

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. BILL CUNNINGHAM

CO-CHAIR:
REP. KEITH R. WHEELER



700 STRATTON BUILDING
SPRINGFIELD, ILLINOIS 62706
(217) 785-2254

SEN. JOHN F. CURRAN
SEN. DONALD P. DeWITTE
SEN. KIMBERLY A. LIGHTFORD
SEN. ANTONIO MUÑOZ
SEN. SUE REZIN
REP. TOM DEMMER
REP. MICHAEL HALPIN
REP. FRANCES ANN HURLEY
REP. STEVEN REICK
REP. CURTIS J. TARVER, II

MINUTES

May 17, 2022

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, May 17, 2022, at 11:00 a.m. in Room C600 of the 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

X Senator Bill Cunningham	X Representative Tom Demmer
X Senator John F. Curran	X Representative Michael Halpin
Senator Donald DeWitte	Representative Frances Ann Hurley
Senator Kimberly A. Lightford	X Representative Steven Reick
X Senator Antonio Muñoz	X Representative Curtis J. Tarver, II
Senator Sue Rezin	X Representative Keith Wheeler

APPROVAL OF THE MINUTES OF THE APRIL 19, 2022 MEETING

Sen. Muñoz moved, seconded by Rep. Halpin, that the minutes of the April 19, 2022 meeting be approved. The motion passed unanimously (8-0-0).

AGENCY RESPONSES

Department of Public Health – Control of Communicable Diseases Code (Emergency) (77 Ill. Adm. Code 690; 46 Ill. Reg. 3434)

Co-Chair Cunningham noted that this Agency Response would not be considered at this meeting.

Department of Labor – Health and Safety (Peremptory) (56 Ill. Adm. Code 350; 46 Ill. Reg. 1668)

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

Department of Public Health – Medically Complex for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 390; 46 Ill. Reg. 299); Civil Money Penalty Reinvestment Program (77 Ill. Adm. Code 425; 46 Ill. Reg. 1763); Socio-Emotional and Developmental Screening (77 Ill. Adm. Code 664; 45 Ill. Reg. 12238)

Due to the appropriateness of the agency's responses, no further action was taken.

REVIEW OF AGENCY RULEMAKINGS

Environmental Protection Agency – Alternate Fuels Program (35 Ill. Adm. Code 275; 46 Ill. Reg. 3073)

Laura Roche, Chief of Staff, represented EPA.

Rep. Cunningham: We've had an opportunity to discuss this. There are some concerns about the way that the rule is currently written. Is the Agency willing to take an Extension, go back, and address this during next month's meeting?

Laura Roche: Yes, sir.

Rep. Reick moved, seconded by Sen. Muñoz, that JCAR, with the concurrence of EPA, extend the Second Notice period for this rulemaking for an additional 45 days. The motion passed unanimously (8-0-0).

Department of Public Health – Intermediate Care for Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350; 46 Ill. Reg. 2419)

Rep. Tarver moved, seconded by Sen. Curran, that JCAR recommend that the Department be more timely in implementing statutory changes in rule. DPH has waited nearly 12 years to reflect the establishment of the ID/DD Community Care Act in this Part and has waited nearly 11 years to enact in rule criteria for determining whether an ICF/DD facility is a distressed facility under the Act. The motion passed unanimously.

Department of Children and Family Services – Licensing Standards for Welfare Agencies (89 Ill. Adm. Code 401; 46 Ill. Reg. 653); Licensing Standards for Group Homes (89 Ill. Adm. Code 403; 44 Ill. Reg. 657); Licensing Standards for Child Care Institutions and Maternity Centers (89 Ill. Adm. Code 404; 46 Ill. Reg. 661)

Co-Chair Cunningham announced these rulemakings would not be considered today.

Department of Public Health – Control of Communicable Diseases Code (Emergency Repeal of Emergency Rule) (77 Ill. Adm. Code 690; 46 Ill. Reg. 6968)

Co-Chair Cunningham announced that this rulemaking would not be considered today, and that the Committee would be sending a letter to the Department requesting clarification on issues raised in public comment made to JCAR members and staff.

CERTIFICATION OF NO OBJECTION

Co-Chair Wheeler moved, seconded by Rep. Halpin, 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 (8-0-0).

ANNOUNCEMENT OF JUNE MEETING

Co-Chair Wheeler announced that the next JCAR meeting will be Tuesday, June 14, 2022, at 11:00 in Room C600 of the Bilandic Building, Chicago, Illinois.

ADJOURNMENT

Co-Chair Wheeler moved, seconded by Sen. Muñoz, that the meeting stand adjourned. The motion passed unanimously (8-0-0).

Min2022-05.docx
JE 5/26/22