

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. DON HARMON

CO-CHAIR:
REP. TIM SCHMITZ

EXECUTIVE DIRECTOR:
VICKI THOMAS



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SEN. PAMELA ALTHOFF
SEN. TONY MUÑOZ
SEN. SUE REZIN
SEN. DALE A. RIGHTER
SEN. IRA SILVERSTEIN
REP. GREG HARRIS
REP. LOU LANG
REP. DAVID R. LEITCH
REP. DONALD L. MOFFITT
REP. ANDRÉ THAPEDI

MINUTES

August 12, 2014

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on August 12, 2014 at 11:30 a.m. in Room 600C of the Michael A. Bilandic Building, Chicago, Illinois.

Co-Chair Harmon called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments in writing.

ATTENDANCE ROLL CALL

X Senator Pamela Althoff	X Representative Greg Harris
X Senator Don Harmon	X Representative Lou Lang
X Senator Tony Muñoz	X Representative David Leitch
X Senator Sue Rezin	X Representative Donald Moffitt
Senator Dale Righter	Representative Timothy Schmitz
X Senator Ira Silverstein	X Representative André Thapedi

APPROVAL OF THE MINUTES OF THE JULY 15, 2014 MEETING

Representative Leitch moved, seconded by Senator Rezin, that the minutes of the July 15, 2014 meeting be approved. The motion passed unanimously.

AGENCY RESPONSES TO JCAR OBJECTIONS/FILING PROHIBITIONS

Department of Human Services – Partner Abuse Intervention (Repealer) (89 Ill. Adm. Code 501; 37 Ill. Reg. 19437); Partner Abuse Intervention (89 Ill. Adm. Code 501; 38 Ill. Reg. 19457)

Representative Harris moved, seconded by Representative Lang, that, pursuant to Section 5-125 of the Illinois Administrative Procedure Act, JCAR withdraw its Filing Prohibitions against these rulemakings contingent upon, and effective with, the Department adopting the proposed rulemaking with the agreed upon modifications. The motion passed on a roll call vote of 10-0-0.

X Senator Pamela Althoff
X Senator Don Harmon
X Senator Tony Muñoz
X Senator Sue Rezin
Senator Dale Righter
X Senator Ira Silverstein

X Representative Greg Harris
X Representative Lou Lang
X Representative David Leitch
X Representative Donald Moffitt
Representative Timothy Schmitz
X Representative André Thapedi

REVIEW OF AGENCY RULEMAKINGS

Illinois Emergency Management Agency — General Provisions for Radiation Protection (32 Ill. Adm. Code 310; 38 Ill. Reg. 10730); Licensing of Radioactive Material (32 Ill. Adm. Code 330; 38 Ill. Reg. 10752); Licensing Requirements for Source Material Milling Facilities (32 Ill. Adm. Code 332; 38 Ill. Reg. 10760); Licensing and Radiation Safety Requirements for Irradiators (32 Ill. Adm. Code 346; 38 Ill. Reg. 10768)

Senator Silverstein moved, seconded by Senator Althoff, that JCAR and IEMA agree to extend the Second Notice periods for these rulemakings for an additional 45 days. The motion passed unanimously.

Department of Insurance — Administrative Hearing Procedures (50 Ill. Adm. Code 2402; 38 Ill. Reg. 7731)

Senator Muñoz moved, seconded by Representative Thapedi, that JCAR and the Department of Insurance agree to extend the Second Notice period for the rulemaking titled Administrative Hearing Procedures for an additional 45 days to further address a public comment. The motion passed unanimously.

Department of Public Health – Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100; 37 Ill. Reg. 15608)

Representative Moffitt moved, seconded by Representative Leitch, that JCAR and the Department of Public Health agree to extend the Second Notice period for this rulemaking for an additional 45 days to allow DPH the opportunity to further address a public comment. The motion passed unanimously.

CONSIDERATION OF OTHER RULEMAKINGS

Illinois Commerce Commission – Governmental Electric Aggregation (83 Ill. Adm. Code 470; 37 Ill. Reg. 20544)

Representative Lang moved, seconded by Senator Althoff, that JCAR and the Illinois Commerce Commission agree to extend the Second Notice period for this rulemaking for an additional 45 days. The motion passed unanimously.

CERTIFICATION OF NO OBJECTION

Representative Thapedi moved, seconded by Representative Moffitt, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously, except that Representatives Leitch and Moffitt voted Present on Tab 36 (Torture Inquiry and Relief Commission – Organization, Public Information, Procedures, and Rulemaking (2 Ill. Adm. Code 3500; 38 Ill. Reg. 8840)) and Representative Lang voted Present on Tabs 40-45, the 6 emergency rules adopted by the Department of Healthcare and Family Services (Medical Assistance Programs (89 Ill. Adm. Code 120; 38 Ill. Reg. 15646), Covering All Kids Health Insurance Program (89 Ill. Adm. Code 123; 38 Ill. Reg. 15666), Medical Payment (89 Ill. Adm. Code 140; 38 Ill. Reg. 15673), Specialized Health Care Delivery Systems (89 Ill. Adm. Code 146; 38 Ill. Reg. 15713), Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill. Adm. Code 147; 38 Ill. Reg. 15723), and Long Term Care Reimbursement Changes (89 Ill. Adm. Code 153; 38 Ill. Reg. 15732)).

AUGUST MEETING DATE

Co-Chair Harmon announced that the next monthly meeting is scheduled for Tuesday, September 16, 2014 at 11:30 a.m., Room 600C, Michael A. Bilandic Building, Chicago IL.

ADJOURNMENT

Senator Muñoz moved, seconded by Senator Althoff, that the meeting stand adjourned. The motion passed unanimously.

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