

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

IMMUNIZATIONS

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to "Child Health Examination Code" (77 Ill Adm Code 665; 37 Ill Reg 60) and "Immunization Code" (77 Ill Adm Code 695; 37 Ill Reg 77), both effective 8/16/13, updating schedules of required immunizations for children enrolled in school or day care in accordance with current medical recommendations and practices. The rulemakings add vaccination against invasive pneumococcal disease as a required immunization for children under age 5 entering preschool or day care, and require two varicella (chickenpox) vaccinations, or other proof of immunity, for children entering kindergarten, 6th grade or 9th grade beginning with the 2014-15 school year. Children under age 2 must have multiple pneumococcal vaccinations according to the prescribed schedule (outlined in an appendix), while children ages 2 to 5 who have not been vaccinated according to this schedule must show proof of having received one vaccination. Proof of pneumococcal vaccination is not required for chil-

dren who have reached their 5th birthday. The rulemakings also require two doses of mumps and rubella vaccine to match the two-dose requirement for measles vaccination since all three vaccines are normally combined. Other provisions clarify requirements for tetanus, diphtheria and pertussis (Tdap) vaccination applicable to children entering grades 6 through 12 and allow advanced practice nurses or physician assistants (in addition to physicians) to verify in writing medical reasons for exempting a child from one or more immunizations. Since 1st Notice, DPH has included pharmacists authorized to administer vaccinations in the definition of "health care providers" and clarified the immunization schedule for children enrolled in school programs not divided by grade level. This rulemaking will affect schools, day care facilities, and medical providers.

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

MEDICAL PRACTICE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION proposed amendments to the Part titled "Medical Practice Act of 1987" (68 Ill Adm Code 1285; 37 Ill Reg 13821) implementing Public Act 97-622, which requires fingerprint-based criminal background checks for persons seeking licenses to practice medicine in Illinois. The rulemaking requires applicants for permanent or temporary licensure as physicians, residents, participants in post-graduate or specialty training, or visiting professors at a medical school to submit verification of fingerprint processing by the Illinois State Police. Processing may be completed electronically by a vendor licensed by DFPR or certified by ISP, or (in the case of out-of-State applicants who cannot use the ISP process) via submission of ink fingerprints to ISP on a fingerprint card. Prints must be taken within the 60 days prior to application. Those affected by this rulemaking include physicians, their employers, medical students, and

(cont'd page 2)

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

medical schools.

Questions/requests for copies/comments through 10/15/13: Craig Cellini, DFPR, 320 W. Washington St., 3rd Fl., Springfield IL 62786, 217/785-0813, fax 217/557-4451.

NURSING HOMES

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES proposed amendments to "Medical Payment" (89 Ill Adm Code 140; 37 Ill Reg 13853) and "Long Term Care Reimbursement Changes" (89 Ill Adm Code 153; 37 Ill Reg 13877) concerning payments for staff training at long term care facilities. The Part 140 amendments remove obsolete references to payments for developmental disabilities aide, child care aide and habilitation aide training and update references to the Department of Public Health's Healthcare Worker Registry. The Part 153 amendments increase payment rates for resident care (by \$1.06 per day, per resident) and for general staff training (by \$3.64 per month, per resident) at Intermediate Care Facilities for the Developmentally Disabled (ICF/DD). Long term care facilities

are affected by these rulemakings.

Questions/requests for copies/comments on the 2 DHFS rulemakings through 10/15/13: Jeanette Badrov, DHFS, 201 S. Grand Ave. East, 3rd Fl., Springfield IL 62763-0002, 217/782-1233.

INCOME TAX EXEMPTIONS

The DEPARTMENT OF REVENUE proposed an amendment to "Income Tax" (86 Ill Adm Code 100; 37 Ill Reg 13887) updating the list of interest income exempt from taxation. Interest income on the following bonds must be listed as exempt on returns: Illinois Power Agency bonds issued by the Illinois Finance Authority; Downstate Illinois Sports Facility Authority; and bonds issued by the Upper River Valley, Will-Kankakee Regional and Illinois Urban Development Authorities. Bonds issued by the following Illinois economic development authorities are also included: Central, Eastern, Southeastern, Southern and Western. The amendment also sunsets an exemption for income derived from investments made in accordance with the College

Savings Program. Only income earned in a tax year prior to 8/9/13 is exempt.

Questions/requests for copies/comments through 10/15/13: Paul Caselton, DOR, Legal Services Office, 101 W. Jefferson, Springfield IL 62794, 217/782-7055.

CMS RULE WITHDRAWAL

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES has withdrawn proposed amendments to the Part titled "Business Enterprise Program: Contracting with Businesses Owned and Controlled by Minorities, Females and Persons with Disabilities" (44 Ill Adm Code 10; 37 Ill Reg 3460), which appeared in the 3/29/13 *Illinois Register*. The proposed amendments were withdrawn in response to an objection by the Joint Committee on Administrative Rules. The rulemaking would have implemented procedures for creating sheltered markets for State contracts or procurements, set aside specifically for businesses owned by minorities, females or persons with disabilities.

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 September 17, 2013 meeting.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

"Licensing Standards for Child Welfare Agencies" (89 Ill Adm Code 401) proposed 5/24/13 (37 Ill Reg 6927)

"Licensing Standards for Group Day Care Homes" (89 Ill Adm Code 408) proposed 5/24/13 (37 Ill Reg 6962)

"Licensing Standards for Day Care Homes" (89 Ill Adm Code 406) proposed 5/14/13 (37 Ill Reg 6939)

DEPT. OF PUBLIC HEALTH

"Swimming Facility Code" (77 Ill Adm Code 820) proposed 6/28/13 (37 Ill Reg 8336)

DEPT. OF FINANCIAL AND PROFESSIONAL REGULATION

"Clinical Social Work and Social Work Practice Act" (68 Ill Adm Code 1470) proposed 6/28/13 (37 Ill Reg 8171)

DEPT. OF STATE POLICE

"Electronic Transmission of Fingerprints" (20 Ill Adm Code 1265) proposed 7/5/13 (37 Ill Reg 9462)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

"Licensing Standards for Child Welfare Agencies" (89 Ill Adm Code 401) proposed 5/24/13 (37 Ill Reg 6927)