

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, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

New Rules

■ FUNERAL & BURIAL CLAIMS

The DEPARTMENT OF HUMAN SERVICES adopted an amendment to Related Program Provisions (89 IAC 117; 41 Ill Reg 15167), effective 4/13/18, clarifying that public assistance claims for funerals and burials are subject to appropriations and may (formerly, will) be denied if not submitted within 180 days after the deceased person's death or resubmitted within 90 days after being returned for correction or completion. Since 1st Notice, DHS has added language stating that valid late claims will be accepted in the order in which they are received if funds are available. Funeral service providers that accept public assistance claims for burial or cremation are affected.

Questions/requests for copies:
Tracie Drew, DHS, 100 S. Grand

Ave. East, 3rd Fl., Springfield IL 62762, 217/785-9772.

■ EMERGENCY CENTERS

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to Freestanding Emergency Center Code (77 IAC 518; 41 Ill Reg 15034), effective 4/10/18, that change the following criteria for licensure as a freestanding emergency center (FEC): location in a municipality with fewer than 50,000 (formerly, 75,000) residents and within 50 (formerly, 20) miles of the affiliated hospital. An FEC also must limit the number of patients it receives by ambulance in accordance with its 24-hour capabilities and pre-approval by the local EMS Director and DPH. Freestanding emergency centers and ambulance services that serve

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Proposed Rulemakings

■ EMERGENCY MANAGEMENT

The ILLINOIS EMERGENCY MANAGEMENT AGENCY proposed amendments to the Part titled Political Subdivision Emergency Services and Disaster Agencies (29 IAC 301; 42 Ill Reg 7603) that update standards, review processes, guidelines and practices for city, county, and other local ESDAs. The rulemaking adopts the national standard developed by the Emergency Management Accreditation Program and requires mandated ESDAs to meet these requirements in its Emergency Operations Plans (EOPs) within 2 years after the rulemaking is adopted. EOPs must include specific assignments of responsibility for functions such as administration, finance, infrastructure restoration,

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NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.

PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.

PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

■ Designates 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: Submit mail, email or phone calls to the agency personnel listed below each summary.

RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

New Rules

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them are affected by this rulemaking.

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

STATE EMPLOYEES

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES adopted amendments to Conditions of Employment (80 IAC 303; 41 Ill Reg 13465), effective 4/11/18, establishing procedures for expedited hearings at Step 4 of the grievance process for State employees. (Grievances are first presented to one's immediate supervisor (Step 1), then, if not resolved, to the next highest supervisor (Step 2), the agency head (Step 3), and finally CMS (Step 4).) Hearing officers shall be appointed from the CMS Division of Legal/Labor Relations

and shall have authority to accept or deny all submissions of evidence. They also may attempt to mediate the grievance with the parties prior to the hearing. The hearing officer shall make a written recommendation to the Director of CMS within 5 working days after the hearing; the Director may approve, disapprove or modify the recommendation, and the Director's decision is final.

STATE VEHICLES

CMS also adopted an amendment to State Vehicles and Garage (44 IAC 5040; 41 Ill Reg 11042), effective 4/11/18, allowing State agencies to directly pay unpaid traffic tickets incurred by an employee while driving a State-owned or leased vehicle if it is impossible or unlikely that the employee will pay the ticket. The rulemaking also requires employees who receive tickets while driving State vehicles to immediately report the ticket to the appropriate agency

contact person; failure to do so may result in disciplinary action.

Questions/requests for copies of the 2 CMS rulemakings: Bureau of Personnel (Part 303) or Bureau of Administrative Services (Part 5040), CMS, 715 Stratton Bldg., Springfield IL 62706, 217/782-2141.

IHDA PUBLIC INFORMATION

The ILLINOIS HOUSING DEVELOPMENT AUTHORITY repealed the Part titled Public Information, Rulemaking and Organization (2 IAC 1975; 42 Ill Reg 7685) and adopted a new Part with the same title (2 IAC 1975; 42 Ill Reg 7687), both effective 4/11/18. The new Part updates IHDA's address and its procedures for conducting meetings.

Questions/requests for copies of the 2 IHDA rulemakings: Karri Kartes, IHDA, 111 E. Wacker Dr., Suite 1000, Chicago IL 60601, 312/836-5313, kkartes@ihda.org

Proposed Rulemakings

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debris management, volunteer management, and other tasks to be carried out after an emergency or disaster. EOPs must also include annexes that address specific hazards (e.g., earthquakes in certain areas of southern Illinois) and include the details of how damage assessment, evacuation/population protection, mass

care, public information, and other functions will be carried out. Each ESDA must also have a documented emergency management program that is consistent with the national standard and includes completion of a threat and hazard identification risk assessment; operational planning for emergency operations, recovery and continuity of government; mutual aid; communication and

warning capabilities; use and testing of facilities; training and exercise programs; and public information, crisis communication and education programs. A full-scale exercise approved by IEMA must be conducted at least every 4 years, but the requirement may be waived if an actual disaster occurs during the 4-year cycle

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Proposed Rulemakings

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(currently, if the disaster occurs during a year when an exercise was required). The rulemaking also clarifies a procedure under which a municipality falling within more than one county may choose a single responsible county jurisdiction for planning and exercise purposes. Multiple counties may also share responsibility for planning and exercises. Municipalities and local governments will be affected.

Questions/requests for copies/comments through 6/11/18: Traci Burton, IEMA, 1035 Outer Park Drive, Springfield IL 62704, 217/785-9860.

■ REHAB CENTERS

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to Community-Based Residential Rehabilitation Center Demonstration Program Code (77 IAC 220; 42 Ill Reg 7655) updating various procedures for community-based residential rehabilitation centers serving persons who have suffered acquired brain injuries. The rulemaking defines and clarifies qualifications for life skills trainers, updates statutory references, clarifies that intravenous parenteral medication may only be administered by a registered nurse or physician, and clarifies information to be recorded when medications are administered.

Supplies of staple and perishable foods kept on the premises of each residence must be adequate to prepare a minimum of three days' meals; each licensee must have a designated food distribution location from which life skills trainers will pick up food supplies every 3 or 4 days. Participants and employees of residential rehab centers are affected.

Questions/requests for copies/comments through 6/11/18: Elizabeth Paton, DPH, 535 W. Jefferson St., 5th Fl, Springfield IL 62761, 217/782-2043, dph.rules@illinois.gov

Joint Committee on Administrative Rules

Senator Pamela Althoff

Representative Peter Breen

Senator Karen McConnaughay

Representative Tom Demmer

Senator Don Harmon

Representative Greg Harris

Senator Tony Muñoz

Representative Lou Lang

Senator Ira Silverstein

Representative André Thapedi

Senator Chuck Weaver

Representative Keith Wheeler

**Vicki Thomas
Executive Director**

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 the Committee's May 15, 2018 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT ON AGING

Adult Protection and Advocacy Services (89 IAC 270; 42 Ill Reg 3774) proposed 3/2/18

IL LIQUOR CONTROL COMMISSION

The Illinois Liquor Control Commission (11 IAC 100; 41 Ill Reg 14998) proposed 12/15/17

OFFICE OF THE STATE FIRE MARSHAL

General Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances
(41 IAC 174; 42 Ill Reg 3270) proposed 2/23/18

Technical Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances
(41 IAC 175; 42 Ill Reg 3313) proposed 2/23/18

Administrative Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances
(41 IAC 176; 42 Ill Reg 3457) proposed 2/23/18

Compliance Certification for Underground Storage Tanks
(41 IAC 177; 42 Ill Reg 3508) proposed 2/23/18

DEPT OF PUBLIC HEALTH

Hospital Licensing Requirements (77 IAC 250; 42 Ill Reg 2088) proposed 2/2/18

SECRETARY OF STATE

Limited Liability Company Act (14 IAC 178; 42 Ill Reg 710) proposed 1/12/18

Issuance of Licenses (92 IAC 1030; 42 Ill Reg 3113) proposed 2/16/18