

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. MAGGIE CROTTY

CO-CHAIR:
REP. ANGELO "SKIP" SAVIANO

EXECUTIVE DIRECTOR:
VICKI THOMAS



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SEN. PAMELA ALTHOFF
SEN. DON HARMON
SEN. JOHN O. JONES
SEN. DALE A. RIGHTER
SEN. IRA SILVERSTEIN
REP. GREG HARRIS
REP. LOU LANG
REP. DONALD L. MOFFITT
REP. ROSEMARY MULLIGAN
REP. ANDRE' THAPEDI

MINUTES

September 13, 2011

Meeting Called to Order

The Joint Committee on Administrative Rules met on September 13, 2011 at 11:00 a.m. in Room 600C of the Michael A. Bilandic Building in Chicago, Illinois.

Co-Chair Crotty 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

Senator Pamela Althoff	X	Representative Greg Harris
X Senator Maggie Crotty	X	Representative Lou Lang
X Senator Don Harmon		Representative Donald Moffitt
Senator John O. Jones	X	Representative Rosemary Mulligan
Senator Dale Righter		Representative Angelo "Skip" Saviano
X Senator Ira Silverstein	X	Representative Andre' Thapedi

Senator Crotty announced that Representative Moffitt was absent because of an accident involving the train he was taking to the meeting.

APPROVAL OF THE MINUTES OF THE AUGUST 16, 2011 MEETING

Representative Lang moved, seconded by Senator Harmon, to approve the minutes of the August 16, 2011 meeting. The motion passed unanimously.

REVIEW OF AGENCY RULEMAKINGS

Department of Healthcare and Family Services – Hospital Services (89 Ill. Adm. Code 148; 34 Ill. Reg. 15705)

Representative Thapedi moved, seconded by Representative Mulligan, that JCAR recommend that HFS, in the future, take measures to ensure that gaps do not occur between the expiration of an emergency rule and adoption of the permanent rulemaking, to avoid creating a time period in which it is enforcing policy not in rule. The motion passed unanimously.

Department of Human Services – Temporary Assistance for Needy Families (89 Ill. Adm. Code 112; 35 Ill. Reg. 6736), Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113; 35 Ill. Reg. 6738) and General Assistance (89 Ill. Adm. Code 114; 35 Ill. Reg. 6740)

Senator Harmon moved, seconded by Representative Harris, that JCAR recommend that DHS, in the future, take measures to ensure gaps do not occur between the expiration of an emergency rule and adoption of the permanent rulemaking, to avoid creating a regulatory gap. The motion passed unanimously.

Department of Human Services – Supplemental Nutrition Assistance Program (SNAP) (89 Ill. Adm. Code 121; 35 Ill. Reg. 8273)

Co-Chair Crotty asked if a representative from DHS was present.

Tracie Drew, Bureau Chief of Administrative Rules, represented DHS.

Senator Harmon asked Ms Drew if it was the Department's intention to restore the 2011 standard deductions for utility costs to the rulemaking text.

Ms Drew agreed to add the figures to the rulemaking. Based on this assurance, the rulemaking was placed on the No Objection List.

CONSIDERATION OF OTHER RULEMAKINGS

Co-Chair Crotty asked if any members requested consideration of any other rulemaking. Representative Harris requested discussion of a DPH proposed rulemaking.

Department of Public Health – Illinois Vital Records Code (77 Ill. Adm. Code 500; 35 Ill. Reg. 750)

Representative Harris requested that this rulemaking be removed from the No Objection List. Co-Chair Crotty announced that the rulemaking would not be returned to the No Objection List.

CERTIFICATION OF NO OBJECTION

Senator Silverstein moved, seconded by Senator Harmon, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, 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 Assistance Programs (89 Ill. Adm. Code 120; 34 Ill. Reg. 11664)

Co-Chair Crotty announced that this rulemaking will be placed on the October 11, 2011 JCAR meeting agenda.

Representative Lang made an announcement on behalf of the JCAR members. He stated that it was the position of every JCAR member present that the current rules in their amended state were wanting and insufficient. Therefore, JCAR would like the Department to continue working with the affected parties to resolve outstanding issues.

Department of Human Services – Award and Monitoring of Funds (77 Ill. Adm. Code 2030; 35 Ill. Reg. 1327) and Subacute Alcoholism and Substance Abuse Treatment Services (77 Ill. Adm. Code 2090; 35 Ill. Reg. 1329)

Based on the appropriateness of the agency's responses, no further action was taken. Staff will monitor.

OCTOBER MEETING DATE

Co-Chair Crotty announced that the next monthly meeting is scheduled for Tuesday, October 11, 2011, at 11:00 a.m. in Room 600C, Bilandic Building, Chicago IL.

ADJOURNMENT

Representative Mulligan moved, seconded by Representative Thapedi, that the meeting stand adjourned. The motion passed unanimously.

Min:1109Sept

JCAR MEETING REPORT

DATE **TYPE OF ROLLCALL** Attend Record Min Motion Voice **TAB**

AGENCY **RULEMAKING**

APPEARING

MOTION Approve Minutes Recommend Object Prohibit Suspend Extend
 No Further Action Remove from No Obj List Approve No Obj List Adjourn

Attendance Roll Call

MOVED BY **2nd BY**

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous Split: **Motion:** Pass Fail

NOTES

JCAR MEETING REPORT

DATE **TYPE OF ROLLCALL** Attend Record Min Motion Voice **TAB**

AGENCY **RULEMAKING**

APPEARING

MOTION Approve Minutes Recommend Object Prohibit Suspend Extend
 No Further Action Remove from No Obj List Approve No Obj List Adjourn

MOVED BY **2nd BY**

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous Split: **Motion:** Pass Fail

NOTES

JCAR MEETING REPORT

DATE **TYPE OF ROLLCALL** Attend Min Motion Record Voice **TAB**

AGENCY **RULEMAKING**

APPEARING

MOTION Approve Minutes Recommend Object Prohibit Suspend Extend
 No Further Action Remove from No Obj List Approve No Obj List Adjourn

45 Day Extension

MOVED BY **2nd BY**

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous Split: **Motion:** Pass Fail

NOTES

JCAR MEETING REPORT

DATE
TYPE OF ROLLCALL
 Attend
 Record
 Min
 Voice
 Motion
 TAB

AGENCY
RULEMAKING

APPEARING

MOTION
 Approve Minutes
 Recommend
 Object
 Prohibit
 Suspend
 Extend
 No Further Action
 Remove from No Obj List
 Approve No Obj List
 Adjourn

MOVED BY
2nd BY

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous
 Split:
Motion: Pass
 Fail

NOTES

JCAR MEETING REPORT

DATE **TYPE OF ROLLCALL** Attend Record Min Motion Voice **TAB**

AGENCY **RULEMAKING**

APPEARING

MOTION Approve Minutes Recommend Object Prohibit Suspend Extend
 No Further Action Remove from No Obj List Approve No Obj List Adjourn

45 Day Extension

MOVED BY **2nd BY**

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous Split: **Motion:** Pass Fail

NOTES

JCAR MEETING REPORT

DATE **TYPE OF ROLLCALL** Attend Record Min Motion Voice **TAB**

AGENCY **RULEMAKING**

APPEARING

MOTION Approve Minutes Recommend Object Prohibit Suspend Extend
 No Further Action Remove from No Obj List Approve No Obj List Adjourn

MOVED BY **2nd BY**

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous Split: **Motion:** Pass Fail

NOTES

JCAR MEETING REPORT

DATE **TYPE OF ROLLCALL** Attend Record Min Motion Voice **TAB**

AGENCY **RULEMAKING**

APPEARING

MOTION Approve Minutes Recommend Object Prohibit Suspend Extend
 No Further Action Remove from No Obj List Approve No Obj List Adjourn

Staff will continue to monitor.

MOVED BY **2nd BY**

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous Split: **Motion:** Pass Fail

NOTES

JCAR MEETING REPORT

DATE **TYPE OF ROLLCALL** Attend Min Motion Record Voice **TAB**

AGENCY **RULEMAKING**

APPEARING

MOTION Approve Minutes Recommend Object Prohibit Suspend Extend
 No Further Action Remove from No Obj List Approve No Obj List Adjourn
 Withdrawal of Suspension

MOVED BY **2nd BY**

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous Split: **Motion:** Pass Fail

NOTES

JCAR MEETING REPORT

DATE **TYPE OF ROLLCALL** Attend Record Min Motion Voice **TAB**

AGENCY **RULEMAKING**

APPEARING

MOTION Approve Minutes Recommend Object Prohibit Suspend Extend
 No Further Action Remove from No Obj List Approve No Obj List Adjourn

MOVED BY **2nd BY**

ROLLCALL VOTE:

	Y	N	P		Y	N	P
Sen. Pamela Althoff				Rep. Gregory Harris	X		
Sen. Maggie Crotty	X			Rep. Lou Lang	X		
Sen. Don Harmon	X			Rep. Donald Moffitt	X		
Sen. John Jones	X			Rep. Rosemary Mulligan			
Sen. Dale Righter	X			Rep. Angelo "Skip" Saviano	X		
Sen. Ira Silverstein	X			Rep. Andre Thapedi	X		

VOTE Unanimous Split: **Motion:** Pass Fail

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