

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. MAGGIE CROTTY

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REP. ANGELO "SKIP" SAVIANO

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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

August 18, 2009

Meeting Called to Order

The Joint Committee on Administrative Rules met on August 18, 2009 at 10:30 a.m. in Room 16-503 of the James R. Thompson Center in Chicago, 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.

APPROVAL OF THE MINUTES OF THE JULY 14, 2009 MEETING

Representative Lang moved, seconded by Representative Mulligan, to approve the minutes of the July 14, 2009 meeting. The motion passed unanimously.

REVIEW OF AGENCY RULEMAKINGS

Department of Insurance – Preferred Provider Programs (50 Ill. Adm. Code 2051; 33 Ill. Reg. 1927) and Preferred Provider Program Administrators (Repealer) (50 Ill. Adm. Code 2051; 33 Ill. Reg. 2020)

Senator Hultgren moved, seconded by Representative Lang, that JCAR and the Department of Insurance agree to extend the second notice period for these rulemakings for an additional 45 days to address concerns raised by affected parties. The motion passed unanimously.

Department of Public Health – Community Health Center Expansion (77 Ill. Adm. Code 975; 33 Ill. Reg. 3940)

Representative Lang moved, seconded by Representative Mulligan, that JCAR object to the Department's prior implementation of the policies being adopted in this rulemaking. Prior implementation is contrary to Sections 1-70 and 5-10 of the IAPA. The Department has been administering this program since 2001. The motion passed unanimously.

Department of Transportation – Selection of Architect-Engineer Consultant Firms (44 Ill. Adm. Code 625; 33 Ill. Reg. 11127) (Emergency)

Senator Hultgren moved, seconded by Representative Mulligan, that JCAR recommend that, in the future, the Department be more timely in updating its rules. Statute created the \$25,000 small

contract threshold for professional service contracts in 1992. DOT is just now reflecting that statute in rule. The motion passed unanimously.

Department of Human Services –Collections and Recoveries (89 Ill. Adm. Code 165; 33 Ill. Reg. 11336) (Peremptory)

Representative Fritchey moved, seconded by Senator Hultgren, that this peremptory rule be removed from the August Agenda. The motion passed unanimously.

Co-Chair Saviano asked if any member desired to discuss any other rulemakings. Representative Lang requested consideration of the following rulemakings:

Department of Human Services –Temporary Assistance for Needy Families (89 Ill. Adm. Code 112; 33 Ill. Reg. 5201)

Department of Human Services –General Assistance (89 Ill. Adm. Code 114; 33 Ill. Reg. 5228)

Department of Public Health –Adverse Health Care Event Reporting Code (77 Ill. Adm. Code 235; 32 Ill. Reg. 19425)

Representative Lang moved, seconded by Representative Mulligan, that the second notice periods for these 3 rulemakings be extended for an additional 45 days. The motion passed unanimously.

CERTIFICATION OF NO OBJECTION

Representative Fritchey moved, seconded by Senator Hultgren, 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 RESPONSES

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

Due to the appropriateness of the Department's response, no further action was taken. Staff will monitor HFS' progress in adopting the rulemaking.

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

Department of Human Services – Temporary Assistance for Needy Families (89 Ill. Adm. Code 112; 33 Ill. Reg. 4977) (Emergency)

Department of Human Services – Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113; 33 Ill. Reg. 4993) (Emergency)

Department of Human Services – General Assistance (89 Ill. Adm. Code 114; 33 Ill. Reg. 5004) (Emergency)

Department of Human Services – Refugee/Repatriate Program (89 Ill. Adm. Code 115; 33 Ill. Reg. 5018) (Emergency)

Due to the appropriateness of the agencies' response, no further action was taken.

SEPTEMBER MEETING DATE

Co-Chair Saviano announced that the next monthly meeting is scheduled for Tuesday, September 15, 2009, 10:30 a.m., Room 16-503 of the James R. Thompson Center in Chicago.

ADJOURNMENT

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

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