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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
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46	November 4, 2019	November 15, 2019
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50	December 2, 2019	December 13, 2019
51	December 9, 2019	December 20, 2019
52	December 16, 2019	December 27, 2019

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
140.75	New Section
140.80	Amendment
140.88	New Section
140.402	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: These proposed amendments implement parts of PA 101-10 and PA 101-209. The proposed new Section at 89 Ill. Adm. Code 140.75 creates the dispute resolution process added to 305 ILCS 5/5-30.1(g-5) by PA 101-290. The proposed amendment to 89 Ill. Adm. Code 140.80 implements the hospital assessment related date changes contained in PA 101-10 and PA 101-209. The proposed new section at 89 Ill. Adm. Code 140.88 implements the federally approved managed care organization provider assessment model. The proposed amendment to 89 Ill. Adm. Code 140.402 ends the collection of copayments for non-institutional services for medical assistance recipients as permitted by PA 101-209.
- 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? The proposed new section at 89 Ill. Adm. Code 140.88 will replace an emergency rule currently in effect.
- 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? Yes

<u>Sections Number:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
140.412	Amendment	43 Ill. Reg. 5143; May 10, 2019
140.413	Amendment	43 Ill. Reg. 5143; May 10, 2019
140.440	Amendment	43 Ill. Reg. 5143; May 10, 2019

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 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

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: July 2019

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

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SUBCHAPTER d: MEDICAL PROGRAMS

PART 140

MEDICAL PAYMENT

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- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under Medical Assistance Programs
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under General Assistance
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- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
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- 140.11 Enrollment Conditions for Medical Providers
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- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Suspension and Denial of Payment, Recovery of Money and Penalties
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- 140.18 Effect of Termination, Suspension, Exclusion or Revocation on Persons

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

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- 140.45 Withholding of Payments Upon Provider Audit, Quality of Care Review, Credible Allegation of Fraud or Failure to Cooperate
- 140.55 Electronic Data Interchange Service
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- 140.73 Drug Manual Updates (Recodified)
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- 140.82 Developmentally Disabled Care Provider Fund

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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140.TABLE J	Rate Regions
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140.TABLE L	Services Qualifying for 10% Add-On to Surgical Incentive Add-On (Repealed)
140.TABLE M	Enhanced Rates for Maternal and Child Health Provider Services (Repealed)
140.TABLE N	Program Approval for Specified Behavioral Health Services
140.TABLE O	Criteria for Participation as a Behavioral Health Clinic

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

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; preemptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency

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amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a

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maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14,

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1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; Notice of Corrections to Adopted Amendment at 15 Ill. Reg. 1174; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992,

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for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended at 17 Ill. Reg. 18902, effective October 12, 1993; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended at 18 Ill. Reg. 17286, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996;

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amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days; emergency expired April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective October 1, 1999; amended at 23 Ill. Reg. 13646, effective November 1, 1999; amended at 23 Ill. Reg. 14567, effective December 1, 1999; amended at 24 Ill. Reg. 661, effective January 3, 2000; amended at 24 Ill. Reg. 10277, effective July 1, 2000; emergency amendment at 24 Ill. Reg. 10436, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15086, effective October 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3897, effective March 1, 2001; amended at 25 Ill. Reg. 6665, effective May 11, 2001; amended at 25 Ill. Reg. 8793, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 8850, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11880, effective September 1, 2001; amended at 25 Ill. Reg. 12820, effective October 8, 2001; amended at 25 Ill. Reg. 14957, effective November 1, 2001; emergency amendment at 25 Ill. Reg. 16127, effective November 28, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 16292, effective December 3, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 514, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 663, effective January 7, 2002; amended at 26 Ill. Reg. 4781, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 5984, effective April 15, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 7285, effective April 29, 2002; emergency amendment at 26 Ill. Reg. 8594, effective June 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 11259, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 12461, effective July 29, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16593,

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effective October 22, 2002; emergency amendment at 26 Ill. Reg. 12772, effective August 12, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13641, effective September 3, 2002; amended at 26 Ill. Reg. 14789, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 15076, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16303, effective October 25, 2002; amended at 26 Ill. Reg. 17751, effective November 27, 2002; amended at 27 Ill. Reg. 768, effective January 3, 2003; amended at 27 Ill. Reg. 3041, effective February 10, 2003; amended at 27 Ill. Reg. 4364, effective February 24, 2003; amended at 27 Ill. Reg. 7823, effective May 1, 2003; amended at 27 Ill. Reg. 9157, effective June 2, 2003; emergency amendment at 27 Ill. Reg. 10813, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 13784, effective August 1, 2003; amended at 27 Ill. Reg. 14799, effective September 5, 2003; emergency amendment at 27 Ill. Reg. 15584, effective September 20, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16161, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18629, effective November 26, 2003; amended at 28 Ill. Reg. 2744, effective February 1, 2004; amended at 28 Ill. Reg. 4958, effective March 3, 2004; emergency amendment at 28 Ill. Reg. 6622, effective April 19, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7081, effective May 3, 2004; emergency amendment at 28 Ill. Reg. 8108, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9640, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10135, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11161, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12198, effective August 11, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13775, effective October 1, 2004; amended at 28 Ill. Reg. 14804, effective October 27, 2004; amended at 28 Ill. Reg. 15513, effective November 24, 2004; amended at 29 Ill. Reg. 831, effective January 1, 2005; amended at 29 Ill. Reg. 6945, effective May 1, 2005; emergency amendment at 29 Ill. Reg. 8509, effective June 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12534, effective August 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 14957, effective September 30, 2005; emergency amendment at 29 Ill. Reg. 15064, effective October 1, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 15985, effective October 5, 2005, for the remainder of the 150 days; emergency amendment at 29 Ill. Reg. 15610, effective October 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 16515, effective October 5, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 349, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 573, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 796, effective January 1, 2006; amended at 30 Ill. Reg. 2802, effective February 24, 2006; amended at 30 Ill. Reg. 10370, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 13909, effective August 2, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 14280, effective August 18, 2006; expedited correction at 31 Ill. Reg. 1745, effective August 18, 2006; emergency amendment at 30 Ill. Reg. 17970, effective November 1, 2006, for a maximum of 150

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days; amended at 30 Ill. Reg. 18648, effective November 27, 2006; emergency amendment at 30 Ill. Reg. 19400, effective December 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 388, effective December 29, 2006; emergency amendment at 31 Ill. Reg. 1580, effective January 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 2413, effective January 19, 2007; amended at 31 Ill. Reg. 5561, effective March 30, 2007; amended at 31 Ill. Reg. 6930, effective April 29, 2007; amended at 31 Ill. Reg. 8485, effective May 30, 2007; emergency amendment at 31 Ill. Reg. 10115, effective June 30, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14749, effective October 22, 2007; emergency amendment at 32 Ill. Reg. 383, effective January 1, 2008, for a maximum of 150 days; peremptory amendment at 32 Ill. Reg. 6743, effective April 1, 2008; peremptory amendment suspended at 32 Ill. Reg. 8449, effective May 21, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 32 Ill. Reg. 18323, effective November 12, 2008; peremptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; emergency expired April 10, 2009; peremptory amendment repealed at 33 Ill. Reg. 6667, effective April 29, 2009; amended at 32 Ill. Reg. 7727, effective May 5, 2008; emergency amendment at 32 Ill. Reg. 10480, effective July 1, 2008, for a maximum of 150 days; emergency expired November 27, 2008; amended at 32 Ill. Reg. 17133, effective October 15, 2008; amended at 33 Ill. Reg. 209, effective December 29, 2008; amended at 33 Ill. Reg. 9048, effective June 15, 2009; emergency amendment at 33 Ill. Reg. 10800, effective June 30, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 11287, effective July 14, 2009; amended at 33 Ill. Reg. 11938, effective August 17, 2009; amended at 33 Ill. Reg. 12227, effective October 1, 2009; emergency amendment at 33 Ill. Reg. 14324, effective October 1, 2009, for a maximum of 150 days; emergency expired February 27, 2010; amended at 33 Ill. Reg. 16573, effective November 16, 2009; amended at 34 Ill. Reg. 516, effective January 1, 2010; amended at 34 Ill. Reg. 903, effective January 29, 2010; amended at 34 Ill. Reg. 3761, effective March 14, 2010; amended at 34 Ill. Reg. 5215, effective March 25, 2010; amended at 34 Ill. Reg. 19517, effective December 6, 2010; amended at 35 Ill. Reg. 394, effective December 27, 2010; amended at 35 Ill. Reg. 7648, effective May 1, 2011; amended at 35 Ill. Reg. 7962, effective May 1, 2011; amended at 35 Ill. Reg. 10000, effective June 15, 2011; amended at 35 Ill. Reg. 12909, effective July 25, 2011; amended at 36 Ill. Reg. 2271, effective February 1, 2012; amended at 36 Ill. Reg. 7010, effective April 27, 2012; amended at 36 Ill. Reg. 7545, effective May 7, 2012; amended at 36 Ill. Reg. 9113, effective June 11, 2012; emergency amendment at 36 Ill. Reg. 11329, effective July 1, 2012 through June 30, 2013; emergency amendment to Section 140.442(e)(4) suspended at 36 Ill. Reg. 13736, effective August 15, 2012; suspension withdrawn from Section 140.442(e)(4) at 36 Ill. Reg. 14529, September 11, 2012; emergency amendment in response to Joint Committee on Administrative Rules action on Section 140.442(e)(4) at 36 Ill. Reg. 14820, effective September 21, 2012 through June 30, 2013; emergency amendment to Section 140.491 suspended at 36 Ill. Reg. 13738, effective August 15, 2012; suspension withdrawn by the Joint Committee on Administrative Rules from Section 140.491 at 37 Ill. Reg. 890, January 8, 2013;

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emergency amendment in response to Joint Committee on Administrative Rules action on Section 140.491 at 37 Ill. Reg. 1330, effective January 15, 2013 through June 30, 2013; amended at 36 Ill. Reg. 15361, effective October 15, 2012; emergency amendment at 37 Ill. Reg. 253, effective January 1, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 846, effective January 9, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 1774, effective January 28, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 2348, effective February 1, 2013 through June 30, 2013; amended at 37 Ill. Reg. 3831, effective March 13, 2013; emergency amendment at 37 Ill. Reg. 5058, effective April 1, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 5170, effective April 8, 2013 through June 30, 2013; amended at 37 Ill. Reg. 6196, effective April 29, 2013; amended at 37 Ill. Reg. 7985, effective May 29, 2013; amended at 37 Ill. Reg. 10282, effective June 27, 2013; amended at 37 Ill. Reg. 12855, effective July 24, 2013; emergency amendment at 37 Ill. Reg. 14196, effective August 20, 2013, for a maximum of 150 days; amended at 37 Ill. Reg. 17584, effective October 23, 2013; amended at 37 Ill. Reg. 18275, effective November 4, 2013; amended at 37 Ill. Reg. 20339, effective December 9, 2013; amended at 38 Ill. Reg. 859, effective December 23, 2013; emergency amendment at 38 Ill. Reg. 1174, effective January 1, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 4330, effective January 29, 2014; amended at 38 Ill. Reg. 7156, effective March 13, 2014; amended at 38 Ill. Reg. 12141, effective May 30, 2014; amended at 38 Ill. Reg. 15081, effective July 2, 2014; emergency amendment at 38 Ill. Reg. 15673, effective July 7, 2014, for a maximum of 150 days; emergency amendment at 38 Ill. Reg. 18216, effective August 18, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 18462, effective August 19, 2014; amended at 38 Ill. Reg. 23623, effective December 2, 2014; amended at 39 Ill. Reg. 4394, effective March 11, 2015; emergency amendment at 39 Ill. Reg. 6903, effective May 1, 2015 through June 30, 2015; emergency amendment at 39 Ill. Reg. 8137, effective May 20, 2015, for a maximum of 150 days; emergency amendment at 39 Ill. Reg. 10427, effective July 10, 2015, for a maximum of 150 days; emergency expired December 6, 2015; amended at 39 Ill. Reg. 12825, effective September 4, 2015; amended at 39 Ill. Reg. 13380, effective September 25, 2015; amended at 39 Ill. Reg. 14138, effective October 14, 2015; emergency amendment at 40 Ill. Reg. 13677, effective September 16, 2016, for a maximum of 150 days; emergency expired February 12, 2017; amended at 41 Ill. Reg. 999, effective January 19, 2017; amended at 41 Ill. Reg. 3296, effective March 8, 2017; amended at 41 Ill. Reg. 7526, effective June 15, 2017; amended at 41 Ill. Reg. 10950, effective August 9, 2017; amended at 42 Ill. Reg. 4829, effective March 1, 2018; amended at 42 Ill. Reg. 12986, effective June 25, 2018; emergency amendment at 42 Ill. Reg. 13688, effective July 2, 2018, for a maximum of 150 days; emergency amendment to emergency rule at 42 Ill. Reg. 16265, effective August 13, 2018, for the remainder of the 150 days; amended at 42 Ill. Reg. 14383, effective July 23, 2018; amended at 42 Ill. Reg. 20059, effective October 26, 2018; amended at 42 Ill. Reg. 22352, effective November 28, 2018; amended at 43 Ill. Reg. 1014, effective December 31, 2018; amended at 43 Ill. Reg. 2227, effective February 4, 2019; amended at 43 Ill. Reg. 4094, effective March 25, 2019; amended at

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43 Ill. Reg. 5706, effective May 2, 2019; amended at 43 Ill. Reg. 6736, effective May 28, 2019; amended at 44 Ill. Reg. _____, effective _____.

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section 140.75 Managed Care – Disputed Provider Claims Resolution Process

- a) The Department will maintain an electronic provider complaint portal through which a disputed claim between a provider and an MCO is documented, monitored, and resolved. A disputed claim is a determination made by an MCO that denies in whole or in part a claim for reimbursement to a provider for services rendered by the provider to an enrollee of the MCO with which the provider disagrees.

- b) A provider or its billing agent may submit to the Department's provider complaint portal a disputed claim only after filing with the MCO's internal provider dispute resolution process, as described in this subsection (b). Multiple claim disputes involving the same MCO may be submitted in one complaint, regardless of whether the claims are for different enrollees, when the specific reason for non-payment of the claims involves a common question of fact or policy.
 - 1) The provider's submission to the portal must include the date the disputed claims were filed with the MCO's internal provider dispute resolution process and the corresponding MCO-provided tracking number.

 - 2) Disputes that are submitted to the MCO internal dispute resolution process may be submitted to the provider complaint portal no sooner than 30 days after submitting to the MCO's internal process and not later than 30 days after the unsatisfactory resolution of the internal MCO process or 60 days after submitting the dispute to the MCO internal process.

- c) The Department, within 10 business days after a provider's disputed claims submission to the provider complaint portal, will present the disputed claims to the MCO for resolution.

- d) The MCO, within 30 calendar days after receiving the disputed claims from the Department's provider complaint portal, will develop a written proposal to address the disputed claims, which shall be electronically transmitted to the provider and

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uploaded to the provider complaint portal, unless the MCO is granted an extension pursuant to subsection (e).

- 1) In the event the MCO requires additional information from the provider to review the disputed claims, the MCO must request the additional information from the provider within 5 business days after receiving the disputed claims from the Department's provider complaint portal, unless the MCO is granted an extension pursuant to subsection (e). When an MCO is granted an extension, the MCO must request the additional information from the provider within 5 business days after receiving the extension.
 - 2) When additional information is requested from the provider by the MCO within the timeframes described in subsection (d)(1), the provider has 5 business days to respond with the requested information, unless the provider is granted an extension pursuant to subsection (e). When a provider is granted an extension, the provider must respond with the requested information within 5 business days after receiving the extension. Failure to timely provide the information will result in the disputed claims being closed.
- e) During the disputed claims resolution process described in subsection (d), the MCO or the provider may request, through the provider complaint portal, that the Department authorize a single 30 calendar day extension. The MCO or the provider may submit an extension request during the timeframes established in subsection (d). An extension request, made by either the MCO or the provider, that occurs after the timelines in subsection (d) must be made no later than 5 calendar days from the end of the initial 30 calendar day period. Approval of the extension is at the Department's discretion. An approved extension adds 30 calendar days to the initial 30 calendar day period, for a total of 60 calendar days within which the MCO must develop a written proposal to address the disputed claims.
- f) A provider that disagrees with the MCO's written proposal or does not receive the MCO's written proposal within the required timeframe has 30 calendar days to request that the Department review the disputed claims and render a final decision.

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- 1) Within 30 calendar days after a provider's request for Department review, both the MCO and the provider shall deliver all relevant information to the Department, including contact information for knowledgeable personnel.
- 2) Within 30 calendar days after the timeframe established in subsection (f)(1), the Department shall provide a written decision on the disputed claims that reflects, and is consistent with, applicable contract terms, written Department policies and procedures, and State and federal statute and regulations.
- 3) The decision of the Department is final. Disputes between MCOs and providers presented to the Department for resolution are not contested cases and do not confer any right to an administrative hearing.

(Source: Added at 44 Ill. Reg. _____, effective _____)

SUBPART C: PROVIDER ASSESSMENTS

Section 140.80 Hospital Provider Fund

- a) Purpose and Contents
 - 1) The Hospital Provider Fund (Fund) was created in the State Treasury on February 3, 2004 (see 305 ILCS 5/5A-8). Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any funds appropriated to the Medicaid program by the General Assembly.
 - 2) The Fund is created for the purpose of receiving and disbursing monies in accordance with this Section and Article 5A of the Code.
 - 3) The Fund shall consist of:
 - A) All monies collected or received by the Department under subsection (b);
 - B) All federal matching funds received by the Department as a result of expenditures made by the Department that are attributable to monies deposited in the Fund;

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- C) Any interest or penalty levied in conjunction with the administration of the Fund;
 - D) Monies transferred from another fund in the State treasury;
 - E) All other monies received for the Fund from any other source, including interest earned on those monies.
- b) Provider Assessments
- 1) Subject to Sections 5A-3, 5A-10 and 5A-15 of the Code, for State fiscal years 2009 through 2018, or as long as continued under Section 5A-16, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to \$218.38 multiplied by the difference of the hospital's occupied bed days less the hospital's Medicare bed days; provided, however, the amount of \$218.38 shall be increased by a uniform percentage to generate an amount equal to 75% of the State share of the payments authorized under Section 5A-12-5 of the Code, with that increase only taking effect upon the date that a State share for those payments is required under federal law. For the period of April through June 2015, the amount of \$218.38 used to calculate the assessment under this subsection (b)(1) shall be increased by a uniform percentage to generate \$20,250,000 in the aggregate for that period from all hospitals subject to the annual assessment under this Section. For State fiscal years 2009 and after, a hospital's occupied bed days and Medicare bed days shall be determined using the most recent data available from each hospital's 2005 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on December 31, 2006, without regard to any subsequent adjustments or changes to such data. If a hospital's 2005 Medicare cost report is not contained in the Healthcare Cost Report Information System, then the Department may obtain the hospital provider's occupied bed days and Medicare bed days from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department or its duly authorized agents and employees. Subject to Sections 5A-3, 5A-10, and 5A-16 of the Code, for State fiscal years 2019 and 2020, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to \$197.19 multiplied by the difference of the hospital's occupied bed days

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less the hospital's Medicare bed days; however, for State fiscal year ~~2021~~~~2020~~, the amount of \$197.19 shall be increased by a uniform percentage to generate an additional \$6,250,000 in the aggregate for that period from all hospitals subject to the annual assessment under this Section. For State fiscal years 2019 and 2020, a hospital's occupied bed days and Medicare bed days shall be determined using the most recent data available from each hospital's 2015 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on March 31, 2017, without regard to any subsequent adjustments or changes to such data. If a hospital's 2015 Medicare cost report is not contained in the Healthcare Cost Report Information System, then the Illinois Department may obtain the hospital provider's occupied bed days and Medicare bed days from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Illinois Department or its duly authorized agents and employees. Notwithstanding any other provision in this Section, for a hospital provider that did not have a 2015 Medicare cost report, but paid an assessment in State fiscal year 2018 on the basis of hypothetical data, that assessment amount shall be used for State fiscal years 2019 and 2020; however, for State fiscal year ~~2021~~~~2020~~, the assessment amount shall be increased by the proportion that it represents of the total annual assessment that is generated from all hospitals in order to generate \$6,250,000 in the aggregate for that period from all hospitals subject to the annual assessment under this Section. Subject to Sections 5A-3 and 5A-10, for State fiscal 2021 through 2024, an annual assessment on inpatient services is imposed on each hospital provider in an amount equal to \$197.19 multiplied by the difference of the hospital's occupied bed days less the hospital's Medicare bed days, provided, however, that the amount of \$197.19 used to calculate the assessment under this subsection (b)(1) shall be adjusted by a uniform percentage to generate the same total annual assessment that was generated in State fiscal year 2020 from all hospitals subject to the annual assessment under this subsection (b)(1) plus \$6,250,000. For State fiscal years 2021 and 2022, a hospital's occupied bed days and Medicare bed days shall be determined using the most recent data available from each hospital's 2017 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on March 31, 2019, without regard to any subsequent adjustments or changes to such data. For State fiscal years 2023 and 2024, a hospital's occupied bed days and

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Medicare bed days shall be determined using the most recent data available from each hospital's 2019 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on March 31, 2021, without regard to any subsequent adjustments or changes to such data.

- 2) In addition to any other assessments imposed under this Section, effective July 1, 2016 and semiannually thereafter through June 2018, or as provided in Section 5A-16, in addition to any federally required State share as authorized under subsection (b)(1), the amount of \$218.38 shall be increased by a uniform percentage to generate an amount equal to 75% of the ACA Assessment Adjustment, as defined in subsection (l)(1).
- 3) Subject to Sections 5A-3, 5A-10, and 5A-15 of the Code for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012, and for State fiscal years 2013 through 2018, an annual assessment on outpatient services is imposed on each hospital provider in an amount equal to .008766 multiplied by the hospital's outpatient gross revenue; provided, however, the multiplier of .008766 shall be increased by a uniform percentage to generate an amount equal to 25% of the State share of the payments authorized under Section 5A-12-5, with that increase only taking effect upon the date that a State share for those payments is required under federal law. For the period of April through June 2015, the amount of .008766 used to calculate the assessment under this subsection (b)(3) shall be increased by a uniform percentage to generate \$6,750,000 in the aggregate for that period from all hospitals subject to the annual assessment under this Section. For the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012 and for State fiscal years 2013 through 2018, a hospital's outpatient gross revenue shall be determined using the most recent data available from each hospital's 2009 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on June 30, 2011, without regard to any subsequent adjustments or changes to that data. If a hospital's 2009 Medicare cost report is not contained in the Healthcare Cost Report Information System, then the Department may obtain the hospital provider's outpatient gross revenue from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department or its duly authorized agents and employees. For the

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period beginning June 10, 2012 through June 30, 2012, the annual assessment on outpatient services shall be prorated by multiplying the assessment amount by a fraction, the numerator of which is 21 days and the denominator of which is 365 days. Subject to Sections 5A-3, 5A-10, and 5A-16, for State fiscal years 2019 and 2020, an annual assessment on outpatient services is imposed on each hospital provider in an amount equal to .01358 multiplied by the hospital's outpatient gross revenue; however, for State fiscal year ~~2021~~2020, the amount of .01358 shall be increased by a uniform percentage to generate an additional \$6,250,000 in the aggregate for that period from all hospitals subject to the annual assessment under this subsection (b)(3). For State fiscal years 2019 and 2020, a hospital's outpatient gross revenue shall be determined using the most recent data available from each hospital's 2015 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on March 31, 2017, without regard to any subsequent adjustments or changes to such data. If a hospital's 2015 Medicare cost report is not contained in the Healthcare Cost Report Information System, then the Department may obtain the hospital provider's outpatient gross revenue from any source available, including, but not limited to, records maintained by the hospital provider, which may be inspected at all times during business hours of the day by the Department or its duly authorized agents and employees. Notwithstanding any other provision in this Section, for a hospital provider that did not have a 2015 Medicare cost report, but paid an assessment in State fiscal year 2018 on the basis of hypothetical data, that assessment amount shall be used for State fiscal years 2019 and 2020; however, for State fiscal year ~~2021~~2020, the assessment amount shall be increased by the proportion that it represents of the total annual assessment that is generated from all hospitals in order to generate \$6,250,000 in the aggregate for that period from all hospitals subject to the annual assessment under this subsection (b)(3). Subject to Sections 5A-3 and 5A-10, for State fiscal years 2021 through 2024, an annual assessment on outpatient services is imposed on each hospital provider in an amount equal to .01358 multiplied by the hospital's outpatient gross revenue, provided however, that the amount of .01358 used to calculate the assessment under this subsection (b)(3) shall be adjusted by a uniform percentage to generate the same total annual assessment that was generated in State fiscal year 2020 from all hospitals subject to the annual assessment under this subsection (b)(3) plus \$6,250,000. For State fiscal years 2021 and 2022, a hospital's outpatient

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gross revenue shall be determined using the most recent data available from each hospital's 2017 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on March 31, 2019, without regard to any subsequent adjustments or changes to such data. For State fiscal years 2023 and 2024, a hospital's outpatient gross revenue shall be determined using the most recent data available from each hospital's 2019 Medicare cost report as contained in the Healthcare Cost Report Information System file, for the quarter ending on March 31, 2021, without regard to any subsequent adjustments or changes to such data.

- 4) In addition to any other assessments imposed under Article 5A of the Code, effective July 1, 2016 and semiannually thereafter through June 2018, in addition to any federally required State share as authorized under subsection (b)(3), the amount of .008766 shall be increased by a uniform percentage to generate an amount equal to 25% of the ACA Assessment Adjustment, as defined in subsection (l)(1).
- 5) Final Reconciliation
 - A) The Department shall complete and apply a final reconciliation of the ACA Assessment Adjustment described in subsections (b)(2) and (b)(4) prior to June 30, 2018 to account for:
 - i) any differences between the actual payments issued or scheduled to be issued prior to June 30, 2018 as authorized in Section 5A-12.5 of the Code for the period of January 1, 2018 through June 30, 2018 and the estimated payments due and payable in the month of October 2017 multiplied by 6 as described in subsection (l)(1)(D); and
 - ii) any difference between the estimated fee-for-service payments under Section 5A-12.5(b) of the Code and the amount of those payments that are actually scheduled to be paid.
 - B) The Department shall notify hospitals of any additional amounts owed or reduction credits to be applied to the June 2018 ACA

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Assessment Adjustment. This is to be considered the final reconciliation for the ACA Assessment Adjustment.

- C) Notwithstanding any other provision of this Section, if, for any reason, the scheduled payments under Section 5A-12.5(b) of the Code are not issued in full by the final day of the period authorized under that statute, funds collected from each hospital pursuant to subsections (1)(1)(D) and (b)(5)(A), attributable to the scheduled payments authorized under Section 5A-12.5(b) of the Code that are not issued in full by the final day of the period attributable to each payment authorized under that statute, shall be refunded.
- 6) The increases authorized under subsections (b)(2) and (b)(4) shall be limited to the federally required State share of the total payments authorized under Section 5A-12.5 of the Code if the sum of those payments yields an annualized amount equal to or less than \$450,000,000, or if the adjustments authorized under Section 5A-12.2(t) of the Code are found not to be actuarially sound; however, this limitation shall not apply to the fee-for-service payments described in Section 5A-12.5 of the Code.
- c) Payment of Assessment Due
- 1) The inpatient assessment imposed by Section 5A-2 of the Code for State fiscal year 2009 through State fiscal year 2018, or as provided in Section 5A-16, shall be due and payable in monthly installments, each equaling one-twelfth of the assessment for the year, on the 14th State business day of each month. No installment payments of an inpatient assessment shall be due and payable, however, until after the Comptroller has issued the payments required under Section 5A-12.2 of the Code. Assessment payments postmarked on the due date will be considered as paid on time.
- 2) Except as provided in Section 5A-4(a-5) of the Code, the outpatient assessment imposed by subsection (b)(3) for the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012 and for State fiscal year 2013 through State fiscal year 2018, or as provided in Section 5A-16, shall be due and payable in monthly installments, each equaling one-twelfth of the assessment for the year, on the 14th State business day of each month.

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- A) No installment payment of an outpatient assessment imposed by subsection (b)(3) shall be due and payable, however, until after:
- i) the Department notifies the hospital provider, in writing, that the payment methodologies to hospitals required under Section 5A-12.4 of the Code have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services (CMMS), and the waiver under 42 CFR 433.68 for the assessment imposed by subsection (b) of this Section, if necessary, has been granted by CMMS; and
 - ii) the Comptroller has issued the payments required under Section 5A-12.4 of the Code.
- B) Assessment payments postmarked on the due date will be considered as paid on time. Upon notification to the Department of approval of the payment methodologies required under Section 5A-12.4 of the Code and the waiver granted under 42 CFR 433.68, if necessary, all installments otherwise due under subsection (b)(3) of this Section prior to the date of notification shall be due and payable to the Department upon written direction from the Department and issuance by the Comptroller of the payments required under Section 5A-12.4 of the Code.
- 3) The assessment imposed under Section 5A-2 of the Code for State fiscal year 2019 and each subsequent State fiscal year shall be due and payable in monthly installments, each equaling one-twelfth of the assessment for the year, on the ~~17th~~^{14th} State business day of each month.
- A) No installment payment of an assessment imposed by Section 5A-2 of the Code shall be due and payable, however, until after:
- i) The Department notifies the hospital provider, in writing, that the payment methodologies to hospitals required under Section 5A-12.6 of the Code have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services, and the waiver under 42 CFR 433.68 for the assessment imposed by

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Section 5A-2 of the Code, if necessary, has been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services; and

- ii) The Comptroller has issued the payments required under Section 5A-12.6 of the Code.
- B)
- Upon notification to the Department of approval of the payment methodologies required under Section 5A-12.6 of the Code and the waiver granted under 42 CFR 433.68, if necessary, all installments otherwise due under subsection (b)(3) prior to the date of notification shall be due and payable to the Department upon written direction from the Department and issuance by the Comptroller of the payments required under Section 5A-12.6 of the Code.
- 4)
- Any assessment amount that is due and payable to the Department more frequently than once per calendar quarter shall be remitted to the Department by the hospital provider by means of electronic funds transfer. The Department may provide for remittance by other means if the amount due is less than \$10,000 or electronic funds transfer is unavailable for this purpose.
- 5)
- All payments received by the Department shall be credited first to unpaid installment amounts (rather than to penalty or interest), beginning with the most delinquent installments.
- d) Notice Requirements, Penalty, and Maintenance of Records
- 1) The Department shall send a notice of assessment to every hospital provider subject to an assessment under subsection (b), except that no notice shall be sent for the outpatient assessment imposed under subsection (b)(3) until the Department receives written notice that the payment methodologies to hospitals required under Section 5A-12.4 of the Code has been approved and the waiver under 42 CFR 433.68, if necessary, has been granted by CMMS.
 - 2) If a hospital provider conducts, operates, or maintains more than one hospital licensed by the Illinois Department of Public Health, a separate

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notice shall be sent for each hospital.

- e) Procedure for Partial Year Reporting/Operating Adjustments
- 1) Cessation of business during the fiscal year in which the assessment is being paid. If a hospital provider ceases to conduct, operate, or maintain a hospital for which the person is subject to assessment under subsection (b), the assessment for the State fiscal year in which the cessation occurs shall be adjusted by multiplying the assessment computed under subsection (d) by a fraction, the numerator of which is the number of days in the year during which the provider conducts, operates, or maintains the hospital and the denominator of which is 365. Immediately upon ceasing to conduct, operate or maintain a hospital, the person shall pay the assessment for the year as adjusted (to the extent not previously paid).
 - 2) Commencing of business during the fiscal year in which the assessment is being paid. A hospital provider who commences conducting, operating, or maintaining a hospital for which the person is subject to assessment under subsection (b), upon notice by the Department, shall pay the assessment under subsection (d) as computed by the Department in installments on the due dates stated on the notices and on the regular installment due dates for the State fiscal year occurring after the due date of the initial assessment notice. For State fiscal years 2009 through 2018, in the case of a hospital provider that did not conduct, operate or maintain a hospital in 2005, the inpatient assessment for that State fiscal year shall be computed on the basis of hypothetical occupied bed days for the full calendar year as determined by the Department. For the portion of State fiscal year 2012 beginning June 10, 2012 through June 30, 2012, and for State fiscal years 2013 through 2018, in the case of a hospital provider that did not conduct, operate or maintain a hospital in 2009, the outpatient assessment imposed under subsection (b)(3) shall be computed on the basis of hypothetical gross outpatient revenue for the full calendar year as determined by the Department. The assessment determination made by the Department is final.
 - 3) Partial Calendar Year Operation Adjustment. For a hospital provider that did not conduct, operate, or maintain a hospital throughout the entire calendar year reporting period, the assessment for the State fiscal year shall be annualized for the portion of the reporting period the hospital was

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operational (dividing the assessment due by the number of days the hospital was in operation and then multiplying the amount by 365). Information reported by a prior provider from the same hospital during the calendar year shall be used in the annualization equation, if available.

- 4) Notwithstanding any other provision in this Section, for State fiscal years 2019 through 2024, in the case of a hospital provider that did not conduct, operate, or maintain a hospital in the year that is the basis of the calculation of the assessment under this Section, the assessment under subsection (b) for the State fiscal year shall be computed on the basis of hypothetical occupied bed days for the full calendar year as determined by the Illinois Department, except that for a hospital provider that did not have a 2015 Medicare cost report, but paid an assessment in State fiscal year 2018 on the basis of hypothetical data, that assessment amount shall be used for State fiscal years 2019 and 2020; however, for State fiscal year 2020, the assessment amount shall be increased by the proportion that it represents of the total annual assessment that is generated from all hospitals in order to generate \$6,250,000 in the aggregate for that period from all hospitals subject to the annual assessment under this Section.
- 5) Notwithstanding any other provision in this Section, for State fiscal years 2019 through 2024, in the case of a hospital provider that did not conduct, operate, or maintain a hospital in the year that is the basis of the calculation of the assessment under this Section, the assessment under subsection (b) for that State fiscal year shall be computed on the basis of hypothetical gross outpatient revenue for the full calendar year as determined by the Illinois Department, except that for a hospital provider that did not have a 2015 Medicare cost report, but paid an assessment in State fiscal year 2018 on the basis of hypothetical data, that assessment amount shall be used for State fiscal years 2019 and 2020; however, for State fiscal year 2020, the assessment amount shall be increased by the proportion that it represents of the total annual assessment that is generated from all hospitals in order to generate \$6,250,000 in the aggregate for that period from all hospitals subject to the annual assessment under this Section.
- 6) Change in Ownership and/or Operators. The full quarterly installment must be paid on the designated due dates regardless of changes in ownership or operators. Liability for the payment of the assessment

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amount (including past due assessments and any interest or penalties that may have accrued against the amount) rests on the hospital provider currently operating or maintaining the hospital regardless if these amounts were incurred by the current owner or were incurred by previous owners. Collection of delinquent assessment fees from previous providers will be made against the current provider. Failure of the current provider to pay any outstanding assessment liabilities incurred by previous providers shall result in the application of penalties described in subsection (f)(1).

f) Penalties

- 1) Any hospital that fails to pay the full amount of an installment when due shall be charged, unless waived by the Department for reasonable cause, a penalty equal to 5% of the amount of the installment not paid on or before the due date, plus 5% of the portion remaining unpaid on the last day of each monthly period thereafter, not to exceed 100% of the installment amount not paid on or before the due date. Waiver due to reasonable cause may include but is not limited to:
 - A) provider has not been delinquent on payment of an assessment due, within the last three calendar years from the time the delinquency occurs.
 - B) provider can demonstrate to the Department's satisfaction that a payment was made prior to the due date.
 - C) provider is a new owner/operator and the late payment occurred in the quarter in which the new owner/operator assumed control of the facility.
- 2) Within 30 days after the due date, the Department may begin recovery actions against delinquent hospitals participating in the Medicaid Program. Payments may be withheld from the hospital until the entire assessment, including any interest and penalties, is satisfied or until a reasonable repayment schedule has been approved by the Department. If a reasonable agreement cannot be reached or if a hospital fails to comply with an agreement, the Department reserves the right to recover any outstanding provider assessment, interest and penalty by recouping the amount or a portion thereof from the hospital's future payments from the Department.

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The provider may appeal this recoupment in accordance with the Department's rules at 89 Ill. Adm. Code 104. The Department has the right to continue recoupment during the appeal process. Penalties pursuant to subsection (f)(1) will continue to accrue during the recoupment process. Recoupment proceedings against the same hospital two times in a fiscal year may be cause for termination from the Medicaid Program. Failure by the Department to initiate recoupment activities within 30 days shall not reduce the provider's liabilities nor shall it preclude the Department from taking action at a later date.

- 3) If the hospital does not participate in the Medicaid Program, or is no longer doing business with the Department, or the Department cannot recover the full amount due through the claims processing system, within three months after the fee due date, the Department may begin legal action to recover the monies, including penalties and interest owed, plus court costs.

g) Delayed Payment – Groups of Hospitals

The Department may establish delayed payment of assessments and/or waive the payment of interest and penalties for groups of hospitals such as disproportionate share hospitals or all other hospitals when:

- 1) The State delays payments to hospitals due to problems related to State cash flow; or
- 2) A cash flow bond pool's, or any other group financing plans', requests from providers for loans are in excess of its scheduled proceeds such that a significant number of hospitals will be unable to obtain a loan to pay the assessment.

h) Delayed Payment – Individual Hospitals

In addition to the provisions of subsection (g), the Department may delay assessments for individual hospitals that are unable to make timely payments under this Section due to financial difficulties. No delayed payment arrangements shall extend beyond the last business day of the calendar quarter following the quarter in which the assessment was to have been received by the Department as described in subsection (c). The request must be received by the Department prior to the due date of the assessment.

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- 1) Criteria. Delayed payment provisions may be instituted only under extraordinary circumstances. Delayed payment provisions may be made only to qualified hospitals who meet all of the following requirements:
 - A) The provider has experienced an emergency that necessitates institution of delayed payment provisions. Emergency in this instance is defined as a circumstance under which institution of the payment and penalty provisions described in subsections (c)(1), (c)(2), (f)(1) and (f)(2) would impose severe and irreparable harm to the clients served. Circumstances that may create these emergencies include, but are not limited to, the following:
 - i) Department system errors (either automated system or clerical) that have precluded payments, or that have caused erroneous payments such that the provider's ability to provide further services to clients is severely impaired;
 - ii) Cash flow problems encountered by a provider that are unrelated to Department technical system problems and that result in extensive financial problems to a facility, adversely impacting on its ability to serve its clients.
 - B) The provider serves a significant number of clients under the medical assistance program. "Significant" in this instance means:
 - i) A hospital that serves a significant number of clients under the medical assistance program; significant in this instance means that the hospital qualifies as a disproportionate share hospital (DSH) under 89 Ill. Adm. Code 148.120(a)(1) through 148.120(a)(2); or qualifies as a Medicare DSH hospital under the current federal guidelines.
 - ii) A government-owned facility that meets the cash flow criterion under subsection (h)(1)(A)(ii).
 - iii) A hospital that has filed for Chapter 11 bankruptcy and that meets the cash flow criterion under subsection (h)(1)(A)(ii).
 - C) The provider must ensure that a delay of payment request, as

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defined under subsection (h)(3)(A), is received by the Department prior to the payment due date, and the request must include a Cash Position Statement that is based upon current assets, current liabilities and other data for a date that is less than 60 days prior to the date of filing. Any liabilities payable to owners or related parties must not be reported as current liabilities on the Cash Position Statement. A deferral of assessment payments will be denied if any of the following criteria are met:

- i) The ratio of current assets divided by current liabilities is greater than 2.0.
 - ii) Cash, short term investments and long term investments equal or exceed the total of accrued wages payable and the assessment payment. Long term investments that are unavailable for expenditure for current operations due to donor restrictions or contractual requirements will not be used in this calculation.
- D) The provider must show evidence of denial of an application to borrow assessment funds through a cash flow bond pool or financial institutions such as a commercial bank. The denial must be 90 days old or less.
- E) The provider must sign an agreement with the Department that specifies the terms and conditions of the delayed payment provisions. The agreement shall contain the following provisions:
- i) Specific reasons for institution of the delayed payment provisions;
 - ii) Specific dates on which payments must be received and the amount of payment that must be received on each specific date described;
 - iii) The interest or a statement of interest waiver as described in subsection (h)(5) that shall be due from the provider as a result of institution of the delayed payment provisions;

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- iv) A certification stating that, should the entity be sold, the new owners will be made aware of the liability and any agreement selling the entity will include provisions that the new owners will assume responsibility for repaying the debt to the Department according to the original agreement;
 - v) A certification stating that all information submitted to the Department in support of the delayed payment request is true and accurate to the best of the signator's knowledge; and
 - vi) Other terms and conditions that may be required by the Department.
- 2) A hospital that does not meet the above criteria may request a delayed payment schedule. The Department may approve the request, notwithstanding the hospital not meeting the above criteria, upon a sufficient showing of financial difficulties and good cause by the hospital. If the request for a delayed payment schedule is approved, all other conditions of this subsection (h) shall apply.
- 3) Approval Process
- A) In order to receive consideration for delayed payment provisions, providers must ensure their request is received by the Department prior to the payment due date, in writing (telefax requests are acceptable) to the Bureau of Hospital and Provider Services. The request must be received by the date designated by the Department. Providers will be notified, in writing, as to the due dates for submitting delay of payment requests. Requests must be complete and contain all required information before they are considered to have met the time requirements for filing a delayed payment request. All telefax requests must be followed up with original written requests, postmarked no later than the date of the telefax. The request must include:
 - i) An explanation of the circumstances creating the need for the delayed payment provisions;

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- ii) Supportive documentation to substantiate the emergency nature of the request including a cash position statement as defined in subsection (h)(1)(C), a denial of application to borrow the assessment as defined in subsection (h)(1)(D) and an explanation of the risk of irreparable harm to the clients; and
 - iii) Specification of the specific arrangements requested by the provider.
- B) The hospital shall be notified by the Department, in writing prior to the assessment due date, of the Department's decision with regard to the request for institution of delayed payment provisions. An agreement shall be issued to the provider for all approved requests. The agreement must be signed by the administrator, owner, chief executive officer or other authorized representative and be received by the Department prior to the first scheduled payment date listed in such agreement.
- 4) **Waiver of Penalties.** The penalties described in subsections (f)(1) and (f)(2) may be waived upon approval of the provider's request for institution of delayed payment provisions. In the event a provider's request for institution of delayed payment provisions is approved and the Department has received the signed agreement in accordance with subsection (h)(3)(B), the penalties shall be permanently waived for the subject quarter unless the provider fails to meet all of the terms and conditions of the agreement. In the event the provider fails to meet all of the terms and conditions of the agreement, the agreement shall be considered null and void and the penalties shall be fully reinstated.
- 5) **Interest.** The delayed payments shall include interest at a rate not to exceed the State of Illinois borrowing rate. The applicable interest rate shall be identified in the agreement described in subsection (h)(1)(E). The interest may be waived by the Department if the facility's current ratio, as described in subsection (h)(1)(C), is 1.5 or less and the hospital meets the criteria in subsections (h)(1)(A) and (B). Any waivers granted shall be expressly identified in the agreement described in subsection (h)(1)(E).
- 6) **Subsequent Delayed Payment Arrangements.** Once a provider has

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requested and received approval for delayed payment arrangements, the provider shall not receive approval for subsequent delayed payment arrangements until such time as the terms and conditions of any current delayed payment agreement have been satisfied or unless the provider is in full compliance with the terms of the current delayed payment agreement. The waiver of penalties described in subsection (h)(4) shall not apply to a provider that has not satisfied the terms and conditions of any current delayed payment agreement.

i) Administration and Enforcement Provisions

The Department shall establish and maintain a listing of all hospital providers appearing in the licensing records of the Department of Public Health, which shall show each provider's name and principal place of business and the name and address of each hospital operated, conducted, or maintained by the provider in this State. The Department shall administer and enforce Sections 5A-1, 2, 3, 4, 5, 7, 8, 10, 12, 15, and 16 of the Code and collect the assessments and penalty assessments imposed under Sections 5A-2 and 4 of the Code. The Department, its Director, and every hospital provider subject to assessment measured by occupied bed days shall have the following powers, duties and rights:

- 1) The Department may initiate either administrative or judicial proceedings, or both, to enforce the provisions of Sections 5A-1, 2, 3, 4, 5, 7, 8, 10, 12, 15 and 16 of the Code. Administrative enforcement proceedings initiated shall be governed by the Department's rules at 89 Ill. Adm. Code 104.200 through 104.330. Judicial enforcement proceedings initiated shall be governed by the rules of procedure applicable in the courts of this State.
- 2) No proceedings for collection, refund, credit, or other adjustment of an assessment amount shall be issued more than three years after the due date of the assessment, except in the case of an extended period agreed to in writing by the Department and the hospital provider before the expiration of this limitation period.
- 3) Any unpaid assessment under Section 5A-2 of the Code shall become a lien upon the assets of the hospital upon which it was assessed. If any hospital provider, outside the usual course of its business, sells or transfers the major part of any one or more of the real property and improvements, the machinery and equipment, or the furniture or fixtures of any hospital that is subject to the provisions of Sections 5A-1, 2, 3, 4, 5, 7, 8, 10, 12, 15

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and 16 of the Code, the seller or transferor shall pay the Department the amount of any assessment, assessment penalty, and interest (if any) due from it under Sections 5A-2 and 4 of the Code up to the date of the sale or transfer. If the seller or transferor fails to pay any assessment, assessment penalty, and interest (if any) due, the purchaser or transferee of the asset shall be liable for the amount of the assessment, penalties and interest (if any) up to the amount of the reasonable value of the property acquired by the purchaser or transferee. The purchaser or transferee shall continue to be liable until the purchaser or transferee pays the full amount of the assessment, penalties, and interest (if any) up to the amount of the reasonable value of the property acquired by the purchaser or transferee or until the purchaser or transferee receives from the Department a certificate showing that the assessment, penalty and interest have been paid or a certificate from the Department showing that no assessment, penalty or interest is due from the seller or transferor under Sections 5A-2, 4 and 5 of the Code.

- 4) Payments under Section 5A-4 of the Code are not subject to the Illinois Prompt Payment Act [30 ILCS 540]. Credits or refunds shall not bear interest.
 - 5) In addition to any other remedy provided for and without sending a notice of assessment liability, the Department may collect an unpaid assessment by withholding, as payment of the assessment, reimbursements or other amounts otherwise payable by the Department to the hospital provider.
- j) Exemptions
The following classes of providers are exempt from the assessment imposed under Section 5A-4 of the Code unless the exemption is adjudged to be unconstitutional or otherwise invalid:
- 1) A hospital provider that is a State agency, a State university, or a county with a population of 3,000,000 or more.
 - 2) A hospital provider that is a county with a population of less than 3,000,000 or a township, municipality, hospital district, or any other local governmental unit.
- k) Nothing in Section 5A-4 of the Code shall be construed to prevent the Department

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from collecting all amounts due under this Section pursuant to an assessment imposed before February 3, 2004.

- l) Definitions
As used in this Section, unless the context requires otherwise:
 - 1) "ACA Assessment Adjustment" means:
 - A) For the period of July 1, 2016 through December 31, 2016, the product of .19125 multiplied by the sum of the fee-for-service payments to hospitals authorized under Section 5A-12.5 of the Code and the adjustments authorized under Section 5A-12.2(t) of the Code to managed care organizations for hospital services due and payable in the month of April 2016 multiplied by 6.
 - B) For the period of January 1, 2017 through June 30, 2017, the product of .19125 multiplied by the sum of the fee-for-service payments to hospitals authorized under Section 5A-12.5 of the Code and the adjustments authorized under Section 5A-12.2(t) to managed care organizations for hospital services due and payable in the month of October 2016 multiplied by 6, except that the amount calculated under this subsection (l)(1)(B) shall be adjusted, either positively or negatively, to account for the difference between the actual payments issued under Code Section 5A-12.5 for the period beginning July 1, 2016 through December 31, 2016 and the estimated payments due and payable in the month of April 2016 multiplied by 6 as described in subsection (l)(1)(A).
 - C) For the period of July 1, 2017 through December 31, 2017, the product of .19125 multiplied by the sum of the fee-for-service payments to hospitals authorized under Section 5A-12.5 of the Code and the adjustments authorized under Section 5A-12.2(t) of the Code to managed care organizations for hospital services due and payable in the month of April 2017 multiplied by 6, except that the amount calculated under this subsection (l)(1)(C) shall be adjusted, either positively or negatively, to account for the difference between the actual payments issued under Code Section 5A-12.5 for the period beginning January 1, 2017 through June 30,

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2017 and the estimated payments due and payable in the month of October 2016 multiplied by 6 as described in subsection (l)(1)(B).

- D) For the period of January 1, 2018 through June 30, 2018, the product of .19125 multiplied by the sum of the fee-for-service payments to hospitals authorized under Section 5A-12.5 of the Code and the adjustments authorized under Section 5A-12.2(t) of the Code to managed care organizations for hospital services due and payable in the month of October 2017 multiplied by 6, except that:
- i) the amount calculated under this subsection (l)(1)(D) shall be adjusted, either positively or negatively, to account for the difference between the actual payments issued under Code Section 5A-12.5 for the period of July 1, 2017 through December 31, 2017 and the estimated payments due and payable in the month of April 2017 multiplied by 6 as described in subsection (l)(1)(C); and
 - ii) the amount calculated under this subsection (l)(1)(D) shall be adjusted to include the product of .19125 multiplied by the sum of the fee-for-service payments, if any, estimated to be paid to hospitals under Section 5A-12.5(b) of the Code.
- 2) "CMMS" means the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services.
- 3) "Department" means the Illinois Department of Healthcare and Family Services.
- 4) "Fund" means the Hospital Provider Fund.
- 5) "HCRIS" means the federal Centers for Medicare and Medicaid Services Healthcare Cost Report Information System.
- 6) "Hospital" means an institution, place, building, or agency located in this State that is subject to licensure by the Illinois Department of Public Health under the Hospital Licensing Act, whether public or private and

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whether organized for profit or not-for-profit.

- 7) "Hospital Provider" means a person licensed by the Department of Public Health to conduct, operate, or maintain a hospital, regardless of whether the person is a Medicaid provider. For purposes of this definition, "person" means any political subdivision of the State, municipal corporation, individual, firm, partnership, corporation, company, limited liability company, association, joint stock association or trust, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.
- 8) "Inpatient Gross Revenue" means total inpatient gross revenue, as reported on the HCRIS Worksheet C, Part 1, Column 6, Line 101, less the sum of the following lines (including any subset lines of these lines):
 - A) Line 34: Skilled Nursing Facility.
 - B) Line 35: Other Nursing Facility.
 - C) Line 35.01: Intermediate Care Facility for the Mentally Retarded.
 - D) Line 36: Other Long Term Care.
 - E) Line 45: PBC Clinical Laboratory Services – Program Only.
 - F) Line 60: Clinic.
 - G) Line 63: Other Outpatient Services.
 - H) Line 64: Home Program Dialysis.
 - I) Line 65: Ambulance Services.
 - J) Line 66: Durable Medical Equipment – Rented.
 - K) Line 67: Durable Medical Equipment – Sold.
 - L) Line 68: Other Reimbursable.

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- 9) "Medicare Bed Days" means, for each hospital, the sum of the number of days that each bed was occupied by a patient who was covered by Title XVIII of the Social Security Act, excluding days attributable to the routine services provided to persons receiving skilled or intermediate long term care services. Medicare bed days shall be computed separately for each hospital operated or maintained by a hospital provider.
- 10) "Medicare Gross Inpatient Revenue" means the sum of the following:
- A) The sum of the following lines from the HCRIS Worksheet D-4, Column 2 (excluding the Medicare gross revenue attributable to the routine services provided to patients in a psychiatric hospital, a rehabilitation hospital, a distinct part psychiatric unit, a distinct part rehabilitation unit or swing beds):
 - i) Line 25: Adults and Pediatrics.
 - ii) Line 26: Intensive Care Unit.
 - iii) Line 27: Coronary Care Unit.
 - iv) Line 28: Burn Intensive Care Unit.
 - v) Line 29: Surgical Intensive Care Unit.
 - vi) Line 30: Other Special Care Unit.
 - B) From Worksheet D-4, Column 2, the amount from Line 103 less the sum of Lines 60, 63, 64, 66, 67 and 68 (and any subset lines of these lines).
 - C) The amount from Worksheet D-6, Part 3, Column 3, Line 53.
- 11) "Medicare Gross Outpatient Revenue" means the amount from the HCRIS Worksheet D, Part V, Line 101, Columns 5, 5.01, 5.02, 5.03 and 5.04 less the sum of Lines 45, 60, 63, 64, 65, 66 and 67 (and any subset lines of these lines).

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- 12) "Occupied Bed Days" means the sum of the number of days that each bed was occupied by a patient for all beds, excluding beds classified as long term care beds and assessed a licensed bed fee during calendar year 2001. Occupied bed days shall be computed separately for each hospital operated or maintained by a hospital provider.
- 13) "Outpatient Gross Revenue" (prior to State fiscal year 2019 from Medicare 2552-96 cost reports) means, for each hospital, its total gross charges attributed to outpatient services as reported on the Medicare cost report at Worksheet C, Part I, Column 7, Line 101 less the sum of lines 45, 60, 63, 64, 65, 66, 67 and 68 (and any subset lines of these lines).
- 14) "Outpatient Gross Revenue" (for State fiscal year 2019 and thereafter from Medicare 2552-10 cost reports) means, for each hospital, its total gross charges attributed to outpatient services as reported on the Medicare cost report at Worksheet C, Part I, Column 7, Line 200 less the sum of lines 61, 90, 94, 95, 96, 97, 99, 100, 101, 115, 116, and 117 (and any subset lines of these lines).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 140.88 Managed Care Organization Provider Assessment**a) Definitions**

- 1) "Base Year" means the 12 month period from January 1, 2018 to December 31, 2018
- 2) "Department" means the Department of Healthcare and Family Services.
- 3) "Federal employee health benefit" means the program of health benefits plans, as defined in 5 USC 8901, available to federal employees under 5 USC 8901 to 8914.
- 4) "Fund" means the Healthcare Provider Relief Fund.
- 5) "Managed Care Organization" means an entity operating under a certificate of authority issued pursuant to the Health Maintenance

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Organization Act [215 ILCS 125] or as a Managed Care Community Network pursuant to Section 5-11 of the Public Aid Code [305 ILCS 5].

- 6) "Medicaid Managed Care Organization" or "Medicaid MCO" means a Managed Care Organization under contract with the Department to provide services to recipients of benefits in the Medical Assistance Program under Article V of the Public Aid Code, the Children's Health Insurance Program Act [215 ILCS 106], and the Covering ALL KIDS Health Insurance Act [215 ILCS 170]. It does not include contracts the same entity or an affiliated entity maintains for other business.
 - 7) "Medicare" means the federal Medicare program established under Title XVIII of the Social Security Act.
 - 8) "Member months" means the aggregate total number of months all individuals are enrolled for coverage in an MCO during the base year. Member months are determined by the Department for Medicaid MCOs based on enrollment data in its Medicaid Management Information System and by the Department of Insurance for other MCOs based on required filings with the Department of Insurance. Member months do not include months individuals are enrolled in a Limited Health Services Organization, including stand-alone dental or vision plans, a Medicare Advantage Plan, a Medicare Supplement Plan, a Medicaid-Medicare Alignment Initiative Plan pursuant to a Memorandum of Understanding between the Department and the federal Centers for Medicare and Medicaid Services or a Federal Employee Health Benefits Plan.
- b) For State Fiscal Years 2020 through 2025, there is imposed upon MCO member months an assessment, calculated on base year data, as follows, for the appropriate tier:
- 1) Tier 1 – \$61.70 per member month;
 - 2) Tier 2 – \$1.20 per member month; and
 - 3) Tier 3 – \$2.40 per member month.
- c) The tiers are established as follows:

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- 1) Tier 1 includes the first 4,195,000 member months in a Medicaid MCO for the base year;
 - 2) Tier 2 includes member months over 4,195,000 in a Medicaid MCO during the base year; and
 - 3) Tier 3 includes member months during the base year in an MCO that is not a Medicaid MCO.
- d) The assessment payable for State FY 2020 shall be prorated and due and payable in monthly installments, each equaling one-eighth of the assessment for the year, on the first State business day of each month beginning November 1, 2019. The assessment payable for State FY 2021 through 2025 shall be due and payable in monthly installments, each equaling one-twelfth of the assessment for the year, on the first State business day of each month.
- e) The Department shall notify each MCO of its annual assessment and the installment due dates no later than 30 days prior to the first due date of each fiscal year, and the annual assessment and due dates for each subsequent year, at least 30 days prior to the start of each fiscal year.
- f) Proceeds from the assessment levied shall be deposited into the Fund.
- g) In the event of a merger, acquisition or any similar transaction involving entities subject to the assessment under this Section, the resultant entity shall be responsible for the full amount of the assessment for all entities involved in the transaction, with the member months allotted to tiers as they were prior to the transaction, and no member months shall change tiers as a result of any transaction. An MCO that ceases doing business in the State during any fiscal year shall be liable only for the monthly installments due in months that it operated in the State.
- h) An MCO that is liable for the assessment under this Section shall keep accurate and complete records and pertinent documents as may be required by the Department. Records required by the Department shall be retained for a period of 4 years after the assessment imposed under this Act to which the records apply is due, or as otherwise provided by law. The Department or the Department of Insurance may audit all records necessary to ensure compliance with this Section

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and make adjustments to assessment amounts previously calculated based on the results of any such audit.

- i) If an MCO fails to make a payment due under this Section in a timely fashion, it shall pay an additional penalty of 5% of the amount of the installment not paid on or before the due date, or any grace period granted, plus 5% of the portion remaining unpaid on the last day of each 30-day period thereafter. The Department is authorized to grant grace periods of up to 30 days upon request of an MCO for good cause due to financial or other difficulties, as determined by the Department. If an MCO fails to make a payment within 60 days after the due date, the Department shall additionally impose a contractual sanction allowed against a Medicaid MCO and may terminate any such contract.

(Source: Added at 44 Ill. Reg. _____, effective _____)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.402 Copayments for Non-institutional Medical Services

The following implements cost sharing in compliance with 42 USC 1396o (section 1916 of the Social Security Act):

- a) Each recipient, with the exception of those classes of recipients identified in subsection (d) ~~of this Section~~, shall be required to pay a copayment of \$2.00 for generic legend drugs and over-the-counter drugs billed to the Department, and for other services, with the exception of those services identified in subsection (e), the nominal copayment amount as defined at 42 CFR 447.54. For dates of service beginning July 1, 2012 through March 31, 2013 the nominal copayment amount is \$3.65. Beginning with dates of service on April 1, 2013 through August 31, 2019, the nominal copayment amount is \$3.90. Beginning with dates of service on or after September 1, 2019, recipients will no longer be required to pay a copayment for medical assistance services. Specific copayment amounts are described and updated on the Department's Web site for the following non-institutional medical services:
- 1) Office visits to enrolled practitioners for services reimbursed under the Illinois Public Aid Code.
 - 2) Each brand name legend drug billed to the Department.

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- 3) Each encounter billed to the Department by an Encounter Rate Clinic (ERC), Federally Qualified Health Center (FQHC) or Rural Health Clinic (RHC), but excluding behavioral services provided by these facilities. For dates of service beginning July 1, 2013 through August 31, 2019, copayments for behavioral health services provided by these facilities are no longer excluded and shall be required to be paid by recipients with the exception of those classes of recipients identified in subsection (d).
- b) In each instance in which ~~where~~ a copayment is payable, the Department will reduce the amount payable to the affected provider by the respective amount of the required copayment.
- c) No provider of services listed in subsection (a) may deny service to an individual who is eligible for service on account of the individual's inability to pay the cost of a copayment.
- d) The following individuals receiving medical assistance are exempt from the copayment requirement set forth in subsection (a):
 - 1) Pregnant women, including a postpartum period of 60 days.
 - 2) Children under 19 years of age.
 - 3) All non-institutionalized individuals whose care is subsidized by the Department of Children and Family Services or the Department of Corrections.
 - 4) Hospice patients.
 - 5) Individuals residing in hospitals, nursing facilities, and intermediate care facilities for the developmentally disabled who, as a condition of receiving services, are required to pay all of their income, except an authorized protected amount for personal use, for the cost of their care. For the purpose of this subsection (d)(5), the protected amount shall be no greater than the protected amount authorized for personal use under 89 Ill. Adm. Code 146.225(c).
 - 6) Residents of a State-certified, State-licensed, or State-contracted

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residential care program where residents, as a condition of receiving care in that program, are required to pay all of their income, except an authorized protected amount for personal use, for the cost of their residential care program. For the purpose of this subsection (d)(6), the protected amount shall be no greater than the protected amount authorized for personal use under 89 Ill. Adm. Code 146.225(c).

- 7) Individuals enrolled in the "Health Benefits for Person with Breast or Cervical Cancer" program under 89 Ill. Adm. Code 120.500.
 - 8) American Indians or Alaskan Natives.
- e) The following medical services are exempt from any copayments:
- 1) Renal dialysis treatment.
 - 2) Radiation therapy.
 - 3) Cancer chemotherapy.
 - 4) Insulin.
 - 5) Services for which Medicare is the primary payer.
 - 6) Emergency services as defined at 42 USC 1396u-2(b)(2) (section 1932(b)(2) of the Social Security Act) and 42 CFR 438.114(a).
 - 7) Any pharmacy compounded drugs.
 - 8) Any prescription (legend drug) dispensed or administered by a hospital, clinic or physician.
 - 9) Family planning services and supplies described in 42 USC 1396d(a)(4)(C) (section 1905(a)(4)(C) of the Social Security Act), including contraceptives and other pharmaceuticals for which the State claims or could claim federal financial participation at the enhanced rate under 42 USC 1396b(a)(5) (section 1903(a)(5) of the Social Security Act) for family planning services and supplies.

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- 10) Other therapeutic drug classes as specified by the Department.
- 11) Preventive services as described in section 4106(b) of the Affordable Care Act.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Variable Contracts
- 2) Code Citation: 50 Ill. Adm. Code 1551
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1551.10	Repealed
1551.20	Amendment
1551.30	Amendment
1551.60	Amendment
1551.90	Amendment
- 4) Statutory Authority: Implementing Article XIV½ of the Illinois Insurance Code [215 ILCS 5/Art. XIV½] and authorized by Sections 401 and 245.24 of the Illinois Insurance Code [215 ILCS 5/401 and 245.24].
- 5) A Complete Description of the Subjects and Issues Involved: Part 1551 will be amended to change references to the former National Association of Security Dealers (NASD) to refer instead to the entity's successor, the Financial Industry Regulatory Authority (FINRA), and its rules. A definition of 'Annuity 2000 Mortality Table' will be added to Section 1551.20 and the reference in Section 1551.60 will be revised to reflect that this is now the mortality table in use. Also, 50 Ill. Adm. Code 3117: Licensing and Suitability Requirements for the Solicitation of Variable Contracts, is simultaneously being repealed in its entirety, and several of its provisions are being moved to Section 1551.60.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

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- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:
- | | | |
|--------------------------------|----|--------------------------------|
| Kathryn Williams | or | Susan Anders |
| Assistant General Counsel | | Rules Coordinator |
| Department of Insurance | | Department of Insurance |
| 320 West Washington, 4th Floor | | 320 West Washington, 4th Floor |
| Springfield IL 62767-0001 | | Springfield IL 62767-0001 |
| 217/557-1416 | | 217/558-0957 |
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Department determined that the 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 begins on the next page:

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TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER t: SEPARATE ACCOUNTSPART 1551
VARIABLE CONTRACTS

Section

1551.10	Authority (<u>Repealed</u>)
1551.20	Definitions
1551.30	Qualification of Insurance Companies to Issue Variable Contracts
1551.40	Separate Accounts
1551.50	Filing of Contracts
1551.60	Contracts Providing for Variable Benefits
1551.70	Required Reports
1551.80	Foreign or Alien Companies
1551.90	Licensing of Producers for Variable Contracts
1551.100	Disclosure

1551.APPENDIX A Variable Annuities Only

AUTHORITY: Implementing Article XIV½ and Section 500-35 of, and authorized by Sections 401 and 245.24 of, the Illinois Insurance Code [215 ILCS 5].

SOURCE: Filed February 18, 1972, effective March 1, 1972; codified at 7 Ill. Reg. 4217; amended at 25 Ill. Reg. 4208, effective March 5, 2001; transferred from the Department of Insurance to the Department of Financial and Professional Regulation pursuant Executive Order 2004-6 on July 1, 2004; transferred from the Department of Financial and Professional Regulation to the Department of Insurance pursuant to Executive Order 2009-4 on July 1, 2009; amended at 38 Ill. Reg. 18664, effective August 27, 2014; amended at 39 Ill. Reg. 9369, effective June 26, 2015; amended at 39 Ill. Reg. 14559, effective October 22, 2015; recodified from 50 Ill. Adm. Code 1451 to 50 Ill. Adm. Code 1551 at 41 Ill. Reg. 149; amended at 44 Ill. Reg. _____, effective _____.

Section 1551.10 Authority (Repealed)

~~This Part is issued by the Director of Insurance pursuant to:~~

- a) ~~Section 401 of the Illinois Insurance Code which empowers the Director "... to~~

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

~~make reasonable rules and regulations as may be necessary for making effective..." the insurance laws of this State; and~~

- b) ~~Section 245.24 of the Illinois Insurance Code, which empowers the Director "... to promulgate such reasonable rules and regulations as may be appropriate to carry out the purposes and provisions of..." Article XIV½ of the Illinois Insurance Code.~~

(Source: Repealed at 44 Ill. Reg. _____, effective _____)

Section 1551.20 Definitions

"Annuity 2000 Mortality Table" means the mortality table developed by the Society of Actuaries Committee on Life Insurance Research and adopted as a recognized mortality table for annuities in December 1996 by the National Association of Insurance Commissioners (NAIC), as published in the Transactions of the Society of Actuaries, Vol. XLVII, p. 240.

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

"Company" means a stock or mutual legal reserve life insurance company or a fraternal benefit company that operates on a legal reserve basis. It does not include an assessment legal reserve company, or any other company as that term is defined in Section 2(e) of the Code.

"Department" means the Department of Insurance.

"Director" means the Director of the Illinois Department of Insurance.

~~"1983 Table "a" means the mortality table developed by the Society of Actuaries Committee to Recommend a New Mortality Basis for Individual Annuity Valuation and adopted as a recognized mortality table for annuities in June 1982 by the National Association of Insurance Commissioners.~~

"Producer" means any person who is licensed as a life insurance producer under the ~~Illinois Insurance~~ Code. The term producer also includes any person who represents a fraternal benefit company, operating on a legal reserve basis, and who solicits, negotiates or effects, for or on behalf of the fraternal benefit company, policies or contracts for insurance covering risks in this State.

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"Securities Examination" means ~~proof of passing either the~~ Financial Industry Regulatory Authority (FINRA)NASD Series 6 or Series 7 Qualification Examinations or any superseding FINRANASD examination that grants a person authority to sell variable contracts.

"Variable Contract" means any policy or contract that provides for life insurance or annuity benefits that vary according to the investment experience of any separate account or accounts maintained by the insurer as to that policy or contract, as provided for in Section 245.21 of the Code; or any policy or contract that is registered under the Securities Act of 1933, as amended (15 USC 77a et seq.), and that provides for benefits that vary according to the performance of an index, when the funds are not guaranteed as to principal or a stated rate of interest and in which the supporting assets are held and reported in a noninsulated separate account in which changes in asset values substantially match changes in contractual benefits from inception of the contract.

"Variable Contract Producer" means a producer who sells or offers to sell any variable contract.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1551.30 Qualification of Insurance Companies to Issue Variable Contracts

- a) Before any company shall deliver or issue for delivery variable contracts within this State it shall submit to the Director:
- 1) A general description of the kinds of variable contracts it intends to issue in this State;⁵
 - 2) If requested by the Director, a copy of the statutes and regulations of its state of domicile under which it is authorized to issue variable contracts;⁵ and
 - 3) If requested by the Director, biographical ~~affidavits~~data with respect to officers and directors of the company. The biographical affidavits shall include, but not be limited to, the following information: identifying and contact information; educational, residential and employment history; professional, business and technical licenses and memberships; a complete

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history of fidelity bonding; criminal charges and convictions; civil, regulatory, administrative and disciplinary actions; a complete history of bankruptcy, insolvency, liens and foreclosures; affiant's consent to release background reports to the Department and consent for third parties to cooperate in the gathering of background information and confirmation; and the individual's, and his or her immediate family's, equity holdings in any entity subject to insurance regulation. The Department will accept the biographical affidavit, and any supplement to that affidavit. The affidavit is available on the website of the NAIC or the Department on the forms prescribed in Management Information Reports (50 Ill. Adm. Code 915).

- b) The Director may require additional information to be filed prior to authorizing a company to transact a variable contract business.
- c) The Director shall notify the company, in writing, that it is authorized to transact a variable contract business in this State.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1551.60 Contracts Providing for Variable Benefits

- a) Illustrations of benefits payable under any variable contract shall not include projections of past investment experience into the future or attempted predictions of future investment experience; provided, however, that the form of illustration found in Appendix A of this Part may be utilized by companies in the sale of immediate variable annuities only.
- b) No individual variable annuity contract calling for the payment of periodic stipulated payments shall be delivered or issued for delivery in this State unless it contains in substance the following provisions or provisions which in the opinion of the Director are more favorable to the holders of such contracts:
 - 1) A provision that there shall be a period of grace of 30 days or of one month, within which any stipulated payment to the insurer falling due after the first may be made, during which period of grace the contract shall continue in force. The contract may include a statement of the basis for determining the date as of which any such payment received during the period of grace shall be applied to produce the values under the contract arising therefrom;

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- 2) A provision that, at any time within 1 year from the date of default, in making periodic stipulated payments to the insurer during the life of the annuitant and unless the cash surrender value has been paid, the contract may be reinstated upon payment to the insurer of such overdue payments as required by the contract, and of all indebtedness to the insurer on the contract, including interest. The contract may include a statement of the basis for determining the date as of which the amount to cover such overdue payments and indebtedness shall be applied to produce the values under the contract arising therefrom;
 - 3) A provision specifying the options available in the event of default in a periodic stipulated payment. ThoseSuch options may include an option to surrender the contract for a cash value as determined by the contract, and shall include an option to receive a paid-up annuity if the contract is not surrendered for cash, the amount of thesueh paid-up annuity being determined by applying the value of the contract at the annuity commencement date in accordance with the terms of the contract.
- c) No individual variable life insurance policy shall be delivered or issued for delivery in this State unless it contains in substance the following provisions or provisions that, which in the opinion of the Director, are more favorable to the holders of thosesueh policies:
- 1) A provision that there shall be a period of grace of 30 days or of one month, within which payment of any premium after the first may be made, during which period of grace the policy shall continue in force, but if a claim arises under the policy during thesueh period of grace before the overdue premiums or the deferred premiums of the current policy year, if any, are paid, the amount of thosesueh premiums, together with interest not in excess of 6% per annum, may be deducted from any amount payable under the policy in settlement. The policy may contain a statement of the basis for determining any variation in benefits that may occur as a result of the payment of premium during the period of grace.
 - 2) A provision that the policy will be reinstated at any time within 3 years from the date of default, unless the cash surrender value has been paid or unless the period of extended insurance has expired, upon the application of the insured and the production of evidence of insurability, including

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good health, satisfactory to the insurer and the payment of an amount not exceeding the greater of:

- A) all overdue premiums and the payment of any other indebtedness to the insurer upon said policy with interest at a rate not exceeding 6% per annum compounded annually; or
 - B) 110% of the increase in cash surrender value resulting from reinstatement.
- 3) A provision for cash surrender values and paid-up insurance benefits available as non-forfeiture options under the policy in the event of default in a premium payment after premiums have been paid for a specified period.
- A) If the policy does not include a table of figures for the options so available, the policy shall provide that the company will furnish at least once in each policy year a statement showing the cash value as of a date no earlier than the prior policy anniversary.
 - B) The method of computation of cash values and other non-forfeiture benefits, as described either in the policy or in a statement filed with the Commissioner, Director or Superintendent of the jurisdiction in which the policy is delivered, shall be in accordance with actuarial procedures that recognize the variable nature of the policy. The method of computation must be such that, if the net investment return credited to the contract at all times from the date of issue should be equal to the assumed investment increment factor if the contract provides for such a factor, or 3½% if not, with premiums and benefits determined accordingly under the terms of the policy, the resulting cash values and other non-forfeiture benefits would be at least equal to the minimum values required by Section 229.2 of the ~~Illinois Insurance Code~~ [215 ILCS 5/229.2] for a fixed dollar policy with ~~thosesuch~~ premiums and benefits. The method of computation may disregard incidental minimum guarantees as to the dollar amounts payable. Incidental minimum guarantees include, for example, but are not to be limited to, a guarantee under a policy ~~thatwhich~~ provides for an assumed investment increment factor that the amount payable at death or

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maturity shall be at least equal to the amount that otherwise would have been payable if the net investment return credited to the contract at all times from the date of issue had been equal to ~~that~~^{those} factor.

- d) Any variable annuity contract delivered or issued for delivery in this State shall stipulate the investment increment factors to be used in computing the dollar amount of variable benefits or other variable contractual payments or values thereunder, and may guarantee that expense and/or mortality results shall not adversely affect ~~those~~^{those} dollar amounts. In the case of an individual variable annuity contract under which the expense and mortality results may adversely affect the dollar amount of benefits, the expense and mortality factors shall be stipulated in the contract.
- 1) In computing the dollar amount of variable benefits or other contractual payments or values under an individual variable annuity contract:
- A) The annual net investment increment assumption shall not exceed 5%, except with the approval of the Director;
- B) To the extent that the level of benefits may be affected by future mortality results, the mortality factor shall be determined from the ~~Annuity 2000 Mortality~~¹⁹⁸³ Table, "a" or any modification of that table not having a lower life —expectancy at any age, or ~~any annuity mortality table adopted after 1996 by NAIC that is, if approved by the Director, from another table.~~
- 2) "Expense,"₂ as used in subsection (d) ~~of this Section,~~ may exclude some or all taxes, as stipulated in the contract.
- e) Any individual variable life insurance policy delivered or issued for delivery in this State shall stipulate the investment increment factor to be used in computing the dollar amount of variable benefits or other variable contractual payments or ~~cash~~ values ~~of those benefits thereunder~~ and shall guarantee that expense and mortality results shall not adversely affect ~~those~~^{those} dollar amounts.
- f) The reserve liability for variable contracts shall be established pursuant to the requirements of Section 223 of the ~~Illinois Insurance Code~~ ~~[215 ILCS 5/223]~~ in accordance with actuarial procedures that recognize the variable nature of the

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benefits provided and any mortality guarantees, provided ~~thosesueh~~ actuarial procedures meet the approval of the Director.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1551.90 Licensing of Producers for Variable Contracts

- a) No producer shall be eligible to sell or offer for sale a variable contract unless, prior to making any solicitation or sale of such a contract, the producer also is licensed as a variable contract producer. No agent of a fraternal benefit company ~~that, which~~ operates on a legal reserve basis, shall be eligible to be licensed as a variable contract producer unless the producer also is licensed as a life insurance producer.
- b) Any producer who participates only in the sale or offering for sale of variable contracts that are not registered under the Federal Securities Act of 1933 (15 USC 77(a) et seq.) need not be licensed as a variable contract producer.
- c) Any producer applying for a license as a variable contract producer shall do so by obtaining a life insurance producer license pursuant to 50 Ill. Adm. Code 3119 and filing with this Department proof of passing the Securities Examination. Upon completion of these requirements, the Director shall issue a variable contract license to the individual~~NASD Series 6 or 7 examination or any superseding examination that grants authority to sell variable contracts.~~
- d) Any person licensed in this State as a variable contract producer shall immediately report to the Director:
 - 1) any suspension or revocation of the variable contract producer's license or life insurance producer's license in any other State or Territory of the United States;
 - 2) the imposition of any disciplinary sanction (including suspension or expulsion from membership, suspension or revocation of or denial of registration) imposed by any national securities exchange, or national securities association, or any federal, or state or territorial agency with jurisdiction over securities or variable contracts;
 - 3) any judgement or injunction entered against the producer on the basis of

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conduct deemed to have involved fraud, deceit, misrepresentation, or violation of any insurance or securities law or regulation.

- e) The Director may reject any application or suspend or revoke or refuse to renew any variable contract producer's license upon any ground that would bar ~~the~~such applicant or ~~such~~ producer from being licensed to sell life insurance contracts in this State. The rules governing any proceeding relating to the suspension or revocation of a life insurance producer's license shall also govern any proceeding for suspension or revocation of a variable contract producer's license.
- f) Renewal of a variable contract producer's license shall follow the same procedure established for renewal of a producer's license to sell life insurance contracts in this State.
- g) No recommendation shall be made by an insurance producer, or insurer when no producer is involved, to an applicant to purchase a variable life insurance policy, on an individual basis, in the absence of reasonable grounds to believe that the purchase of the policy is not unsuitable for the applicant on the basis of information furnished after reasonable inquiry of the applicant concerning the applicant's age, insurance and investment objectives, financial situation, needs and tax status, and any other information known to the insurer or producer making the recommendation.
 - 1) For purposes of this subsection (g), "recommendation" means advice provided by an insurance producer, or an insurer when no producer is involved, to an individual consumer that results in a purchase or exchange of a variable life insurance contract in accordance with that advice.
 - 2) Compliance with the Financial Industry Regulatory Authority rules pertaining to suitability (1735 K Street, N.W., Washington DC 20006) (amended by SR-FINRA-2014-016, effective May 2, 2014; no later editions or amendments are included) shall satisfy the requirements under this Section for the recommendation of variable life insurance policies. However, nothing in this Section shall limit the Director's ability to enforce this requirement.
 - 3) Violation of the requirements of this Part shall be an unfair trade practice and evidence of incompetence or untrustworthiness in the conduct of business under Section 500-70(a)(7) and (8) of the Code.

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(Source: Amended at 44 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Accident and Health Reserves
- 2) Code Citation: 50 Ill. Adm. Code 2004
- 3) Section Number: 2004.10 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 223 and 353a and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223, 353a and 401].
- 5) A Complete Description of the Subjects and Issues Involved: Section 2004.10(b)(E) currently incorporates by reference a 2016 edition of the "Valuation Manual" published by the National Association of Insurance Commissioners. That publication has been superseded by the January 1, 2019 edition. The incorporation by reference is being revised to reflect the current publication.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Robert Planthold
Assistant General Counsel
Illinois Department of Insurance
122 S. Michigan Ave., Fl. 19

or

Susan Anders
Rules Coordinator
Illinois Department of Insurance
320 W. Washington St., Fl. 4

DEPARTMENT OF INSURANCE

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Chicago IL 60603-6137

Springfield IL 62767-0002

312/814-5445

217/558-0957

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Small insurance companies offering accident and health insurance policies
 - B) Reporting, bookkeeping or other procedures required for compliance: Use the new version of the manual instead of the August 29, 2016 edition.
 - C) Types of professional skills necessary for compliance: Actuarial
- 14) Small Business Impact Analysis: The Department determined that the 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 Amendment begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER z: ACCIDENT AND HEALTH INSURANCEPART 2004
ACCIDENT AND HEALTH RESERVES

Section

2004.5	Authority
2004.7	Definitions
2004.10	Application, Effective Dates and Incorporations by Reference
2004.20	Active Life Reserves – Individual Policies
2004.30	Active Life Reserves – Group Policies
2004.40	Claim Reserves – Present Value of Amounts Not Yet Due on Claims
2004.50	Policies Issued Prior to Operative Date of Section 353a

AUTHORITY: Implementing Sections 223 and 353a and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5].

SOURCE: Filed December 14, 1965, effective December 28, 1965; codified at 7 Ill. Reg. 4219; amended at 26 Ill. Reg. 3074, effective February 19, 2002; transferred from the Department of Insurance to the Department of Financial and Professional Regulation pursuant to Executive Order 2004-6 on July 1, 2004; amended at 30 Ill. Reg. 19360, effective November 29, 2006; amended at 32 Ill. Reg. 13191, effective July 25, 2008; recodified from the Department of Financial and Professional Regulation to the Department of Insurance pursuant to Executive Order 2009-04 at 39 Ill. Reg. 2804; amended at 40 Ill. Reg. 211, effective December 31, 2015; amended at 40 Ill. Reg. 10471, effective July 22, 2016; amended at 41 Ill. Reg. 6920, effective May 31, 2017; amended at 44 Ill. Reg. _____, effective _____.

Section 2004.10 Application, Effective Dates and Incorporations by Reference

- a) This Part applies to all companies transacting in this State the kinds of business enumerated in clause (b) of Class 1 and clause (a) of Class 2 of Section 4 of the Code, and it applies to all accident and health policies for which reserve standards are prescribed under Section 353a of the Code. The original standards created in this Part applied through 2001. From 2002 through 2016, the applicable standards were those prescribed by the National Association of Insurance Commissioners (NAIC) in the Accounting Practices and Procedures Manual (APPM). Pursuant to Section 223 of the Code, starting in 2017, the applicable standards are those

DEPARTMENT OF INSURANCE

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prescribed by the NAIC in the Valuation Manual (VM).

- b) Incorporations by Reference
- 1) National Association of Insurance Commissioners, 1100 Walnut Street, Suite 1500, Kansas City MO 64106-2277
 - A) Policies issued and claims incurred on or after January 1, 2002 and before November 29, 2006 are subject to the standards prescribed in the March 2001 APPM.
 - B) Policies issued and claims incurred on or after November 29, 2006 and before July 25, 2008 are subject to the standards prescribed in the March 2006 APPM.
 - C) Policies issued and claims incurred on or after July 25, 2008 and before December 31, 2015 are subject to the standards prescribed in the March 2008 APPM.
 - D) Policies issued and claims incurred on or after December 31, 2015 and before January 1, 2017 are subject to the standards prescribed in the March 2016 APPM.
 - E) Policies issued and claims incurred on or after January 1, 2017 are subject to the standards prescribed in the [January 1, 2019](#)~~August 29, 2016~~ [edition of the](#) VM as directed in Section 223 of the Code.
 - 2) The incorporations by reference stated in subsection (b)(1) include no later amendments or editions.
- c) For claims incurred on or after January 1, 2002 and before January 1, 2017, the insurer may elect to calculate reserves for all open claims using a more recent standard required by subsection (b), but once a more recent standard is elected, all future valuations must be on that basis.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Licensing and Suitability Requirements for the Solicitation of Variable Contracts
- 2) Code Citation: 50 Ill. Adm. Code 3117
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
3117.10	Repealed
3117.20	Repealed
3117.25	Repealed
3117.40	Repealed
3117.200	Repealed
3117.210	Repealed
- 4) Statutory Authority: Implementing Article XXXI and authorized by Sections 401 and 500-145 of the Illinois Insurance Code [215 ILCS 5/Art. XXXI, 401 and 500-145].
- 5) A Complete Description of the Subjects and Issues Involved: Most of the Sections of Part 3117 have already been repealed, and the remaining three Sections are now being incorporated into 50 Ill. Adm. Code 1551: Variable Contracts. Accordingly, Part 3117 is no longer necessary and is being repealed in its entirety.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes, in Section 3117.200
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED REPEALER

Kathryn Williams or
Assistant General Counsel
Department of Insurance
320 West Washington, 4th Floor
Springfield IL 62767-0001

217/557-1416

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

217/558-0957

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Department determined that the 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 Repealer begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED REPEALER

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER ii: INSURANCE PRODUCERS, LIMITED INSURANCE
REPRESENTATIVES AND BUSINESS ENTITIES

PART 3117
LICENSING AND SUITABILITY REQUIREMENTS FOR THE
SOLICITATION OF VARIABLE CONTRACTS (REPEALED)

Section	
3117.10	Authority
3117.20	Scope
3117.25	Definitions
3117.30	Definitions (Repealed)
3117.40	Procedure for Obtaining a Variable Contract License
3117.50	Agents (Repealed)
3117.60	Resident Brokers (Repealed)
3117.70	Nonresident Brokers (Repealed)
3117.80	Agents and Brokers Doing Business Under an Assumed Trade or Firm Name (Repealed)
3117.90	Cancellation of Agent/Broker Licenses (Repealed)
3117.100	Renewals (Repealed)
3117.110	Certifications/Clearances (Repealed)
3117.200	Suitability
3117.210	Noncompliance

AUTHORITY: Implementing Article XXXI and authorized by Sections 401 and 500-145 of the Illinois Insurance Code [215 ILCS 5/Art. XXXI, 401 and 500-145].

SOURCE: Emergency rule adopted at 4 Ill. Reg. 24, p. 663, effective June 2, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 44, p. 462, effective October 22, 1980; codified at 7 Ill. Reg. 3014; amended at 9 Ill. Reg. 6709, effective April 26, 1985; transferred from the Department of Insurance to the Department of Financial and Professional Regulation pursuant to Executive Order 2004-6 on July 1, 2004; amended at 31 Ill. Reg. 12740, effective January 1, 2008; transferred from the Department of Financial and Professional Regulation to the Department of Insurance pursuant to Executive Order 2009-04 on June 1, 2009; recodified at 41 Ill. Reg. 12928; repealed at 44 Ill. Reg. _____, effective _____.

Section 3117.10 Authority

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED REPEALER

This Part is promulgated by the Director of Insurance pursuant to Sections 401 and 500-145 of the Illinois Insurance Code [215 ILCS 5/401 and 500-145]. The purpose of this Part is to implement Article XXXI of the Illinois Insurance Code.

Section 3117.20 Scope and Purpose

This Part applies to individuals holding an Insurance Producer License, as defined in Section 500-10 of the Illinois Insurance Code, which, at the minimum, includes the authority to write Class 1(a) life insurance, as classified in Section 4 of the Code [215 ILCS 5/4], and, with respect to suitability, to insurance producers and issuers of variable life insurance contracts.

Section 3117.25 Definitions

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

Department means the Department of Insurance.

Director means the Director of the Illinois Department of Insurance.

Insurance producer means a person required to be licensed under the laws of this State to sell, solicit, or negotiate insurance.

Recommendation means advice provided by an insurance producer, or an insurer where no producer is involved, to an individual consumer that results in a purchase or exchange of a variable life insurance contract in accordance with that advice.

Variable Contract shall mean any policy or contract that provides for benefits or annuity benefits that vary according to the investment experience of any separate account or accounts maintained by the insurer as to such policy or contract, as provided for in Section 245.21 of the Illinois Insurance Code [215 ILCS 5/245.21].

Section 3117.30 Definitions (Repealed)

(Source: Repealed at 9 Ill. Reg. 6709, effective April 26, 1985)

Section 3117.40 Procedure for Obtaining a Variable Contract License

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An individual who has passed the Department's written Life Insurance Licensing Qualification Examination and either the National Association of Security Dealers (NASD) Series 7 Exam for General Securities Representatives or the Series 6 Exam for Limited Securities Representatives may apply for a variable contract license. The individual must complete the form prescribed by the Director, including providing the Director with a copy of the individual's NASD examination score. Upon completion of the above requirements, the Director shall issue a variable contract license to the individual.

Section 3117.50 Agents (Repealed)

(Source: Repealed at 9 Ill. Reg. 6709, effective April 26, 1985)

Section 3117.60 Resident Brokers (Repealed)

(Source: Repealed at 9 Ill. Reg. 6709, effective April 26, 1985)

Section 3117.70 Nonresident Brokers (Repealed)

(Source: Repealed at 9 Ill. Reg. 6709, effective April 26, 1985)

Section 3117.80 Agents and Brokers Doing Business Under an Assumed Trade or Firm Name (Repealed)

(Source: Repealed at 9 Ill. Reg. 6709, effective April 26, 1985)

Section 3117.90 Cancellation of Agent/Broker Licenses (Repealed)

(Source: Repealed at 9 Ill. Reg. 6709, effective April 26, 1985)

Section 3117.100 Renewals (Repealed)

(Source: Repealed at 9 Ill. Reg. 6709, effective April 26, 1985)

Section 3117.110 Certifications/Clearances (Repealed)

(Source: Repealed at 9 Ill. Reg. 6709, effective April 26, 1985)

Section 3117.200 Suitability

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NOTICE OF PROPOSED REPEALER

No recommendation shall be made by an insurance producer, or insurer where no producer is involved, to an applicant to purchase a variable life insurance policy, on an individual basis, in the absence of reasonable grounds to believe that the purchase of the policy is not unsuitable for the applicant on the basis of information furnished after reasonable inquiry of the applicant concerning the applicant's age, insurance and investment objectives, financial situation, needs and tax status, and any other information known to the insurer or producer making the recommendation. Compliance with the National Association of Securities, Dealers Conduct Rules (1735 K Street, N.W., Washington DC 2006) (Adopted by SR-NASD-95-39, effective August 20, 1996, no later editions or amendments are included) pertaining to suitability shall satisfy the requirements under this Section for the recommendation of variable life insurance policies. However, nothing in this Section shall limit the Director's ability to enforce the provisions of this Part.

Section 3117.210 Noncompliance

Violation of the requirements of this Part shall be an unfair trade practice and evidence of incompetence or untrustworthiness in the conduct of business under Section 500-70(a)(7) and (8) of the Code.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Adoption Services for Children for whom the Department of Children and Family Services is Legally Responsible
- 2) Code Citation: 89 Ill. Adm. Code 309
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
309.20	Amendment
309.40	Amendment
309.105	Amendment
309.150	Amendment
- 4) Statutory Authority: 20 ILCS 505/4
- 5) Effective Date of Rules: October 10, 2019
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 42 Ill. Reg. 21529; December 7, 2018
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: These amendments incorporate changes to the Adoption Act as enacted by PA 99-345, and PA 99-832. Amendments include added and amended definitions to Section 309.20; deletes the Adoption Information Center of

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Illinois as the Department's agent for adoption listing services from Section 309.40; adds parties to a civil union as persons who may adopt to Section 309.105; and, in Section 309.150 adds disclosure of post adoption contact with birth parents with the adopted child, and how, why, and by whom were the adoptive parent or parents selected for the adoption.

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

Jeff Osowski
Office of Child and Family Policy
Department of Children and Family Services
406 E. Monroe, Station #65-D
Springfield IL 62701-1498

217/524-1983
tty: 217/524-3715
fax: 217/557-0692
cfpolicy@idcfs.state.il.us

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

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TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER a: SERVICE DELIVERY

PART 309

ADOPTION SERVICES FOR CHILDREN FOR WHOM THE DEPARTMENT OF
CHILDREN AND FAMILY SERVICES IS LEGALLY RESPONSIBLE

Section	
309.10	Purpose
309.20	Definitions
309.30	Recruitment of Adoptive Families
309.35	Good Faith Effort to Locate Siblings in Adoption and Subsidized Guardianship Placements
309.40	Adoption Listing Services
309.50	Identification of Children for Potential Adoption Planning
309.60	Legal Risk Placements
309.70	Freeing Children for Adoption
309.80	Termination of Parental Rights
309.90	Putative Father Registry
309.100	Preparation of Children for Adoption
309.105	Who May Adopt a Child
309.110	Preparation and Training of Adoptive Families
309.120	Preparation of the Child's Biological Parents
309.130	Placement Considerations
309.135	Post-Permanency Sibling Contact Agreement
309.140	Placement of Children with Adoptive Families
309.150	Providing Information to Adoptive Families
309.160	Post-Placement Services
309.170	Post-Adoption Services
309.180	Adoption Assistance
309.190	Adoption Registry

AUTHORITY: Implementing and authorized by Sections 4 and 5 of the Children and Family Services Act [20 ILCS 505/4 and 5] and the Adoption Act [750 ILCS 50]; implementing the Adoption Assistance and Child Welfare Act of 1980 (42 USCA 670 et seq; 45 CFR 1356.40 and 1356.41); and the Adoption and Safe Families Act (42 USCA 1305).

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SOURCE: Adopted at 22 Ill. Reg. 8769, effective May 15, 1998; amended at 23 Ill. Reg. 11098, effective September 16, 1999; amended at 25 Ill. Reg. 11778, effective September 14, 2001; amended at 26 Ill. Reg. 16449, effective October 23, 2002; emergency amendment at 30 Ill. Reg. 17123, effective October 13, 2006, for a maximum of 150 days; emergency expired March 11, 2007; amended at 31 Ill. Reg. 8466, effective June 8, 2007; amended at 36 Ill. Reg. 4069, effective March 5, 2012; amended at 40 Ill. Reg. 720, effective December 31, 2015; amended at 40 Ill. Reg. 7744, effective May 16, 2016; amended at 42 Ill. Reg. 2194, effective January 17, 2018; amended at 43 Ill. Reg. 12076, effective October 10, 2019.

Section 309.20 Definitions

"Adoption assistance" or "adoption subsidy" means financial assistance and other services from the Department which are provided to the adoptive parents after the finalization of an adoption of a child with special needs as defined in Section 309.180.

"Adoption dissolution" means a circumstance in which the child is removed from an adoptive placement after the adoption is finalized.

"Adoption placement" means a living arrangement with a family that is directed toward establishing that family as the child's new legal parents.

"Adoption triad" means the adoptive family, the adoptee (child being adopted) and the biological family.

"Adult" means a person who has attained the age of 18.

"Agency" means a public child welfare agency or a licensed child welfare agency.

"Attachment" means the lasting psychological tie between two people who have significance for each other that endures through space and time and serves to join them emotionally.

"Best interests", as defined in the Juvenile Court Act of 1987 [705 ILCS 405], means consideration of the following factors, in the context of the child's age and developmental needs:

the physical safety and welfare of the child, including food, shelter, health, and clothing;

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the development of the child's identity;

the child's background and ties, including familial, cultural, and religious;

the child's sense of attachments, including:

where the child actually feels love, attachment, and a sense of being valued (as opposed to where adults believe the child should feel such love, attachment, and sense of being valued);

the child's sense of security;

the child's sense of familiarity;

continuity of affection for the child;

the least disruptive placement alternative for the child;

the child's wishes and long-term goals;

the child's community ties, including church, school, and friends;

the child's need for permanence, which includes the child's need for stability and continuity of relationships with parent figures and with siblings and other relatives;

the uniqueness of every family and child;

the risks attendant to entering and being in substitute care; and

the preferences of the persons available to care for the child. [705 ILCS 405/1-3]

"Birth grandparent", for the purposes of the Adoption Registry, means the biological parent of:

a non-surrendered person who is a deceased birth mother; or

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a non-surrendered person who is a deceased birth father [750 ILCS 50/18.06].

"Birth relative", for the purposes of the Adoption Registry, means a birth mother, birth father, birth grandparent, birth sibling, birth aunt, or birth uncle [750 ILCS 50/18.06].

"Certification training" means training directed toward preparing a family to adopt a child for whom the Department of Children and Family Services is legally responsible and may consist of the following different types of training:

six hours of standardized training for foster care conversion adoptions; that means that a foster parent or relative caregiver is adopting a child who has been in his or her care; or

six hours of standardized training and an additional individualized training plan specific to the child's needs for adoptive parents who have not had the child in their care prior to the adoptive placement; or

training specified by private child welfare agencies who meet the standards of the Council on Accreditation of Services for Families and Children.

"Children for whom the Department of Children and Family Services is legally responsible" means children for whom the Department has temporary protective custody, custody or guardianship via court order, or children whose parents have signed an adoptive surrender or voluntary placement agreement with the Department.

"Confidential intermediary" is an individual appointed by the court *for the purpose of exchanging medical information with one or more mutually consenting biological relatives, obtaining identifying information about one or more mutually consenting biological relatives, or arranging contact with one or more mutually consenting biological relatives. Additionally, in cases in which an adopted or surrendered person is deceased, an adult child of the adopted or surrendered person or his or her adoptive parents or surviving spouse may file a petition under Section 18.3a of the Adoption Act [750 ILCS 50/18.3a] and in cases in which the birth parent is deceased, an adult birth sibling of the adopted or surrendered person or of the deceased birth parent may file a petition under*

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Section 18.3a *for the purpose of exchanging medical information with one or more mutually consenting biological relatives of the adopted or surrendered person, obtaining identifying information about one or more mutually consenting biological relatives of the adopted or surrendered person, or arranging contact with one or more mutually consenting biological relatives of the adopted or surrendered person.* [750 ILCS 50/18.3a] The duties and responsibilities of a confidential intermediary are set out in Section 18.3a(i) of the Adoption Act.

"Consent to adoption by a specified person" is a voluntary act by the parents to relinquish all parental rights of a child to a person or persons specified by the parents in the specific consent document. Consent to adoption by a specified person is further described in Section 309.70 (Freeing Children for Adoption).

"Contact between siblings" means contact 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.

"Department" means the Illinois Department of Children and Family Services.

"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 and the Juvenile Court Act of 1987, 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)]

"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

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godparent, in order for placement to occur, the same placement selection criteria as contained in Section 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 Section 301.80 (Relative Home Placement) must be met.

"Internal legal screening" means an internal review required by the Department prior to referring a case for termination of parental rights for the purpose of freeing a child for adoption. Depending on local practice, a representative of the State's Attorney's Office may participate in the screening. The purpose of the screening is to determine whether sufficient grounds for termination of parental rights exist and whether adoption is in the best interest of the child. Legal screening is further described in Section 309.80 (Termination of Parental Rights).

"Legal risk placement" means the placement with a family of a child, not yet legally free for adoption, made in the best interests of the child with the intent that the family will become an adoptive resource for the child should the child become legally free for adoption.

"Parental unfitness" means a finding by the court that a person is unfit to parent a child, without regard to the likelihood that the child will be placed for adoption. The grounds of unfitness are described in Section 1(D) of the Adoption Act [750 ILCS 50/1(D)].

"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 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,

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or another individual from among the child's or family's lifelong connections with whom a child has developed a familial relationship.

"Persons approved for adoption" means persons who have been licensed as a foster family home in accordance with 89 Ill. Adm. Code 402 (Licensing Standards for Foster Family Homes) or relative caregivers with whom children have been placed in accordance with 89 Ill. Adm. Code 301 (Placement and Visitation Services) and who also meet the certification requirements of Section 309.110(c).

"Placement disruption" means a circumstance in which the child is removed from an adoptive placement before the adoption is finalized.

"Post-adoption services" are services meant to assist and support the family in maintaining itself in a healthy and nurturing environment and in preserving the adoption. Post-adoption services may include, but are not limited to, social, psychological, psychiatric, health, educational and adoption preservation services. Financial services are available to families and adoptees following the legal consummation of the adoption, when they are eligible for adoption assistance. Post-adoption services also address the needs of adult adoptees and their biological families to seek information and contact, when desired.

"Post-placement and post-adoption support services" means support services for youth in care or adoptive children and families that include, but are not limited to, counseling for emotional, behavioral or developmental needs.

"Putative father" means a male, regardless of age, who may be a child's father, but who was not married to the child's mother on or before the date that the child was or is to be born and for whom paternity of the child has not been established in a court proceeding.

"Registrant" or "Registered Party", for the purposes of the Adoption Registry, means a birth parent, birth grandparent, birth sibling, birth aunt, birth uncle, adopted or surrendered person 21 years of age or over, adoptive parent or legal guardian of an adopted or surrendered person under the age of 21, or adoptive parent, surviving spouse, or adult child of a deceased adopted or surrendered person who has filed an Illinois Adoption Registry Application or Registration Identification Form with the Registry [750 ILCS 50/18.06].

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"Relative", for purposes of placement of children for whom the Department is legally responsible, *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, 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 that it would be in the best interests of the child to consider this person a relative. [20 ILCS 505/7(b)]

"Secondary placement" means a placement, including but not limited to the placement of a child for whom the Department is legally responsible that occurs after placement disruption or adoption dissolution. Secondary placement does not mean secondary placement arising due to the death of the adoptive parent of the child. [750 ILCS 50/1(BB)]

"Siblings" means children who have at least one parent in common. Children continue to be considered siblings after parental rights are terminated, if parental

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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 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.

"Surrender for adoption" is a voluntary act by the parents to relinquish all parental rights of a child to an agency for the purpose of placing the child for adoption.

"Termination of parental rights" is a legal action of the court or a voluntary action by the parents that relieves the birth parents of a child of all parental responsibility for the child and deprives them of all legal rights with respect to the child.

"Unregulated placement" means the secondary placement of a child that occurs without the oversight of the courts, the Department, or a licensed child welfare agency [750 ILCS 50/1(DD)].

"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. 12076, effective October 10, 2019)

Section 309.40 Adoption Listing Services

- a) The Department or its agent shall maintain coded listings that include the names and addresses of persons who have applied for and have been approved for the adoption of a child. The listings shall also include the names of children for whom:

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- 1) the Department has determined, after an internal legal screening, that adoption is the appropriate permanency plan for the child; and
 - 2) two weeks have passed since the internal legal screening determination and an adoptive resource has not yet been identified for the child.
- b) The purpose of the adoption listing service is to enable caseworkers to aggressively identify adoptive parents and children for whom adoption is in their best interests.
- c) When it can be demonstrated that it would be contrary to the child's best interests to list the child due to the child's mental health problems, the child shall not be listed. This exception must be reviewed and reapproved by the Department's Regional Administrator every six months.
- d) Licensed Illinois adoption agencies that provide adoption services on behalf of children for whom the Department is legally responsible shall submit to the [Department or its Department's](#) agent, for inclusion in the coded listing, the names and addresses of all persons who have applied and been approved for adoption of a child, who are waiting for a child and who have authorized the listing. In addition, licensed adoption agencies shall also submit to the [Department or its Department's](#) agent for inclusion in the coded listing the names of such children who have not been placed for adoption. ~~The Department's agent is:~~

[Adoption Information Center of Illinois](#)
[120 West Madison Street, Suite 800](#)
[Chicago IL 60602](#)

[800/572-2390](#)
[www.adoptinfo-il.org](#)

- e) The Department or its agent shall make the coded listings available, without charge, to every licensed adoption agency in the State in a format that, in accordance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services, protects the confidentiality of the persons seeking to adopt and of the child not yet placed for adoption.

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- f) Information regarding the child shall be made available as follows:
- 1) Information that is not included in the listing, but is provided to licensed adoption agencies, shall include specific personal information about the child, including, but not limited to, if applicable, the child's mental health history, health history, HIV test results or diagnosis of AIDS, or parental alcohol or substance abuse history.
 - 2) Information provided to the general public shall be limited to general information about the child such as the child's personality, likes, dislikes, interests and activities. More specific personal information shall only be provided to persons who have expressed an interest in a specific child and are seriously considering adopting the child.

(Source: Amended at 43 Ill. Reg. 12076, effective October 10, 2019)

Section 309.105 Who May Adopt a Child

- a) *Any of the following persons, who is under no legal disability (except the minority specified in subsection (a)(2)) and who has resided in the State of Illinois continuously for a period of at least 6 months immediately preceding the commencement of an adoption proceeding, or any member of the armed forces of the United States who has been domiciled in the State of Illinois for 90 days, may institute such proceedings:*
- 1) *A reputable person of legal age and of either sex, provided that if such person is married, or a party to a civil union, and has not been living separate and apart from his or her spouse, or civil union partner, for 12 months or longer, his or her spouse or civil union partner shall be a party to the adoption proceeding, including a spouse or civil union partner ~~husband or wife~~ desiring to adopt a child of the other spouse or a civil union partner ~~desiring to adopt a child of the other partner~~, in all of which cases the adoption shall be by both spouses or civil union partners jointly;*
 - 2) *A minor, by leave of court upon good cause shown. Notwithstanding subsection (a)(1), a spouse or civil union partner is not required to join in a petition for adoption to re-adopt a child after an intercountry adoption if the spouse or civil union partner did not previously adopt the child as set forth in Section 4.1(c) and (e) of the Adoption Act.*

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- b) *The residence requirement specified in subsection (a) ~~of this Section~~ shall not apply to an adoption of a related child or child previously adopted in a foreign country by the petitioner to an adoption of a child placed by an agency. [750 ILCS 50/2]*

(Source: Amended at 43 Ill. Reg. 12076, effective October 10, 2019)

Section 309.150 Providing Information to Adoptive Families

The Department or adoption agency will provide, if known, to the family identified to adopt the child the following information, in writing, regarding the child as soon as possible, but no later than 10ten days prior to the date of the adoptive placement or the legal risk placement with prospective adoptive parents in the event the child is not yet free for adoption:

- a) Information about the child's biological parents, which shall include:
- 1) age of the biological parents;
 - 2) their race, religion, cultural and ethnic backgrounds;
 - 3) general physical appearance;
 - 4) their education, occupation, hobbies, interests and talents;
 - 5) existence of any other children born to the biological parents, including the first names and ages of the adopted child's siblings and additional identifying information with appropriate consents;
 - 6) information about biological grandparents, reason for immigrating into the United States, and country of origin;
 - 7) relationship between biological parents; ~~and~~
 - 8) whether the birth parent or parents requested or agreed to post-adoption contact with the child at the time of placement and, if so, the frequency and type of contact; and
 - 98) detailed medical and mental health history of the biological parents and

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their immediate relatives as described in subsection (c) ~~below~~.

- b) Information about the child, which shall include:
- 1) identifying information which includes name, birth date, place of birth, order of birth, race, sex, physical description;
 - 2) developmental history which includes prenatal, delivery, postnatal, age at which significant milestones were achieved, and significant deficiencies or problems;
 - 3) education, which includes:
 - A) schools attended, grade level, type of program, present level of functioning, and current teacher;
 - B) special problems in school; and
 - C) the child's perception of his or her school experience;
 - 4) information about the child's personality and behavior, which includes:
 - A) how the child presents him/herself to the worker;
 - B) behavior problems, acting-out, delinquency;
 - C) family's perception of child, role in family, interaction with parents and siblings, with whom the child relates most often, favorite parent or sibling, least favorite parent or sibling, who disciplines, how each child perceives his/her role in the family;
 - D) child's strengths, interests, skills;
 - E) religious/cultural beliefs of the child; and
 - F) child involvement with the agency, including child's perception and involvement with other agencies, and the legal system;
 - 5) placement history, which includes:

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- A) reasons and date the child came into placement;
 - B) information as to why the child was unable to return to his/her family of origin;
 - C) number of placements the child has experienced since he/she has been in the care of the Department and reasons for each move; ~~and~~
 - D) information pertaining to any physical or sexual abuse or neglect of which the child was the victim or perpetrator; and
 - E) how and why the adoptive parent or parents were selected and who selected the adoptive parent or parents;
- 6) legal status, which includes:
- A) whether the child is free for adoption;
 - B) whether the placement is a legal risk placement; or
 - C) whether the child has any other legal involvement.
- c) Information about the medical and health histories of the child and the biological parents which shall include:
- 1) for the child:
 - A) significant illnesses, diseases, disabilities, physicians, medications and immunization records;
 - B) conditions or diseases believed to be hereditary;
 - C) drugs or medications taken by the child's biological mother during pregnancy;
 - D) psychological and psychiatric information; and
 - E) any other information that may be a factor influencing the child's

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present or future physical, mental, or emotional health;

- 2) for the biological parents:
 - A) chronic and acute illnesses, hospitalizations, general health of grandparents and siblings, alcohol or other drug abuse;
 - B) conditions or diseases believed to be hereditary;
 - C) psychological and psychiatric information; and
 - D) any other information that may be a factor influencing the child's present or future physical, mental, or emotional health.
- d) No information provided under this Section shall disclose the names or last known address of the biological parents, grandparents, siblings of the biological parents, or any other relative of the child to be adopted with the exception of siblings as specified in subsection (a)(5).

(Source: Amended at 43 Ill. Reg. 12076, effective October 10, 2019)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Number: 140.88 Emergency Action: New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Rule: October 15, 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: Upon adoption of the proposed general rulemaking.
- 7) Date Filed with the Index Department: October 15, 2019
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: PA 101-9 creates a Managed Care Organization Provider Assessment for FY2020 – 2025 and allows the Department to adjust assessment rates by rule in order to maximize the revenue generated by the assessment consistent with federal regulations. The timely implementation of this federally approved assessment model is required in order to fund other FY2020 statutory reimbursement rate increases for medical assistance providers and failing to provide those rate increases in a timely manner risks sufficient coverage of medically necessary services and creates a threat to the public interest and welfare.
- 10) Complete Description of the Subjects and Issues Involved: This amendment implements federally approved Managed Care Organization Provider Assessment model.
- 11) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
140.412	Amendment	43 Ill. Reg. 5143; May 10, 2019
140.413	Amendment	43 Ill. Reg. 5143; May 10, 2019
140.440	Amendment	43 Ill. Reg. 5143; May 10, 2019

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- 12) Statement of Statewide Policy Objective: This emergency rulemaking does not affect units of local government.
- 13) Information and questions regarding this emergency rule shall be directed to:

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

HFS.Rules@illinois.gov

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER d: MEDICAL PROGRAMS

PART 140

MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under Medical Assistance Programs
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under General Assistance
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Persons Confined or Detained by the Criminal Justice System

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Suspension and Denial of Payment, Recovery of Money and Penalties
- 140.16 Termination, Suspension or Exclusion of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.18 Effect of Termination, Suspension, Exclusion or Revocation on Persons

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- Associated with Vendor
- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension, Exclusion or Barring
- 140.20 Submittal of Claims
- 140.21 Reimbursement for QMB Eligible Medical Assistance Recipients and QMB Eligible Only Recipients and Individuals Who Are Entitled to Medicare Part A or Part B and Are Eligible for Some Form of Medicaid Benefits
- 140.22 Magnetic Tape Billings (Repealed)
- 140.23 Payment of Claims
- 140.24 Payment Procedures
- 140.25 Overpayment or Underpayment of Claims
- 140.26 Payment to Factors Prohibited
- 140.27 Assignment of Vendor Payments
- 140.28 Record Requirements for Medical Providers
- 140.30 Audits
- 140.31 Emergency Services Audits
- 140.32 Prohibition on Participation, and Special Permission for Participation
- 140.33 Publication of List of Sanctioned Entities
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AUTHORITY: Implementing and authorized by Articles III, IV, V and VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V and VI and 12-13].

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; preemptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency

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1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; Notice of Corrections to Adopted Amendment at 15 Ill. Reg. 1174; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992,

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for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended at 17 Ill. Reg. 18902, effective October 12, 1993; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended at 18 Ill. Reg. 17286, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996;

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amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days; emergency expired April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective October 1, 1999; amended at 23 Ill. Reg. 13646, effective November 1, 1999; amended at 23 Ill. Reg. 14567, effective December 1, 1999; amended at 24 Ill. Reg. 661, effective January 3, 2000; amended at 24 Ill. Reg. 10277, effective July 1, 2000; emergency amendment at 24 Ill. Reg. 10436, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15086, effective October 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3897, effective March 1, 2001; amended at 25 Ill. Reg. 6665, effective May 11, 2001; amended at 25 Ill. Reg. 8793, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 8850, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11880, effective September 1, 2001; amended at 25 Ill. Reg. 12820, effective October 8, 2001; amended at 25 Ill. Reg. 14957, effective November 1, 2001; emergency amendment at 25 Ill. Reg. 16127, effective November 28, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 16292, effective December 3, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 514, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 663, effective January 7, 2002; amended at 26 Ill. Reg. 4781, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 5984, effective April 15, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 7285, effective April 29, 2002; emergency amendment at 26 Ill. Reg. 8594, effective June 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 11259, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 12461, effective July 29, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16593,

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effective October 22, 2002; emergency amendment at 26 Ill. Reg. 12772, effective August 12, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13641, effective September 3, 2002; amended at 26 Ill. Reg. 14789, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 15076, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16303, effective October 25, 2002; amended at 26 Ill. Reg. 17751, effective November 27, 2002; amended at 27 Ill. Reg. 768, effective January 3, 2003; amended at 27 Ill. Reg. 3041, effective February 10, 2003; amended at 27 Ill. Reg. 4364, effective February 24, 2003; amended at 27 Ill. Reg. 7823, effective May 1, 2003; amended at 27 Ill. Reg. 9157, effective June 2, 2003; emergency amendment at 27 Ill. Reg. 10813, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 13784, effective August 1, 2003; amended at 27 Ill. Reg. 14799, effective September 5, 2003; emergency amendment at 27 Ill. Reg. 15584, effective September 20, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16161, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18629, effective November 26, 2003; amended at 28 Ill. Reg. 2744, effective February 1, 2004; amended at 28 Ill. Reg. 4958, effective March 3, 2004; emergency amendment at 28 Ill. Reg. 6622, effective April 19, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7081, effective May 3, 2004; emergency amendment at 28 Ill. Reg. 8108, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9640, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10135, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11161, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12198, effective August 11, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13775, effective October 1, 2004; amended at 28 Ill. Reg. 14804, effective October 27, 2004; amended at 28 Ill. Reg. 15513, effective November 24, 2004; amended at 29 Ill. Reg. 831, effective January 1, 2005; amended at 29 Ill. Reg. 6945, effective May 1, 2005; emergency amendment at 29 Ill. Reg. 8509, effective June 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12534, effective August 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 14957, effective September 30, 2005; emergency amendment at 29 Ill. Reg. 15064, effective October 1, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 15985, effective October 5, 2005, for the remainder of the 150 days; emergency amendment at 29 Ill. Reg. 15610, effective October 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 16515, effective October 5, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 349, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 573, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 796, effective January 1, 2006; amended at 30 Ill. Reg. 2802, effective February 24, 2006; amended at 30 Ill. Reg. 10370, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 13909, effective August 2, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 14280, effective August 18, 2006; expedited correction at 31 Ill. Reg. 1745, effective August 18, 2006; emergency amendment at 30 Ill. Reg. 17970, effective November 1, 2006, for a maximum of 150

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days; amended at 30 Ill. Reg. 18648, effective November 27, 2006; emergency amendment at 30 Ill. Reg. 19400, effective December 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 388, effective December 29, 2006; emergency amendment at 31 Ill. Reg. 1580, effective January 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 2413, effective January 19, 2007; amended at 31 Ill. Reg. 5561, effective March 30, 2007; amended at 31 Ill. Reg. 6930, effective April 29, 2007; amended at 31 Ill. Reg. 8485, effective May 30, 2007; emergency amendment at 31 Ill. Reg. 10115, effective June 30, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14749, effective October 22, 2007; emergency amendment at 32 Ill. Reg. 383, effective January 1, 2008, for a maximum of 150 days; peremptory amendment at 32 Ill. Reg. 6743, effective April 1, 2008; peremptory amendment suspended at 32 Ill. Reg. 8449, effective May 21, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 32 Ill. Reg. 18323, effective November 12, 2008; peremptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; emergency expired April 10, 2009; peremptory amendment repealed at 33 Ill. Reg. 6667, effective April 29, 2009; amended at 32 Ill. Reg. 7727, effective May 5, 2008; emergency amendment at 32 Ill. Reg. 10480, effective July 1, 2008, for a maximum of 150 days; emergency expired November 27, 2008; amended at 32 Ill. Reg. 17133, effective October 15, 2008; amended at 33 Ill. Reg. 209, effective December 29, 2008; amended at 33 Ill. Reg. 9048, effective June 15, 2009; emergency amendment at 33 Ill. Reg. 10800, effective June 30, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 11287, effective July 14, 2009; amended at 33 Ill. Reg. 11938, effective August 17, 2009; amended at 33 Ill. Reg. 12227, effective October 1, 2009; emergency amendment at 33 Ill. Reg. 14324, effective October 1, 2009, for a maximum of 150 days; emergency expired February 27, 2010; amended at 33 Ill. Reg. 16573, effective November 16, 2009; amended at 34 Ill. Reg. 516, effective January 1, 2010; amended at 34 Ill. Reg. 903, effective January 29, 2010; amended at 34 Ill. Reg. 3761, effective March 14, 2010; amended at 34 Ill. Reg. 5215, effective March 25, 2010; amended at 34 Ill. Reg. 19517, effective December 6, 2010; amended at 35 Ill. Reg. 394, effective December 27, 2010; amended at 35 Ill. Reg. 7648, effective May 1, 2011; amended at 35 Ill. Reg. 7962, effective May 1, 2011; amended at 35 Ill. Reg. 10000, effective June 15, 2011; amended at 35 Ill. Reg. 12909, effective July 25, 2011; amended at 36 Ill. Reg. 2271, effective February 1, 2012; amended at 36 Ill. Reg. 7010, effective April 27, 2012; amended at 36 Ill. Reg. 7545, effective May 7, 2012; amended at 36 Ill. Reg. 9113, effective June 11, 2012; emergency amendment at 36 Ill. Reg. 11329, effective July 1, 2012 through June 30, 2013; emergency amendment to Section 140.442(e)(4) suspended at 36 Ill. Reg. 13736, effective August 15, 2012; suspension withdrawn from Section 140.442(e)(4) at 36 Ill. Reg. 14529, September 11, 2012; emergency amendment in response to Joint Committee on Administrative Rules action on Section 140.442(e)(4) at 36 Ill. Reg. 14820, effective September 21, 2012 through June 30, 2013; emergency amendment to Section 140.491 suspended at 36 Ill. Reg. 13738, effective August 15, 2012; suspension withdrawn by the Joint Committee on Administrative Rules from Section 140.491 at 37 Ill. Reg. 890, January 8, 2013;

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emergency amendment in response to Joint Committee on Administrative Rules action on Section 140.491 at 37 Ill. Reg. 1330, effective January 15, 2013 through June 30, 2013; amended at 36 Ill. Reg. 15361, effective October 15, 2012; emergency amendment at 37 Ill. Reg. 253, effective January 1, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 846, effective January 9, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 1774, effective January 28, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 2348, effective February 1, 2013 through June 30, 2013; amended at 37 Ill. Reg. 3831, effective March 13, 2013; emergency amendment at 37 Ill. Reg. 5058, effective April 1, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 5170, effective April 8, 2013 through June 30, 2013; amended at 37 Ill. Reg. 6196, effective April 29, 2013; amended at 37 Ill. Reg. 7985, effective May 29, 2013; amended at 37 Ill. Reg. 10282, effective June 27, 2013; amended at 37 Ill. Reg. 12855, effective July 24, 2013; emergency amendment at 37 Ill. Reg. 14196, effective August 20, 2013, for a maximum of 150 days; amended at 37 Ill. Reg. 17584, effective October 23, 2013; amended at 37 Ill. Reg. 18275, effective November 4, 2013; amended at 37 Ill. Reg. 20339, effective December 9, 2013; amended at 38 Ill. Reg. 859, effective December 23, 2013; emergency amendment at 38 Ill. Reg. 1174, effective January 1, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 4330, effective January 29, 2014; amended at 38 Ill. Reg. 7156, effective March 13, 2014; amended at 38 Ill. Reg. 12141, effective May 30, 2014; amended at 38 Ill. Reg. 15081, effective July 2, 2014; emergency amendment at 38 Ill. Reg. 15673, effective July 7, 2014, for a maximum of 150 days; emergency amendment at 38 Ill. Reg. 18216, effective August 18, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 18462, effective August 19, 2014; amended at 38 Ill. Reg. 23623, effective December 2, 2014; amended at 39 Ill. Reg. 4394, effective March 11, 2015; emergency amendment at 39 Ill. Reg. 6903, effective May 1, 2015 through June 30, 2015; emergency amendment at 39 Ill. Reg. 8137, effective May 20, 2015, for a maximum of 150 days; emergency amendment at 39 Ill. Reg. 10427, effective July 10, 2015, for a maximum of 150 days; emergency expired December 6, 2015; amended at 39 Ill. Reg. 12825, effective September 4, 2015; amended at 39 Ill. Reg. 13380, effective September 25, 2015; amended at 39 Ill. Reg. 14138, effective October 14, 2015; emergency amendment at 40 Ill. Reg. 13677, effective September 16, 2016, for a maximum of 150 days; emergency expired February 12, 2017; amended at 41 Ill. Reg. 999, effective January 19, 2017; amended at 41 Ill. Reg. 3296, effective March 8, 2017; amended at 41 Ill. Reg. 7526, effective June 15, 2017; amended at 41 Ill. Reg. 10950, effective August 9, 2017; amended at 42 Ill. Reg. 4829, effective March 1, 2018; amended at 42 Ill. Reg. 12986, effective June 25, 2018; emergency amendment at 42 Ill. Reg. 13688, effective July 2, 2018, for a maximum of 150 days; emergency amendment to emergency rule at 42 Ill. Reg. 16265, effective August 13, 2018, for the remainder of the 150 days; amended at 42 Ill. Reg. 14383, effective July 23, 2018; amended at 42 Ill. Reg. 20059, effective October 26, 2018; amended at 42 Ill. Reg. 22352, effective November 28, 2018; amended at 43 Ill. Reg. 1014, effective December 31, 2018; amended at 43 Ill. Reg. 2227, effective February 4, 2019; amended at 43 Ill. Reg. 4094, effective March 25, 2019; amended at

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43 Ill. Reg. 5706, effective May 2, 2019; amended at 43 Ill. Reg. 6736, effective May 28, 2019; emergency amendment at 43 Ill. Reg. 12093, effective October 15, 2019, for a maximum of 150 days.

SUBPART C: PROVIDER ASSESSMENTS

Section 140.88 Managed Care Organization Provider Assessment
EMERGENCY

a) Definitions

- 1) "Base Year" means the 12 month period from January 1, 2018 to December 31, 2018.
- 2) "Department" means the Department of Healthcare and Family Services.
- 3) "Federal employee health benefit" means the program of health benefits plans, as defined in 5 USC 8901, available to federal employees under 5 USC 8901 to 8914.
- 4) "Fund" means the Healthcare Provider Relief Fund.
- 5) "Managed Care Organization" means an entity operating under a certificate of authority issued pursuant to the Health Maintenance Organization Act, 215 ILCS 125 or as a Managed Care Community Network pursuant to Section 5-11 of the Public Aid Code, 305 ILCS 5/5-11.
- 6) "Medicaid managed care organization" means a Managed Care Organization under Contract with the Department to provide services to recipients of benefits in the Medical Assistance Program pursuant to Article V of the Public Aid Code, the Children's Health Insurance Program Act, (215 ILCS 106) and the Covering ALL KIDS Health Insurance Act. (215 ILCS 170). It does not include contracts the same entity or an affiliated entity has for other business.
- 7) "Medicare" means the federal Medicare program established under title XVIII of the Social Security Act.

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- 8) "Member months" means the aggregate total number of months all individuals are enrolled for coverage in a Managed Care Organization during the base year. Member months are determined by the Department for Medicaid Managed Care Organizations based on enrollment data in its Medicaid Management Information System and by the Department of Insurance for other Managed Care Organizations based on required filings with the Department of Insurance. Member months do not include months individuals are enrolled in a Limited Health Services Organization, including stand-alone dental or vision plans, a Medicare Advantage Plan, a Medicare Supplement Plan, a Medicaid Medicare Alignment Initiate Plan pursuant to a Memorandum of Understanding between the Department and the Federal Centers for Medicare and Medicaid Services or a Federal Employee Health Benefits Plan.
- b) For State Fiscal years 2020 through 2025, there is imposed upon Managed Care Organization member months an Assessment, calculated on base year data, as set forth below for the appropriate tier:
- 1) Tier 1 \$61.70 per member month
 - 2) Tier 2 \$1.20 per member month
 - 3) Tier 3 \$2.40 per member month
- c) The tiers are established as follows:
- 1) Tier 1 includes the first 4,195,000 member months in a Medicaid Managed Care Organization for the base year;
 - 2) Tier 2 includes member months over 4,195,000 in a Medicaid Managed Care Organization during the base year;
 - 3) Tier 3 includes member months during the base year in a managed care organization that is not a Medicaid Managed Care Organization.
- d) The Assessment payable for State Fiscal Year 2020 shall be prorated and due and payable in monthly installments, each equaling one-eighth of the assessment for the year, on the first State business day of each month beginning November 1, 2019. The Assessment payable for State Fiscal Years 2021 through 2025 shall be

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due and payable in monthly installments, each equaling one-twelfth of the assessment for the year, on the first State business day of each month.

- e) The Department shall notify each Managed Care Organization of its annual assessment and the installment due dates no later than 30 days prior to the first due date of each fiscal year and the annual assessment and due dates for each subsequent year at least 30 days prior to the start of each fiscal year.
- f) Proceeds from the Assessment levied shall be deposited into the Fund.
- g) In the event of a merger, acquisition or any similar transaction involving entities subject to the assessment under this Section, the resultant entity shall be responsible for the full amount of the assessment for all entities involved in the transaction with the member months allotted to tiers as they were prior to the transaction and no member months shall change tiers as a result of any transaction. A Managed Care Organization that ceases doing business in the state during any fiscal year shall be liable only for the monthly installments due in months that they operated in the state.
- h) A managed care organization that is liable for the assessment under this Section shall keep accurate and complete records and pertinent documents as may be required by the Department. Records required by the Department shall be retained for a period of 4 years after the assessment imposed under this Act to which the records apply is due or as otherwise provided by law. The Department or the Department of Insurance may audit all records necessary to ensure compliance with this Section and make adjustments to assessment amounts previously calculated based on the results of any such audit.
- i) If a managed care organization fails to make a payment due under this Section in a timely fashion, they shall pay an additional penalty of 5% of the amount of the installment not paid on or before the due date, or any grace period granted, plus 5% of the portion thereof remaining unpaid on the last day of each 30-day period thereafter. The Department is authorized to grant grace periods of up to 30 days upon request of a managed care organization for good cause due to financial or other difficulties, as determined by the Department. If a managed care organization fails to make a payment within 60 days after the due date the Department shall additionally impose a contractual sanction allowed against a Medicaid managed care organization and may terminate any such contract.

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(Source: Added by emergency rulemaking at 43 Ill. Reg. 12093, effective October 15, 2019, for a maximum of 150 days)

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NOTICE OF PEREMPTORY AMENDMENTS

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

<u>Section Numbers:</u>	<u>Peremptory Actions:</u>
310.Appendix A Table B	Amendment
310.Appendix A Table K	Amendment
310.Appendix A Table O	Amendment
310.Appendix A Table S	Amendment
310.Appendix A Table AC	Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Section 310.Appendix A Table B to reflect the Agreement by and between the Laborers' International Union of North America – Illinois State Employees Association, Local 2002; Southern and Central Illinois Laborers' District Council and the Departments of Central Management Services and Agriculture state of Illinois for VR-706 Meat and Poultry Inspector Supervisors, Automotive Shop Supervisors and Assistant Automotive Shop Supervisors July 1, 2015 – July 30, 2023 signed September 9, 2019. The Agreement is effective September 9, 2019 and shall continue in full force and effect until midnight June 30, 2023, and thereafter from year-to-year unless not more than 180, but not less than 60 days prior to June 30, 2023 or any subsequent June 30, either party gives written notice to the other of its intention to amend or terminate the Agreement. Pay provisions in the VR-706 Agreement or its attached memoranda of understandings include: determination of VR-706 pay grade assignment to a classification; effective July 1, 2019, July 1, 2020 and July 1, 2021, Step 1a 1b and 1c shall be increased by an additional \$25 per month; holiday pay; bilingual pay; grievance time off; bereavement leave; temporary assignment pay; biannual labor management meeting attendance; paid maternity/paternity/adoption leave; accrued vacation payment; clothing and equipment; effective August 28, 2019, a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019; 2015 through 2019 backpay; 1.50%, 2.10%, 3.95%, and 3.95% increases effective January 1, 2020, July 1, 2020, July 1, 2021, and July 1, 2022, respectively, to the salary scales for all positions; and annual step increases.

Section 310.Appendix A Table K is amended to reflect the Agreement by and between the Illinois Nurses Association RC-023 and the Illinois Department of Central Management Services July 1, 2015 - June 30, 2019 signed September 16, 2019. The provisions of the Agreement shall become effective July 1, 2015, and shall continue in

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effect, subject to the provisions herein, until midnight of June 30, 2023. The parties agree to meet not more than sixty (60) days nor less than thirty (30) days prior to the expiration date. If renewal negotiations extend past June 30, 2023, the Agreement shall continue in effect subject to ten (10) days notice of termination by either party. Pay provisions in the RC-023 Agreement or its attached memoranda of understandings include: determination of RC-023 pay grade assignment to a new classification; time off for association activities; union orientation; meal period; inconvenience premium pay; overtime; call-back pay; standby pay; travel time; travel time public health and healthcare and family services; travel time policy Department of Public Health; daylight savings time; temporary assignment in the same or an equal of lower paid classification; payment for work in a higher position classification; geographical transfer initiated by the employer; voluntary reductions; salary and other benefits of employee in demotion; wage assignments and garnishments; uniforms; fitness for duty; payment in lieu of holiday; eligibility holiday pay; bereavement leave; attendance in court; paid maternity/paternity/adoption leave; professional meetings; INA lobby day; continued education paid time; 1.50%, 2.10%, 3.95%, and 3.95% general increases effective January 1, 2020, July 1, 2020, July 1, 2021, and July 1, 2022, respectively; a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019; satisfactory performance increase; movement from Steps 5 and 6; Step 8; redetermination satisfactory performance increase; superior performance increase; promotion; severance pay; bilingual pay; maximum security; backpay; appropriate step; negotiated wage rate; retention bonus; compensatory time; and 12-hour work shifts.

Section 310.Appendix A Table O is amended to reflect the Memorandum of Understanding (MOU) for the Contract Specialist I, Contract Specialist II and Contract Specialist III (Personnel) Code titles signed September 20, 2019. The Illinois Labor Relations Board issued a Certification of Unit Clarification (Case No. S-UC-(S)-19-151) including the Contract Specialist I, Contract Specialist II and Contract Specialist III titles in American Federation of State, County and Municipal Employees (AFSCME) RC-028 bargaining unit on March 27, 2019. The MOU assigns pay grades RC-028-11, RC-028-13 and RC-028-17 to the Contract Specialist I, Contract Specialist II and Contract Specialist III titles, respectively.

Section 310.Appendix A Table S is amended to reflect the Agreement Between the Laborers' International Union of North America – Illinois State Employees Association, Local 2002 and the Southern and Central Illinois Laborers' District Council and the State of Illinois Department of Central Management Services July 1, 2015 – June 30, 2023 Public Service Administrator (PSA) Option 7 – VR-704 signed September 20, 2019. The

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Agreement shall be effective upon the signature of the parties and shall continue in full force and effect until midnight, June 30, 2015, and thereafter from year-to-year unless not more than 180, but not less than 60 days prior to June 30, 2023 or any subsequent June 30, either party gives written notice to the other of its intention to amend or terminate the Agreement. Pay provisions in the RC-023 Agreement or its attached memoranda of understandings include: employer; determination of VR-704 pay grade assignment to a new classification; attendance at annual meeting; attendance at occasional meeting; union activity during work hours; DOC/DJJ only rest period; step increases; vacation payment; overtime; temporary assignment outside the bargaining unit; temporary assignment into the bargaining unit; ISP Police Lieutenants uniform allowance; fitness for duty; holiday payment upon separation; bereavement leave; attendance in court; paid maternity/paternity/adoption leave; clothing and equipment; continuing legal education requirement; continuing education requirement for formerly PSA Option 8K Mental Health Professional function; annual license renewal; shift preparation/rollcall pay; 1.50%, 2.10%, 3.95%, and 3.95% general increases effective January 1, 2020, July 1, 2020, July 1, 2021, and July 1, 2022, respectively; shift differential pay; Shift Supervisor correctional work/boot camp; transfer to non- work/boot camp; a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019; severance pay; and backpay. A sentence is removed from the Note on Option Clarification. The Shift Supervisor Note is removed.

Section 310.Appendix A Table AC is amended to reflect the rate page initialed and dated September 18, 2019 to supplement the Agreement by and between the State of Illinois, Departments of Central Management Services and Healthcare and Family Services and the Illinois Nurses Association for RC-036 Public Service Administrators, Option 8LSigned September 4, 2019. The rate page includes those RC-036 rates effective July 1, 2019, January 1, 2020, July 1, 2020, July 1, 2021, and July 1, 2022.

- 5) Statutory Authority: Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)], subsection (d) of Section 1-5 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(d)] and by Sections 4, 6, 15 and 21 of the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21].
- 6) Effective Date: October 8, 2019
- 7) A Complete Description of the Subjects and Issues Involved: In the Section 310.Appendix A Table B, the following Notes are added: Employer; Pay Determinations for Successor, New or Changed Existing Classes; Stipend; Sub-Steps; General Increases;

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Step Increases; Holiday Pay; Bilingual Pay; Grievance Time Off; Maternity/Paternity/Adoption Leaves; Bereavement Leave; Vacation Payment; Temporary Assignment; Clothing and Equipment; Biannual Labor Management Meetings Attendance; and 2015 – 2019 Backpay. Rate tables effective July 1, 2019, January 1, 2020, July 1, 2020; July 1, 2021 and July 1, 2022 are added. The rate table effective July 1, 2014 is removed.

In the Section 310.Appendix A Table K, Notes are added for: determination of RC-023 pay grade assignment to a new classification; time off for association activities; union orientation; meal period; inconvenience premium pay; overtime; call-back pay; standby pay; travel time; travel time public health and healthcare and family services; travel time policy Department of Public Health; daylight savings time; temporary assignment in the same or an equal of lower paid classification; payment for work in a higher position classification; geographical transfer initiated by the employer; voluntary reductions; salary and other benefits of employee in demotion; wage assignments and garnishments; uniforms; fitness for duty; payment in lieu of holiday; eligibility holiday pay; bereavement leave; attendance in court; paid maternity/paternity/adoption leave; professional meetings; INA lobby day; continued education paid time; 1.50%, 2.10%, 3.95%, and 3.95% general increases effective January 1, 2020, July 1, 2020, July 1, 2021, and July 1, 2022, respectively; a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019; satisfactory performance increase; movement from Steps 5 and 6; Step 8; redetermination satisfactory performance increase; superior performance increase; promotion; severance pay; bilingual pay; maximum security; backpay; appropriate step; negotiated wage rate; retention bonus; compensatory time; and 12-hour work shifts.

In the Section 310.Appendix A Table O, Contract Specialist I, Contract Specialist II and Contract Specialist III titles, their title codes, bargaining unit and paygrades are added to the title table.

In the Section 310.Appendix A Table S, Notes are added on: employer; determination of VR-704 pay grade assignment to a new classification; attendance at annual meeting; attendance at occasional meeting; union activity during work hours; DOC/DJJ only rest period; step increases; vacation payment; overtime; temporary assignment outside the bargaining unit; temporary assignment into the bargaining unit; ISP Police Lieutenants uniform allowance; fitness for duty; holiday payment upon separation; bereavement leave; attendance in court; paid maternity/paternity/adoption leave; clothing and equipment; continuing legal education requirement; continuing education requirement formerly PSA Option 8K Mental Health Professional function; annual license renewal;

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shift preparation/rollcall pay; 1.50%, 2.10%, 3.95%, and 3.95% general increases effective January 1, 2020, July 1, 2020, July 1, 2021, and July 1, 2022, respectively; shift differential pay; Shift Supervisor correctional work/boot camp; transfer to non-work/boot camp; a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019; severance pay; and backpay. A sentence is removed from the Note on Option Clarification. The Shift Supervisor Note is removed.

In the Section 310.Appendix A Table AC, the RC-036 rate tables effective January 1, 2020, July 1, 2020, July 1, 2021, and July 1, 2022 are added.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: October 8, 2019
- 10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.
- 11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?
Yes
- 12) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
310.260	Amendment	43 Ill. Reg. 10527; September 27, 2019
310.410	Amendment	43 Ill. Reg. 10527; September 27, 2019
310.APPENDIX A TABLE L	Amendment	43 Ill. Reg. 10527; September 27, 2019
310.APPENDIX A TABLE S	Amendment	43 Ill. Reg. 10527; September 27, 2019
310.APPENDIX A TABLE W	Amendment	43 Ill. Reg. 10527; September 27, 2019
310.APPENDIX A TABLE X	Amendment	43 Ill. Reg. 10527; September 27, 2019
310.APPENDIX D	Amendment	43 Ill. Reg. 10527; September 27, 2019

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

Ms. Lisa Fendrich

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

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

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

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

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

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

SUBPART B: SCHEDULE OF RATES

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

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

SUBPART C: MERIT COMPENSATION SYSTEM

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

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

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Section

310.600	Jurisdiction (Repealed)
310.610	Pay Schedules (Repealed)
310.620	In-Hiring Rate (Repealed)
310.630	Definitions (Repealed)
310.640	Increases in Pay (Repealed)
310.650	Other Pay Provisions (Repealed)
310.660	Effective Date (Repealed)
310.670	Negotiated Rate (Repealed)
310.680	Trainee Rate (Repealed)
310.690	Educator Schedule for Frozen RC-063 and Frozen HR-010 (Repealed)
310.APPENDIX A	Negotiated Rates of Pay
310.TABLE A	RC-104 (Conservation Police Supervisors, Illinois Fraternal Order of Police Labor Council)
310.TABLE B	VR-706 (Assistant Automotive Shop Supervisors, Automotive Shop Supervisors and Meat and Poultry Inspector Supervisors, Laborers' – ISEA Local #2002)
310.TABLE C	RC-056 (Site Superintendents and Departments of Veterans' Affairs, Natural Resources, Human Services and Agriculture and Historic Preservation Agency Managers, IFPE)
310.TABLE D	HR-001 (Teamsters Local #700)
310.TABLE E	RC-020 (Teamsters Locals #330 and #705)
310.TABLE F	RC-019 (Teamsters Local #25)
310.TABLE G	RC-045 (Automotive Mechanics, IFPE)
310.TABLE H	RC-006 (Corrections Employees, AFSCME)
310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge) (Repealed)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, Meat and Poultry Inspectors and Meat and Poultry Inspector Trainees, IFPE)
310.TABLE Q	RC-061 (Conservation Police Officer Trainees and Conservation Police Officer I's and II's, Illinois Fraternal Order of Police Labor Council)

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310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	VR-704 (Departments of Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Supervisory Employees in Corrections and Juvenile Justice, AFSCME)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, Juvenile Justice School Counselors and Special Education Resources Coordinators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Departments of Central Management Services, Natural Resources and Transportation, Teamsters)
310.TABLE AB	RC-150 (Public Service Administrators Option 6, AFSCME) (Repealed)
310.TABLE AC	RC-036 (Public Service Administrators Option 8L Department of Healthcare and Family Services, INA)
310.TABLE AD	RC-184 (Blasting Experts, Blasting Specialists and Blasting Supervisors Department of Natural Resources, SEIU Local 73)
310.TABLE AE	RC-090 (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294) (Repealed)
310.APPENDIX B	Frozen Negotiated-Rates-of-Pay (Repealed)
310.TABLE A	Frozen RC-104-Rates-of-Pay (Conservation Police Supervisors, Laborers' – ISEA Local #2002) (Repealed)
310.TABLE C	Frozen RC-056-Rates-of-Pay (Site Superintendents and Departments of Veterans' Affairs, Natural Resources, Human Services and Agriculture and Historic Preservation Agency Managers, IFPE) (Repealed)
310.TABLE H	Frozen RC-006-Rates-of-Pay (Corrections Employees, AFSCME) (Repealed)
310.TABLE I	Frozen RC-009-Rates-of-Pay (Institutional Employees, AFSCME) (Repealed)
310.TABLE J	Frozen RC-014-Rates-of-Pay (Clerical Employees, AFSCME) (Repealed)
310.TABLE K	Frozen RC-023-Rates-of-Pay (Registered Nurses, INA) (Repealed)
310.TABLE M	Frozen RC-110-Rates-of-Pay (Conservation Police Lodge) (Repealed)

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310.TABLE N	Frozen RC-010 (Professional Legal Unit, AFSCME) (Repealed)
310.TABLE O	Frozen RC-028-Rates-of-Pay (Paraprofessional Human Services Employees, AFSCME) (Repealed)
310.TABLE P	Frozen RC-029-Rates-of-Pay (Paraprofessional Investigatory and Law Enforcement Employees, IFPE) (Repealed)
310.TABLE R	Frozen RC-042-Rates-of-Pay (Residual Maintenance Workers, AFSCME) (Repealed)
310.TABLE S	Frozen VR-704-Rates-of-Pay (Departments of Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002) (Repealed)
310.TABLE T	Frozen HR-010-Rates-of-Pay (Teachers of Deaf, IFT) (Repealed)
310.TABLE V	Frozen CU-500-Rates-of-Pay (Corrections Meet and Confer Employees) (Repealed)
310.TABLE W	Frozen RC-062-Rates-of-Pay (Technical Employees, AFSCME) (Repealed)
310.TABLE X	Frozen RC-063-Rates-of-Pay (Professional Employees, AFSCME) (Repealed)
310.TABLE Y	Frozen RC-063-Rates-of-Pay (Educators and Educator Trainees, AFSCME) (Repealed)
310.TABLE Z	Frozen RC-063-Rates-of-Pay (Physicians, AFSCME) (Repealed)
310.TABLE AB	Frozen RC-150-Rates-of-Pay (Public Service Administrators Option 6, AFSCME) (Repealed)
310.TABLE AD	Frozen RC-184-Rates-of-Pay (Public Service Administrators Option 8X Department of Natural Resources, SEIU Local 73) (Repealed)
310.TABLE AE	Frozen RC-090-Rates-of-Pay (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294) (Repealed)
310.APPENDIX C	Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.ILLUSTRATION A	Classification Comparison Flow Chart: Both Classes are Whole
310.ILLUSTRATION B	Classification Comparison Flow Chart: One Class is Whole and One is Divided
310.ILLUSTRATION C	Classification Comparison Flow Chart: Both Classes are Divided
310.APPENDIX D	Merit Compensation System Salary Schedule
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

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

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 3230, effective January 24, 1986; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919,

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effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26,

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1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg.

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10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective

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July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2684, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September

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27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 13, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8418, effective June 1, 2005; amended at 29 Ill. Reg. 9319, effective July 1, 2005; preemptory amendment at 29 Ill. Reg. 12076, effective July 15, 2005; preemptory amendment at 29 Ill. Reg. 13265, effective August 11, 2005; amended at 29 Ill. Reg. 13540, effective August 22, 2005; preemptory amendment at 29 Ill. Reg. 14098, effective September 2, 2005; amended at 29 Ill. Reg. 14166, effective September 9, 2005; amended at 29 Ill. Reg. 19551, effective November 21, 2005; emergency amendment at 29 Ill. Reg. 20554, effective December 2, 2005, for a maximum of 150 days; preemptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; preemptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; preemptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; preemptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28,

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2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill. Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; preemptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21, 2007; preemptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; preemptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; preemptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; preemptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; preemptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; preemptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; preemptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; preemptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; preemptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; preemptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; preemptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; preemptory amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; preemptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; preemptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; preemptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; preemptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; preemptory amendment at 33 Ill. Reg. 6724, effective May 1, 2009; preemptory amendment at 33 Ill. Reg. 9138, effective June 12, 2009; emergency amendment at 33 Ill. Reg. 9432, effective July 1, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 10211, effective July 1, 2009; preemptory amendment at 33 Ill. Reg. 10823, effective July 2, 2009; preemptory amendment at 33 Ill. Reg. 11082, effective July 10, 2009; preemptory amendment at 33 Ill. Reg. 11698, effective July 23, 2009; preemptory amendment at 33 Ill. Reg. 11895, effective July 31, 2009; preemptory amendment at 33 Ill. Reg. 12872, effective September 3, 2009; amended at 33 Ill. Reg. 14944, effective October 26, 2009; preemptory amendment at 33 Ill. Reg. 16598, effective November 13, 2009; preemptory amendment at 34 Ill. Reg. 305, effective December 18, 2009; emergency amendment at 34 Ill. Reg. 957, effective January 1, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 1425, effective January 5, 2010; preemptory amendment at 34 Ill. Reg. 3684, effective March 5, 2010; preemptory amendment at 34 Ill. Reg. 5776, effective April 2, 2010; preemptory amendment at 34 Ill. Reg. 6214, effective April 16, 2010; amended at 34 Ill. Reg. 6583, effective April 30, 2010; preemptory amendment at 34 Ill. Reg. 7528, effective May 14, 2010; amended at 34 Ill.

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Reg. 7645, effective May 24, 2010; preemptory amendment at 34 Ill. Reg. 7947, effective May 26, 2010; preemptory amendment at 34 Ill. Reg. 8633, effective June 18, 2010; amended at 34 Ill. Reg. 9759, effective July 1, 2010; preemptory amendment at 34 Ill. Reg. 10536, effective July 9, 2010; preemptory amendment at 34 Ill. Reg. 11864, effective July 30, 2010; emergency amendment at 34 Ill. Reg. 12240, effective August 9, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 13204, effective August 26, 2010; preemptory amendment at 34 Ill. Reg. 13657, effective September 8, 2010; preemptory amendment at 34 Ill. Reg. 15897, effective September 30, 2010; preemptory amendment at 34 Ill. Reg. 18912, effective November 15, 2010; preemptory amendment at 34 Ill. Reg. 19582, effective December 3, 2010; amended at 35 Ill. Reg. 765, effective December 30, 2010; emergency amendment at 35 Ill. Reg. 1092, effective January 1, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 2465, effective January 19, 2011; preemptory amendment at 35 Ill. Reg. 3577, effective February 10, 2011; emergency amendment at 35 Ill. Reg. 4412, effective February 23, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 4803, effective March 11, 2011; emergency amendment at 35 Ill. Reg. 5633, effective March 15, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 5677, effective March 18, 2011; amended at 35 Ill. Reg. 8419, effective May 23, 2011; amended at 35 Ill. Reg. 11245, effective June 28, 2011; emergency amendment at 35 Ill. Reg. 11657, effective July 1, 2011, for a maximum of 150 days; emergency expired November 27, 2011; preemptory amendment at 35 Ill. Reg. 12119, effective June 29, 2011; preemptory amendment at 35 Ill. Reg. 13966, effective July 29, 2011; preemptory amendment at 35 Ill. Reg. 15178, effective August 29, 2011; emergency amendment at 35 Ill. Reg. 15605, effective September 16, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 15640, effective September 15, 2011; preemptory amendment at 35 Ill. Reg. 19707, effective November 23, 2011; amended at 35 Ill. Reg. 20144, effective December 6, 2011; amended at 36 Ill. Reg. 153, effective December 22, 2011; preemptory amendment at 36 Ill. Reg. 564, effective December 29, 2011; preemptory amendment at 36 Ill. Reg. 3957, effective February 24, 2012; preemptory amendment at 36 Ill. Reg. 4158, effective March 5, 2012; preemptory amendment at 36 Ill. Reg. 4437, effective March 9, 2012; amended at 36 Ill. Reg. 4707, effective March 19, 2012; amended at 36 Ill. Reg. 8460, effective May 24, 2012; preemptory amendment at 36 Ill. Reg. 10518, effective June 27, 2012; emergency amendment at 36 Ill. Reg. 11222, effective July 1, 2012, for a maximum of 150 days; preemptory amendment at 36 Ill. Reg. 13680, effective August 15, 2012; preemptory amendment at 36 Ill. Reg. 13973, effective August 22, 2012; preemptory amendment at 36 Ill. Reg. 15498, effective October 16, 2012; amended at 36 Ill. Reg. 16213, effective November 1, 2012; preemptory amendment at 36 Ill. Reg. 17138, effective November 20, 2012; preemptory amendment at 37 Ill. Reg. 3408, effective March 7, 2013; amended at 37 Ill. Reg. 4750, effective April 1, 2013; preemptory amendment at 37 Ill. Reg. 5925, effective April 18, 2013; preemptory amendment at 37 Ill. Reg. 9563, effective June 19, 2013; amended at 37 Ill. Reg. 9939, effective July 1, 2013; emergency amendment at 37 Ill. Reg. 11395, effective July 1, 2013, for a maximum of 150 days;

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peremptory amendment at 37 Ill. Reg. 11524, effective July 3, 2013; peremptory amendment at 37 Ill. Reg. 12588, effective July 19, 2013; peremptory amendment at 37 Ill. Reg. 13762, effective August 8, 2013; peremptory amendment at 37 Ill. Reg. 14219, effective August 23, 2013; amended at 37 Ill. Reg. 16925, effective October 8, 2013; peremptory amendment at 37 Ill. Reg. 17164, effective October 18, 2013; peremptory amendment at 37 Ill. Reg. 20410, effective December 6, 2013; peremptory amendment at 38 Ill. Reg. 2974, effective January 9, 2014; amended at 38 Ill. Reg. 5250, effective February 4, 2014; peremptory amendment at 38 Ill. Reg. 6725, effective March 6, 2014; emergency amendment at 38 Ill. Reg. 9080, effective April 11, 2014, for a maximum of 150 days; peremptory amendment at 38 Ill. Reg. 9136, effective April 11, 2014; amended at 38 Ill. Reg. 9207, effective April 21, 2014; peremptory amendment at 38 Ill. Reg. 13416, effective June 11, 2014; amended at 38 Ill. Reg. 14818, effective July 1, 2014; peremptory amendment at 38 Ill. Reg. 15739, effective July 2, 2014; peremptory amendment at 38 Ill. Reg. 17481, effective July 29, 2014; amended at 38 Ill. Reg. 17556, effective August 6, 2014; peremptory amendment at 38 Ill. Reg. 18791, effective August 26, 2014; peremptory amendment at 38 Ill. Reg. 19806, effective September 26, 2014; amended at 38 Ill. Reg. 20695, effective October 14, 2014; amended at 38 Ill. Reg. 24005, effective December 9, 2014; peremptory amendment at 39 Ill. Reg. 728, effective December 23, 2014; emergency amendment at 39 Ill. Reg. 708, effective December 26, 2014, for a maximum of 150 days; peremptory amendment at 39 Ill. Reg. 6964, effective April 29, 2015; amended at 39 Ill. Reg. 7878, effective May 22, 2015; amended at 39 Ill. Reg. 11220, effective July 28, 2015; peremptory amendment at 39 Ill. Reg. 12004, effective August 13, 2015; peremptory amendment at 39 Ill. Reg. 15807, effective November 25, 2015; amended at 40 Ill. Reg. 5893, effective March 28, 2016; peremptory amendment at 40 Ill. Reg. 8462, effective June 1, 2016; peremptory amendment at 40 Ill. Reg. 9658, effective June 30, 2016; amended at 40 Ill. Reg. 9356, effective July 1, 2016; peremptory amendment at 40 Ill. Reg. 11207, effective August 5, 2016; peremptory amendment at 41 Ill. Reg. 1210, effective January 19, 2017; amended at 41 Ill. Reg. 1695, effective January 25, 2017; peremptory amendment at 41 Ill. Reg. 2078, effective February 2, 2017; amended at 41 Ill. Reg. 3191, effective March 6, 2017; amended at 41 Ill. Reg. 4615, effective April 24, 2017; peremptory amendment at 41 Ill. Reg. 5822, effective May 15, 2017; peremptory amendment at 41 Ill. Reg. 6695, effective May 24, 2017; peremptory amendment at 41 Ill. Reg. 7227, effective June 9, 2017; amended at 41 Ill. Reg. 8314, effective July 1, 2017; peremptory amendment at 41 Ill. Reg. 10974, effective August 10, 2017; peremptory amendment at 41 Ill. Reg. 11447, effective August 25, 2017; peremptory amendment at 41 Ill. Reg. 12179, effective September 13, 2017; peremptory amendment at 41 Ill. Reg. 15837, effective December 12, 2017; amended at 42 Ill. Reg. 712, effective December 28, 2017; amended at 42 Ill. Reg. 5357, effective March 9, 2018; peremptory amendment at 42 Ill. Reg. 8967, effective May 16, 2018; amended at 42 Ill. Reg. 13464, effective July 1, 2018; amended at 42 Ill. Reg. 16651, effective September 4, 2018; peremptory amendment at 43 Ill. Reg. 3999, effective March 15, 2019; amended at 43 Ill. Reg. 8746, effective July 31, 2019; peremptory amendment at 43 Ill. Reg. 9886, effective August 21,

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2019; preemptory amendment at 43 Ill. Reg. 10811, effective September 20, 2019; preemptory amendment at 43 Ill. Reg. 11734, effective September 27, 2019; preemptory amendment at 43 Ill. Reg. 12119, effective October 8, 2019.

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE B VR-706 (Assistant Automotive Shop Supervisors, Automotive Shop Supervisors and Meat and Poultry Inspector Supervisors, Laborers' – ISEA Local #2002)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Plan Code</u>
Assistant Automotive Shop Supervisor	01565	VR-706	B
Automotive Shop Supervisor	03749	VR-706	B
Meat and Poultry Inspector Supervisor	26073	VR-706	B

NOTE: Employer – "Employer" refers to the Illinois Departments of Central Management Services or Agriculture as the context may require.

Pay Determinations for Successor, New or Changed Existing Classes – The Employer agrees to negotiate with the Union as to the appropriate pay grade to be assigned to job classifications determined to be in the VR-706 bargaining unit. If no agreement is reached between the parties, the Union shall be allowed to file a grievance in accordance with Article 11 of the Agreement signed August 28, 2019. The grievance shall be filed at Step 4 of the grievance procedure. In the event that an appropriate resolution is not reached at Step 4, then the issue may be submitted to an arbitrator. The arbitrator shall determine the reasonableness of the proposed salary grade in relationship to the job content and responsibilities attached thereto in comparison with the job content and responsibilities of other position classifications in the classification series and in the bargaining unit, and like positions with similar job content and responsibilities within the labor market generally. The pay grade originally assigned by the Employer shall remain in effect pending the arbitrator's decision.

Stipend – All bargaining unit employees on active payroll on August 28, 2019 shall receive a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019. The stipend shall be paid as soon as practicable after August 28, 2019.

Sub-Steps – Step 1a, 1b, and 1c shall be implemented for all employees hired on or after April 1, 2013, with a 3% step differential. Effective July 1, 2019, Step 1a, 1b, and 1c shall be increased by \$25 per month. Effective July 1, 2020, Step 1a, 1b, and 1c shall be increased by an additional \$25 per month. Effective July 1, 2021, Step 1a,

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1b, and 1c shall be increased by an additional \$25 per month. The rates are set out in the rate tables below.

General Increases – The salary scale for all positions covered by the Agreement signed August 28, 2019 shall be increased by 1.50%, effective January 1, 2020. The salary scale for all positions covered by the Agreement signed August 28, 2019 shall be increased by 2.10%, effective July 1, 2020. The salary scale for all positions covered by the Agreement signed August 28, 2019 shall be increased by 3.95%, effective July 1, 2021. The salary scale for all positions covered by the Agreement signed August 28, 2019 shall be increased by 3.95%, effective July 1, 2022.

Step Increases – Upon satisfactory completion of twelve (12) months creditable service in a step, employees shall receive a step increase to the next higher step. Other Pay Plan provisions under the Personnel Rules shall apply.

Holiday Pay – An employee who is required to work on an approved State holiday may, at the employee's discretion, choose double time cash in lieu of having compensatory time off at a future date. An employee who works on Thanksgiving Day, the day after Thanksgiving or Christmas Day is compensated at the rate of one time and one-half (1½) cash payment in addition to Holiday pay. For the purposes of overtime computation, holidays shall count as time worked, unless such holiday falls on the employee's regularly scheduled day off. Holiday time may be taken in one (1) hour increments. To be eligible for holiday pay, the employee shall work the employee's last scheduled workday before the holiday and first day scheduled workday after the holiday, unless absence on either or both of these workdays is for good cause and approved by the operating agency.

Bilingual Pay – Positions whose job descriptions require the use of sign language or which require the employee to be bilingual, shall receive an additional \$100 per month or 5.0% of their monthly base salary whichever is greater.

Grievance Time Off – The grievant and/or the Union steward shall be permitted reasonable time without loss of pay during their normal working hours to process a grievance. No employee or Union steward shall leave his/her work to process a grievance without first notifying and receiving authorization from his/her supervisor, which authorizations shall not unreasonably be withheld. Such leave shall not interfere with the operating needs of the agency. Such reasonable time off shall not exceed four (4) hours in any one day, except for arbitration days. The Employer shall not be responsible for any subsistence expenses incurred by the grievants or the Union

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steward in the processing of grievances. Such witnesses who have been subpoenaed and who are State employees and whose testimony is pertinent to the grievance presentation will be permitted reasonable time off without loss of pay to attend grievance or arbitration hearings.

Maternity/Paternity/Adoption Leaves – All employees who provide proof of their pregnancy or that of their female partner at least 30 days prior to the expected due date will be eligible for 10 weeks (50 work days) of paid maternity/paternity leave for each pregnancy resulting in birth or multiple births. Should both parents be employees they shall each be eligible for 10 weeks of paid maternity/paternity leave which may be taken consecutively or concurrently. No employee will be allowed to take less than a full work week (5 consecutive days). Regardless of the number of pregnancies in a year, no employee shall receive more than 10 weeks (50 work days) of paid leave under this Section per year. The State shall require proof of the birth. In addition, non-married male employees may be required to provide proof of paternity such as a birth certificate or other appropriate documentation confirming paternity. Leaves under this Section shall also be granted in cases of a full term still born child for a maximum of five (5) weeks. All bargaining unit members are eligible for ten weeks (50 days) of paid leave with a new adoption, with the leave to commence when physical custody of the child has been granted to the member, provided that the member can show that the formal adoption process is underway. In the event the child was in foster care immediately preceding the adoption process, the leave will commence once a court order has been issued for permanent placement and the foster parent has been so notified of their right to adopt as long as the foster child has not resided in the home for more than three (3) years. The agency personnel office must be notified, and the member must submit proof that the adoption has been initiated. Should both parents be employees, they shall each be eligible for 10 weeks of paid maternity/paternity leave which may be taken consecutively or concurrently. No employee will be allowed to take less than a full work week (5 consecutive work days). Regardless of the number of adoptions in a year, no individual shall receive more than 10 weeks (50 work days) of said leave under this Section per year. Maternity/Paternity leave is for the purpose of bonding with the new member of the household. Employees are not eligible for the above referenced leave in the event the adoption is for a step-child or relative with whom the employee has previously established residency, for a period one (1) year or more.

Bereavement Leave – Upon request, employees shall be granted paid leave of up to two (2) scheduled work days to attend the funeral or similar service, for related travel, and bereavement time, upon the death of a member of the employee's immediate

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family. Leave shall be limited to one instance per calendar year. Documentation of the reason for the funeral/bereavement leave, attendance at the funeral or similar service, and relationship to the deceased may be required. Immediate family is defined pursuant to this Section as: father, mother, sister, brother, spouse, children, grandparent and grandchildren including relationships established by marriage. For purposes of application of Bereavement Leave, relationships existing due to marriage will terminate upon death or divorce of the relative through whom the marriage relationship exists. Current marital status will be defined in accordance with State law.

Vacation Payment – If due to operational needs, the Employer cannot grant an employee's request for vacation time within the 24 month period after the expiration of the calendar year such time was earned, such vacation time shall be liquidated in cash at straight time provided the employee has made at least three (3) separate requests with at least 15 days between each request, for such time within the calendar year preceding liquidation. No salary payment shall be made in lieu of vacation earned but not taken except as provided in this Section and on termination of employment for eligible employees with at least six (6) months of continuous service in which case the effective date of termination shall not be extended by the number of days represented by said salary payment.

Temporary Assignment – No employee shall be required to work in a temporary position in excess of six (6) months per calendar year. For a period in excess of six (6) months, the employer shall advise the Union as to the rationale for such extension. This information shall be provided at the time the Employer determines to extend the temporary assignment. The Employer agrees not to rotate temporary assignments for the purpose of avoiding temporary assignment pay.

Clothing and Equipment – The Employer shall provide any special clothing, and/or equipment or the equivalent by reimbursement which is required by the Employer and/or is determined by the Employer as being necessary for such employees to perform their work. Clothing will be provided to Automotive Shop Supervisors and Assistant Automotive Shop Supervisors. If an employee elects not to utilize the provided clothing, the employee will notify management. Employees are responsible for wearing solid colored slacks or jeans and a button shirt with a collar with no logos. Such equipment issued remains the property of the Employer and shall not be used by the employee at any time other than while said employee is on duty. An employee shall be responsible for full and careful maintenance of this equipment. In the event

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the Employer determines to add or remove special clothing and/or equipment, upon timely request by the Union, the parties shall negotiate the impact of the decision.

Biannual Labor Management Meetings Attendance – The Employer shall allow up to two (2) bargaining unit employees to attend the biannual labor management meetings without loss of pay for their normal work hours. Attendance at such meeting shall not be unreasonably denied but shall not interfere with the agency's operations. Travel expenses associated with these meetings shall be the responsibility of the employee.

2015-2019 Backpay – The Employer will pay bargaining unit members for all backpay owed from the wage freeze from 2015 to 2019, including any pay from missed steps or longevity adjustments.

Longevity Pay – Effective July 1, 2013, an employee on Step 8, having 10 years of continuous service and three years creditable service at Step 8, shall be paid an additional \$50 per month. An employee with 15 years continuous services and three years of creditable service at Step 8 shall receive an additional \$75 per month.

Effective July 1, 2019

<u>Title</u>	<u>STEPS</u>										
	<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Assistant Automotive Shop Supervisor</u>	<u>3956</u>	<u>4086</u>	<u>4215</u>	<u>4320</u>	<u>4448</u>	<u>4576</u>	<u>4704</u>	<u>4831</u>	<u>4960</u>	<u>5090</u>	<u>5218</u>
<u>Automotive Shop Supervisor</u>	<u>4865</u>	<u>5024</u>	<u>5184</u>	<u>5318</u>	<u>5484</u>	<u>5652</u>	<u>5818</u>	<u>5986</u>	<u>6153</u>	<u>6321</u>	<u>6487</u>
<u>Meat and Poultry Inspector Supervisor</u>	<u>4180</u>	<u>4318</u>	<u>4454</u>	<u>4567</u>	<u>4764</u>	<u>4954</u>	<u>5142</u>	<u>5341</u>	<u>5641</u>	<u>5755</u>	<u>5812</u>

Effective January 1, 2020

<u>Title</u>	<u>STEPS</u>										
	<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Assistant Automotive Shop Supervisor</u>	<u>4015</u>	<u>4147</u>	<u>4278</u>	<u>4385</u>	<u>4515</u>	<u>4645</u>	<u>4775</u>	<u>4903</u>	<u>5034</u>	<u>5166</u>	<u>5296</u>
<u>Automotive Shop Supervisor</u>	<u>4938</u>	<u>5099</u>	<u>5262</u>	<u>5398</u>	<u>5566</u>	<u>5737</u>	<u>5905</u>	<u>6076</u>	<u>6245</u>	<u>6416</u>	<u>6584</u>
<u>Meat and Poultry Inspector Supervisor</u>	<u>4243</u>	<u>4383</u>	<u>4521</u>	<u>4636</u>	<u>4835</u>	<u>5028</u>	<u>5219</u>	<u>5421</u>	<u>5726</u>	<u>5841</u>	<u>5899</u>

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Effective July 1, 2020

<u>Title</u>	<u>STEPS</u>										
	<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Assistant Automotive Shop Supervisor</u>	4124	4259	4393	4477	4610	4743	4875	5006	5140	5274	5407
<u>Automotive Shop Supervisor</u>	5067	5231	5398	5511	5683	5857	6029	6204	6376	6551	6722
<u>Meat and Poultry Inspector Supervisor</u>	4357	4500	4641	4733	4937	5134	5329	5535	5846	5964	6023

Effective July 1, 2021

<u>Title</u>	<u>STEPS</u>										
	<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Assistant Automotive Shop Supervisor</u>	4312	4452	4592	4654	4792	4930	5068	5204	5343	5482	5621
<u>Automotive Shop Supervisor</u>	5292	5463	5636	5729	5907	6088	6267	6449	6628	6810	6988
<u>Meat and Poultry Inspector Supervisor</u>	4554	4703	4849	4920	5132	5337	5539	5754	6077	6200	6261

Effective July 1, 2022

<u>Title</u>	<u>STEPS</u>										
	<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Assistant Automotive Shop Supervisor</u>	4482	4628	4773	4838	4981	5125	5268	5410	5554	5699	5843
<u>Automotive Shop Supervisor</u>	5501	5679	5859	5955	6140	6328	6515	6704	6890	7079	7264
<u>Meat and Poultry Inspector Supervisor</u>	4734	4889	5041	5114	5335	5548	5758	5981	6317	6445	6508

Effective July 1, 2014

<u>Title</u>	<u>STEPS</u>										
	<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>Assistant Automotive Shop Supervisor</u>	3931	4061	4190	4320	4448	4576	4704	4831	4960	5090	5218

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~~Automotive Shop~~

~~Supervisor~~

~~4840 4999 5159 5318 5484 5652 5818 5986 6153 6321 6487~~

~~Meat and Poultry Inspector~~

~~Supervisor~~

~~4155 4293 4429 4567 4764 4954 5142 5341 5641 5755 5812~~

(Source: Amended by peremptory rulemaking at 43 Ill. Reg. 12119, effective October 8, 2019)

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

Title	Title Code	Bargaining Unit	Pay Grade
Child Welfare Nurse Specialist	07197	RC-023	22
Corrections Nurse I	09825	RC-023	19
Corrections Nurse II	09826	RC-023	23
Corrections Nurse Trainee	09836	RC-023	17
Health Facilities Surveillance Nurse	18150	RC-023	22
Nursing Act Assistant Coordinator	29731	RC-023	24
Registered Nurse I (See Note)	38131	RC-023	18
Registered Nurse II (See Note)	38132	RC-023	22
Registered Nurse – Advanced Practice (See Note)	38135	RC-023	26

NOTES: New Classification Pay Grade Determination – If the Employer establishes a new position classification covering a significant part of the work now being done by any of the classifications set forth in Section of Article I of the Agreement signed September 16, 2019, the Employer shall notify the Association. If the Employer establishes a new position which the Association believes should be included in this unit, the Association shall so notify the Employer. The parties will then review the new position classification and if unable to reach agreement as to its inclusion or exclusion from the bargaining unit shall submit the question to the Illinois State Labor Relations Board for final resolution. If the inclusion of the position classification is agreed to by the Illinois Labor Relations Board, it shall be added to the list in Section 1 of Article I of the Agreement signed September 16, 2019 and the parties shall negotiate as to the proper pay grade for that classification together with other unique conditions of employment. If no agreement is reached between the parties within 30 days, the Association may file a grievance on the appropriateness of the pay grade at the 3rd step and such grievance shall be subject to appeal to the arbitration procedures of the Agreement signed September 16, 2019. If an increase in pay grade results from the negotiation, grievance, or arbitration proceedings, it shall apply retroactively to the date the classification was established. The pay grade originally assigned to the position classification by the Employer shall remain in effect pending the arbitrator's decision.

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Time Off for Association Activities – Bargaining unit members shall be allowed time off without pay as provided for in Article XVII, Leave of Absence, Section 11, Leave for Association Business of the Agreement signed September 16, 2019.

Union Orientation – The current practices with respect to Union orientation of new employees in those agencies where the Union conducts said orientation shall continue. In those agencies, which have orientation of new employees, the Association shall be permitted to conduct its orientation as part of the orientation program of new employees, the mechanics of which shall be determined on an agency by agency basis. Such attendance by employees shall be on a voluntary basis and without loss of pay for the employees involved.

Meal Period – Work schedules shall normally provide for the workday to be broken at approximately midpoint by an uninterrupted, unpaid meal period of not less than 30 minutes and no more than an hour. However, this shall not preclude work schedules which provide for a working paid meal period. Employees who normally receive an unpaid meal period and are required to work during that period and receive no equivalent time off during the same shift, shall have such time treated as hours worked and shall be paid at the appropriate straight or overtime rate, whichever is applicable. Present practices regarding eating while on duty during paid meal period shall remain in effect.

Inconvenience Premium Pay – In the event of a day off rotation only, an employee who works more than five (5) days in any given seven (7) day period even though it overlaps work weeks shall be paid inconvenience premium pay of \$1.50 per hour above the regular rate of pay on each of those days worked over five (5) days within said seven days within a seven-day period. Inconvenience premium pay will increase to \$2.00 per hour effective July 1, 2005, and to \$2.50 per hour effective July 1, 2007. Provided, however, if an employee works more than the normally scheduled hours or days as provided in the Agreement signed September 16, 2019, said employee shall be paid at the normal/usual overtime rate.

Overtime – Effective January 1, 1992, employees shall be paid at the rate of one and one-half times the employee's straight time hourly rate for all time worked in excess of the employee's work day. Part-time employees shall be paid at the rate of one and one-half times the employee's straight time hourly rate for all time worked in excess of 7.5 hours per work day. Employees shall be paid at the rate of two times the employee's straight time hourly rate for all hours worked in excess of sixteen (16) in a 24-hour period.

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Call Back Pay – Employees called back for duty or called in on the employee's day off will be guaranteed an amount equal two (2) hours pay at the appropriate rate if such duty is shorter than two (2) hours in duration.

Standby Pay – When the Employer requires that an employee must be available for work and ne able to report for work in less than an hour, the employee shall be compensated at the rate of one (1) hour straight time pay for each eight (8) hour shift or fraction thereof. Standby for a consecutive 24-hour period shall be compensated at the rate of four (4) hours straight time pay. An employee who is required by the employer to be on standby for Christmas, Thanksgiving, Memorial Day, July 4, Labor Day and New Year's Day is entitled to six (6) hours straight time pay.

Travel Time – Travel time, as required by the Employer, is considered work time if the travel is between work sites during the regular workday. Time spent in traveling from an employee's residence to and/or from a work site is not considered work time except in instances where the employee is required by the Employer to travel in excess of forty-five (45) minutes one way, as measured from the employee's official headquarters in which case the time spent in excess of forty-five (45) minutes will be considered work time. Deviations to the above shall be subject to discussions at agency labor/management meetings.

Travel Time – Public Health and Healthcare and Family Services – Travel time for Public Health and Healthcare and Family Services, as required by the Employer, is considered work time if the travel is between sites during the regular workday. Time spent in traveling from an employee's residence to and/or from a temporary work site is not considered work time and therefore, not eligible for overtime compensation, except in those instances where the employee is required by the Employer to travel in excess of thirty (30) minutes one way, as measured from the employee's starting and/or ending point for that day, in which case the minutes in excess of thirty (30) minutes will be considered work time and compensated at the appropriate rate within the limits set forth in Article VI of the INA Contract. Travel from an Employee's home to headquarters is never considered work time.

Travel Time Policy Department of Public Health – For travel reimbursement purposes only, an employee's residence is designated as his/her headquarters. Travel between an employee's residence (headquarters) and a temporary work site is considered work time and such travel will be reimbursed according to Travel Board regulations. Travel reimbursement will not be affected in any way by trips to the employee's Regional

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Office for the purpose of receiving/delivering Long Term Care survey packages or complaints or stays of one hour or less which may require a stop at the office, as directed by management, in the course of the employee's work day.

Daylight Savings Time – Employees working during the shift when Daylight Savings Time changes to Standard Time will receive the appropriate rate of premium pay for the extra hour worked. However, when Standard Time changes to Daylight Savings Time, employees will be allowed to use accumulated benefit time, excluding sick leave, to cover the one (1) hour reduction in work time.

Temporary Assignment in the Same or an Equal of Lower Paid Classification – The Employer may, subject to the Provisions of Article VII of the INA contract, temporarily assign an employee to perform the duties of another position in the same, or an equal, or a lower classified position and/or on a different shift. Such an assignment of an individual shall not continue for more than 30 calendar days except that it may be renewed after a lapse of 30 calendar days or it may be extended by mutual agreement. Such assignments shall be distributed within the functional/program unit in accordance with rules which have been or may be negotiated at the local level. Pay for this type of temporary assignment shall be the employee's regular rate of pay.

Payment for Work in a Higher Position Classification – For the purpose of calculation, temporary assignments shall be based on the actual amount of time in the assignment, in increments of time not less than one hour. For such assignments, the Employer will pay the higher rate of pay in the higher range that is at least 5% greater than the employee's current salary not to exceed the maximum step of the range. Employees temporarily assigned to merit compensation positions will be compensated pursuant to the Pay Plan.

Geographical Transfer Initiated by the Employer – When an employee is transferred from one geographical location in the State to another for the convenience of the Employer, the employee shall be reimbursed for all reasonable transportation and moving expenses incurred in moving to a new location. First preference for transfer at the request of the Employer shall be offered to senior qualified employees as provided in Article V, Seniority, Sections 1 and 2 of the INA contract. If no employees accept such offer, the least senior employees may be required to transfer (with expense reimbursement as provided in Section 4d, 1 of the INA contract or to accept layoff.

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Voluntary Reductions – Employees who are selected for Voluntary Reduction shall be placed on the step in the lower classification which is less than, but closest to the salary from which the employee is voluntarily reducing. An employee who voluntarily returns or is returned by the agency to his/her previous classification during the four month promotional probationary period, shall be placed on the step which represents the salary had the employee not been promoted. Such employee's creditable service date will revert to the date held prior to the promotion.

Salary and Other Benefits of Employee in Demotion – Upon receipt by the employee of the approved statement of reasons for demotion or on the effective date thereof, whichever is later, all salaries and benefits of such employee in the position classification in which assigned prior to receipt of such statement of reasons shall be adjusted to reflect the demotion.

Wage Assignments and Garnishments – The Employer shall not impose disciplinary action against any employee for any wage assignment or garnishment. Where the Employer seeks to recoup overpayment to employees, it shall be no greater rate than allowed under the garnishment laws and subject to rules and regulations of the Office of the Comptroller.

Uniforms – Effective July 1, 2015, all nurses in the Department of Veterans Affairs in certified status, who are mandated by the Employer to wear uniforms or scrubs, will be eligible for an annual reimbursement benefit of a maximum of \$450.00.

Fitness for Duty – When the Employer has requested a fitness for duty evaluation which determines the employee is unfit for duty, the Employer may rely upon the decision of the impartial physician for the employee's fitness for duty. Such examination shall be paid for by the Employer.

Payment in Lieu of Holiday – If because of agency needs the Employer cannot grant the employee's request for a day off to utilize an accumulated holiday within the twelve-month period following earning of such holiday, the Employer after said twelve month period, shall pay the employee in cash in the amount of one day's pay.

Eligibility Holiday Pay – To be eligible for holiday pay the employee must work the employee's last scheduled workday before the holiday or accumulated holiday and the employee's first scheduled workday after the holiday or accumulated holiday and unless absence on either or both of those workdays is for good cause acceptable to and approved by the Employer.

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Bereavement Leave – Upon request, employees shall be granted paid leave of up to two (2) scheduled work days to attend the funeral or similar service, for related travel and bereavement time, upon the death of a member of the employee's immediate family. Leave shall be limited to one instance per calendar year. Documentation of the reason for the funeral/bereavement leave, attendance at the funeral or similar service, and relationship to the deceased may be required. Immediate family is defined pursuant to this Section as: father, mother, sister, brother, spouse, children, grandparent and grandchildren including relationships established by marriage. For purposes of application of Bereavement Leave, relationships existing due to marriage will terminate upon death or divorce of the relative through whom the marriage relationship exists. Current marital status will be defined in accordance with State law.

Attendance in Court – Any permanent employee called for jury duty or subpoenaed by any legislative, judicial or administrative tribunal, shall be in pay status provided such attendance is during the employee's regular scheduled hours of work and is not a matter of personal litigation. Upon receiving the sum paid for jury service or witness fee, the employee shall submit the warrant, or its equivalent, to the agency to be returned to the fund in the State Treasury from which the original payroll warrant was drawn. Provided, however, an employee may elect to fulfill such a call or subpoena on accrued time off and personal leave and retain the full amount received for such service. Employees selected to serve on a jury shall, upon request, be temporarily assigned to a day shift for the duration of their jury duty period. An employee subpoenaed by a legislative, judicial or administrative tribunal for non-work-related personal litigation shall be granted benefit time if such time is available or authorized dock time, and the employee's choice.

Maternity/Paternity/Adoption Leaves – All employees who provide proof of their pregnancy or that of their female partner at least 30 days prior to the expected due date will be eligible for 10 weeks (50 days) of paid maternity/paternity leave for each pregnancy resulting in birth or multiple births. Should both parents be employees they shall each be eligible for 10 weeks of paid maternity/paternity leave, which may be taken consecutively or concurrently. No employee will be allowed to take less than a full work week (5 consecutive days). Regardless of the number of pregnancies in a year, no employee shall receive more than 10 weeks (50 work days) of paid leave under this Section per year. The State shall require proof of the birth. In addition, non-married male employees may be required to provide proof of paternity such as a birth certificate or other appropriate documentation confirming paternity. Leaves under this Section shall also be granted in cases of a full term still born child for a maximum of

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five (5) weeks. All bargaining unit members are eligible for ten weeks (50 days) of paid leave with a new adoption, with the leave to commence when physical custody of the child has been granted to the member, provided that the member can show that the formal adoption process is underway. In the event the child was in foster care immediately preceding the adoption process, the leave will commence once a court order has been issued for permanent placement and the foster parent has been so notified of their right to adopt as long as the foster child has not resided in the home for more than three (3) years. The agency personnel office must be notified, and the member must submit proof that the adoption has been initiated. Should both parents be employees, they shall each be eligible for 10 weeks of paid maternity/paternity leave which may be taken consecutively or concurrently. No employee will be allowed to take less than a full work week (5 consecutive work days). Regardless of the number of adoptions in a year, no individual shall receive more than 10 weeks (50 work days) of leave under this Section per year. Maternity/Paternity leave is for the purpose of bonding with the new member of the household. Employees are not eligible for the above referenced leave in the event the adoption is for a step-child or relative with whom the employee has previously established residency for a period one (1) year or more.

Professional Meetings – Employees will be granted a reasonable period of time to attend meetings dealing substantively and primarily with professional advancement and development without loss of pay subject to the operating needs of the agency.

INA Lobby Day – The parties agree that participation in the INA "Lobby Day" is not subject to Article XIX, Section 1, Professional Meetings and Section 2, Continued Education Paid Time.

Continued Education Paid Time –The Employer will provide each nurse a minimum of 24 hours per year on paid time to enroll in training approved for continuing education credit for nurses subject to management approval as well as the operating needs of the Employer. On July 1, 2013, the Employer will request funding for a budget of \$125 per employee, per fiscal year for the purposes of continued education programs or for courses that are otherwise job or career related. Employees will be entitled to reimbursement subject to the availability of these funds. Agencies will provide INA with semi-annual reports, in April and October, which will include the name of each nurse requesting CE moneys pursuant to this Section and the disposition of the requests, including the reason for denials, if any. The Employer shall make reasonable effort to provide courses, instruction, or opportunities available to employees in order

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to comply with the continuing education requirements of the Illinois Nurse Practice Act.

General Increases – Effective January 1, 2020, the pay rates for all bargaining unit classifications and steps shall be increased by 1.50%. Effective July 1, 2020, the pay rates for all bargaining unit classifications and steps shall be increased by 2.10%. Effective July 1, 2021, the pay rates for all bargaining unit classifications and steps shall be increased by 3.95%. Effective July 1, 2022, the pay rates for all bargaining unit classifications and steps shall be increased by 3.95%.

Stipend – All bargaining unit employees on active payroll on September 16, 2019 shall receive a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019. The stipend shall be paid as soon as practicable after September 16, 2019.

Satisfactory Performance Increase – A nurse who has attained Step 5 of the appropriate pay range and whose level of performance has been at a satisfactory level of competence, shall be successively advanced in pay to the next higher step in the salary range after one year of creditable service in the same class. A satisfactory performance increase shall become effective on the first day of the month within which the required period of creditable service is reached. No satisfactory performance increase may be given after the effective date of separation.

Movement from Steps 5 and 6 – Employees on Steps 5 and 6 shall be advanced to the next higher step on the first day of the month within which 12 months of satisfactory creditable service is reached. The employee will then be given a new creditable service date.

Step 8 – Effective January 1, 2002, employees with twelve (12) months or more of creditable service on Step 7 on or before that date shall be placed on Step 8.

Redetermination Satisfactory Performance Increase – A Satisfactory Performance Increase previously withheld shall be granted when the cause for withholding has been eliminated. Redetermination must be made at least annually. In such cases, the increases will be effective the first day of the month following the date of approval and will be preceded by the preparation and filing of a Performance Record within the agency indicting the attainment of satisfactory level of competence.

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Superior Performance Increase – The Director of an agency employing nurses may grant a superior performance increase to a nurse who characteristically carries out his/her work activities in such a way that the results are substantially above a satisfactory level of performance. A nurse shall be eligible for a superior performance increase after six months of continuous service. A minimum of 18 months must lapse between superior performance increases. A superior performance increase shall be for one step in the appropriate salary range. A superior performance increase does not affect the creditable service anniversary date. A Performance Record supporting a superior performance increase shall be retained by the agency head, and shall be available to the Director of Central Management Services upon request. During the fiscal year, the number of superior performance increases granted should not exceed one out of five nurses.

Promotions – Upon promotion an employee shall be advanced to the lowest step in the new grade which represents at least a full step increase in the former grade. An equivalent of a full step for those employees on Step 7 shall be determined by the value difference between Steps 6 and 7 of the former pay grade. Longevity pay, as provided in Article XX, Section 1.H, shall be included in an employee's rate of pay when determining whether a step represents a full step increase. If a promoted employee's creditable service date is within 90 days of the effective date of the promotion, the Employer shall also include the projected service increase in the computation of the promotional salary increase.

Severance Pay – Where a facility closes permanently, employees affected thereby with two (2) or more years seniority and on the agency's payroll as the time of such closure or termination, or who were previously laid off as a result of such closure, not offered another bargaining unit position as defined below within sixty (60) days of such closure or termination and within fifty (50) miles of the employee's work location, shall be offered severance pay in the amount of one (1) month's compensation at their monthly rate of pay in effect at the time of such closure or termination. Provided, however, that an employee who elects to remain on the layoff list for a period in excess of six (6) months, or who obtains another bargaining unit position, or who refuses an appropriate position offered by the Employer within his/her position classification series (or if his/her classification is the only one in its series, with a comparable classification) shall forfeit any severance pay which is due under this Section. If an employee accepts severance pay he/she shall be considered terminated.

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Bilingual Pay – Effective July 1, 1995, employees whose positions require the use of a second language or sign language shall receive an additional \$100.00 or 5% per month, whichever is greater.

Maximum Security – All employees with seven or more years of continuous service with the Department of Corrections and Department of Juvenile Justice maximum security institutions shall receive an additional \$50.00 increase adjustment to their step salary as long as they remain employees at a maximum security facility.

Backpay – The employer will pay bargaining unit members for all backpay owed from the wage freeze from 2015 through to 2019, including ant pay from missed steps or longevity adjustments.

Appropriate Step – Effective July 1, 2012, the employees at the frozen agencies will be placed on the appropriate step of the wage scale that they would have been placed but for the freeze.

Negotiated Wage Rate – Any employee who is not paid the negotiated wage rate as scheduled in this Agreement shall not be charged any increases cost for health insurance premiums, co-payments, or deductibles during the period he/she is not being paid the negotiated rate established in the wage and salary schedule.

Retention Bonus – All bargaining unit employees who have worked during the previous four years of the Agreement shall receive a \$500 retention bonus effective January 1, 2022.

Compensatory Time – Employees will be allowed to accumulate up to five (5) work days of compensatory time. If an employee reaches the maximum compensatory time allowed within the first six (6) months of the fiscal year, the Employer may require it to be liquidated at that time. Any remaining compensatory time shall be liquidated at the end of the fiscal year, per Article VI, Section 5. The granting of compensatory time shall be based on the operational needs of the Employer. Curent agency/local practices regarding compensatory time shall continue unless negotiated otherwise.

12 Hour Work Shifts – The parties agree to modify terms of the 12-hour shift pilot programs currently utilized by the Department of Corrections, Department of Human Services and Department of Veterans Affairs as specified below. The parties further agree that where the provisions of this Agreement conflict with the 2015-2023 master

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collective bargaining agreement, Department past practices or Department or facility supplemental agreements, this Agreement shall control.

1. The scheduled work day shall consist of shifts of twelve (12) consecutive hours in a twenty-four (24) hour period. The starting and ending times will be determined at each work location based upon the operating needs of the facility.
2. For the purposes of Article VI, Section 1 - Work Schedules, a work day will be defined as twelve and one half (12.5) hours and a work week as thirty-seven and a half (37.5) hours. Weekends off (Saturday, Sunday) will be equitably distributed in accordance with Article VI, Section 3E.
3. Shifts and days off will be offered by seniority. Shift/Day Off preferences shall continue for those employees currently working 12-hour shifts under an existing pilot program. Shifts/Days Off will be offered by seniority and such preference shall be made prior to the implementation of the program at a facility.
4. To ensure compliance with Agency procedures and appropriate nursing practices, all nurses will report for fifteen (15) minutes at the start and end of their shift for the purposes of count and report. The fifteen (15) minute periods shall be compensated at the straight time rate. Agency attendance policies will be enforced for tardiness.
5. Provisions for special nursing assignments/positions such as chronic clinics, work camps, and mental health nurses will be mutually agreed to by the parties, should such positions require a separate work schedule outside of the 12-hour shifts, the position shall be posted in accordance with Article IX of the master agreement.
6. The Employees will be entitled to a half hour paid lunch break. The two (2) 15-minute paid rest periods, in accordance with Article VI, Section 4 shall continue.
7. Overtime compensation will accrue after twelve and a half (12.5) actual hours worked in a work day and after thirty-seven and a half (37.5) hours in a work week. The use of Sick time shall not be counted as time worked for the

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purposes of overtime computation. The use of other accumulated benefit time shall be counted as time worked for purposes of overtime computation.

8. An employee will not be required to work more than sixteen (16) consecutive hours on a given work day unless exigent or emergency circumstances exist. All time worked after sixteen (16) hours in a 24-hour period shall be paid at the double-time rate.
9. The parties agree that mandatory overtime should be the exception and not the norm. Except in an emergency, overtime known at least two (2) weeks, fourteen (14) days, in advance of the start of a shift that is not filled by volunteers, will be filled by mandatory overtime.
10. The Memoranda of Understanding for Overtime shall be followed for voluntary and mandatory overtime.
11. If an employee works more than 16 consecutive hours, the employee shall receive equivalent time off for sleep and rest if they are scheduled to work the following day.
12. The INA and DOC Overtime Distribution MOU dated February 10, 2006, Section 5 shall be amended, and employees shall be subject to being mandated four (4) hours prior to their regularly scheduled shift or four (4) hours after their regularly scheduled shift.
13. Employees who work the pm shift shall be paid shift differential for all hours worked, provided they work one-half (1/2) or more on the pm shift. The rate of pay as defined by the Master Agreement shall continue.
14. Sick Time shall accrue at the current (7.5) hour rate per the Master Agreement.
15. Benefit time will be accrued and utilized using a twelve (12) hour day work schedule.
 - a. For vacation time, the Master Agreement will be revised as follows:
 1. From the date of hire until the completion of five (5) years of service; six (6) workdays per full year of employment earned at the rate of .50 day (6 hours) per month.

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2. From the completion of five (5) years continuous service until the completion of nine (9) years of continuous service; nine (9) workdays per full year of employment earned at a rate of .75 day (9 hours) per month.
 3. From the completion of nine (9) years of continuous service until the completion of fourteen (14) years of continuous service; earned at the rate of .92 day (11 hours) per month for eleven (11) workdays per full year of employment.
 4. From the completion of fourteen (14) years of continuous service until the completion of nineteen (19) years of continuous service; earned at the rate of 1 day (12 hours) per month for twelve (12) workdays per year of employment.
 5. From the completion of nineteen (19) years of continuous service until the completion of twenty-five (25) years of continuous service; 1.25 days (15 hours) per month for fifteen (15) workdays per year of employment.
 6. From the completion of twenty-five (25) years of continuous service; 1.5 days (18 hours) per month for eighteen (18) workdays per year of employment.
- b) Annual vacation selection shall continue to be chosen as past practice determined by the Master Agreement.
16. For personal time, the provisions of the Master Agreement will continue with nurses earning and being permitted to utilize two (2) personal days (24 hours) a year or three (3) days (36 hours) if no sick time is utilized in a year.
 17. For Holiday time, the Master Agreement and Personnel Rules provisions will continue with nurses being allowed to accumulate holiday time for hours worked on a holiday, including super holidays. For a holiday not worked, nurses will bank an equivalent holiday.
 18. Upon termination of the pilot program at a facility or when a nurse transfers to a work location on a standard work schedule, time earned at a 12-hour rate shall be converted back to a 7.5-hour work day.
 19. Issues arising from the implementation of this pilot program shall be discussed at Facility Labor-Management meetings and/or Agency Standing Committee

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Meetings. If the committee is unable to resolve such issues, grievances may be filed to the second step of the grievance procedure. Within two months of ratification of this Agreement, a standing committee will be formed for Department of Human Services to address the ongoing implementation of 12-hour shifts; in the event further facilities in Department of Veterans Affairs go to 12-hour schedules, the INA and DVA will discuss forming a standing committee.

20. Subject to the operating needs of the Employer, the parties may mutually agree to expand the use of the 12-hour schedule for Registered Nurse positions covered under the RC-23 bargaining unit.
21. Upon ratification of the agreement, representatives from the Department of Central Management Services, Department of Corrections, Department of Human Services, Department of Juvenile Justice and Department of Veteran's Affairs shall meet with the Union to discuss implementation of the 12-hour schedule at additional facilities.
22. Should the Employer or the Union wish to terminate the 12-hour schedule at a particular facility, the party wishing to terminate the program shall give the other party a minimum of sixty (60) days' notice, and the parties shall meet to attempt to resolve any program deficiencies. Should the parties be unable to resolve the identified deficiencies, the program will be terminated at the end of the sixty (60) day period.

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

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

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

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

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

**Effective July 1, 2014
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Pay Grade	Pay Plan Code	S T E P S							
		1	2	3	4	5	6	7	8
17	Q	4617	4838	5058	5284	5621	5818	6022	6264
17	S	4667	4888	5108	5334	5671	5868	6072	6314
18	B	4710	4936	5161	5392	5733	5937	6144	6389

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18	Q	4779	5008	5236	5469	5818	6022	6233	6484
19	Q	5017	5250	5499	5734	6110	6326	6547	6809
19	S	5067	5300	5549	5784	6160	6376	6597	6859
22	B	5293	5542	5810	6074	6462	6687	6923	7197
22	Q	5371	5622	5892	6161	6558	6787	7021	7303
23	Q	5640	5905	6186	6471	6882	7126	7375	7669
23	S	5690	5955	6236	6521	6932	7176	7425	7719
24	B	5622	5910	6182	6464	6870	7108	7358	7652
26	B	5965	6272	6563	6863	7291	7544	7810	8123
26	Q	6052	6365	6660	6965	7399	7657	7924	8246
26	S	6102	6415	6710	7015	7449	7707	7974	8296

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<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>STEPS</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>17</u>	<u>Q</u>	<u>4686</u>	<u>4911</u>	<u>5134</u>	<u>5363</u>	<u>5705</u>	<u>5905</u>	<u>6112</u>	<u>6358</u>
<u>17</u>	<u>S</u>	<u>4737</u>	<u>4961</u>	<u>5185</u>	<u>5414</u>	<u>5756</u>	<u>5956</u>	<u>6163</u>	<u>6409</u>
<u>18</u>	<u>B</u>	<u>4781</u>	<u>5010</u>	<u>5238</u>	<u>5473</u>	<u>5819</u>	<u>6026</u>	<u>6236</u>	<u>6485</u>
<u>18</u>	<u>Q</u>	<u>4851</u>	<u>5083</u>	<u>5315</u>	<u>5551</u>	<u>5905</u>	<u>6112</u>	<u>6326</u>	<u>6581</u>
<u>19</u>	<u>Q</u>	<u>5092</u>	<u>5329</u>	<u>5581</u>	<u>5820</u>	<u>6202</u>	<u>6421</u>	<u>6645</u>	<u>6911</u>
<u>19</u>	<u>S</u>	<u>5143</u>	<u>5380</u>	<u>5632</u>	<u>5871</u>	<u>6252</u>	<u>6472</u>	<u>6696</u>	<u>6962</u>
<u>22</u>	<u>B</u>	<u>5372</u>	<u>5625</u>	<u>5897</u>	<u>6165</u>	<u>6559</u>	<u>6787</u>	<u>7027</u>	<u>7305</u>
<u>22</u>	<u>Q</u>	<u>5452</u>	<u>5706</u>	<u>5980</u>	<u>6253</u>	<u>6656</u>	<u>6889</u>	<u>7126</u>	<u>7413</u>

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<u>23</u>	<u>Q</u>	<u>5725</u>	<u>5994</u>	<u>6279</u>	<u>6568</u>	<u>6985</u>	<u>7233</u>	<u>7486</u>	<u>7784</u>
<u>23</u>	<u>S</u>	<u>5775</u>	<u>6044</u>	<u>6330</u>	<u>6619</u>	<u>7036</u>	<u>7284</u>	<u>7536</u>	<u>7835</u>
<u>24</u>	<u>B</u>	<u>5706</u>	<u>5999</u>	<u>6275</u>	<u>6561</u>	<u>6973</u>	<u>7215</u>	<u>7468</u>	<u>7767</u>
<u>26</u>	<u>B</u>	<u>6054</u>	<u>6366</u>	<u>6661</u>	<u>6966</u>	<u>7400</u>	<u>7657</u>	<u>7927</u>	<u>8245</u>
<u>26</u>	<u>Q</u>	<u>6143</u>	<u>6460</u>	<u>6760</u>	<u>7069</u>	<u>7510</u>	<u>7772</u>	<u>8043</u>	<u>8370</u>
<u>26</u>	<u>S</u>	<u>6194</u>	<u>6511</u>	<u>6811</u>	<u>7120</u>	<u>7561</u>	<u>7823</u>	<u>8094</u>	<u>8420</u>

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<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>S T E P S</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>17</u>	<u>Q</u>	<u>4784</u>	<u>5014</u>	<u>5242</u>	<u>5476</u>	<u>5825</u>	<u>6029</u>	<u>6240</u>	<u>6492</u>
<u>17</u>	<u>S</u>	<u>4836</u>	<u>5065</u>	<u>5294</u>	<u>5528</u>	<u>5877</u>	<u>6081</u>	<u>6292</u>	<u>6544</u>
<u>18</u>	<u>B</u>	<u>4881</u>	<u>5115</u>	<u>5348</u>	<u>5588</u>	<u>5941</u>	<u>6153</u>	<u>6367</u>	<u>6621</u>
<u>18</u>	<u>Q</u>	<u>4953</u>	<u>5190</u>	<u>5427</u>	<u>5668</u>	<u>6029</u>	<u>6240</u>	<u>6459</u>	<u>6719</u>
<u>19</u>	<u>Q</u>	<u>5199</u>	<u>5441</u>	<u>5698</u>	<u>5942</u>	<u>6332</u>	<u>6556</u>	<u>6785</u>	<u>7056</u>
<u>19</u>	<u>S</u>	<u>5251</u>	<u>5493</u>	<u>5750</u>	<u>5994</u>	<u>6383</u>	<u>6608</u>	<u>6837</u>	<u>7108</u>
<u>22</u>	<u>B</u>	<u>5485</u>	<u>5743</u>	<u>6021</u>	<u>6294</u>	<u>6697</u>	<u>6930</u>	<u>7175</u>	<u>7458</u>
<u>22</u>	<u>Q</u>	<u>5566</u>	<u>5826</u>	<u>6106</u>	<u>6384</u>	<u>6796</u>	<u>7034</u>	<u>7276</u>	<u>7569</u>
<u>23</u>	<u>Q</u>	<u>5845</u>	<u>6120</u>	<u>6411</u>	<u>6706</u>	<u>7132</u>	<u>7385</u>	<u>7643</u>	<u>7947</u>
<u>23</u>	<u>S</u>	<u>5896</u>	<u>6171</u>	<u>6463</u>	<u>6758</u>	<u>7184</u>	<u>7437</u>	<u>7694</u>	<u>8000</u>
<u>24</u>	<u>B</u>	<u>5826</u>	<u>6125</u>	<u>6407</u>	<u>6699</u>	<u>7119</u>	<u>7367</u>	<u>7625</u>	<u>7930</u>
<u>26</u>	<u>B</u>	<u>6181</u>	<u>6500</u>	<u>6801</u>	<u>7112</u>	<u>7555</u>	<u>7818</u>	<u>8093</u>	<u>8418</u>

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<u>26</u>	<u>Q</u>	<u>6272</u>	<u>6596</u>	<u>6902</u>	<u>7217</u>	<u>7668</u>	<u>7935</u>	<u>8212</u>	<u>8546</u>
<u>26</u>	<u>S</u>	<u>6324</u>	<u>6648</u>	<u>6954</u>	<u>7270</u>	<u>7720</u>	<u>7987</u>	<u>8264</u>	<u>8597</u>

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<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>S T E P S</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>17</u>	<u>Q</u>	<u>4973</u>	<u>5212</u>	<u>5449</u>	<u>5692</u>	<u>6055</u>	<u>6267</u>	<u>6486</u>	<u>6748</u>
<u>17</u>	<u>S</u>	<u>5027</u>	<u>5265</u>	<u>5503</u>	<u>5746</u>	<u>6109</u>	<u>6321</u>	<u>6541</u>	<u>6802</u>
<u>18</u>	<u>B</u>	<u>5074</u>	<u>5317</u>	<u>5559</u>	<u>5809</u>	<u>6176</u>	<u>6396</u>	<u>6618</u>	<u>6883</u>
<u>18</u>	<u>Q</u>	<u>5149</u>	<u>5395</u>	<u>5641</u>	<u>5892</u>	<u>6267</u>	<u>6486</u>	<u>6714</u>	<u>6984</u>
<u>19</u>	<u>Q</u>	<u>5404</u>	<u>5656</u>	<u>5923</u>	<u>6177</u>	<u>6582</u>	<u>6815</u>	<u>7053</u>	<u>7335</u>
<u>19</u>	<u>S</u>	<u>5458</u>	<u>5710</u>	<u>5977</u>	<u>6231</u>	<u>6635</u>	<u>6869</u>	<u>7107</u>	<u>7389</u>
<u>22</u>	<u>B</u>	<u>5702</u>	<u>5970</u>	<u>6259</u>	<u>6543</u>	<u>6962</u>	<u>7204</u>	<u>7458</u>	<u>7753</u>
<u>22</u>	<u>Q</u>	<u>5786</u>	<u>6056</u>	<u>6347</u>	<u>6636</u>	<u>7064</u>	<u>7312</u>	<u>7563</u>	<u>7868</u>
<u>23</u>	<u>Q</u>	<u>6076</u>	<u>6362</u>	<u>6664</u>	<u>6971</u>	<u>7414</u>	<u>7677</u>	<u>7945</u>	<u>8261</u>
<u>23</u>	<u>S</u>	<u>6129</u>	<u>6415</u>	<u>6718</u>	<u>7025</u>	<u>7468</u>	<u>7731</u>	<u>7998</u>	<u>8316</u>
<u>24</u>	<u>B</u>	<u>6056</u>	<u>6367</u>	<u>6660</u>	<u>6964</u>	<u>7400</u>	<u>7658</u>	<u>7926</u>	<u>8243</u>
<u>26</u>	<u>B</u>	<u>6425</u>	<u>6757</u>	<u>7070</u>	<u>7393</u>	<u>7853</u>	<u>8127</u>	<u>8413</u>	<u>8751</u>
<u>26</u>	<u>Q</u>	<u>6520</u>	<u>6857</u>	<u>7175</u>	<u>7502</u>	<u>7971</u>	<u>8248</u>	<u>8536</u>	<u>8884</u>
<u>26</u>	<u>S</u>	<u>6574</u>	<u>6911</u>	<u>7229</u>	<u>7557</u>	<u>8025</u>	<u>8302</u>	<u>8590</u>	<u>8937</u>

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<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>S T E P S</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>17</u>	<u>Q</u>	<u>5169</u>	<u>5418</u>	<u>5664</u>	<u>5917</u>	<u>6294</u>	<u>6515</u>	<u>6742</u>	<u>7015</u>
<u>17</u>	<u>S</u>	<u>5226</u>	<u>5473</u>	<u>5720</u>	<u>5973</u>	<u>6350</u>	<u>6571</u>	<u>6799</u>	<u>7071</u>
<u>18</u>	<u>B</u>	<u>5274</u>	<u>5527</u>	<u>5779</u>	<u>6038</u>	<u>6420</u>	<u>6649</u>	<u>6879</u>	<u>7155</u>
<u>18</u>	<u>Q</u>	<u>5352</u>	<u>5608</u>	<u>5864</u>	<u>6125</u>	<u>6515</u>	<u>6742</u>	<u>6979</u>	<u>7260</u>
<u>19</u>	<u>Q</u>	<u>5617</u>	<u>5879</u>	<u>6157</u>	<u>6421</u>	<u>6842</u>	<u>7084</u>	<u>7332</u>	<u>7625</u>
<u>19</u>	<u>S</u>	<u>5674</u>	<u>5936</u>	<u>6213</u>	<u>6477</u>	<u>6897</u>	<u>7140</u>	<u>7388</u>	<u>7681</u>
<u>22</u>	<u>B</u>	<u>5927</u>	<u>6206</u>	<u>6506</u>	<u>6801</u>	<u>7237</u>	<u>7489</u>	<u>7753</u>	<u>8059</u>
<u>22</u>	<u>Q</u>	<u>6015</u>	<u>6295</u>	<u>6598</u>	<u>6898</u>	<u>7343</u>	<u>7601</u>	<u>7862</u>	<u>8179</u>
<u>23</u>	<u>Q</u>	<u>6316</u>	<u>6613</u>	<u>6927</u>	<u>7246</u>	<u>7707</u>	<u>7980</u>	<u>8259</u>	<u>8587</u>
<u>23</u>	<u>S</u>	<u>6371</u>	<u>6668</u>	<u>6983</u>	<u>7302</u>	<u>7763</u>	<u>8036</u>	<u>8314</u>	<u>8644</u>
<u>24</u>	<u>B</u>	<u>6295</u>	<u>6618</u>	<u>6923</u>	<u>7239</u>	<u>7692</u>	<u>7960</u>	<u>8239</u>	<u>8569</u>
<u>26</u>	<u>B</u>	<u>6679</u>	<u>7024</u>	<u>7349</u>	<u>7685</u>	<u>8163</u>	<u>8448</u>	<u>8745</u>	<u>9097</u>
<u>26</u>	<u>Q</u>	<u>6778</u>	<u>7128</u>	<u>7458</u>	<u>7798</u>	<u>8286</u>	<u>8574</u>	<u>8873</u>	<u>9235</u>
<u>26</u>	<u>S</u>	<u>6834</u>	<u>7184</u>	<u>7515</u>	<u>7856</u>	<u>8342</u>	<u>8630</u>	<u>8929</u>	<u>9290</u>

(Source: Amended by peremptory rulemaking at 43 Ill. Reg. 12119, effective October 8, 2019)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Administrative Assistant I	00501	RC-028	17
Administrative Assistant II	00502	RC-028	19
Apparel/Dry Goods Specialist III	01233	RC-028	12.5
Assistant Reimbursement Officer	02424	RC-028	08
Capital Development Board Media Technician	06525	RC-028	14
Child Development Aide	07184	RC-028	10
Clinical Laboratory Associate	08200	RC-028	08
Clinical Laboratory Technician I	08215	RC-028	10
Clinical Laboratory Technician II	08216	RC-028	12
Compliance Officer	08919	RC-028	14
<u>Contract Specialist I</u>	<u>09566</u>	<u>RC-028</u>	<u>11</u>
<u>Contract Specialist II</u>	<u>09567</u>	<u>RC-028</u>	<u>13</u>
<u>Contract Specialist III</u>	<u>09568</u>	<u>RC-028</u>	<u>17</u>
Crime Scene Investigator	09980	RC-028	21
Data Processing Administrative Specialist	11415	RC-028	14
Data Processing Specialist	11430	RC-028	12
Data Processing Technician	11440	RC-028	09
Data Processing Technician Trainee	11443	RC-028	06
Dental Assistant	11650	RC-028	10
Dental Hygienist	11700	RC-028	14
Electroencephalograph Technician	13300	RC-028	08
Environmental Equipment Operator I	13761	RC-028	12
Environmental Equipment Operator II	13762	RC-028	14
Environmental Protection Technician I	13831	RC-028	08
Environmental Protection Technician II	13832	RC-028	10
Guard Supervisor	17685	RC-028	14
Health Information Associate	18045	RC-028	10
Health Information Technician	18047	RC-028	12
Hearing & Speech Technician II	18262	RC-028	09
Housekeeper	19600	RC-028	03.5
Inhalation Therapist	21259	RC-028	08
Inhalation Therapy Supervisor	21260	RC-028	11
Intermittent Unemployment Insurance Technician (Hourly)	21690	RC-028	06H

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Laboratory Assistant	22995	RC-028	04
Laboratory Associate I	22997	RC-028	10
Laboratory Associate II	22998	RC-028	12
Legal Research Assistant	23350	RC-028	13
Licensed Practical Nurse I	23551	RC-028	10.5
Licensed Practical Nurse II	23552	RC-028	11.5
Lock and Dam Tender	24290	RC-028	10
Lottery Commodities Distributor II	24402	RC-028	12
Natural Resources Technician I	28851	RC-028	10
Natural Resources Technician II	28852	RC-028	13
Office Administrative Specialist	29990	RC-028	12
Office Administrator IV	29994	RC-028	14
Office Administrator V	29995	RC-028	15
Office Specialist	30080	RC-028	11
Pharmacy Lead Technician	32009	RC-028	09
Pharmacy Technician	32011	RC-028	07
Public Aid Eligibility Assistant	35825	RC-028	08
Radiologic Technologist	37500	RC-028	11
Radiologic Technologist Program Coordinator	37507	RC-028	12
Ranger	37725	RC-028	13
Rehabilitation Counselor Aide I	38155	RC-028	09
Rehabilitation Counselor Aide II	38156	RC-028	11
Senior Ranger	40090	RC-028	14
Site Interpreter	41090	RC-028	10
Site Technician I	41131	RC-028	10
Site Technician II	41132	RC-028	12
Social Service Community Planner	41295	RC-028	11
State Police Crime Information Evaluator	41801	RC-028	11
State Police Evidence Technician I	41901	RC-028	12
State Police Evidence Technician II	41902	RC-028	13
Statistical Research Technician	42748	RC-028	11
Veterans Service Officer	47800	RC-028	14
Vocational Instructor	48200	RC-028	12
Waterways Construction Supervisor I	49061	RC-028	16
Waterways Construction Supervisor II (Department of Natural Resources)	49062	RC-028	18

NOTES: Maximum Security Pay – Effective January 1, 2018, for all employees who are currently receiving maximum security pay, and are not working at a maximum-security

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facility, the maximum-security pay shall be removed.

Stipend – Effective June 30, 2019, and paid upon ratification of the Agreement signed August 21, 2019, provided that ratification occurs prior to August 15, 2019, all bargaining unit employees shall receive a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019.

Sub-Steps – Step 1a, 1b, and 1c shall be implemented for all employees hired on or after May 20, 2013, with a 3% step differential. Effective July 1, 2019, Step 1a, 1b, and 1c shall be increased by \$25 per month. Effective July 1, 2020, Step 1a, 1b, and 1c shall be increased by an additional \$25 per month. Effective July 1, 2021, Step 1a, 1b, and 1c shall be increased by an additional \$25 per month. The rates are set out in the rate tables below.

General Increases – Effective January 1, 2020, the pay rates for all bargaining unit classifications and steps shall be increased by 1.50% which rates are set out in a rate table below. Effective July 1, 2020, the pay rates for all bargaining unit classifications and steps shall be increased by 2.10% which rates are set out in a rate table below. Effective July 1, 2021, the pay rates for all bargaining unit classifications and steps shall be increased by 3.95% which rates are set out in rate table below. Effective July 1, 2022, the pay rates for all bargaining unit classifications and steps shall be increased by 3.95%, which rates are set out in a rate table below.

Shift Differential Pay – Employees shall be paid a shift differential of \$0.80 per hour in addition to their base salary rate for all hours worked if their normal work schedule for that day provides that they are scheduled to work and they work ½ or more of the work hours before 7 a.m. or after 3 p.m. The payment shall be for all paid time. Incumbents who currently receive a percentage shift differential providing more than the cents per hour indicated in this Note based on the base rate of pay prior to the effective date shall have that percentage converted to the cents per hour equivalent rounded to the nearest cent and shall continue to receive the higher cents per hour rate. This provision shall not apply to employees who, because of "flex-time" scheduling made at their request, are scheduled and work hours that would otherwise qualify them for premium pay under this provision.

Longevity Pay – Effective January 1, 2002, the Step 8 rate shall be increased by \$25 per month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 7 in the same or higher pay grade on or before January 1, 2002. For those employees who attain 15 years of continuous

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service and have three or more years of creditable service on Step 7 in the same or higher pay grade on or before January 1, 2002, the Step 8 rate shall be increased by \$50 per month. For employees not eligible for longevity pay on or before January 1, 2002, the Step 8 rate shall be increased by \$25 per month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade, the Step 8 rate shall be increased by \$50 per month. Effective July 1, 2010, the Step 8 rate shall be increased by \$50 per month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2010. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2010, the Step 8 rate shall be increased by \$75 per month. Effective July 1, 2013, the Step 8 rate shall be increased by \$25 per month to \$75 a month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2013. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2013, the Step 8 rate shall be increased by \$25 per month to \$100 a month. Employees whose salaries are red-circled above the maximum Step rate continue to receive all applicable general increases and any other adjustments (except the longevity pay) provided for in the Agreement. For these employees, the longevity pay shall be limited to the amount that would increase the employee's salary to the amount that is equal to that of an employee on the maximum Step rate with the same number of years of continuous and creditable service. Employees receiving the longevity pay shall continue to receive the longevity pay as long as they remain in the same or successor classification as a result of a reclassification or reevaluation. Employees who are eligible for the increase provided for longevity pay on or before January 1, 2002, shall continue to receive longevity pay after being placed on Step 8 while they remain in the same or lower pay grade.

Effective July 1, 2019
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Table with columns: Pay Plan Grade Code, Pay Code (1c, 1b, 1a, 1, 2, 3, 4, 5, 6, 7, 8) and corresponding pay rates (2661, 2746, 2834, 2896, 2967, 3042, 3118, 3190, 3271, 3409, 3543).

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03.5	Q	2763	2852	2942	3008	3082	3165	3241	3314	3398	3542	3685
03.5	S	2829	2921	3013	3080	3162	3240	3317	3388	3473	3620	3765
04	B	2661	2746	2834	2896	2972	3053	3120	3207	3279	3418	3557
04	Q	2763	2852	2942	3008	3087	3169	3243	3334	3409	3554	3696
04	S	2829	2921	3013	3080	3165	3244	3321	3411	3483	3628	3775
06	B	2807	2899	2991	3058	3135	3220	3310	3394	3489	3636	3781
06	Q	2914	3007	3103	3173	3259	3349	3443	3532	3626	3781	3933
06	S	2979	3077	3174	3246	3335	3421	3520	3609	3704	3860	4016
06H	B	17.27	17.84	18.41	18.82	19.29	19.82	20.37	20.89	21.47	22.38	23.27
06H	Q	17.93	18.50	19.10	19.53	20.06	20.61	21.19	21.74	22.31	23.27	24.2
06H	S	18.33	18.94	19.53	19.98	20.52	21.05	21.66	22.21	22.79	23.75	24.71
07	B	2879	2973	3067	3135	3225	3320	3413	3504	3604	3767	3917
07	Q	2990	3088	3186	3259	3352	3452	3547	3645	3747	3922	4079
07	S	3060	3160	3260	3335	3428	3525	3623	3723	3821	4000	4159
08	B	2960	3056	3153	3225	3327	3424	3532	3628	3731	3908	4065
08	Q	3076	3177	3277	3352	3462	3560	3676	3774	3888	4070	4234
08	S	3144	3247	3350	3428	3533	3636	3753	3855	3965	4148	4314
09	B	3052	3152	3252	3327	3430	3539	3649	3766	3877	4061	4223
09	Q	3176	3279	3383	3462	3568	3683	3796	3920	4037	4230	4401
09	S	3240	3346	3452	3533	3641	3759	3874	3999	4116	4311	4484
09.5	B	3127	3229	3332	3409	3514	3630	3745	3871	3984	4178	4344
09.5	Q	3249	3355	3461	3542	3654	3777	3900	4034	4148	4355	4530
09.5	S	3319	3427	3537	3620	3729	3857	3976	4113	4229	4439	4617
10	B	3149	3252	3355	3433	3559	3664	3785	3905	4025	4231	4402
10	Q	3275	3383	3490	3572	3702	3814	3944	4067	4195	4418	4594
10	S	3343	3452	3561	3645	3776	3891	4020	4144	4280	4500	4679

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10.5	B	3251	3358	3464	3546	3676	3796	3929	4057	4189	4441	4621
10.5	Q	3382	3492	3603	3688	3827	3957	4091	4228	4369	4640	4825
10.5	S	3451	3564	3677	3765	3905	4033	4170	4308	4451	4722	4910
11	B	3265	3372	3478	3560	3681	3800	3938	4067	4194	4416	4592
11	Q	3396	3506	3617	3704	3836	3961	4102	4240	4373	4610	4793
11	S	3461	3575	3688	3777	3910	4036	4181	4319	4456	4692	4879
11.5	B	3344	3453	3562	3647	3772	3890	4023	4159	4302	4537	4720
11.5	Q	3478	3592	3706	3794	3929	4053	4191	4336	4491	4736	4927
11.5	S	3545	3661	3777	3868	4005	4131	4275	4422	4579	4828	5021
12	B	3396	3506	3617	3704	3840	3965	4114	4248	4405	4641	4826
12	Q	3533	3650	3765	3856	3998	4130	4289	4435	4595	4846	5041
12	S	3602	3719	3838	3931	4074	4208	4371	4520	4681	4933	5132
12.5	B	3475	3589	3703	3791	3932	4068	4224	4368	4511	4758	4948
12.5	Q	3618	3737	3856	3949	4096	4242	4405	4561	4709	4975	5169
12.5	S	3688	3809	3930	4025	4176	4321	4491	4646	4793	5060	5261
13	B	3523	3637	3753	3843	3984	4136	4290	4446	4614	4871	5063
13	Q	3667	3787	3908	4002	4148	4312	4481	4645	4816	5090	5294
13	S	3736	3859	3981	4078	4229	4396	4567	4727	4902	5178	5385
14	B	3672	3792	3912	4008	4159	4321	4511	4675	4852	5137	5342
14	Q	3828	3953	4078	4178	4336	4515	4709	4886	5073	5367	5580
14	S	3897	4025	4152	4255	4422	4594	4793	4973	5159	5453	5668
15	B	3817	3942	4067	4167	4351	4530	4706	4898	5082	5388	5601
15	Q	3982	4112	4243	4348	4538	4727	4918	5121	5310	5626	5854
15	S	4054	4188	4320	4428	4623	4810	5004	5208	5396	5715	5943
16	B	3994	4124	4255	4362	4556	4758	4954	5162	5368	5685	5913
16	Q	4166	4303	4440	4550	4758	4975	5182	5395	5610	5944	6184
16	S	4246	4386	4523	4638	4843	5060	5269	5480	5699	6027	6267

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17	B	4184	4320	4457	4570	4780	4999	5212	5423	5643	5979	6218
17	Q	4363	4506	4650	4767	4996	5226	5444	5665	5898	6248	6500
17	S	4442	4587	4733	4853	5085	5314	5534	5753	5982	6339	6591
18	B	4402	4547	4690	4809	5041	5274	5516	5740	5971	6326	6581
18	Q	4596	4747	4898	5024	5271	5515	5766	6001	6240	6615	6878
18	S	4671	4825	4978	5106	5355	5601	5853	6088	6330	6697	6967
19	B	4637	4789	4941	5067	5325	5577	5834	6083	6336	6722	6990
19	Q	4846	5005	5163	5297	5568	5825	6103	6357	6624	7023	7304
19	S	4926	5087	5249	5387	5656	5915	6189	6445	6711	7109	7393
21	B	5171	5340	5510	5655	5946	6233	6523	6820	7105	7548	7849
21	Q	5402	5580	5757	5910	6214	6513	6817	7129	7428	7889	8204
21	S	5482	5662	5842	5997	6299	6597	6906	7215	7511	7975	8293

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Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
03.5	B	2701	2787	2877	2939	3012	3088	3165	3238	3320	3460	3596
03.5	Q	2804	2895	2986	3053	3128	3212	3290	3364	3449	3595	3740
03.5	S	2871	2965	3058	3126	3209	3289	3367	3439	3525	3674	3821
04	B	2701	2787	2877	2939	3017	3099	3167	3255	3328	3469	3610
04	Q	2804	2895	2986	3053	3133	3217	3292	3384	3460	3607	3751
04	S	2871	2965	3058	3126	3212	3293	3371	3462	3535	3682	3832
06	B	2849	2942	3036	3104	3182	3268	3360	3445	3541	3691	3838
06	Q	2958	3052	3150	3221	3308	3399	3495	3585	3680	3838	3992
06	S	3024	3123	3222	3295	3385	3472	3573	3663	3760	3918	4076

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06H	B	17.53	18.10	18.68	19.10	19.58	20.11	20.68	21.20	21.79	22.71	23.62
06H	Q	18.20	18.78	19.38	19.82	20.36	20.92	21.51	22.06	22.65	23.62	24.57
06H	S	18.61	19.22	19.83	20.28	20.83	21.37	21.99	22.54	23.14	24.11	25.08
07	B	2922	3018	3113	3182	3273	3370	3464	3557	3658	3824	3976
07	Q	3035	3134	3234	3308	3402	3504	3600	3700	3803	3981	4140
07	S	3106	3207	3309	3385	3479	3578	3677	3779	3878	4060	4221
08	B	3004	3102	3200	3273	3377	3475	3585	3682	3787	3967	4126
08	Q	3122	3225	3326	3402	3514	3613	3731	3831	3946	4131	4298
08	S	3191	3296	3400	3479	3586	3691	3809	3913	4024	4210	4379
09	B	3098	3199	3301	3377	3481	3592	3704	3822	3935	4122	4286
09	Q	3224	3328	3434	3514	3622	3738	3853	3979	4098	4293	4467
09	S	3289	3396	3504	3586	3696	3815	3932	4059	4178	4376	4551
09.5	B	3174	3277	3382	3460	3567	3684	3801	3929	4044	4241	4409
09.5	Q	3298	3405	3513	3595	3709	3834	3959	4095	4210	4420	4598
09.5	S	3369	3478	3590	3674	3785	3915	4036	4175	4292	4506	4686
10	B	3196	3301	3405	3484	3612	3719	3842	3964	4085	4294	4468
10	Q	3324	3434	3542	3626	3758	3871	4003	4128	4258	4484	4663
10	S	3393	3504	3614	3700	3833	3949	4080	4206	4344	4568	4749
10.5	B	3300	3408	3516	3599	3731	3853	3988	4118	4252	4508	4690
10.5	Q	3433	3544	3657	3743	3884	4016	4152	4291	4435	4710	4897
10.5	S	3503	3617	3732	3821	3964	4093	4233	4373	4518	4793	4984
11	B	3314	3423	3530	3613	3736	3857	3997	4128	4257	4482	4661
11	Q	3447	3559	3671	3760	3894	4020	4164	4304	4439	4679	4865
11	S	3513	3629	3743	3834	3969	4097	4244	4384	4523	4762	4952
11.5	B	3394	3505	3615	3702	3829	3948	4083	4221	4367	4605	4791
11.5	Q	3530	3646	3762	3851	3988	4114	4254	4401	4558	4807	5001

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11.5	S	3598	3716	3834	3926	4065	4193	4339	4488	4648	4900	5096
12	B	3447	3559	3671	3760	3898	4024	4176	4312	4471	4711	4898
12	Q	3586	3705	3821	3914	4058	4192	4353	4502	4664	4919	5117
12	S	3656	3775	3896	3990	4135	4271	4437	4588	4751	5007	5209
12.5	B	3527	3643	3759	3848	3991	4129	4287	4434	4579	4829	5022
12.5	Q	3672	3793	3914	4008	4157	4306	4471	4629	4780	5050	5247
12.5	S	3743	3866	3989	4085	4239	4386	4558	4716	4865	5136	5340
13	B	3576	3692	3809	3901	4044	4198	4354	4513	4683	4944	5139
13	Q	3722	3844	3967	4062	4210	4377	4548	4715	4888	5166	5373
13	S	3792	3917	4041	4139	4292	4462	4636	4798	4976	5256	5466
14	B	3727	3849	3971	4068	4221	4386	4579	4745	4925	5214	5422
14	Q	3885	4012	4139	4241	4401	4583	4780	4959	5149	5448	5664
14	S	3955	4085	4214	4319	4488	4663	4865	5048	5236	5535	5753
15	B	3874	4001	4128	4230	4416	4598	4777	4971	5158	5469	5685
15	Q	4042	4174	4307	4413	4606	4798	4992	5198	5390	5710	5942
15	S	4115	4251	4385	4494	4692	4882	5079	5286	5477	5801	6032
16	B	4054	4186	4319	4427	4624	4829	5028	5239	5449	5770	6002
16	Q	4228	4368	4507	4618	4829	5050	5260	5476	5694	6033	6277
16	S	4310	4452	4591	4708	4916	5136	5348	5562	5784	6117	6361
17	B	4247	4385	4524	4639	4852	5074	5290	5504	5728	6069	6311
17	Q	4428	4574	4720	4839	5071	5304	5526	5750	5986	6342	6598
17	S	4509	4656	4804	4926	5161	5394	5617	5839	6072	6434	6690
18	B	4468	4615	4760	4881	5117	5353	5599	5826	6061	6421	6680
18	Q	4665	4818	4971	5099	5350	5598	5852	6091	6334	6714	6981
18	S	4741	4897	5053	5183	5435	5685	5941	6179	6425	6797	7072
19	B	4707	4861	5015	5143	5405	5661	5922	6174	6431	6823	7095

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

19	Q	4919	5080	5240	5376	5652	5912	6195	6452	6723	7128	7414
19	S	5000	5163	5328	5468	5741	6004	6282	6542	6812	7216	7504
21	B	5249	5420	5593	5740	6035	6326	6621	6922	7212	7661	7967
21	Q	5483	5664	5843	5999	6307	6611	6919	7236	7539	8007	8327
21	S	5564	5747	5930	6087	6393	6696	7010	7323	7624	8095	8417

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Bargaining Unit: RC-028**

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
03.5	B	2783	2871	2962	3001	3075	3153	3231	3306	3390	3533	3672
03.5	Q	2888	2981	3074	3117	3194	3279	3359	3435	3521	3670	3819
03.5	S	2956	3052	3147	3192	3276	3358	3438	3511	3599	3751	3901
04	B	2783	2871	2962	3001	3080	3164	3234	3323	3398	3542	3686
04	Q	2888	2981	3074	3117	3199	3285	3361	3455	3533	3683	3830
04	S	2956	3052	3147	3192	3279	3362	3442	3535	3609	3759	3912
06	B	2934	3029	3125	3169	3249	3337	3431	3517	3615	3769	3919
06	Q	3045	3141	3241	3289	3377	3470	3568	3660	3757	3919	4076
06	S	3113	3214	3315	3364	3456	3545	3648	3740	3839	4000	4162
06H	B	18.06	18.64	19.23	19.50	19.99	20.54	21.11	21.64	22.25	23.19	24.12
06H	Q	18.74	19.33	19.94	20.24	20.78	21.35	21.96	22.52	23.12	24.12	25.08
06H	S	19.16	19.78	20.40	20.70	21.27	21.82	22.45	23.02	23.62	24.62	25.61
07	B	3008	3106	3203	3249	3342	3441	3537	3632	3735	3904	4059
07	Q	3124	3225	3327	3377	3473	3578	3676	3778	3883	4065	4227
07	S	3196	3299	3403	3456	3552	3653	3754	3858	3959	4145	4310
08	B	3092	3192	3292	3342	3448	3548	3660	3759	3867	4050	4213

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NOTICE OF PEREMPTORY AMENDMENTS

08	Q	3213	3318	3421	3473	3588	3689	3809	3911	4029	4218	4388
08	S	3283	3390	3496	3552	3661	3769	3889	3995	4109	4298	4471
09	B	3188	3291	3395	3448	3554	3667	3782	3902	4018	4209	4376
09	Q	3317	3423	3531	3588	3698	3816	3934	4063	4184	4383	4561
09	S	3383	3492	3603	3661	3774	3895	4015	4144	4266	4468	4647
09.5	B	3266	3371	3478	3533	3642	3761	3881	4012	4129	4330	4502
09.5	Q	3392	3502	3612	3670	3787	3915	4042	4181	4298	4513	4695
09.5	S	3465	3576	3690	3751	3864	3997	4121	4263	4382	4601	4784
10	B	3288	3395	3502	3557	3688	3797	3923	4047	4171	4384	4562
10	Q	3419	3531	3641	3702	3837	3952	4087	4215	4347	4578	4761
10	S	3489	3603	3715	3778	3913	4032	4166	4294	4435	4664	4849
10.5	B	3394	3505	3615	3675	3809	3934	4072	4204	4341	4603	4788
10.5	Q	3530	3643	3759	3822	3966	4100	4239	4381	4528	4809	5000
10.5	S	3602	3718	3835	3901	4047	4179	4322	4465	4613	4894	5089
11	B	3409	3520	3629	3689	3814	3938	4081	4215	4346	4576	4759
11	Q	3544	3659	3773	3839	3976	4104	4251	4394	4532	4777	4967
11	S	3612	3730	3847	3915	4052	4183	4333	4476	4618	4862	5056
11.5	B	3490	3604	3716	3780	3909	4031	4169	4310	4459	4702	4892
11.5	Q	3629	3748	3866	3932	4072	4200	4343	4493	4654	4908	5106
11.5	S	3699	3819	3940	4008	4150	4281	4430	4582	4746	5003	5203
12	B	3544	3659	3773	3839	3980	4109	4264	4403	4565	4810	5001
12	Q	3686	3808	3926	3996	4143	4280	4444	4597	4762	5022	5224
12	S	3758	3879	4003	4074	4222	4361	4530	4684	4851	5112	5318
12.5	B	3626	3745	3863	3929	4075	4216	4377	4527	4675	4930	5127
12.5	Q	3774	3898	4021	4092	4244	4396	4565	4726	4880	5156	5357
12.5	S	3847	3972	4098	4171	4328	4478	4654	4815	4967	5244	5452

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13	B	3676	3795	3914	3983	4129	4286	4445	4608	4781	5048	5247
13	Q	3825	3950	4075	4147	4298	4469	4644	4814	4991	5274	5486
13	S	3897	4024	4151	4226	4382	4556	4733	4899	5080	5366	5581
14	B	3830	3955	4079	4153	4310	4478	4675	4845	5028	5323	5536
14	Q	3992	4121	4251	4330	4493	4679	4880	5063	5257	5562	5783
14	S	4063	4196	4327	4410	4582	4761	4967	5154	5346	5651	5874
15	B	3980	4110	4240	4319	4509	4695	4877	5075	5266	5584	5804
15	Q	4152	4287	4422	4506	4703	4899	5097	5307	5503	5830	6067
15	S	4226	4365	4502	4588	4791	4985	5186	5397	5592	5923	6159
16	B	4164	4299	4435	4520	4721	4930	5134	5349	5563	5891	6128
16	Q	4342	4485	4627	4715	4930	5156	5370	5591	5814	6160	6409
16	S	4426	4570	4712	4807	5019	5244	5460	5679	5905	6245	6495
17	B	4361	4502	4644	4736	4954	5181	5401	5620	5848	6196	6444
17	Q	4546	4695	4844	4941	5177	5415	5642	5871	6112	6475	6737
17	S	4629	4779	4930	5029	5269	5507	5735	5962	6200	6569	6830
18	B	4587	4737	4885	4984	5224	5465	5717	5948	6188	6556	6820
18	Q	4788	4944	5100	5206	5462	5716	5975	6219	6467	6855	7128
18	S	4866	5025	5184	5292	5549	5804	6066	6309	6560	6940	7221
19	B	4831	4988	5145	5251	5519	5780	6046	6304	6566	6966	7244
19	Q	5047	5212	5375	5489	5771	6036	6325	6587	6864	7278	7570
19	S	5130	5296	5465	5583	5862	6130	6414	6679	6955	7368	7662
21	B	5384	5559	5735	5861	6162	6459	6760	7067	7363	7822	8134
21	Q	5623	5808	5991	6125	6439	6750	7064	7388	7697	8175	8502
21	S	5706	5893	6080	6215	6527	6837	7157	7477	7784	8265	8594

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Bargaining Unit: RC-028

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
03.5	B	2918	3009	3104	3120	3196	3278	3359	3437	3524	3673	3817
03.5	Q	3027	3124	3220	3240	3320	3409	3492	3571	3660	3815	3970
03.5	S	3098	3198	3296	3318	3405	3491	3574	3650	3741	3899	4055
04	B	2918	3009	3104	3120	3202	3289	3362	3454	3532	3682	3832
04	Q	3027	3124	3220	3240	3325	3415	3494	3591	3673	3828	3981
04	S	3098	3198	3296	3318	3409	3495	3578	3675	3752	3907	4067
06	B	3075	3174	3273	3294	3377	3469	3567	3656	3758	3918	4074
06	Q	3190	3290	3394	3419	3510	3607	3709	3805	3905	4074	4237
06	S	3261	3366	3471	3497	3593	3685	3792	3888	3991	4158	4326
06H	B	18.92	19.53	20.14	20.27	20.78	21.35	21.95	22.50	23.13	24.11	25.07
06H	Q	19.63	20.25	20.89	21.04	21.60	22.20	22.82	23.42	24.03	25.07	26.07
06H	S	20.07	20.71	21.36	21.52	22.11	22.68	23.34	23.93	24.56	25.59	26.62
07	B	3152	3254	3355	3377	3474	3577	3677	3775	3883	4058	4219
07	Q	3272	3377	3483	3510	3610	3719	3821	3927	4036	4226	4394
07	S	3347	3454	3562	3593	3692	3797	3902	4010	4115	4309	4480
08	B	3239	3343	3447	3474	3584	3688	3805	3907	4020	4210	4379
08	Q	3365	3474	3581	3610	3730	3835	3959	4065	4188	4385	4561
08	S	3438	3549	3659	3692	3806	3918	4043	4153	4271	4468	4648
09	B	3339	3446	3554	3584	3694	3812	3931	4056	4177	4375	4549
09	Q	3473	3583	3695	3730	3844	3967	4089	4223	4349	4556	4741
09	S	3542	3655	3770	3806	3923	4049	4174	4308	4435	4644	4831
09.5	B	3420	3529	3640	3673	3786	3910	4034	4170	4292	4501	4680
09.5	Q	3551	3665	3780	3815	3937	4070	4202	4346	4468	4691	4880

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

09.5	S	3627	3742	3861	3899	4017	4155	4284	4431	4555	4783	4973
10	B	3443	3554	3665	3698	3834	3947	4078	4207	4336	4557	4742
10	Q	3579	3695	3810	3848	3989	4108	4248	4381	4519	4759	4949
10	S	3652	3770	3887	3927	4068	4191	4331	4464	4610	4848	5041
10.5	B	3553	3668	3783	3820	3959	4089	4233	4370	4512	4785	4977
10.5	Q	3694	3812	3932	3973	4123	4262	4406	4554	4707	4999	5198
10.5	S	3769	3890	4011	4055	4207	4344	4493	4641	4795	5087	5290
11	B	3569	3684	3797	3835	3965	4094	4242	4381	4518	4757	4947
11	Q	3709	3829	3947	3991	4133	4266	4419	4568	4711	4966	5163
11	S	3780	3902	4024	4070	4212	4348	4504	4653	4800	5054	5256
11.5	B	3653	3771	3888	3929	4063	4190	4334	4480	4635	4888	5085
11.5	Q	3797	3921	4044	4087	4233	4366	4515	4670	4838	5102	5308
11.5	S	3870	3995	4121	4166	4314	4450	4605	4763	4933	5201	5409
12	B	3709	3829	3947	3991	4137	4271	4432	4577	4745	5000	5199
12	Q	3857	3983	4106	4154	4307	4449	4620	4779	4950	5220	5430
12	S	3931	4057	4186	4235	4389	4533	4709	4869	5043	5314	5528
12.5	B	3794	3918	4041	4084	4236	4383	4550	4706	4860	5125	5330
12.5	Q	3948	4077	4205	4254	4412	4570	4745	4913	5073	5360	5569
12.5	S	4024	4154	4285	4336	4499	4655	4838	5005	5163	5451	5667
13	B	3846	3970	4094	4140	4292	4455	4621	4790	4970	5247	5454
13	Q	4001	4131	4261	4311	4468	4646	4827	5004	5188	5482	5703
13	S	4076	4208	4340	4393	4555	4736	4920	5093	5281	5578	5801
14	B	4006	4136	4265	4317	4480	4655	4860	5036	5227	5533	5755
14	Q	4175	4309	4444	4501	4670	4864	5073	5263	5465	5782	6011
14	S	4248	4387	4523	4584	4763	4949	5163	5358	5557	5874	6106
15	B	4162	4297	4432	4490	4687	4880	5070	5275	5474	5805	6033

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15	Q	4341	4481	4622	4684	4889	5093	5298	5517	5720	6060	6307
15	S	4418	4562	4705	4769	4980	5182	5391	5610	5813	6157	6402
16	B	4353	4494	4635	4699	4907	5125	5337	5560	5783	6124	6370
16	Q	4539	4687	4835	4901	5125	5360	5582	5812	6044	6403	6662
16	S	4626	4776	4923	4997	5217	5451	5676	5903	6138	6492	6752
17	B	4558	4705	4852	4923	5150	5386	5614	5842	6079	6441	6699
17	Q	4751	4905	5060	5136	5381	5629	5865	6103	6353	6731	7003
17	S	4837	4993	5150	5228	5477	5725	5962	6197	6445	6828	7100
18	B	4793	4949	5103	5181	5430	5681	5943	6183	6432	6815	7089
18	Q	5002	5164	5326	5412	5678	5942	6211	6465	6722	7126	7410
18	S	5083	5248	5414	5501	5768	6033	6306	6558	6819	7214	7506
19	B	5047	5210	5373	5458	5737	6008	6285	6553	6825	7241	7530
19	Q	5271	5443	5612	5706	5999	6274	6575	6847	7135	7565	7869
19	S	5358	5530	5706	5804	6094	6372	6667	6943	7230	7659	7965
21	B	5622	5804	5987	6093	6405	6714	7027	7346	7654	8131	8455
21	Q	5870	6062	6253	6367	6693	7017	7343	7680	8001	8498	8838
21	S	5956	6151	6345	6460	6785	7107	7440	7772	8091	8591	8933

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Bargaining Unit: RC-028

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
03.5	B	3033	3128	3227	3243	3322	3407	3492	3573	3663	3818	3968
03.5	Q	3147	3247	3347	3368	3451	3544	3630	3712	3805	3966	4127
03.5	S	3220	3324	3426	3449	3539	3629	3715	3794	3889	4053	4215
04	B	3033	3128	3227	3243	3328	3419	3495	3590	3672	3827	3983

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04	Q	3147	3247	3347	3368	3456	3550	3632	3733	3818	3979	4138
04	S	3220	3324	3426	3449	3544	3633	3719	3820	3900	4061	4228
06	B	3196	3299	3402	3424	3510	3606	3708	3800	3906	4073	4235
06	Q	3316	3420	3528	3554	3649	3749	3856	3955	4059	4235	4404
06	S	3390	3499	3608	3635	3735	3831	3942	4042	4149	4322	4497
06H	B	19.67	20.30	20.94	21.07	21.60	22.19	22.82	23.38	24.04	25.06	26.06
06H	Q	20.41	21.05	21.71	21.87	22.46	23.07	23.73	24.34	24.98	26.06	27.10
06H	S	20.86	21.53	22.20	22.37	22.98	23.58	24.26	24.87	25.53	26.60	27.67
07	B	3277	3383	3488	3510	3611	3718	3822	3924	4036	4218	4386
07	Q	3401	3510	3621	3649	3753	3866	3972	4082	4195	4393	4568
07	S	3479	3590	3703	3735	3838	3947	4056	4168	4278	4479	4657
08	B	3367	3475	3583	3611	3726	3834	3955	4061	4179	4376	4552
08	Q	3498	3611	3722	3753	3877	3986	4115	4226	4353	4558	4741
08	S	3574	3689	3804	3838	3956	4073	4203	4317	4440	4644	4832
09	B	3471	3582	3694	3726	3840	3963	4086	4216	4342	4548	4729
09	Q	3610	3725	3841	3877	3996	4124	4251	4390	4521	4736	4928
09	S	3682	3799	3919	3956	4078	4209	4339	4478	4610	4827	5022
09.5	B	3555	3668	3784	3818	3936	4064	4193	4335	4462	4679	4865
09.5	Q	3691	3810	3929	3966	4093	4231	4368	4518	4644	4876	5073
09.5	S	3770	3890	4014	4053	4176	4319	4453	4606	4735	4972	5169
10	B	3579	3694	3810	3844	3985	4103	4239	4373	4507	4737	4929
10	Q	3720	3841	3960	4000	4147	4270	4416	4554	4698	4947	5144
10	S	3796	3919	4041	4082	4229	4357	4502	4640	4792	5039	5240
10.5	B	3693	3813	3932	3971	4115	4251	4400	4543	4690	4974	5174
10.5	Q	3840	3963	4087	4130	4286	4430	4580	4734	4893	5196	5403
10.5	S	3918	4044	4169	4215	4373	4516	4670	4824	4984	5288	5499

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11	B	3710	3830	3947	3986	4122	4256	4410	4554	4696	4945	5142
11	Q	3856	3980	4103	4149	4296	4435	4594	4748	4897	5162	5367
11	S	3929	4056	4183	4231	4378	4520	4682	4837	4990	5254	5464
11.5	B	3797	3920	4042	4084	4223	4356	4505	4657	4818	5081	5286
11.5	Q	3947	4076	4204	4248	4400	4538	4693	4854	5029	5304	5518
11.5	S	4023	4153	4284	4331	4484	4626	4787	4951	5128	5406	5623
12	B	3856	3980	4103	4149	4300	4440	4607	4758	4932	5198	5404
12	Q	4009	4140	4268	4318	4477	4625	4802	4968	5146	5426	5644
12	S	4086	4217	4351	4402	4562	4712	4895	5061	5242	5524	5746
12.5	B	3944	4073	4201	4245	4403	4556	4730	4892	5052	5327	5541
12.5	Q	4104	4238	4371	4422	4586	4751	4932	5107	5273	5572	5789
12.5	S	4183	4318	4454	4507	4677	4839	5029	5203	5367	5666	5891
13	B	3998	4127	4256	4304	4462	4631	4804	4979	5166	5454	5669
13	Q	4159	4294	4429	4481	4644	4830	5018	5202	5393	5699	5928
13	S	4237	4374	4511	4567	4735	4923	5114	5294	5490	5798	6030
14	B	4164	4299	4433	4488	4657	4839	5052	5235	5433	5752	5982
14	Q	4340	4479	4620	4679	4854	5056	5273	5471	5681	6010	6248
14	S	4416	4560	4702	4765	4951	5144	5367	5570	5777	6106	6347
15	B	4326	4467	4607	4667	4872	5073	5270	5483	5690	6034	6271
15	Q	4512	4658	4805	4869	5082	5294	5507	5735	5946	6299	6556
15	S	4593	4742	4891	4957	5177	5387	5604	5832	6043	6400	6655
16	B	4525	4672	4818	4885	5101	5327	5548	5780	6011	6366	6622
16	Q	4718	4872	5026	5095	5327	5572	5802	6042	6283	6656	6925
16	S	4809	4965	5117	5194	5423	5666	5900	6136	6380	6748	7019
17	B	4738	4891	5044	5117	5353	5599	5836	6073	6319	6695	6964
17	Q	4939	5099	5260	5339	5594	5851	6097	6344	6604	6997	7280
17	S	5028	5190	5353	5435	5693	5951	6197	6442	6700	7098	7380

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18	B	4982	5144	5305	5386	5644	5905	6178	6427	6686	7084	7369
18	Q	5200	5368	5536	5626	5902	6177	6456	6720	6988	7407	7703
18	S	5284	5455	5628	5718	5996	6271	6555	6817	7088	7499	7802
19	B	5246	5416	5585	5674	5964	6245	6533	6812	7095	7527	7827
19	Q	5479	5658	5834	5931	6236	6522	6835	7117	7417	7864	8180
19	S	5570	5748	5931	6033	6335	6624	6930	7217	7516	7962	8280
21	B	5844	6033	6223	6334	6658	6979	7305	7636	7956	8452	8789
21	Q	6102	6301	6500	6618	6957	7294	7633	7983	8317	8834	9187
21	S	6191	6394	6596	6715	7053	7388	7734	8079	8411	8930	9286

(Source: Amended by peremptory rulemaking at 43 Ill. Reg. 12119, effective October 8, 2019)

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE S VR-704 (Departments of Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Clinical Services Supervisor (Public Service Administrator (PSA) Option 7 Clinical Service Supervisor function Department of Corrections (DOC) and Department of Juvenile Justice (DJJ))	08260	VR-704	24
Computer Evidence Recovery Specialist (formerly PSA Option 7 Computer Evidence Recovery Specialist function Department of State Police (ISP), non-sworn)	08980	VR-704	25
Corrections Command Center Supervisor (formerly PSA Option 7 Operations Center Supervisor function DOC and DJJ)	09500	VR-704	25
Corrections Family Services Coordinator (formerly PSA Option 7 Women and Family Services Coordinator function DOC)	09600	VR-704	25
Corrections Intelligence Program Unit Manager	09798	VR-704	24
Corrections Placement Resources Regional Supervisor (formerly PSA Option 7 District Supervisor function DOC)	09839	VR-704	24
Corrections Program Administrator (formerly PSA Option 7 Staff Assistant function DOC)	09849	VR-704	24
Corrections Psychologist Administrator (formerly PSA Option 8K Mental Health Professional function DOC)	09855	VR-704	25
Corrections Regional Mental Health Services Administrator (formerly PSA Option 8K Mental Health Professional function DOC)	09857	VR-704	25
Corrections Training Program Supervisor (formerly PSA Option 7 Training Supervisor function DOC and DJJ)	09860	VR-704	25
Corrections Unit Superintendent (formerly PSA Option 7 Superintendent function DOC)	09868	VR-704	25

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Criminal Intelligence Analyst Supervisor (formerly PSA Option 7 Criminal Intelligence Analyst Supervisor function ISP, non-sworn)	10169	VR-704	25
Developmental Psychological Services Administrator (formerly PSA Option 8K Mental Health Professional function Department of Human Services (DHS) position)	12380	VR-704	25
Firearms Eligibility Administrator	15280	VR-704	25
Food Services Program Manager (DOC Department of Corrections)	15800	VR-704	24
Forensic Science Administrator I (formerly PSA Option 7 Forensic Science Administrator function Forensic Bureau ISP)	15911	VR-704	24
Forensic Science Administrator II (formerly PSA Option 7 Forensic Science Administrator function Forensic Bureau ISP)	15912	VR-704	25
Forensic Science Administrator III	15913	VR-704	26
Internal Investigations Principal Evaluation Supervisor (formerly PSA Option 7 Office of Inspector General Investigator function DHS)	21735	VR-704	24
Internal Investigations Supervisor (formerly PSA Option 7 Office of Inspector General Investigator function DHS)	21740	VR-704	24
Juvenile Justice Chief of Security (formerly PSA Option 7 Chief of Security DJJ)	21965	VR-704	24
Juvenile Justice Psychologist Administrator (formerly PSA Option 8K Mental Health Professional function DOC and DJJ)	21967	VR-704	25
Juvenile Justice Unit Superintendent (formerly PSA Option 7 Superintendent function DJJ)	21985	VR-704	25
Law Enforcement Training Administrator (formerly PSA Option 7 Firearms Specialist function ISP, non-sworn)	23260	VR-704	25
Licensing Investigations Supervisor (formerly PSA Option 7 Chief of Medical Investigations, Chief of Health Related Investigations, Chief of Detective/Design Investigations, Chief of Probation Compliance and Chief of General Investigations)	23577	VR-704	25

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<u>functions Department of Financial and Professional Regulation (DFPR))</u>			
Narcotics and Currency Unit Supervisor <u>(formerly PSA Option 7 Narcotics and Currency Unit Supervisor ISP, non-sworn)</u>	28750	VR-704	25
Police Lieutenant <u>(formerly PSA Option 7 Police Lieutenant function ISP)</u>	32977	VR-704	24
Public Service Administrator, Option 8L <u>(DOC at Department of Corrections)</u>	37015	VR-704	24
Senior Public Service Administrator, Option 7 (research and development unit chief function at Department of State Police)	40070	VR-704	24
Senior Public Service Administrator, Option 7 (protected services unit operations commander and senior terrorism advisor functions at Department of State Police)	40070	VR-704	25
Senior Public Service Administrator, Option 7 (deputy laboratory director function at Department of State Police)	40070	VR-704	27
Sex Offender Registration Unit Supervisor <u>(formerly PSA Option 7 Sex Offender Registry Supervisor ISP, non-sworn)</u>	40700	VR-704	26
Shift Supervisor at Department of Corrections Correctional Work Camps – Hired before or on June 30, 2014 <u>(formerly PSA Option 7 Shift Commander function DOC and DJJ)</u>	40800	VR-704	24
Shift Supervisor at Department of Corrections Correctional Work Camps – Hired on or after July 1, 2014 <u>(formerly PSA Option 7 Shift Commander function DOC and DJJ)</u>	40800	VR-704	22
Shift Supervisor not at Department of Corrections Correctional Work Camps – Hired before August 1, 2010 and on or after April 1, 2013 prior to December 31, 2014; all effective December 31, 2014 <u>(formerly PSA Option 7 Shift Commander function DOC and DJJ)</u>	40800	VR-704	24
Shift Supervisor not at Department of Corrections Correctional Work Camps – Hired on or after August 1, 2010 through and including March 31, 2013 prior to	40800	VR-704	23

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December 31, 2014 (formerly PSA Option 7 Shift
Commander function DOC and DJJ)

State Police Inspector (formerly PSA Option 7 Inspector
function ISP, sworn) 42100 VR-704 26

NOTES: Employer – "Employer" refers to the Illinois Departments of Central Management Services or Department of Corrections, or Department of Juvenile Justice or Department of Financial and Professional Regulation or the Department of Human Services or Illinois Emergency Management Agency as the context may require.

New Classification Pay Grade Determination – The Employer agrees to negotiate with the Union as to the appropriate pay grade to be assigned to job classifications determined to be in the VR-704 bargaining unit. If no agreement is reached between the parties, the Union shall be allowed to file a grievance in accordance with Article 11 of the Agreement signed September 20, 2019. The grievance shall be filed at step 4 of the grievance procedure. In the event that an appropriate resolution is not reached at step 4, then the issue may be submitted to an arbitrator. The arbitrator shall determine the reasonableness of the proposed salary grade in relationship to:

- a) The job content and responsibilities attached thereto in comparison with the job content and responsibilities of other position classifications in the classification series and in the bargaining unit; and
- b) Like positions with similar job content and responsibilities within the labor market generally. The pay grade originally assigned by the Employer shall remain in effect pending the arbitrator's decision.

DOC/DJJ Only Rest Period - Employees shall not be required to work more than two (2) consecutive shifts except in very extreme emergencies and then only after a minimum period of four (4) hours of paid time for sleep and rest.

General Increases – The pay scale for bargaining unit employees accepting a position after April 1, 2013, shall be 5% lower than the agreed upon salary grade as set forth except for Step 6 and Step 7 should be established at a difference of 3.5% and 2%, respectively. That upon reaching Step 8, an employee shall be equivalent to Step 8 of the full rate. Effective January 1, 2020, the pay rates for all bargaining unit classifications and steps shall be increased by 1.50%. Effective July 1, 2020, the pay rates for all bargaining unit classifications and steps shall be increased by 2.10%. Effective July 1, 2021, the pay rates for all bargaining unit classifications and steps

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shall be increased by 3.95%. Effective July 1, 2022, the pay rates for all bargaining unit classifications and steps shall be increased by 3.95%.

Step Increases – Upon satisfactory completion of twelve (12) months creditable service in a step, employees shall receive a step increase to the next higher step. Other Pay Plan provisions under the Personnel Rules shall apply.

Overtime – Employees authorized to work in excess of their work week shall be paid overtime as straight time. Payment shall be in cash or comp time at the discretion of the Employer. For DOC/DJJ only, if comp time is requested and granted by the Employer, employees may accumulate up to sixty (60) hours per fiscal quarter. Any unused comp time shall be liquidated within the fiscal quarter it was earned. Time not taken at the end of the fiscal year shall be liquidated.

Holiday - Payment Upon Separation – Upon separation for any reason, the employee shall be paid for all accrued holidays.

Shift Differential Pay – Employees shall be paid a shift differential of 75 cents per hour in addition to their base salary rate for all hours worked if their normal work schedule for that day provides that they are scheduled to work and they work half or more of such work hours before 7 a.m. or after 3 p.m. Effective July 1, 2009, employees shall be paid a shift differential of 80 cents per hour in addition to their base salary based on the above criteria. This Section shall not apply to employees who because of "flex-time" scheduling made at their request are scheduled and work hours which would otherwise qualify them for premium pay hereunder. ~~All Shift Supervisors shall conduct roll on scheduled work days and shall be compensated for 15 minutes for the roll call period at the appropriate rate. Unless specified below, Shift Supervisors shall receive ½ hour compensation for shift preparation at the appropriate rate. Those Shift Supervisors at facilities with 300 or more security staff shall receive 45 minutes preparation at the appropriate rate.~~

Shift Preparation/Roll Call Pay – Only the Primary Shift Supervisors on each shift who conducts roll call on the scheduled work days shall be compensated for fifteen (15) minutes for the roll call period at the appropriate rate. Unless specified below, the Primary Shift Supervisors shall receive one-half (1/2) hour compensation for shift preparation at the appropriate rate. The Primary Shift Supervisors at facilities which are medium level security or higher, shall receive forty-five (45) minutes of shift preparation at the appropriate rate.

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Severance Pay – Where a facility closes permanently or a separately appropriated and funded program is permanently terminated, employees affected thereby with two (2) or more years seniority and on the agency's payroll at the time of such closure or termination, or who were previously laid off as a direct result of such closure or termination, not offered another bargaining unit position as defined below within sixty (60) days of such closure or termination and within fifty (50) miles of the employee's work location, shall be offered severance pay in the amount of one (1) month's compensation at their monthly rate of pay in effect at the time of such closure or termination. Provided, however, that an employee who elects to remain on the layoff list for a period in excess of six (6) months, or who obtains another bargaining unit position, or who refuses an appropriate position offered by the Employer within his/her position classification series (or if his/her classification is the only one in its series, within a comparable classification) shall forfeit any severance pay which is due under this Section. If an employee accepts severance pay he/she shall be considered terminated.

Attendance in Court – Any employee called for jury duty or subpoenaed by any legislative, judicial, or administrative tribunal, shall be allowed time away from work without loss of pay during his/her working hours for such purposes. An employee subpoenaed by any legislative, judicial or administrative tribunal for non-work-related personal litigation shall be granted benefit time, if such time is available or authorized dock time at the employee's choice however, either must be consistent with operational needs. Upon receiving the sum paid for jury service or witness fee, the employee shall submit the warrant, or its equivalent, to the agency to be returned to the fund in the State Treasury from which the original payroll warrant was drawn. Provided, however, an employee may elect to fulfill such call or subpoena on accrued time off and personal leave and retain the full amount received for such service.

Maternity/Paternity/Adoption Leave – All employees who provide proof of their pregnancy or that of their female partner at least 30 days prior to the expected due date will be eligible for 10 weeks (50 work days) of paid maternity/paternity leave for each pregnancy resulting in birth or multiple births. Should both parents be employees, each be eligible for 10 weeks of paid maternity/paternity leave which may be taken consecutively or concurrently. No employee will be allowed to take less than a full work week (5 consecutive days). Regardless of the number of pregnancies in a year, no employee shall receive more than 10 weeks (50 work days) of paid leave under this Section per year. The State shall require proof of the birth. In addition, non-married male employees may be required to provide proof of paternity such as a birth certificate or other appropriate documentation confirming paternity. Leaves under this Section

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shall also be granted in cases of a full term still born child, for a maximum of five (5) weeks. All bargaining unit members are eligible for ten (10) weeks (50 days) of paid leave with a new adoption, with the leave to commence when physical custody of the child has been granted to the member, provided that the member can show that the formal adoption process is underway. In the event the child was in foster care immediately preceding the adoption process the leave will commence once a court order has been issued for permanent placement and the foster parent has been notified of their right to adopt as long as the foster child has not resided in the home for more than three (3) years. The agency personnel office must be notified, and the member must submit proof that the adoption has been initiated. Should both parents be employees, they shall each be eligible for 10 weeks of paid maternity/paternity leave which may be taken consecutively or concurrently. No employee will be allowed to take less than a full work week (5 consecutive work days). Regardless of the number of adoptions in a year no individual shall receive more than 10 weeks (50 work days) of said leave under this Section per year. Maternity/Paternity leave is for the purpose of bonding with the new member of the household. Employees are not eligible for the above referenced leave in the event the adoption is for a step-child or relative with whom the employee has previously established residency, for a period of one (1) year or more.

Bereavement Leave – Upon request, employees shall be granted paid leave of up to two (2) scheduled work days to attend the funeral or similar service, for related travel, and bereavement time, upon the death of a member of the employee's immediate family. Leave shall be limited one instance per calendar year. Documentation of the reason for the funeral/bereavement leave, attendance at the funeral or similar service, and relationship to the deceased may be required. Immediate family is defined pursuant to this Section as: father, mother, sister, brother, spouse, children, grandparent and grandchildren including relationships established by marriage. For purposes of application of Bereavement Leave, relationships existing due to marriage will terminate upon death or divorce of the relative through whom the marriage relationship exists. Current marital status will be defined in accordance with State law.

Vacation Payment – If due to operational needs, the Employer cannot grant an employee's request for vacation time within the 24 month period after the expiration of the calendar year such time was earned, such vacation time shall be liquidated in cash at straight time provided the employee has made at least three (3) separate requests with at least five (5) days between each requested time period, for such time within the calendar year preceding liquidation. No salary payment shall be made in lieu of vacation earned but not taken except as provided in this Section and on termination of

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employment for eligible employees with at least six (6) months of continuous service in which case the effective date of termination shall not be extended by the number of days represented by said salary payment.

Temporary Assignment Outside the Bargaining Unit – The Employer may temporarily assign a qualified employee to perform the duties of another position classification. To be eligible for temporary assignment pay, the employee must:

- A. Be assigned and be held accountable, by the Employer, to assume the duties and responsibilities of a higher position classification.
- B. Perform a preponderance of duties and responsibilities which distinguish the higher level position.
- C. Perform duties and responsibilities not provided for in their regular position classification.

An employee temporarily assigned to the duties of a position classification in an equal or lower pay grade than his/her permanent position classification shall be paid his/her permanent position classification rate. If the employee is temporarily assigned to a position classification having a higher pay grade than his/her permanent position classification the employee shall be paid as if he/she had receiving a promotion into such higher pay grade. The Employer agrees to pay the employees the higher rate so set forth above for the time of such assignment. For the purpose of calculation, any increments of fifteen minutes (15) or more in a temporary assignment, shall be rounded up to the nearest hour. When the Employer makes a temporary assignment, for extended period of time, which is defined as thirty (30) calendar days or more, it will give notice to the employee and the Union of the anticipated length of assignment, the location, the position being assigned, and the operational need for the assignment. Temporary assignments shall not be made for more than six (6) months unless the incumbent is on extended sick, military, or paid administrative leave or has been reassigned due to an investigation, which are beyond the Employer's control. Upon request of the Union, the parties shall meet and discuss the extension of the temporary assignment. The parties shall meet to reach an agreement regarding an extension; however any extension shall not be unreasonably denied. If the Employer desires any further extension the same process shall be used for each extension. No employee shall be required to work in a temporary position in excess of six (6) months without the employee's consent. An employee's refusal to take a temporary

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assignment which is anticipated to last more than six (6) months will not subject the employee to discipline.

Temporary Assignments Into the Bargaining Unit – For DOC and DJJ only, when the Employer makes a temporary assignment, for extended periods, which is defined as thirty (30) calendar days or more, it will give notice to the employee and the Union of the anticipated length of assignment, the location, the position being assigned, and the operational need for the assignment. Temporary assignments shall not be made for more than six (6) months unless the incumbent is on extended sick, military, or paid administrative leave or has been reassigned due to an investigation, which are beyond the Employer's control. If the Employer, due to an operational need, requires an extension, beyond six (6), months it shall meet with the Union to request an extension. Such extension shall not be unreasonably denied.

Clothing and Equipment – The Employer shall provide any special clothing, and/or equipment or the equivalent by reimbursement which is required by the Employer and/or is determined by the Employer as being necessary for such employees to perform their work. The Employer shall provide for the maintenance of all clothing and equipment determined by the Employer as being necessary.

For ISP Police Lieutenants, Uniform Allowance – A \$400 annual uniform allowance for dry cleaning ISP provided uniforms shall be given at the beginning of each fiscal year.

Attendance at the Annual Meeting – The Employer shall allow up to three (3) bargaining unit employees per title to attend the annual labor management meetings without loss of pay for their normal work hours. Attendance at such meetings shall not be unreasonably denied but shall not interfere with the agency's operations. Travel expenses associated with these meetings shall be the responsibility of the employee.

Attendance at Occasional Meeting – The Employer shall allow up to two (2) bargaining unit employees per title in the Agency with whom the Union is meeting to attend the "occasional" labor management meetings without loss of pay for their normal work hours. Attendance at such meetings shall not be unreasonably denied but shall not interfere with the agency's operations. Determination of attendees and numbers shall be based on discussion with the union and the issues for the meeting. Travel expenses associated with these meetings shall be the responsibility of the employee.

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Union Activity During Work Hours – A Union representative may leave his/her work location to investigate, file, process grievances, or attend grievance hearings, labor-management meetings, or meetings called or agreed to by the Employer, after first notifying and receiving prior approval from his/her supervisor or designee. Approval of such attendance shall be consistent with the Employer's operating needs. The Employer reserves the right to require reasonable documentation in time spent in the aforementioned activities. The Union steward at each facility or work location shall be allowed time off to attend certified stewards training one (1) work day for the term of this agreement. Approval to attend such meeting shall be consistent with the Employer's operating needs. The employee shall provide proof of attendance.

Fitness for Duty – When the Employer has reason to suspect that an employee is not fit for duty, the Employer may send the employee for a fitness for duty examination. Such examination shall be paid for by the Employer. When the Employer has requested a fitness for duty evaluation which determines the employee is unfit for duty and the employee's physician certifies the employee is fit for duty, the Employer may rely upon the decision of an impartial physician from SERS (State Employee Retirement System) for the employee's fitness for duty. Such examination shall be paid for by the Employer.

Annual License Renewal – The Employer shall reimburse the Public Service Administrator Option 8L's (Attorneys) at DOC for their annual license renewal with the State of Illinois Attorney Registration and Disciplinary Commission. Food Service Program Managers (formerly PSA Option 8Js) shall be reimbursed for the annual license renewal for the licensure required by the Department of Corrections and the Department of Juvenile Justice. Juvenile Justice Psychologist Administrator, Corrections Psychologist Administrator, Corrections Regional Mental Health Services Administrator, and Developmental Psychological Services Administrator (formerly PSA Option 8K Mental Health Professionals) shall be reimburse for the biennial license renewal for the licensure required by their respective Departments.

Continuing Legal Education Requirement – The Employer shall provide and subscribe to West's Legal Education Center or other like services, on behalf of each Public Service Administrator Option 8L's (Attorneys) at DOC for the purposes of the employees' compliance with the State of Illinois Continuing Legal Education Requirements. Each employee shall have the capability of tracking credit hours and taking online courses through the program.

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Continuing Education Requirement - Juvenile Justice Psychologist Administrator, Corrections Psychologist Administrator, and Corrections Regional Mental Health Services Administrator (formerly PSA Option 8K Mental Health Professional function at DOC and DJJ) – The Employer shall provide and subscribe (if applicable) to an online service on behalf of each Juvenile Justice Psychologist Administrator, Corrections Psychologist Administrator and Corrections Regional Mental Health Services Administrator, (formerly Public Service Administrator Option 8K Mental Health Professional function at DOC and DJJ) for the purposes of the employees' compliance with the State of Illinois continuing education requirements. Each employee shall have the capability of tracking credit hours and taking online courses through the program.

Shift Supervisor Correctional Work/Boot Camp – The Shift Supervisor Correctional Work/Boot Camp positions shall be utilized at the following facilities: Southwestern Correctional Center, Green County, Dixon Springs, Pittsfield, Clayton, and DuQuoin.

Transfer to Non-Work/Boot Camp – If a Shift Supervisor at a Work/Boot Camp accepts a transfer to a non-Work/Boot Camp he/she shall be placed on the nearest step that shows an increase on the "facility" pay scale utilized upon their original date of hire into the Shift Supervisor position. The pay scales utilized are as follows: Shift Supervisors Hired After April 1, 2013, Shift Supervisors Hired Between August 1, 2010 and April 1, 2013, and the Original Shift Supervisor Pay Scale.

2015-2019 Backpay – The Employer will pay bargaining unit members for all backpay owed from the wage freeze from 2015 to 2019, including any pay from missed steps or longevity adjustments.

2015-2019 Stipend – All bargaining unit employees on active payroll on the date of effectuation shall receive a one (1) time stipend of \$2500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019. The stipend shall be paid as soon as practicable after the effectuation of the Agreement.

Option Clarification – The positions allocated to the Public Service Administrator title that are assigned to the negotiated VR-704 pay grade have the Option 8L. ~~The positions allocated to the Senior Public Service Administrator title that are assigned to the negotiated VR-704 pay grade have the Option 7.~~ See the definition of option in Section 310.50.

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Longevity Pay – Effective July 1, 2010, the Step 8 rate shall be increased by \$50 per month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2010. For those employees who attain 15 years continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2010, the Step 8 rate shall be increased by \$75 per month. Effective July 1, 2013, an employee on Step 8, having 10 years of continuous service and three years creditable service at Step 8, shall be paid an additional \$75 per month. An employee with 15 years continuous service and three years of creditable service at Step 8 shall receive an additional \$100 per month.

~~Shift Supervisor – Pay Grade VR-704-23 is not assigned to the Shift Supervisor title effective December 31, 2014.~~

Hired Before or On March 31, 2013**Effective December 31, 2014****Bargaining Unit: VR-704**

<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>S T E P S</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
22	Q	5871	6058	6245	6573	6896	7219	7552	7870
22	S	5957	6146	6336	6656	6982	7304	7641	7960
24	B	6745	7103	7478	7834	8197	8566	9104	9467
24	Q	7051	7427	7812	8189	8564	8952	9515	9894
24	S	7139	7509	7898	8273	8653	9041	9599	9984
25	B	7190	7583	7982	8380	8779	9178	9768	10159
25	Q	7510	7923	8337	8761	9177	9592	10208	10617
25	S	7599	8012	8426	8844	9262	9676	10295	10708
26	B	7671	8092	8522	8953	9370	9790	10424	10840
26	Q	8042	8479	8928	9378	9816	10255	10920	11356

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27 B 8190 8635 9092 9552 9999 10448 11123 11568

Hired On or After April 1, 2013**Effective July 1, 2014
Bargaining Unit: VR-704**

<u>Pay Grade</u>	<u>Pay Plan Code</u>	<u>STEPS</u>							
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
22	Q	5871	6058	6245	6573	6896	7219	7552	7870
22	S	5957	6146	6336	6656	6982	7304	7641	7960
24	B	6408	6748	7104	7442	7787	8266	8922	9467
24	Q	6698	7056	7421	7780	8136	8639	9325	9894
24	S	6782	7134	7503	7859	8220	8725	9407	9984
25	B	6831	7204	7583	7961	8340	8857	9573	10159
25	Q	7135	7527	7920	8323	8718	9256	10004	10617
25	S	7219	7611	8005	8402	8799	9337	10089	10708
26	B	7287	7687	8096	8505	8902	9447	10216	10840
26	Q	7640	8055	8482	8909	9325	9896	10702	11356
27	B	7781	8203	8637	9074	9499	10082	10901	11568

(Source: Amended by preemptory rulemaking at 43 Ill. Reg. 12119, effective October 8, 2019)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay

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

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

NOTES: Employer – "Employer" refers to the Illinois Department of Central Management Services or Healthcare and Family Services as the context may require.

Steps – The parties agree that the wage step increases will be reinstated effective 7/1/12. Effective July 1, 2019, all bargaining unit employees will be placed on the following pay scale on their current applicable step. The Employees next step increase will be on current creditable service dates following the date of this agreement.

Cost of Living Increases (COLAs) – The COLAs are as follows: January 1, 2020 1.5%; July 1, 2020 2.1%; July 1, 2021 3.95%; and July 1, 2022 3.95%.

Stipend – All bargaining unit employees on active payroll on the date of effectuation shall receive a one-time stipend of \$2,500 prorated by 25% for each year the employee was employed from July 1, 2015 through June 30, 2019. The stipend shall be paid as soon as practicable after the effectuation of the Agreement.

Backpay – The Employer will pay bargaining unit members for all backpay owed from the wage freeze from 2015 through to 2019, including any pay from missed steps or longevity adjustments.

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

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Maternity/Paternity/Adoption Leaves – All female bargaining unit members who show proof that they have received prenatal care in the first twenty (20) weeks will be eligible for four (4) weeks (20 work days) paid maternity leave. Such proof shall be provided to the Employer no later than the 24th week of pregnancy. All male bargaining unit members who show proof that their spouses have received prenatal care in the first twenty (20) weeks, with notification to the Employer within 24 weeks, will be eligible for four (4) weeks (20 work days) of paid paternity leave. The State shall require proof of the birth and marriage for a non-covered spouse. Maternity and/or paternity leave shall be limited to one (1) leave per family per each birth. Leaves under this Section shall also be granted in cases of a full term still born child. All bargaining unit members are eligible for four (4) weeks (20 days) of paid leave with a new adoption, with the leave to commence when physical custody of the child has been granted to the member, provided that the member can show that the formal adoption process is underway. The agency personnel office must be notified, and the member must submit proof that the adoption has been initiated. Adoption leave shall be limited to one (1) leave per family per year; Employees are not eligible for the above referenced leave in the event the adoption is for a child with whom the employee has previously established residency.

**Effective July 1, 2019
RC-036 Bargaining Unit**

S T E P S

<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
6141	6344	6546	6749	7107	7482	7838	8202	8570	9109	9472

Effective January 1, 2020
RC-036 Bargaining Unit

S T E P S

<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>6233</u>	<u>6439</u>	<u>6644</u>	<u>6850</u>	<u>7214</u>	<u>7594</u>	<u>7956</u>	<u>8325</u>	<u>8699</u>	<u>9246</u>	<u>9614</u>

Effective July 1, 2020

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

RC-036 Bargaining Unit

<u>STEPS</u>										
<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>6364</u>	<u>6574</u>	<u>6784</u>	<u>6994</u>	<u>7365</u>	<u>7753</u>	<u>8123</u>	<u>8500</u>	<u>8882</u>	<u>9440</u>	<u>9816</u>

Effective July 1, 2021
RC-036 Bargaining Unit

<u>STEPS</u>										
<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>6615</u>	<u>6834</u>	<u>7052</u>	<u>7270</u>	<u>7656</u>	<u>8059</u>	<u>8444</u>	<u>8836</u>	<u>9233</u>	<u>9813</u>	<u>10204</u>

Effective July 1, 2022
RC-036 Bargaining Unit

<u>STEPS</u>										
<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
<u>6876</u>	<u>7104</u>	<u>7331</u>	<u>7557</u>	<u>7958</u>	<u>8377</u>	<u>8778</u>	<u>9185</u>	<u>9598</u>	<u>10201</u>	<u>10607</u>

(Source: Amended by preemptory rulemaking at 43 Ill. Reg. 12119, effective October 8, 2019)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO EMERGENCY RULEMAKING

ILLINOIS GAMING BOARD

Heading of the Part: Video Gaming (General)

Code Citation: 11 Ill. Adm. Code 1800

Section Numbers: 1800.1910 1800.1930
1800.1920 1800.1940

Date Originally published in the *Illinois Register*: 9/6/19
43 Ill. Reg. 9788

At its meeting on October 8, 2019, the Joint Committee on Administrative Rules considered the above-cited emergency rule and recommended that the agency not continue to invoke Section 78 of the Video Gaming Act [230 ILCS 40] as its authority for adopting emergency amendments. Section 78 granted automatic emergency rulemaking authority for initial adoption of this Part, not later amendments. The agency should have validated this use of emergency rulemaking on this rulemaking's own merits.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

SECOND NOTICES RECEIVED

The following second notices were received during the period of October 8, 2019 through October 15, 2019. These rulemakings are scheduled for the November 12, 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>
11/21/19	<u>Capital Development Board</u> , Board Action (71 Ill. Adm. Code 10)	1/4/19 43 Ill. Reg. 1	11/12/19
11/21/19	<u>Capital Development Board</u> , Trust Agreements – Using Educational Agencies (71 Ill. Adm. Code 30)	1/4/19 43 Ill. Reg. 9	11/12/19

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings and General Information Letters in the *Illinois Register*:

Name of Act: Illinois Department of Revenue Sunshine Act

Citation: 20 ILCS 2515/1

2. Summary of information:

Index of Department of Revenue Income Tax Private Letter Rulings and General Information Letters issued for the Third Quarter of 2019. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. *General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act.* (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Apportionment	Returns
Base Income	Sales Factor
Education Expense - Credit	

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 50¢ per page for each page over one. Copies of the ruling letters may be downloaded free of charge from the Department's World Wide Web site at www.tax.illinois.gov/.

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for \$3.00.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

3. Name and address of person to contact concerning this information:

Rachel Neal
Legal Services Office
101 West Jefferson Street
Springfield IL 62794

217/782-2844

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2019 THIRD QUARTER INCOME TAX SUNSHINE INDEX

APPORTIONMENT - SALES FACTOR

IT-19-0003-PLR 08/12/2019 Private Letter Ruling: Receipts from deemed sale of assets comprising entire business are excluded from the sales factor as being from an occasional sale.

BASE INCOME

IT 19-0014-GIL 07/09/2019 Unrelated business taxable income - IRAs with unrelated business taxable income are subject to the requirements of Section 205 of the Illinois Income Tax Act. (This is a GIL.)

IT 19-0016-GIL 08/07/2019 Shareholder of PFIC Includes in Base Income PFIC Income Included in Federal .AGI. (This is a GIL.)

EDUCATION EXPENSE CREDIT

IT 19-0013-GIL 07/09/2019 Explanation of how education expense credit applies to various items used for home schooling purposes. (This is a GIL.)

RETURNS

IT 19-0015-GIL 07/12/2019– Requirements to - Executor is not required to file a return on behalf of deceased if deceased individual was not required by IITA to file a return. (This is a GIL.)

SALES FACTOR

IT 19-0001-PLR 08/14/2019 Gross receipts from investment advisory services are sourced to billing address of customer

IT 19-0002-PLR 08/14/2019 Gross receipts from investment advisory services are sourced to billing address of customer

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings and General Information Letters in the *Illinois Register*:

Name of Act: Illinois Department of Revenue Sunshine Act

Citation: 20 ILCS 2515/1

2. Summary of information:

Index of Department of Revenue Sales and Miscellaneous Tax Private Letter Rulings and General Information Letters issued for the Third Quarter of 2019. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. *General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act.* (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Agents

Construction Contractors

Enterprise Zones

Manufacturing Machinery &

Equipment

Miscellaneous

Rolling Stock Exemption

Telecommunications Excise Tax

Use Tax

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 50¢ per page for each page over one. Copies of the ruling letters may be downloaded free of charge from the Department's web site at www.tax.illinois.gov/.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for \$3.00.

3. Name and address of person to contact concerning this information:

Rachel Neal
Legal Services Office
101 West Jefferson Street
Springfield IL 62794

217/782-2844

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

2019 THIRD QUARTER SALES & MISCELLANEOUS TAX SUNSHINE INDEX

AGENTS

ST 19-0003-PLR 07/08/2019 An auctioneer acting on behalf of an unknown or undisclosed principal is responsible for Retailers' Occupation Tax on the gross receipts from the sale. However, if the auctioneer is acting on behalf of a known or disclosed principal, the sale of tangible personal property is taxable to the principal and not the auctioneer if the principal is a retailer of the tangible personal property being sold at the auction. See 86 Ill. Adm. Code 130.1915. (This is a PLR).

CONSTRUCTION CONTRACTORS

ST 19-0012-GIL 07/08/2019 Persons who sell signs may incur a Retailers' Occupation Tax, Service Occupation Tax or Use Tax liability, depending upon the circumstances of the particular sale. See 86 Ill. Adm. Code 130.2155 (Tax Liability of Sign Vendors); 86 Ill. Adm. Code 140.101 (Basis and Rate of the Service Occupation Tax); 86 Ill. Adm. Code 130.1940 (Construction Contractors and Real Estate Developers) and 86 Ill. Adm. Code 130.2075 (Sales To Construction Contractors, Real Estate Developers and Speculative Builders). (This is a GIL.)

ENTERPRISE ZONES

ST 19-0002-PLR 07/08/2019 Under the Enterprise Zone building materials exemption, a deduction from Illinois Retailers' Occupation Tax liability exists for gross receipts from retail sales of materials that will be incorporated, by remodeling, rehabilitation, or new construction, into real estate located in an enterprise zone established by a county or municipality under the Illinois Enterprise Zone Act. (See 35 ILCS 120/5k and 86 Ill. Adm. Code 130.1951(e).) (This is a PLR.)

MANUFACTURING MACHINERY & EQUIPMENT

ST 19-0019-GIL 09/27/2019 Beginning on July 1, 2019, the manufacturing and assembling machinery and equipment exemption includes production related tangible personal property purchased on or after July 1, 2019. See 86 Ill. Adm. Code 130.330. (This is a GIL).

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

MISCELLANEOUS

ST-19-0013-GIL 07/15/2019 This letter discusses the Parking Excise Tax Act. 35 ILCS 525/ (This is a GIL.)

ST 19-0015-GIL 07/15/2019 A person purchasing a motor vehicle from the federal government should file a RUT-50, Private Party Vehicle Use Tax Transaction. 625 ILCS 5/3-1001. (This is a GIL.)

ST 19-0016-GIL 08/09/2019 This letter discusses the Parking Excise Tax Act. 35 ILCS 525/. (This is a GIL.)

ROLLING STOCK EXEMPTION

ST 19-0014-GIL 07/11/2019 Under the rolling stock exemption, the Retailers' Occupation Tax does not apply to sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce. See 35 ILCS 120/2-5(13). (This is a GIL.)

TELECOMMUNICATIONS EXCISE TAX

ST 19-0017-GIL 08/27/2019 This letter discusses the taxability of telecommunications services provided to inmates. 35 ILCS 630/5. (This is a GIL.)

USE TAX

ST 19-0018-GIL 09/05/2019 This provides information regarding Use Tax Collection operation of Marketplace facilitators under P.A. 101-0009. (This is a GIL.)

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 43, Issue 43 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

89 - 140	12000
50 - 1551	12054
50 - 2004	12066
50 - 3117	12070

ADOPTED RULES

89 - 309	10/10/2019	12076
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EMERGENCY RULES

89 - 140	10/15/2019	12093
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PEREMPTORY RULES

80 - 310	10/8/2019	12119
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**JOINT COMMITTEE ON
ADMINISTRATIVE RULES**

STATEMENTS OF RECOMMENDATION

11 - 1800	12200
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