

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation is designed to inform and involve the public in changes taking place in agency administration.

New Regulations

Proposed Regulations

PUBLIC ASSISTANCE

The DEPARTMENT OF HUMAN SERVICES adopted amendments to "Child Care" (89 Ill Adm Code 50; 36 Ill. Reg. 4648), effective 9/12/12, that change child care service eligibility guidelines for its Non-TANF Education and Training Program. The rulemaking allows students whose current GPA, instead of cumulative GPA, is 2.0 on a scale of 4.0 to participate in the program.

VOCATIONAL REHABILITATION

DHS also adopted a new Part titled "Referral for VR Services" (89 Ill. Adm. Code 552; 36 Ill. Reg. 5047), effective 9/23/12, applicable to all DHS vocational rehabilitation (VR) customers. The rulemaking states that referrals for VR services are required to be officially recorded on the dates received. DHS VR customers must have completed their initial interview and be placed into application status within 30 days after the date of the referral. VR customers who do not complete the application process will have their cases closed.

Questions/requests for copies of the 2 DHS rulemakings above: Tracie Drew, DHS, 100 S. Grand Ave. E., 3rd Fl., Springfield IL 62762, 217/785-9772.

ICC PUBLIC COMMENT

The ILLINOIS COMMERCE COMMISSION adopted amendments to "Public Information, Rulemaking, and Organization" (2 Ill Adm Code 1700; 36 Ill Reg 14508), effective 10/1/12, concerning public comments received by telephone or via postings at the ICC's website. The rulemaking (adopted under Section 5-15 of the Illinois Administrative Procedure Act which permits certain internal agency rules to be adopted without public comment or JCAR review) provides that if a comment received online or by telephone is rejected because it contains links to other website addresses, the commenter will be given an opportunity to edit the comment to make it suitable for posting.

Questions/requests for copies: Patrick A. Foster, ICC, 527 E. Capitol Ave., Springfield IL 62701, 217/785-8439.

APPRAISERS

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION proposed a new Part titled "Appraisal Management Company Registration Act" (68 Ill Adm Code 1452; 36 Ill Reg 14466) governing the registration and related requirements of appraisal management companies in accordance with PA 97-602. The rulemaking defines such terms as "appraisal practice service", "comparable property", "designated controlling person" and "dishonorable, unethical or unprofessional conduct". Applications must include the contact information of the registrant, the type of business, the contact information of the designated controlling person, a signed irrevocable uniform consent to service of process, any out of state registrations, certifications, a bond, and all required fees. Once registered, registrants must put their registration license number on all appraisal requests. Registrations will expire on December 31 of even numbered years starting in 2014. Registrants who fail to renew may renew within 5 years by filing a reinstatement form and paying all required fees. Registrants who wish

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NEW REGULATIONS: Rules adopted by agencies this week.

PROPOSED REGULATIONS: Rules proposed by agencies this week, commencing a 45-day First Notice period. Public comments must be accepted by the agency for the period of time indicated.

☞: Symbol designating rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

QUESTIONS/COMMENTS/RULE TEXT: Direct mail or phone calls to the agency personnel listed below each summary. Providing volume and issue number of The Flinn Report or the Illinois Register will expedite the process. Some agencies charge copying fees. However, copy requests do not have to be made under the Freedom of Information Act.

Proposed Regulations

to renew after 5 years must apply for restoration and provide proof of good standing in another state for the last 5 years, if applicable, as well as pay all fees. Registrants must give an appraiser written notice 30 calendar days prior to taking him or her off their approved list and must notify DFPR within 30 days of taking the appraiser off the list. DFPR can require a registrant to provide any documents it deems necessary to maintain professional standards under a compliance agreement. Also, DFPR may issue an administrative warning letter as a form of non-disciplinary action. A registrant must notify DFPR within 30 days of any felony conviction of himself or herself or the designated controlling person and provide all documents requested by DFPR. Fees are set as follows: initial registration is \$2,500 per year, renewal is \$2,000 per year, reinstatement \$500 plus all lapsed renewal fees, and restoration fee is \$2,000 plus all lapsed renewal fees. Fees for copies and certification of documents are also established. DFPR can grant a variance if the provision is not statutorily mandated, no party will be injured, and the rule would be unreasonable or unnecessarily burdensome. The rulemaking also establishes requirements for change of ownership, payment of bonds, record retention, payment policies assignment guidelines and engagements, reviews for quality control. Appraisers and appraisal companies are affected by this rulemaking.

Questions/requests for copies/com-

ments through 11/13/12: Craig Cellini, 320 W. Washington, 3rd Floor, Springfield IL 62786, 217/785-0813.

INSURANCE

The DEPARTMENT OF INSURANCE proposed amendments to "Summary Document and Disclaimer" (50 Ill Adm Code 3401; 36 Ill. Reg. 3401) implementing a recent statutory change that increased limits for Life, Accident and Health Guaranty Fund products. This rulemaking alters the format of a Summary Document and Disclaimer notice to be provided to customers. Protection provided by the Illinois Life and Health Insurance Guaranty Association if a customer's primary carrier becomes insolvent shall now be: for life insurance, \$300,000 in death benefits and \$100,000 in cash surrender or withdrawal; for health insurance, \$500,000 in hospital, medical and surgical insurance benefits (but for an individual, usually \$300,000), \$300,000 in disability or long-term care insurance benefits, and \$100,000 in other types of health insurance benefits; and for annuities, \$250,000 in withdrawal and cash values.

DOI also proposed amendments to "Notice of Potential Eligibility" (50 Ill Adm Code 5301; 36 Ill Reg 14494), a required notification procedure rule normally dealing with the Comprehensive Health Insurance Plan (CHIP) to also inform health insurance applicants rejected for health reasons to be notified of the Illinois Pre-Existing Condition Insurance Plan (IPXP).

Questions/requests for copies/comments concerning the two DOI rulemakings through 11/13/12: Joe Clennon or Sue Anders (217/785-8220), DOI, 320 W. Washington, 4th Fl. Springfield IL 62767-0001, Fax 217/524-9033.

UNIVERSITY CIVIL SERVICE

The STATE UNIVERSITIES CIVIL SERVICE SYSTEM proposed amendments to "State Universities Civil Service System" (80 Ill Adm Code 250; 36 Ill Reg 14500) to make minor technical revisions and state that examination materials will be retained in conformity with a university's or the Civil Service System's record retention policy.

Questions/requests for copies/comments through 11/13/12: Abby Daniels, SUCSS, 1717 Philo Rd., Sute. 24, Urbana IL 61802, 217/278-3150, ext. 226, Email: abbyd@sucss.illinois.gov.

STATE EMPLOYEES DAY CARE

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES proposed non-substantive technical amendments to "Day Care" (80 Ill Adm Code 1300; 36 Ill Reg 14460) updating statutory and Administrative Code references, reformatting terms, and making other corrections. The Part concerns day care for children of state employees.

Questions/requests for copies/comments through 11/13/12: Mary Matheny, 720 Stratton Bdg., Springfield IL 62706, 217/557-5404.

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at JCAR's October 16, 2012 meeting.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

"Conditions of Employment" (80 Ill Adm Code 303) proposed 7/20/12 (36 Ill Reg 10539)

"Pay Plan" (80 Ill Adm Code 310) proposed 7/20/12 (36 Ill Reg 10552)

CAPITAL DEVELOPMENT BOARD

"Illinois Energy Conservation Code" (71 Ill Adm Code 600) proposed 5/4/12 (36 Ill Reg 6784)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

"Reports of Child Abuse and Neglect" (89 Ill Adm Code 300) proposed 12/30/11 (35 Ill Reg 20962)

ILLINOIS COMMERCE COMMISSION

"Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois" (83 Ill Adm Code 735) proposed 11/14/11 (35 Ill Reg 18469)

STATE BOARD OF EDUCATION

"New Teacher Induction and Mentoring" (23 Ill Adm Code 65) proposed 7/6/12 (36 Ill Reg 9607)

Repeal of "The "Grow Your Own" Teacher Education Initiative" (23 Ill Adm Code 60) proposed 7/6/12 (36 Ill Reg 9591)