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Illinois General Assembly

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Issue 23

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

HOUSING AUTHORITY

The ILLINOIS HOUSING DEVELOPMENT AUTHORITY adopted amendments to "Homeowner Mortgage Revenue Bond Program" (47 Ill Adm Code 260; 33 Ill Reg 1423), effective 5/22/09. A companion emergency rulemaking, effective 1/7/09, was published in the *Illinois Register* at 33 Ill Reg 1512. The amendments allow the Authority, in accordance with established federal rules, to purchase mortgage-backed, pass-through securities from the Federal National Mortgage Association, commonly known as Fannie Mae, and the Federal Home Loan Mortgage Corporation, known as Freddie Mac, and bundle them and securitize them with Authority bonds. Provisions applicable to single-family lending programs no longer in existence are removed from the rules, also.

Questions/requests for copies: Kristi Poskus, IHDA, 401 N. Michigan Ave., Ste. 700, Chicago IL 60611, 312/836-7416.

PUBLIC ASSISTANCE

The DEPARTMENT OF HUMAN SERVICES adopted emergency amendments to "Temporary Assistance for

Needy Families" (TANF) (89 Ill Adm Code 112; 33 Ill Reg 7320), "Aid to the Aged, Blind or Disabled" (AABD) (89 Ill Adm Code 113; 33 Ill Reg 7337), and "General Assistance" (GA) (89 Ill Adm Code 114; 33 Ill Reg 7355), all effective 5/21/09, for a maximum of 150 days. Each emergency rulemaking has an identical proposed rulemaking in this week's *Illinois Register* at 33 Ill Reg 7274, 7277, and 7280 respectively. The U.S. Department of Health and Human Services Administration for Children and Families has directed states to exempt from eligibility considerations certain income received by TANF, AABD, and GA recipients under the federal economic stimulus plan (ARRA). The rulemakings exempt: a \$25 per week increase in federal unemployment compensation benefits authorized under the American Recovery and Reinvestment Act (ARRA) of 2009; economic recovery payments distributed to recipients of social security, supplemental security income, railroad retirement, and veterans disability compensation or pension benefits; and ARRA-authorized payments to eligible WW II veterans who served in the Far East. With the exception of the \$25/wk. unemployment compensation benefit, Part 113 amendments also exempt the economic stimulus

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Proposed Regulations

CHILD CARE BENEFITS

The DEPARTMENT OF HUMAN SERVICES proposed amendments to "Child Care" (89 Ill Adm Code 50; 33 Ill Reg 7258) that increase the maximum monthly income that a parent may make and still qualify for child care services. (The maximum varies based upon family size.) The rulemaking also adds parent co-pays (weekly or monthly) for the added maximum monthly income levels based upon family size. (Family size includes the applicant, his or her spouse, and the biological or adoptive children or stepchildren of the applicant or his or her spouse who are under age 21 living in the same household, including the child for whom care is requested.) For example, for a family of 3, the maximum allowable monthly income increases from \$2,934 to \$3,052 and the corresponding co-pays vary with family size. This rulemaking may affect child care providers.

FOOD STAMPS

DHS also proposed amendments to "General Administrative Provisions" (89 Ill Adm Code 10; 33 Ill Reg 7244) and "Food Stamps" (89 Ill Adm Code 121; 33 Ill Reg 7283) that change all references to the federal Food Stamp Act and the Food Stamp Program to reflect a new federal statute and program name, the Food and Nutrition Act of 2008 and the Supplemental Nutrition Assistance Program (SNAP).

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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.

The Flinn Report

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New Regulations

payments from consideration as an "asset" when determining an individual's AABD eligibility.

Questions/requests for copies/comments concerning the 3 DHS proposed rulemakings above through 7/20/09:

Tracie Drew, DHS, 100 S. Grand Ave. E., 3rd Fl., Springfield IL 62762, 217/785-9772.

Proposed Regulations

The Part 10 amendments also make numerous non-substantive changes and add several SNAP-related definitions.

Questions/requests for copies/comments concerning the 3 DHS rulemakings above through 7/20/09: Tracie Drew at the DHS address and telephone number above.

INSURANCE RESERVES

The DEPARTMENT OF FINANCIAL

AND PROFESSIONAL REGULATION proposed repeal of "Unearned Premium Computation" (50 Ill Adm Code 911; 33 Ill Reg 7241). The rules were adopted in 1963 and never amended. The Part specifies how companies must determine the amount of the "unearned premium reserve" that must be reported to DFPR. (The reserve is required to be no less than the company's actual liability to all of its insureds.) These provisions have long been supplanted by Section 136 of the Insurance Code, which details re-

porting requirements of a company's financial condition in accordance with the National Association of Insurance Commissioners standard reporting requirements. Therefore, this Part is obsolete.

Questions/requests for copies/comments through 7/20/09: Eve Blackwell-Lewis (217/782-2867) or Craig Cellini (217/785-0813), DFPR, 320 W. Washington, Springfield IL 62767-0001.

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 June 16, 2009 meeting.

DEPT. OF HEALTHCARE AND FAMILY SERVICES

"Medical Payment" (89 Ill Adm Code 140) proposed 7/18/08 (32 Ill Reg 10782)

"Specialized Health Care Delivery Systems" (89 Ill Adm Code 146) proposed 3/6/09 (33 Ill Reg 3822)

STATE UNIVERSITIES RETIREMENT SYSTEM

"Universities Retirement" (80 Ill Adm Code 1600) proposed 2/6/09 (33 Ill Reg 2125)