



## TABLE OF CONTENTS

June 12, 2020 Volume 44, Issue 24

### PROPOSED RULES

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Licensing Standards for Day Care Homes	
89 Ill. Adm. Code 406.....	10052
Licensing Standards for Day Care Centers	
89 Ill. Adm. Code 407.....	10055
Licensing Standards for Group Day Care Homes	
89 Ill. Adm. Code 408.....	10058
GAMING BOARD, ILLINOIS	
Video Gaming (General)	
11 Ill. Adm. Code 1800.....	10061
HEALTHCARE AND FAMILY SERVICES, DEPARTMENT OF	
Hospital Services	
89 Ill. Adm. Code 148.....	10065

### ADOPTED RULES

AGRICULTURE, DEPARTMENT OF	
Animal Welfare Act	
8 Ill. Adm. Code 25.....	10087
COMMERCE AND ECONOMIC OPPORTUNITY, DEPARTMENT OF	
Cannabis Social Equity Program	
14 Ill. Adm. Code 650.....	10094
INSURANCE, DEPARTMENT OF	
Corporate Governance Annual Disclosure	
50 Ill. Adm. Code 630.....	10115
Pharmacy Benefit Managers	
50 Ill. Adm. Code 3145.....	10123
Third Party Prescription Administrators	
50 Ill. Adm. Code 3150.....	10127
NATURAL RESOURCES, DEPARTMENT OF	
Illinois List of Endangered and Threatened Fauna	
17 Ill. Adm. Code 1010.....	10132
Illinois List of Endangered and Threatened Flora	
17 Ill. Adm. Code 1050.....	10145

### EMERGENCY RULES

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Licensing Standards for Day Care Homes	
89 Ill. Adm. Code 406.....	10161
Licensing Standards for Day Care Centers	
89 Ill. Adm. Code 407.....	10170
Licensing Standards for Group Day Care Homes	

89 Ill. Adm. Code 408.....	10184
<b>GAMING BOARD, ILLINOIS</b>	
Video Gaming (General)	
11 Ill. Adm. Code 1800.....	10193
<b>LABOR, DEPARTMENT OF</b>	
Illinois Child Labor Law	
56 Ill. Adm. Code 250.....	10210
<b>PUBLIC HEALTH, DEPARTMENT OF</b>	
Skilled Nursing and Intermediate Care Facilities Code	
77 Ill. Adm. Code 300.....	10217
<b>PEREMPTORY RULES</b>	
<b>CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF</b>	
Pay Plan	
80 Ill. Adm. Code 310.....	10232
<b>JOINT COMMITTEE ON ADMINISTRATIVE RULES AGENDA</b>	
<b>JOINT COMMITTEE ON ADMINISTRATIVE RULES</b>	
June Agenda.....	10257
<b>SECOND NOTICES RECEIVED</b>	
<b>JOINT COMMITTEE ON ADMINISTRATIVE RULES</b>	
Second Notices Received.....	10263
<b>EXECUTIVE ORDERS AND PROCLAMATIONS</b>	
<b>EXECUTIVE ORDERS</b>	
Executive Order 2020-38 (COVID-19 Executive Order No. 36)	
2020-38.....	10265
Executive Order 2020-39 (COVID-19 Executive Order No. 37)	
2020-39.....	10275
<b>PROCLAMATIONS</b>	
Gubernatorial Disaster Proclamation	
2020-48.....	10281
Gubernatorial Disaster Proclamation 2	
2020-49.....	10289

## 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 2020

<b>Issue#</b>	<b>Rules Due Date</b>	<b>Date of Issue</b>
1	December 23, 2019	January 3, 2020
2	December 30, 2019	January 10, 2020
3	January 6, 2020	January 17, 2020
4	January 13, 2020	January 24, 2020
5	January 21, 2020	January 31, 2020
6	January 27, 2020	February 7, 2020
7	February 3, 2020	February 14, 2020
8	February 10, 2020	February 21, 2020
9	February 18, 2020	February 28, 2020
10	February 24, 2020	March 6, 2020
11	March 2, 2020	March 13, 2020
12	March 9, 2020	March 20, 2020
13	March 16, 2020	March 27, 2020
14	March 23, 2020	April 3, 2020
15	March 30, 2020	April 10, 2020
16	April 6, 2020	April 17, 2020
17	April 13, 2020	April 24, 2020
18	April 20, 2020	May 1, 2020
19	April 27, 2020	May 8, 2020
20	May 4, 2020	May 15, 2020
21	May 11, 2020	May 22, 2020
22	May 18, 2020	May 29, 2020

23	May 26, 2020	June 5, 2020
24	June 1, 2020	June 12, 2020
25	June 8, 2020	June 19, 2020
26	June 15, 2020	June 26, 2020
27	June 22, 2020	July 6, 2020
28	June 29, 2020	July 10, 2020
29	July 6, 2020	July 17, 2020
30	July 13, 2020	July 24, 2020
31	July 20, 2020	July 31, 2020
32	July 27, 2020	August 7, 2020
33	August 3, 2020	August 14, 2020
34	August 10, 2020	August 21, 2020
35	August 17, 2020	August 28, 2020
36	August 24, 2020	September 4, 2020
37	August 31, 2020	September 11, 2020
38	September 8, 2020	September 18, 2020
39	September 14, 2020	September 25, 2020
40	September 21, 2020	October 2, 2020
41	September 28, 2020	October 9, 2020
42	October 5, 2020	October 16, 2020
43	October 13, 2020	October 23, 2020
44	October 19, 2020	October 30, 2020
45	October 26, 2020	November 6, 2020
46	November 2, 2020	November 13, 2020
47	November 9, 2020	November 20, 2020
48	November 16, 2020	November 30, 2020
49	November 23, 2020	December 4, 2020
50	November 30, 2020	December 11, 2020
51	December 7, 2020	December 18, 2020
52	December 14, 2020	December 28, 2020

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Licensing Standards for Day Care Homes
- 2) Code Citation: 89 III. Adm. Code 406
- 3) Section Number: 406.28                      Proposed Action: New Section
- 4) Statutory Authority: 225 ILCS 10
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to the Governor's Executive Order 2020.10, all day care homes were ordered closed in the State of Illinois in order to confront the spread of the novel coronavirus. However, the State is mindful that child care is a critical service and day care homes may begin reopening under Phase III and Phase IV of Restore Illinois. The day care homes shall comply with standards for all day care home, except when inconsistent with special requirements throughout these sections.
- 6) Published studies and reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers</u> :	<u>Proposed Actions</u> :	<u>Illinois Register Citations</u> :
406.2	Amendment	43 Ill. Reg. 10613, September 27, 2019
406.12	Amendment	43 Ill. Reg. 10613, September 27, 2019
406.15	Amendment	43 Ill. Reg. 10613; September 27, 2019
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand the State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENT

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

217/524-1983  
TDD: 217/524-3715  
fax: 217/557-0692  
DCFS.Policy@illinois.gov

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

- 13) Initial Regulatory Flexibility Analysis: The Department has determined that the proposed amendments will not have an economic impact on small businesses.
- 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:
- A) Types businesses, subject to this proposed rule:  
81 Other Services (except Public Administration)
  - B) Categories that the agency reasonably believes the rulemaking will impact, including:
    - i. hiring and additional staffing
    - ii. regulatory requirements
    - vi. equipment and material needs
    - vii. training requirements

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENT

viii. record keeping

- 15) Regulatory Agenda on which this rulemaking was summarized: The rulemaking was not included on either of the 2 most recent regulatory agendas because the need for the rulemaking was not anticipated.

The full text of the Proposed Amendment is identical to the Emergency Amendment which begins on page 10161.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Licensing Standards for Day Care Centers
- 2) Code Citation: 89 III. Adm. Code 407
- 3) Section Numbers:                      Proposed Actions:  
     407.600                                      New Section  
     407.605                                      New Section  
     407.610                                      New Section
- 4) Statutory Authority: 225 ILCS 10
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to the Governor's Executive Order 2020.10, all child care programs were ordered closed in the State of Illinois in order to confront the spread of the novel coronavirus. However, the State is mindful that child care is a critical service and centers may begin reopening under Phase III and Phase IV of Restore Illinois. The centers shall comply with standards for all day care centers, except when inconsistent with special requirements throughout these Sections.
- 6) Published studies and reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
407.45	Amendment	43 Ill. Reg. 10634; September 27, 2019
407.250	Amendment	43 Ill. Reg. 10634; September 27, 2019
407.270	Amendment	43 Ill. Reg. 10634; September 27, 2019
407.500	New Section	44 Ill. Reg. 5542; April 3, 2020
407.505	New Section	44 Ill. Reg. 5542; April 3, 2020
407.510	New Section	44 Ill. Reg. 5542; April 3, 2020
407.520	New Section	44 Ill. Reg. 5542; April 3, 2020
407.525	New Section	44 Ill. Reg. 5542; April 3, 2020

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand the State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice. Comments should be submitted to:

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

217/524-1983  
TDD: 217/524-3715  
fax: 217/557-0692  
DCFS.Policy@illinois.gov

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

- 13) Initial Regulatory Flexibility Analysis: The Department has determined that the proposed amendments will not have an economic impact on small businesses.
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Day care centers operated by small businesses and non-profits
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis:
- A) Types of businesses subject to the proposed rule:
- 81 Other Services (except Public Administration)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

B) Categories that the agency reasonably believes the rulemaking will impact, including:

- i. hiring and additional staffing
- ii. regulatory requirements
- vi. equipment and material needs
- vii. training requirements
- viii. record keeping

- 15) Regulatory Agenda on which this rulemaking was summarized: The rulemaking was not included on either of the 2 most recent regulatory agendas because the need for the rulemaking was not anticipated.

The full text of the Proposed Amendments is identical to the Emergency Amendments which begins on page 10170.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Licensing Standards for Group Day Care Homes
- 2) Code Citation: 89 III. Adm. Code 408
- 3) Section Number: 408.140                      Proposed Action: New Section
- 4) Statutory Authority: 225 ILCS 10
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to the Governor's Executive Order 2020.10, all group day care homes were ordered closed in the State of Illinois in order to confront the spread of the novel coronavirus. However, the State is mindful that child care is a critical service and group day care homes may begin reopening under Phase III and Phase IV of Restore Illinois. The group day care homes shall comply with standards for all group day care homes, except when inconsistent with special requirements throughout these sections.
- 6) Published studies and reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
408.5	Amendment	43 Ill. Reg. 10661; September 27, 2019
408.60	Amendment	43 Ill. Reg. 10661; September 27, 2019
408.75	Amendment	43 Ill. Reg. 10661; September 27, 2019
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand the State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice. Comments should be submitted to:

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENT

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

217/524-1983  
TDD: 217/524-3715  
fax: 217/557-0692  
DCFS.Policy@illinois.gov

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

- 13) Initial Regulatory Flexibility Analysis: The Department has determined that the proposed amendments will not have an economic impact on small businesses.
- 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:
- A) Types of businesses subject to the proposed rule:  
81 Other Services (except Public Administration)
  - B) Categories that the agency reasonably believes the rulemaking will impact, including:
    - i. hiring and additional staffing
    - ii. regulatory requirements
    - vi. equipment and material needs
    - vii. training requirements

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

viii. record keeping

- 15) Regulatory Agenda on which this rulemaking was summarized: The rulemaking was not included on either of the 2 most recent regulatory agendas because the need for the rulemaking was not anticipated.

The full text of the Proposed Amendment is identical to the Emergency Amendment which begins on page 10184.

## ILLINOIS GAMING BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1800.140	New Section
1800.615	Amendment
1800.690	Amendment
1800.715	Amendment
1800.720	Amendment
1800.790	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 78 (a) (3) of the Video Gaming Act [230 ILCS 40/79 (a) (3)], which provides that the Illinois Gaming Board (Board) shall "[a]dopt rules for the purpose of administering the provisions of this Act."
- 5) A Complete Description of the Subjects and Issues Involved: Section 10-75 of the Administrative Procedure Act (IAPA) [5 ILCS 100/10-75] permits an agency to establish requirements for serving certain notices via e-mail. It authorizes an agency to require any attorney representing a party to a hearing, and any person to the extent they are subject to licensure, permitting or regulation by the agency, to accept service of documents by e-mail. Section 10-75 applies to all administrative proceedings under Section 10-25 (contested cases) and 10-50 (decisions and orders) of the IAPA.

In conformity with Section 10-75 of the IAPA, the proposed rulemaking adds a new Section 1800.140 to the Video Gaming (General) Part entitled "Service via E-mail." This new Section establishes, as a condition of application and licensure, consent to receive notices, complaints, letters and orders via e-mail. It provides that each applicant has a duty under Section 1800.220 (Continuing Duty to Report Information) to update e-mail addresses and verify at least annually that an application has an updated e-mail address. An applicant or licensee may provide the Illinois Gaming Board (Board) with up to two additional e-mail addresses that are owned by the licensee, its owner, a video gaming manager, or a person of significant influence or control of the applicant or licensee. E-mail notices are deemed served on the date of transmission unless all of the addresses are undeliverable. If all of the e-mail addresses are undeliverable, a notice or letter shall be served by personal carrier or certified U.S. mail, unless the applicant or licensee updates its e-mail address.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

The rulemaking also amends several Sections of the Video Gaming (General) Part to authorize e-mail service by the Board. Within Subpart F (Denials of Applications for Licensure), the rulemaking amends Section 1800.615 (Requests for Hearing) and Section 1800.690 (Transmittal of Record and Recommendation to the Board). Within Subpart G ((Disciplinary Actions Against Licensees), the rulemaking amends Section 1800.715 (Notice of Proposed Disciplinary Action Against Licensees), Section 1800.720 (Hearings in Disciplinary Actions), and Section 1800.790 (Transmittal of Record and Recommendation to the Board).

In Section 1800.615, the rulemaking authorizes requests for hearings to be made by e-mail, and in Section 1800.720, it authorizes e-mail responses in disciplinary actions.

- 6) Published studies and reports, and underlying sources of data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does the 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>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
1800.340	New Section	43 Ill. Reg. 13354, November 22, 2019
1800.2110	New Section	43 Ill. Reg. 13488 December 2, 2019
1800.2120	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2130	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2140	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2150	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2160	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2170	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.EXHIBIT A	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.EXHIBIT B	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.110	Amendment	44 Ill. Reg. 4265, March 20, 2020
1800.350	New Section	44 Ill. Reg. 4265, March 20, 2020

- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate under 30 ILCS 805

## ILLINOIS GAMING BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments in writing concerning this proposed rulemaking not later than 45 days after publication of this notice in the *Illinois Register* to:

Agostino Lorenzini  
General Counsel  
Illinois Gaming Board  
160 North LaSalle Street  
Chicago IL 60601

IGB.RuleComments@igb.illinois.gov

- 13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: By authorizing service via e-mail, the rulemaking will positively affect small businesses that are licensed as video gaming locations under the Act by facilitating their prompt receipt of documents from the Board, as well as to submit requests for hearings and responses in disciplinary actions.
- B) Reporting, bookkeeping or other procedures required for compliance: The rulemaking will not impose additional reporting, bookkeeping or other procedures on the Board.
- C) Types of professional skills necessary for compliance: No new professional skills will be required. Implementation of the rule will require investigation skills currently possessed by Illinois Gaming Board investigators.

- 14) Small Business Impact Analysis:

- A) Types of businesses subject to the proposed rule:

55 Management of Companies and Enterprises

- B) Categories that the agency reasonably believes the rulemaking will impact, including:

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

Record keeping

- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized in a regulatory agenda because the need for it was unanticipated.

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments for this Part, and begins in this issue of the *Illinois Register* on page 10193.

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
148.50	Amendment
148.122	Amendment
148.190	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 make changes to the administrative rules regarding hospital services, specifically by: revising coverage for hospital long term care services; discontinuing the requirement for Medicaid Percentage Adjustment hospitals to provide obstetric services if another hospital within 15 miles continues to provide those services; and end dating the collection co-payments for inpatient hospital services and non-emergency services.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This proposed rulemaking is not anticipated to 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 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:

Steffanie Garrett  
General Counsel

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

Illinois Department of Healthcare and Family Services  
201 South Grand Avenue East, 3<sup>rd</sup> 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: Not anticipated
  - B) Reporting, bookkeeping or other procedures required for compliance: Not anticipated
  - C) Types of professional skills necessary for compliance: Not anticipated
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not anticipated at the time the last Regulatory Agenda was published.

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

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 89: SOCIAL SERVICES

## CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## SUBCHAPTER d: MEDICAL PROGRAMS

## PART 148

## HOSPITAL SERVICES

## SUBPART A: GENERAL PROVISIONS

## Section

148.10	Hospital Services
148.20	Participation
148.25	Definitions and Applicability
148.30	General Requirements
148.40	Special Requirements
148.50	Covered Hospital Services
148.60	Services Not Covered as Hospital Services
148.70	Limitation On Hospital Services

## SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

## Section

148.80	Organ Transplants Services Covered Under Medicaid (Repealed)
148.82	Organ Transplant Services
148.85	Supplemental Tertiary Care Adjustment Payments (Repealed)
148.90	Medicaid Inpatient Utilization Rate (MIUR) Adjustment Payments (Repealed)
148.95	Medicaid Outpatient Utilization Rate (MOUR) Adjustment Payments (Repealed)
148.100	County Trauma Center Adjustment Payments
148.103	Outpatient Service Adjustment Payments (Repealed)
148.105	Reimbursement Methodologies for Inpatient Rehabilitation Services
148.110	Reimbursement Methodologies for Inpatient Psychiatric Services
148.112	Medicaid High Volume Adjustment Payments
148.115	Reimbursement Methodologies for Long Term Acute Care Services
148.116	Reimbursement Methodologies for Children's Specialty Hospitals
148.117	Outpatient Assistance Adjustment Payments
148.120	Disproportionate Share Hospital (DSH) Adjustments
148.122	Medicaid Percentage Adjustments
148.126	Safety Net Adjustment Payments
148.130	Outlier Adjustments for Exceptionally Costly Stays

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

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

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
- 148.390 Hearings
- 148.400 Special Hospital Reporting Requirements
- 148.401 Alzheimer's Treatment Access Payment
- 148.402 Expensive Drugs and Devices Add-On Payment
- 148.403 General Provisions – Inpatient
- 148.404 General Provisions – Outpatient
- 148.405 Graduate Medical Education (GME) Payment
- 148.406 Graduate Medical Education (GME) Payment for Large Public Hospitals
- 148.407 Medicaid High Volume Hospital Access Payment
- 148.408 Inpatient Simulated Base Rate Adjustment
- 148.409 Inpatient Small Public Hospital Access Payment
- 148.410 Long-Term Acute Care Access Payment
- 148.411 Medicaid Dependent Hospital Access Payment
- 148.412 Outpatient Simulated Base Rate Adjustment
- 148.413 Outpatient Small Public Hospital Access Payment
- 148.414 Perinatal and Rural Care Access Payment
- 148.415 Perinatal and Trauma Center Access Payment
- 148.416 Perinatal Care Access Payment
- 148.417 Psychiatric Care Access Payment for Distinct Part Units
- 148.418 Psychiatric Care Access Payment for Freestanding Psychiatric Hospitals
- 148.419 Safety-Net Hospital, Private Critical Access Hospital, and Outpatient High Volume Access Payments
- 148.420 Trauma Care Access Payment
- 148.422 Outpatient Access Payments (Repealed)
- 148.424 Outpatient Utilization Payments (Repealed)
- 148.426 Outpatient Complexity of Care Adjustment Payments (Repealed)
- 148.428 Rehabilitation Hospital Adjustment Payments (Repealed)
- 148.430 Perinatal Outpatient Adjustment Payments (Repealed)
- 148.432 Supplemental Psychiatric Adjustment Payments (Repealed)
- 148.434 Outpatient Community Access Adjustment Payments (Repealed)
- 148.436 Long Term Stay Hospital Per Diem Payments (Repealed)
- 148.440 High Volume Adjustment Payments (Repealed)
- 148.442 Inpatient Services Adjustment Payments (Repealed)
- 148.444 Capital Needs Payments (Repealed)
- 148.446 Obstetrical Care Payments (Repealed)
- 148.448 Trauma Care Payments (Repealed)
- 148.450 Supplemental Tertiary Care Payments (Repealed)

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

148.452	Crossover Care Payments (Repealed)
148.454	Magnet Hospital Payments (Repealed)
148.456	Ambulatory Procedure Listing Increase Payments (Repealed)
148.458	General Provisions (Repealed)
148.460	Catastrophic Relief Payments (Repealed)
148.462	Hospital Medicaid Stimulus Payments (Repealed)
148.464	General Provisions (Repealed)
148.466	Magnet and Perinatal Hospital Adjustment Payments (Repealed)
148.468	Trauma Level II Hospital Adjustment Payments (Repealed)
148.470	Dual Eligible Hospital Adjustment Payments (Repealed)
148.472	Medicaid Volume Hospital Adjustment Payments (Repealed)
148.474	Outpatient Service Adjustment Payments (Repealed)
148.476	Ambulatory Service Adjustment Payments (Repealed)
148.478	Specialty Hospital Adjustment Payments (Repealed)
148.480	ER Safety Net Payments (Repealed)
148.482	Physician Supplemental Adjustment Payments (Repealed)
148.484	Freestanding Children's Hospital Adjustment Payments (Repealed)
148.486	Freestanding Children's Hospital Outpatient Adjustment Payments (Repealed)

## SUBPART C: SEXUAL ASSAULT EMERGENCY TREATMENT PROGRAM

Section	
148.500	Definitions
148.510	Reimbursement

## SUBPART D: STATE CHRONIC RENAL DISEASE PROGRAM

Section	
148.600	Definitions
148.610	Scope of the Program
148.620	Assistance Level and Reimbursement
148.630	Criteria and Information Required to Establish Eligibility
148.640	Covered Services

## SUBPART E: INSTITUTION FOR MENTAL DISEASES PROVISIONS FOR HOSPITALS

Section	
148.700	General Provisions

## SUBPART F: EMERGENCY PSYCHIATRIC DEMONSTRATION PROGRAM

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

## Section

148.800	General Provisions
148.810	Definitions
148.820	Individual Eligibility for the Program
148.830	Providers Participating in the Program
148.840	Stabilization and Discharge Practices
148.850	Medication Management
148.860	Community Connect IMD Hospital Payment
148.870	Community Connect TCM Agency Payment
148.880	Program Reporting
148.TABLE A	Renal Participation Fee Worksheet
148.TABLE B	Bureau of Labor Statistics Equivalence
148.TABLE C	List of Metropolitan Counties by SMSA Definition

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

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 1, 2000; amended at 24 Ill. Reg. 3845, effective February 25, 2000; emergency amendment at 24 Ill. Reg. 10386, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 11846, effective August 1, 2000; amended at 24 Ill. Reg. 16067, effective October 16, 2000; amended at 24 Ill. Reg. 17146, effective November 1, 2000; amended at 24 Ill. Reg. 18293, effective December 1, 2000; amended at 25 Ill. Reg. 5359, effective April 1, 2001; emergency amendment at 25 Ill. Reg. 5432, effective April 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 6959, effective June 1, 2001; emergency amendment at 25 Ill. Reg. 9974, effective July 23, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 10513, effective August 2, 2001; emergency amendment at 25 Ill. Reg. 12870, effective October 1, 2001, for a maximum of 150 days; emergency expired February 27, 2002;

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

amended at 25 Ill. Reg. 16087, effective December 1, 2001; emergency amendment at 26 Ill. Reg. 536, effective December 31, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 680, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 4825, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 4953, effective March 18, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 7786, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 7340, effective April 30, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 8395, effective May 28, 2002; emergency amendment at 26 Ill. Reg. 11040, effective July 1, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16612, effective October 22, 2002; amended at 26 Ill. Reg. 12322, effective July 26, 2002; amended at 26 Ill. Reg. 13661, effective September 3, 2002; amended at 26 Ill. Reg. 14808, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 14887, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17775, effective November 27, 2002; emergency amendment at 27 Ill. Reg. 580, effective January 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 866, effective January 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 4386, effective February 24, 2003; emergency amendment at 27 Ill. Reg. 8320, effective April 28, 2003, for a maximum of 150 days; emergency amendment repealed at 27 Ill. Reg. 12121, effective July 10, 2003; amended at 27 Ill. Reg. 9178, effective May 28, 2003; emergency amendment at 27 Ill. Reg. 11041, effective July 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16185, effective October 1, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16268, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18843, effective November 26, 2003; emergency amendment at 28 Ill. Reg. 1418, effective January 8, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 1766, effective January 10, 2004, for a maximum of 150 days; emergency expired June 7, 2004; amended at 28 Ill. Reg. 2770, effective February 1, 2004; emergency amendment at 28 Ill. Reg. 5902, effective April 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7101, effective May 3, 2004; amended at 28 Ill. Reg. 8072, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 8167, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9661, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10157, effective July 1, 2004, for a maximum of 150 days; emergency amendment at 28 Ill. Reg. 12036, effective August 3, 2004, for a maximum of 150 days; emergency expired December 30, 2004; emergency amendment at 28 Ill. Reg. 12227, effective August 6, 2004, for a maximum of 150 days; emergency expired January 2, 2005; amended at 28 Ill. Reg. 14557, effective October 27, 2004; amended at 28 Ill. Reg. 15536, effective November 24, 2004; amended at 29 Ill. Reg. 861, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2026, effective January 21, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 5514, effective April 1, 2005; emergency amendment at 29 Ill. Reg. 5756, effective April 8, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 11622, effective July 5, 2005, for the remainder of the 150 days; amended at 29 Ill. Reg. 8363, effective June 1, 2005;

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

emergency amendment at 29 Ill. Reg. 10275, effective July 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12568, effective August 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 15629, effective October 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 19973, effective November 23, 2005; amended at 30 Ill. Reg. 383, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 596, effective January 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 955, effective January 9, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 2827, effective February 24, 2006; emergency amendment at 30 Ill. Reg. 7786, effective April 10, 2006, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 30 Ill. Reg. 12400, effective July 1, 2006, for the remainder of the 150 days; emergency expired September 6, 2006; amended at 30 Ill. Reg. 8877, effective May 1, 2006; amended at 30 Ill. Reg. 10393, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 11815, effective July 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18672, effective November 27, 2006; emergency amendment at 31 Ill. Reg. 1602, effective January 1, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 1997, effective January 15, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 5596, effective April 1, 2007; amended at 31 Ill. Reg. 8123, effective May 30, 2007; amended at 31 Ill. Reg. 8508, effective June 1, 2007; emergency amendment at 31 Ill. Reg. 10137, effective July 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 11688, effective August 1, 2007; amended at 31 Ill. Reg. 14792, effective October 22, 2007; amended at 32 Ill. Reg. 312, effective January 1, 2008; emergency amendment at 32 Ill. Reg. 518, effective January 1, 2008, for a maximum of 150 days; emergency amendment at 32 Ill. Reg. 2993, effective February 16, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 8718, effective May 29, 2008; amended at 32 Ill. Reg. 9945, effective June 26, 2008; emergency amendment at 32 Ill. Reg. 10517, effective July 1, 2008, for a maximum of 150 days; emergency expired November 27, 2008; amended at 33 Ill. Reg. 501, effective December 30, 2008; preemptory amendment at 33 Ill. Reg. 1538, effective December 30, 2008; emergency amendment at 33 Ill. Reg. 5821, effective April 1, 2009, for a maximum of 150 days; emergency expired August 28, 2009; amended at 33 Ill. Reg. 13246, effective September 8, 2009; emergency amendment at 34 Ill. Reg. 15856, effective October 1, 2010, for a maximum of 150 days; emergency expired February 27, 2011; amended at 34 Ill. Reg. 17737, effective November 8, 2010; amended at 35 Ill. Reg. 420, effective December 27, 2010; expedited correction at 38 Ill. Reg. 12618, effective December 27, 2010; amended at 35 Ill. Reg. 10033, effective June 15, 2011; amended at 35 Ill. Reg. 16572, effective October 1, 2011; emergency amendment at 36 Ill. Reg. 10326, effective July 1, 2012 through June 30, 2013; emergency amendment to Section 148.70(g) suspended at 36 Ill. Reg. 13737, effective August 15, 2012; suspension withdrawn from Section 148.70(g) at 36 Ill. Reg. 18989, December 11, 2012; emergency amendment in response to Joint Committee on Administrative Rules action on Section 148.70(g) at 36 Ill. Reg. 18976, effective December 12, 2012 through June 30, 2013; emergency amendment to Section 148.140(b)(1)(F) suspended at 36 Ill. Reg. 13739, effective August 15, 2012; suspension

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

withdrawn from Section 148.140(b)(1)(F) at 36 Ill. Reg. 14530, September 11, 2012; emergency amendment to Sections 148.140(b) and 148.190(a)(2) in response to Joint Committee on Administrative Rules action at 36 Ill. Reg. 14851, effective September 21, 2012 through June 30, 2013; amended at 37 Ill. Reg. 402, effective December 27, 2012; emergency rulemaking at 37 Ill. Reg. 5082, effective April 1, 2013 through June 30, 2013; amended at 37 Ill. Reg. 10432, effective June 27, 2013; amended at 37 Ill. Reg. 17631, effective October 23, 2013; amended at 38 Ill. Reg. 4363, effective January 29, 2014; amended at 38 Ill. Reg. 11557, effective May 13, 2014; amended at 38 Ill. Reg. 13263, effective June 11, 2014; amended at 38 Ill. Reg. 15165, effective July 2, 2014; emergency amendment at 39 Ill. Reg. 10453, effective July 10, 2015, for a maximum of 150 days; emergency expired December 6, 2015; amended at 39 Ill. Reg. 10824, effective July 27, 2015; amended at 39 Ill. Reg. 16394, effective December 14, 2015; amended at 41 Ill. Reg. 1041, effective January 19, 2017; amended at 42 Ill. Reg. 3152, effective January 31, 2018; emergency amendment at 42 Ill. Reg. 13740, effective July 2, 2018, for a maximum of 150 days; emergency amendment to emergency rule at 42 Ill. Reg. 16318, effective August 13, 2018, for the remainder of the 150 days; emergency expired November 28, 2018; amended at 42 Ill. Reg. 22401, effective November 29, 2018; emergency amendment at 43 Ill. Reg. 9813, effective August 26, 2019, for a maximum of 150 days; amended at 44 Ill. Reg. 2545, effective January 22, 2020; amended at 44 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

**Section 148.50 Covered Hospital Services**

Effective for dates of outpatient services on or after July 1, 2014 and inpatient discharges on or after July 1, 2014, [unless a later effective date is specified in this Section](#):

- a) The Department shall pay hospitals for the essential provision of inpatient, outpatient, and clinic diagnostic and treatment services not otherwise excluded or limited that are provided by a hospital, as described in Section 148.25(b), or a distinct part unit, as described in Section 148.25(c), and that are provided in compliance with hospital licensing standards. Payment may be made for the following types of care subject to the special requirements described in Section 148.40:
  - 1) General/specialty services.
  - 2) Psychiatric services.
  - 3) Rehabilitation services.

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 4) End-Stage Renal Disease Treatment (ESRDT) services.
- b) Certain services are defined as hospital covered services with certain restrictions. These programs include hospital residing long term care services, subacute alcoholism and substance abuse treatment services, and the transplant program.
- c) Hospital ~~Residing~~ Long Term Care Services
  - 1) For dates of service on or after July 1, 2019, Hospital Long Term Care Days are days when hospital level of care is no longer necessary, but nursing facility level of care is needed and appropriate placement outside of the hospital is not available. Prior approval is required before payment can be made for these days. When the initial hospital stay is reimbursed under the DRG system, only days that exceed the DRG average length of stay can qualify as Hospital Long Term Care Days. When a hospital is reimbursed on a per diem basis, only days beyond the period of time when hospital level of care is needed can qualify as Hospital Long Term Care Days. Long term care services are not considered by the Department to be hospital services unless the hospital is enrolled with the Department specifically to provide hospital residing long term care services as a hospital-based long term care facility. Hospital residing long term care is care provided by hospitals to non-acute patients requiring chronic, skilled nursing care when a skilled nursing facility bed is not available, or non-acute care provided by hospitals that is not routinely performed within a skilled setting, such as ventilator care, when appropriate placements are not available to discharge the patient. Hospitals may not utilize the following beds or facilities for hospital services unless the hospital is enrolled with the Department to provide hospital residing long term care:
    - A) ~~A special unit or specified beds which are certified for skilled nursing facility services under the Medicare Program; or~~
    - B) ~~A special unit or separate facility administratively associated with the hospital and licensed as a long term care facility.~~
  - 2) For dates of service on or after July 1, 2019, Hospital Long Term Care Days shall be reimbursed in accordance with this subsection (c). When notification to the Department of the need of post-discharge placement is

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

~~required, the following requirements shall also apply: There are three categories of service for hospital-residing long-term care. These categories are as follows:~~

- A) ~~The hospital must document its attempt to place the individual in at least five appropriate settings; Skilled Care—Hospital Residing (category of service 037) Reimbursement is available for hospitals providing hospital-residing long-term care when the patients' needs reflect routine skilled care and the inability to place the patient is due to unavailability of a skilled nursing bed. Reimbursement for this type of care is at the average statewide rate for skilled nursing care. For a hospital to be eligible for such reimbursement, the following criteria must be met:~~
- ~~i) The hospital must document its attempt to place the patient in at least five appropriate facilities.~~
  - ~~ii) Documentation (form HFS 3127) must be attached to the appropriate claim form and submitted to the Department.~~
  - ~~iii) Reimbursement is limited to services provided after the minimum number of contacts has been made. Reimbursement will not be made for services which were billed as acute inpatient care and denied as not being medically necessary. Reimbursement may be made for up to a maximum of 31 days before additional documentation must be submitted to extend the eligibility for additional reimbursement.~~
- B) ~~Following the five placement attempts, the hospital must notify the Department or its designated contractor of its inability to place the individual; Exceptional Care—Hospital Residing (category of service 038) Reimbursement is available for hospitals providing hospital-residing long-term care when the level of care is not routinely performed within a skilled setting, such as ventilator care, and the patient cannot be placed in a skilled nursing facility because the level of care is not available. Exceptional care is defined by the Department as the level of care required by persons who are medically stable and ready for discharge from a hospital~~

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

~~but who require a multi-disciplinary level of care for physician, nurse, and ancillary specialist services with exceptional costs related to extraordinary equipment and supplies that have been determined to be a medical necessity. This includes, but is not limited to, persons with acquired immune deficiency syndrome (AIDS) or a related condition, head injured persons, and ventilator dependent persons. Reimbursement for this type of care is at the average statewide rate for exceptional care. For a hospital to be eligible for the reimbursement, the following criteria must be met:~~

- ~~i) The hospital must document its attempt to place the patient in at least five appropriate facilities.~~
  - ~~ii) Documentation (form HFS 3127) must be attached to the appropriate claim form and submitted to the Department.~~
  - ~~iii) Reimbursement is limited to services provided after the minimum number of contacts has been made. Reimbursement will not be made for services which were billed as acute inpatient care and denied as not being medically necessary. Reimbursement may be made for up to a maximum of 31 days before additional documentation must be submitted to extend the eligibility for additional reimbursement.~~
- C) Reimbursement is limited to services prior approved and provided after the minimum number of contacts have been made and the Department or its contractor have been notified of the need for post-discharge placement. Reimbursement will not be made for services for which the underlying inpatient stay was denied as not medically necessary. ~~ID/MI Non-Acute Care—Hospital Residing~~ (category of service 039) Reimbursement is available for hospitals providing hospital residing long term care when the pre-admission screening agent has not completed the assessment, planning or discharge process. Reimbursement for this type of care is at the average statewide rate for intermediate care facilities for persons with intellectual disabilities. For a hospital to be eligible for such reimbursement, the following criteria must be met:

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- i) ~~The hospital must document that the pre-admission screening agent has not completed the assessment, planning or discharge process.~~
  - ii) ~~Reimbursement is limited to a maximum of three non-acute level of care days. Reimbursement will not be made for services which were billed as acute inpatient care and denied as not being medically necessary.~~
- 3) The reimbursement rate for each eligible Hospital Long Term Care Day is \$289.48 per day.
- 4) Payments for Hospital Long Term Care Days are not eligible for per diem add-on payments under the Medicaid High Volume Adjustment (MHVA) and Medicaid Percentage Adjustment (MPA) programs.
- 5) If a hospital seeks reimbursement for services provided to any individual enrolled in a Managed Care Organization (MCO), the requirements of Section 14-13(e) of the Public Aid Code [305 ILCS 5] must be followed.
- d) Subacute Alcoholism and Substance Abuse Treatment Services  
Rules regarding reimbursement for sub-acute alcoholism and substance abuse treatment services may be found under Sections 148.340 through 148.390.
- e) Transplant Program  
The Medical Assistance Program provides for payment for organ transplants only when provided by a certified transplantation center as described in Section 148.82. Payment for kidney and cornea transplants does not require enrollment as an approved transplantation center.

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

## SUBPART B: REIMBURSEMENT AND RELATED PROVISIONS

**Section 148.122 Medicaid Percentage Adjustments**

Effective for dates of service on or after July 1, 2014, the Department shall make an annual determination of those hospitals qualified for adjustments under this Section effective October 1 of each year unless otherwise noted.

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- a) Qualified Medicaid Percentage Hospitals. The Department shall make adjustment payments to hospitals that are deemed as a Medicaid percentage hospital by the Department. A hospital, except those that are owned or operated by a unit of government, may qualify for a Medicaid Percentage Adjustment in one of the following ways:
- 1) The hospital's Medicaid inpatient utilization rate (MIUR), as defined in Section 148.120(i)(4), is at least one-half standard deviation above the mean Medicaid utilization rate, as defined in Section 148.120(i)(3).
  - 2) The hospital's low income utilization rate, as defined in Section 148.120(i)(6), exceeds 25 per centum.
  - 3) Illinois hospitals that, on July 1, 1991, had an MIUR, as defined in Section 148.120(i)(4), that was at least the mean Medicaid inpatient utilization rate, as defined in Section 148.120(i)(3), and that were located in a planning area with one-third or fewer excess beds as determined by the Illinois Health Facilities Planning Board ([see](#) 77 Ill. Adm. Code 1100), and that, as of June 30, 1992, were located in a federally designated Health Manpower Shortage Area ([see](#) 42 CFR 5 (1989)).
  - 4) Illinois hospitals that meet the following criteria:
    - A) Have an MIUR, as defined in Section 148.120(i)(4), that is at least the mean Medicaid inpatient utilization rate, as defined in Section 148.120(i)(3).
    - B) Have a Medicaid obstetrical inpatient utilization rate, as defined in subsection (g)(3), that is at least one standard deviation above the mean Medicaid obstetrical inpatient utilization rate, as defined in subsection (g)(2).
  - 5) Any children's hospital, as defined in Section 148.25(d)(3).
  - 6) Out of state hospitals meeting the criteria in Section 148.120(e).

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- b) In making the determination described in subsections (a)(1) and (a)(4)(A), the Department shall utilize the data described in Section 148.120(c) and received in compliance with Section 148.120(f).
- c) Hospitals that qualified as a Medicaid Percentage Adjustment hospital under subsection (a)(2) for the Medicaid percentage determination year beginning October 1, 2013 may apply annually to become qualified under subsection (a)(2) by submitting audited certified financial statements as described in Section 148.120(d) and received in compliance with Section 148.120(f).
- d) Medicaid Percentage Adjustments. The adjustment payments required by subsection (a) of this Section for qualified hospitals shall be calculated annually as follows for hospitals defined in Section 148.25(b)(1), excluding hospitals defined in Section 148.25(a).
  - 1) The payment adjustment shall be calculated based upon the hospital's MIUR, as defined in Section 148.120(i)(4), and subject to subsection (e) of this Section, as follows:
    - A) Hospitals with an MIUR below the mean Medicaid inpatient utilization rate shall receive a payment adjustment of \$25;
    - B) Hospitals with an MIUR that is equal to or greater than the mean Medicaid inpatient utilization rate but less than one standard deviation above the mean Medicaid inpatient utilization rate shall receive a payment adjustment of \$25 plus \$1 for each one percent that the hospital's MIUR exceeds the mean Medicaid inpatient utilization rate;
    - C) Hospitals with an MIUR that is equal to or greater than one standard deviation above the mean Medicaid inpatient utilization rate but less than 1.5 standard deviations above the mean Medicaid inpatient utilization rate shall receive a payment adjustment of \$40 plus \$7 for each one percent that the hospital's MIUR exceeds one standard deviation above the mean Medicaid inpatient utilization rate; and
    - D) Hospitals with an MIUR that is equal to or greater than 1.5 standard deviations above the mean Medicaid inpatient utilization

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

rate shall receive a payment adjustment of \$90 plus \$2 for each one percent that the hospital's MIUR exceeds 1.5 standard deviations above the mean Medicaid inpatient utilization rate.

- 2) The Medicaid Percentage Adjustment payment, calculated in accordance with this subsection (d), to a hospital shall not exceed \$155 per day for a children's hospital, as defined in Section 148.25(d)(3), and shall not exceed \$215 per day for all other hospitals.
- 3) The amount calculated pursuant to subsections (d)(1) through (d)(2) of this Section shall be adjusted by the aggregate annual increase in the national hospital market basket price proxies (DRI) hospital cost index from DSH determination year 1993, as defined in Section 148.120(i)(2), through DSH determination year 2003 and annually thereafter, by a percentage equal to the lesser of:
  - A) The increase in the national hospital market basket price proxies (DRI) hospital cost index for the most recent 12 month period for which data are available; or
  - B) The percentage increase in the Statewide average hospital payment rate, over the previous year's Statewide average hospital payment rate.
- 4) The amount calculated pursuant to subsections (d)(1) through (d)(3) shall be the inpatient payment adjustment in dollars for the applicable Medicaid percentage determination year. The adjustments calculated under subsections (d)(1) through (d)(3) shall be paid on a per diem basis and shall be applied to each covered day of care provided.
- e) Inpatient Adjustor for Children's Hospitals. For a children's hospital, as defined in Section 148.25(d)(3), the payment adjustment calculated under subsection (d)(1) shall be multiplied by 2.0.
- f) Medicaid Percentage Adjustment Limitations:
  - 1) In addition, to be deemed a Medicaid Percentage Adjustment hospital, a hospital must provide to the Department, in writing, the names of at least two obstetricians with staff privileges at the hospital who have agreed to

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

provide obstetric services to individuals entitled to such services under a State Medicaid plan. In the case of a hospital located in a rural area (that is, an area outside of a Metropolitan Statistical Area, as defined by the federal Executive Office of Management and Budget), the term "obstetrician" includes any physician with staff privileges to perform ~~non-emergency~~ obstetric ~~services/procedures~~ at the hospital. This requirement for obstetric services does not apply to a hospital:

- A) In which the inpatients are predominantly individuals under 18 years of age; ~~or~~
  - B) That does not offer non-emergency obstetric services as of December 22, 1987; or
  - C) That was providing obstetric services prior to February 1, 2019 and discontinues obstetric services after February 1, 2019 and is located within 15 miles of a hospital that continues to provide obstetric services at the time of discontinuation. Hospitals that do not offer obstetric services~~non-emergency obstetrics~~ to the general public, with the exception of those hospitals described in Section 148.25(d), must submit a statement to that effect that includes the date obstetric services were discontinued.
- 2) Hospitals that qualify for Medicaid Percentage Adjustments under this Section shall not be eligible for the total Medicaid Percentage Adjustment if, during the Medicaid Percentage Adjustment determination year, the hospital discontinues provision of obstetric services~~non-emergency obstetrical care~~. The provisions of this subsection (f)(2) shall not apply to those hospitals described in Section 148.25(d) or those hospitals that have not offered obstetric~~non-emergency obstetrical~~ services as of December 22, 1987, or those hospitals that discontinue obstetric services after February 1, 2019 and are located within 15 miles of a hospital that continues to provide obstetric services at the time of discontinuation. In this instance, the adjustments calculated under subsection (d) shall cease to be effective on the date that the hospital discontinued the provision of obstetric services~~non-emergency obstetrical care~~.
- 3) Appeals based upon a hospital's ineligibility for Medicaid Percentage payment adjustments, or their payment adjustment amounts, in accordance

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

with Section 148.310(b), that result in a change in a hospital's eligibility for Medicaid Percentage payment adjustments or a change in a hospital's payment adjustment amounts, shall not affect the Medicaid Percentage status of any other hospital or the payment adjustment amount of any other hospital that has received notification from the Department of its eligibility for Medicaid Percentage payment adjustments based upon the requirements of this Section.

- 4) Medicaid Inpatient Utilization Rate Limit. Hospitals that qualify for Medicaid percentage payment adjustments under this Section shall not be eligible for Medicaid percentage payment adjustments if the hospital's MIUR, as defined in Section 148.120(i)(4), is less than one percent.
- g) Inpatient Payment Adjustment Definitions. The definitions of terms used with reference to calculation of Inpatient Payment Adjustments are as follows:
- 1) "Medicaid Percentage determination year" has the same meaning as the DSH determination year defined in Section 148.120(i)(2).
  - 2) "Mean Medicaid obstetrical inpatient utilization rate" means a fraction, the numerator of which is the total Medicaid (Title XIX) obstetrical inpatient days, as defined in subsection (g)(4), provided by all Medicaid-participating Illinois hospitals providing obstetrical services to patients who, for such days, were eligible for Medicaid under Title XIX of the federal Social Security Act (42 USC 1396a), and the denominator of which is the total Medicaid inpatient days, as defined in subsection (g)(6), for all such hospitals. That information shall be derived from claims for applicable services provided in the Medicaid obstetrical inpatient utilization rate base year that were subsequently adjudicated by the Department through the last day of June preceding the Medicaid percentage determination year and contained within the Department's paid claims data base.
  - 3) "Medicaid obstetrical inpatient utilization rate" means a fraction, the numerator of which is the Medicaid (Title XIX) obstetrical inpatient days, as defined in subsection (g)(4), provided by a Medicaid-participating Illinois hospital providing obstetrical services to patients who, for such days, were eligible for Medicaid under Title XIX of the federal Social Security Act (42 USC 1396a), and the denominator of which is the total

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

Medicaid (Title XIX) inpatient days, as defined in subsection (g)(6), provided by such hospital. This information shall be derived from claims for applicable services provided in the Medicaid obstetrical inpatient utilization rate base year that were subsequently adjudicated by the Department through the last day of June preceding the Medicaid Percentage determination year and contained within the Department's paid claims data base.

- 4) "Medicaid (Title XIX) obstetrical inpatient days" means hospital inpatient days that were subsequently adjudicated by the Department through the last day of June preceding the Medicaid Percentage Adjustment determination year and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act (specifically excluding Medicare/Medicaid crossover claims), with a Diagnosis Related Grouping (DRG) of:
  - A) 370 through 375 for claims adjudicated before July 1, 2014; or
  - B) 540, 541, 542 or 560 for claims adjudicated on or after July 1, 2014.
- 5) "Total Medicaid (Title XIX) inpatient days", as referred to in subsections (g)(2) and (g)(3), means hospital inpatient days, excluding days for normal newborns, that were subsequently adjudicated by the Department through the last day of June preceding the Medicaid Percentage determination year and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, and specifically excludes Medicare/Medicaid crossover claims.
- 67) "Medicaid obstetrical inpatient utilization rate base year" means, for example, fiscal year 2002 for the October 1, 2003, Medicaid Percentage Adjustment determination year; fiscal year 2003 for the October 1, 2004, Medicaid Percentage Adjustment determination year; etc.
- 78) "Obstetric services" shall at a minimum include non-emergency inpatient deliveries in the hospital.

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

## DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

## NOTICE OF PROPOSED AMENDMENTS

**Section 148.190 Copayments**

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

- a) With the exception of those classes of individuals identified in 89 Ill. Adm. Code 140.402(d) and those services identified in 89 Ill. Adm. Code 140.402(e), copayments will be assessed on inpatient services provided under all Medical Assistance Programs administered by the Department, as provided in the Illinois Public Aid Code [305 ILCS 5]. Effective July 1, 2012 through August 31, 2019, copayments will be in the following amounts:
  - 1) Inpatient hospital services: a daily copayment amount as defined in federal regulations at 42 CFR 447.50 et seq., which, for dates of service beginning July 1, 2012 through March 31, 2013, is \$3.65. Beginning April 1, 2013 through August 31, 2019, the nominal copayment amount is \$3.90.
  - 2) Non-emergency services defined as Non-emergency/Screening Level in Section 148.140(b) rendered in an emergency room: a nominal copayment amount as defined in federal regulations at 42 CFR 447.50 et seq., which, for dates of service beginning July 1, 2012 through March 31, 2013, is \$3.65. Beginning April 1, 2013 through August 31, 2019, the nominal copayment amount is \$3.90.
- b) In each instance where a copayment is payable, the Department will reduce the amount payable to the affected provider by the amount of the required copayment.
- c) No provider may deny care or services on account of an individual's inability to pay a copayment; this requirement, however, shall not extinguish the liability for payment of the copayment by the individual to whom the care or services were furnished.

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

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Animal Welfare Act
- 2) Code Citation: 8 Ill. Adm. Code 25
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
25.10	Amendment
25.145	New Section
- 4) Statutory Authority: Implementing and authorized by the Animal Welfare Act [225 ILCS 605].
- 5) Effective Date of Rules: May 28, 2020
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes  
NFPA 13 (Standard for the Installation of Sprinkler Systems (NFPA 101 (2015 edition))  
77 Ill. Adm. Code 890.1130 and 890.1200
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in *Illinois Register*: 44 Ill. Reg. 1745; January 24, 2020
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Minor changes
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: PA 101-210 (effective January 1, 2020) amends the Animal Welfare Act by creating new regulations for Kennel Operators that have dogs or cats on their premises. Pursuant to the Act, Kennel Operators now must have one of

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

the following while dogs and cats are present: must be staffed at all times; or have a fire alarm system; or have a fire sprinkler system.

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

Albert A. Coll  
Assistant General Counsel  
Illinois Department of Agriculture  
P. O. Box 19281, State Fairgrounds  
Springfield IL 62794-9281

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

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

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS  
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 25  
ANIMAL WELFARE ACT

## Section

25.10	Definitions
25.15	Incorporations By Reference
25.20	Buildings and Premises
25.30	General Care of Animals
25.40	Dogs and Other Companion Animals Brought into Illinois (Repealed)
25.45	Importation of Exotic or Non-Domestic Animals; Permit (Repealed)
25.47	Animals Imported Into Illinois
25.50	Shipment of Mammals and Birds
25.60	Health of Animals at Time of Release
25.70	Department May Restrict The Sale of Animals
25.80	Quarantine
25.90	Records
25.100	Consent Statement and Inspection
25.110	Animals Prohibited from Sale
25.115	Guard and Sentry Dogs
25.120	Boarding and Training
25.130	Animal Control Facilities and Animal Shelters
25.140	Foster Homes
<a href="#">25.145</a>	<a href="#">Kennel Operators</a>
25.150	Illinois Diseased Animals Act

**AUTHORITY:** Implementing and authorized by the Animal Welfare Act [225 ILCS 605] and the Illinois Diseased Animals Act [510 ILCS 50].

**SOURCE:** Regulations Relating to the Animal Welfare Act, filed May 17, 1974, effective May 27, 1974; amended October 6, 1976, effective October 16, 1976; codified at 5 Ill. Reg. 10438; amended at 7 Ill. Reg. 1724, effective January 28, 1983; amended at 12 Ill. Reg. 8265, effective May 2, 1988; amended at 13 Ill. Reg. 3628, effective March 13, 1989; amended at 18 Ill. Reg. 14898, effective September 26, 1994; amended at 20 Ill. Reg. 265, effective January 1, 1996; amended at 23 Ill. Reg. 9758, effective August 9, 1999; amended at 28 Ill. Reg. 13376, effective

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

October 1, 2004; amended at 30 Ill. Reg. 13124, effective July 24, 2006; amended at 31 Ill. Reg. 6904, effective May 1, 2007; amended at 43 Ill. Reg. 4505, effective March 26, 2019; amended at 44 Ill. Reg. 10087, effective May 28, 2020.

**Section 25.10 Definitions**

"Act" means the Animal Welfare Act [225 ILCS 605].

"Animal" as used in this Part means any mammal, bird, fish, or reptile offered for sale, trade, or adoption or for which a service is provided by any person licensed under this Act.

*"Companion Animal" means an animal that is commonly considered to be, or is considered by the owner to be, a pet. Companion animal includes, but is not limited to, canines, felines and equines. [570 ILCS 70/2.01a]*

"Equine Shelter" is an animal shelter as defined in Section 2 of the Act that is only for equines.

"Exotic or non-domesticated animals" means mammals (including non-human primates), reptiles and birds that are not native to North America and are not normally maintained livestock (llamas, ratites, cervids and similar animals are considered livestock under this definition) or native mammals that are not domesticated and normally maintained as pets (i.e., prairie dogs). Not included in this definition are hamsters, guinea pigs and gerbils or any member of the species *felis catus* that have been domesticated or *canis familiaris*.

"Fire Alarm System" means a system automatically activated by a device that detects smoke, heat or fire. The fire alarm system automatically triggers a notification to local emergency responders.

"Fire Sprinkler System" means one of the following systems that automatically trigger a notification to local emergency responders when activated:

Any water-based automatic fire extinguishing system employing fire sprinklers. The sprinkler system shall be designed in accordance with NFPA 13 (Standard for the Installation of Sprinkler Systems (2013)) and NFPA 101 (Life Safety Code (2015)), both available from the National Fire Protection Association, 1 Batterymarch Park, Quincy MA 02169.

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

"Fire sprinkler system" includes accessory fire pumps and assorted piping, fire standpipes, or underground fire main systems starting at the connection to the water service after the approved backflow device is installed under the requirements of the Illinois Plumbing Code (77 Ill. Adm. Code 890) (Code) and ending at the most remote fire sprinkler; or

Sprinkler heads that are in a loop of the potable water system, as described in Sections 890.1130 and 890.1200 of the Code.

"Staffing Plan" means a plan to staff a kennel operating any time cats or dogs are on the premises. At a minimum, a staffing plan must include the kennel operator's hours of operation, number of staff, names of staff, and the staff's contact information. The staffing plan must show that at least one staff member is on site, alert and available any time dogs or cats are on the premises.

"Qualified Fire Inspector" means a local fire official or a building inspector, working for a unit of local government or fire protection district, who is qualified to inspect buildings for fire safety or building code compliance.

"Work Progress Form" is a form issued by the Department to licensees or applicants notifying them of deficiencies and the improvements required to be made by them within a specified period of time to comply with the Act.

(Source: Amended at 44 Ill. Reg. 10087, effective May 28, 2020)

**Section 25.145 Kennel Operators**

- a) All kennel operators shall comply with this Part, as applicable, and this Section.
- b) A kennel operator that maintains cats or dogs for boarding must meet one of the following:
  - 1) Be staffed at all times cats or dogs are on the premises. A staffing plan shall be maintained on file with the Department;
  - 2) Have an operational fire sprinkler system in every building where cats or dogs are located. The fire sprinkler system must communicate notifications directly to local emergency responders; or

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

- 3) Have an operational fire alarm system in every building where cats and dogs are located. For the purposes of this Section, a fire alarm system includes any of the following:
- A) A hard-wired fire alarm system that communicates notifications directly to local emergency responders;
  - B) A wireless fire alarm system that communicates notifications directly to local emergency responders;
  - C) A fire alarm system that is monitored by a third-party security service, with an active service contract, when the security service will communicate notifications directly to local emergency responders.
- c) *A qualified fire inspector may inspect a kennel operator that maintains dogs and cats for boarding during the course of performing routine inspections. If, during a routine inspection, a qualified fire inspector determines that the kennel operator does not have a fire alarm system or fire sprinkler system, the inspector may inform the Department. [225 ILCS 605/18.2(c)]*
- d) A kennel operator shall certify in its license application, and annually certify in its license renewal application, one of the following:
- 1) The kennel is staffed at all times cats or dogs are on the premises. The kennel operator shall provide the Department with a staffing plan;
  - 2) The kennel has an operational fire sprinkler system in every building where cats and dogs are located. The kennel operator shall provide:
    - A) a picture and description of the make and model of the system; and
    - B) if the system has been inspected by a qualified fire inspector, a copy of the inspection report; or
  - 3) The kennel has an operational fire alarm system in every building where cats and dogs are located. The kennel operator shall provide:
    - A) a picture and description of the make and model of the system; and

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

- B)    if the system:
- i)    has been inspected by a qualified fire inspector, a copy of the inspection report; and/or
  - ii)   is monitored by a third-party security service, a copy of the service contract evidencing that there is third-party monitoring of the system, or a statement evidencing that there is third-party monitoring and the service contract is effective and operational.

(Source: Added at 44 Ill. Reg. 10087, effective May 28, 2020)

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Cannabis Social Equity Program
- 2) Code Citation: 14 Ill. Adm. Code 650
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
650.10	New Section
650.15	New Section
650.20	New Section
650.25	New Section
650.30	New Section
650.35	New Section
650.40	New Section
650.45	New Section
- 4) Statutory Authority: Implementing and authorized by the Cannabis Regulation and Tax Act [410 ILCS 705/1-10 and 7-15] and the Department of Commerce and Economic Opportunity Law [20 ILCS 605/605-55].
- 5) Effective Date of Rules: May 27, 2020
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 44 Ill. Reg. 10; January 3, 2020
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Grammatical and stylistic changes were made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No, emergency expired May 17, 2020.

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The proposed rules implement provisions of the Cannabis Regulation and Tax Act relating to Social Equity Applicants for the various licenses authorized by PA 101-27. The proposed rules identify the eligibility requirements and process for applying for funding under the Cannabis Social Equity Program.
- 16) Information and questions regarding these adopted rules shall be directed to:

Ms. Jolene Clarke  
Rules Administrator  
Illinois Department of Commerce and Economic Opportunity  
500 East Monroe  
Springfield IL 62701

[jolene.clarke@illinois.gov](mailto:jolene.clarke@illinois.gov)

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

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

## TITLE 14: COMMERCE

## SUBTITLE C: ECONOMIC DEVELOPMENT

## CHAPTER I: DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## PART 650

## CANNABIS SOCIAL EQUITY PROGRAM

## Section

650.10	Purpose
650.15	Definitions
650.20	Fees
650.25	Application Cycle
650.30	Loan and Financial Assistance Program Application Documentation
650.35	Business Loan and Financial Assistance Application Evaluation
650.40	Selection for Funding
650.45	Loan and Financial Assistance Administrative Requirements

**AUTHORITY:** Implementing and authorized by Sections 1-10 and 7-15 of the Cannabis Regulation and Tax Act [410 ILCS 705] and Section 605-55 of the Department of Commerce and Economic Opportunity Law [20 ILCS 605].

**SOURCE:** Adopted by emergency rulemaking at 44 Ill. Reg. 292, effective December 20, 2019, for a maximum of 150 days; emergency rule expired May 17, 2020; adopted at 44 Ill. Reg. 10094, effective May 27, 2020.

**Section 650.10 Purpose**

- a) In the interest of establishing a legal cannabis industry that is equitable and accessible to those most adversely impacted by the enforcement of drug-related laws in Illinois, including cannabis-related laws, the General Assembly has found that a social equity program in the cannabis industry should be established to help remedy the harms resulting from the disproportionate enforcement of cannabis-related laws. The Cannabis Social Equity Program authorized by the Act should offer, among other things, financial assistance and License application benefits to individuals most directly and adversely impacted by the enforcement of cannabis-related laws who are interested in starting Cannabis Business Establishments.
- b) In furtherance of this purpose, the Department is authorized to:

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

- 1) identify geographic areas that have been disproportionately impacted by the enforcement of cannabis-related laws (Disproportionately Impacted Areas);
  - 2) provide financial assistance, loans, grants, and technical assistance to Social Equity Applicants;
  - 3) conduct outreach that may be provided or targeted to attract and support Social Equity Applicants; and
  - 4) assist with job training and technical assistance for Illinois residents in Disproportionately Impacted Areas.
- c) The Cannabis Social Equity Program includes the Business Loan and Financial Assistance Program through which the Department will undertake the following activities:
- 1) Subject to the availability of funding, the Department will provide term loans and lines of credit on a low or no interest basis to eligible Illinois businesses that are seeking or have received licensure under the Act.
  - 2) Applications will be accepted following an announcement on the Department's website. The Department will prioritize loans and lines of credit based on market entry dates, demand, the availability of funding, and the extent to which the financial support furthers the purposes of the Act.
  - 3) The Department may issue conditional commitment letters to Social Equity Applicants to support applications for licensure.
  - 4) The Department may enter into agreements with financial institutions and other sources of capital to leverage additional funding for Qualified Social Equity Applicants or to otherwise facilitate social equity in the cannabis industry.

**Section 650.15 Definitions**

The following definitions are applicable to the Cannabis Social Equity Program.

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

"Act" means the Cannabis Regulation and Tax Act [410 ILCS 705].

*"Adult Use Dispensing Organization License" means a license issued by the Department of Financial and Professional Regulation that permits a person to act as a dispensing organization under the Act and any administrative rule made in furtherance of the Act. [410 ILCS 705/1-10]*

"Agreement" means a loan or line of credit agreement under the Program.

"Applicant" means a person that intends to apply or has applied for licensure under the Act as a Social Equity Applicant.

"Basic Wage" means compensation for employment that is no less than the legal minimum wage of the jurisdiction in which the person is employed. Basic wage shall not include overtime pay, bonus pay, stock options, awards or any other equity-based incentive, unreimbursed employee expenses, piecemeal rate of pay, or any form of deferred compensation.

"Borrower" means a Qualified Social Equity Applicant that has entered into an agreement with the Department or a financial institution partner under the Business Loan and Financial Assistance Program.

"Business Applicant" means an applicant or a Social Equity Applicant who is seeking to participate in the Business Loan and Financial Assistance Program.

"Business Loan and Financial Assistance Program" or "Program" means the loan and line of credit Program, designed to promote social equity within the Illinois cannabis industry, set forth in this Part.

*"Cannabis Business Establishment" means a cultivation center, craft grower, processing organization, dispensing organization, or transporting organization. [410 ILCS 705/1-10]*

"CI Act" means the Criminal Identification Act [20 ILCS 2630].

*"Conditional Adult Use Dispensing Organization License" means a license awarded to top-scoring applicants for an Adult Use Dispensing Organization License that reserves the right to an Adult Use Dispensing Organization License if the applicant meets certain conditions described in the Act, but does not entitle*

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

*the recipient to begin purchasing or selling cannabis or cannabis-infused products.* [410 ILCS 705/1-10]

"Conditional Commitment Letter" means a letter from the Department indicating that an applicant has been provisionally approved for a loan or line of credit under the Program, subject to receipt of a license and meeting other requirements described in a conditional commitment letter.

"Department" means the Illinois Department of Commerce and Economic Opportunity.

"DFPR" means the Illinois Department of Financial and Professional Regulation.

*"Disproportionately Impacted Area" means a census tract or comparable geographic area that:*

*satisfies, as determined by the Department, at least one of the following criteria:*

*the area has a poverty rate of at least 20%, according to the latest federal decennial census or the U.S. Census Bureau American Community Survey 5-Year Estimates, 2013-2017, whichever is more current;*

*75% or more of the children in the area participate in the federal free lunch program, according to reported statistics from the State Board of Education, if current and uniform statewide data is available;*

*at least 20% of the households in the area receive assistance under the Supplemental Nutrition Assistance Program, according to data from the U.S. Census Bureau American Community Survey 5-Year Estimates, 2013-2017; or*

*the area has an average unemployment rate, as determined by the Illinois Department of Employment Security, that is more than 120% of the national unemployment average, as determined by the United States Department of Labor, for a period of at least 2*

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

*consecutive calendar years preceding the date of the application;  
and*

*has high rates of arrest, conviction, and incarceration related to the sale, possession, use, cultivation, manufacture, or transport of cannabis. [410 ILCS 705/1-10]*

"Financial Institution Partner" means a chartered bank, credit union, or other responsible source of financing that has entered into an agreement with the Department to provide funding to a Qualified Social Equity Applicant on behalf of or in tandem with the Department.

"Full-Time Employee" means an individual for whom a W-2 is issued by the applicant and who is employed for a basic wage for at least 35 hours each week.

"High Rates of Arrest, Conviction, and Incarceration" means an average annual rate of arrests that exceeds 30 per 10,000 residents of the census tract, according to population data from the latest U.S. Census Bureau American Community Survey 5-year estimates, 2013-2017, and arrest data maintained by the Illinois State Police for the period of January 1, 2009 through May 8, 2019. When at least 20% of arrests by an arresting agency have arrestee address information, those arrests without arrestee address information will be assigned to a census tract as follows:

the distribution of each arresting agency's arrests with known addresses shall be determined for each census tract within that agency's jurisdiction (each tract's share of the total known addresses for that arresting agency being that census tract's "census tract share" for that arresting agency);

the number of arrests with unknown addresses for each arresting agency shall be multiplied by each tract's census tract share, with the product of each calculation being allocated to each census tract as an arrest (each such allocation being an "imputed arrest" for that census tract and arresting agency); and

the imputed arrest for each census tract will be summed across all arresting agencies, with the total being added to the known arrests in each census tract summed across all arresting agencies to arrive at each census

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

tract's total number of estimated arrests for that census tract over the period.

However, if uniform statewide data on annual rates of conviction and incarceration is unavailable, the Department may use an average annual rate of persons being released onto parole or mandatory supervised release for offenses eligible for expungement under CI Act Section 5.2 that exceeds 1 per 10,000 residents and has a minimum of 5 persons being released onto parole or mandatory supervised release for offenses eligible for expungement under the Act between July 1, 2009 and August 23, 2019), according to population data from the latest U.S. Census Bureau American Community Survey 5-year estimates, 2013-2017, and data maintained by the Illinois Department of Corrections for the period of July 1, 2009 through August 23, 2019.

"License" means any of the Cannabis Business Establishment licenses established under the Act.

*"Member of an Impacted Family" means an individual who has a parent, legal guardian, child, spouse, or dependent, or was a dependent of an individual who, prior to the effective date of the Act, was arrested for, convicted of, or adjudicated delinquent for any offense that is eligible for expungement under the Act. [410 ILCS 705/1-10]*

"Ordinary and Necessary Expenses" are those expenses incurred in day-to-day operations that are appropriate, helpful to the success of the business, and approved by the Department.

"Organizational and Ownership Records" means records requested by the Department to verify the bona fide ownership and control of an applicant. These records may include, but are not limited to:

a Table of Organization, Ownership and Control as described in Section 15-50 of the Act;

articles of incorporation or organization, trust agreement, partnership agreement, joint venture agreements and the like, including any exhibits to these documents;

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

operating agreement, articles of partnership, corporate bylaws and the like, including any exhibits;

capitalization tables and other records of ownership interests;

to the extent any owner, member, partner, or trustee of the applicant is a corporate entity, the governing documents of that entity and records showing its owners;

copies of all guarantees to which the applicant is a party;

licensing or franchise agreements; and

any other information requested by the Department to identify ownership or any significant beneficial interests in the applicant.

*"Ownership and Control" means ownership of at least 51% of the business, including corporate stock if a corporation, and control over the management and day-to-day operations of the business and an interest in the capital, assets, and profits and losses of the business proportionate to percentage of ownership. [410 ILCS 705/1-10]*

"Pay Stub" means a written receipt that shows hours worked, rate of pay, overtime pay and overtime hours, gross wages, an itemization of all deductions, and wages and deductions for the year to date for an employee.

*"Person" means a natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation, or limited liability company, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court. [410 ILCS 705/1-10]*

*"Qualified Social Equity Applicant" means a Social Equity Applicant who has been awarded a conditional license under the Act to operate a Cannabis Business Establishment. [410 ILCS 705/1-10]*

"Residency Records" means records requested by the Department to verify an applicant's eligibility to participate in the Program. These records may include, but are not limited to:

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

a signed lease agreement that includes the applicant's name;

a property deed that includes the applicant's name;

records reflecting government housing or other assistance that contain the applicant's name and address;

school records;

a voter registration card;

an Illinois driver license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card;

paycheck stubs;

utility bills;

military service records showing the member's state of legal residency or home of record;

proof of receipt of a homestead exemption for Illinois property (see 35 ILCS 200/15-175);

a certification of homeless status during the time relevant for consideration;

the applicant's most recent State tax return showing the applicant is subject to the Illinois Income Tax and the Personal Property Tax Replacement Income Tax as a resident of Illinois; or

other proof that is generally accepted by DFPR, the Department of Agriculture (DOA), the Department of Revenue, or the Illinois Secretary of State to establish a person's status as a resident in Illinois and that is approved by the Department.

*"Social Equity Applicant" means an applicant that is an Illinois resident that meets one of the following criteria:*

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

*an applicant with at least 51% ownership and control by one or more individuals who:*

*have resided for at least 5 of the preceding 10 years in a Disproportionately Impacted Area;*

*have been arrested for, convicted of, or adjudicated delinquent for any offense that is eligible for expungement under the CI Act; or*

*are members of an impacted family; or*

*for applicants with a minimum of 10 full-time employees, an applicant with at least 51% of current employees who:*

*currently reside in a Disproportionately Impacted Area; or*

*have been arrested for, convicted of, or adjudicated delinquent for any offense that is eligible for expungement under the CI Act or member of an impacted family. [410 ILCS 705/1-10]*

**Section 650.20 Fees**

- a) The Department may charge a borrower a closing fee of up to \$5,000, which may be paid at closing or, in the case of a term loan, added to the principal balance of the loan.
- b) If, during the term of an Agreement, a borrower transfers, sells, or grants its license within 5 years after it was issued to a person or entity that does not qualify as a Social Equity Applicant, the transfer agreement shall require the new license holder to pay the Department a Program closeout fee of up to \$10,000 in addition to the balance of the loan or line of credit.
- c) If, during the term of an Agreement, a borrower ceases to meet the criteria of a Social Equity Applicant, the Department may accelerate repayment of the balance of the loan or line of credit and require the borrower to pay a Program closeout fee of up to \$10,000.

**Section 650.25 Application Cycle**

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

Applications under the Program will be accepted until allocated Program funds are exhausted, subject to the availability of funding as determined by the Department. Funding decisions will also be subject to market entry or license issuance dates and demand for financial support. The Department will supply an application package upon request.

**Section 650.30 Loan and Financial Assistance Program Application Documentation**

Receipt of an application to the Program does not commit the Department to award a loan or line of credit or to pay any costs incurred by a Business Applicant in preparation of an application. Written applications will be required and must be submitted on the standard application form provided by the Department.

- a) Applications shall be submitted to the Department office location identified on the application. The application for loans and lines of credit will include:
  - 1) Social Equity Applicant Status Information
    - A) DFPR or DOA Certification shall be provided. Certification means any letter or other written documentation from DFPR or DOA verifying the applicant's status as a Social Equity Applicant or a Qualified Social Equity Applicant for a license issued by that agency. This verification may be provided at any time prior to entering into the loan or line of credit agreement.
    - B) The Business Applicant shall provide:
      - i) Proof of the Business Applicant's Illinois Residency. The proof must consist of at least two residency records. Residency will be verified at the time of application to the Program and certified by the borrower at closing. The Department may require more than two residency records to confirm eligibility.
      - ii) Owner Information. If the Business Applicant's eligibility is based on the majority of its owners having resided in a Disproportionately Impacted Area, the Business Applicant shall provide, for each owner who is relevant to the eligibility determination, the following:

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

- at least two residency records that establish residency in a Disproportionately Impacted Area for 5 of the 10 years preceding the application; and
  - organizational and ownership records requested by the Department.
- iii) Eligibility Documentation. If the Business Applicant's eligibility is based on the majority of its owners having been arrested for, convicted of, or adjudicated delinquent for any offense that is eligible for expungement under the CI Act or being a member of an impacted family, the Business Applicant shall provide, for each owner who is relevant to the eligibility determination, a record of the arrest, conviction or adjudication from the responsible legal authority. If an owner is a member of an impacted family, the Business Applicant may be required to provide proof (e.g., copies of birth certificates or other records) of the owner's relation to the individual who was arrested for, convicted of, or adjudicated delinquent for such an offense.
- iv) Employee Information. If the Business Applicant has at least 10 full-time employees at the time of its application, it may be considered a Social Equity Applicant if at least 51% of its full-time employees reside in a Disproportionately Impacted Area or have been arrested for, convicted of, or adjudicated delinquent for any offense that is eligible for expungement under the CI Act or a member of an impacted family. A Business Applicant eligible under this criterion shall provide, for each relevant employee:
- a W-2 issued to the employee by the Business Applicant and the two most recent pay stubs if the employee was first employed by the Business Applicant prior to January 1, 2019. If an employee was first employed by the Business Applicant after January 1, 2019, then the Business Applicant may provide a copy of the W-4 and the two most recent

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

pay stubs. "Most recent" means the two regular pay periods most proximate to the date the application is submitted to the Department. In lieu of W-4s, a Business Applicant may submit copies of the New Hire Reporting Form that it submitted to the Illinois Department of Employment Security for that employee;

- the Business Applicant's most recent payroll run; and
  - the residency records for the employee or the arrest, conviction or adjudication records. If the employee is a member of an impacted family, the Business Applicant shall also provide proof of the employee's relation to the individual who was arrested for, convicted of, or adjudicated delinquent for an offense eligible for expungement under the CI Act.
- v) **Impact of Cannabis-Related Laws.** The Business Applicant shall provide a brief narrative of how the Business Applicant, its owners, or its employees were directly and adversely impacted by the enforcement of cannabis-related laws and any supporting documents (e.g., criminal history or case records, affidavits of impacted individuals, public records and news articles; evidence of business or employment opportunities being denied because of criminal history, etc.).
- vi) **Maintenance of Status.** A statement that a Business Applicant approved for a conditional commitment letter will maintain its status as a Social Equity Applicant.
- 2) **Company Information**
- A) **History of the Company.** A brief history of the Business Applicant and the employee headcount in each year the business has been in operation (limited to the past five years). If the Business Applicant has been in operation for less than one year, only the current

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

headcount is required.

- B) **Market Information/Business Plan.** To the extent available, information on the Business Applicant's intended products or services and identification of existing and potential major customers and competitors. A Business Applicant may substitute a general business plan for a market analysis.
- C) **Project Summary.** A description of what the Business Applicant intends to do if it receives a license under the Act and funding under the Program, including the type of license the Business Applicant is seeking under the Act and when it was applied for or when the Business Applicant plans to apply for it.
- D) **Need for Funds.** A statement and any supporting justification of a need for support under the Program. The request shall also identify the amount of financial support it seeks from the Department. The request shall also detail how funds borrowed from the Department could be secured and repaid (including the anticipated timing for use and repayment of the funds), and how the Business Applicant intends to use any borrowed funds. The Business Applicant should also indicate whether it would prefer a term loan or access to a line of credit under the Program and demonstrate why such an arrangement would be beneficial.
- E) **Financial Information.** If the Business Applicant has been operating for more than six months, it shall provide historic financial statements for each of the past three years (to the extent it was operating), if the Business Applicant is not a new plant start-up or new business opportunity (i.e., has not been in operation for more than six months), and interim statements dated no more than 90 days prior to application that include:
  - i) profit and loss (income) statements;
  - ii) balance sheets; and
  - iii) disclosure of contingent liabilities (if applicable).

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

- F) Five-Year Projections. Five-year projections of the profit and loss statement and a breakdown of projected expenses and monthly cash flow over a five-year period.
- G) Site Map (if known). An outline of the general location of the project on a site map, including the location of any floodplain areas. If the site is not known at the time of application, potential sites may be submitted.
- H) Description of Machinery and Equipment (if applicable). Major equipment or classes of equipment to be acquired with the Department's Program funds identified; for acquisition of new machinery and equipment, attachments of reliable vendor cost estimates; for moving and installation costs, attachments of written estimates; and for used machinery and equipment acquisition, an appraisal demonstrating that the fair market value is in line with the purchase price, and a specific description of the equipment, including serial numbers if available.
- I) Company Management. A listing of those individuals who are responsible for the management of the company, their positions and responsibilities, and resumes of key senior individuals (e.g., owner, partner, president, vice president, treasurer) at the company location. Also include information about any long-term management or operational support from investors, incubators, or community-based organizations (or other sources of external support).
- J) Organizational and Ownership Records. As to the extent the Business Applicant did not provide organizational and ownership records as part of application, the Business Applicant shall provide organizational and ownership records sufficient to explain the legal structure of the Business Applicant's business and to identify all owners and persons having a beneficial interest in the applicant and its business.
- K) Letters of Commitment (if any). Commitment letters documenting all sources of funding. Loans from investors or lenders must have language indicating the investment or loan amount, the specified

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

term and interest, collateral, conditions attendant to the investment or loan, and whether the investment or loan is approved or contingent.

- L) Any additional records or information to verify eligibility.
- b) The Department may, at its discretion, accept documentation in place of records listed in subsection (a)(1) when the record has been destroyed, lost, or is otherwise unavailable in the time needed to apply to the Program and for licensure under the Act.
- c) Should any information change between the time of application submission and the time the Department and the Business Applicant enter into an Agreement, the Business Applicant shall notify the Department of any change.

**Section 650.35 Business Loan and Financial Assistance Application Evaluation**

The Department will evaluate eligible applications taking into consideration funding available for the Program, demand to participate in the Program, and availability of licenses under the Act. The Department will also consider a Business Applicant's creditworthiness, the potential economic benefit of the project, and the extent to which a Business Applicant demonstrates that the company, its owners, or its employees have been directly and adversely impacted by the enforcement of cannabis-related laws. Specific terms of any loan or line of credit, including the amount, interest rate, security required, and performance measures, will be determined based on the needs and risk profile of each Business Applicant.

- a) The Department will only evaluate completed applications. The Department will deem an application complete only after it has received all information it has requested from the Business Applicant.
- b) General Criteria for Evaluating Applications. The Department will screen all applications to determine that all requirements of the application package have been addressed. A Business Applicant will be notified of deficiencies in its application and given an opportunity to correct any deficiencies through submission of additional documentation. Department staff will conduct a technical and financial evaluation of each application.
  - 1) Technical Evaluation. Each application will be reviewed to determine whether issuance of a loan or line of credit will further the goals of the

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

General Assembly as set forth in Section 7-1 of the Act. The evaluation will address the following criteria:

- A) Evidence of Need for Program Funding. The Business Applicant must demonstrate the need for Program funds, including evidence that a loan or line of credit will improve the likelihood of the Business Applicant receiving a license under the Act or that the Business Applicant faces barriers to obtaining sufficient working capital to maintain licensure or operate a successful business without the Department's support. The Department will also evaluate whether the proposed use of funds is consistent with the purposes of the Act.
- B) Project Implementation Readiness. The Business Applicant must demonstrate project readiness, including identifying loans and investments from all lenders and investors (or any such investment that is contingent on receipt of a license or conditional commitment letter); a time schedule for project initiation; commitments from material project partners; and cost estimates that support proposed project costs.
- C) Employment Impact. The application shall provide evidence of: employment impact/opportunity (e.g., potential job creation), including a description of the type and the number of any jobs to be created; the average salary or wage of each position category; and any evidence that the jobs will generate additional wealth or employment opportunities for persons living in Disproportionately Impacted Areas or who have been adversely impacted by the enforcement of cannabis-related laws.
- D) Social Equity Applicant Status. The Business Applicant must demonstrate that it falls within the definition of Social Equity Applicant. It must also demonstrate that its owners or employees have been directly and substantially adversely impacted by enforcement of cannabis-related laws. Funding may be prioritized for Business Applicants with owners who have arrests or convictions for offenses eligible for expungement under the CI Act. The Department will also consider the extent to which the Business Applicant demonstrates a commitment to retain, hire and

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

promote residents of Disproportionately Impacted Areas or other persons directly and substantially adversely impacted by the enforcement of cannabis-related laws.

- 2) Financial, Management, and Operational Evaluation. The Department will conduct an analysis of the Business Applicant's financial information, which may consider the liquidity and debt coverage for the project, ability of the company to manage debt, business trends, and projected earnings. The Department will also consider the extent to which the Business Applicant demonstrates commitments from investors, incubators, community-based organizations, or other external partners to provide long-term operational or management support to the Business Applicant to enable it to secure and maintain licensure. The Department may consider the credit risk of the Business Applicant's owners and officers and the presence of management or a workforce with experience in the cannabis business or comparable industries.

**Section 650.40 Selection for Funding**

- a) Applications that best meet the objectives of the Program and demonstrate the greatest potential for benefit to persons and communities directly and adversely impacted by enforcement of cannabis-related laws may be issued conditional commitment letters or approved to participate in the Program. The conditional commitment letters may be provided to and relied upon by DFPR or DOA in scoring applications for licensure under the Act. The conditional commitment letters will indicate that the Business Applicant is eligible for funding under the Program if it is issued a license under the Act. The amount of funding will be expressed as a minimum amount, but the total funding amount will be determined after licenses have been issued.
- b) Funding Terms. The amount of funding available to a Business Applicant, the repayment terms, the applicable interest rates, and other terms will be determined after the Business Applicant is verified to be a Qualified Social Equity Applicant.
- c) Conditions to Close. To proceed to closing, a Qualified Social Equity Applicant must maintain its eligibility for the loan or line of credit and comply with all pre-closing instructions. The Department will verify that the Business Applicant remains eligible prior to closing, and it may decline issuance of a loan or line of credit if the Business Applicant ceases to be a Social Equity Applicant, if funding

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

from the Department is not necessary due to additional investment in the company post-license issuance, or if the Business Applicant is unable to fulfill all terms of the loan or line of credit agreement.

**Section 650.45 Loan and Financial Assistance Administrative Requirements**

- a) Agreement. A borrower must comply with all terms of the loan or line of credit Agreement, as applicable. A borrower must be able to make all representations, warranties, and covenants set forth in the Agreement. In the event of default under the Agreement, the Department and the borrower may enter into a forbearance agreement at the sole discretion of the Department.
- b) Security. The Department may protect its interests in the event of default by requiring personal guarantees from the borrower's principals (all individuals/entities owning or controlling 20% or more of the borrower) or other persons with a material interest in the borrower.
- c) Use of Proceeds. The funding made available is to be used for the borrower's ordinary and necessary expenses to start and operate a cannabis business establishment. Proceeds may not be used on capital expenditures unless otherwise approved by the Department.
- d) Payments. Payments shall be due and payable to the Department in the method and times specified in the Agreement. Unless otherwise provided in the Agreement, all payments shall be applied first to interest and then to principal on all simple interest loans. All payments on amortized loans will be applied to the amortization schedule as stated.
- e) Reporting. A borrower shall provide, at least quarterly, information and reports required by the Department (e.g., reports on job creation/retention; uses of proceeds; financial statement of assets and liabilities; statements of status as a Qualified Social Equity Applicant; and changes in owners, officers and directors).
- f) Monitoring and Evaluation. A borrower must permit any agent authorized by the Department, the Illinois Attorney General, the Illinois Auditor General, or any other legal authority, upon presentation of credentials, to have full access to and the right to examine any documents, papers, and records of the borrower involving transactions related to the Program.

## DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

## NOTICE OF ADOPTED RULES

- g) **Records.** A borrower shall keep detailed records of the project and the use of proceeds. A borrower of more than \$100,000 is required to furnish to the Department, with the periodic submission of financial statements following the expenditure of project funds, a copy of any audit reports received during a specified period. The Department, pursuant to the Agreement, may require a borrower to undergo an audit to verify the use of loan or line of credit proceeds.
- h) **Performance Requirements.** The Department may require a borrower to meet certain economic development objectives (e.g., create a minimum number of full-time jobs within a certain time or achieve certain job quality standards identified in an Agreement).
- i) **Transfer of License.** Loans and lines of credit will not be transferrable, and any outstanding amount owed by a borrower at the time of a transfer of its license shall be paid by the new license holder, along with any waived fees. (See Section 7-25 of the Act.)
- j) **Confidentiality.** Any documentary materials or data made available or received by the Department or any agent of the Department shall be deemed confidential and shall not be deemed public records to the extent that the materials or data consists of trade secrets, commercial or financial information regarding the operation of the business conducted by the applicant or borrower, or any information regarding the competitive position of a business in a particular field of endeavor, or any information, the disclosure of which would be an unwarranted invasion of personal privacy (e.g., criminal history record information or information about the impact of the enforcement of cannabis-related laws on a specific person or family). Nothing in this subsection shall prevent the Department from sharing information with other governmental entities. The names of borrowers and the amounts of any financial assistance shall be considered a public record.

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Corporate Governance Annual Disclosure
- 2) Code Citation: 50 Ill. Adm. Code 630
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
630.10	New Section
630.20	New Section
630.30	New Section
630.40	New Section
- 4) Statutory Authority: Implementing Sections 130.1 through 130.7 and authorized by Sections 130.5 and 401 of the Illinois Insurance Code [215 ILCS 5].
- 5) Effective Date of Rules: May 29, 2020
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the principal office of the Department of Insurance and is available for public inspection.
- 9) Notice of Proposal published in *Illinois Register*: 44 Ill. Reg. 88; January 3, 2020
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version:

In the third line of the header, changed "l: PROVISIONS APPLICABLE TO ALL COMPANIES" to "g: INSURANCE HOLDING COMPANY SYSTEMS".

In 630.30(b), 4<sup>th</sup> line, changed "Commissioner" to "Director".

In the first and second lines of 630.30(3), after "e.g.," added "Own Risk and Solvency Assessment" and added parentheses around "ORSA".

In 630.40(a)(1), first line, and 630.40(b), second line, after "and" added "its".

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

In 630.40(a)(2), 4<sup>th</sup> line, before "CEO" added "the".

In 630.40(c)(1), first line, after the closing parenthesis added "used"; in (c)(1)(B), 3<sup>rd</sup> line, changed "such" to "those".

In 630.40(d)(1), first line, changed "between" to "among".

Made several punctuation and stylistic changes at JCAR's request.

- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 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: The new rule will require corporate governance reporting for insurers and provides for the confidential treatment of this information. The NAIC's *Corporate Governance Annual Disclosure Model Act* (#305) and *Corporate Governance Annual Disclosure Model Regulation* (#306) will be accreditation standards effective 1/1/2020.

The rule will not impose additional corporate governance rules, standards or procedures on insurance companies, but requires a new annual filing to be submitted to the Department by each insurance company that describes the corporate governance structure, policies and practices in use at the company. Regulatory oversight of insurance companies has changed significantly in the past five years with more focus on how a company manages itself, and, in particular, how it identifies, assesses and mitigates risks. The filing will assist regulators in fulfilling their oversight responsibilities.

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

Susan Berry, Group Solvency Specialist  
Department of Insurance  
320 West Washington Street  
Springfield IL 62767-0001  
217/782-1759

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

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

TITLE 50: INSURANCE  
CHAPTER I: DEPARTMENT OF INSURANCE  
SUBCHAPTER g: INSURANCE HOLDING COMPANY SYSTEMSPART 630  
CORPORATE GOVERNANCE ANNUAL DISCLOSURE

## Sections

630.10	Purpose
630.20	Definitions
630.30	Filing Procedures
630.40	Contents of Corporate Governance Annual Disclosure

AUTHORITY: Implementing Sections 130.1 through 130.7 and authorized by Sections 130.5 and 401 of the Illinois Insurance Code [215 ILCS 5].

SOURCE: Adopted at 44 Ill. Reg. 10115, effective May 29, 2020.

**Section 630.10 Purpose**

The purpose of this Part is to set forth the procedures for filing, and the required contents of, the Corporate Governance Annual Disclosure (CGAD) deemed necessary by the Director to carry out the provisions of the Corporate Governance Annual Disclosure Law [215 ILCS 5/Art. VIII<sup>1</sup>/<sub>3</sub>].

**Section 630.20 Definitions**

"Act" means the Corporate Governance Annual Disclosure Law [215 ILCS 5/Art. VIII<sup>1</sup>/<sub>3</sub>].

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

"Department" means the Illinois Department of Insurance.

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

"Insurance group" has the meaning ascribed in the Act.

"Insurer" has the meaning ascribed in the Act.

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

"Senior management" means any corporate officer responsible for reporting information to the board of directors at regular intervals or providing this information to shareholders or regulators and shall include, but not be limited to, the Chief Executive Officer (CEO), Chief Financial Officer (CFO), Chief Operations Officer (COO), Chief Procurement Officer (CPO), Chief Legal Officer (CLO), Chief Information Officer (CIO), Chief Technology Officer (CTO), Chief Revenue Officer (CRO), Chief Visionary Officer (CVO), or any other "C" level executive.

**Section 630.30 Filing Procedures**

- a) An insurer, or the insurance group of which the insurer is a member, that is required to file a CGAD by the Act shall submit to the Director a CGAD that meets the requirements of the Act and contains the information described in Section 630.40 no later than June 1 of each year.
- b) The insurer or insurance group shall have discretion regarding the appropriate format for providing the information required by these regulations and is permitted to customize the CGAD to provide the most relevant information necessary to permit the Director to gain an understanding of the corporate governance structure, policies and practices utilized by the insurer or insurance group.
- c) Each year following the initial filing of the CGAD, the insurer or insurance group shall file an amended version of the previously filed CGAD indicating where changes have been made. If no changes were made in the information or activities reported by the insurer or insurance group, the filing should so state.
- d) The insurer or insurance group shall be as descriptive as possible in completing the CGAD, with inclusion of attachments or example documents that are used in the governance process.
- e) An insurer or insurance group may reference other existing documents (e.g., Own Risk and Solvency Assessment (ORSA) Summary Report, Holding Company Form B or F Filings, Securities and Exchange Commission (SEC) Proxy Statements, foreign regulatory reporting requirements) if the documents provide information that is comparable to the information described in Section 630.40. The insurer or insurance group shall clearly reference the location of the relevant

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

information within the CGAD and attach the referenced document if it is not already filed or available to the regulator.

**Section 630.40 Contents of Corporate Governance Annual Disclosure**

- a) The CGAD shall describe the insurer's or insurance group's corporate governance framework and structure, including consideration of the following:
  - 1) The Board and its various committees ultimately responsible for overseeing the insurer or insurance group and the levels at which that oversight occurs (e.g., ultimate control level, intermediate holding company, legal entity). The insurer or insurance group shall describe and discuss the rationale for the current Board size and structure; and
  - 2) The duties of the Board and each of its significant committees and how they are governed (e.g., bylaws, charters, informal mandates), as well as how the Board's leadership is structured, including a discussion of the roles of the CEO and Chairman of the Board within the organization.
- b) The insurer or insurance group shall describe the policies and practices of the most senior governing entity and its significant committees, including a discussion of the following factors:
  - 1) How the qualifications, expertise and experience of each Board member meet the needs of the insurer or insurance group;
  - 2) How an appropriate amount of independence is maintained on the Board and its significant committees;
  - 3) The number of meetings held by the Board and its significant committees over the past year, as well as information on director attendance;
  - 4) How the insurer or insurance group identifies, nominates and elects members to the Board and its committees. The discussion should include, for example:
    - A) Whether a nomination committee is in place to identify and select individuals for consideration;

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

- B) Whether term limits are placed on directors;
  - C) How the election and re-election processes function; and
  - D) Whether a Board diversity policy is in place and, if so, how it functions; and
- 5) The processes in place for the Board to evaluate its performance and the performance of its committees, as well as any recent measures taken to improve performance (including any Board or committee training programs that have been put in place).
- c) The insurer or insurance group shall describe the policies and practices for directing senior management, including a description of the following factors:
- 1) Any processes or practices (i.e., suitability standards) used to determine whether officers and key persons in control functions have the appropriate background, experience and integrity to fulfill their prospective roles, including:
    - A) Identification of the specific positions for which suitability standards have been developed and a description of the standards employed; and
    - B) Any changes in an officer's or key person's suitability as outlined by the insurer's or insurance group's standards and procedures to monitor and evaluate those changes.
  - 2) The insurer's or insurance group's code of business conduct and ethics, the discussion of which considers, for example:
    - A) Compliance with laws, rules, and regulations; and
    - B) Proactive reporting of any illegal or unethical behavior.
  - 3) The insurer's or insurance group's processes for performance evaluation, compensation and corrective action to ensure effective senior management throughout the organization, including a description of the general objectives of significant compensation programs and what the programs

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

are designed to reward. The description shall include sufficient detail to allow the Director to understand how the organization ensures that compensation programs do not encourage and/or reward excessive risk taking. Elements to be discussed may include, but are not limited to:

- A) The Board's role in overseeing management compensation programs and practices;
  - B) The various elements of compensation awarded in the insurer's or insurance group's compensation programs and how the insurer or insurance group determines and calculates the amount of each element of compensation paid;
  - C) How compensation programs are related to both company and individual performance over time;
  - D) Whether compensation programs include risk adjustments and how those adjustments are incorporated into the programs for employees at different levels;
  - E) Any clawback provisions built into the programs to recover awards or payments if the performance measures upon which they are based are restated or otherwise adjusted; and
  - F) Any other factors relevant in understanding how the insurer or insurance group monitors its compensation policies to determine whether its risk management objectives are met by incentivizing its employees.
- 4) The insurer's or insurance group's plans for CEO and senior management succession.
- d) The insurer or insurance group shall describe the processes by which the Board, its committees and senior management ensure an appropriate amount of oversight to the critical risk areas impacting the insurer's business activities, including a discussion of:
- 1) How oversight and management responsibilities are delegated among the Board, its committees and senior management;

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

- 2) How the Board is kept informed of the insurer's strategic plans, the associated risks, and steps that senior management is taking to monitor and manage those risks;
- 3) How reporting responsibilities are organized for each critical risk area. The description should allow the Director to understand the frequency at which information on each critical risk area is reported to, and reviewed by, senior management and the Board. This description may include, but is not limited to, the following critical risk areas of the insurer:
  - A) Risk management processes (an ORSA Summary Report filer may refer to its ORSA Summary Report pursuant to Article VIII<sup>1</sup>/<sub>4</sub> of the Code);
  - B) Actuarial function;
  - C) Investment decision-making processes;
  - D) Reinsurance decision-making processes;
  - E) Business strategy/finance decision-making processes;
  - F) Compliance function;
  - G) Financial reporting/internal auditing; and
  - H) Market conduct decision-making processes.

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Pharmacy Benefit Managers
- 2) Code Citation: 50 Ill. Adm. Code 3145
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
3145.10	New Section
3145.20	New Section
3145.30	New Section
- 4) Statutory Authority: Implementing Section Article XXXIIB, and authorized by Sections 401 and 513b2(e) of the Illinois Insurance Code [215 ILCS 5].
- 5) Effective Date of Rules: May 29, 2020
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the principal office of the Department of Insurance and is available for public inspection.
- 9) Notice of Proposal published in *Illinois Register*: 44 Ill. Reg. 2207; January 31, 2020
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? There were none.
- 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: HB 465 created a new Section in the Illinois Insurance Code, 215 ILCS 5/513b1 et seq. Within the statute it indicates that the Director will establish rules. The Department needs to establish the fee, application and definitions within rule to support statute.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

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

David Murphy  
Assistant Deputy Director, Licensing/Education and Testing  
Department of Insurance  
320 West Washington Street  
Springfield IL 62767-0001

217/782-5415

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

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED RULES

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

PART 3145  
PHARMACY BENEFIT MANAGERS

## Section

3145.10	Purpose and Scope
3145.20	Registration
3145.30	Registration and Renewal Fee

**AUTHORITY:** Implementing Article XXXIIB, and authorized by Sections 401 and 513b2(e) of the Illinois Insurance Code [215 ILCS 5].

**SOURCE:** Adopted at 44 Ill. Reg. 10123, effective May 29, 2020.

**Section 3145.10 Purpose and Scope**

The purposes of this Part are to establish registration requirements for pharmacy benefit managers and to establish initial and renewal registration fees.

**Section 3145.20 Registration**

- a) All pharmacy benefit managers doing business in this State shall register with the Director of Insurance (Director). Each applicant for registration shall:
- 1) Make application for registration through the National Insurance Producer Registry (NIPR) at [www.nipr.com](http://www.nipr.com);
  - 2) Place a copy of its corporate charter, articles of incorporation, or other charter documents in the NIPR attachment warehouse;
  - 3) Place in the attachment warehouse the name, address and official position of each officer and director of the registration; and
  - 4) Pay the fee established by Section 3145.30.

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DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

- b) Initial and renewal registrations are valid for a period of 2 years.

**Section 3145.30 Registration and Renewal Fee**

Each pharmacy benefit manager doing business in this State shall pay a registration fee of \$500.00 on the initial application for registration and biannually thereafter on or before its expiration date, as long as the registration remains active.

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Third Party Prescription Administrators
- 2) Code Citation: 50 Ill. Adm. Code 3150
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
3150.10	Repealed
3150.20	Amendment
3150.30	Amendment
3150.40	Amendment
- 4) Statutory Authority: Implementing Sections 512-1, 512-2, 512-3, 512-4, 512-5, 512-6, 512-8, 512-9 and 512-10, and authorized by Section 401, of the Illinois Insurance Code [215 ILCS 5].
- 5) Effective Date of Rules: May 29, 2020
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the principal office of the Department of Insurance and is available for public inspection.
- 9) Notice of Proposal published in *Illinois Register*: 44 Ill. Reg. 2211; January 31, 2020
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Deleted "and codified" in source note.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 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: The majority of licenses issued by the Department of Insurance renew on an annual anniversary date. The Department is

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED AMENDMENTS

changing the third party prescription administrator renewal date from a fixed date of April 1 to an annual renewal of one year of the date of issuance to be consistent with other license types.

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

David Murphy  
Assistant Deputy Director, Licensing/Education and Testing  
Department of Insurance  
320 West Washington Street  
Springfield IL 62767-0001

217/782-5415

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

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED AMENDMENTS

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

PART 3150  
THIRD PARTY PRESCRIPTION ADMINISTRATORS

## Section

3150.10	Authority ( <u>Repealed</u> )
3150.20	Purpose and Scope
3150.30	Registration
3150.40	Annual Registration Fee

AUTHORITY: Implementing Sections 512-1, 512-2, 512-3, 512-4, 512-5, 512-6, 512-8, 512-9 and 512-10, and authorized by Section 401, of the Illinois Insurance Code [215 ILCS 5].

SOURCE: Adopted at 7 Ill. Reg. 15625, effective November 8, 1983; amended at 44 Ill. Reg. 10127, effective May 29, 2020.

**Section 3150.10 Authority (Repealed)**

~~This Part is promulgated by the Director of Insurance pursuant to Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1981, ch. 73, par. 1013) which empowers the Director "...to make reasonable rules and regulations as may be necessary for making effective..." the insurance laws of this State. The purpose of this Part is to implement Section 512-1, 512-2, 512-3, 512-4, 512-5, 512-6, 512-7, 512-8, 512-9 and 512-10 of the Illinois Insurance Code (Ill. Rev. Stat. 1981, ch. 73, par. 1065.59-1 through 1065.59-10).~~

(Source: Repealed at 44 Ill. Reg. 10127, effective May 29, 2020)

**Section 3150.20 Purpose and Scope**

The purposes of this Part are to establish criteria for registration in accordance with the terms of Article XXXI½ of the Illinois Insurance Code (Code) [215 ILCS 5](~~Ill. Rev. Stat. 1981, ch. 73, par. 1065.59-10~~) and to establish an annual registration fee for all third party prescription programs and administrators doing business in this State.

(Source: Amended at 44 Ill. Reg. 10127, effective May 29, 2020)

## DEPARTMENT OF INSURANCE

## NOTICE OF ADOPTED AMENDMENTS

**Section 3150.30 Registration.**

*All third party prescription programs and administrators doing business in this State as set forth in Ill. Rev. Stat. 1981, ch. 73, par. 733-3, shall register with the Director of Insurance.* Each applicant for registration shall file with the Director of Insurance (Director) the following documents for each program to be administered:

- a) One of the following:
- 1) A certification ~~that~~which includes the location and identification number of the account that the third party prescription program administrator has established and will maintain to comply with Section 512-5(1) of the Code;~~or~~
  - 2b) A bond in compliance with Section 512-5(2) of the Code; or
  - 3e) A certification setting forth the basis on which the applicant is~~they are~~ exempted from subsection (a)(1) or (2) in accordance with Section 512-5 of the Code;~~and~~
  - b) Any contracts, and any schedules ~~that are attached to those contracts~~thereto, that will be entered into in this State in compliance with Section 512-7 of the Code;~~and~~
  - c) A manual of procedures setting forth the methodology for compliance with Sections 512-6, 512-8 and 512-9 of the Code.
  - f) ~~The fee as established by Section 3150.40 of this Part.~~

(Source: Amended at 44 Ill. Reg. 10127, effective May 29, 2020)

**Section 3150.40 Annual Registration Fee.**

Each third party administrator doing business in this State shall pay to the Director a registration fee of \$50.00 on the initial date of application for registration and each annual renewal of the registration annually thereafter on or before April 1st of each succeeding year so long as such registration is maintained.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 44 Ill. Reg. 10127, effective May 29, 2020)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Illinois List of Endangered and Threatened Fauna
- 2) Code Citation: 17 Ill. Adm. Code 1010
- 3) Section Number: 1010.30                      Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act [520 ILCS 10/7].
- 5) Effective Date of Rule: May 28, 2020
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal published in *Illinois Register*: 44 Ill. Reg. 3044, February 21, 2020
- 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 agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part has been amended to update the list of endangered and threatened fauna.
- 16) Information and questions regarding this adopted rule shall be directed to:

Nicole Thomas, Legal Counsel

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Department of Natural Resources  
One Natural Resources Way  
Springfield IL 62702-1271

217/524-2408

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER c: ENDANGERED SPECIESPART 1010  
ILLINOIS LIST OF ENDANGERED AND THREATENED FAUNA

Section	
1010.10	Official List
1010.20	Definitions (Repealed)
1010.25	Criteria Used for Listing
1010.30	List
1010.40	Effective Date (Repealed)

**AUTHORITY:** Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act [520 ILCS 10].

**SOURCE:** Filed December 21, 1977, effective December 31, 1977; codified at 5 Ill. Reg. 10653; amended at 8 Ill. Reg. 13705, effective July 25, 1984; amended at 13 Ill. Reg. 4179, effective March 17, 1989; amended at 16 Ill. Reg. 103, effective December 20, 1991; amended at 18 Ill. Reg. 1134, effective January 18, 1994; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 3118, effective March 3, 1997; amended at 23 Ill. Reg. 5556, effective April 26, 1999; amended at 28 Ill. Reg. 12895, effective September 1, 2004; amended at 33 Ill. Reg. 14739, effective October 30, 2009; amended at 34 Ill. Reg. 12866, effective August 20, 2010; emergency amendment at 34 Ill. Reg. 15892, effective October 1, 2010, for a maximum of 150 days; amended at 35 Ill. Reg. 4196, effective February 22, 2011; amended at 39 Ill. Reg. 7982, effective May 19, 2015; amended at 44 Ill. Reg. 10132, effective May 28, 2020.

**Section 1010.30 List**

All federally designated endangered or threatened animal species and subspecies have been automatically listed as endangered or threatened under the Illinois Endangered Species Protection Act and placed on the Illinois List by the Board and are protected under the Act even though their names do not appear in this Section. Only those federally designated endangered or threatened animal species and subspecies known to occur in Illinois are designated as Illinois-endangered or Illinois-threatened by the Board and their names appear in this Section. Users should refer to the US Fish and Wildlife Service website at <http://www.fws.gov/endangered/> for a complete listing of all federally designated endangered and threatened species

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

and subspecies.

a) ENDANGERED FISHES OF ILLINOIS

<del>Northern Brook Lamprey</del>	<del>Ichthyomyzon fossor</del>
Lake Sturgeon	Acipenser fulvescens
<del>Western Sand Darter</del>	<del>Ammocrypta</del>
<del>Pallid Sturgeon**</del>	<del>clara</del>
<del>Cisco</del>	<del>Scaphirhynchus albus</del>
<del>River Chub</del>	<del>Coregonus artedii</del>
<del>Crystal Darter</del>	<del>Noemis</del>
<del>Sturgeon Chub</del>	<del>micropogon</del>
<del>Bluebreast Darter</del>	<del>Crystallaria</del>
<del>Bigeye Chub</del>	<del>asprella</del>
<del>Harlequin Darter</del>	<del>Maerhybopsis gelida</del>
<del>Pallid Shiner</del>	<del>Etheostoma</del>
<del>Cypress Minnow</del>	<del>camurum</del>
<del>Pugnose Shiner</del>	<del>Hybopsis amblops</del>
<del>Bigeye Shiner</del>	<del>Etheostoma histrio</del>
<del>Northern Brook Lamprey</del>	<del>Hybopsis</del>
<del>Blacknose Shiner</del>	<del>amnis</del>
<del>Sturgeon Chub</del>	<del>Hybognathus hayi</del>
<del>Taillight Shiner</del>	<del>Notropis</del>
<del>Greater Redhorse</del>	<del>anogenus</del>
<del>Weed Shiner</del>	<del>Hybopsis amnis</del>
<del>River Chub</del>	<del>Notropis</del>
<del>Cypress Minnow</del>	<del>boops</del>
<del>Pugnose Shiner</del>	<del>Ichthyomyzon fossor</del>
<del>Greater Redhorse</del>	<del>Notropis</del>
<del>Northern Madtom</del>	<del>heterolepis</del>
<del>Blacknose Shiner</del>	<del>Macrhybopsis gelida</del>
<del>Redspotted Sunfish</del>	<del>Notropis</del>
<del>Taillight Shiner</del>	<del>maculatus</del>
<del>Bluebreast Darter</del>	<del>Moxostoma</del>
<del>Weed Shiner</del>	<del>valenciennesi</del>
<del>Western Sand Darter</del>	<del>Notropis texanus</del>
	<del>Nocomis</del>
	<del>micropogon</del>
	<del>Hybognathus hayi</del>
	<del>Notropis anogenus</del>
	<del>Moxostoma</del>
	<del>valenciennesi</del>
	<del>Notropis boops</del>
	<del>Noturus</del>
	<del>stigmatosus</del>
	<del>Notropis heterolepis</del>
	<del>Lepomis</del>
	<del>miniatus</del>
	<del>Notropis</del>
	<del>maculatus</del>
	<del>Etheostoma</del>
	<del>camurum</del>
	<del>Notropis texanus</del>
	<del>Ammocrypta</del>
	<del>clarum</del>

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

Northern Madtom~~Harlequin Darter~~Noturus stigmosus~~Etheostoma  
histrio~~Pallid Sturgeon\*\*Scaphirhynchus albus

## b) THREATENED FISHES OF ILLINOIS

Eastern Sand Darter~~Least Brook Lamprey~~Ammocrypta  
pellucida~~Lampetra aepyptera~~Longnose Sucker~~American Brook Lamprey~~Catostomus  
catostomus~~Lethenteron  
appendix~~Mottled Sculpin~~American Eel~~Cottus bairdii~~Anguilla rostrata~~Gravel Chub~~Brassy Minnow~~Erimystax x-  
punctatus~~Hybognathus  
hankinsoni~~Spring Cavefish~~Cisco~~ForbesichthysWestern Banded Killifish~~Gravel Chub~~agassizii~~Coregonus artedi  
Fundulus diaphanus subsp.~~Starhead Topminnow~~Ironcolor Shiner~~menona~~Erimystax x punctatus  
Fundulus dispar~~~~Notropis  
chalybaeus~~Brassy Minnow~~Blackchin Shiner~~Hybognathus  
hankinsoni~~Notropis heterodon~~Bigeye Chub~~River Redhorse~~Hybopsis amblops~~Moxostoma  
carinatum~~Least Brook Lamprey~~Crystal Darter~~Lampetra  
aepyptera~~Crystallaria asprella~~Redspotted Sunfish~~Eastern Sand Darter~~Lepomis  
miniatus~~Ammocrypta  
pellucidum~~Bantam Sunfish~~Longnose Sucker~~Lepomis  
symmetricus~~Catostomus  
catostomus~~American Brook Lamprey~~Banded Killifish~~Lethenteron  
appendix~~Fundulus diaphanus~~River Redhorse~~Starhead Topminnow~~MoxostomaIroncolor Shiner~~Bantam Sunfish~~carinatum~~Fundulus dispar  
Notropis chalybaeus~~Lepomis  
symmetricus

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

~~Blackchin Shiner~~ Iowa DarterNotropis~~heterodon~~ Etheostoma exileOzark MinnowNotropis nubilus

## c) ENDANGERED AMPHIBIANS AND REPTILES OF ILLINOIS

## Salamanders

~~Hellbender~~~~Cryptobranchus alleganiensis~~

Silvery Salamander

Ambystoma platineum

HellbenderCryptobranchus alleganiensis

Spotted Dusky Salamander

Desmognathus conanti

## Turtles

~~Spotted Alligator Snapping~~ TurtleClemmys~~guttata~~ Macrochelys~~temminckii~~

Blanding's Turtle

Emydoidea blandingii

Yellow Mud Turtle

Kinosternon flavescens

Alligator Snapping Turtle ~~Smooth Softshell~~Macrochelys~~temminckii~~ Apalone mutica~~Spotted Turtle~~~~Clemmys guttata~~

River Cooter

Pseudemys concinna

## Snakes

Coachwhip

Coluber ~~Masticophis~~ flagellum

Southern Watersnake

Nerodia fasciata

Great Plains Ratsnake

Pantherophis emoryi

Eastern Massasauga\*

Sistrurus catenatus

## d) THREATENED AMPHIBIANS AND REPTILES OF ILLINOIS

## Salamanders

Jefferson Salamander

Ambystoma jeffersonianum

Four-toed Salamander

Hemidactylum scutatum

Mudpuppy

Necturus maculosus

## Frogs and Toads

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

<u>Eastern Narrow-mouthed Toad</u>	<u>Gastrophryne carolinensis</u>
Bird-voiced Treefrog	Hyla avivoca
Illinois Chorus Frog	Pseudacris illinoensis
<del>Eastern Narrow-mouthed Toad</del>	<del>Gastrophryne carolinensis</del>

## Turtles

<u>Smooth Softshell</u>	<u>Apalone mutica</u>
Ornate Box Turtle	Terrapene ornata

## Snakes

<u>Kirtland's Lined Snake</u>	<u>Clonophis</u>
	<del>kirtlandii</del> <u>Tropidoclonion</u>
	<del>lineatum</del>
<u>Timber Rattlesnake</u> <del>Plains Hog-Nosed Snake</del>	<u>Crotalus horridus</u> <del>Heterodon</del>
	<del>nasicus</del>
<u>Plains Hog-nosed Snake</u>	<u>Heterodon nasicus</u>
Mississippi Green Watersnake	Nerodia cyclopion
<del>Flat-headed Flathead Snake</del>	Tantilla gracilis
<del>Kirtland's Snake</del>	<del>Clonophis kirtlandi</del>
Eastern Ribbonsnake	Thamnophis <del>saurita</del> <u>sauritus</u>
<u>Lined Snake</u> <del>Timber Rattlesnake</del>	<u>Tropidoclonion</u>
	<del>lineatum</del> <u>Crotalus horridus</u>

## e) ENDANGERED BIRDS OF ILLINOIS

<u>Short-eared Owl</u> <del>American Bittern</del>	<u>Asio flammeus</u> <del>Botaurus</del>
	<del>lentiginosus</del>
<u>Upland Sandpiper</u> <del>Snow Egret</del>	<u>Bartramia longicauda</u> <del>Egretta</del>
	<del>thula</del>
<u>American Bittern</u> <del>Little Blue Heron</del>	<u>Botaurus lentiginosus</u> <del>Egretta</del>
	<del>caerulea</del>
<u>Swainson's Hawk</u> <del>Black-crowned Night</del>	<u>Buteo swainsoni</u> <del>Nycticorax</del>
<del>Heron</del>	<del>nycticorax</del>
<u>Piping Plover</u> <del>**Yellow-crowned Night</del>	<u>Charadrius</u>
<del>Heron</del>	<del>melodus</del> <u>Nyctanassa violacea</u>
<u>Black Tern</u> <del>Osprey</del>	<u>Chlidonias niger</u> <del>Pandion</del>
	<del>haliaetus</del>
Northern Harrier	Circus <u>hudsoni</u> <del>useyaneus</del>
<u>Little Blue Heron</u> <del>Swainson's Hawk</del>	<u>Egretta caerulea</u> <del>Buteo</del>

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

<del>Snowy Egret</del>	<del>Greater Prairie-Chicken</del>	<del>swainsoni</del>	<del>Egretta thula</del>	<del>Tympanuchus</del>
<del>Common Gallinule</del>	<del>Black Rail</del>	<del>cupido</del>	<del>Gallinula galeata</del>	<del>Laterallus</del>
<del>Loggerhead Shrike</del>	<del>King Rail</del>	<del>jamaicensis</del>	<del>Lanius ludovicianus</del>	<del>Rallus</del>
<del>Black Rail</del>	<del>Piping Plover**</del>	<del>elegans</del>	<del>Laterallus</del>	<del>jamaicensis</del>
<del>Swainson's Warbler</del>	<del>Upland Sandpiper</del>	<del>melodus</del>	<del>Limnothlypis</del>	<del>Charadrius</del>
<del>Yellow-crowned Night-Heron</del>	<del>Wilson's Phalarope</del>	<del>swainsonii</del>	<del>Bartramia</del>	<del>longicauda</del>
<del>Black-crowned Night-Heron</del>	<del>Common Gallinule</del>	<del>Nyctanassa</del>	<del>violacea</del>	<del>Phalaropus tricolor</del>
<del>Wilson's Phalarope</del>	<del>Loggerhead Shrike</del>	<del>Nycticorax</del>	<del>nycticorax</del>	<del>Gallinula galeata</del>
<del>King Rail</del>	<del>Common Tern</del>	<del>Phalaropus tricolor</del>	<del>Lanius</del>	<del>ludovicianus</del>
<del>Forster's Tern</del>	<del>Least Tern**</del>	<del>Rallus elegans</del>	<del>Sterna hirundo</del>	<del>Sterna forsteri</del>
<del>Least Tern**</del>	<del>Black Tern</del>	<del>Sterna hirundo</del>	<del>Sternula</del>	<del>antillarum</del>
<del>Short-eared Owl</del>	<del>Bewick's Wren</del>	<del>Sternula antillarum</del>	<del>Chlidonias</del>	<del>niger</del>
<del>Greater Prairie-Chicken</del>	<del>Swainson's Warbler</del>	<del>Asio flammeus</del>	<del>Thryomanes bewickii</del>	<del>Tympanuchus</del>
<del>Yellow-headed Blackbird</del>		<del>cupido</del>	<del>Limnothlypis</del>	<del>swainsonii</del>
		<del>Xanthocephalus</del>	<del>xanthocephalus</del>	

## f) THREATENED BIRDS OF ILLINOIS

<del>Chuck-will's-widow</del>	<del>Least Bittern</del>	<del>Antrostomus</del>	<del>carolinensis</del>	<del>Ixobrychus exilis</del>
<del>Rufa Red Knot*</del>	<del>Black-billed Cuckoo</del>	<del>Calidris canutus rufa</del>	<del>Coccyzus</del>	
	<del>Cerulean Warbler</del>			

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

- |   |   |
|---|---|
|   | <del><u>erythroptalmus</u></del> <u>Dendroica</u> |
|   | <del>cerulea</del>                                |
| <del><u>Least Bittern</u></del> <u>Mississippi Kite</u>         | <u>Ixobrychus exilis</u> <u>Ictinia</u>           |
|   | <u>mississippiensis</u>                           |
| <del><u>Osprey</u></del> <u>Black-billed Cuckoo</u>             | <u>Pandion haliaetus</u> <u>Coccyzus</u>          |
|   | <u>erythroptalmus</u>                             |
| <del><u>Cerulean Warbler</u></del> <u>Barn Owl</u>              | <u>Setophaga cerulea</u> <u>Tyto-alba</u>         |
| <del><u>Chuck will's widow</u></del>                            | <u>Caprimulgus carolinensis</u>                   |
| g) ENDANGERED MAMMALS OF ILLINOIS                               |   |
| <del><u>Gray/Timber Wolf**</u></del> <u>Southeastern Myotis</u> | <u>Canis lupus</u> <u>Myotis</u>                  |
|   | <u>austroriparius</u>                             |
| <del><u>Rafinesque's Big-eared Bat</u></del> <u>Gray Bat**</u>  | <u>Corynorhinus</u>                               |
|   | <u>rafinesquii</u> <u>Myotis grisescens</u>       |
| <del><u>Southeastern Myotis</u></del> <u>Indiana Bat**</u>      | <u>Myotis austroriparius</u> <u>sodalis</u>       |
| <del><u>Gray Bat**</u></del> <u>Rafinesque's Big-eared Bat</u>  | <u>Myotis</u>                                     |
|   | <u>grisescens</u> <u>Corynorhinus</u>             |
|   | <u>rafinesquii</u>                                |
| <del><u>Indiana Bat**</u></del> <u>Eastern Wood-Rat</u>         | <u>Myotis sodalis</u> <u>Neotoma</u>              |
|   | <u>floridana</u>                                  |
| h) THREATENED MAMMALS OF ILLINOIS                               |   |
| <del>Eastern Small-footed Bat</del>                             | <u>Myotis leibii</u>                              |
| <del>Northern Long-eared Bat*</del>                             | <u>Myotis septentrionalis</u>                     |
| <del><u>Gray/Timber Wolf**</u></del>                            | <u>Canis lupus</u>                                |
| <del>Franklin's Ground Squirrel</del>                           | <u>Poliocitellus franklinii</u>                   |
| i) ENDANGERED INVERTEBRATE ANIMALS OF ILLINOIS                  |   |
|   | Snails  |
| <del>Iowa Pleistocene Snail**</del>                             | <u>Discus macclintocki</u>                        |
| <del>Hydrobiid Cave Snail</del>                                 | <u>Fontigens antroecetes</u>                      |
| <del>Onyx Rocksnail</del>                                       | <u>Leptoxis praerosa</u>                          |
| <del>Shawnee Rocksnail</del>                                    | <u>Lithasia obovata</u>                           |
|   | Mussels   |
| <del><u>Fanshell</u></del> <u>Spectaclecase**</u>               | <u>Cyprogenia</u>                                 |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

<del>Elephant-ear Salamander Mussel</del>	<del>stegaria</del> Cumberlandia <del>monodonta</del> Elliptio crassidensSimpsonaias ambigua
<del>Northern Riffleshell**Rabbitsfoot*</del>	Epioblasma rangiana*Quadrula-cylindrica
<del>Snuffbox**Ebonyshell</del>	Epioblasma triquetraFusconaia-ebena
<del>Spike Orange-foot Pimpleback**</del>	Eurynia dilatataPlethobasus cooperianus
<del>Pink Mucket Sheepnose**</del>	Lampsilis abruptaPlethobasus cyphus
<del>Wavy-rayed Lampmussel Clubshell**</del>	Lampsilis fasciolaPleurobema clava
<del>Higgins Eye**Ohio Pigtoe</del>	Lampsilis higginsiiPleurobema-cordatum
<del>Scaleshell**Elephant-ear</del>	Leptodea leptodonElliptio erassidens
<del>Spectaclecase**Kidneyshell</del>	Margaritifera monodontaPtychobranhus fasciolaris
<del>Orangefoot Pimpleback Fanshell**</del>	Plethobasus cooperianusCyprogenia stegria
<del>Sheepnose Scaleshell**</del>	Plethobasus cyphusLeptodea leptodon
<del>Clubshell Fat Pocketbook**</del>	Pleurobema clavaPotamilus capax
<del>Ohio Pigtoe Purple Lilliput</del>	Pleurobema cordatumToxolasma-lividus
<del>Fat Pocketbook**Rainbow Kidneyshell Pink Mucket**</del>	Potamilus capaxVillosa-iris Ptychobranhus fasciolarisLampsilis-abrupta
<del>Ebonyshell Wavy-rayed Lampmussel</del>	Reginaia ebenusLampsilis fasciola
<del>Salamander Mussel Higgins Eye**</del>	Simpsonaias ambiguaLampsilis-higginsii
<del>Rabbitsfoot*Snuffbox**</del>	Theliderma

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

<u>Purple Lilliput</u>	<del>Northern Riffleshell**</del>	<u><i>cylindrica</i></u> <del><i>Epioblasma</i></del> <u><i>triquetra</i></u> <del></del> <u><i>Toxolasma</i></u> <u><i>lividum</i></u> <del><i>Epioblasma torulosa</i></del> <u><i>rangiana</i></u> <u><i>Villosa iris</i></u>
<u>Rainbow</u>		
Crustaceans		
<u>Isopod</u>		<u><i>Caecidotea lesliei</i></u>
Anomalous Spring Amphipod		<i>Crangonyx anomalus</i>
<u>Packard's</u> <del><i>Paeard's</i></del> Cave Amphipod		<i>Crangonyx packardi</i>
<u>Indiana Crayfish</u>	<del><i>Illinois Cave Amphipod**</i></del>	<u><i>Faxonius</i></u> <u><i>indianensis</i></u> <del><i>Gammarus</i></del> <u><i>acherondytes</i></u> <u><i>Faxonius</i></u> <u><i>kentuckiensis</i></u> <del><i>Stygobromus</i></del> <u><i>iowae</i></u>
<u>Kentucky Crayfish</u>	<del><i>Iowa Amphipod</i></del>	<u><i>Faxonius lancifer</i></u> <del><i>Oreonectes</i></del> <u><i>indianensis</i></u> <u><i>Faxonius placidus</i></u> <del><i>Oreonectes</i></del> <u><i>kentuckiensis</i></u> <u><i>Gammarus</i></u> <u><i>acherondytes</i></u> <del><i>Oreonectes</i></del> <u><i>lancifer</i></u> <u><i>Stygobromus</i></u> <u><i>iowae</i></u> <del><i>Oreonectes placidus</i></del> <u><i>Caecidotea lesliei</i></u>
<u>Shrimp</u>	<i>Indiana Crayfish</i>	
<u>Bigclaw</u>	<i>Kentucky Crayfish</i>	
<u>Illinois Cave Amphipod**</u>	<del><i>Oxbow Crayfish</i></del>	
<u>Iowa Amphipod</u>	<i>Crayfish</i>	
<u>Isopod</u>		
Scorpions		
Common Striped Scorpion		<i>Centruroides vittatus</i>
Dragonflies		
<u>Elfin Skimmer</u>		<u><i>Nannothemis bella</i></u>
Hine's <u><i>Emerald</i></u>	<del><i>Emerald's</i></del> Dragonfly**	<i>Somatochlora hineana</i>
Springtails		
Madonna Cave Springtail		<i>Pygmarrhopalites madonnensis</i>

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENT

## Stoneflies

Robust Springfly	Diploperla robusta
Central Forestfly	Prostoia <del>ozarkensis</del> <u>completa</u>

Bees

<u>Rusty Patched Bumble Bee**</u>	<u>Bombus affinis</u>
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## Leafhoppers

Leafhopper	Athysanella incongrua
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## Butterflies and Moths

<u>Swamp Metalmark</u>	<u>Calephelis muticum</u>
Cobweb Skipper	Hesperia metea
Ottoo Skipper	Hesperia ottoe
Hoary Elfin	Incisalia polios
Karner Blue Butterfly**	Lycæides melissa samuelis
<u>Swamp Metalmark</u>	<del>Calephelis muticum</del>

## j) THREATENED INVERTEBRATE ANIMALS OF ILLINOIS

## Mussels

Purple Wartyback	Cyclonaias tuberculata
<del>Spike</del>	<del>Elliptio dilatata</del>
<del>Slippershell</del>	<del>Alasmidonta viridis</del>
Butterfly	Ellipsaria lineolata
<del>Monkeyface</del> <del>Black Sandshell</del>	<del>Quadrula metanevra</del> <del>Ligumia recta</del>
<del>Little Spectaclecase</del>	<del>Villosa lienosa</del>

Dragonflies

<del>Elfin Skimmer</del>	<del>Nannothemis bella</del>
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## Leafhoppers

Redveined Prairie Leafhopper	Aflexia rubranura
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Butterflies and Moths

Eryngium Stem Borer	Papaipema eryngii
Regal Fritillary	Speyeria idalia

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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

\* Federally designated threatened species

\*\* Federally designated endangered species

(Source: Amended at 44 Ill. Reg. 10132, effective May 28, 2020)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Illinois List of Endangered and Threatened Flora
- 2) Code Citation: 17 Ill. Adm. Code 1050
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1050.30	Amendment
1050.40	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act [520 ILCS 10/7].
- 5) Effective Date of Rules: May 28, 2020
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal published in *Illinois Register*: 44 Ill. Reg. 3057, February 21, 2020
- 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 agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part has been amended to update the list of endangered and threatened flora.
- 16) Information and questions regarding these adopted rules shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Nicole Thomas, Legal Counsel  
Department of Natural Resources  
One Natural Resources Way  
Springfield IL 62702-1271

217/524-2408

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER c: ENDANGERED SPECIESPART 1050  
ILLINOIS LIST OF ENDANGERED AND THREATENED FLORA

Section	
1050.10	Official List
1050.20	Definitions (Repealed)
1050.25	Criteria Used For Listing
1050.30	Endangered Flora of Illinois
1050.40	Threatened Flora of Illinois

**AUTHORITY:** Implementing and authorized by Section 7 of the Illinois Endangered Species Protection Act [520 ILCS 10].

**SOURCE:** Adopted at 4 Ill. Reg. 22, p. 209, effective May 20, 1980 unless otherwise noted; amended at 5 Ill. Reg. 10293, effective September 30, 1981; codified at 6 Ill. Reg. 2593; amended at 8 Ill. Reg. 13713, effective July 25, 1984; amended at 13 Ill. Reg. 3755, effective March 13, 1989; amended at 14 Ill. Reg. 6123, effective April 17, 1990; amended at 17 Ill. Reg. 10781, effective July 1, 1993; amended at 18 Ill. Reg. 1142, effective January 18, 1994; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 21902, effective December 3, 1998; amended at 28 Ill. Reg. 12904, effective September 1, 2004; amended at 33 Ill. Reg. 14748, effective October 30, 2009; amended at 39 Ill. Reg. 7993, effective May 19, 2015; amended at 44 Ill. Reg. 10145, effective May 28, 2020.

**Section 1050.30 Endangered Flora of Illinois**

All federally designated endangered or threatened animal species and subspecies have been automatically listed as endangered or threatened under the Illinois Endangered Species Protection Act and placed on the Illinois List by the Board and are protected under the Act even though their names do not appear in this Section. Only those federally designated endangered or threatened animal species and subspecies known to occur in Illinois are designated as Illinois-endangered or Illinois-threatened by the Board and their names appear in this Section. Users should refer to the US Fish and Wildlife Service website at <http://www.fws.gov/> endangered/for a complete listing of all federally designated endangered and threatened species and subspecies.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

SCIENTIFIC NAME	COMMON NAME
<b>EQUISETACEAE</b>	
Equisetum scirpoides	Dwarf Scouring Rush
Equisetum sylvaticum	Woodland Horsetail
<b>HYMENOPHYLLACEAE</b>	
<del>Vandenboschia boschiana</del> <del>Trichomanes boschianum</del>	Filmy fern
<b>ISOETACEAE</b>	
Isoetes butleri	Butler's Quillwort
<b>LYCOPODIACEAE</b>	
<del>Dendrolycopodium dendroideum</del>	<del>Ground Pine</del>
<del>Dendrolycopodium hickeyi</del>	<del>Hickey's Groundpine</del>
Lycopodium clavatum	Running Pine
<del>Lycopodium dendroideum</del>	<del>Ground Pine</del>
Lycopodiella inundata	Bog Clubmoss
<b>OPHIOGLOSSACEAE</b>	
<del>Botrychium biternatum</del>	<del>Southern Grape Fern</del>
Botrychium caespitose	Prairie Moonwort
Botrychium matricariifolium	Daisyleaf Grape Fern
Botrychium multifidum	Northern Grape Fern
Botrychium simplex	Dwarf Grape Fern
<del>Sceptridium biternatum</del>	<del>Southern Grape Fern</del>
<b>POLYPODIACEAE</b>	
Asplenium bradleyi	Bradley's Spleenwort
Asplenium resiliens	Black Spleenwort
Cystopteris laurentiana	Laurentian Fragile Fern
Dennstaedtia punctilobula	Hay-scented Fern
Dryopteris celsa	Log Fern
Gymnocarpium dryopteris	Oak Fern
Gymnocarpium robertianum	Scented Oak Fern
Phegopteris connectilis	Long Beech Fern
Thelypteris noveboracensis	New York Fern
Woodsia ilvensis	Rusty Woodsia
<b>CUPRESSACEAE</b>	
Juniperus horizontalis	Trailing Juniper
<b>PINACEAE</b>	
<del>Larix laricina</del>	<del>Tamarack</del>
Pinus banksiana	Jack Pine

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Pinus echinata	Shortleaf Pine
Pinus resinosa	Red Pine
ALISMATACEAE	
Echinodorus tenellus	Small Burhead
Sagittaria australis	Arrowhead
ARACEAE	
Calla palustris	Water Arum
COMMELINACEAE	
Tradescantia bracteata	Prairie Spiderwort
CYPERACEAE	
Carex alata	Winged Sedge
Carex arkansana	Arkansas Sedge
Carex brunnescens	Brownish Sedge
Carex canescens <del>var. disjuncta</del>	Silvery Sedge
Carex chordorrhiza	Cordroot Sedge
Carex crawfordii	Crawford's Sedge
Carex cumulata	Sedge
<a href="#">Carex debilis</a>	<a href="#">White-edge Sedge</a>
Carex decomposita	Cypress-knee Sedge
Carex diandra	Sedge
Carex disperma	Shortleaf Sedge
Carex echinata	Sedge
Carex formosa	Sedge
Carex garberi	Elk Sedge
Carex gigantea	Large Sedge
Carex heliophila	Plains Sedge
Carex intumescens	Swollen Sedge
Carex nigromarginata	Black-edged Sedge
Carex oligosperma	Few-seeded Sedge
<a href="#">Carex opaca</a>	<a href="#">Opaque Oval Sedge</a>
Carex physorhyncha	Bellow's Beak Sedge
Carex plantaginea	Plantain-leaved Sedge
Carex reniformis	Reniform Sedge
<a href="#">Carex straminea</a>	<a href="#">Eastern Straw Sedge</a>
Carex trisperma	Three-seeded Sedge
Carex tuckermanii	Tuckerman's Sedge
Eleocharis olivacea ( <del>Eleocharis flavescens var. olivacea</del> )	Capitate Spikerush
Eleocharis pauciflora ( <del>Eleocharis</del> )	Few-flowered Spikerush

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

<del>quinqueflora)</del>	
Eriophorum virginicum	Rusty Cotton Grass
Fimbristylis vahlii	Vahl's Fimbry
Rhynchospora alba	Beaked Rush
Rhynchospora glomerata	Clustered Beak Rush
Schoenoplectus purshianus	Pursh's Bulrush
Schoenoplectus smithii	Smith's Bulrush
Scirpus hattorianus	Bulrush
Scirpus microcarpus	Small-fruited <u>Bulrush</u>
<u>Scirpus polyphyllus</u>	<u>Leafy Bulrush</u>
Scleria muhlenbergii	Muhlenberg's Nut Rush
Scleria pauciflora	Carolina Whipgrass
Trichophorum cespitosum	Tufted Bulrush
IRIDACEAE	
Sisyrinchium atlanticum	Eastern Blue-eyed Grass
Sisyrinchium montanum	Mountain Blue-eyed Grass
JUNCACEAE	
Juncus vaseyi	Vasey's Rush
Luzula acuminata	Hairy Woodrush
LILIACEAE	
Camassia angusta	Wild Hyacinth
Chamaelirium luteum	Fairy Wand
Medeola virginiana	Indian Cucumber Root
<u>Melanthium virginicum</u>	<u>Virginia Bunchflower</u>
<u>Polygonatum pubescens</u>	<u>Downy Solomon's Seal</u>
Trillium cernuum	Nodding Trillium
Trillium erectum	Ill-scented Trillium
Trillium viride	Green Trillium
Zigadenus elegans ( <del>Zigadenus</del>	White Camass
<del>venenosus var. gramineus)</del>	
ORCHIDACEAE	
Calopogon oklahomensis	Oklahoma Grass Pink Orchid
Calopogon tuberosus	Grass Pink Orchid
Corallorhiza maculata	Spotted Coral-root Orchid
Cypripedium acaule	Moccasin Flower
Cypripedium parviflorum	Small Yellow Lady's Slipper
Cypripedium reginae	Showy Lady's Slipper
Hexalectris spicata	Crested Coralroot Orchid
Isotria medeoloides*	Small Whorled <u>Pogonia</u> <del>Pogonia</del>

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Isotria verticillata	Whorled Pogonia
Platanthera ciliaris	Orange Fringed Orchid
Platanthera clavellata	Wood Orchid
Platanthera leucophaea*	Eastern Prairie Fringed Orchid
Platanthera psycodes	Purple Fringed Orchid
Pogonia ophioglossoides	Snake-mouth
Spiranthes lucida	Yellow-lipped Ladies' Tresses
Spiranthes vernalis	Spring Ladies' Tresses
POACEAE	
<u>Avenella flexuosa</u>	<u>Hairgrass</u>
<u>Beckmannia</u> <del>Beckmannia</del> syzigachne	American Slough Grass
Bouteloua gracilis	Blue Grama
Calamagrostis insperata	Hollow Reed Grass
<u>Deschampsia flexuosa</u>	<u>Hairgrass</u>
Dichanthelium boreale	Northern Panic Grass
<u>Dichanthelium jorii</u>	<u>Panic Grass</u>
Dichanthelium portoricense	Hemlock Panic Grass
<u>Dichanthelium jorii</u>	<u>Panic Grass</u>
Dichanthelium ravenelii	Ravenel's Panic Grass
Dichanthelium yadkinense	Panic Grass
Elymus <u>trachycaulus</u> <del>trachycaulis</del>	Bearded Wheat Grass
Glyceria arkansana	Arkansas Manna Grass
Melica mutica	Two-Flowered Melic Grass
Poa alsodes	Grove Bluegrass
Poa languida	Weak Bluegrass
Poa wolfii	Wolf's Bluegrass
<u>Schizachne purpurascens</u>	<u>False Melic Grass</u>
Torreyochloa pallida	Pole Manna-Grass
<u>Schizachne purpurascens</u>	<u>False Melic Grass</u>
PONTERDERIACEAE	
Heteranthera reniformis	Mud Plantain
POTAMOGETONACEAE	
Potamogeton praelongus	White-stemmed Pondweed
Potamogeton pulcher	Spotted Pondweed
Potamogeton robbinsii	Fern Pondweed
Potamogeton strictifolius	Stiff Pondweed
SPARGANIACEAE	
Sparganium americanum	American Bur-reed
Sparganium emersum	Green-fruited Bur-reed

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## ACANTHACEAE

Justicia ovata

Water Willow

## ADOXACEAE

Adoxa moschatellina

Moschatel

## AMARANTHACEAE

Iresine rhizomatosa

Bloodleaf

## APIACEAE

Conioselinum chinense

Hemlock Parsley

Cynosciadium digitatum

Cynosciadium

Eryngium prostratum

Eryngo

Ptilimnium nuttallii

Mock Bishop's Weed

Sanicula smallii

Southern Black Snakeroot

## ASCLEPIADACEAE

Asclepias lanuginosa

Woolly Milkweed

Asclepias meadii\*

Mead's Milkweed

Asclepias ovalifolia

Oval Milkweed

Asclepias stenophylla

Narrow-leaved Green Milkweed

Matelea decipiens

Climbing Milkweed

## ASTERACEAE

Artemisia dracunculus

Dragon Wormwood

Cirsium pitcheri\*Pitcher's (Dune) Thistle

Eupatorium hyssopifolium

Hyssop-leaved Thoroughwort

Helianthus angustifoliusNarrow-leaved Sunflower

Helianthus giganteus

Tall Sunflower

Hymenopappus scabiosaeusOld Plainsman

Megalodonta beckii

Water Marigold

Melanthera nivea

White Melanthera

Nothocalais cuspidata

Prairie Dandelion

Tetraneuris herbacea\*

Lakeside Daisy

## BETULACEAE

Alnus incana subsp. rugosa

Speckled Alder

Betula alleghaniensis

Yellow Birch

## BORAGINACEAE

Hackelia deflexa var. americana

Stickseed

Heliotropium tenellum

Slender Heliotrope

## BRASSICACEAE

Cardamine pratensis var. palustris

Cuckoo Flower

Draba cuneifolia

Whitlow Grass

Physaria~~Lesquerella~~ ludoviciana

Silvery Bladderpod

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## CACTACEAE

*Opuntia fragilis* Fragile Prickly Pear

## CAPPARIDACEAE

*Polanisia jamesii* James' Clammyweed

## CAPRIFOLIACEAE

*Lonicera dioica* var. *glaucescens* Red Honeysuckle  
*Lonicera flava* Yellow Honeysuckle  
*Sambucus racemosa* subsp. *pubens* Red-berried Elder  
*Symphoricarpos albus* var. *albus* Snowberry

## CARYOPHYLLACEAE

*Silene ovata* Ovate Catchfly  
*Silene regia* Royal Catchfly  
*Stellaria pubera* Great Chickweed

## CISTACEAE

*Hudsonia tomentosa* False Heather  
*Lechea intermedia* Savanna Pinweed

## CLUSIACEAE

*Hypericum adpressum* Shore St. John's Wort  
*Hypericum kalmianum* Kalm's St. John's Wort

## CONVOLVUACEAE

*Stylisma pickeringii* Patterson's Bindweed

## CORNACEAE

*Cornus canadensis* Bunchberry

## CORYLACEAE

~~*Corylus cornuta* Beaked Hazelnut~~

## DROSERACEAE

*Drosera rotundifolia* Round-leaved Sundew

## ELAEAGNACEAE

*Shepherdia canadensis* Buffaloberry

## ERICACEAE

*Andromeda glaucophylla* Bog Rosemary  
*Arctostaphylos uva-ursi* Bearberry  
*Vaccinium corymbosum* Highbush Blueberry  
*Vaccinium macrocarpon* Large Cranberry  
*Vaccinium oxycoccos* Small Cranberry  
*Vaccinium stamineum* Deerberry

## EUPHORBIACEAE

*Chamaesyce polygonifolia* Seaside Spurge  
*Euphorbia spathulata* Spurge

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## FABACEAE

<i>Amorpha nitens</i>	Smooth False Indigo
<i>Astragalus crassicaarpus</i> var. <i>trichocalyx</i>	Large Ground Plum
<i>Astragalus distortus</i>	Bent Milk Vetch
<i>Astragalus tennesseensis</i>	Tennessee Milk Vetch
<i>Baptisia tinctoria</i>	Yellow Wild Indigo
<i>Cladrastis lutea</i> ( <del><i>Cladrastis kentuckea</i></del> )	Yellowwood
<i>Dalea foliosa</i> **	Leafy Prairie Clover
<i>Galactia mohlenbrockii</i>	Boykin's Dioclea
<i>Lespedeza leptostachya</i> *	Prairie Bush Clover
<a href="#"><i>Mimosa nuttallii</i></a>	<a href="#">Cat's Claw</a>

## FAGACEAE

<i>Quercus texana</i>	Nuttall's Oak
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## GENTIANACEAE

<i>Bartonia paniculata</i>	Screwstem
<i>Sabatia campestris</i>	Prairie Rose Gentian

## GERANIACEAE

<i>Geranium bicknellii</i>	Northern Cranesbill
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## HYDROPHYLLACEAE

<i>Hydrolea uniflora</i>	One-flowered Hydrolea
<i>Nemophila triloba</i>	Baby Blue-Eyes
<i>Phacelia gilioides</i>	Ozark Phacelia

## JUGLANDACEAE

<i>Carya pallida</i>	Pale Hickory
<a href="#"><i>Juglans cinerea</i></a>	<a href="#">Butternut</a>

## LENTIBULARIACEAE

<i>Utricularia cornuta</i>	Horned Bladderwort
<i>Utricularia minor</i>	Small Bladderwort
<i>Utricularia subulata</i>	Hair Bladderwort

## LOASACEAE

<i>Mentzelia oligosperma</i>	Stickleaf
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## MALVACEAE

<i>Iliamna remota</i>	Kankakee Mallow
<i>Malvastrum hispidum</i>	False Mallow

## MELASTOMACEAE

<i>Rhexia mariana</i>	Dull Meadow Beauty
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## MYRICACEAE

<i>Comptonia peregrina</i>	Sweetfern
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## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

NYCTAGINACEAE	
<i>Mirabilis hirsuta</i>	Hairy Umbrella-wort
ONAGRACEAE	
<i>Circaea alpina</i>	Small Enchanter's Nightshade
OROBANCHACEAE	
<i>Orobanche fasciculata</i>	Clustered Broomrape
PAPAVERACEAE	
<i>Corydalis aurea</i>	Golden Corydalis
<i>Corydalis halei</i>	Hale's Corydalis
<i>Corydalis sempervirens</i>	Pink Corydalis
PLANTAGINACEAE	
<i>Plantago cordata</i>	Heart-leaved Plantain
POLEMONIACEAE	
<i>Phlox pilosa</i> subsp. <i>sangamonensis</i>	Sangamon Phlox
POLYGALACEAE	
<i>Polygala incarnata</i>	Pink Milkwort
POLYGONACEAE	
<i>Polygonum careyi</i>	Carey's Heartsease
<i>Tracaulon arifolium</i>	Halberd-leaved Tearthumb
PORTULACACEAE	
<del><i>Phemeranthus calycinus</i></del> <del><i>Falinum</i></del> <del><i>calycinum</i></del>	Fameflower
PRIMULACEAE	
<i>Lysimachia radicans</i>	Creeping Loosestrife
<i>Primula mistassinica</i>	Bird's-eye Primrose
<i>Trientalis borealis</i>	Star-flower
PYROLACEAE	
<i>Chimaphila maculata</i>	Spotted Wintergreen
<i>Chimaphila umbellata</i>	Pipsissewa
RANUNCULACEAE	
<del><i>Actaea podocarpa</i></del> <del><i>Cimicifuga</i></del> <del><i>americana</i></del>	American Bugbane
<del><i>Actaea</i></del> <del><i>Cimicifuga</i></del> <i>racemosa</i>	False Bugbane
<del><i>Actaea</i></del> <del><i>Cimicifuga</i></del> <i>rubifolia</i>	Black Cohosh
<i>Clematis crispa</i>	Blue Jasmine
<del><i>Clematis occidentalis</i></del>	<del>Mountain Clematis</del>
<i>Clematis viorna</i>	Leatherflower
<del><i>Delphinium carolinianum</i></del>	<del>Hill Prairie Larkspur</del>
<del><i>Ranunculus rhomboideus</i></del>	<del>Prairie Buttercup</del>

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## RHAMNACEAE

Berchemia scandens	Supple– Jack
Ceanothus herbaceus	Redroot
Rhamnus alnifolia	Alder Buckthorn

## ROSACEAE

<del>Amelanchier</del> <u>Amelachier</u> sanguinea	Shadbush
Malus angustifolia	Narrow-leaved Crabapple
Rosa acicularis	Bristly Rose
Sanguisorba canadensis	American Burnet
Sorbus americana	American Mountain Ash

## RUBIACEAE

Galium virgatum	Dwarf Bedstraw
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## SALICACEAE

Populus balsamifera	Balsam Poplar
Salix serissima	Autumn Willow
Salix syrticola	Dune Willow

## SAPOTACEAE

Bumelia lanuginosa	Wooly Buckthorn
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## SARRACENIACEAE

Sarracenia purpurea	Pitcher Plant
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## SAXIFRAGACEAE

Ribes hirtellum	Northern Gooseberry
<del>Micranthes</del> <u>Saxifraga</u> virginianensis	Early Saxifrage

## SCROPHULARIACEAE

Castilleja sessiliflora	Downy Yellow Painted Cup
Collinsia violacea	Violet Collinsia
Gratiola quartermaniae	Hedge Hyssop
Mimulus glabratus	Yellow Monkey Flower
<u>Penstemon grandifloras</u>	<u>Large Flowered Beard Tongue</u>
Penstemon tubaeiflorus	Tube <del>Beard</del> <u>Beards</u> Tongue
<del>Penstemon grandiflorus</del>	<del>Large-flowered Beard Tongue</del>
Veronica americana	American Brooklime

## STYRACACEAE

Halesia carolina	Silverbell Tree
Styrax grandifolius	Bigleaf Snowbell Bush

~~TILIACEAE~~TILLIACEAE

Tilia heterophylla	White Basswood
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## ULMACEAE

Ulmus thomasii	Rock Elm
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## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## VALERIANACEAE

Valeriana uliginosa	Marsh Valerian
Valerianella chenopodifolia	Corn Salad
Valerianella umbilicata	Corn Salad

## VIOLACEAE

Viola blanda	Hairy White Violet
Viola canadensis	Canada Violet
Viola primulifolia	Primrose Violet

\* Federally designated threatened species

\*\* Federally designated endangered species

(Source: Amended at 44 Ill. Reg. 10145, effective May 28, 2020)

**Section 1050.40 Threatened Flora of Illinois**

All federally designated endangered or threatened plant species and subspecies have been automatically placed on the Illinois List by the Board and are protected under the Illinois Endangered Species Protection Act even though their names do not appear in this Part. Only those federally designated endangered or threatened plant species and subspecies known to occur in Illinois are designated as Illinois-endangered or Illinois-threatened by the Board and their names appear in this Part. Users should refer to the US Fish and Wildlife Service at [www.fws.gov/endangered/](http://www.fws.gov/endangered/) for a complete listing of all federally designated endangered and threatened species and subspecies.

## SCIENTIFIC NAME

## COMMON NAME

## PHYSICIACEAE

Phaeophyscia leana	Lea's Bog Lichen
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## EQUISETACEAE

Equisetum pratense	Meadow Horsetail
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## LYCOPODIACEAE

Huperzia porophila	Cliff Clubmoss
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## CUPRESSACEAE

Juniperus communis	Ground Juniper
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~~PINACEAE~~

<del>Larix laricina</del>	<del>Tamarack</del>
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## CYPERACEAE

Carex atlantica	Sedge
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## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Carex aurea	Golden Sedge
Carex bromoides	Sedge
<del>Carex communis</del>	<del>Fibrous-rooted Sedge</del>
Carex <del>cryptolepis</del> <del>cryptolepis</del>	Yellow Sedge
Carex oxylepis	Sharp-scaled Sedge
Carex prasina	Drooping Sedge
Carex viridula	Little Green Sedge
Carex willdenowii	Willdenow's Sedge
Cyperus grayoides	Umbrella Sedge
Cyperus lancastriensis	Galingale
Eleocharis rostellata	Beaked Spike Rush
Schoenoplectus hallii	Hall's Bulrush
<del>Scirpus polyphyllus</del>	<del>Many-leaved Bulrush</del>
JUNCAGINACEAE	
Triglochin maritima	Common Bog Arrowgrass
Triglochin palustris	Slender Bog Arrowgrass
LILIACEAE	
<del>Melanthium virginicum</del>	<del>Bunchflower</del>
<del>Polygonatum pubescens</del>	<del>Downy Solomon's Seal</del>
Stenanthium gramineum	Grass-leaved Lily
Tofieldia glutinosa	False Asphodel
ORCHIDACEAE	
Platanthera flava	Tubercled Orchid
POACEAE	
Ammophila breviligulata	Marram Grass
<del>Festuca paradoxa</del>	<del>Cluster Fescue</del>
POTAMOGETONACEAE	
Potamogeton gramineus	Grass-leaved Pondweed
ASTERACEAE	
Aster furcatus	Forked Aster
Boltonia decurrens*	Decurrent False Aster
<del>Cirsium pitcheri*</del>	<del>Pitcher's (Dune) Thistle</del>
<del>Helianthus angustifolius</del>	<del>Narrow-leaved Sunflower</del>
<del>Hymenopappus scabiosaes</del>	<del>Old Plainsman</del>
Rudbeckia missouriensis	Missouri Orange Coneflower
Solidago sciaphila	Cliff Goldenrod
BRASSICAEAE	
Cakile edentula <u>var. lacustris</u>	Sea Rocket
CAPRIFOLIACEAE	

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

Viburnum molle	Arrowwood
CARYOPHYLLACEAE	
Minuartia patula	Slender Sandwort
CELASTRACEAE	
Euonymus americanus	American Strawberry Bush
CRASSULACEAE	
<del>Hylotelephium</del> <del>Sedum</del> telephioides	American Orpine
CUCURBITACEAE	
Melothria pendula	Squirting Cucumber
DROSERACEAE	
Drosera intermedia	Narrow-leaved Sundew
ERICACEAE	
Chamaedaphne calyculata	Leatherleaf
FABACEAE	
Lathyrus ochroleucus	Pale Vetchling
Trifolium reflexum	Buffalo Clover
FAGACEAE	
<del>Quercus phellos</del>	<del>Willow Oak</del>
Quercus montana	Rock Chestnut Oak
<del>Quercus phellos</del>	<del>Willow Oak</del>
JUGLANDACEAE	
Carya aquatica	Water Hickory
JUNCACEAE	
Juncus alpinoarticulatus	Richardson's Rush
LAMIACEAE	
<del>Monarda clinopodia</del>	<del>White Bergamot</del>
Salvia azurea	Blue Sage
Synandra hispidula	Hairy Synandra
LENTIBULARIACEAE	
Utricularia intermedia	Flat-leaved Bladderwort
MENYANTHACEAE	
Menyanthes trifoliata	Buckbean
ONAGRACEAE	
Epilobium strictum	Downy Willow Herb
OROBANCHACEAE	
Orobanche ludoviciana	Broomrape
OXALIDACEAE	
Oxalis illinoensis	Illinois Wood Sorrel
PORTULACACEAE	

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

<del>Phemeranthus parviflorus</del> <del>Talinum parviflorum</del>	Small <del>Flower-of-an-hour</del> Flower Of An Hour
PRIMULACEAE	
Dodecatheon frenchii	French's Shooting Star
RANUNCULACEAE	
<del>Ranunculus harveyi</del>	<del>Harvey's Buttercup</del>
<del>Delphinium carolinianum</del>	<del>Wild Blue Larkspur</del>
<del>Ranunculus rhomboideus</del>	<del>Prairie Buttercup</del>
ROSACEAE	
Amelanchier interior	Shadbush
Filipendula rubra	Queen-of-the-Prairie
Rubus odoratus	Purple-flowering Raspberry
Rubus pubescens	Dwarf Raspberry
Rubus schneideri	Bristly Blackberry
SAXIFRAGACEAE	
Sullivantia sullivantii	Sullivantia
SCROPHULARIACEAE	
Agalinis skinneriana	Pale False Foxglove
Besseyia bullii	Kitten Tails
Buchnera americana	<del>Bluehearts</del> Blue Hearts
Veronica scutellata	Marsh Speedwell
STYRACACEAE	
Styrax americana	Storax
ULMACEAE	
Planera aquatica	Water Elm
URTICACEAE	
Urtica chamaedryoides	Nettle

\* Federally designated threatened species

\*\* Federally designated endangered species.

(Source: Amended at 44 Ill. Reg. 10145, effective May 28, 2020)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Licensing Standards for Day Care Homes
- 2) Code Citation: 89 Ill. Adm. Code 406
- 3) Section Number: 406.28                      Emergency Action: New Section
- 4) Statutory Authority: 225 ILCS 10
- 5) Effective Date of Emergency Rule: May 29, 2020
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: None
- 7) Date Filed with the Index Department: May 29, 2020
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Pursuant to the Governor's Executive Order 2020.10, all day care homes were ordered closed in the State of Illinois in order to confront the spread of the novel coronavirus. However, the State is mindful that child care is a critical service and day care homes may begin reopening under Phase III and Phase IV of Restore Illinois. The day care homes shall comply with standards for all day care home, except when inconsistent with special requirements throughout these sections.
- 10) A Complete Description of the Subjects and Issues Involved: The changes establish standards for all day care homes reopening to full capacity under the Phase III and Phase IV of Restore Illinois.
- 11) Are there any other rulemakings pending to this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
406.2	Amendment	43 Ill. Reg. 10613, September 27, 2019
406.12	Amendment	43 Ill. Reg. 10613, September 27, 2019
406.15	Amendment	43 Ill. Reg. 10613; September 27, 2019
- 12) Statement of Statewide Policy Objective: This amendment does not create or expand a State mandate.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

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

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

217/524-1983  
TDD: 217/524-3715  
DCFS.Policy@illinois.gov

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

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

## TITLE 89: SOCIAL SERVICES

## CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

## PART 406

## LICENSING STANDARDS FOR DAY CARE HOMES

## Section

406.1	Purpose
406.2	Definitions
406.3	Effective Date of Standards (Repealed)
406.4	Application for License
406.5	Application for Renewal of License
406.6	Provisions Pertaining to the License
406.7	Provisions Pertaining to Permits
406.8	General Requirements for Day Care Homes
406.9	Characteristics and Qualifications of the Day Care Family
406.10	Qualifications for Assistants
406.11	Substitutes
406.12	Admission and Discharge Procedures
406.13	Number and Ages of Children Served
406.14	Health, Medical Care and Safety
406.15	Discipline of Children
406.16	Activity Requirements
406.17	Nutrition and Meals
406.18	Transportation of Children By Day Care Home
406.19	Swimming
406.20	Children with Special Needs
406.21	School Age Children
406.22	Children Under 30 Months of Age
406.23	Night Care
406.24	Records and Reports
406.25	Confidentiality of Records and Information
406.26	Cooperation with the Department
406.27	Severability of This Part
<a href="#">406.28</a>	<a href="#">Operation During Public Health Emergency</a>

[EMERGENCY](#)

406.APPENDIX A Meal Pattern Chart for Children 0 to 12 Months of Age

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 406.APPENDIX B Meal Pattern Chart for Children Over One Year of Age  
406.APPENDIX C Background of Abuse, Neglect, or Criminal History Which May Prevent  
Licensure or Employment in a Day Care Home  
406.APPENDIX D Pre-Service and In-Service Training  
406.APPENDIX E List of Items for Fire Safety Inspection

**AUTHORITY:** Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10], the Children's Product Safety Act [430 ILCS 125], Section 3 of the Abused and Neglected Child Reporting Act [325 ILCS 5/3], Sections 1 and 2 of the Facilities Requiring Smoke Detectors Act [425 ILCS 10/1 and 2], and Section 5 of the Missing Children Records Act [325 ILCS 50/5].

**SOURCE:** Adopted and codified at 7 Ill. Reg. 7855, effective July 1, 1983; amended at 8 Ill. Reg. 24951, effective January 1, 1985; amended at 9 Ill. Reg. 2454, effective March 1, 1985; emergency amendment at 15 Ill. Reg. 15088, effective October 8, 1991, for a maximum of 150 days; modified at 16 Ill. Reg. 2269; amended at 16 Ill. Reg. 7602, effective April 30, 1992; amended at 18 Ill. Reg. 5531, effective April 1, 1994; amended at 19 Ill. Reg. 2765, effective February 23, 1995; amended at 21 Ill. Reg. 4524, effective April 1, 1997; emergency amendment at 24 Ill. Reg. 4207, effective March 1, 2000, for a maximum of 150 days; emergency expired July 28, 2000; amended at 24 Ill. Reg. 17047, effective November 1, 2000; amended at 25 Ill. Reg. 5714, effective April 1, 2001; emergency amendment at 26 Ill. Reg. 13694, effective August 30, 2002, for a maximum of 150 days; emergency expired on January 26, 2003; amended at 27 Ill. Reg. 19180, effective December 15, 2003; amended at 30 Ill. Reg. 18280, effective November 13, 2006; amended at 32 Ill. Reg. 9137, effective June 20, 2008; amended at 34 Ill. Reg. 18358, effective December 15, 2010; amended at 36 Ill. Reg. 4103, effective March 5, 2012; amended at 36 Ill. Reg. 13057, effective August 15, 2012; amended at 36 Ill. Reg. 13388, effective August 15, 2012; amended at 37 Ill. Reg. 19127, effective November 30, 2013; amended at 40 Ill. Reg. 10769, effective July 29, 2016; emergency amendment at 42 Ill. Reg. 8519, effective May 9, 2018, for a maximum of 150 days; emergency expired October 5, 2018; amended at 43 Ill. Reg. 187, effective January 1, 2019; emergency amendment at 44 Ill. Reg. 10161, effective May 29, 2020, for a maximum of 150 days.

**Section 406.28 Operation During Public Health Emergency**  
**EMERGENCY**

This Section describes the process for day care home operations during the federal, State or local government-declared public health emergency based on the COVID-19 outbreak. Day care homes reopening under Phase III and IV of the Restore Illinois plan must comply with the following additional measures in accordance with Centers for Disease Control and Prevention (CDC) and Illinois Department of Public Health (IDPH) guidance.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- a) Section 406.4 (Application for License) and, additionally:
- 1) Day care homes must submit to their local licensing office and maintain on file a detailed preventative COVID-19 Action Plan. The plan shall follow CDC guidelines, which include, but are not limited to the following.
    - A) Exclusion policies for employees and children shall address serious illnesses, contagious diseases, and reportable diseases. These polices shall be in conformance with regulations and recommendations of IDPH's Division of Communicable Disease Control and shall be in accordance with Section 406.14(d).
    - B) Notification to all parents and guardians shall be in accordance with IDPH recommendations when any communicable disease or condition has been introduced into the day care home.
    - C) Post signs outside any entrance prohibiting entry for anyone with symptoms of illness, including respiratory infection.
    - D) Temperature of providers, children, parents, guardians, and any person authorized to pick up and drop off children shall be taken upon arrival each day. Individuals with a temperature of 100.4° F, or higher shall be excluded.
    - E) Licensee shall supply personal protective equipment (PPE) for employees and children, including face masks, gloves, etc.
    - F) Household members and employees shall wear face masks or face shields, while on site.
  - 2) The licensee shall submit to the Department a PPE Plan. The plan shall detail where PPE will be stored, how it is inventoried, and how employees are informed and trained about the availability, location, and procedures for reporting refilling needs.
- b) Section 406.8 (General Requirements for Day Care Homes)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 1) The licensee shall post CDC handwashing guidelines and COVID-19 precautions in visible locations throughout the home where child care is provided, including hand washing areas accessible to employees, enrolled children, their parents, guardians, or authorized persons.
  - 2) The licensee shall post signs throughout the home where child care is provided, including where children are dropped off and picked up, describing ways to prevent the spread of germs.
  - 3) All equipment shall be cleaned and disinfected daily with a germicidal solution approved by the CDC.
  - 4) Routine cleaning and disinfecting shall be increased to hourly, during hours of operation, for frequently touched items, including doorknobs, toys, phones, keyboards, mice and other items identified as frequently handled objects.
  - 5) Licensee's, employees', and household members' temperatures must be taken with non-contact thermometers and logged daily, reflecting, at a minimum, the date, time, name and temperature reading. Individuals with a temperature of 100.4° F or higher shall be excluded from the day care home;
  - 6) Face masks or face shields are required for licensee, employees, and household members during hours of operation and when within 6 feet of others.
  - 7) Handshaking/physical contact is not permitted between providers, parents and authorized persons at the day care home.
- c) Section 406.9 (Characteristics and Qualifications of the Day Care Family)
- 1) Licensee, employees and all members of the household shall provide medical evidence, as required by Section 406.24(i), that they are free of reportable communicable diseases. In the case of providers, evidence must also show they are free of physical or mental conditions that could interfere with child care responsibilities. Licensees and employees are not required to be tested for COVID-19 to reopen.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 2) Licenses and employees holding first aid and CPR certification that has expired or will expire during COVID-19 response closures may utilize online certification extension programs through State of Illinois approved training sources to renew their certifications.
- d) Section 406.12 (Admission and Discharge Procedures)
- 1) Upon arrival for admission and discharge, parents, guardians, and authorized persons must wear a face mask.
- 2) Written notification shall be provided to parents and guardians within 24 hours after any confirmed COVID-19 exposure.
- e) Section 406.13 (Number and Ages of Children Served)  
All provisions of Section 406.13 (age groupings) shall be in compliance with this Section limiting the maximum group size to no more than 8 children to be served in a day care home or 10 children with an assistant present.
- f) Section 406.14 (Health, Medical Care and Safety)
- 1) The licensee shall conduct and record daily temperature checks for each child, upon arrival, to monitor for signs/symptoms of COVID-19. Individuals with a temperature of 100.4° F or higher shall be excluded.
- 2) The licensee shall develop a communication plan with employees, parents and guardians in the event a COVID-19 case occurs with an employee or child.
- 3) The licensee shall ensure employees clean their hands according to CDC guidelines, including before and after contact with household members, and after contact with contaminated surfaces or equipment.
- 4) No stuffed animals shall be used or made available to children in a day care home during a communicable disease related public health crisis.
- 5) All children napping or sleeping shall be separated by at least 6 feet or separated by a barrier.
- g) Section 406.16 (Activity Requirements)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

Children ages 2 and older shall wear face masks, when tolerable, while on site; except during napping and eating.

h) Section 406.22 (Children Under 30 Months of Age)

- 1) Each child under 15 months of age shall have his or her own crib or sleeping arrangements that are maintained at least 6 feet apart or separated by a barrier.
- 2) Sheets and bedding shall be changed when soiled.
- 3) All sheets shall be cleaned and laundered daily.

i) Section 406.23 (Night Care)

- 1) Children shall not sleep with masks while napping.
- 2) Each child admitted for night care shall have separate sleeping arrangements, not to be interchanged, that are maintained at least 6 feet apart or separated by a barrier.
- 3) Bedding is to be changed when soiled.
- 4) All sheets shall be cleaned and laundered daily.
- 5) Day care homes that operate day and night must close for an hour, between the end of day care and the start of night care, for cleaning and disinfecting of all surfaces and equipment before the arrival of the next group of children.

j) Section 406.24 (Records and Reports)

- 1) The licensee shall notify the local licensing office immediately by telephone and in writing upon any confirmed infection or exposure to COVID-19.
- 2) The licensee shall promptly report any known or suspected case or carrier of communicable disease to the local licensing office and to local health

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

authorities and shall comply with IDPH's rules for the Control of Communicable Diseases (77 Ill. Adm. Code 690).

(Source: Added by emergency rulemaking at 44 Ill. Reg. 10161, effective May 29, 2020, for a maximum of 150 days)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Licensing Standards for Day Care Centers
- 2) Code Citation: 89 Ill. Adm. Code 407
- 3) 

<u>Section Numbers:</u>	<u>Emergency Actions:</u>
407.600	New Section
407.605	New Section
407.610	New Section
- 4) Statutory Authority: 225 ILCS 10
- 5) Effective Date of Emergency Rules: May 29, 2020
- 6) If these emergency rules are to expire before the end of the 150-day period, please specify the date on which they are to expire: None
- 7) Date Filed with the Index Department: May 29, 2020
- 8) A copy of the emergency rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Pursuant to the Governor's Executive Order 2020.10, all child care programs were ordered closed in the State of Illinois in order to confront the spread of the novel coronavirus. However, the State is mindful that child care is a critical service and centers may begin reopening under Phase III and Phase IV of Restore Illinois. The centers shall comply with standards for all day care centers, except when inconsistent with special requirements throughout these Sections.
- 10) A Complete Description of the Subjects and Issues Involved: The changes establish standards for all day care centers reopening to full capacity under the Phase III and Phase IV of Restore Illinois.
- 11) Are there any other rulemakings pending to this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.
- 13) Information and questions regarding these emergency rules shall be directed to:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

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

217/524-1983  
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The full text of the Emergency Amendments begins on the next page:

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

## TITLE 89: SOCIAL SERVICES

## CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

## PART 407

## LICENSING STANDARDS FOR DAY CARE CENTERS

## Section

407.1	Purpose (Repealed)
407.2	Definitions (Repealed)
407.3	Effective Date of Standards (Repealed)
407.4	Application for License (Repealed)
407.5	Application for Renewal of License (Repealed)
407.6	Provisions Pertaining to the License (Repealed)
407.7	Provisions Pertaining to Permits (Repealed)
407.8	Organization and Administration (Repealed)
407.9	Finances (Repealed)
407.10	General Requirements for Personnel (Repealed)
407.11	Child Care Director (Repealed)
407.12	Child Care Workers and Group Workers (Repealed)
407.13	Child Care Assistants (Repealed)
407.14	Use of Students (Repealed)
407.15	Service Staff (Repealed)
407.16	Substitutes and Volunteers (Repealed)
407.17	Background Inquiry (Repealed)
407.18	Admission and Discharge Procedures (Repealed)
407.19	Discipline (Repealed)
407.20	Personal Care and Hygiene (Repealed)
407.21	Program (Repealed)
407.22	Equipment and Materials (Repealed)
407.23	Grouping and Staffing (Repealed)
407.24	Nutrition (Repealed)
407.25	Night Care (Repealed)
407.26	Children with Special Needs (Repealed)
407.27	Infants and Toddlers (Repealed)
407.28	School-Age Children (Repealed)
407.29	Health Requirements for Children (Repealed)
407.30	Transportation (Repealed)
407.31	Plant and Equipment (Repealed)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 407.32 Records and Reports (Repealed)
- 407.33 Confidentiality of Records and Information (Repealed)
- 407.34 Records Retention (Repealed)
- 407.35 Severability of This Part (Renumbered)

SUBPART A: INTRODUCTION, DEFINITIONS, AND APPLICABILITY

- Section
- 407.40 Purpose and Applicability
- 407.45 Definitions

SUBPART B: PERMITS AND LICENSES

- Section
- 407.50 Application for License
- 407.55 Application for Renewal of License
- 407.60 Provisions Pertaining to the License
- 407.65 Provisions Pertaining to Permits

SUBPART C: ADMINISTRATION

- Section
- 407.70 Organization and Administration
- 407.80 Confidentiality of Records and Information

SUBPART D: STAFFING

- Section
- 407.90 Staffing Structure
- 407.100 General Requirements for Personnel
- 407.110 Background Checks for Personnel
- 407.120 Personnel Records
- 407.130 Qualifications for Child Care Director
- 407.140 Qualifications for Early Childhood Teachers and School-age Workers
- 407.150 Qualifications for Early Childhood Assistants and School-age Worker Assistants
- 407.160 Students and Youth Aides
- 407.170 Substitutes
- 407.180 Volunteers
- 407.190 Grouping and Staffing

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

SUBPART E: PROGRAM REQUIREMENTS

Section

- 407.200 Program Requirements for All Ages
- 407.210 Special Requirements for Infants and Toddlers
- 407.220 Special Requirements for School-Age Children
- 407.230 Intergenerational Programs
- 407.240 Evening, Night, Weekend and Holiday Care

SUBPART F: STRUCTURE AND SAFETY

Section

- 407.250 Enrollment and Discharge Procedures
- 407.260 Daily Arrival and Departure of Children
- 407.270 Guidance and Discipline
- 407.280 Transportation
- 407.290 Swimming and Wading
- 407.300 Animals

SUBPART G: HEALTH AND HYGIENE

Section

- 407.310 Health Requirements for Children
- 407.320 Hand Washing
- 407.330 Nutrition and Meal Service
- 407.340 Diapering and Toileting Procedures
- 407.350 Napping and Sleeping
- 407.360 Medications

SUBPART H: FACILITY AND EQUIPMENT

Section

- 407.370 Physical Plant/Indoor Space
- 407.380 Equipment and Materials
- 407.390 Outdoor Play Area

SUBPART I: SEVERABILITY OF THIS PART

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

Section  
407.400 Severability of This Part

## SUBPART J: EMERGENCY DAY CARE PROGRAM (EDC)

Section  
407.500 Purpose  
EMERGENCY  
407.505 Definitions  
EMERGENCY  
407.510 Application for License for Emergency Day Care Program  
EMERGENCY  
407.515 Compliance with Licensing Standards  
EMERGENCY  
407.520 On Site Visit  
EMERGENCY  
407.525 Approval of Application  
EMERGENCY

SUBPART K: REOPENING OF DAY CARE CENTERS

Section  
407.600 Reopening of Day Care Centers  
EMERGENCY  
407.605 Compliance with Licensing Standards During Reopening  
EMERGENCY  
407.610 On Site Visit  
EMERGENCY

407.APPENDIX A Equipment for Infants and Toddlers  
407.APPENDIX B Equipment for Preschool Children  
407.APPENDIX C Equipment for School-Age Children  
407.APPENDIX D Infant Daily Food Requirements  
407.APPENDIX E Meal Patterns and Serving Sizes for Child Care Programs  
407.APPENDIX F Resource Reference List  
407.APPENDIX G Early Childhood Teacher Credentialing Programs  
407.APPENDIX H Playground Surfacing and Critical Height

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

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

the Children's Product Safety Act [430 ILCS 125].

SOURCE: Adopted and codified at 7 Ill. Reg. 9215, effective August 15, 1983; amended at 8 Ill. Reg. 8713, effective June 15, 1984; amended at 8 Ill. Reg. 24937, effective January 1, 1985; amended at 16 Ill. Reg. 7597, effective April 30, 1992; emergency amendment at 20 Ill. Reg. 11366, effective August 1, 1996, for a maximum of 150 days; emergency expired December 28, 1996; amended at 21 Ill. Reg. 923, effective January 15, 1997; amended at 22 Ill. Reg. 1728, effective January 1, 1998; amended at 24 Ill. Reg. 17036, effective November 1, 2000; amended at 28 Ill. Reg. 3011, effective February 15, 2004; amended at 29 Ill. Reg. 4502, effective March 15, 2005; amended at 34 Ill. Reg. 4700, effective March 22, 2010; amended at 36 Ill. Reg. 13076, effective August 15, 2012; amended at 38 Ill. Reg. 17293, effective August 1, 2014; emergency amendment at 42 Ill. Reg. 8555, effective May 9, 2018, for a maximum of 150 days; emergency expired October 5, 2018; amended at 43 Ill. Reg. 224, effective January 1, 2019; emergency amendment at 44 Ill. Reg. 5734, effective March 20, 2020, for a maximum of 150 days; emergency amendment at 44 Ill. Reg. 10170, effective May 29, 2020, for a maximum of 150 days.

SUBPART K: REOPENING OF DAY CARE CENTERSSection 407.600 Reopening of Day Care Centers  
EMERGENCY

All providers who were issued EDC licenses under Subpart J during the period of March 21, 2020 to May 29, 2020, and were licensed prior to the issuance of the EDC licenses, shall revert to the license they held immediately prior to March 21, 2020. Those licensees shall comply with this Part's standards for all day care centers, except when those standards are inconsistent with the special requirements prescribed by this Subpart. These programs may reopen in Phases III and IV of Restore Illinois upon submission of a reopening plan consistent with this Subpart. The licensed capacity of these programs will be amended by the Department according to the requirements of this Subpart and based on square footage and staffing plans submitted in the centers reopening plan. Licensed centers seeking to amend their license to care for additional children during Phases III and IV of Restore Illinois will be considered if they can demonstrate changes to the room or facility to meet the requirements of this Subpart.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 10170, effective May 29, 2020, for a maximum of 150 days)

Section 407.605 Compliance with Licensing Standards During Reopening  
EMERGENCY

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

Day care centers reopening under Phase III and IV of Restore Illinois must comply with the Centers for Disease Control and Prevention (CDC) and Illinois Department of Public Health (IDPH) guidance and the additional measures stated in this Subpart. Day care centers must submit an Agency Action Plan providing details on preventive measures and continuity of operations prior to reopening. The plan shall include, but is not limited to, the following measures, in addition to those contained in the cited Sections:

- a) The requirements of Section 407.70(k). Additionally, the center shall develop a written enhanced risk management plan (ERMP) that identifies potential operational risks, specifies ways to reduce or eliminate the risks, and establishes procedures to be followed in a declared emergency or crisis. All staff shall be trained in the implementation of the plan. The ERMP shall specifically address at least each of the following:
  - 1) Exclusion policies for staff and children shall address serious illnesses, contagious diseases, and reportable diseases in conformance with regulations and recommendations set by IDPH's Division of Communicable Disease Control (see Section 407.310(b) and (e)).
  - 2) Notification of all parents or legal guardians in accordance with IDPH recommendations when any communicable disease or condition has been introduced into the program (see Section 407.80(b));
  - 3) Signage posted outside all entrances restricting entry to anyone with symptoms of illness/respiratory infection (see Section 407.320);
  - 4) Daily health checks for all persons entering the day care center, including, but not limited to, all staff, children, parents, legal guardians, cleaning staff, caterers, nurses, visitors, and authorized representatives of the Department that enter the premises. These checks shall include temperature checks that are completed according to CDC guidance for child care programs that remain open;
  - 5) Day care centers shall limit all non-essential visitors to the day care.
  - 6) Facility shall supply personal protective equipment (PPE), including, but not limited to, face masks or face shields for staff and children and gloves (see Section 407.310(j)).

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- A) Staff shall wear a mask or face shield at all times when indoors;
  - B) Non-permeable gloves shall be worn while serving food, diaper changing and/or dealing with wounds. Frequent hand washing is required when gloves are not in use; and
  - C) Children ages 2 years and up, when tolerable, shall wear a face mask when arriving at and leaving the day care center, when in hallways, and throughout the day, except when napping, playing outdoors, or eating.
- 7) Drop Off and Pick Up Procedures
- A) Parents, legal guardians or authorized persons are permitted entrance to the day care center upon drop-off and pick-up but not permitted access to the classroom;
  - B) Parents, legal guardians, or persons authorized for pickup must wear a face mask when dropping off and picking up their children from the day care center.
- 8) The day care center must close each classroom one hour between part day programs, day care and night care shifts to clean and disinfect.
- b) A written plan of operation shall be provided to the Department that addresses PPE, including masks, face shields and gloves. The plan may also include additional measures such as changes of clothing or smocks. The plan shall state:
- 1) Where the center's PPE supplies will be stored within the facility;
  - 2) A minimum supply list and plan for reorder of supplies;
  - 3) How and when PPE supplies are inventoried; and
  - 4) How staff are informed or trained on the availability, location and contents of PPE with procedures for reporting refilling low supplies.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- c) The requirements of Section 407.90(a), (d) and (f). Additionally, the center shall develop an enhanced staffing plan to address the following:
- 1) Children should be kept in the same group with same staff every day including meal, snack, rest and play periods;
  - 2) Classroom interchanging or mixing is not permitted;
  - 3) Qualifications for Early Childhood Teachers shall comply with Section 407.140. Staff qualified to work as Early Childhood Teachers in EDC and served in that role during the months of March through May 2020, may continue to work as an Early Childhood Teacher through July 31, 2020; and
  - 4) Staff shall take the temperature of parents, legal guardians, or other persons bringing a child to the day care center upon arrival. Individuals with a temperature of 100.4° F or higher shall be excluded.
- d) The requirements of Section 407.100. Additionally, day care staff shall take their temperatures before entering the facility at the beginning of their reported work period and shall maintain records of monitoring. Staff shall be rechecked for fever during their work period if they begin to feel ill or experience any sign of respiratory illness. Individuals with a temperature of 100.4° F or higher shall be excluded from the day care center.
- e) The requirements of Section 407.100. Additionally, the center shall develop and maintain a list of qualified substitutes in the event that staff are out sick. Staff holding first aid and CPR certification that has expired or will expire during COVID-19 response closures may utilize online certification extension programs through State of Illinois approved training sources to renew their certifications.
- f) The requirements of Section 407.190. Grouping and staffing limits shall be in accordance with CDC and IDPH guidelines during Phases III and IV as follows:
- 1) Day care centers reopening under this Subpart that did not operate as an EDC are limited to no more than 10 children in a room during the first 4 weeks of operation.
  - 2) Infants: Maximum of 8 children (1 staff to 4 children);

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 3) Toddlers: Maximum of 12 children (1 staff to every 5 children); a third staff is required when exceeding 10 children in a group;
  - 4) Age 2: Maximum of 12 children with 2 staff;
  - 5) Ages 3 to 5: Maximum of 15 children with 2 staff;
  - 6) School-agers: Maximum of 15 children with 2 staff;
  - 7) Each classroom must be afforded an additional qualified staff for the purpose of relieving primary staff. The additional staff must be qualified for the position being provided relief. The additional staff must be used between the same two classrooms.;
  - 8) Centers may allow programs to staff classrooms with Early Childhood Assistant qualified staff for up to 3 hours of their program day, provided this is documented in a written staffing plan;
  - 9) There shall be no mixing of groups or individuals within groups. If more than one group of children is cared for at one facility, each group shall be in a separate room;
  - 10) Child care staff and children shall be assigned to the same group every day, including meal, snack, rest and play periods; and
  - 11) A transition plan shall be developed when moving a child to a new group.
- g) The requirements of Sections 407.200 and 407.370. Additionally, the center shall comply with enhanced square footage requirements as follows:
- 1) When children are napping or sleeping, there shall be a minimum of 6 feet between each crib or cot; or
  - 2) Clear dividers may be used to separate cribs and cots when children are napping or sleeping, provided the dividers are commercially produced for this purpose.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- h) The requirements of Section 407.260. Additionally, the center shall develop an enhanced daily arrival and departure plan and communicate this plan to parents or legal guardians as day care services begin under this Subpart. This plan shall include, but is not limited to:
- 1) Daily temperature checks shall be conducted and recorded for each parent, legal guardian, or person bringing a child to day care upon arrival at the day care center. Individuals with a temperature of 100.4° F or higher, shall be excluded;
  - 2) Children ages 2 years and up, when tolerable, shall wear a face mask when arriving at and leaving the day care center, when in hallways, and throughout the day, except when napping, playing outdoors, or eating;
  - 3) One person will be allowed entrance to the day care upon drop off and pick-up, but will not be permitted access to the classroom;
  - 4) Parents, legal guardians, or authorized persons shall wear a face mask when dropping off and picking up their children from the day care center; and
  - 5) Parents, legal guardians, or persons authorized for dropping off or picking up children from day care and staff shall not engage in hand shaking or physical contact.
- i) Section 407.310 requires that any child suspected of having COVID-19, diagnosed with COVID-19, or having been in contact with persons suspected of or diagnosed with COVID-19 shall be excluded from the day care center until written documentation is provided by the child's physician that the child is no longer communicable and may return to day care.
- j) Section 407.320 requires staff and children to wash hands and follow a specific handwashing procedure. Staff are required to assist children not able to wash their hands independently. The COVID-19 emergency demands a continued vigilance in adhering to these guidelines, in addition to the following:
- 1) Employees shall clean their hands according to CDC guidelines, including before and after contact with individuals, and after contact with contaminated surfaces or equipment; and

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 2) Alcohol-based hand sanitizer shall be placed in every room and at the entrance to every child care room. Hand sanitizer is not an acceptable substitute for soap and running water.
- k) The requirements of Section 407.370. Additionally, the center shall develop enhanced plans to ensure a safe indoor and outdoor space for children, staff and visitors. These plans shall include, but are not limited to:
  - 1) Removal of all soft plush toys that can harbor germs and cannot be readily cleaned;
  - 2) Increased sanitizing utilizing disinfection solution as defined in Section 407.45. cleaning all high touch surfaces including doorknobs, toys, phones, keyboards, computer mouse and keyboards and other items identified as frequently handled every hour and more often as needed;
  - 3) Toys and or items that are mouthed shall be removed for sanitizing immediately. For infant and toddler children, teething toys shall be removed for sanitizing once discarded by a child;
  - 4) Post signs throughout the facility describing ways to prevent the spread of germs;
  - 5) Clean and disinfect areas used, equipment and toys at the end of each day; and
  - 6) Encourage parents to leave a pair of shoes for their children's exclusive use at day care.
- l) Section 407.370 requires the day care center to have communication plans in emergencies. Centers reopening under Phase III and IV of Restore Illinois shall:
  - 1) Develop a written communication plan to be shared with parents, guardians and staff to be implemented in the event a staff or child in attendance at the day care center tests positive for COVID-19;

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 2) Notify IDPH, CDC, and the local Licensing Office immediately upon being informed of exposure to COVID-19 by telephone and follow-up in writing to the local Licensing Office; and
  - 3) Families must immediately notify the day care if someone in their home tests positive or if the child has been in close contact with a positive case
- m) The requirements of Section 407.390. Additionally, the center shall develop enhanced plans to ensure a safe outdoor space for children, staff and visitors. This plan shall include, but is not limited to:
- 1) playground space used during Phase III and Phase IV shall be used for one classroom at a time; and
  - 2) to the extent possible each group should utilize classroom assigned toys.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 10170, effective May 29, 2020, for a maximum of 150 days)

**Section 407.610 On Site Visit**  
**EMERGENCY**

For licensed day care centers operating under this Subpart, the Department may conduct on-site visits as needed to ensure the health and safety of children in care.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 10170, effective May 29, 2020, for a maximum of 150 days)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Licensing Standards for Group Day Care Homes
- 2) Code Citation: 89 Ill. Adm. Code 408
- 3) Section Number: 408.140                      Emergency Action: New Section
- 4) Statutory Authority: 225 ILCS 10
- 5) Effective Date of Emergency Rule: May 29, 2020
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: None
- 7) Date Filed with the Index Department: May 29, 2020
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Pursuant to the Governor's Executive Order 2020.10, all group day care homes were ordered closed in the State of Illinois in order to confront the spread of the novel coronavirus. However, the State is mindful that child care is a critical service and group day care homes may begin reopening under Phase III and Phase IV of Restore Illinois. The group day care homes shall comply with standards for all group day care homes, except when inconsistent with special requirements throughout these sections.
- 10) A Complete Description of the Subjects and Issues Involved: The changes establish standards for all group day care homes reopening to full capacity under the Phase III and Phase IV of Restore Illinois.
- 11) Are there any other rulemakings pending to this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
408.5	Amendment	43 Ill. Reg. 10661; September 27, 2019
408.60	Amendment	43 Ill. Reg. 10661; September 27, 2019
408.75	Amendment	43 Ill. Reg. 10661; September 27, 2019
- 12) Statement of Statewide Policy Objective: This amendment does not create or expand a State mandate.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

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

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

217/524-1983  
TDD: 217/524-3715  
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The full text of the Emergency Amendment begins on the next page:

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

## TITLE 89: SOCIAL SERVICES

## CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

## PART 408

## LICENSING STANDARDS FOR GROUP DAY CARE HOMES

## Section

408.1	Purpose
408.5	Definitions
408.7	Effective Date of Standards (Repealed)
408.10	Application for License
408.15	Application for Renewal of License
408.20	Provisions Pertaining to the License
408.25	Provisions Pertaining to Permits
408.30	General Requirements for Group Day Care Homes
408.35	General Requirements for Group Day Care Home Family
408.40	Background Checks
408.45	Caregivers
408.50	Child Care Assistants
408.55	Substitutes
408.60	Admission and Discharge Procedures
408.65	Number and Ages of Children Served
408.70	Health, Medical Care and Safety
408.75	Discipline of Children
408.80	Nutrition and Meals
408.85	Program
408.90	Transportation of Children
408.95	Swimming
408.100	Children with Special Needs
408.105	Children Under 30 Months of Age
408.110	School Age Children
408.115	Night Care
408.120	Records and Reports
408.125	Confidentiality of Records and Information
408.130	Cooperation with the Department
408.135	Severability of This Part
<u>408.140</u>	<u>Operation During Public Health Emergency</u>

EMERGENCY

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

408.APPENDIX A	Meal Pattern Chart for Children 0 to 12 Months of Age
408.APPENDIX B	Meal Pattern Chart for Children Over One Year of Age
408.APPENDIX C	Minimum Equipment and Supplies – Preschool Programs
408.APPENDIX D	Minimum Equipment and Supplies – Infant and Toddler Programs
408.APPENDIX E	Background of Abuse, Neglect, or Criminal History Which May Prevent Licensure or Employment in a Group Day Care Home
408.APPENDIX F	Early Childhood Teacher Credentialing Programs
408.APPENDIX G	Pre-Service and In-Service Training
408.APPENDIX H	Chart of Number and Ages of Children Served
408.APPENDIX I	List of Items for Fire Safety Inspection

**AUTHORITY:** Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10], the Children's Product Safety Act [430 ILCS 125], Section 3 of the Abused and Neglected Child Reporting Act [325 ILCS 5/3], Sections 1 and 2 of the Facilities Requiring Smoke Detectors Act [425 ILCS 10/1 and 2] and Section 5 of the Missing Children Records Act [325 ILCS 50/5].

**SOURCE:** Adopted at 13 Ill. Reg. 14828, effective October 1, 1989; emergency amendment at 15 Ill. Reg. 15104, effective October 8, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 8950, effective May 30, 1992; amended at 18 Ill. Reg. 5540, effective April 1, 1994; amended at 19 Ill. Reg. 2784, effective February 23, 1995; amended at 21 Ill. Reg. 4563, effective April 1, 1997; emergency amendment at 24 Ill. Reg. 4212, effective March 1, 2000, for a maximum of 150 days; emergency expired July 28, 2000; amended at 24 Ill. Reg. 17057, effective November 1, 2000; amended at 25 Ill. Reg. 5281, effective April 1, 2001; amended at 27 Ill. Reg. 19232, effective December 15, 2003; amended at 30 Ill. Reg. 18310, effective November 13, 2006; amended at 32 Ill. Reg. 9164, effective June 20, 2008; amended at 34 Ill. Reg. 18411, effective December 15, 2010; amended at 36 Ill. Reg. 4114, effective March 5, 2012; amended at 36 Ill. Reg. 13105, effective August 15, 2012; amended at 36 Ill. Reg. 13403, effective August 15, 2012; amended at 37 Ill. Reg. 19149, effective November 30, 2013; amended at 40 Ill. Reg. 10808, effective July 29, 2016; emergency amendment at 42 Ill. Reg. 8593, effective May 9, 2018, for a maximum of 150 days; emergency expired October 5, 2018; amended at 43 Ill. Reg. 265, effective January 1, 2019; emergency amendment at 44 Ill. Reg. 10184, effective May 29, 2020, for a maximum of 150 days.

### **Section 408.140 Operation During Public Health Emergency** **EMERGENCY**

This Section describes the process for group day care home operations during the federal, State or local government-declared public health emergency based on the COVID-19 outbreak. Group

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

day care homes reopening under Phase III and IV of the Restore Illinois plan must comply with the following additional measures in accordance with Centers for Disease Control and Prevention (CDC) and Illinois Department of Public Health (IDPH) guidance.

- a) Section 408.10 (Application for License) and, additionally:
  - 1) Group day care homes must submit to their local licensing office and maintain on file a detailed preventative COVID-19 Action Plan. The plan shall follow CDC guidelines, which include, but are not limited to the following.
    - A) Exclusion policies for employees and children shall address serious illnesses, contagious diseases, and reportable diseases. These policies shall be in conformance with regulations and recommendations of IDPH's Division of Communicable Disease Control and shall be in accordance with Section 408.70(b).
    - B) Notification to all parents and guardians shall be in accordance with IDPH recommendations when any communicable disease or condition has been introduced into the group day care home.
    - C) Post signs outside any entrance prohibiting entry for anyone with symptoms of illness, including respiratory infection.
    - D) Temperature of providers, children, parents, guardians, and any person authorized to pick up and drop off children shall be taken upon arrival each day. Individuals with a temperature of 100.4° F, or higher shall be excluded.
    - E) Licensee shall supply personal protective equipment (PPE) for employees and children, including face masks, gloves, etc.
    - F) Household members and employees shall wear face masks or face shields, while on site.
  - 2) The licensee shall submit to the Department a PPE Plan. The plan shall detail where PPE will be stored, how it is inventoried, and how employees are informed and trained about the availability, location, and procedures for reporting refilling needs.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- b) Section 408.30 (General Requirements for Group Day Care Homes)
- 1) The licensee shall post CDC handwashing guidelines and COVID-19 precautions in visible locations throughout the home where child care is provided, including hand washing areas accessible to employees, enrolled children, their parents, guardians, or authorized persons. The licensee shall post signs throughout the home where child care is provided, including where children are dropped off and picked up, describing ways to prevent the spread of germs.
  - 3) All equipment shall be cleaned and disinfected daily with a germicidal solution approved by the CDC.
  - 4) Routine cleaning and disinfecting shall be increased to hourly, during hours of operation, for frequently touched items, including doorknobs, toys, phones, keyboards, mice and other items identified as frequently handled objects.
  - 5) Licensee's, employees', and household members' temperatures must be taken with non-contact thermometers and logged daily, reflecting, at a minimum, the date, time, name and temperature reading. Individuals with a temperature of 100.4° F or higher shall be excluded from the group day care home;
  - 6) Face masks or face shields are required for licensee, employees, and household members during hours of operation and when within 6 feet of others.
  - 7) Handshaking/physical contact is not permitted between providers, parents and authorized persons at the group day care home.
- c) Section 408.35 (General Requirements for Group Day Care Home Family)
- 1) Licensee, employees and all members of the household shall provide medical evidence, as required by Section 408.35(f), that they are free of reportable communicable diseases. In the case of providers, evidence must also show they are free of physical or mental conditions that could

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

interfere with child care responsibilities. Licensees and employees are not required to be tested for COVID-19 to reopen.

- 2) Licensees and employees holding first aid and CPR certification that has expired or will expire during COVID-19 response closures may utilize online certification extension programs through State of Illinois approved training sources to renew their certifications.

d) Section 408.60 (Admission and Discharge Procedures)

- 1) Upon arrival for admission and discharge, parents, guardians, and authorized persons must wear a face mask.
- 2) Written notification shall be provided to parents and guardians within 24 hours after any confirmed COVID-19 exposure.
- 3) Daily temperature checks shall be conducted and recorded upon arrival to monitor children for signs/symptoms of COVID-19.
- 4) Children ages 2 years and up shall wear a face mask, when tolerable, throughout the day, except when napping or eating.

e) Section 408.65 (Number and Ages of Children Served)

All provisions of Section 408.65 (age groupings) shall be in compliance with this Section limiting the maximum group size to no more than 10 children to be served in a group day care home.

f) Section 408.70 (Health, Medical Care and Safety)

- 1) The licensee shall conduct and record daily temperature checks for each child, upon arrival, to monitor for signs/symptoms of COVID-19. Individuals with a temperature of 100.4° F or higher shall be excluded.
- 2) The licensee shall develop a communication plan with employees, parents and guardians in the event a COVID-19 case occurs with an employee or child.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 3) The licensee shall ensure employees clean their hands according to CDC guidelines, including before and after contact with household members, and after contact with contaminated surfaces or equipment.
  - 4) No stuffed animals shall be used or made available to children in a group day care home during a communicable disease related public health crisis.
  - 5) All children napping or sleeping shall be separated by at least 6 feet or separated by a barrier.
- g) Section 408.85 (Program)
- 1) Children ages 2 and older shall wear face masks, when tolerable, while on site; except during napping and eating.
  - 2) Licensees shall place alcohol-based hand sanitizer in every room (both inside and outside of the room is recommended).
- h) Section 408.105 (Children Under 30 Months of Age)
- 1) Each child under 15 months of age shall have his or her own crib or sleeping arrangements that are maintained at least 6 feet apart or separated by a barrier.
  - 2) Sheets and bedding shall be changed when soiled.
  - 3) All sheets shall be cleaned and laundered daily.
- i) Section 408.115 (Night Care)
- 1) Children shall not sleep with masks while napping.
  - 2) Each child admitted for night care shall have separate sleeping arrangements, not to be interchanged, that are maintained at least 6 feet apart or separated by a barrier.
  - 3) Bedding is to be changed when soiled.
  - 4) All sheets shall be cleaned and laundered daily.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 5) Group day care homes that operate day and night must close for an hour, between the end of day care and the start of night care, for cleaning and disinfecting of all surfaces and equipment before the arrival of the next group of children.
- j) Section 408.120 (Records and Reports)
  - 1) The licensee shall notify the local licensing office immediately by telephone and in writing upon any confirmed infection or exposure to COVID-19.
  - 2) The licensee shall promptly report any known or suspected case or carrier of communicable disease to the local licensing office and to local health authorities and shall comply with IDPH's rules for the Control of Communicable Diseases (77 Ill. Adm. Code 690).

(Source: Added by emergency rulemaking at 44 Ill. Reg. 10184, effective May 29, 2020, for a maximum of 150 days)

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3) 

<u>Section Numbers:</u>	<u>Emergency Actions:</u>
1800.140	New Section
1800.615	Amendment
1800.690	Amendment
1800.715	Amendment
1800.720	Amendment
1800.790	Amendment
- 4) Statutory Authority: Section 5-45 (b) of the Illinois Administrative Procedure Act (IAPA) [5 ILCS 100/5-45 (b)] confers rulemaking authority upon a covered agency if the agency finds that an emergency exists requiring adoption of a rule upon fewer days than is required for general rulemaking under Section 5-40 of the IAPA. Section 5-45 (a) of the IAPA [5 ILCS 100/5-45 (a)] defines an "emergency as "any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare." As described in item 9 below, the present COVID-19 outbreak has created a situation in which the present inability of the Illinois Gaming Board (Board) to serve documents by e-mail threatens the public interest, safety, and welfare.
- 5) Effective Date of Emergency Rules: May 27, 2020
- 6) If these emergency rules are to expire before the end of the 150-day period, please specify the date on which they are to expire: The emergency amendments will expire at the end of the 150-day period or upon adoption of permanent rules, whichever comes first.
- 7) Date Filed with the Index Department: May 27, 2020
- 8) A copy of the emergency rules, including any material incorporated by reference, is on file in the Illinois Gaming Board's principal office and is available for public inspection.
- 9) Reason for Emergency: Because of COVID-19, many licensees of the Illinois Gaming Board (IGB) are closed or have reduced hours. As a result, there is no way to ensure that mail sent by the Board is actually being received by the licensees. E-mail is a way of serving documents that can be received anywhere with assurance of delivery.

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

Additionally, this rule will enable a reduction in needed trips to the post office by Board employees as well as licensees and applicants. This reduction will, in turn, lessen the number of physical objects changing hands that can provide vectors for disease transmission. In this way, the proposed rulemaking will promote public health goals during the COVID-19 outbreak.

- 10) A Complete Description of the Subjects and Issues Involved: Section 10-75 of the Administrative Procedure Act (IAPA) [5 ILCS 100/10-75] permits an agency to establish requirements for serving certain notices via e-mail. It authorizes an agency to require any attorney representing a party to a hearing, and any person to the extent they are subject to licensure, permitting or regulation by the agency, to accept service of documents by e-mail. Section 10-75 applies to all administrative proceedings under Section 10-25 (contested cases) and 10-50 (decisions and orders) of the IAPA.

In conformity with Section 10-75 of the IAPA, the proposed rulemaking adds a new Section 1800.140 to the Video Gaming (General) Part entitled "Service via E-mail." This new Section establishes, as a condition of application and licensure, consent to receive notices, complaints, letters and orders via e-mail. It provides that each applicant has a duty under Section 1800.220 (Continuing Duty to Report Information) to update e-mail addresses and verify at least annually that an application has an updated e-mail address. An applicant or licensee may provide the Board with up to two additional e-mail addresses that are owned by the licensee, its owner, a video gaming manager, or a person of significant influence or control of the applicant or licensee. E-mail notices are deemed served on the date of transmission unless all of the addresses are undeliverable. If all of the e-mail addresses are undeliverable, a notice or letter shall be served by personal carrier or certified U.S. mail, unless the applicant or licensee updates its e-mail address.

The rulemaking also amends several Sections of the Video Gaming (General) Part to authorize e-mail service by the Board. Within Subpart F (Denials of Applications for Licensure), the rulemaking amends Section 1800.615 (Requests for Hearing) and Section 1800.690 (Transmittal of Record and Recommendation to the Board). Within Subpart G ((Disciplinary Actions Against Licensees), the rulemaking amends Section 1800.715 (Notice of Proposed Disciplinary Action Against Licensees), Section 1800.720 (Hearings in Disciplinary Actions), and Section 1800.790 (Transmittal of Record and Recommendation to the Board).

In Section 1800.615, the rulemaking authorizes requests for hearings to be made by e-mail, and in Section 1800.720, it authorizes e-mail responses in disciplinary actions.

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- 11) Are there any other rulemakings pending to this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
1800.340	New Section	43 Ill. Reg. 13354, November 22, 2019
1800.2110	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2120	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2130	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2140	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2150	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2160	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.2170	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.EXHIBIT A	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.EXHIBIT B	New Section	43 Ill. Reg. 13488, December 2, 2019
1800.110	Amendment	44 Ill. Reg. 4265, March 20, 2020
1800.350	New Section	44 Ill. Reg. 4265, March 20, 2020

- 12) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate under 30 ILCS 805.

- 13) Information and questions regarding these emergency rules shall be directed to:

Agostino Lorenzini  
General Counsel  
Illinois Gaming Board  
160 North LaSalle Street  
Chicago IL 60601

fax: 312/814-7253  
Agostino.lorenzini@igb.illinois.gov

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

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING  
SUBTITLE D: VIDEO GAMING  
CHAPTER I: ILLINOIS GAMING BOARD

PART 1800  
VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

Section  
1800.110 Definitions  
1800.115 Gender  
1800.120 Inspection  
1800.130 Board Meetings  
[1800.140 Service via E-mail](#)  
[EMERGENCY](#)

SUBPART B: DUTIES OF LICENSEES

Section  
1800.210 General Duties of All Video Gaming Licensees  
1800.220 Continuing Duty to Report Information  
1800.230 Duties of Licensed Manufacturers  
1800.240 Duties of Licensed Distributors  
1800.250 Duties of Terminal Operators  
1800.260 Duties of Licensed Technicians and Licensed Terminal Handlers  
1800.270 Duties of Licensed Video Gaming Locations

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section  
1800.310 Grounds for Disciplinary Actions  
1800.320 Minimum Standards for Use Agreements  
1800.330 Economic Disassociation

SUBPART D: LICENSING QUALIFICATIONS

Section  
1800.410 Coverage of Subpart

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- 1800.420 Qualifications for Licensure
- 1800.430 Persons with Significant Influence or Control
- 1800.440 Undue Economic Concentration

## SUBPART E: LICENSING PROCEDURES

## Section

- 1800.510 Coverage of Subpart
- 1800.520 Applications
- 1800.530 Submission of Application
- 1800.540 Application Fees
- 1800.550 Consideration of Applications by the Board
- 1800.555 Withdrawal of Applications and Surrender of Licenses
- 1800.560 Issuance of License
- 1800.570 Renewal of License
- 1800.580 Renewal Fees and Dates
- 1800.590 Death and Change of Ownership of Video Gaming Licensee

## SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

## Section

- 1800.610 Coverage of Subpart
- 1800.615 Requests for Hearing
- EMERGENCY
- 1800.620 Appearances
- 1800.625 Appointment of Administrative Law Judge
- 1800.630 Discovery
- 1800.635 Subpoenas
- 1800.640 Motions for Summary Judgment
- 1800.650 Proceedings
- 1800.660 Evidence
- 1800.670 Prohibition on Ex Parte Communication
- 1800.680 Sanctions and Penalties
- 1800.690 Transmittal of Record and Recommendation to the Board
- EMERGENCY
- 1800.695 Status of Applicant for Licensure Upon Filing Request for Hearing

## SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

Section

- 1800.710 Coverage of Subpart
- 1800.715 Notice of Proposed Disciplinary Action Against Licensees

EMERGENCY

- 1800.720 Hearings in Disciplinary Actions

EMERGENCY

- 1800.725 Appearances
- 1800.730 Appointment of Administrative Law Judge
- 1800.735 Discovery
- 1800.740 Subpoenas
- 1800.745 Motions for Summary Judgment
- 1800.750 Proceedings
- 1800.760 Evidence
- 1800.770 Prohibition on Ex Parte Communication
- 1800.780 Sanctions and Penalties
- 1800.790 Transmittal of Record and Recommendation to the Board

EMERGENCY

- 1800.795 Persons Subject to Proposed Orders of Economic Disassociation

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN  
LICENSED VIDEO GAMING LOCATIONS

Section

- 1800.810 Location and Placement of Video Gaming Terminals
- 1800.815 Licensed Video Gaming Locations Within Malls
- 1800.820 Measurement of Distances from Locations
- 1800.830 Waivers of Location Restrictions

SUBPART I: SECURITY INTERESTS

Section

- 1800.910 Approvals Required, Applicability, Scope of Approval
- 1800.920 Notice of Enforcement of a Security Interest
- 1800.930 Prior Registration

SUBPART J: TRANSPORTATION, REGISTRATION,  
AND DISTRIBUTION OF VIDEO GAMING TERMINALS

Section

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

- 1800.1010 Restriction on Sale, Distribution, Transfer, Supply and Operation of Video Gaming Terminals
- 1800.1020 Transportation of Video Gaming Terminals into the State
- 1800.1030 Receipt of Video Gaming Terminals in the State
- 1800.1040 Transportation of Video Gaming Terminals Between Locations in the State
- 1800.1050 Approval to Transport Video Gaming Terminals Outside of the State
- 1800.1060 Placement of Video Gaming Terminals
- 1800.1065 Registration of Video Gaming Terminals
- 1800.1070 Disposal of Video Gaming Terminals

SUBPART K: STATE-LOCAL RELATIONS

Section

- 1800.1110 State-Local Relations

SUBPART L: FINGERPRINTING OF APPLICANTS

Section

- 1800.1210 Definitions
- 1800.1220 Entities Authorized to Perform Fingerprinting
- 1800.1230 Qualification as a Livescan Vendor
- 1800.1240 Fingerprinting Requirements
- 1800.1250 Fees for Fingerprinting
- 1800.1260 Grounds for Revocation, Suspension and Denial of Contract

SUBPART M: PUBLIC ACCESS TO INFORMATION

Section

- 1800.1310 Public Requests for Information

SUBPART N: PAYOUT DEVICES AND REQUIREMENTS

Section

- 1800.1410 Ticket Payout Devices
- 1800.1420 Redemption of Tickets Following Removal or Unavailability of Ticket Payout Devices

SUBPART O: NON-PAYMENT OF TAXES

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

Section  
1800.1510 Non-Payment of Taxes

SUBPART P: CENTRAL COMMUNICATIONS SYSTEM

Section  
1800.1610 Use of Gaming Device or Individual Game Performance Data

SUBPART Q: RESPONSIBLE GAMING

Section  
1800.1710 Conversations About Responsible Gaming  
1800.1720 Responsible Gaming Education Programs  
1800.1730 Problem Gambling Registry  
1800.1740 Utilization of Technology to Prevent Problem Gambling

SUBPART R: IMPLEMENTATION OF TECHNOLOGY

Section  
1800.1810 Implementation of Technology

SUBPART S: INDEPENDENT TESTING LABORATORIES

Section  
1800.1910 Independent Outside Testing Laboratories  
1800.1920 Minimum Duties of an Independent Outside Testing Laboratory  
1800.1930 Testing of Video Gaming Equipment  
1800.1940 Approval of Video Gaming Equipment

SUBPART T: IN-LOCATION PROGRESSIVE GAMES

Section  
1800.2010 In-location Progressive Games  
1800.2020 Optional Nature of In-location Progressive Games  
1800.2030 Procedures Within Licensed Video Gaming Locations  
1800.2040 Payments of Progressive Jackpot Amount  
1800.2050 Deductions from Progressive Jackpots  
1800.2060 Progressive Jackpot Coordinator

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

**AUTHORITY:** Implementing and authorized by the Video Gaming Act [230 ILCS 40].

**SOURCE:** Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days; emergency expired November 11, 2010; amended at 35 Ill. Reg. 1369, effective January 5, 2011; emergency amendment at 35 Ill. Reg. 13949, effective July 29, 2011, for a maximum of 150 days; emergency expired December 25, 2011; amended at 36 Ill. Reg. 840, effective January 6, 2012; amended by emergency rulemaking at 36 Ill. Reg. 4150, effective February 29, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 5455, effective March 21, 2012; amended at 36 Ill. Reg. 10029, effective June 28, 2012; emergency amendment at 36 Ill. Reg. 11492, effective July 6, 2012, for a maximum of 150 days; emergency expired December 2, 2012; emergency amendment at 36 Ill. Reg. 12895, effective July 24, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 13178, effective July 30, 2012; amended at 36 Ill. Reg. 15112, effective October 1, 2012; amended at 36 Ill. Reg. 17033, effective November 21, 2012; expedited correction at 39 Ill. Reg. 8183, effective November 21, 2012; amended at 36 Ill. Reg. 18550, effective December 14, 2012; amended at 37 Ill. Reg. 810, effective January 11, 2013; amended at 37 Ill. Reg. 4892, effective April 1, 2013; amended at 37 Ill. Reg. 7750, effective May 23, 2013; amended at 37 Ill. Reg. 18843, effective November 8, 2013; emergency amendment at 37 Ill. Reg. 19882, effective November 26, 2013, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 38 Ill. Reg. 3384, effective January 14, 2014; suspension withdrawn at 38 Ill. Reg. 5897; emergency repeal of emergency amendment at 38 Ill. Reg. 7337, effective March 12, 2014, for the remainder of the 150 days; amended at 38 Ill. Reg. 849, effective December 27, 2013; amended at 38 Ill. Reg. 14275, effective June 30, 2014; amended at 38 Ill. Reg. 19919, effective October 2, 2014; amended at 39 Ill. Reg. 5401, effective March 27, 2015; amended at 39 Ill. Reg. 5593, effective April 1, 2015; amended at 40 Ill. Reg. 2952, effective January 27, 2016; amended at 40 Ill. Reg. 8760, effective June 14, 2016; amended at 40 Ill. Reg. 12762, effective August 19, 2016; amended at 40 Ill. Reg. 15131, effective October 18, 2016; emergency amendment at 41 Ill. Reg. 2696, effective February 7, 2017, for a maximum of 150 days; amended at 41 Ill. Reg. 2939, effective February 24, 2017; amended at 41 Ill. Reg. 4499, effective April 14, 2017; amended at 41 Ill. Reg. 10300, effective July 13, 2017; amended at 42 Ill. Reg. 3126, effective February 2, 2018; amended at 42 Ill. Reg. 3735, effective February 6, 2018; emergency amendment at 43 Ill. Reg. 9261, effective August 13, 2019, for a maximum of 150 days; emergency amendment, except for the definition of "in-location bonus jackpot game" or "in-location progressive game" and the definition of "progressive jackpot" in Section 1800.110 and except for Section 1800.250(x), suspended at 43 Ill. Reg. 11061, effective September 18, 2019; emergency amendment at 43 Ill. Reg. 9788, effective August 19, 2019, for a maximum of 150 days; emergency amendment at 43 Ill. Reg. 11688, effective September 26, 2019, for a maximum of 150 days; emergency amendment at 43 Ill. Reg. 13464, effective

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

November 8, 2019, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 43 Ill. Reg. 13479, effective November 12, 2019; suspension withdrawn at 44 Ill. Reg. 3583; emergency amendment to emergency rule at 44 Ill. Reg. 3568, effective February 21, 2020, for the remainder of the 150 days; amended at 43 Ill. Reg. 14099, effective November 21, 2019; amended at 44 Ill. Reg. 489, effective December 27, 2019; amended at 44 Ill. Reg. 1961, effective December 31, 2019; amended at 44 Ill. Reg. 3205, effective February 7, 2020; emergency amendment at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days.

## SUBPART A: GENERAL PROVISIONS

**Section 1800.140 Service via E-mail****EMERGENCY**

- a) As a condition of application and licensure, applicants and licensees consent to receiving service of Board notices, complaints, letters, and orders via e-mail.
- b) Each applicant and licensee has a duty under Section 1800.220 to update the e-mail address at which it may be served if such an address changes, and to verify that the application has an updated e-mail address no less than annually.
- c) Each applicant and licensee may designate up to two additional e-mail addresses at which notice may be served. Each designated e-mail address must be owned by the licensee, its owner, its video gaming manager, or a person of significant influence or control over the applicant or licensee.
- d) E-mail notices shall be deemed served on the date of the transmission, unless a delivery error is received on the Board's e-mail server for all of the licensee's designated e-mail addresses.
- e) If a delivery error is received on the Board's e-mail server for all of the applicant's or licensee's designated e-mail addresses, then the notice or letter will be served via personal service or certified U.S. mail, unless the applicant or licensee updates the designated e-mail addresses.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days)

## SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

**Section 1800.615 Requests for Hearing**  
**EMERGENCY**

- a) If the Board finds that an applicant is not suitable for licensure, it shall issue the applicant a notice of denial.
- b) The Board shall serve notice on the applicant by e-mail pursuant to Section 1800.140, personal service, or U.S. certified mail ~~and U.S. mail~~ to the last known address of the applicant. Service is complete upon transmission of the e-mail, or four days after mailing.
- c) Should an applicant wish to contest the action the Board has taken regarding his application, the applicant must submit a request for hearing to the Board.
- d) All requests for hearing shall be in writing. If a request for hearing is mailed, it ~~and~~ shall include an original and one copy. The request shall contain the following:
  - 1) The name, current address and current telephone number of the petitioner (the applicant);
  - 2) Detailed reasons why and the facts upon which the petitioner will rely to show that the petitioner is suitable for licensure, including specific responses to any facts enumerated in the Board's notice of denial;
  - 3) A signature of the petitioner;
  - 4) A verification of the petition in the following form:

The undersigned certifies that the statements set forth in this request are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.
  - 5) The request must be notarized.

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- e) A request for hearing must be made within 10 days after receipt of notice of denial from the Board. A request shall be deemed filed on the date [the e-mail was transmitted](#) or on which it is postmarked.
- f) If a request for hearing is not filed within 10 days after the receipt of notice from the Board, then the notice of denial becomes the final order of the Board denying the applicant's license application.
- g) A request for hearing shall be deemed granted unless denied. The Board may deny a request for hearing if the statement of the reasons and facts that it contains does not establish a prima facie case or fails to comply with any of the other requirements of this Section. The Board's denial of a request for hearing is a final decision and the denial of licensure becomes a final order on the date the Board denies the request for hearing.
- h) A request for hearing may not be withdrawn or voluntarily dismissed if the Board determines that withdrawal or voluntary dismissal is not in the best interests of the public and the video gaming industry. If the Board allows a petitioner to withdraw a hearing request, the initial notice of denial becomes a final Board order on the date leave to withdraw is granted. If the petitioner does not prosecute his/her case after 21 days, the Board may move for entry of default judgment. Failure to prosecute shall result in entry of default judgment against the petitioner.
- i) The petitioner may submit a request for hearing by:
  - 1) personal delivery;
  - 2) certified mail, postage prepaid;~~or~~
  - 3) overnight express mail, postage prepaid [or](#)
  - 4) [e-mail to an e-mail address specified in the notice of denial.](#)
- j) All requests for hearing must be submitted to the Administrator at the Board's offices in Chicago.
- k) If a request is granted, an Administrative Law Judge will be appointed to conduct a hearing.

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days)

**Section 1800.690 Transmittal of Record and Recommendation to the Board**

- a) The record shall consist of the following:
  - 1) The notice of denial, the request for hearing and all motions and rulings;
  - 2) All evidence received;
  - 3) A statement of matters officially noticed;
  - 4) Offers of proof, objections and rulings; and
  - 5) The recommendation and any findings of fact and conclusions of law made by the Administrative Law Judge.
- b) Oral proceedings or any part of the proceedings involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of such testimony or oral proceedings and shall be transcribed on request of any party. The transcript shall be paid for by the requesting party.
- c) Upon conclusion of the hearing, the Administrative Law Judge shall issue to the Board written findings of fact and conclusions of law and his/her recommendations. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.
- d) Any party to the hearing may file exceptions to the recommendations of the Administrative Law Judge with the Board no later than 14 days after receipt of the recommended decision. Exceptions shall specify each finding of fact and conclusion of law to which exception is taken. There shall be no oral argument on exceptions.
- e) Final Board Order
  - 1) The Board shall review the entire record, including any exceptions filed, and shall render a written order including the bases for its decision.

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- 2) Copies of the final Board order shall be served on petitioner by [e-mail pursuant to Section 1800.140](#), personal delivery, certified mail or overnight express mail to petitioner's last known address.
- 3) A final Board order shall become effective upon [transmission of the e-mail](#), personal delivery to a party or upon posting by certified or overnight express mail to petitioner's last known address.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days)

## SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

**Section 1800.715 Notice of Proposed Disciplinary Action Against Licensees**  
**EMERGENCY**

- a) When notified of facts sufficient to support disciplinary action against a licensee or a person with significant influence or control, the Administrator shall immediately notify the Board and the licensee of the proposed disciplinary action. The notice shall advise the licensee of the following:
  - 1) A statement of the facts supporting the proposed disciplinary action;
  - 2) A description of the rule or statutory section the licensee has violated;
  - 3) A statement or description of the matters asserted and the consequences of the failure to respond; [and](#)
  - 4) The name and mailing address of the Illinois Gaming Board.
- b) The Administrator shall serve the notice of proposed disciplinary action on the licensee by [e-mail pursuant to Section 1800.140](#), personal service, or U.S. certified mail or U.S. regular mail to the last known address of the licensee. Service is complete [upon transmission of the e-mail, or](#) four days after mailing.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days)

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

**Section 1800.720 Hearings in Disciplinary Actions**  
**EMERGENCY**

- a) Should a licensee wish to contest the proposed disciplinary action, the licensee must submit a response to the notice of proposed disciplinary action described in Section 1800.715 to the Administrator.
- b) All responses shall be in writing. If a response is mailed, it~~and~~ shall include an original and one copy. The response shall contain the following:
  - 1) The name, current address and current telephone number of the licensee;
  - 2) A clear and concise statement admitting or denying each of the factual allegations set forth in the notice of proposed disciplinary action, with each admission or denial being shown in separately numbered paragraphs corresponding to the separately numbered paragraphs in the notice of proposed disciplinary action;
  - 3) For all factual allegations that the licensee denies, a clear and concise statement of facts upon which the licensee relies or will rely on at a hearing;
  - 4) A signature of the licensee;
  - 5) A verification of the licensee in the following form:

"The undersigned certifies that the statements set forth in this request are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he or she verily believes the same to be true.";
  - 6) The response must be notarized.
- c) The response must be filed within 21 days after receipt of the notice of proposed disciplinary action. A response shall be deemed filed on the date the e-mail is transmitted or on which it is postmarked.

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- d) If a response is not filed within 21 days after receipt of the notice of proposed disciplinary action then the proposed disciplinary action becomes effective and final immediately.
- e) No response shall be deemed filed if it fails to comply with any of the requirements of this Section.
- f) The licensee may submit a response by:
  - 1) personal delivery;
  - 2) certified mail, postage prepaid; or
  - 3) overnight express mail, postage prepaid; or
  - 4) [e-mail to an e-mail address specified in the notice of proposed disciplinary action.](#)
- g) All responses must be submitted to the Administrator at the Board's offices in Chicago (160 N. LaSalle St., Chicago IL 60601).
- h) If a response is properly filed, an Administrative Law Judge will be appointed to conduct a hearing.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days)

**Section 1800.790 Transmittal of Record and Recommendation to the Board****EMERGENCY**

- a) The record shall consist of the following:
  - 1) The notice of proposed disciplinary action, the response and all motions and rulings on motions;
  - 2) All evidence received;
  - 3) A statement of matters officially noticed;

## ILLINOIS GAMING BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- 4) Offers of proof, objections and rulings on those offers and objections; [and](#)
  - 5) The recommendation and any findings of fact and conclusions of law made by the Administrative Law Judge.
- b) Oral proceedings or any part of the oral proceedings involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of the testimony or oral proceedings and shall be transcribed on request of any party. The transcript shall be paid for by the requesting party.
  - c) Upon conclusion of the hearing, the Administrative Law Judge shall issue to the Board written findings of fact and conclusions of law and his/her recommendations. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.
  - d) Any party to the hearing may file exceptions to the recommendations of the Administrative Law Judge with the Board no later than 14 days after receipt of the recommended decision. Exceptions shall specify each finding of fact and conclusion of law to which exception is taken. There shall be no oral argument on exceptions.
  - e) Final Board Order
    - 1) The Board shall review the entire record, including any exceptions filed, and shall render a written order including the bases for its decision.
    - 2) Copies of the final Board order shall be served on the licensee by [e-mail pursuant to Section 1800.140](#), personal delivery, certified mail or overnight express mail to the licensee's last known address.
    - 3) A final Board order shall become effective upon [transmission of the e-mail](#), personal delivery to a party or upon posting by certified or overnight express mail to the party's last known address.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 10193, effective May 27, 2020, for a maximum of 150 days)

## ILLINOIS DEPARTMENT OF LABOR

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Illinois Child Labor Law
- 2) Code Citation: 56 Ill. Adm. Code 250
- 3) Section Number: 250.400                      Emergency Action: Amendment
- 4) Statutory Authority: 820 ILCS 205/16
- 5) Effective Date of Emergency Rule: May 29, 2020
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days.
- 7) Date Filed with the Index Department: May 29, 2020
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to COVID-19 outbreak, the emergency rule provides guidance to issuing officers to implement a remote application process in lieu of an in-person application as required in 820 ILCS 205 Section 12 for minors seeking employment. This emergency rule allows alternatives to verify the identity of the minor seeking a work permit accompanied by their legal guardian and submission of required application documents.
- 10) A Complete Description of the Subjects and Issues Involved: Under 820 ILCS 205, the Child Labor law regulates the employment of workers under 16 years of age. The law protects children by requiring employment certificates, which confirms the child is old enough to work, capable to perform the work, and that the work will not interfere with the minor's education. Under Section 12 of the Act, the application for the employment certificate shall be submitted in person by the minor seeking employment. During the COVID-19 outbreak, social distancing options to secure a work permit would protect the minor, their legal guardians and issuing officers who would otherwise be required to meet in-person. The Illinois Department of Labor seeks to provide an alternative for all parties involved to protect their health by substituting the in-person application process.
- 11) Are there any rulemakings to this Part pending? No

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENT

- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

Jason Keller  
900 South Spring St.  
Springfield IL 62704

217/782-1706  
Jason.keller@illinois.gov

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

## ILLINOIS DEPARTMENT OF LABOR

## NOTICE OF EMERGENCY AMENDMENT

TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER I: DEPARTMENT OF LABOR  
SUBCHAPTER b: REGULATION OF WORKING CONDITIONSPART 250  
ILLINOIS CHILD LABOR LAW

## SUBPART A: DEFINITIONS

Section	
250.100	Definition of the Act
250.105	Definitions
250.110	Minor (Repealed)
250.115	Agriculture (Repealed)
250.120	Week (Repealed)
250.125	Work (Repealed)
250.130	Time Record (Repealed)
250.135	Premises (Repealed)
250.140	Suffer (Repealed)
250.145	Garage (Repealed)
250.150	Employer and All Interested Parties (Repealed)

## SUBPART B: EMPLOYMENT CONDITIONS SUBJECT TO THE ACT

Section	
250.200	Employers Subject to the Act
250.205	Minors Assisting Employees of Tax Supported School Lunch Programs
250.210	Movie Theaters
250.215	Car Wash
250.220	Employment in or about Airfields
250.225	Office and Ice Cream Dispensing Equipment
250.230	Enclosed, Self-sealing Automatic Dishwashers
250.235	Power Driven Machinery
250.240	Exhibition Park or Place of Amusement
250.245	Employment in Establishments Selling Package Liquors
250.250	Shopping Malls and Similar Structures Containing Two or More Buildings
250.255	Performances in Alcoholic Beverage Serving Establishments Excepting those Theatrical Productions in Sec. 8 of the Act
250.260	Employment of Minors as Models

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENT

- 250.265 Parent/Guardian Required Presence at Performance
- 250.270 Non-Resident Minor Seeking Employment

SUBPART C: HOURS OF EMPLOYMENT

- Section
- 250.300 Number of Days Employment Limit
- 250.302 Section 8.1(a) Work Hours Exception
- 250.305 Applying for a Section 8.1(b) Work Hours Waiver
- 250.310 Issuance of a Section 8.1(b) Work Hours Waiver
- 250.315 Section 8.1(b) Work Hours Waiver Record Keeping and Disclosure Requirements

SUBPART D: EMPLOYMENT CERTIFICATE ISSUING OFFICERS

- Section
- 250.400 [Responsibilities of Issuing Officers](#)~~are responsible for:~~  
EMERGENCY

SUBPART E: RESPONSIBILITIES OF EMPLOYERS

- Section
- 250.500 The Employer shall:

SUBPART F: APPLICABILITY OF THE ILLINOIS  
ADMINISTRATIVE PROCEDURE ACT

- Section
- 250.600 Revocation of Employment Certificates; Civil Penalty Assessments

SUBPART G: HEARING PROCESS

- Section
- 250.700 Procedure and Time Table for Suspension or Revocation of Employment Certificates
- 250.705 Procedure for Child Labor Penalty Assessment
- 250.710 Assessing Penalties
- 250.715 Procedure for Contested Cases; Suspension or Revocation of Employment Certificates; Final Determinations of Civil Penalties

## ILLINOIS DEPARTMENT OF LABOR

## NOTICE OF EMERGENCY AMENDMENT

## SUBPART H: EMPLOYER VIOLATIONS

Section	
250.800	Minimum Age
250.805	Hours of Work
250.810	Meal Period
250.815	Posting of Hours
250.820	Time Record
250.825	Hazardous Occupations
250.830	Minor Under Sixteen Appearing in Theatrical Productions
250.835	Employment Certificate Required
250.840	Duties of Employers
250.845	Violations of Section 250.260 of the Rules and Regulations Pertaining to Employment of Minors as Models
250.850	Parent/Guardian Not Present at Performance
250.855	Minors Under Sixteen Appearing in Television or Motion Picture Productions
250.860	Minors: Athletic or Acrobatic Activity and Stunts

AUTHORITY: Implementing Section 16 of the Illinois Child Labor Law [820 ILCS 205/16].

SOURCE: Adopted at 2 Ill. Reg. 22, p. 64, effective May 23, 1979; amended at 5 Ill. Reg. 902, effective January 14, 1981; codified at 8 Ill. Reg. 18483; emergency amendment at 15 Ill. Reg. 16132, effective October 25, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 5335, effective March 24, 1992; emergency amendment at 18 Ill. Reg. 16699, effective October 25, 1994, for a maximum of 150 days; amended at 19 Ill. Reg. 6564, effective May 2, 1995; amended at 20 Ill. Reg. 6449, effective April 29, 1996; emergency amendment at 24 Ill. Reg. 17850, effective November 20, 2000, for a maximum of 150 days; emergency expired April 10, 2001; amended at 25 Ill. Reg. 864, effective January 5, 2001; amended at 25 Ill. Reg. 6291, effective April 20, 2001; amended at 36 Ill. Reg. 314, effective December 22, 2011; emergency amendment at 44 Ill. Reg. 10210, effective May 29, 2020, for a maximum of 150 days.

## SUBPART D: EMPLOYMENT CERTIFICATE ISSUING OFFICERS

**Section 250.400** Responsibilities of Issuing Officers ~~are responsible for:~~  
EMERGENCY

Issuing officers are responsible for:

- a) A knowledge of the Child Labor Law, the Rules and Regulations issued thereto,

## ILLINOIS DEPARTMENT OF LABOR

## NOTICE OF EMERGENCY AMENDMENT

and the Department of Labor Publication "Procedures for Issuance of Certificates under the Illinois Child Labor Law".

- b) Issuing legal employment certificates and maintaining necessary records to comply with Section 10 through Section 12 of the Act.
- c) A determination of the legality of the minor's proposed employment and whether or not the minor is academically and physically capable of performing the work in addition to the school requirements. If any one of the three tests are not satisfied the issuing officer shall refuse to issue the employment certificate and notify the minor and the proposed employer of such refusal.
- d) The petitioning of the Department of Labor to suspend any employment certificate found to be illegally or improperly issued, or where it is believed the employment is interfering with the best physical, intellectual or moral development of the minor.
- e) Issuance upon request of Certificate of Age for individuals sixteen (16) through nineteen (19) years of age, inclusive.
- f) Require a parent or legal guardian seeking a work permit on behalf a minor to submit the following documents through either a secure electronic transmission or certified U.S. Mail to protect personal identifiable information such as birthdates, addresses, social security numbers or any other document that may be confidential in nature as required by the issuing officers in accordance with 820 ILCS 205 Section 12 if in-person applications are not possible due to COVID-19 pandemic restrictions:
  - 1) the application for employment;
  - 2) the documents listed in Section 12 (1 through 4) of the Act; and
  - 3) a copy of a government issued photo identification for the parent or legal guardian on the minor's birth certificate or court order regarding adoption or guardianship.
- g) Perform the following actions when an in-person interview with the minor and parents or legal guardians are not possible due to COVID-19 pandemic restrictions:

## ILLINOIS DEPARTMENT OF LABOR

## NOTICE OF EMERGENCY AMENDMENT

- 1) receive and review the documents listed in subsection (f) in advance of the interview.
- 2) schedule and host a video conference interview with the minor seeking the employment certificate and the minor's parent or legal guardian simultaneously to confirm consent to seek employment and verify the completeness of documents required by Section 12 (1 through 4) of the Act and subsection (f) at the time of the interview.
- 3) if a parent or legal guardian does not have access to video technology, telephonically interview the parent or guardian in this circumstance, the issuing officer must provide the Department with a statement indicating the video interview was not possible and that a telephone interview was conducted.
- 4) shall e-mail a copy of the approved employment certificate to the Department (dol.childlaborlaw@illinois.gov).

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 10210, effective May 29, 2020, for a maximum of 150 days)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Skilled Nursing and Intermediate Care Facilities Code
- 2) Code Citation: 77 Ill. Adm. Code 300
- 3) Section Number: 300.696                      Emergency Action: Amendment
- 4) Statutory Authority: Implementing and authorized by the Nursing Home Care Act [210 ILCS 45].
- 5) Effective Date of Emergency Rule: May 28, 2020
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which they are to expire: This emergency amendment will expire at the end of the 150-day period or upon repeal of the emergency rule.
- 7) Date Filed with the Index Department: May 28, 2020
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: This emergency rule is adopted in response to Governor JB Pritzker's Gubernatorial Disaster Proclamations issued during 2020 related to COVID-19.  
  
Section 5-45 of the Illinois Administrative Procedure Act [5 ILCS 100/5-45] defines "emergency" as "the existence of any situation that any agency finds reasonably constitutes a threat to the public interest, safety, or welfare". The COVID-19 outbreak in Illinois is a significant public health crisis that warrants these emergency rules.
- 10) A Complete Description of the Subjects and Issues Involved: This rule requires long term care facilities to add testing for infectious diseases to the facility's infection control policies and procedures. Facilities must comply with infection control recommendations provided by the Department or their local health department and must test residents and staff when they have either an outbreak in the facility or when the chain of transmission is high and the Department directs them to conduct testing. Test results must be reported to the Department.
- 11) Are there any other rulemakings pending on this Part? Yes

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
300.230	Amendment	44 Ill. Reg. 435; January 10, 2020
300.650	Amendment	44 Ill. Reg. 435; January 10, 2020
300.686	Amendment	44 Ill. Reg. 435; January 10, 2020
300.1230	Amendment	44 Ill. Reg. 435; January 10, 2020
300.1231	New Section	44 Ill. Reg. 435; January 10, 2020
200.1232	New Section	44 Ill. Reg. 435; January 10, 2020
300.1233	New Section	44 Ill. Reg. 435; January 10, 2020
300.1234	New Section	44 Ill. Reg. 435; January 10, 2020
300.Appendix A	New Section	44 Ill. Reg. 435; January 10, 2020
300.Appendix B	New Section	44 Ill. Reg. 435; January 10, 2020

- 12) Statement of Statewide Policy Objective: This rulemaking will not create or expand a State mandate.
- 13) Information and questions regarding this emergency rule shall be directed to:

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

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

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

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER c: LONG-TERM CARE FACILITIESPART 300  
SKILLED NURSING AND INTERMEDIATE CARE FACILITIES CODE

## SUBPART A: GENERAL PROVISIONS

Section	
300.110	General Requirements
300.120	Application for License
300.130	Licensee
300.140	Issuance of an Initial License for a New Facility
300.150	Issuance of an Initial License Due to a Change of Ownership
300.160	Issuance of a Renewal License
300.163	Alzheimer's Special Care Disclosure
300.165	Criteria for Adverse Licensure Actions
300.170	Denial of Initial License
300.175	Denial of Renewal of License
300.180	Revocation of License
300.190	Experimental Program Conflicting With Requirements
300.200	Inspections, Surveys, Evaluations and Consultation
300.210	Filing an Annual Attested Financial Statement
300.220	Information to Be Made Available to the Public By the Department
300.230	Information to Be Made Available to the Public By the Licensee
300.240	Municipal Licensing
300.250	Ownership Disclosure
300.260	Issuance of Conditional Licenses
300.270	Monitor and Receivership
300.271	Presentation of Findings
300.272	Determination to Issue a Notice of Violation or Administrative Warning
300.274	Determination of the Level of a Violation
300.276	Notice of Violation
300.277	Administrative Warning
300.278	Plans of Correction
300.280	Reports of Correction
300.282	Conditions for Assessment of Penalties
300.284	Calculation of Penalties (Repealed)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

300.286	Notice of Penalty Assessment; Response by Facility
300.287	Consideration of Factors for Assessing Penalties
300.288	Reduction or Waiver of Penalties
300.290	Quarterly List of Violators (Repealed)
300.300	Alcoholism Treatment Programs In Long-Term Care Facilities
300.310	Department May Survey Facilities Formerly Licensed
300.315	Supported Congregate Living Arrangement Demonstration
300.320	Waivers
300.330	Definitions
300.340	Incorporated and Referenced Materials

## SUBPART B: ADMINISTRATION

Section	
300.510	Administrator

## SUBPART C: POLICIES

Section	
300.610	Resident Care Policies
300.615	Determination of Need Screening and Request for Resident Criminal History Record Information
300.620	Admission, Retention and Discharge Policies
300.624	Criminal History Background Checks for Persons Who Were Residents on May 10, 2006 (Repealed)
300.625	Identified Offenders
300.626	Discharge Planning for Identified Offenders
300.627	Transfer of an Identified Offender
300.630	Contract Between Resident and Facility
300.640	Residents' Advisory Council
300.650	Personnel Policies
300.651	Whistleblower Protection
300.655	Initial Health Evaluation for Employees
300.660	Nursing Assistants
300.661	Health Care Worker Background Check
300.662	Resident Attendants
300.663	Registry of Certified Nursing Assistants
300.665	Student Interns
300.670	Disaster Preparedness

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

300.680	Restraints
300.682	Nonemergency Use of Physical Restraints
300.684	Emergency Use of Physical Restraints
300.686	Unnecessary, Psychotropic, and Antipsychotic Drugs
300.690	Incidents and Accidents
300.695	Contacting Local Law Enforcement
300.696	Infection Control

EMERGENCY

## SUBPART D: PERSONNEL

Section	
300.810	General
300.820	Categories of Personnel
300.830	Consultation Services
300.840	Personnel Policies

## SUBPART E: MEDICAL AND DENTAL CARE OF RESIDENTS

Section	
300.1010	Medical Care Policies
300.1020	Communicable Disease Policies
300.1025	Tuberculin Skin Test Procedures
300.1030	Medical Emergencies
300.1035	Life-Sustaining Treatments
300.1040	Care and Treatment of Sexual Assault Survivors
300.1050	Dental Standards
300.1060	Vaccinations

## SUBPART F: NURSING AND PERSONAL CARE

Section	
300.1210	General Requirements for Nursing and Personal Care
300.1220	Supervision of Nursing Services
300.1230	Direct Care Staffing
300.1240	Additional Requirements

## SUBPART G: RESIDENT CARE SERVICES

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

## Section

- 300.1410 Activity Program
- 300.1420 Specialized Rehabilitation Services
- 300.1430 Work Programs
- 300.1440 Volunteer Program
- 300.1450 Language Assistance Services

## SUBPART H: MEDICATIONS

## Section

- 300.1610 Medication Policies and Procedures
- 300.1620 Compliance with Licensed Prescriber's Orders
- 300.1630 Administration of Medication
- 300.1640 Labeling and Storage of Medications
- 300.1650 Control of Medications

## SUBPART I: RESIDENT AND FACILITY RECORDS

## Section

- 300.1810 Resident Record Requirements
- 300.1820 Content of Medical Records
- 300.1830 Records Pertaining to Residents' Property
- 300.1840 Retention and Transfer of Resident Records
- 300.1850 Other Resident Record Requirements
- 300.1860 Staff Responsibility for Medical Records
- 300.1870 Retention of Facility Records
- 300.1880 Other Facility Record Requirements

## SUBPART J: FOOD SERVICE

## Section

- 300.2010 Director of Food Services
- 300.2020 Dietary Staff in Addition to Director of Food Services
- 300.2030 Hygiene of Dietary Staff
- 300.2040 Diet Orders
- 300.2050 Meal Planning
- 300.2060 Therapeutic Diets (Repealed)
- 300.2070 Scheduling Meals
- 300.2080 Menus and Food Records

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

- 300.2090 Food Preparation and Service
- 300.2100 Food Handling Sanitation
- 300.2110 Kitchen Equipment, Utensils, and Supplies

## SUBPART K: MAINTENANCE, HOUSEKEEPING, AND LAUNDRY

## Section

- 300.2210 Maintenance
- 300.2220 Housekeeping
- 300.2230 Laundry Services

## SUBPART L: FURNISHINGS, EQUIPMENT, AND SUPPLIES

## Section

- 300.2410 Furnishings
- 300.2420 Equipment and Supplies
- 300.2430 Sterilization of Equipment and Supplies

## SUBPART M: WATER SUPPLY AND SEWAGE DISPOSAL

## Section

- 300.2610 Codes
- 300.2620 Water Supply
- 300.2630 Sewage Disposal
- 300.2640 Plumbing

SUBPART N: DESIGN AND CONSTRUCTION STANDARDS  
FOR NEW INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

## Section

- 300.2810 Applicability of these Standards
- 300.2820 Codes and Standards
- 300.2830 Preparation of Drawings and Specifications
- 300.2840 Site
- 300.2850 Administration and Public Areas
- 300.2860 Nursing Unit
- 300.2870 Dining, Living, Activities Rooms
- 300.2880 Therapy and Personal Care
- 300.2890 Service Departments

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

300.2900	General Building Requirements
300.2910	Structural
300.2920	Mechanical Systems
300.2930	Plumbing Systems
300.2940	Electrical Systems

SUBPART O: DESIGN AND CONSTRUCTION STANDARDS  
FOR EXISTING INTERMEDIATE CARE AND SKILLED NURSING FACILITIES

Section	
300.3010	Applicability
300.3020	Codes and Standards
300.3030	Preparation of Drawings and Specifications
300.3040	Site
300.3050	Administration and Public Areas
300.3060	Nursing Unit
300.3070	Living, Dining, Activities Rooms
300.3080	Treatment and Personal Care
300.3090	Service Departments
300.3100	General Building Requirements
300.3110	Structural
300.3120	Mechanical Systems
300.3130	Plumbing Systems
300.3140	Electrical Requirements

## SUBPART P: RESIDENT'S RIGHTS

Section	
300.3210	General
300.3220	Medical Care
300.3230	Restraints (Repealed)
300.3240	Abuse and Neglect
300.3250	Communication and Visitation
300.3260	Resident's Funds
300.3270	Residents' Advisory Council
300.3280	Contract With Facility
300.3290	Private Right of Action
300.3300	Transfer or Discharge
300.3310	Complaint Procedures

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

- 300.3320 Confidentiality  
300.3330 Facility Implementation

## SUBPART Q: SPECIALIZED LIVING FACILITIES FOR THE MENTALLY ILL

- Section  
300.3410 Application of Other Sections of These Minimum Standards (Repealed)  
300.3420 Administrator (Repealed)  
300.3430 Policies (Repealed)  
300.3440 Personnel (Repealed)  
300.3450 Resident Living Services Medical and Dental Care (Repealed)  
300.3460 Resident Services Program (Repealed)  
300.3470 Psychological Services (Repealed)  
300.3480 Social Services (Repealed)  
300.3490 Recreational and Activities Services (Repealed)  
300.3500 Individual Treatment Plan (Repealed)  
300.3510 Health Services (Repealed)  
300.3520 Medical Services (Repealed)  
300.3530 Dental Services (Repealed)  
300.3540 Optometric Services (Repealed)  
300.3550 Audiometric Services (Repealed)  
300.3560 Podiatric Services (Repealed)  
300.3570 Occupational Therapy Services (Repealed)  
300.3580 Nursing and Personal Care (Repealed)  
300.3590 Resident Care Services (Repealed)  
300.3600 Record Keeping (Repealed)  
300.3610 Food Service (Repealed)  
300.3620 Furnishings, Equipment and Supplies (New and Existing Facilities) (Repealed)  
300.3630 Design and Construction Standards (New and Existing Facilities) (Repealed)

## SUBPART R: DAYCARE PROGRAMS

- Section  
300.3710 Day Care in Long-Term Care Facilities

## SUBPART S: PROVIDING SERVICES TO PERSONS WITH SERIOUS MENTAL ILLNESS

- Section  
300.4000 Applicability of Subpart S

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

- 300.4010 Comprehensive Assessments for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
- 300.4020 Reassessments for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
- 300.4030 Individualized Treatment Plan for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
- 300.4040 General Requirements for Facilities Subject to Subpart S
- 300.4050 Psychiatric Rehabilitation Services for Facilities Subject to Subpart S
- 300.4060 Discharge Plans for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
- 300.4070 Work Programs for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
- 300.4080 Community-Based Rehabilitation Programs for Residents with Serious Mental Illness Residing in Facilities Subject to Subpart S
- 300.4090 Personnel for Providing Services to Persons with Serious Mental Illness for Facilities Subject to Subpart S

SUBPART T: FACILITIES PARTICIPATING IN ILLINOIS DEPARTMENT OF  
HEALTHCARE AND FAMILY SERVICES'  
DEMONSTRATION PROGRAM FOR PROVIDING  
SERVICES TO PERSONS WITH SERIOUS MENTAL ILLNESS

## Section

- 300.6000 Applicability of Subpart T (Repealed)
- 300.6005 Quality Assessment and Improvement for Facilities Subject to Subpart T (Repealed)
- 300.6010 Comprehensive Assessments for Residents of Facilities Subject to Subpart T (Repealed)
- 300.6020 Reassessments for Residents of Facilities Subject to Subpart T (Repealed)
- 300.6030 Individualized Treatment Plan for Residents of Facilities Subject to Subpart T (Repealed)
- 300.6040 General Requirements for Facilities Subject to Subpart T (Repealed)
- 300.6045 Serious Incidents and Accidents in Facilities Subject to Subpart T (Repealed)
- 300.6047 Medical Care Policies for Facilities Subject to Subpart T (Repealed)
- 300.6049 Emergency Use of Restraints for Facilities Subject to Subpart T (Repealed)
- 300.6050 Psychiatric Rehabilitation Services for Facilities Subject to Subpart T (Repealed)
- 300.6060 Discharge Plans for Residents of Facilities Subject to Subpart T (Repealed)
- 300.6070 Work Programs for Residents of Facilities Subject to Subpart T (Repealed)
- 300.6080 Community-Based Rehabilitation Programs for Residents of Facilities Subject to

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

- Subpart T (Repealed)
- 300.6090 Personnel for Providing Services to Residents of Facilities Subject to Subpart T (Repealed)
- 300.6095 Training and Continuing Education for Facilities Subject to Subpart T (Repealed)

## SUBPART U: ALZHEIMER'S SPECIAL CARE UNIT OR CENTER PROVIDING CARE TO PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIA

## Section

- 300.7000 Applicability
- 300.7010 Admission Criteria
- 300.7020 Assessment and Care Planning
- 300.7030 Ability-Centered Care
- 300.7040 Activities
- 300.7050 Staffing
- 300.7060 Environment
- 300.7070 Quality Assessment and Improvement
- 300.7080 Variances to Enhance Residents' Quality of Life
- 300.APPENDIX A Interpretation, Components, and Illustrative Services for Intermediate Care Facilities and Skilled Nursing Facilities (Repealed)
- 300.APPENDIX B Classification of Distinct Part of a Facility for Different Levels of Service (Repealed)
- 300.APPENDIX C Federal Requirements Regarding Patients'/Residents' Rights (Repealed)
- 300.APPENDIX D Forms for Day Care in Long-Term Care Facilities
- 300.APPENDIX E Criteria for Activity Directors Who Need Only Minimal Consultation (Repealed)
- 300.APPENDIX F Guidelines for the Use of Various Drugs
- 300.APPENDIX G Facility Report
- 300.TABLE A Sound Transmission Limitations in New Skilled Nursing and Intermediate Care Facilities
- 300.TABLE B Pressure Relationships and Ventilation Rates of Certain Areas for New Intermediate Care Facilities and Skilled Nursing Facilities
- 300.TABLE C Construction Types and Sprinkler Requirements for Existing Skilled Nursing Facilities/Intermediate Care Facilities
- 300.TABLE D Heat Index Table/Apparent Temperature

AUTHORITY: Implementing and authorized by the Nursing Home Care Act [210 ILCS 45].

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

SOURCE: Emergency rules adopted at 4 Ill. Reg. 10, p. 1066, effective March 1, 1980, for a maximum of 150 days; adopted at 4 Ill. Reg. 30, p. 311, effective July 28, 1980; emergency amendment at 6 Ill. Reg. 3229, effective March 8, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 5981, effective May 3, 1982; amended at 6 Ill. Reg. 6454, effective May 14, 1982; amended at 6 Ill. Reg. 8198, effective June 29, 1982; amended at 6 Ill. Reg. 11631, effective September 14, 1982; amended at 6 Ill. Reg. 14550 and 14554, effective November 8, 1982; amended at 6 Ill. Reg. 14684, effective November 15, 1982; amended at 7 Ill. Reg. 285, effective December 22, 1982; amended at 7 Ill. Reg. 1972, effective January 28, 1983; amended at 7 Ill. Reg. 8579, effective July 11, 1983; amended at 7 Ill. Reg. 15831, effective November 10, 1983; amended at 7 Ill. Reg. 15864, effective November 15, 1983; amended at 7 Ill. Reg. 16992, effective December 14, 1983; amended at 8 Ill. Reg. 15599, 15603, and 15606, effective August 15, 1984; amended at 8 Ill. Reg. 15947, effective August 17, 1984; amended at 8 Ill. Reg. 16999, effective September 5, 1984; codified at 8 Ill. Reg. 19766; amended at 8 Ill. Reg. 24186, effective November 29, 1984; amended at 8 Ill. Reg. 24668, effective December 7, 1984; amended at 8 Ill. Reg. 25102, effective December 14, 1984; amended at 9 Ill. Reg. 132, effective December 26, 1984; amended at 9 Ill. Reg. 4087, effective March 15, 1985; amended at 9 Ill. Reg. 11049, effective July 1, 1985; amended at 11 Ill. Reg. 16927, effective October 1, 1987; amended at 12 Ill. Reg. 1052, effective December 24, 1987; amended at 12 Ill. Reg. 16811, effective October 1, 1988; emergency amendment at 12 Ill. Reg. 18477, effective October 24, 1988, for a maximum of 150 days; emergency expired March 23, 1989; amended at 13 Ill. Reg. 4684, effective March 24, 1989; amended at 13 Ill. Reg. 5134, effective April 1, 1989; amended at 13 Ill. Reg. 20089, effective December 1, 1989; amended at 14 Ill. Reg. 14950, effective October 1, 1990; amended at 15 Ill. Reg. 554, effective January 1, 1991; amended at 16 Ill. Reg. 681, effective January 1, 1992; amended at 16 Ill. Reg. 5977, effective March 27, 1992; amended at 16 Ill. Reg. 17089, effective November 3, 1992; emergency amendment at 17 Ill. Reg. 2420, effective February 3, 1993, for a maximum of 150 days; emergency expired on July 3, 1993; emergency amendment at 17 Ill. Reg. 8026, effective May 6, 1993, for a maximum of 150 days; emergency expired on October 3, 1993; amended at 17 Ill. Reg. 15106, effective September 3, 1993; amended at 17 Ill. Reg. 16194, effective January 1, 1994; amended at 17 Ill. Reg. 19279, effective October 26, 1993; amended at 17 Ill. Reg. 19604, effective November 4, 1993; amended at 17 Ill. Reg. 21058, effective November 20, 1993; amended at 18 Ill. Reg. 1491, effective January 14, 1994; amended at 18 Ill. Reg. 15868, effective October 15, 1994; amended at 19 Ill. Reg. 11600, effective July 29, 1995; emergency amendment at 20 Ill. Reg. 567, effective January 1, 1996, for a maximum of 150 days; emergency expired May 29, 1996; amended at 20 Ill. Reg. 10142, effective July 15, 1996; amended at 20 Ill. Reg. 12208, effective September 10, 1996; amended at 21 Ill. Reg. 15000, effective November 15, 1997; amended at 22 Ill. Reg. 4094, effective February 13, 1998; amended at 22 Ill. Reg. 7218, effective April 15, 1998; amended at 22 Ill. Reg. 16609, effective September 18, 1998; amended at 23 Ill. Reg. 1103, effective January 15, 1999; amended at 23 Ill. Reg. 8106, effective July 15, 1999;

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

amended at 24 Ill. Reg. 17330, effective November 1, 2000; amended at 25 Ill. Reg. 4911, effective April 1, 2001; amended at 26 Ill. Reg. 3113, effective February 15, 2002; amended at 26 Ill. Reg. 4846, effective April 1, 2002; amended at 26 Ill. Reg. 10523, effective July 1, 2002; emergency amendment at 27 Ill. Reg. 2181, effective February 1, 2003, for a maximum of 150 days; emergency expired June 30, 2003; emergency amendment at 27 Ill. Reg. 5452, effective March 25, 2003, for a maximum of 150 days; emergency expired August 21, 2003; amended at 27 Ill. Reg. 5862, effective April 1, 2003; emergency amendment at 27 Ill. Reg. 14204, effective August 15, 2003, for a maximum of 150 days; emergency expired January 11, 2004; amended at 27 Ill. Reg. 15855, effective September 25, 2003; amended at 27 Ill. Reg. 18105, effective November 15, 2003; expedited correction at 28 Ill. Reg. 3528, effective November 15, 2003; amended at 28 Ill. Reg. 11180, effective July 22, 2004; amended at 28 Ill. Reg. 14623, effective October 20, 2004; amended at 29 Ill. Reg. 876, effective December 22, 2004; emergency amendment at 29 Ill. Reg. 11824, effective July 12, 2005, for a maximum of 150 days; emergency rule modified in response to JCAR Recommendation at 29 Ill. Reg. 15101, effective September 23, 2005, for the remainder of the maximum 150 days; emergency amendment expired December 8, 2005; amended at 29 Ill. Reg. 12852, effective August 2, 2005; amended at 30 Ill. Reg. 1425, effective January 23, 2006; amended at 30 Ill. Reg. 5213, effective March 2, 2006; amended at 31 Ill. Reg. 6044, effective April 3, 2007; amended at 31 Ill. Reg. 8813, effective June 6, 2007; amended at 33 Ill. Reg. 9356, effective June 17, 2009; amended at 34 Ill. Reg. 19182, effective November 23, 2010; amended at 35 Ill. Reg. 3378, effective February 14, 2011; amended at 35 Ill. Reg. 11419, effective June 29, 2011; expedited correction at 35 Ill. Reg. 17468, effective June 29, 2011; amended at 36 Ill. Reg. 14090, effective August 30, 2012; amended at 37 Ill. Reg. 2298, effective February 4, 2013; amended at 37 Ill. Reg. 4954, effective March 29, 2013; amended at 38 Ill. Reg. 22851, effective November 21, 2014; amended at 39 Ill. Reg. 5456, effective March 25, 2015; amended at 41 Ill. Reg. 14811, effective November 15, 2017; amended at 43 Ill. Reg. 3536, effective February 28, 2019; emergency amendment at 44 Ill. Reg. 8521, effective May 5, 2020, for a maximum of 150 days; emergency amendment at 44 Ill. Reg. 10217, effective May 28, 2020, for a maximum of 150 days.

## SUBPART C: POLICIES

**Section 300.696 Infection Control****EMERGENCY**

- a) Policies and procedures for investigating, controlling, ~~and preventing~~ and testing infections in the facility shall be established and followed. The policies and procedures shall be consistent with and include the requirements of the Control of Communicable Diseases Code (77 Ill. Adm. Code 690) and Control of Sexually Transmissible Diseases Code (77 Ill. Adm. Code 693). Activities shall be

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

monitored to ensure that these policies and procedures are followed. A copy of the facility's infection control policies and procedures shall be provided to the resident and the resident's family or representative. Infection control policies and procedures shall be maintained in the facility and made available upon request to the Department, the Department's agent or the local health authority.

- b) A group, i.e., an infection control committee, quality assurance committee, or other facility entity, shall periodically, but no less than annually, review the results of investigations and activities to control infections. Upon request, the facility shall provide the Department with the group's recommendations to control infections within the facility.
- c) Each facility shall adhere to the following guidelines of the Center for Infectious Diseases, Centers for Disease Control and Prevention, United States Public Health Service, Department of Health and Human Services (see Section 300.340):
  - 1) Guideline for Prevention of Catheter-Associated Urinary Tract Infections
  - 2) Guideline for Hand Hygiene in Health-Care Settings
  - 3) Guidelines for Prevention of Intravascular Catheter-Related Infections
  - 4) Guideline for Prevention of Surgical Site Infection
  - 5) Guideline for Prevention of Nosocomial Pneumonia
  - 6) Guideline for Isolation Precautions in Hospitals
  - 7) Guidelines for Infection Control in Health Care Personnel
- d) Each facility shall comply with infection control recommendations provided by the Department or certified local health department, including, but not limited to, testing plans, infection control assessments, training or other measures designed to reduce infection rates and disease outbreaks.
- e) Each facility shall conduct testing of residents and staff for the control or detection of communicable diseases when:
  - 1) the facility is experiencing an outbreak; or

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF EMERGENCY AMENDMENT

- 2) directed by the Department or the certified local health department where the chance of transmission is high, including, but not limited to, regional outbreaks, pandemics or epidemics.
- f) Each facility shall make arrangements with a testing laboratory to process any specimens collected under subsection (e) and ensure that complete information is submitted with each specimen, including name, address, date of birth, sex, race and ethnicity.
- g) For testing done under subsection (e), each facility shall report to the Department or the certified local health department the number of residents and staff tested, and the number of positive, negative and indeterminate cases as directed by the Department or certified local health department.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 10217, effective May 28, 2020, for a maximum of 150 days)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: 310.Appendix A Table D                      Peremptory Action: 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 D to reflect the Agreement between the Departments of Central Management Services, Transportation, Human Services and Employment Security and Teamster Local 700, affiliated with the International Brotherhood of Teamsters (Cook County) effective July 1, 2019 through to June 30, 2023 signed April 29, 2020. The Agreement shall be effective as of July 1, 2019 and shall remain in full force and effect from said date until midnight, June 30, 2023, and it shall be automatically renewed from year to year thereafter, unless either party notifies the other in writing at least 60 days prior to June 30, 2023, the anniversary date of the yearly extension, of their desire to amend or terminate it.
- 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: May 28, 2020
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A Table D and under Notes, Notes for rates and movements, merit incentive program and gain sharing programs, vacation payout restriction, shift differential pay, and clothing allowance are removed. Some of these removed provisions exist with changes in the Agreement and may be referenced there. Other removed provisions are no longer in effect. Notes for Stipend and General Increases are added. The Note for In-hire Rate is changed to the provision in effect.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: May 28, 2020

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

- 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>
310.47	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.50	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.80	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.90	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.90	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.100	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.130	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.210	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.220	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.280	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.410	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.415	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.470	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.480	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.490	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.500	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.530	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.550	New Section	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table A	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table B	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table C	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table D	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table E	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table F	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table G	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table H	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table I	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table J	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table K	Amendment	44 Ill. Reg. 4757; March 27, 2020

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

310.Appendix A Table N	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table O	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table P	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table Q	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table R	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table S	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table T	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table V	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table W	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table X	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table Y	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table Z	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table AC	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix A Table AD	Amendment	44 Ill. Reg. 4757; March 27, 2020
310.Appendix D	Amendment	44 Ill. Reg. 4757; March 27, 2020

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

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

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

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

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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

## CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
PAY PLAN

## SUBPART A: NARRATIVE

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

## SUBPART B: SCHEDULE OF RATES

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

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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

## SUBPART C: MERIT COMPENSATION SYSTEM

Section	
310.410	Jurisdiction
310.415	Merit Compensation Salary Range Assignments
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases and Bonuses
310.455	Intermittent Merit Increase (Repealed)
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units (Repealed)
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase and Bonus Guidechart
310.550	Fiscal Year 2020 Merit Compensation Stipend and Cost-of-Living Adjustment
310.560	Merit Incentive Program (Repealed)
310.570	Gain Sharing Program (Repealed)

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

Section

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

- 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)
  - 310.TABLE R RC-042 (Residual Maintenance Workers, AFSCME)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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)
310.TABLE N	Frozen RC-010 (Professional Legal Unit, AFSCME) (Repealed)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

ILCS 415].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 3230, effective January 24, 1986; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992;

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory 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; peremptory 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; peremptory 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; peremptory 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; peremptory 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; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory 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; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory 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; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841,

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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 July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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. Reg. 7645, effective May 24, 2010; preemptory amendment at 34 Ill. Reg. 7947, effective May

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

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; preemptory amendment at 37 Ill. Reg. 11524, effective July 3, 2013; preemptory amendment at

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

37 Ill. Reg. 12588, effective July 19, 2013; preemptory amendment at 37 Ill. Reg. 13762, effective August 8, 2013; preemptory amendment at 37 Ill. Reg. 14219, effective August 23, 2013; amended at 37 Ill. Reg. 16925, effective October 8, 2013; preemptory amendment at 37 Ill. Reg. 17164, effective October 18, 2013; preemptory amendment at 37 Ill. Reg. 20410, effective December 6, 2013; preemptory amendment at 38 Ill. Reg. 2974, effective January 9, 2014; amended at 38 Ill. Reg. 5250, effective February 4, 2014; preemptory amendment at 38 Ill. Reg. 6725, effective March 6, 2014; emergency amendment at 38 Ill. Reg. 9080, effective April 11, 2014, for a maximum of 150 days; preemptory amendment at 38 Ill. Reg. 9136, effective April 11, 2014; amended at 38 Ill. Reg. 9207, effective April 21, 2014; preemptory amendment at 38 Ill. Reg. 13416, effective June 11, 2014; amended at 38 Ill. Reg. 14818, effective July 1, 2014; preemptory amendment at 38 Ill. Reg. 15739, effective July 2, 2014; preemptory amendment at 38 Ill. Reg. 17481, effective July 29, 2014; amended at 38 Ill. Reg. 17556, effective August 6, 2014; preemptory amendment at 38 Ill. Reg. 18791, effective August 26, 2014; preemptory amendment at 38 Ill. Reg. 19806, effective September 26, 2014; amended at 38 Ill. Reg. 20695, effective October 14, 2014; amended at 38 Ill. Reg. 24005, effective December 9, 2014; preemptory amendment at 39 Ill. Reg. 728, effective December 23, 2014; emergency amendment at 39 Ill. Reg. 708, effective December 26, 2014, for a maximum of 150 days; preemptory amendment at 39 Ill. Reg. 6964, effective April 29, 2015; amended at 39 Ill. Reg. 7878, effective May 22, 2015; amended at 39 Ill. Reg. 11220, effective July 28, 2015; preemptory amendment at 39 Ill. Reg. 12004, effective August 13, 2015; preemptory amendment at 39 Ill. Reg. 15807, effective November 25, 2015; amended at 40 Ill. Reg. 5893, effective March 28, 2016; preemptory amendment at 40 Ill. Reg. 8462, effective June 1, 2016; preemptory amendment at 40 Ill. Reg. 9658, effective June 30, 2016; amended at 40 Ill. Reg. 9356, effective July 1, 2016; preemptory amendment at 40 Ill. Reg. 11207, effective August 5, 2016; preemptory amendment at 41 Ill. Reg. 1210, effective January 19, 2017; amended at 41 Ill. Reg. 1695, effective January 25, 2017; preemptory amendment at 41 Ill. Reg. 2078, effective February 2, 2017; amended at 41 Ill. Reg. 3191, effective March 6, 2017; amended at 41 Ill. Reg. 4615, effective April 24, 2017; preemptory amendment at 41 Ill. Reg. 5822, effective May 15, 2017; preemptory amendment at 41 Ill. Reg. 6695, effective May 24, 2017; preemptory amendment at 41 Ill. Reg. 7227, effective June 9, 2017; amended at 41 Ill. Reg. 8314, effective July 1, 2017; preemptory amendment at 41 Ill. Reg. 10974, effective August 10, 2017; preemptory amendment at 41 Ill. Reg. 11447, effective August 25, 2017; preemptory amendment at 41 Ill. Reg. 12179, effective September 13, 2017; preemptory amendment at 41 Ill. Reg. 15837, effective December 12, 2017; amended at 42 Ill. Reg. 712, effective December 28, 2017; amended at 42 Ill. Reg. 5357, effective March 9, 2018; preemptory amendment at 42 Ill. Reg. 8967, effective May 16, 2018; amended at 42 Ill. Reg. 13464, effective July 1, 2018; amended at 42 Ill. Reg. 16651, effective September 4, 2018; preemptory amendment at 43 Ill. Reg. 3999, effective March 15, 2019; amended at 43 Ill. Reg. 8746, effective July 31, 2019; preemptory amendment at 43 Ill. Reg. 9886, effective August 21, 2019; preemptory amendment at 43 Ill. Reg. 10811, effective September 20, 2019; preemptory

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

amendment at 43 Ill. Reg. 11734, effective September 27, 2019; preemptory amendment at 43 Ill. Reg. 12119, effective October 8, 2019; preemptory amendment at 43 Ill. Reg. 13031, effective October 25, 2019; emergency amendment at 43 Ill. Reg. 14216, effective November 22, 2019, for a maximum of 150 days; amended at 44 Ill. Reg. 1819, effective January 1, 2020; preemptory amendment at 44 Ill. Reg. 2380, effective January 15, 2020; preemptory amendment at 44 Ill. Reg. 2588, effective January 17, 2020; preemptory amendment at 44 Ill. Reg. 2985, effective January 31, 2020; preemptory amendment at 44 Ill. Reg. 5497, effective March 13, 2020; amended at 44 Ill. Reg. 6859, effective April 16, 2020; preemptory amendment at 44 Ill. Reg. 8083, effective April 22, 2020; preemptory amendment at 44 Ill. Reg. 10232, effective May 28, 2020.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

**Section 310.APPENDIX A Negotiated Rates of Pay****Section 310.TABLE D HR-001 (Teamsters Local #700)**

<b>Title</b>	<b>Title Code</b>	<b>Bargaining Unit</b>	<b>Pay Plan Code</b>	<b>Full Scale Mo.</b>	<b>Effective Date</b>
Highway Maintainer (Snowbirds)	18639	HR-001	Q	4375.00	July 1, 2014

NOTE: Definition of Snowbirds – Snowbirds are all seasonal, full-time Highway Maintainers whose primary function is snow removal.

**Effective July 1, 2015**

<b>Title</b>	<b>Title Code</b>	<b>Pay Plan Code</b>	<b>75%</b>		<b>80%</b>		<b>85%</b>		<b>90%</b>		<b>95%</b>		<b>Full Scale</b>	
			<b>Mo.</b>	<b>Hr.</b>	<b>Mo.</b>	<b>Hr.</b>								
Building Services Worker	05616	B	2951	16.96	3147	18.09	3344	19.22	3541	20.35	3737	21.48	3934	22.61
Elevator Operator	13500	B	3011	17.30	3212	18.46	3413	19.61	3614	20.77	3814	21.92	4015	23.07
Elevator Operator – Assistant Starter	13500	B	3050	17.53	3254	18.70	3457	19.87	3660	21.03	3864	22.21	4067	23.37
Elevator Operator – Starter	13500	B	3069	17.64	3274	18.82	3478	19.99	3683	21.17	3887	22.34	4092	23.52
Grounds Supervisor	17549	B	4471	25.70	4769	27.41	5067	29.12	5365	30.83	5663	32.55	5961	34.26
Grounds Supervisor (DHS – Chicago Read)	17549	B	4633	26.63	4942	28.40	5250	30.17	5559	31.95	5868	33.72	6177	35.50
Grounds Supervisor (DHS – Supervisor)	17549	B	4854	27.90	5178	29.76	5501	31.61	5825	33.48	6148	35.33	6472	37.20

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Tractor Trailer) Heavy Construction Equipment Operator (Regular – RG)	18465	Q	4739	27.24	5054	29.05	5370	30.86	5686	32.68	6002	34.49	6318	36.31
Heavy Construction Equipment Operator (Bridge Crew – BC)	18465	Q	4807	27.63	5127	29.47	5448	31.31	5768	33.15	6089	34.99	6409	36.83
Highway Maintainer (Regular – RG)	18639	Q	4640	26.67	4950	28.45	5259	30.22	5568	32.00	5878	33.78	6187	35.56
Highway Maintainer (Bridge Crew – BC)	18639	Q	4712	27.08	5026	28.89	5340	30.69	5654	32.49	5968	34.30	6282	36.10
Highway Maintainer (Drill Rig – DR)	18639	Q	4739	27.24	5054	29.05	5370	30.86	5686	32.68	6002	34.49	6318	36.31
Highway Maintainer (Emergency Patrol – EP)	18639	Q	4741	27.25	5057	29.06	5373	30.88	5689	32.70	6005	34.51	6321	36.33
Highway Maintenance Lead Worker (Regular – RG)	18659	Q	4769	27.41	5087	29.24	5405	31.06	5723	32.89	6041	34.72	6359	36.55
Highway Maintenance Lead Worker (Bridge Crew – BC)	18659	Q	4837	27.80	5159	29.65	5482	31.51	5804	33.36	6127	35.21	6449	37.06
Highway Maintenance Lead Worker (Emergency Patrol – EP)	18659	Q	4867	27.97	5191	29.83	5516	31.70	5840	33.56	6165	35.43	6489	37.29
Highway Maintenance	18659	Q	4817	27.68	5138	29.53	5460	31.38	5781	33.22	6102	35.07	6423	36.91

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

Lead Worker (Lead Lead Worker) (Regular – RG)															
Highway Maintenance Lead Worker (Lead Lead Worker) (Bridge Crew – BC)	18659	Q	4886	28.08	5211	29.95	5537	31.82	5863	33.70	6188	35.56	6514	37.44	
Highway Maintenance Lead Worker (Lead Lead Worker) (Emergency Patrol – EP)	18659	Q	4916	28.25	5244	30.14	5572	32.02	5900	33.91	6227	35.79	6555	37.67	
Laborer (Maintenanc e) (Regular – RG)	23080	B	4492	25.82	4791	27.53	5091	29.26	5390	30.98	5690	32.70	5989	34.42	
Maintenance Equipment Operator	25020	B	4583	26.34	4888	28.09	5194	29.85	5499	31.60	5805	33.36	6110	35.11	
Maintenance Equipment Operator (DHS – Tractor Trailer)	25020	B	4605	26.47	4912	28.23	5219	29.99	5526	31.76	5833	33.52	6140	35.29	
Maintenance Equipment Operator (Dispatcher)	25020	B	4751	27.30	5067	29.12	5384	30.94	5701	32.76	6017	34.58	6334	36.40	
Maintenance Worker (not DOT, DHS – Chicago Read or DHS – Forensic)	25500	B	4440	25.52	4736	27.22	5032	28.92	5328	30.62	5624	32.32	5920	34.02	
Maintenance Worker (DHS – Chicago Read)	25500	B	4583	26.34	4888	28.09	5194	29.85	5499	31.60	5805	33.36	6110	35.11	

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

Maintenance Worker (DHS – Forensic)	25500	Q	4640	26.67	4950	28.45	5259	30.22	5568	32.00	5878	33.78	6187	35.56
Maintenance Worker (DOT – Regular – RG)	25500	B	4529	26.03	4830	27.76	5132	29.49	5434	31.23	5736	32.97	6038	34.70
Maintenance Worker (DOT – Emergency Patrol – EP)	25500	B	4625	26.58	4934	28.36	5242	30.13	5550	31.90	5859	33.67	6167	35.44
Sign Hanger	40900	B	4640	26.67	4950	28.45	5259	30.22	5568	32.00	5878	33.78	6187	35.56
Sign Hanger Foreman	40910	B	4769	27.41	5087	29.24	5405	31.06	5723	32.89	6041	34.72	6359	36.55

NOTES: Stipend – All bargaining unit employees on active payroll on April 29, 2020 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.

General Increases – The pay rates for all bargaining unit classifications shall be increased the specified percentage amounts effective on the following dates: January 1, 2020, 1.50%; July 1, 2020, 2.10%; July 1, 2021, 3.95%; and July 1, 2022, 3.95%.

Rates and Movements—Effective July 1, 2015, all current rates that are in effect are frozen for the duration of the 2015–2019 Collective Bargaining Agreement (CBA) (including contractual in-hire movements).

Merit Incentive Program and Gain Sharing Programs—The bargaining unit and State agree to develop and implement a merit incentive program to reward and incentivize high-performing employees, or a group's/unit's performance. As a part of these efforts, the State shall allocate funds for payout to those individuals deemed high performers or for a group's/unit's level of performance for the specific group/unit. Payment from the allocated funds is based on the satisfaction of performance standards to be developed by the State in consultation with the bargaining unit. This compensation, either for a group/unit or an individual, shall be considered a one-time bonus and offered only as a non-pensionable incentive. Any employee who accepts merit pay compensation does so voluntarily and with

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

~~the knowledge and on the express condition that the merit pay compensation is not included in any pension calculations.~~

~~Additionally, as a part of overall efforts to improve efficiency of State operations and align the incentives of the State with its employees, the State may develop gain sharing programs. Under these programs, employees or departments may propose initiatives that achieve substantial savings for the State. Upon realization of these savings, the State may elect to return a portion of these savings to the employees who participated in the identified initiative. This compensation, either for a group/unit or an individual, shall be considered a one-time bonus and offered only as a non-pensionable incentive. Any employee who accepts merit pay compensation does so voluntarily and with the knowledge and on the express condition that the merit pay compensation is not included in any pension calculations.~~

~~In each contract year in which a merit incentive program is created, no less than 25% of the employees subject to the 2015-2019 CBA receive some form of merit compensation under these programs. Funding for these performance bonuses is subject to annual approval as a part of the State's overall budget.~~

~~The State develops specific policies for both of these programs and gives the bargaining unit an opportunity to review and comment on these policies prior to their implementation. The State's intent is to develop policies that reward employees or units of employees based on specific achievements and to prevent payouts that are influenced by favoritism, politics, or other purely subjective criteria. Compliance with the policies for both of these programs shall be subject to the grievance and arbitration procedure.~~

~~Rights exercised by the State under Section 4 of the Illinois Public Labor Relations Act [5 ILCS 315], 80 Ill. Adm. Code 301 through 331, and Article 3 of the 2015-2019 CBA are subject to all the terms of that CBA. However, it is understood that compensation payable pursuant to merit incentive and gain sharing programs shall be performance based only. Moreover, an employee's failure or refusal to participate in these programs may not be grounds for any form of discipline.~~

~~Vacation Payout Restriction—Effective January 1, 2016, employees newly hired into the bargaining unit shall be entitled to a vacation payout of no more than 45 days.~~

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

~~Shift Differential Pay—Employees (except Snowbirds) required to work a shift different than their normal day shift are paid a \$0.50 per hour shift premium provided that ½ or more of their work shift falls before 6:30 a.m. or after 3:00 p.m. This shift premium does not include those employees normally working shifts other than the normal day shift or employees hired into positions where the regular shift hours are not considered day shift hours, or snow or ice season.~~

~~Clothing Allowance—Effective July 1, 2011, the clothing allowance for Lead Workers, Lead Lead Workers, Heavy Construction Equipment Operator, Highway Maintainers, and Maintenance Workers (Illinois Department of Transportation) employees increases to \$200.~~

In-Hire Rate – In-hire rates are located in Section 310.47(a). The parties agree the in-hire rate as was amended to 75% for the 2008-2012 Collective Bargaining Agreement shall continue in effect. The parties also agree that all classifications shall continue the 75% in-hire rate as agreed to in the 2012-2015 agreement. Employees in the in-hire will receive a 5% increase each year for five (5) years on their anniversary date in order to obtain the full rate. Effective July 1, 2019 the in-hire rate is unfrozen. Each employee on active payroll upon ratification of the contract, whose in-hire rate was frozen during the 2015-2019 agreement shall be placed on his/her correct in-hire rate, on July 1, 2019. The placement shall not change the employee's creditable service (anniversary) date. Example: An employee who was hired on and whose creditable service (anniversary) date is April 1, 2017 at 75% shall be placed on the 85% rate on July 1, 2019. The employee's next in-hire movement (to 90%) will be due on April 1, 2020, pursuant to their creditable service (anniversary) date. Employees within this bargaining unit who are promoted and are in the in-hire progression will promote to the next higher step of the in-hire rate of the higher classification. In addition, temporary assignments to higher-level classifications shall also be calculated at the in-hire rates. All full-scale employees within this collective bargaining unit will be promoted to the full-scale rate as if they were promoted to the next higher classification within the series. Any certified employee of this bargaining unit who is offered and accepts a position within this bargaining unit that is a promotion, notwithstanding classification series and without a break in service, shall be placed on the next higher step of the in-hire rate of the new classification. Employees covered under this bargaining agreement who transfer to any position within the bargaining unit without a break in service shall maintain their continuous service date for in-hire rate progression. A certified employee who is assigned and accepts a voluntary reduction in grade shall be certified in the lower

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENT

~~class without serving a probationary period. The employee shall be reduced to the appropriate in-hire rate, i.e. 85% lead worker voluntarily reduces to an 85% Highway Maintainer. The State and HR-001 Bargaining Unit agree that the in-hire rate of 75% established in the 2008-2012 and 2012-2015 CBAs shall continue in effect for all classifications. However, effective July 1, 2015, all employees are frozen at their current rate for the duration of the 2015-2019 CBA. Employees within this bargaining unit who are promoted and are in the in-hire progression promote to the next step of the in-hire rate of the higher classification and then are frozen at that new in-hire rate. In addition, temporary assignments to higher classifications shall also be calculated at the in-hire rates. All full-scale employees within this bargaining unit are promoted to the full-scale rate as if they were promoted to the next higher classification within the series.~~

(Source: Amended by peremptory rulemaking at 44 Ill. Reg. 10232, effective May 28, 2020)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

MICHAEL A. BILANDIC BUILDING  
ROOM C600  
CHICAGO, ILLINOIS  
JUNE 16, 2020  
11:00 A.M.

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

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

**RULEMAKINGS SCHEDULED FOR JCAR REVIEW**

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

**PROPOSED RULEMAKINGS**Central Management Services

1. Pay Plan (80 Ill. Adm. Code 310)
  - First Notice Published: 44 Ill. Reg. 4757 – 3/27/20
  - Expiration of Second Notice: 6/27/20

Commerce Commission

2. Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities (83 Ill. Adm. Code 590)
  - First Notice Published: 43 Ill. Reg. 13483 – 12/2/19
  - Expiration of Second Notice: 7/11/20

Employment Security

3. Claimant's Availability For Work, Ability to Work and Active Search for Work (56 Ill. Adm. Code 2865)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

- First Notice Published: 44 Ill. Reg. 5176 – 3/27/20
- Expiration of Second Notice: 6/27/20

Higher Education

4. General Grant Programs (23 Ill. Adm. Code 1001)
  - First Notice Published: 44 Ill. Reg. 3799 – 3/13/20
  - Expiration of Second Notice: 6/24/20
5. Illinois Corporate Work Study Program (23 Ill. Adm. Code 1015)
  - First Notice Published: 44 Ill. Reg. 4109 – 3/20/20
  - Expiration of Second Notice: 6/24/20

Financial and Professional Regulation

6. The Illinois Speech-Language Pathology and Audiology Practice Act (68 Ill. Adm. Code 1465)
  - First Notice Published: 44 Ill. Reg. 55 – 1/3/20
  - Expiration of Second Notice: 7/2/20

Information and Technology

7. Americans With Disabilities Act Grievance Procedure (4 Ill. Adm. Code 1660)
  - First Notice Published: 44 Ill. Reg. 3327 – 3/6/20
  - Expiration of Second Notice: 6/27/20

Natural Resources

8. General Hunting and Trapping on Department-Owned or -Managed Sites (17 Ill. Adm. Code 510)
  - First Notice Published: 44 Ill. Reg. 5572 – 4/3/20
  - Expiration of Second Notice: 7/15/20
9. Nuisance Wildlife Control Permits (17 Ill. Adm. Code 525)
  - First Notice Published: 44 Ill. Reg. 5580 – 4/3/20
  - Expiration of Second Notice: 7/15/20
10. Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590)
  - First Notice Published: 44 Ill. Reg. 5589 – 4/3/20
  - Expiration of Second Notice: 7/15/20

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

11. White-Tailed Deer Hunting By Use of Firearms (17 Ill. Adm. Code 650)
  - First Notice Published: 44 Ill. Reg. 5634 – 4/3/20
  - Expiration of Second Notice: 7/15/20
12. White-Tailed Deer Hunting By Use of Bow and Arrow (17 Ill. Adm. Code 670)
  - First Notice Published: 44 Ill. Reg. 5640 – 4/3/20
  - Expiration of Second Notice: 7/15/20
13. Special White-Tailed Deer Season for Disease Control (17 Ill. Adm. Code 675)
  - First Notice Published: 44 Ill. Reg. 5660 – 4/3/20
  - Expiration of Second Notice: 7/15/20
14. Late-Winter Deer Hunting Season (17 Ill. Adm. Code 680)
  - First Notice Published: 44 Ill. Reg. 5665 – 4/3/20
  - Expiration of Second Notice: 7/15/20
15. Youth Hunting Seasons (17 Ill. Adm. Code 685)
  - First Notice Published: 44 Ill. Reg. 5670 – 4/3/20
  - Expiration of Second Notice: 7/15/20

Pollution Control Board

16. Special Waste Hauling (35 Ill. Adm. Code 809)
  - First Notice Published: 43 Ill. Reg. 13361 – 11/22/19
  - Expiration of Second Notice: 7/5/20

Racing Board

17. Medication (11 Ill. Adm. Code 603)
  - First Notice Published: 44 Ill. Reg. 3315 – 2/28/20
  - Expiration of Second Notice: 7/15/20

Secretary of State

18. Issuance of Licenses (92 Ill. Adm. Code 1030)
  - First Notice Published: 44 Ill. Reg. 5346 – 3/27/20
  - Expiration of Second Notice: 7/10/20

State Employees Retirement System of Illinois

19. The Administration and Operation of the State Employees' Retirement System of Illinois

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

(80 Ill. Adm. Code 1540)

-First Notice Published: 44 Ill. Reg. 3869 – 3/13/20

-Expiration of Second Notice: 7/2/20

State Police

20. Firearm Dealer License Certification Act (20 Ill. Adm. Code 1232)

-First Notice Published: 44 Ill. Reg. 2446 – 2/7/20

-Expiration of Second Notice: 6/21/20

**EMERGENCY RULEMAKINGS**

Agriculture

21. Illinois Dead Animal Disposal Act (8 Ill. Adm. Code 90)

-44 Ill. Reg. 8483; effective 5/7/20

-Emergency Expires: 10/3/20

22. Cannabis Regulation and Tax Act (8 Ill. Adm. Code 1300)

-44 Ill. Reg. 8349; effective 4/30/20

-Emergency Expires: 6/28/20

Commerce and Economic Opportunity

23. Illinois Works Jobs Program Act (14 Ill. Adm. Code 680)

-44 Ill. Reg. 8502; effective 5/8/20

-Emergency Expires: 10/4/20

Education

24. Public Schools, Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)

-44 Ill. Reg. 8382; effective 5/1/20

-Emergency Expires: 9/27/20

25. School Construction Program (23 Ill. Adm. Code 151)

-44 Ill. Reg. 9256; effective 5/15/20

-Emergency Expires: 10/11/20

Employment Security

26. Claims, Adjudication, Appeals and Hearings (56 Ill. Adm. Code 2720)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

-44 Ill. Reg. 9262; effective 5/15/20  
-Emergency Expires: 10/11/20

27. Employment (56 Ill. Adm. Code 2732)  
-44 Ill. Reg. 9269; effective 5/15/20  
-Emergency Expires: 10/11/20
28. Recovery of Benefits (56 Ill. Adm. Code 2835)  
-44 Ill. Reg. 9274; effective 5/15/20  
-Emergency Expires: 10/11/20

Executive Ethics Commission

29. Organization, Information, Rulemaking and Hearings (2 Ill. Adm. Code 1620)  
-44 Ill. Reg. 9987; effective 5/22/20  
-Emergency Expires: 10/18/20

Public Health

30. Assisted Living and Shared Housing Establishment Code (77 Ill. Adm. Code 295)  
-44 Ill. Reg. 8515; effective 5/5/20  
-Emergency Expires: 10/1/20
31. Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300)  
-44 Ill. Reg. 8521; effective 5/5/20  
-Emergency Expires: 10/1/20
32. Sheltered Care Facilities (77 Ill. Adm. Code 330)  
-44 Ill. Reg. 8536; effective 5/5/20  
-Emergency Expires: 10/1/20
33. Illinois Veterans' Homes Code (77 Ill. Adm. Code 340)  
-44 Ill. Reg. 8548; effective 5/5/20  
-Emergency Expires: 10/1/20
34. Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350)  
-44 Ill. Reg. 8555; effective 5/5/20  
-Emergency Expires: 10/1/20
35. Specialized Mental Health Rehabilitation Facilities Code (77 Ill. Adm. Code 380)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

-44 Ill. Reg. 8568; effective 5/5/20  
-Emergency Expires: 10/1/20

36. Medically Complex for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 390)

-44 Ill. Reg. 8573; effective 5/5/20  
-Emergency Expires: 10/1/20

37. Control of Communicable Diseases Code (77 Ill. Adm. Code 690)

-44 Ill. Reg. 9282; effective 5/15/20  
-Emergency Expires: 10/11/20

38. Control of Communicable Diseases Code (Repealer) (77 Ill. Adm. Code 690)

-44 Ill. Reg. 10000; effective 5/20/20  
-Emergency Expires: N/A

Secretary of State

39. Illinois Library System Act (23 Ill. Adm. Code 3030)

-44 Ill. Reg. 8585; effective 5/7/20  
-Emergency Expires: 10/3/20

40. Issuance of Licenses (92 Ill. Adm. Code 1030)

-44 Ill. Reg. 10011; effective 5/21/20  
-Emergency Expires: 10/17/20

41. Commercial Driver Training Schools (92 Ill. Adm. Code 1060)

-44 Ill. Reg. 10021; effective 5/21/20  
-Emergency Expires: 10/17/20

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## SECOND NOTICES RECEIVED

The following second notices were received during the period of May 19, 2020 through June 1, 2020. These rulemakings are scheduled for the June 16, 2020 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.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
7/2/20	<u>State Employees' Retirement System of Illinois</u> , The Administration and Operation of the State Employees' Retirement System of Illinois (80 Ill. Adm. Code 1540)	3/13/20 44 Ill. Reg. 3869	6/16/20
7/5/20	<u>Pollution Control Board</u> , Special Waste Hauling (35 Ill. Adm. Code 809)	11/22/19 43 Ill. Reg. 13361	6/16/20
7/15/20	<u>Illinois Racing Board</u> , Medication (11 Ill. Adm. Code 603)	2/28/20 44 Ill. Reg. 3315	6/16/20
7/15/20	<u>Department of Natural Resources</u> , General Hunting and Trapping on Department-Owned or -Managed Sites (17 Ill. Adm. Code 510)	4/3/20 44 Ill. Reg. 5572	6/16/20
7/15/20	<u>Department of Natural Resources</u> , Nuisance Wildlife Control Permits (17 Ill. Adm. Code 525)	4/3/20 44 Ill. Reg. 5580	6/16/20
7/15/20	<u>Department of Natural Resources</u> , Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590)	4/3/20 44 Ill. Reg. 5589	6/16/20

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## SECOND NOTICES RECEIVED

7/15/20	<u>Department of Natural Resources, White-Tailed Deer Hunting By Use of Firearms (17 Ill. Adm. Code 650)</u>	4/3/20 44 Ill. Reg. 5634	6/16/20
7/15/20	<u>Department of Natural Resources, White-Tailed Deer Hunting By Use of Bow and Arrow (17 Ill. Adm. Code 670)</u>	4/3/20 44 Ill. Reg. 5640	6/16/20
7/15/20	<u>Department of Natural Resources, Special White-Tailed Deer Season for Disease Control (17 Ill. Adm. Code 675)</u>	4/3/20 44 Ill. Reg. 5660	6/16/20
7/15/20	<u>Department of Natural Resources, Late-Winter Deer Hunting Season (17 Ill. Adm. Code 680)</u>	4/3/20 44 Ill. Reg. 5665	6/16/20
7/15/20	<u>Department of Natural Resources, Youth Hunting Seasons (17 Ill. Adm. Code 685)</u>	4/3/20 44 Ill. Reg. 5670	6/16/20

**2020-38**  
**EXECUTIVE ORDER 2020-38**  
**(COVID-19 EXECUTIVE ORDER NO. 36)**

**Restoring Illinois – Protecting Our Communities**

**WHEREAS**, since early March 2020, Illinois has been faced with a disaster caused by a pandemic that has taken the lives of thousands of residents, infecting over 100,000 and growing, and resulting in extraordinary sickness and loss of life; and,

**WHEREAS**, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

**WHEREAS**, as Illinois enters the fourth month of responding to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that has spread and continues to spread rapidly among people through respiratory transmissions and continues to be without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders and governments throughout the State is unprecedented; and,

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

**WHEREAS**, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic, and has now reported more than 5.5 million confirmed cases of COVID-19 and 350,000 deaths attributable to COVID-19 globally; and,

**WHEREAS**, despite efforts to contain COVID-19, the World Health Organization and the federal Centers for Disease Control and Prevention (CDC) indicated that the virus was expected to continue spreading and it has, in fact, continued to spread rapidly, resulting in the need for federal and State governments to take significant steps; and,

**WHEREAS**, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area in response to the outbreak of COVID-19; and,

**WHEREAS**, on March 13, 2020, the President declared a nationwide emergency pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), covering all states and territories, including Illinois; and,

**WHEREAS**, on March 26, 2020, the President declared a major disaster in Illinois pursuant to Section 401 of the Stafford Act; and,

**WHEREAS**, on April 1, 2020, due to the exponential spread of COVID-19 in Illinois, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, on April 30, 2020, due to the continued spread of COVID-19 in Illinois, the threatened shortages of hospital beds, emergency room capacity, and ventilators, and the inadequate testing capacity, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, on May 29, 2020, due to the thousands of lives lost to COVID-19 in Illinois, the continued increase of cases, the continued threat of shortages of hospital beds, emergency room capacity, and ventilators, the improved but still insufficient testing capacity, and the financial destruction caused by the virus, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, the CDC advises that limiting face-to-face contact with others is the best way to reduce the spread of COVID-19, and that social distancing – staying at least 6 feet away from other people, not gathering in groups, and staying out of crowded places – is among the best tools to slow the spread of the virus; and,

**WHEREAS**, the CDC recommends wearing cloth face coverings in public settings where social distancing measures are difficult to maintain; and,

**WHEREAS**, the CDC recommends other critical precautions to slow the spread of COVID-19, such as frequent hand washing, covering coughs and sneezes, and cleaning and disinfecting frequently touched surfaces; and,

**WHEREAS**, there have been over 117,000 confirmed cases of COVID-19 in 101 Illinois counties; and,

**WHEREAS**, Illinois has had more than 5,200 deaths resulting from COVID-19, and many days more than 100 Illinoisans lose their lives to the virus; and,

**WHEREAS**, although the number of new COVID-19 cases has stabilized and potentially begun to decrease in recent weeks, the virus continues to infect thousands of individuals and claim the lives of too many Illinoisans each day; and,

**WHEREAS**, COVID-19 has claimed the lives of and continues to impact the health of Black and Hispanic Illinoisans at a disproportionately high rate – magnifying significant health disparities and inequities; and,

**WHEREAS**, as the virus has progressed through Illinois, the crisis facing the State continues to develop and requires an evolving response to ensure hospitals, health care professionals and first responders are able to meet the health care needs of all Illinoisans and in a manner consistent with CDC guidance that continues to be updated; and,

**WHEREAS**, while hospitalizations have very recently stabilized, Illinois is using a significant percentage of hospital beds, ICU beds, and ventilators to treat COVID-19 patients that require hospitalization and, if cases were to surge higher, the State could face a shortage of one or more of these critical health care resources; and,

**WHEREAS**, the State worked with top researchers from the University of Illinois at Urbana-Champaign, the Northwestern School of Medicine, the University of Chicago, the Chicago and Illinois Departments of Public Health, along with McKinsey and Mier Consulting Group, and Civis Analytics, to analyze data on COVID-19 deaths and ICU usage and model potential outcomes; and,

**WHEREAS**, the State's modeling showed that its health care resource utilization would peak in May, and that health care resources would continue to be limited after the peak, updated modeling now shows that the peak may have been delayed, with the tail extending several more weeks; and,

**WHEREAS**, the State's modeling continues to show that without extensive social distancing and other precautions, the State will face a shortage of hospital beds, ICU beds and/or ventilators; and,

**WHEREAS**, in addition to causing the tragic loss of more than 5,200 Illinoisans and wreaking havoc on the physical health of tens of thousands more, COVID-19 has caused extensive economic loss and continues to threaten the financial welfare of a significant number of individuals and businesses across the nation and the State; and,

**WHEREAS**, nationwide, 40 million people have filed unemployment claims since the start of the pandemic – representing one in four U.S. workers; and,

**WHEREAS**, the Illinois Department of Employment Security announced that the State's unemployment rate rose to 16.4% in April, with 762,000 jobs lost during that month; and,

**WHEREAS**, over 180,000 small businesses in Illinois have received over \$22 billion in COVID-19 related financial support through the federal Paycheck Protection Program in an effort to prevent these businesses from closing; and,

**WHEREAS**, the economic loss and insecurity caused by COVID-19 threatens the viability of business and the access to housing, medical care, food, and other critical resources that impact the health and safety of residents; and,

**THEREFORE**, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective immediately:

**Restoring Illinois – Protecting Our Communities**

1. **Intent of this Executive Order.** The intent of this Executive Order is to safely and conscientiously resume activities that were paused as COVID-19 cases rose exponentially and threatened to overwhelm our healthcare system. As Illinoisans resume these activities, we must not backslide on the progress we have made. We cannot risk overwhelming our healthcare system, and we must prioritize the health and lives of all Illinoisans, especially the most vulnerable among us. While protecting our communities, we will restore our economy and begin to repair the economic damage that the virus has caused. The intent of this Executive Order is to effectuate those goals.

This Executive Order supersedes Executive Order 2020-32 and Section 1 of Executive Order 2020-07.

2. **Public health requirements for individuals.** Individuals must take the following public health steps to protect their own and their neighbors' health and lives:
  - a. **Practice social distancing.** To the extent individuals are using shared spaces when outside their residence, including when outdoors, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person who does not live with them.
  - b. **Wear a face covering in public places or when working.**<sup>1</sup> Any individual who is over age two and able to medically tolerate a face covering (a mask or cloth face covering) shall be required to cover their nose and mouth with a face covering when in a public place and unable to maintain a six-foot social distance. This requirement applies whether in an indoor space, such as a store, or in a public outdoor space where maintaining a six-foot social distance is not always possible.

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<sup>1</sup> Throughout this Executive Order, any reference to a face covering requirement excludes those two years old and younger and those for whom wearing a face covering is not medically advisable. Guidance on use of face coverings from the Illinois Department of Human Rights is available here: [https://www2.illinois.gov/dhr/Documents/IDHR\\_FAQ\\_for\\_Businesses\\_Concerning\\_Use\\_of\\_Face-Coverings\\_During\\_COVID-19\\_Ver\\_2020511b%20copy.pdf](https://www2.illinois.gov/dhr/Documents/IDHR_FAQ_for_Businesses_Concerning_Use_of_Face-Coverings_During_COVID-19_Ver_2020511b%20copy.pdf)

- c. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those with a health condition that may make them vulnerable, are urged to stay in their residence and minimize in-person contact with others to the extent possible.
- d. **Limit gatherings.** Any gathering of more than ten people is prohibited unless exempted by this Executive Order. Nothing in this Executive Order prohibits the gathering of members of a household or residence. Because in-person contact presents the greatest risk of transmission of COVID-19, Illinoisans are encouraged to continue limiting in-person contact with others and to expand their social contact cautiously. Gathering remotely continues to be the safest way to interact with those outside a household or residence.
- e. **Go outdoors.** Public health guidance suggests that the risks of transmission of COVID-19 are greatly reduced outdoors as opposed to indoors. Where possible, Illinoisans are encouraged to conduct their activities outdoors.
3. **Public health requirements for businesses, nonprofits, and other organizations.** For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entity, regardless of the nature of the service, the function it performs, or its corporate or entity structure. Those entities must take the following public health measures to protect their employees, their customers, and all others who come into physical contact with their operations:
- a. **Requirements for all businesses.** All businesses must:
- continue to evaluate which employees are able to work from home, and are encouraged to facilitate remote work from home when possible;
  - ensure that employees practice social distancing and wear face coverings when social distancing is not always possible;
  - ensure that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
  - ensure that all visitors (customers, vendors, etc.) to the workplace can practice social distancing; but if maintaining a six-foot social distance will not be possible at all times, encourage visitors to wear face coverings; and
  - prominently post the guidance from the Illinois Department of Public Health (IDPH) and Office of the Illinois Attorney General regarding workplace safety during the COVID-19 emergency.<sup>2</sup>

<sup>2</sup> This guidance is available at: [https://www.dph.illinois.gov/sites/default/files/COVID-19\\_WorkplaceHealth\\_SafetyGuidance20200505.pdf](https://www.dph.illinois.gov/sites/default/files/COVID-19_WorkplaceHealth_SafetyGuidance20200505.pdf)

The Department of Commerce and Economic Opportunity (DCEO), in partnership with IDPH, has developed industry-specific guidance and toolkits to help businesses operate safely and responsibly. These documents are available at: <https://www2.illinois.gov/dceo/Pages/RestoreILP3.aspx>.

- b. **Requirements for retail stores.** Retail stores must ensure all employees practice social distancing and must take appropriate additional public health precautions, in accordance with DCEO guidance, which include:
- provide face coverings to all employees who are not able to maintain a minimum six-foot social distance from customers and other employees at all times;
  - cap occupancy at 50 percent of store capacity, or, alternatively, at the occupancy limits based on store square footage set by the Department of Commerce and Economic Opportunity;
  - communicate with customers through in-store signage, and public service announcements and
  - advertisements, about the social distancing and face covering requirements set forth in this Order; and
  - discontinue use of reusable bags.
- c. **Requirements for manufacturers.** Manufacturers must ensure all employees practice social distancing and must take appropriate additional public health precautions, in accordance with DCEO guidance, which include:
- provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
  - ensure that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
  - modify and downsize operations (staggering shifts, reducing line speeds, operating only essential lines, while shutting down non-essential lines) to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.
- d. **Requirements for office buildings.** Employers in office buildings must ensure all employees practice social distancing and must take appropriate additional public health precautions, in accordance with DCEO guidance, which may include:
- provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
  - consider implementing capacity limits where the physical space does not allow for social distancing;
  - allow telework where possible; and

- develop and prominently post plans and signage to ensure social distancing in shared spaces such as waiting rooms, service counters, and cafeterias.
- e. **Requirements for restaurants and bars.** All businesses that offer food or beverages for on-premises consumption – including restaurants, bars, grocery stores, and food halls – must suspend service for and may not permit on-premises consumption, except as permitted by DCEO guidance. Such businesses are permitted and encouraged to serve food and beverages so that they may be consumed off-premises, as permitted by law, through means such as in-house delivery, third-party delivery, drive-through, and curbside pick-up. In addition, customers may enter the premises to purchase food or beverages for carry-out. However, establishments offering food or beverages for carry-out, including food trucks, must ensure that they have an environment where patrons maintain adequate social distancing.

Bars and restaurants located in airports, hospitals, and dining halls in colleges and universities are exempt from the requirements of this Executive Order. Hotel restaurants may continue to provide room service and carry-out. Catering services may continue. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Executive Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only.

All businesses covered in this section may permit outdoor on-premises food and beverage consumption in accordance with DCEO guidance and when permitted by local ordinances and regulations.

- f. **Requirements for fitness and exercise gyms.** Fitness and exercise gyms may be open for the following activities, but must conduct business in a manner consistent with DCEO guidance: Personal training sessions involving one trainer and one customer; outdoor training in groups no larger than 10 with social distancing; sale of retail merchandise; and onsite filming or streaming of remote classes conducted by a single trainer. Fitness and exercise gyms may not allow other activities, including member workouts, because of the heightened risk of transmission of COVID-19 when people exercise together and share equipment in an indoor space.
- g. **Requirements for personal services facilities.** Personal services facilities such as spas, hair salons, barber shops, nail salons, waxing centers, tattoo parlors, and similar facilities may be open but must ensure the use of face coverings, adherence to social distancing requirements, and use of capacity limits in accordance with DCEO guidance.

h. **Requirements for outdoor recreation, youth day camps, and youth sports.**

Businesses offering outdoor recreation, youth day camps, and youth sports may be open but must ensure the use of face coverings, adherence to social distancing requirements, and must take other public health steps in accordance with DCEO guidance.

i. **Places of public amusement.** Except as permitted by this Executive Order or by DCEO guidance, places of public amusement must remain closed to the public. Places of public amusement include but are not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, theme parks, bowling alleys, movie and other theaters, and concert and music halls. Places of public amusement, like other businesses, may continue to:

- i. Perform necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
- ii. Perform necessary activities to facilitate employees of the business being able to continue to work remotely.
- iii. Fulfill online and telephonic retail orders through pick-up or delivery.

4. **Exemptions.**

a. **Free exercise of religion.** This Executive Order does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are encouraged to consult and follow the recommended practices and guidelines from the Illinois Department of Public Health.<sup>3</sup> As set forth in the IDPH guidelines, the safest practices for religious organizations at this time are to provide services online, in a drive-in format, or outdoors (and consistent with social distancing requirements and guidance regarding wearing face coverings), and to limit indoor services to 10 people. Religious organizations are encouraged to take steps to ensure social distancing, the use of face coverings, and implementation of other public health measures.

b. **Emergency functions.** All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to

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<sup>3</sup> This guidance is available at: <https://www.dph.illinois.gov/covid19/community-guidance/places-worship-guidance>

- support the emergency response are exempt from this Executive Order, but are encouraged to practice social distancing and take recommended public health measures.
- c. **Governmental functions.** This Executive Order does not apply to the United States government and does not affect services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public.
5. **Social Distancing, Face Covering, and PPE Requirements.** For purposes of this Executive Order, social distancing includes maintaining at least six-foot distance from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
- a. **Required measures.** Businesses must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
- i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers to maintain appropriate distance;
  - ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
  - iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers;
  - iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely; and
  - v. **Face Coverings and PPE.** Providing employees with appropriate face coverings and requiring that employees wear face coverings where maintaining a six-foot social distance is not possible at all times. When the work circumstances require, providing employees with other PPE in addition to face coverings.
6. **Enforcement.** This Executive Order may be enforced by State and local law enforcement pursuant to, *inter alia*, Section 7, Section 15, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305.

Businesses must follow guidance provided or published by the Illinois Department of Commerce and Economic Opportunity regarding safety measures during Phase III, and the Illinois Department of Public Health, local public health departments, and the Workplace Rights Bureau of the Office of the Illinois Attorney General with respect to Social Distancing Requirements. Pursuant to Section 25(b) of the Whistleblower Act, 740 ILCS 174, businesses are prohibited from retaliating against an employee for disclosing information where the employee has reasonable cause to believe that the information discloses a violation of this Order.

7. **No limitation on authority.** Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government body to order (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closure of a specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall be construed as an exercise of any authority to order any quarantine, isolation, or closure. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.
8. **Savings clause.** If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable. This Executive Order is meant to be read consistently with any Court order regarding this Executive Order.

Issued by the Governor May 29, 2020

Filed by the Secretary of State May 29, 2020

**2020-39**  
**EXECUTIVE ORDER 2020-39**  
**(COVID-19 EXECUTIVE ORDER NO. 37)**

**WHEREAS**, since early March 2020, Illinois has been faced with a disaster caused by a pandemic that has taken the lives of more than 5,180 residents and infected over 100,000, resulting in extraordinary sickness and loss of life, and continues to spread; and,

**WHEREAS**, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

**WHEREAS**, as Illinois enters the fourth month of responding to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that has spread and continues to spread rapidly among people through respiratory transmissions and is without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders and governments throughout the State is unprecedented; and,

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

**WHEREAS**, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area in response to the outbreak of COVID-19; and,

**WHEREAS**, on April 1, 2020, due to the exponential spread of COVID-19 in Illinois, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, on April 30, 2020, due to the continued spread of COVID-19 in Illinois, the threatened shortages of hospital beds, ER beds, and ventilators, and the inadequate testing capacity, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, in addition to causing the tragic loss of 5,186 Illinoisans and wreaking havoc on the physical health of tens of thousands more, COVID-19 has caused extensive economic loss and continues to threaten the financial welfare of a significant number of individuals and businesses across the nation and the State; and,

**WHEREAS**, on May 29, 2020, due to the thousands of lives lost to COVID-19 in Illinois, the continued increase of cases, the continued threat of shortages of hospital beds, ER beds, and ventilators, the improved but still insufficient testing capacity, and the financial destruction caused by the virus, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, the 101<sup>st</sup> General Assembly convened for a Special Session beginning on May 20, 2020 and passed a number of bills, some of which address provisions of prior Executive Orders; and,

**WHEREAS**, in response to the epidemic emergency and public health emergency described above, I find it necessary to re-issue Executive Orders 2020-03, 2020-04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-09, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16, 2020-17, 2020-20, 2020-21, 2020-22, 2020-23, 2020-24, 2020-25, 2020-26, 2020-27, 2020-28, 2020-29, 2020-30, 2020-31, 2020-34, 2020-35, 2020-36, and 2020-37 and hereby incorporate the WHEREAS clauses of those Executive Orders;

**THEREFORE**, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective May 29, 2020:

**Part 1: Re-Issue of Executive Orders.**

Executive Orders 2020-03, 2020-04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-09, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16, 2020-17, 2020-20, 2020-21, 2020-22, 2020-23, 2020-24, 2020-25, 2020-26, 2020-27, 2020-28, 2020-29, 2020-30, 2020-31, 2020-34, 2020-35, 2020-36, and 2020-37 hereby are re-issued by this Executive Order 2020-39 as follows:

**Executive Order 2020-04 (Closure of James R. Thompson Center; waiver of sick leave requirement for State employees):**

Sections 2 and 3 of Executive Order 2020-04 are re-issued and extended through **June 27, 2020**.

**Executive Orders 2020-05 and 2020-06 (School closures):**

Section 1 of Executive Order 2020-05 and Sections 1 and 2 of Executive Order 2020-06 are re-issued and extended through **June 27, 2020**.

Sections 2 and 3 of Executive Order 2020-05 are re-issued and extended through **June 27, 2020** or until corresponding legislation (SB 1569) is enacted and takes effect, whichever occurs first.

**Executive Order 2020-07 (Suspension of on-premises consumption at restaurants and bars; unemployment insurance; Open Meetings Act):**

Sections 3 and 4 of Executive Order 2020-07 are re-issued and extended through **June 27, 2020**.

Section 5 of Executive Order 2020-07 is re-issued and extended through **June 27, 2020** or until corresponding legislation (HB 2455) is enacted and takes effect, whichever occurs first.

Section 6 of Executive Order 2020-07, as amended by Executive Order 2020-33, is re-issued and extended through **June 27, 2020** or until corresponding legislation (SB 2135) is enacted and takes effect, whichever occurs first.

**Executive Order 2020-08 (Secretary of State operations):**

Executive Order 2020-08, as amended below, is re-issued in its entirety and extended through **June 27, 2020**.

Section 3. During the duration of and for no more than thirty days following the termination of the Gubernatorial Disaster Proclamations, the requirements in the Limited Liability Company Act, 805 ILCS 180/55-5; Uniform Limited Partnership Act (2001), 805 ILCS 215/1309; General Not For Profit Corporation Act of 1986, 805 ILCS 105/101.45; and Business Corporation Act of 1983, 805 ILCS 5/1.45, that the Secretary shall, within 10 days after delivery of any document required by those Acts to be filed with the Secretary of State, notify the filer if the Secretary disapproves of the document, are suspended. During this time the Secretary shall process these documents as expeditiously as possible.

Section 4. During the duration of and for no more than thirty days following the termination of the Gubernatorial Disaster Proclamations, the Secretary's obligations to provide expedited services as set forth in the Limited Liability Company Act, 805 ILCS 180/50-50; Uniform Limited Partnership Act (2001), 805 ILCS 215/1308; Uniform Partnership Act (1997), 805 ILCS 206/1209; General Not For Profit Corporation Act of 1986, 805 ILCS 105/115.20; and Business Corporation Act of 1983, 805 ILCS 5/15.95, are suspended.

**Executive Order 2020-09 (Telehealth):**

Executive Order 2020-09 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-11 (Revisions to prior Executive Orders; Department of Corrections notification period):**

Section 3 of Executive Order 2020-11 is re-issued and extended through **June 27, 2020** or until corresponding legislation (SB 1569) is enacted and takes effect, whichever occurs first.

Section 4 of Executive Order 2020-11 is re-issued and extended through **June 27, 2020**.

**Executive Order 2020-12 (Health care worker background checks; Department of Juvenile Justice notification period; Coal Mining Act):**

Executive Order 2020-12 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-13 (Suspending Illinois Department of Corrections admissions from county jails):**

Executive Order 2020-13 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-14 (Notary and witness guidelines):**

Executive Order 2020-14, as amended by Executive Order 2020-33, is re-issued in its entirety and extended through **June 27, 2020** or until corresponding legislation (SB 2135) is enacted and takes effect, whichever occurs first.

**Executive Order 2020-15 (Suspending provisions of the Illinois School Code):**

Sections 1, 2, 3, and 4 of Executive Order 2020-15 are re-issued and extended through **June 27, 2020** or until corresponding legislation (SB 1569) is enacted and takes effect, whichever occurs first.

Sections 5, 6, 7, 8, and 9 of Executive Order 2020-15 are re-issued and extended through **June 27, 2020**.

**Executive Order 2020-16 (Repossession of vehicles; suspension of classroom training requirement for security services):**

Executive Order 2020-16 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Orders 2020-03 and 2020-17 (Cannabis deadlines and applications):**

Executive Orders 2020-03 and 2020-17, as modified by Executive Order 2020-18, are re-issued and shall remain in effect as specified by Executive Order 2020-18.

**Executive Order 2020-20 (Public assistance requirements):**

Executive Order 2020-20 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-21 (Furlough of Illinois Department of Corrections inmates):**

Executive Order 2020-21 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-22 (Township meetings; Funeral Directors and Embalmers Licensing Code; placements under the Child Care Act of 1969; fingerprint submissions under Health Care Worker Background Check Act):**

Section 1 of Executive Order 2020-22 is re-issued and extended through **June 27, 2020** or until corresponding legislation (HB 2096) is enacted and takes effect, whichever occurs first.

Sections 2, 3, 4, 5 and the Savings Clause of Executive Order 2020-22 are re-issued and extended through **June 27, 2020**.

**Executive Order 2020-23 (Actions by the Illinois Department of Financial and Professional Regulation for licensed professionals engaged in disaster response):**

Executive Order 2020-23 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-24 (Illinois Department of Human Services Forensic Treatment Program; investigations of Illinois Department of Human Services employees):**

Executive Order 2020-24 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-25 (Garnishment and wage deductions):**

Executive Order 2020-25 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-26 (Hospital capacity):**

Executive Order 2020-26 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-27 (Cadavers testing positive for COVID-19):**

Executive Order 2020-27 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-28 (Industrial radiography certifications):**

Executive Order 2020-28 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-29 (In-person education or exams for professional insurance licenses):**

Executive Order 2020-29 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-30 (Filing of residential eviction actions; enforcement of non-residential eviction orders; expired consular identification documents; electronic filings for the Illinois Human Rights Commission):**

Executive Order 2020-30, as amended by Executive Order 2020-33, is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-31 (Educator licensure and student graduation requirements):**

Executive Order 2020-31 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-34 (Cannabis requirements):**

Executive Order 2020-34 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-35 (IDPH regulatory activities):**

Executive Order 2020-35 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-36 (Marriage licenses):**

Executive Order 2020-36 is re-issued in its entirety and extended through **June 27, 2020**.

**Executive Order 2020-37 (Immunity from civil liability for health care facilities, professionals, and volunteers):**

Executive Order 2020-37, which superseded Executive Order 2020-19 as of its effective date May 13, 2020, is re-issued in its entirety and extended through **June 27, 2020**.

**Part 2: Savings Clause.** If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Issued by the Governor May 29, 2020

Filed by the Secretary of State May 29, 2020

## PROCLAMATIONS

## 2020-48

**Gubernatorial Disaster Proclamation**

**WHEREAS**, since early March 2020, Illinois has been faced with a disaster caused by a pandemic that has taken the lives of thousands of residents, infecting over 100,000 and growing, resulting in extraordinary sickness and loss of life; and,

**WHEREAS**, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

**WHEREAS**, it is critical that Illinoisans who become sick are able to be treated by medical professionals, including when a hospital bed, emergency room bed, or ventilator is needed; and,

**WHEREAS**, it is also critical that the State's health care and first responder workforce has adequate personal protective equipment (PPE) to safely treat patients, respond to public health disasters, and prevent the spread of communicable diseases; and,

**WHEREAS**, as Illinois enters the fourth month of responding to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that has spread and continues to spread rapidly among people through respiratory transmissions and that continues to be without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders, and governments throughout the State is unprecedented; and,

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

**WHEREAS**, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic, and has now reported more than 5.5 million confirmed cases of COVID-19 and 350,000 deaths attributable to COVID-19 globally; and,

**WHEREAS**, despite efforts to contain COVID-19, the World Health Organization and the federal Centers for Disease Control and Prevention (CDC) indicated that the virus was expected to continue spreading and it has, in fact, continued to spread rapidly, resulting in the need for federal and State governments to take significant steps; and,

**WHEREAS**, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area in response to the outbreak of COVID-19; and,

## PROCLAMATIONS

**WHEREAS**, on March 13, 2020, the President declared a nationwide emergency pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), covering all states and territories, including Illinois; and,

**WHEREAS**, on March 26, 2020, the President declared a major disaster in Illinois pursuant to Section 401 of the Stafford Act; and,

**WHEREAS**, on April 1, 2020, due to the exponential spread of COVID-19 in Illinois, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, on April 30, 2020, due to the continued spread of COVID-19 in Illinois, the threatened shortages of hospital beds, ER beds, and ventilators, and the inadequate testing capacity, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, as circumstances surrounding COVID-19 rapidly evolve and new evidence emerges, there have been frequent changes in information and public health guidance; and,

**WHEREAS**, the unprecedented nature of COVID-19, including the variety of health effects it has on not just the respiratory system but the heart, brain, kidneys, and the body's immune response, has made the virus's effects and its path difficult to predict; and,

**WHEREAS**, from the outset, data suggested that older adults and those with serious underlying health conditions are more likely to experience severe and sometimes fatal complications from COVID-19; and,

**WHEREAS**, emerging evidence has shown that young people, including infants and toddlers, are also at risk of such complications; and,

**WHEREAS**, young and middle-aged people have comprised a significant proportion of hospitalized COVID-19 patients, and there is evidence that COVID-19 causes blood clots and strokes, and has caused deadly strokes in young and middle-aged people who exhibited few symptoms; and,

**WHEREAS**, the understanding of spread from infected individuals who have not shown symptoms has changed and, on April 12, 2020, the CDC changed the period of exposure risk from "onset of symptoms" to "48 hours before symptom onset"; and,

**WHEREAS**, some people infected by the virus remain asymptomatic but nonetheless may spread it to others; and,

## PROCLAMATIONS

**WHEREAS**, although the CDC initially recommended against wearing cloth face coverings or masks as protection, as a result of emerging research on asymptomatic and pre-symptomatic transmission, the CDC has revised its conclusions and recommends wearing cloth face coverings in public settings where social distancing measures are difficult to maintain; and,

**WHEREAS**, as COVID-19 has spread in Illinois over the course of the Gubernatorial Disaster Proclamations, the circumstances causing a disaster throughout the State have changed and continue to change, making definitive predictions of the course the virus will take over the coming months extremely difficult; and,

**WHEREAS**, at the time I issued the first Gubernatorial Disaster Proclamation, there were 11 confirmed cases of COVID-19 in one Illinois county; and,

**WHEREAS**, as of today, May 29, 2020, there have been over 115,000 confirmed cases of COVID-19 in 100 Illinois counties; and,

**WHEREAS**, the first death attributed to COVID-19 in Illinois was announced on March 17, 2020; and,

**WHEREAS**, as of today, May 29, 2020, Illinois has had more than 5,180 deaths resulting from COVID-19, and many days, more than 100 Illinoisans lose their lives to the virus; and,

**WHEREAS**, studies suggest that for every confirmed case there are many more unknown cases, some of which are asymptomatic individuals who can pass the virus to others without knowing; and,

**WHEREAS**, although the number of new COVID-19 cases has stabilized and potentially begun to decrease in recent weeks, the virus continues to infect thousands of individuals and claim the lives of too many Illinoisans each day; and,

**WHEREAS**, COVID-19 has claimed the lives of and continues to impact the health of Black and Hispanic Illinoisans at a disproportionately high rate – magnifying significant health disparities and inequities; and,

**WHEREAS**, the Illinois Department of Public Health activated its Illinois Emergency Operations Plan and its Emergency Support Function 8 Plan to coordinate emergency response efforts by hospitals, local health departments, and emergency management systems in order to avoid a surge in the use of hospital resources and capacity; and,

**WHEREAS**, as the virus has progressed through Illinois, the crisis facing the State continues to develop and requires an evolving response to ensure hospitals, health care professionals and first

## PROCLAMATIONS

responders are able to meet the health care needs of all Illinoisans and in a manner consistent with CDC guidance that continues to be updated; and,

**WHEREAS**, in order to ensure that health care professionals, first responders, hospitals and other facilities are able to meet the health care needs of all residents of Illinois, the State must have critical supplies, including PPE, such as masks, face shields, gowns, and gloves; and, **WHEREAS**, the State of Illinois maintains a stockpile that supports the existing PPE supply chains and stocks at various healthcare facilities; and,

**WHEREAS**, while the State is making every effort to procure additional PPE, if those procurement efforts are disrupted or Illinois experiences a surge in COVID-19 cases, the State faces a life-threatening shortage of respirators, masks, protective eyewear, face shields, gloves, gowns, and other protective equipment for health care workers and first responders; and,

**WHEREAS**, while hospitalizations have very recently stabilized, Illinois is using a significant percentage of hospital beds, ICU beds, and ventilators to treat COVID-19 patients that require hospitalization and, if cases were to surge higher, the State could face a shortage of one or more of these critical health care resources; and,

**WHEREAS**, Illinois currently has a total of 33,662 hospital beds with 3,749 ICU beds, of which, only 34% of hospital beds and 34% of ICU beds currently are available statewide; and,

**WHEREAS**, the State worked with top researchers from the University of Illinois at Urbana-Champaign, the Northwestern School of Medicine, the University of Chicago, the Chicago and Illinois Departments of Public Health, along with McKinsey and Mier Consulting Group, and Civis Analytics, to analyze daily data on COVID-19 deaths and ICU usage and model potential outcomes; and,

**WHEREAS**, the State's modeling showed that its health care resource utilization would peak in May, and that health care resources would continue to be limited after the peak; and updated modeling now shows that the peak may have been delayed, with the tail extending several more weeks; and,

**WHEREAS**, the State's modeling continues to show that without extensive social distancing and other precautions, the State will face a shortage of hospital beds, ICU beds and/or ventilators; and,

**WHEREAS**, the epidemiology concept of R0 (R-naught) – which represents the number of cases, on average, an infected person will cause during their infectious period – is an important measure of progress in combatting a virus like COVID-19, and that an Ro of below 1 is a critical milestone because it suggests that the disease is declining rather than spreading; and,

## PROCLAMATIONS

**WHEREAS**, the State's estimated effective R0 was approximately 3.5 at the beginning of the outbreak, but the number has improved to approximately 1.13 based on the State's emergency measures, including, most importantly, the "stay at home" order; and,

**WHEREAS**, hospital beds, ICU beds, and ventilators are needed not for just patients with COVID-19, but also for any number of additional illnesses and injuries; and,

**WHEREAS**, fewer Illinoisans have sought non-COVID-19 related medical care and emergency care in recent weeks and it is critical for public health that Illinoisans are able to and willing to seek non-COVID-19 related medical care and emergency care; and,

**WHEREAS**, Illinoisans will be able to and willing to seek non-COVID-19 related medical care and emergency care if there are sufficient hospital beds, ventilators, and if medical personnel are able to protect themselves with PPE; and,

**WHEREAS**, over the course of the COVID-19 crisis, the State has been constrained in the number of COVID-19 tests that can be taken and processed due to a limited number of testing sites and labs, as well as a shortage of necessary supplies, including the swabs needed to take samples; and,

**WHEREAS**, at the time I issued the first Gubernatorial Disaster Proclamation, Illinois had capacity to test no more than a few hundred people per day for COVID-19 at a small number of testing sites; and,

**WHEREAS**, the State has developed testing sites throughout Illinois and now routinely exceeds 20,000 COVID-19 tests per day, and testing capacity continues to increase; and,

**WHEREAS**, Illinois now has tested over 829,000 total specimens for COVID-19; and,

**WHEREAS**, national projections adjusted for Illinois' population suggest the State must continue to increase the number of tests processed per day as part of an effective effort to permanently slow and reduce the spread of COVID-19; and,

**WHEREAS**, in addition to causing the tragic loss of 5,186 Illinoisans and wreaking havoc on the physical health of tens of thousands more, COVID-19 has caused extensive economic loss and continues to threaten the financial welfare of a significant number of individuals and businesses across the nation and the State; and,

**WHEREAS**, nationwide, 40 million people have filed unemployment claims since the start of the pandemic – representing one in four U.S. workers; and,

## PROCLAMATIONS

**WHEREAS**, the Illinois Department of Employment Security announced that the State's unemployment rate rose to 16.4% in April, with 762,000 jobs lost during that month; and,

**WHEREAS**, over 180,000 small businesses in Illinois have received over \$22 billion in COVID-19 related financial support through the federal Paycheck Protection Program in an effort to prevent these businesses from closing; and,

**WHEREAS**, the economic loss and insecurity caused by COVID-19 threatens the viability of business and the access to housing, medical care, food, and other critical resources that impact the health and safety of residents; and,

**WHEREAS**, based on the foregoing facts, and considering the expected continuing spread of COVID-19 and the resulting health and economic impacts that will be felt over the coming month by people across the State, the current circumstances in Illinois surrounding the spread of COVID-19 constitute an epidemic emergency and a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

**WHEREAS**, based on the foregoing, the continuing burden on hospital resources, the potential shortages of these resources in the event of a surge in infections, and the critical need to increase the purchase and distribution of PPE as well as to expand COVID-19 testing capacity constitute a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

**WHEREAS**, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that that our healthcare delivery system is capable of serving those who are sick and that Illinoisans remain safe and secure and able to obtain medical care; and,

**WHEREAS**, this proclamation will assist the State in facilitating economic recovery for individuals and businesses in an effort to prevent further devastating consequences from economic instability; and,

**WHEREAS**, this proclamation will assist Illinois agencies in coordinating State and Federal resources, including materials needed to test for COVID-19, personal protective equipment, and medicines, in an effort to support the State responses as well as the responses of local governments to the present public health emergency; and,

**WHEREAS**, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the new issuance of a proclamation of disaster; and,

## PROCLAMATIONS

**WHEREAS**, the Illinois Constitution, in Article V, Section 8, provides that "the Governor shall have the supreme executive power, and shall be responsible for the faithful execution of the laws," and states, in the Preamble, that a central purpose of the Illinois Constitution is "provide for the health, safety, and welfare of the people";

**NOW, THEREFORE**, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

**Section 1.** Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a disaster exists within the State of Illinois and specifically declare all counties in the State of Illinois as a disaster area. The proclamation authorizes the exercise of all of the emergency powers provided in Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, including but not limited to those specific emergency powers set forth below.

**Section 2.** The Illinois Department of Public Health and the Illinois Emergency Management Agency are directed to coordinate with each other with respect to planning for and responding to the present public health emergency.

**Section 3.** The Illinois Department of Public Health is further directed to cooperate with the Governor, other State agencies and local authorities, including local public health authorities, in the development and implementation of strategies and plans to protect the public health in connection with the present public health emergency.

**Section 4.** The Illinois Emergency Management Agency is directed to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

**Section 5.** To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act, the provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

**Section 6.** Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation activates the Governor's authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

## PROCLAMATIONS

**Section 7.** The Illinois Department of Public Health, Illinois Department of Insurance and the Illinois Department of Healthcare and Family Services are directed to recommend, and, as appropriate, take necessary actions to ensure expanded access to testing for COVID-19 and that consumers do not face financial barriers in accessing diagnostic testing and treatment services for COVID-19.

**Section 8.** The Illinois State Board of Education is directed to recommend, and, as appropriate, take necessary actions to address any impact to learning associated with the present public health emergency and to alleviate any barriers to the use of remote learning during the effect of this proclamation that exist in the Illinois School Code, 105 ILCS 5/1-1 et. seq.

**Section 9.** All State agencies are directed to cooperate with the Governor, other State agencies and local authorities in the development and implementation of strategies and plans to cope with and recover from the economic impact of the present public health emergency.

**Section 10.** Pursuant to Section 7(14) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(14), increases in the selling price of goods or services, including medical supplies, protective equipment, medications and other commodities intended to assist in the prevention of or treatment and recovery of COVID-19, shall be prohibited in the State of Illinois while this proclamation is in effect.

**Section 11.** This proclamation can facilitate requests for federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

**Section 12.** For purposes of Senate Bill 2135 (101st General Assembly), Article 15, section 15-5, amending the Open Meetings Act, new section 5 ILCS 120/7(e)(4), I find that the public health concerns at issue in this proclamation render in-person attendance of more than ten people at the regular meeting location not feasible.

**Section 13.** This proclamation shall be effective immediately and remain in effect for 30 days.

Issued by the Governor May 29, 2020

Filed by the Secretary of State May 29, 2020

## PROCLAMATIONS

**2020-49****Gubernatorial Disaster Proclamation**

**WHEREAS**, on Memorial Day, May 25, 2020, after Minneapolis Police Officer Derek Chauvin handcuffed George Floyd, an African-American man, and pinned him to the ground with his knee on Mr. Floyd's neck for more than eight minutes, Mr. Floyd became unresponsive and died; and,

**WHEREAS**, Mr. Floyd's death has led to large public protests in communities across the United States, including Chicago and throughout Illinois, as thousands of people express their pain, fear and rage at the deaths of African Americans, including Breonna Taylor, Ahmaud Arbery, Laquan McDonald and Rekia Boyd, caused by centuries of individual and systemic racism in our country; and,

**WHEREAS**, these tragic deaths and the protests they have sparked come at the same time as Illinois, along with the entire country, is dealing with the spread of COVID-19, a global pandemic that has caused widespread illness, death and economic devastation, all disproportionately impacting the African-American community; and,

**WHEREAS**, thousands of people protested in Chicago during the days after Mr. Floyd's death and, on Saturday, May 30, 2020, as 3 of the 4 officers involved in Mr. Floyd's death, Tou Thao, J. Alexander Kueng, and Thomas K. Lane, remained uncharged, the protests grew in size as thousands marched peacefully through the Chicago Loop; and,

**WHEREAS**, after hours of peaceful protests, tensions heightened and groups of individuals took aggressive and damaging action, including setting cars on fire, vandalizing buildings, breaking into stores and looting in the Loop and other areas of the City of Chicago; and,

**WHEREAS**, on Sunday, May 31, 2020, protests continued in Chicago, and also occurred in the suburbs of Cook County, as well as communities in Champaign, DuPage, Kane, Kendall, Macon, Madison, Sangamon and Will Counties; and,

**WHEREAS**, as these protests took place, in a number of instances, groups of individuals engaged in destructive and illegal action, including destroying property and looting; and,

**WHEREAS**, the Chicago Police Department, as well as the police departments in several communities throughout the State have been and continue to be challenged in their efforts to maintain the peace by protecting the many peaceful protesters and their communities and preventing damage to property; and,

**WHEREAS**, protests are expected to continue on June 1, 2020; and,

## PROCLAMATIONS

**WHEREAS**, the City of Chicago and several other communities have requested assistance from the State of Illinois to protect residents and to ensure that peaceful protests can continue and that local police departments are able to prevent and, when necessary, respond appropriately to any instances of violence; and,

**WHEREAS**, based on the foregoing facts, the current circumstances in communities in Cook, Champaign, DuPage, Kane, Kendall, Macon, Madison, Sangamon and Will Counties present a threat of injury or loss of life to thousands of individuals seeking to express their outrage in peaceful protest, as well as to bystanders, and present a threat of additional damage to property; and

**WHEREAS**, these circumstances rise to the level of rioting in these areas and constitute a disaster as provided in Section 4 of the Illinois Emergency Management Agency Act; and,

**WHEREAS**, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that Illinoisans remain safe and secure; and,

**WHEREAS**, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the issuance of a proclamation of disaster; and,

**WHEREAS**, the Illinois Constitution, in Article V, Section 8, provides that "the Governor shall have the supreme executive power, and shall be responsible for the faithful execution of the laws," and states, in the Preamble, that a central purpose of the Illinois Constitution is "provide for the health, safety, and welfare of the people";

**NOW, THEREFORE**, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health, safety, and welfare, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

**Section 1.** Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a disaster exists within the State of Illinois and specifically declare Cook, Champaign, DuPage, Kane, Kendall, Macon, Madison, Sangamon and Will Counties as disaster areas. The proclamation authorizes the exercise of all of the emergency powers provided in Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, including but not limited to those specific emergency powers set forth below.

**Section 2.** The Illinois Emergency Management Agency is directed to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

## PROCLAMATIONS

**Section 3.** To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act, the provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

**Section 4.** Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation activates the Governor's authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

**Section 5.** All State agencies are directed to cooperate with the Governor, other State agencies and local authorities in the development and implementation of strategies and plans to respond to and recover from the impacts of the present disaster.

**Section 6.** This proclamation can facilitate requests for federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

**Section 7.** This proclamation shall be effective immediately and remain in effect for 30 days.

Issued by the Governor June 1, 2020

Filed by the Secretary of State June 1, 2020

**ILLINOIS ADMINISTRATIVE CODE**  
**Issue Index - With Effective Dates**

Rules acted upon in Volume 44, Issue 24 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 - 406	.....	10052
89 - 407	.....	10055
89 - 408	.....	10058
11 - 1800	.....	10061
89 - 148	.....	10065

**ADOPTED RULES**

8 - 25	5/28/2020 .....	10087
14 - 650	5/27/2020 .....	10094
50 - 630	5/29/2020 .....	10115
50 - 3145	5/29/2020 .....	10123
50 - 3150	5/29/2020 .....	10127
17 - 1010	5/28/2020 .....	10132
17 - 1050	5/28/2020 .....	10145

**EMERGENCY RULES**

89 - 406	5/29/2020 .....	10161
89 - 407	5/29/2020 .....	10170
89 - 408	5/29/2020 .....	10184
11 - 1800	5/27/2020 .....	10193
56 - 250	5/29/2020 .....	10210
77 - 300	5/28/2020 .....	10217

**PEREMPTORY RULES**

80 - 310	5/28/2020 .....	10232
----------	-----------------	-------

**EXECUTIVE ORDERS AND  
PROCLAMATIONS**

20 - 38	5/29/2020 .....	10265
20 - 39	5/29/2020 .....	10275
20 - 48	5/29/2020 .....	10281
20 - 49	6/1/2020 .....	10289