

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. MAGGIE CROTTY

CO-CHAIR:
REP. ANGELO "SKIP" SAVIANO

EXECUTIVE DIRECTOR:
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SEN. J. BRADLEY BURZYNSKI
SEN. RANDALL HULTGREN
SEN. MATTIE HUNTER
SEN. DAN RUTHERFORD
SEN. IRA SILVERSTEIN
REP. JOHN FRITCHEY
REP. LOU LANG
REP. DAVID MILLER
REP. DONALD L. MOFFITT
REP. ROSEMARY MULLIGAN

MINUTES

May 19, 2009

Meeting Called to Order

The Joint Committee on Administrative Rules met on May 19, 2009 at 9:00 a.m. in Room C-1 of the Stratton Building in Springfield, Illinois.

Co-Chair Saviano called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments in writing.

ATTENDANCE ROLL CALL

X Senator Bradley Burzynski	X Representative John Fritchey
X Senator Maggie Crotty	X Representative Lou Lang
X Senator Randy Hultgren	X Representative David Miller
X Senator Mattie Hunter	X Representative Donald Moffitt
X Senator Dan Rutherford	X Representative Rosemary Mulligan
X Senator Ira Silverstein	X Representative Angelo "Skip" Saviano

APPROVAL OF THE MINUTES OF THE APRIL 21, 2009 MEETING

Representative Lang moved, seconded by Representative Moffitt, to approve the minutes of the April 21, 2009 meeting. The motion passed unanimously.

REVIEW OF AGENCY RULEMAKINGS

Environmental Protection Agency – Permit Fees for Installing or Extending Sewers (35 Ill. Adm. Code 320; 33 Ill. Reg. 3576)

Senator Rutherford moved, seconded by Senator Hultgren, that JCAR recommend that EPA be more timely in updating its rules to reflect statutory changes. The motion passed unanimously.

Co-Chair Saviano asked if any member desired to discuss any other proposed rulemakings. Senator Crotty asked to consider a rulemaking of the Department of Healthcare and Family Services.

Department of Healthcare and Family Services – Medical Payment (89 Ill. Adm. Code 140; 32 Ill. Reg. 13761)

Senator Crotty moved, seconded by Senator Silverstein, that the Second Notice period for this rulemaking be extended for an additional 45 days to further address potentially objectionable provisions.

The Department was represented by Tamara Hoffman, Chief of Staff, and Jim Parker, Deputy Director of Medical Programs.

Senator Silverstein requested that the Department work with parties affected by this rulemaking and attempt to resolve their differences during the next 45 days.

Ms Hoffman indicated that the Department would be willing to work with JCAR members and the interested parties.

Mr. Parker stated that the Department had worked with the Psychiatric Association during development of the rulemaking, as well as with the Medical Society and patient advocacy groups. The Department has grave concerns in this area. He stated that the magnitude of the fraud and abuse that is going on in this area is almost mindboggling. Of the million times HFS was billed for this service during the last year, 33% of the service was billed by 10 doctors. The abuse is out of control.

Senator Silverstein observed that there are good people involved in the delivery of mental health services as well.

Mr. Parker agreed, and added that these proposed rules are consistent with best practices and HFS will continue to work on the proposal.

The motion passed unanimously.

Representative Saviano asked if any member desired discussion of any emergency or preemptory rulemaking. No member responded in the affirmative.

CERTIFICATION OF NO OBJECTION

Representative Fritchey moved, seconded by Representative Miller, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously.

AGENCY RESPONSE

Office of the State Fire Marshal – Policy and Procedures Manual for Fire Protection Personnel (41 Ill. Adm. Code 141; 32 Ill. Reg. 18485)

No further action was taken.

JUNE MEETING DATE

Co-Chair Saviano announced that the next monthly meeting is scheduled for Tuesday, June 16, 2009, 10:30 a.m., Room 16-503 of the James R. Thompson Center in Chicago.

ADJOURNMENT

Representative Miller moved, seconded by Representative Lang, that the meeting be adjourned. The motion passed unanimously.

Min:0905May