Code 554)
- 1) Rulemaking:
- A) Description: The Department will propose a complete revamp of this Part by repealing and replacing the current text. In doing so, dated and

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redundant regulations will be removed, the permitting process will be updated, and recent changes in law will be incorporated.

- B) Statutory Authority: 625 ILCS 5/Ch 15, Art. III
- C) Scheduled meeting/hearing dates: None scheduled.
- D) Date Agency anticipates First Notice: Within six months
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: This rulemaking will affect those small businesses, small municipalities, and not-for-profit corporations that apply for permits to transport oversize and/or overweight loads on State highways. The Department does not anticipate the proposed changes will have an adverse impact to those affected.
- F) Agency contact person for information:

Greg Stucka, Rules Manager
Illinois Department of Transportation
2300 S. Dirksen Parkway, Room 317
Springfield IL 62764
- G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Vending Machines in Rest Areas (92 Ill. Adm. Code 534)

- 1) Rulemaking:
 - A) Description: The Department will propose a general update to this Part to amend dated regulations.
 - B) Statutory Authority: 605 ILCS 5/9-113.1
 - C) Scheduled meeting/hearing dates: None scheduled.
 - D) Date Agency anticipates First Notice: Within six months

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- E) Effect on small businesses, small municipalities, or not-for-profit corporations: This rulemaking may affect small businesses that are licensed by the Illinois Department of Human Services to provide vending services at interstate rest areas.
- F) Agency contact person for information:
- Greg Stucka, Rules Manager
Illinois Department of Transportation
2300 S. Dirksen Parkway, Room 317
Springfield IL 62764
- G) Related rulemakings and other pertinent information: None
- d) Part (Heading and Code Citation): Minimum Safety Standards for Construction of Multifunction School Activity Buses (92 Ill. Adm. Code 435)
- 1) Rulemaking:
- A) Description: The Department will reorganize, update, and clarify this Part to better mirror its school bus construction standards. Specific updates will include changes to defined terms, removal of components covered by the Federal Motor Vehicle Safety Standards, and updates to the materials incorporated by reference.
- B) Statutory Authority: 625 ILCS 5/12-812
- C) Scheduled meeting/hearing dates: None scheduled.
- D) Date Agency anticipates First Notice: Within six months
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: This rulemaking affects small businesses that manufacture MFSABs for the transportation of Illinois school children. These amendments may also affect small businesses, small municipalities, and not-for-profit corporations that own or operate MFSABs used to transport school children for school related activities.
- F) Agency contact person for information:

DEPARTMENT OF TRANSPORTATION

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Greg Stucka, Rules Manager
Illinois Department of Transportation
2300 S. Dirksen Parkway, Room 317
Springfield IL 62764

- G) Related rulemakings and other pertinent information: None

OFFICE OF THE TREASURER

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- a) Part (Heading and Code Citation): College Savings Pool (23 Ill. Adm. Code 2500)
- 1) Rulemaking:
- A) Description: This rulemaking updates the existing rule to make it consistent with PA 100-905 and 101-26. The changes will provide clarification as to how the pool is administered in accordance with new State and federal statutes and guidelines provided by federal regulatory agencies.
- B) Statutory Authority: Section 16.5(n) of the State Treasurer Act [15 ILCS 505/16.5(n)]
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: August 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Laura Duque
Deputy General Counsel
Illinois State Treasurer
100 W. Randolph Street, Suite 15-600
Chicago IL 60601
- 312/814-3573
fax: 217/785-2777
LDuque@illinoistreasurer.gov
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Secure Choice Savings Program (74 Ill. Adm. Code 721)
- 1) Rulemaking:

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- A) Description: This rulemaking updates the existing rule to provide guidance on private employment organizations (PEO's) and include Taft-Hartley plans within the definition of a qualified retirement plan. Additionally, this rulemaking makes technical changes, including adding traditional IRAs as an option under the Secure Choice Program pursuant to Senate Bill 1787, which passed the General Assembly on May 23, 2019.
- B) Statutory Authority: Section 90 of the Illinois Secure Choice Savings Program Act [820 ILCS 80/90]
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: November 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Secure Choice applies to businesses that have 25 or more employees, have been in operation for two years or more, and do not offer a qualified retirement savings plan to their employees. Not-for-profits that meet those three criteria are also included. Municipalities will not be impacted. Businesses and not-for-profits that participate in Secure Choice will be required to facilitate the payroll deduction in the program for each of their employees, but will not have any managerial responsibilities and cannot contribute to the retirement program or individual employee accounts.
- F) Agency contact person for information:
- Barbara Delano
Assistant General Counsel
Illinois State Treasurer
100 W. Randolph Street, Suite 15-600
Chicago IL 60601
- 312/814-2985
fax: 217/785-2777
BDelano@illinoistreasurer.gov
- G) Related rulemakings and other pertinent information: None

OFFICE OF THE TREASURER

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c) Part (Heading and Code Citation): Achieving a Better Life Experience (ABLE) Account Program (74 Ill. Adm. Code 722)1) Rulemaking:

A) Description: This rulemaking revises the existing rule to make it consistent with Senate Bill 1387, which passed the General Assembly on May 26, 2019. Among other things, the changes will allow guardians of the person to open ABLE accounts and make it easier for guardians and designated representatives to establish ABLE accounts.

B) Statutory Authority: Section 16.6(f) of the State Treasurer Act [15 ILCS 505/16.6(f)]

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: November 2019

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

F) Agency contact person for information:

Barbara Delano
Assistant General Counsel
Illinois State Treasurer
100 W. Randolph Street, Suite 15-600
Chicago IL 60601

312/814-2985
fax: 217/785-2777
BDelano@illinoistreasurer.gov

G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citation): Technology Development Account (TDA) Program (74 Ill. Adm. Code 719)

OFFICE OF THE TREASURER

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1) Rulemaking:

- A) Description: This rulemaking will provide guidance on the implementation and administration of a grant program authorized in Section 20 of the Technology Development Account Act (30 ILCS 265). The Act authorizes the Treasurer to deposit no more than 10% of earnings of the investments in the Technology Development Account into a fund to provide grants to schools across Illinois in need of educational technology improvements.
- B) Statutory Authority: Sections 15 and 20 of the Technology Development Act [30 ILCS 265/15 and 20]
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: December 2019
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The school technology grants would benefit Illinois public schools in providing Illinois students the means to develop the technology skills necessary to improve learning and ultimately compete in the workforce.
- F) Agency contact person for information:
- Laura Duque
Deputy General Counsel
Illinois State Treasurer
100 W. Randolph Street, Suite 15-600
Chicago IL 60601
- 312/814-3573
fax: 217/785-2777
LDuque@illinoistreasurer.gov
- G) Related rulemakings and other pertinent information: None

EXECUTIVE ORDER

2019-11
EXECUTIVE ORDER STRENGTHENING OUR COMMITMENT TO
AFFIRMING AND INCLUSIVE SCHOOLS

WHEREAS, Illinois law prohibits discrimination and harassment based on gender identity in schools;

WHEREAS, it is the policy of the State of Illinois to promote fairness and equality and to combat unlawful discrimination and harassment;

WHEREAS, transgender, nonbinary, and gender nonconforming students are more likely to have negative experiences at school, feel unsafe, and experience victimization;¹

WHEREAS, 80% of transgender students report feeling unsafe at school;²

WHEREAS, over 70% of transgender, nonbinary, and gender nonconforming students report experiencing discriminatory policies or practices at school;³

WHEREAS, discriminatory policies and practices have the effect of creating an unwelcoming and hostile school environment;

WHEREAS, a hostile school environment has a profound effect on students' academic success and health;

WHEREAS, students who experience higher levels of victimization because of their gender expression were more than three times as likely to have missed school, more likely to have been disciplined at school, had lower grade point averages, were less likely to pursue post-secondary education, and had higher levels of depression and lower levels of self-esteem;⁴

WHEREAS, when transgender, nonbinary, gender nonconforming students are supported and affirmed, they have the opportunity to fully engage in their education and thrive;

WHEREAS, education and health experts have affirmed that policies supporting transgender,

¹ Joseph G. Kosciw, et al., GLSEN, *The 2017 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in our Nation's Schools* (2017).

¹ *Id.*

¹ *Id.*

¹ *Id.*

EXECUTIVE ORDER

nonbinary, and gender nonconforming students are beneficial for all students. This includes the American Academy of Pediatrics, National Association of School Psychologists, the American School Counselors Association, the National Association of Secondary School Principals, and the National Education Association.

WHEREAS, Illinois is committed to fostering school environments that are welcoming, safe, supportive, inclusive, and free of discrimination and harassment for all students; and

THEREFORE, I, JB Pritzker, Governor of Illinois, by virtue of the executive authority vested in me by Article V of the Constitution of the State of Illinois, hereby order as follows:

I. Definitions

As used in this Executive Order:

"School" means any non-sectarian preschool, primary, or secondary school.

"Task Force" means the Affirming and Inclusive Schools Task Force.

II. Establishment of the Affirming and Inclusive Schools Task Force

The Affirming and Inclusive Schools Task Force is established in the Office of the Governor to identify strategies and best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students and to promote cooperation and collaboration between relevant stakeholders and the State.

III. Membership of the Task Force

The Task Force shall consist of at least one representative from the Office of the Governor and no more than twenty-five (25) members, selected by the Governor, who have experience or expertise related to supporting transgender, nonbinary, and gender nonconforming students in schools including, but not limited to, students, parents or guardians, teachers, school administrators, lawyers, medical professionals, and representatives from community-based organizations. The Task Force shall be chaired by a person or persons to be selected by the Governor. The members of the Task Force shall serve without compensation.

IV. Reporting of the Task Force

By January 1, 2020, the Task Force shall deliver a report to the Office of the Governor containing the following:

EXECUTIVE ORDER

- a) an overview of the legal rights of transgender, nonbinary, and gender nonconforming students to be free of discrimination and harassment in schools;
- b) a description of best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students; and
- c) its findings and recommendations for ensuring transgender, nonbinary, and gender nonconforming students are fully supported in Illinois schools.

V. Illinois State Board of Education

The Illinois State Board of Education is requested to do the following:

- a) develop and make publicly available non-regulatory guidance on the legal rights of transgender, nonbinary, and gender nonconforming students in schools;
- b) develop and make publicly available a model policy or procedures setting forth best practices for inclusion of transgender, nonbinary, and gender nonconforming students in schools including, but not limited to, access to facilities, participation in physical education classes and school-based programs and activities, student records, names and pronouns, and dress codes; and
- c) make publicly available other published resources relating to supporting transgender, nonbinary, and gender nonconforming students in schools.

VI. Term of the Task Force

The Task Force shall be dissolved upon submission of its report to the Office of the Governor, subject to renewal by a succeeding Executive Order.

VII. Savings Clause

Nothing in this Executive Order shall be construed to contravene any federal or State law or regulation. Nothing in this Executive Order shall affect or alter the existing statutory powers of any State agency or be construed as a reassignment or reorganization of any State agency.

VIII. Prior Executive Orders

This Executive Order supersedes any contrary provision of any other prior Executive Order.

IX. Severability Clause

EXECUTIVE ORDER

If any part of this Executive Order is found to be invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and. The provisions of this Executive Order are severable.

X. Effective Date

This Executive Order shall take effect immediately upon its filing with the Secretary of State.

Issued by Governor: June 30, 2019

Filed with Secretary of State: July 1, 2019

PROCLAMATION

2019-127**Flooding Disaster Proclamation**

WHEREAS, over the last several months, Illinois has been victim to a seemingly constant wave of storms that have generated significant rainfall, triggering ground saturation and river flooding; and,

WHEREAS, already-elevated river levels across the State caused by excessive rain totals and significant snowmelt from northern states have been exacerbated by these ongoing storms; and,

WHEREAS, the Mississippi and Illinois Rivers have experienced record and near-record crests in many locations, with major flooding along the entire length of the Mississippi River in Illinois, as well as along most of the Illinois River; and,

WHEREAS, the Mississippi River has been at major flood stage continuously for several months; and,

WHEREAS, extensive personnel hours and fuel supplies are needed to keep generators running for a water treatment facility affected by the flooding from the Mississippi River; and,

WHEREAS, on May 2, the Mississippi River reached an all-time record crest at Rock Island of 22.7 feet, surpassing the historic flood levels of the Great Flood of 1993, while on the same day the Illinois River entered into major flood stage, where it has remained continuously; and,

WHEREAS, the Illinois River at Hardin is expected to remain above major flood stage into the first week of July; and,

WHEREAS, the Kaskaskia River, a tributary of the Mississippi River, is expected to remain above major flood stage at New Athens into the first week of July; and,

WHEREAS, levees along both the Mississippi and Illinois Rivers are saturated from the extended duration of elevated water levels; and,

WHEREAS, the Rock River and Green River both experienced flooding at or above the major flood level for an extended period of time continuing during the months of May and June; and,

WHEREAS, there are approximately seven breaches along the Green River and Hennepin Canal that are in need of repair and water pumps are being used continuously to mitigate seepage; and,

PROCLAMATION

WHEREAS, the flooding has necessitated evacuations across the State, caused widespread impacts to residential and commercial properties, resulted in costly emergency protective measures, and damaged public works infrastructure; and,

WHEREAS, the flooding of transportation routes has triggered the closure of hundreds of state and local roadways and bridges, resulting in a disruption of essential services and threatening public health and safety, and,

WHEREAS, significant flood response activities will continue to be necessary even after river levels have receded below major flood stage, including dewatering of flooded areas and working to open critical roadways and bridges that are currently flooded; and,

WHEREAS, based on reports received by the Illinois Emergency Management Agency, local resources and capabilities have been exhausted, and state resources are needed and have been deployed across the State to respond to and recover from the effects of the severe storms and flooding; and,

WHEREAS, these conditions provide legal justification under section 7 of the Illinois Emergency Management Act for the issuance of a proclamation of disaster;

NOW, THEREFORE, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

Section 1. Pursuant to the provisions of section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that an ongoing disaster exists within the State of Illinois and specifically declare Adams, Alexander, Brown, Bureau, Calhoun, Carroll, Cass, Fulton, Greene, Grundy, Hancock, Henderson, Henry, Jackson, Jersey, Jo Daviess, Knox, LaSalle, Madison, Marshall, Mason, Mercer, Monroe, Morgan, Peoria, Pike, Putnam, Randolph, Rock Island, Schuyler, Scott, St. Clair, Tazewell, Union, Whiteside and Woodford Counties as disaster areas.

Section 2. The Illinois Emergency Management Agency is directed to continue implementation of the State Emergency Operations Plan and to coordinate State resources to support local governments in disaster response and recovery operations.

Section 3. To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act, the provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law.

PROCLAMATION

Section 4. In order to alleviate any impediments to flood-fighting activities in these counties, the provisions of 17 Illinois Administrative Code Parts 3700 and 3704 related to levees and floodwalls are suspended.

Section 5: This proclamation can facilitate a request for Federal disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Section 6: This proclamation shall be effective immediately and remain in effect for 30 days.

Issued by the Governor June 28, 2019

Filed by the Secretary of State June 28, 2019

ILLINOIS ADMINISTRATIVE CODE
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