

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

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REP. CURTIS J. TARVER, II
REP. DAVE VELLA

MINUTES

September 12, 2023

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, September 12, 2023, at 11:00 a.m. in Room 600C of the Michael A. Bilandic Building, Chicago. Co-Chair Cunningham 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 meetings. Other persons are encouraged to submit their comments to the JCAR office in writing.

ATTENDANCE ROLL CALL

Senator Cristina Castro	X	Representative Eva-Dina Delgado
X Senator Bill Cunningham		Representative Jackie Haas
X Senator Donald DeWitte	X	Representative Steven Reick
Senator Dale Fowler	X	Representative Ryan Spain
Senator Kimberly A. Lightford	X	Representative Curtis J. Tarver, II
X Senator Sue Rezin	X	Representative Dave Vella

APPROVAL OF THE MINUTES OF THE AUGUST 16, 2023 MEETING

Rep. Reick moved, seconded by Sen. Rezin, that the minutes of the August 16, 2023 meeting be approved. The motion passed unanimously (8-0-0).

AGENCY RESPONSE

Pollution Control Board – Permits and General Provisions (35 Ill. Adm. Code 201; 46 Ill. Reg. 20627); Alternative Control Strategies (35 Ill. Adm. Code 202; 46 Ill. Reg. 20638); Visible and Particulate Matter Emissions (35 Ill. Adm. Code 212; 46 Ill. Reg. 20644)

No further action was taken. Staff will monitor.

REVIEW OF AGENCY RULEMAKINGS

Department of Healthcare and Family Services – Special Eligibility Groups (Emergency) (89

Ill. Adm. Code 118; 47 Ill. Reg. 9114)

Omar Shaker, staff attorney, represented HFS.

Rep. Delgado: Thank you, good morning. I've got a couple of questions for you. One, I understand that you all had your public hearing on the 5th, and it seems like there was pretty good turnout, pretty good responses, information that you all have received. Is it possible for HFS to submit that testimony from the public hearing to JCAR, just so that we can have it as part of our record?

Mr. Shaker: Absolutely.

Rep. Delgado: Wonderful. Secondly, I want to jump to copays. So I understand that there was notification coming out of HFS rescinding the requirement for providers to request copays and refund any copays that had been collected. How did the agency determine to suspend that requirement?

Mr. Shaker: So I was informed recently that there were some programming issues with regards to that, I believe specifically with regards to the emergency room, given the fact that there is a program for noncitizens that's federally funded or at least federally matched. And until we had the ability to completely have the system work and function appropriately as it should, and to draw in as much federal matching as possible in these situations, we decided to suspend it and instruct the providers that if there were any copays that were taken, they didn't need to repay them because HFS would be paying the full amount.

Rep. Delgado: Gotcha. And so in that situation, I think it would be appropriate for the agency to amend their emergency rules, specifically in this case, because your emergency rules last so much longer than the typical emergency rule. So is that something you all plan to do?

Mr. Shaker: That is something that we are considering. We did wish to speak with JCAR staff a little bit. We are waiting to have a better understanding of how long it will take for our systems to be properly updated. So we want to take that into consideration, but that is something that we absolutely will consider if it's going to take more than what we hope it will take.

Rep. Delgado: Okay, so how long do you think it's going to take for you to re-institute the copays?

Mr. Shaker: Unfortunately, I don't know that information right now, but I will apprise JCAR as soon as I hear.

Rep. Delgado: Okay, so again, you know, just for the providers—for their own ability to manage what they're doing, I think that that needs to be documented through the JCAR process, particularly the emergency rules process, so that they know what to expect. And that, again, those that are actually taking part in the program also know what to expect. When those copays are reinstated, can you walk me through how providers will receive notice? And if there's going to be any timeframe there for them to get that up and running, can you just walk me through that?

Mr. Shaker: So we don't have the re-implementation process completely fleshed out yet. We are anticipating a provider notice with sufficient time, notifying them that on a specific date, the copays would reinitiate, as well as we would be notifying the actual recipients and advising them

what their responsibilities would be as well. And I believe that that notice will be provided in multiple languages. It's still being written, so I can't say exactly what is going to be in the document, but we are going to have a multi-pronged approach to make sure that everyone that's involved is fully aware of what their responsibilities are.

Rep. Delgado: And is that usually done by mail or is it done by email?

Mr. Shaker: It'll be done likely by both. So when a provider, from my understanding, when a provider notice is issued, there is a listserv that is sent out to any providers for HFS, so that's one mechanism. The public notice and the provider notice that are published on the website, and we are anticipating also sending a letter to all of the recipients as well.

Rep. Delgado: Okay. I will close out with I think that it's appropriate for these emergency rules to be amended, particularly given that these emergency rules last for such a long period of time. So I would highly recommend that the agency do that. I just think that that makes a lot of sense given the situation you're in.

Sen. Rezin: So these emergency rules came out in June. It's now September. When was the decision made to stop collecting copays, and why did it take three months to come to this decision?

Mr. Shaker: I'm not certain of the specific date that it was issued. I do know that approximately two weeks ago the discussion came up about how we were going to properly implement, whether it was something that could be done readily or not. I would like to say that usually bills come in several months after the services, so it may have been something that we noticed there was a problem afterwards, but I can't specifically state which way it was.

Sen. Rezin: So what was the problem you mentioned at the beginning? What did you see as the problem?

Mr. Shaker: So the one critical problem I would say would be that there is a federal program that does offer federal matching for emergency room visits for non-citizens. In that sense, we cannot charge a copay and we did not intend to charge a copay for individuals who are being covered under this program. And I believe that there is some type of issue or conflict within our general programming that could potentially if we left them untouched jeopardize our matching funds.

Sen. Rezin: Okay. It's my understanding though that the current program, the way it was set up, was not a federal match?

Mr. Shaker: So the one copay, the multi-pronged copays that we have, there is one copay that deals with emergency rooms. Emergency room visits by non-citizens, there is a federal program that does offer some matching. However, the rule that we have deals with those circumstances where an individual receives attention at an emergency room, but is not covered under that federal program, then in those circumstances the copay would be applied.

Sen. Rezin: Okay, so it's fair to say though, if someone goes to the doctor or has another visit, they would be required to pay a copay, but that is not a federal match?

Mr. Shaker: No.

Sen. Rezin: Under the emergency rules?

Mr. Shaker: Under the emergency rules, but the emergency rules, I just want to clarify, they only deal with hospital visits. Visits to providers and dentists and pharmacists are still covered entirely by the program.

Sen. Rezin: Thank you. How will the pause in the collection of copays affect the Department's ability to control costs for these programs?

Mr. Shajer: That will depend entirely on when we can fully implement the cost sharing. However, obviously there will be some costs, some savings, potential savings lost for at least for now July and August, depending on when we can fully implement the cost sharing. I don't have the exact numbers, but that's something I could definitely advise the Committee.

Representative Reick: To the last point, do you happen to know what the projected cost savings were system-wide or during the entire dependency of this program? When we voted on it on the House floor or when the rule was issued, were there projections made at that time as to what the cost savings were going to be in requiring these copays?

Mr. Shaker: Yes, unfortunately, I don't have the information in front of me at this time.

Rep. Reick: Appreciate it if you'd get that for us.

Mr. Shaker: Absolutely.

Sen. Rezin left the meeting.

Capital Development Board – Illinois Energy Conservation Code (71 Ill. Adm. Code 600; 47 Ill. Reg. 7177)

Lisa Hennigh, Deputy Director of Construction, Robert Coslow, Administrator for Professional Services, and Abby Dompke, Legislative Director, represented CDB.

Co-Chair Cunningham: Thank you for coming here. I know you've had a discussion with staff and have agreed to an extension on this particular rulemaking for 45 days. So it's something we can continue to work on. JCAR has received, as you know, extensive comment on this and the members have heard from various stakeholders. So here's a couple of things I wanted to ask you about and put on your radar screen for further discussion over the next 45 days. First, a question has come up, concern about the idea that these rules are coming kind of late in the cycle and that the law contemplates a new set of rules being developed in 2024. So that has some of us wondering if it makes sense for you to hold off on this rule, given that we're nearing the end of this year and will, in a matter of a couple months, be working on a new rule if it makes sense to wait until next year when you have to rewrite it anyways.

Ms. Hennigh: I can answer that, sir. Basically, one of the reasons that we want to move forward with the rules for the 2021 International Energy Code is that there is federal funding opportunity with the Inflation Reduction Act that requires any applicant's local government or state government

to have adopted the 2021 or to be adopting the 2021 IECC with no weakening amendments. And these rules would make that adoption so that the state or local governments could take advantage of that funding. I believe it's a \$330 million grant that states and local governments can apply for. And what I understand, the funding opportunity is going to drop next week. It'll open next week. So if we don't adopt, we will not have an ability to apply for any of that grant funding.

Co-Chair Cunningham: Do you know what other states have done with this? Have other states adapted the 2021 standards without any sort of exemptions? I can tell you we've been told by stakeholders that some have adapted those things with exemptions, particularly exemptions when there's a level of infeasibility to do some of these projects. Are you aware of anything that other states are doing on that? And if they have those kind of exemptions in place?

Mr. Coslow: I've done some basic research. There are Connecticut, New Jersey, Utah, have adopted the 21. And as far as I can tell, there were no amendments in that regard.

Co-Chair Cunningham: Okay. If you can double-check on that for us over the next 45-day period. You know, the concern is that we have some of these requirements in place that are close to unachievable. And we sort of pay attention when we get a comment opposing a rule coming from stakeholders who don't usually agree with each other. And we have that in this issue. We have the unions that represent the roofers and the homebuilders who more often than not can be at odds on these things expressing to us similar concerns. So that's got the attention of the Committee. And that's why I just wonder that as we work towards this with understanding that there's got to be some attention paid to maybe federal dollars being available. But it has this thing that if we're just going to rewrite the rules next year and we're already in year three of the 2021 cycle, maybe it makes sense to get this thing right next year when they have to be rewritten again. So just food for thought. I appreciate you taking an extension on this. And we want to encourage you to continue to interact with stakeholders on this. Does anyone else on the Committee have any questions?

Co-Chair Spain: To the representatives here, we appreciate the extension for some further time on this. Within the Capital Development Board, I know you have various ways of facilitating stakeholder engagement. Is there an advisory group that helps formulate your direction on this issue for the energy code?

Ms. Hennigh: Yes, there is the Illinois Energy Conservation Advisory Code that was established through rule, and they do make recommendations. They did make recommendations for the rules, but it included weakening amendments, which again, was not in line with the federal funding or with the administration's direction on climate change and energy efficiency. But we do have that council, yes.

Co-Chair Spain: You've kind of led to my next question. Just wondering what was the opinion of that advisory council on this topic. So sounds like that there are some concerns that have been voiced and I understand we're trying to take advantage and hopefully position ourselves for dollars to be available. If local governments adopt the 21 energy codeset, they are eligible for the Inflation Reduction Act funding. Is that correct?

Ms. Hennigh: I would need to verify that, but I would believe so. And we actually received an email this morning that a local government has done exactly that.

Co-Chair Spain: Okay, but no funding has been made available through the federal government yet, correct?

Ms. Hennigh: Correct. What I've been told by the Department of Energy is that that funding opportunity will open next week.

Co-Chair Spain: Okay, and I guess we'll have to wait and see how the funds are allocated, what are the amounts of grants that are available, all of those details we're all waiting on, correct?

Ms. Hennigh: Right, that information has not been specific.

Co-Chair Spain: Okay, so we'll know more. This extension will help us better understand some of those next steps. And then just one more thing to Co-Chairman Cunningham's line of questioning, just about the 2024 energy code. Remind us how that process works, how that code is adopted with whatever that international code council is? And would we be in a position anytime soon to understand what the major differences might be between the 24 energy codeset and then what we're considering currently for 2021?

Ms. Hennigh: Yes, I would say that that information would be available fairly soon. The International Code Council is in the process of finalizing the 2024 International Energy Conservation Code. They have done a second round of public comment and from what I understand, they are incorporating that comment into a final draft, which I believe will be close to being finalized towards the end of this month or early next month, and that the code would be published at the beginning of 2024 in that first quarter. And then our process would take about 18 months from the time that it's published to the time that Illinois adopts it. We have 18 months in statute to do that, to make it effective.

Co-Chair Spain: What I've been hearing is that there may be some significant differences, especially within the issue of the R values for insulation between what we might see in the 2024 codeset and what we're asked to consider here. And so for us, just understanding those variables becomes important and then how it facilitates or perhaps hinders investment and redevelopment and construction activity and energy efficiency. So I guess over the next 45 days, we'll learn more about federal guidance on the funding and then maybe a little more about what we're looking at in front of us in 2024.

Ms. Hennigh: Yes, we can provide that information. And they did, as you said, roll the insulation values back, but it was a trade-off. There was an omnibus change that added solar readiness, EV readiness, a tighter envelope for the building itself, fewer air changes per hour. So there were some major trade-offs made for that insulation reduction. It wasn't just a rollback by itself.

Co-Chair Spain: Gotcha, okay. Thank you so much.

Rep. Tarver moved, seconded by Rep. Delgado, that JCAR, with the concurrence of the Capital Development Board, extend the second notice period for this rulemaking for an additional 45 days. The motion passed unanimously (7-0-0).

Elevator Safety Review Board – Illinois Elevator Safety Rules (41 Ill. Adm. Code 1000; 47 Ill. Reg. 6388)

Rep. Vella moved, seconded by Rep. Reick, that JCAR, with the concurrence of the Elevator Safety Review Board, extend the second notice period for this rulemaking for an additional 45 days. The motion passed unanimously (7-0-0).

Illinois Gaming Board – Video Gaming (General) (11 Ill. Adm. Code 1800; 47 Ill. Reg. 7816)

Rep. Tarver moved, seconded by Rep. Delgado, that JCAR, with the concurrence of the Illinois Gaming Board, extend the second notice period for this rulemaking for an additional 45 days. The motion passed unanimously (7-0-0).

Secretary of State – Public Use of the Capitol Complex and Springfield Facilities (71 Ill. Adm. Code 2005; 47 Ill. Reg. 6415)

Rep. Vella moved, seconded by Rep. Reick, that JCAR, with the concurrence of the Secretary of State, extend the second notice for this rulemaking for an additional 45 days. The motion passed unanimously (7-0-0).

State Fire Marshal – Fire Sprinkler Contractor Licensing Rules (41 Ill. Adm. Code 109; 47 Ill. Reg. 6614)

Rep. Reick moved, seconded by Rep. Tarver, that JCAR, with the concurrence of the State Fire Marshal, extend the second notice period for this rulemaking for an additional 45 days. The motion passed unanimously (7-0-0).

Department of Children and Family Services – Licensing Standards for Day Care Centers (Emergency) (89 Ill. Adm. Code 407; 47 Ill. Reg. 8756)

Jennifer Cohen-Deihl, Acting Assistant Chief of Policy, and Jeff Osowski, Administrative Rules Coordinator, represented DCFS.

Rep. Reick: You're aware that in July we suspended a certain portion of the emergency rules that you folks had proposed, and I'd like to talk to you about some developments that have happened that are affected by the suspension. I'm looking at a violation citation corrective plan for a daycare center, and I'm going to read from it.

"At the Complaint Investigation Visit on August 21, 2023, when this licensing representative arrived at a facility, which is not named here. At 10:20 a.m., the infant room was being staffed by two early childhood assistants. DCFS notified all daycare centers on June 9, 2023 of emergency rule amendments to Rule 407 that the use of early childhood assistants without the presence of an early childhood teacher could be utilized in rooms where children of two years of age and older and for the first and last 90 minutes of the licensed hours. Submit a written plan for the compliance along with the current staffing plan outlined by classroom.

The staffing plan must include the first and last names of the employee, the hours worked, identify who will cover the breaks and time frames. Submit to DCFS by September 21, 2023."

This violation is of that portion of the rule that was suspended. And I would like to ask why it is that you have an investigation on August 21, 2023 that cites a daycare center for violating a portion of a rule that has been suspended. Could you explain that to me, please?

Ms. Cohen-Deihl: Okay, thank you for your question. We recently became aware of this. When the rule was suspended and even prior to the rule being suspended, they notified the supervisors and the area administrators that the rule was in question in front of JCAR. And once the rule was suspended, they notified the supervisors and let them know that it's not to be enforced. After this came to our attention, we had another meeting yesterday with the licensing leadership to reinforce that those provisions of the rule are currently suspended and they are not to be enforced. So I cannot comment on the specific instance you're talking about because I don't have all the facts, but licensing leadership is aware and has made sure to communicate that to their staff.

Rep. Reick: I got an email yesterday from the director of the ILDOCCC that said "I sent over one example with the program name and owner. I do have many other examples of this happening across the state, but programs are concerned about their name being involved because they fear retaliation from their licensing reps." May not be the case, but that's the perception. Programs all across the state are being issued violations for using the three-hour rule in classes under two. Now I do understand that this violation is published in some manner or form, is that correct?

Ms. Cohen-Deihl: So the violations, if they are substantiated, would show up on our Sunshine website. So when a violation is cited, when a licensing rep goes out to a facility and a violation is cited, they give the paperwork to the director or the owner. And there are steps that the director can take to request a supervisory review, etc., if they disagree with the violation.

Rep. Reick: But ultimately these become public record.

Ms. Cohen-Deihl: I believe if they're substantiated.

Rep. Reick: So any parent who wants to send their kid to a particular daycare center has the ability to look online and see that this daycare center has been cited for a violation of a rule that has been suspended by this Committee, which would give that parent pause as to whether they want their child to be sent to that daycare center or not. My question to you is once this has been published, what effort is made by the Department to publicize the fact that these violations that are being cited are really not a violation because of the suspension of this rule? Or, in other words, are you acting outside of rule by doing this?

Ms. Cohen-Deihl: So, without knowing the specifics of the instance, I can't speak to exactly that case. However, I can tell you if a violation is overturned, which happens, we are a large agency, we have a lot of licensing reps. And so sometimes violations are cited. And then later after meeting with a supervisor, they are overturned, that is addressed. And that should not, if it shows up on the website, it would state that it was overturned. It was no longer a violation or not a violation. So overturning a violation will be different than correcting a violation. So it would show differently than had there been a violation that was a violation but was corrected. So, there's a difference between a violation that's overturned, a violation that's corrected, and a violation that's substantiated.

Rep. Reick: I appreciate that and I understand that. Insofar as this rule was suspended on July 18th and we're now at September 12, I think that it's long since past time for you folks to have communicated to your licensing staff and investigators that this rule has been suspended. I'm not satisfied with that particular explanation. Yeah, you're a big agency, you do have a lot of investigators, but we have mail and email and telephones and all sorts of things that can provide information to these folks that they're not writing these people up on something that is no longer or, at least at this point, is not in effect. So, I would strongly urge you to pick up the pace here and start telling these investigators that the current state of the rule does not allow them to write these folks up in the way that they're being written up. Also, one more thing I'd like to talk about is the fact that this rule came about as a result of DCFS's statement to a sponsor of a bill which was going to deal with this specific issue to please not run this bill because we're going to deal with it in rulemaking and it was then put on the shelf and not run. It's just come to my attention that there was another bill that made it through the house on a 108-0 vote. House Bill 2474, that on the day before it was to be voted on in the Senate, DCFS contacted the sponsor and said "Please do not do this. We will deal with it through administrative rule" and that was in May. And since that time, neither the sponsor of the House Bill nor the Senate version of that bill have been communicated to by DCFS as to the effect or the progress on rulemaking except for the fact that a proposed rule was sent over to the sponsor the day before the vote was to be taken and it basically was a cut and paste of the bill that was actually proposed. That bill was not run on the promise that DCFS was going to do something about filing a rulemaking and that has not yet been done and today is September 12th. Where are you with regard to writing the rule with regard to House Bill 2474?

Ms. Cohen-Deihl: I am not familiar with that but so I can't speak to that but I will get that information and get that to your office once we leave this meeting.

Rep. Reick: I appreciate that. It may seem that I'm somewhat losing my temper here with the agency on things like this and it's simply because I am losing my temper with things going on with this agency. So I would really like some communication here both ways. We should not have to be contacting you because constituents of ours are saying "what is going on with this rulemaking? I thought you suspended it." I would hope that I would get some communication back from this agency that says "we have contacted every single one of our investigators and they know the current status of this rule and they will not do this again." And I would like to see some effort made over and above what you have done already by publishing these violations that are in contravention of our suspended rule so that any parent who avails themselves of this knows full well that this has been done outside of the rulemaking process and therefore what DCFS have published is not the case. So the parents have confidence in their daycare centers.

Rep. Tarver: I guess that's kind of where I want to pick up as well. You said three different options online, overturned, substantiated, and what else?

Speaker 10: I believe we can show overturned, corrected and substantiated, but I'm not sure. I am not in licensing, so this is to the best of my understanding. I'll make that clear. And I am happy to have licensing provide the actual steps after we leave this meeting. So to the best of my understanding, once a violation is written up and provided to the daycare center, the licensing rep will come back to their office, discuss it with the supervisor, and then there's a determination on whether or not that violation was correct. So I believe at that point it's not on the website. So then, if there is a violation, it's determined that, yes, this is in fact a violation, not under a suspended portion of our rule, and they can correct it, then that would show on the website and then it would

show that that was corrected.

Rep. Tarver: Let me interject and thank you for that. But I don't want to put you in a tricky position. If these are things that you may not know off the top of your head, that's totally fine. So I guess this will be more of a conversation when I'm asking you to go get information and bring it back to us. If there's something that I say that you know, because it falls within your purview, then by all means feel free to answer it. So I guess what I'm trying to understand is for this licensee who was unfairly dinged, let's just say, if someone goes through the website right now, or whatever website has the overturned substantive language, is there some kind of a key that a person from the public can understand substantiated means versus overturned versus anything else?

Ms. Cohen-Deihl: I'm going to have to look into that and get back to you.

Speaker 11: Okay, when you look into it, if it's not, I would make that suggestion, because if not, then a parent doesn't have any understanding of what the difference is. I think we kind of know the difference between pardoned versus exonerated, or someone who wins on appeal, right? But this is a little bit different in nuance than people who are looking for places that send their children. The other thing is, was there any kind of apology that they provided to this provider? Anything that they could show someone, if someone shows up with at their door and says "hey look, I was going to send my kid here, but for the fact that I looked and you got dinged," do they have anything, and I don't know if that's a liability issue for DCFS, but is there anything that they have that demonstrates this was not their fault, besides them pulling up an administrative rule?

Ms. Cohen-Deihl: So I am not aware, I can look into that.

Speaker 11: I guess the last thing that gets to Rep. Reick's point. It seems like it's been a pretty decent runway to get to the point that the licensing coordinators and investigators should know what the rule is, right? And I feel like, and I don't know how it goes in your Department, but every year, and I'm not saying this is an annual thing, but every year we have to sign off that we participate in the sexual assault training, or ethics training, and so on. It doesn't seem like very much to just have people respond to an email and say, "I'm aware," right?

Or one line or blurb on a sheet of paper that says "I'm aware I'm not supposed to be doing this because it's outside of rule." It seems to me that would allow for some mechanism to have some internal discussion if people continue to do that, because my concern right now is, if people were just saying, "oh, I wasn't notified," how do we know that they've actually been notified, right? And so I think outside of just us knowing, internally there needs to be some kind of mechanism to ding people internally when they are unfairly dinging a licensee. I don't know why the word "ding" keeps coming to mind. But if you can get those responses to us, I would greatly appreciate it.

Co-Chair Cunningham: Thank you for your testimony. I hate to torture this any further, but obviously an unenforceable rule being enforced is a problem. And I think you can see that the Committee's upset about that, so that just can't happen. So we certainly hope that it's taken care of.

Department of Labor – Day and Temporary Labor Services Act (Emergency) (56 Ill. Adm. Code 260; 47 Ill. Reg. 12457)

Rep. Vella moved, seconded by Co-Chair Spain, that JCAR object to this rulemaking because it is

too vague to provide meaningful guidance to employers looking to comply with its requirements, especially small businesses. 1 Ill. Adm. Code 230.400(a)(3)(E) requires agencies to use simple and clear language that can be understood by the persons and groups the rulemaking will affect. And 1 Ill. Adm. Code 230.400(a)(3)(B) requires agencies to consider the economic effect of the rules upon those regulated, including small businesses. By not using clear standards that are applicable to all sizes of employers for purposes of determining comparators and calculations for hourly cash equivalents of benefits, the Department has created immediate confusion rather than workable standards regulated entities can use to demonstrate compliance with Public Act 103-437. Additionally, the Committee wishes to remind the agencies that an immediate effective date of a Public Act is not necessarily grounds for an emergency rulemaking.

Co-Chair Cunningham: Please note that a vote to object to an emergency rule requires a majority of members present and voting and voting on the motion. Additionally, an objection does not stop an emergency rule. And if this motion passes, this emergency rule will remain in effect.

The motion passed unanimously (7-0-0).

Department of Healthcare and Family Services – Medical Payment (89 Ill. Adm. Code 140; 47 Ill. Reg. 5872)

Department of Children and Family Services – Licensing Standards for Day Care Centers (Emergency) (89 Ill. Adm. Code 407; 47 Ill. Reg. 8756)

Department of Healthcare and Family Services – Special Eligibility Groups (Emergency) (89 Ill. Adm. Code 118; 47 Ill. Reg. 9114)

Co-Chair Cunningham noted that these rulemakings would be removed from the No Objection list and placed on the Committee's October agenda.

CERTIFICATION OF NO OBJECTION

Rep. Vella moved, seconded by Rep. Tarver, that the Committee inform the agencies to whose rulemakings the Committee has not voted an Objection or 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 rulemaking made by the agency, no Objections will be issued. The motion passed unanimously (7-0-0).

ANNOUNCEMENT OF OCTOBER MEETING

Co-Chair Cunningham announced that the next JCAR meeting will be Tuesday, October 17, 2023, at 11:00 a.m. in Room C600 of the Bilandic Building, Chicago, Illinois.

ADJOURNMENT

Rep. Delgado moved, seconded by Co-Chair Spain, that the meeting stand adjourned. The motion passed unanimously (7-0-0).

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