

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

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DHR REGISTRATION

The DEPARTMENT OF HUMAN RIGHTS adopted amendments to "Procedures Applicable to All Agencies" (44 Ill Adm Code 750; 36 Ill Reg 17686), effective 7/1/13, updating procedures for businesses who seek to establish eligibility for public contracts by registering with DHR (to verify compliance with non-discrimination laws). Registration may be performed online at the Department's website and payment of the filing fee may be made via credit card. DHR is also discontinuing its practice of posting registration numbers that are nearing expiration on its website. The rulemaking also adds "order of protection status" as a category protected from discrimination. Since 1st Notice DHR has specified the types of credit cards that may be used for filing fee payments. Small businesses seeking State contracts are affected by this rulemaking.

Questions/requests for copies: David T. Rothal, DHR, 100 W. Randolph St., Ste. 10-100, Chicago IL 60601, 312/814-6257 or 217/785-5125 (TTY).

EMERGENCY MEDICAL SERVICES

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to "Emergency Medical Services and Trauma Center Code" (77 Ill Adm Code 515; 36 Ill Reg 17778), effective 4/15/13, implementing Public Act 97-1014, which addresses emergency medical services (EMS) response in rural or understaffed areas. The rulemaking creates provisional first responder (FR) and emergency medical responder (EMR) licenses for 16- and 17-year-olds that can be upgraded to full licenses when the holder reaches age 18. Provisional FR or EMR licensees must complete Department-approved training and may function only under the direct supervision of a full FR or EMR license holder. The rulemaking also implements alternate rural staffing criteria for EMS providers that serve rural or semi-rural areas of 10,000 or fewer residents, rely solely upon volunteers or paid-on-call personnel, and have been unable to recruit sufficient licensed EMS personnel. Applications for alternate rural staffing must be approved by the medical director of the associated EMS system and

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CHILD ABUSE REPORTING

The DEPARTMENT OF CHILDREN AND FAMILY SERVICES proposed amendments to the Part titled "Reports of Child Abuse and Neglect" (89 Ill Adm Code 300; 37 Ill Reg 5207) implementing 3 Public Acts. The rulemaking expands the definition of "abused child" to include victims of human trafficking and adds human trafficking to the list of actions for which a person responsible for the welfare of a child can be charged with abuse or neglect. The rulemaking also makes personnel of institutions of higher learning mandated reporters of known or suspected child abuse. Those affected by this rulemaking include employees of colleges and universities.

DCFS SCHOLARSHIPS

DCFS also proposed amendments to the Part titled "Department of Children and Family Services Scholarship Program" (89 Ill Adm Code 312; 37 Ill Reg 5233) updating eligibility criteria and application requirements. Former DCFS wards who aged out of the system at age 18 or older may now

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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.

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must be reevaluated at least every 4 years. Vehicle service providers reliant upon volunteer or paid-on-call personnel may also apply to DPH for alternate response authorization, which allows, subject to certain conditions, use of secondary vehicles or vehicles staffed by only one licensed emergency responder. Other provisions

clarify staffing requirements for basic, intermediate and advanced life support vehicles; require ambulances to have current safety inspection, Illinois Poison Control Center and DPH complaint hotline stickers; and update the list of required medical equipment. Emergency service agencies that are small businesses, non-profits or serve

small municipalities may be affected by this rulemaking.

Questions/requests for copies: Susan Meister, DPH, 535 W. Jefferson St., 5th Fl., Springfield IL 62761, 217/782-2043, e-mail: dph.rules@illinois.gov.

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apply for the scholarship, in addition to current DCFS wards and former wards who have been adopted. A child age 16 or older who meets the State criteria for high school graduation but has not yet received a diploma or GED may also apply and must submit an acceptable high school transcript. Documentation of the applicant's legal relationship with DCFS must be submitted with all applications. Scholarship recipients must enroll in at least 6 credit hours each summer term (in addition to at least 12 hours each fall and spring semester) to remain eligible. The Department's Scholarship Awards Selection Committee (SASC) must notify applicants of their award status for the next academic year no later than May 1 (currently, May 20) and students may remain in the scholarship program for 4 years or until reaching age 23, whichever occurs first. The rulemaking also changes the organization and composition of the SASC.

Questions/requests for copies/comments on the 2 DCFS rulemakings above through 6/10/13: Jeff Osowski, DCFS, 406 E. Monroe St., Station 65, Springfield IL 62701-1498, 217/524-1983, fax 217/557-0692, TDD 217/524-3715, e-mail: CFPolicy@idcfs.state.il.us.

AABD GRANT ADJUSTMENTS

The DEPARTMENT OF HUMAN SERVICES proposed amendments to "Aid to the Aged, Blind or Disabled" (89 Ill Adm Code 113; 37 Ill Reg 5268) to increase the grant adjustment and sheltered care, personal care, and

nursing care rate amounts by \$12 to match the federal January 2013 Social Security (SSA) benefit and Supplemental Security Income (SSI) benefit increases. The grant adjustment and rate amounts are increased annually to reflect the federal increases in SSA and SSI benefits and are deducted from income when calculating eligibility for AABD benefits.

Questions/requests for copies/comments through 6/10/13: Tracie Drew, DHS, 100 S. Grand Ave. E., 3rd Fl., Springfield IL 62762, 217/785-9772.

SURROGATE BIRTHS

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to "Illinois Vital Records Code" (77 Ill Adm Code 500; 37 Ill Reg 5298) that provide a process and requirements for establishing a parent-child relationship between a child and his or her intended parents when the child is being carried by a gestational surrogate prior to the child's birth. The rulemaking also adds definitions to reflect those found in the Gestational Surrogacy Act and adds a Section containing a list of referenced materials. Those affected by this rulemaking include attorneys, physicians and counselors involved in the gestational surrogacy process.

PLUMBING CODE

Also, DPH proposed amendments to "Illinois Plumbing Code" (77 Ill Adm Code 890; 37 Ill Reg 5309) recommended by the Plumbing Code Advi-

sory Council to update the existing minimum code standards for plumbing and fixtures, materials, design and installation methods of plumbing systems. The rulemaking makes numerous technical corrections and clarifications, and adds new illustrations for clarity. A new Subpart N provides a comprehensive set of standards for the design and construction of sustainable plumbing systems. The rulemaking makes numerous additional changes that cannot be adequately addressed in this summary. For further information, contact Susan Meister at DPH. Plumbers, building contractors, and owners of food service and other businesses are affected.

Questions/requests for copies/comments concerning the 2 DPH rulemakings above through 6/10/13: Susan Meister, DPH, 535 W. Jefferson St., 5th Fl., Springfield IL, 62761, 217/782-2043, e-mail: dph.rules@illinois.gov.

MEDICAL EQUIPMENT

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES proposed an amendment to "Medical Payment" (89 Ill Adm Code 140; 37 Ill Reg 5243) implementing the SMART Act (Public Act 97-689). An identical emergency amendment, effective 4/8/13 through 6/30/13, appeared in last week's *Illinois Register* at 37 Ill Reg 5170. The amendment defines "wholesale price" for durable medical equipment such as wheelchairs and walkers as the actual acquisition cost including all discounts. (DHFS uses wholesale price

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plus 50% as a benchmark payment rate for durable medical equipment covered by Medicaid.) Medical equipment vendors are affected by this rulemaking.

Questions/requests for copies/comments through 6/10/13: Jeanette Badrov, DHFS, 201 S. Grand Ave. East, 3rd Fl., Springfield IL 62763-0002, 217/782-1233.

BOILER SAFETY

The OFFICE OF THE STATE FIRE MARSHAL proposed amendments to "Boiler and Pressure Vessel Safety Act" (41 Ill Adm Code 120; 34 Ill Reg 5279) that update numerous national standards and restructure the State boiler serial number system. The rulemaking also gives inspectors up to 90 days after a boiler inspection certificate expires to conduct an in-

spection; the previous inspection certificate will remain valid until re-inspection is completed. This rulemaking may affect small business, municipalities or not-for-profit corporations who operate boilers.

Questions/requests for copies through 6/10/13: Clayton Novak, OSFM, 100 W. Randolph St., Suite 4-600, Chicago IL 60601, 312/814-2343.

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 May 14, 2013 meeting.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

"Child Support Services" (89 Ill Adm Code 160) proposed 1/25/13 (37 Ill Reg 661)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

"Administrative Procedures for General Professional Regulation under the Administrative Code" (68 Ill Adm Code 1130) proposed 2/22/13 (37 Ill Reg 2405)

STATE BOARD OF EDUCATION

"Certification" (23 Ill Adm Code 25) proposed 12/18/12 (36 Ill Reg 18170)

"Payments to Certain Facilities under Section 14-70.05 of the School Code" (23 Ill Adm Code 405) proposed 2/8/13 (37 Ill Reg 1569)

"Contested Cases and Other Formal Hearings" (23 Ill Adm Code 475) proposed 2/8/13 (37 Ill Reg 1575)

"Class Size Reduction Grants" (23 Ill Adm Code 565) proposed 2/8/13 (37 Ill Reg 1580)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

"Auto Liability" (80 Ill Adm Code 3100) proposed 3/1/13 (37 Ill Reg 2525)

ILLINOIS COMMERCE COMMISSION

Repeal of "Standards of Service Applicable to 9-1-1 Emergency Systems" (83 Ill Adm Code 725) proposed 7/6/12 (36 Ill Reg 9493)

"Standards of Service Applicable to 9-1-1 Emergency Systems" (83 Ill Adm Code 725) proposed 7/6/12 (36 Ill Reg 9539)

POLLUTION CONTROL BOARD

"Water Quality Standards" (35 Ill Adm Code 302) proposed 2/22/13 (37 Ill Reg 2436)

DEPARTMENT OF HUMAN SERVICES

"Definition of Terms" (89 Ill Adm Code 751) proposed 10/5/12 (36 Ill Reg 14546)

"Special Education Program and Services" (89 Ill Adm Code 765) proposed 10/5/12 (36 Ill Reg 14553)

"Identification, Evaluation, and Placement of Students" (89 Ill Adm Code 795) proposed 10/5/12 (36 Ill Reg 14572)