The Flinn Report

Illinois Regulation

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Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation is designed to inform and involve the public in changes taking place in agency administration.

New Regulations

☞LONG-TERM CARE FACILITIES

The HEALTH FACILITIES AND SERVICES REVIEW BOARD repealed sections of two Parts titled "Narrative and Planning Policies" (77 Ill Adm Code 1100; 35 Ill Reg 7463) and "Processing, Classification Policies and Review Criteria" (77 Ill Adm Code 1110; 35 Ill Reg 7474), both effective 10/7/11. The repealed text set requirements for projects that established, expanded, or modernized general or specialized long-term care (LTC) facilities. In addition, HFSRB updates and consolidates those requirements in a new Part titled "Long-Term Care" (77 Ill Adm Code 1125; 35 Ill Reg 7504), also effective on 10/7/11. Further, many of the definitions found in Part 1130 (Health Facilities Planning Procedural Rules) are added to the new Part and tailored when needed to LTC facilities. The financial and economic review standards found in Part 1120 (Health Facilities and Services Financial and Economic Feasibility Review) are added, also. HFSRB is implementing a provision of Public Act 96-31 that requires it to establish a separate set of rules and guidelines for long-term care that recognizes that nursing homes are a different business line and service model from other regulated facilities. Those affected by these rulemakings include long-term care facilities.

Questions/requests for copies of the 3 rulemakings above: Claire Burman, HFSRB, 122 S. Michigan Ave., 7th Fl., Chicago IL 60603, 312/814-8814, e-mail: Claire.Burman@illinois.gov.

PUBLIC ASSISTANCE

The DEPARTMENT OF HUMAN SERVICES adopted amendments to "Temporary Assistance for Needy Families" (TANF) (89 Ill Adm Code 112; 35 Ill Reg 1818), "Aid to the Aged, Blind or Disabled" (AABD) (89 Ill Adm Code 113; 35 Ill Reg 1832), "General Assistance" (GA) (89 Ill Adm Code 114; 35 Ill Reg 1844), and "Supplemental Nutrition Assistance Program (SNAP)" (89 Ill Adm Code 121; 35 Ill Reg 1856), all effective 10/5/11. The rulemakings implement federal regulations that allow trafficking victims (or the minor child, spouse, parent, or sibling of a victim) to be included in the category of "noncitizens" who may qualify for public aid cash, medical, and nutrition assistance. (Trafficking victims are individuals used in illegal trade for com-

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Proposed Regulations

☞SCHOOL BUS DRIVER PERMITS

The SECRETARY OF STATE proposed amendments to "School Bus Driver Permit" (92 Ill Adm Code 1035; 35 Ill Reg 16960) that implement a provision of Public Act 97-224 and make additional changes. The statutory change adds those under an order of court supervision to the list of drivers and applicants who may be denied a school bus driver permit. The rulemaking also amends the definition of "multifunction school activity bus" to reflect an increase in rider capacity and removes the word "restricted" from the commercial driving permit designation in compliance with federal audit findings requiring the removal of the type J48 restriction. A further amendment requires permit applicants to agree in writing to release drug and alcohol test results to SOS. Employers are required to notify SOS within 48 hours that a school bus driver permit holder has failed or refused a "reasonable suspicion" drug and alcohol test, and SOS is authorized to subsequently issue a 3-year permit suspension. This rulemaking may impact small businesses and units of local government that employ school bus drivers.

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NEW REGULATIONS: Rules adopted by agencies this week.
PROPOSED REGULATIONS: Rules proposed by agencies this week, commencing a 45-day First Notice period. Public comments must be accepted by the agency for the period of time indicated.
☞: Symbol designating rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.
QUESTIONS/COMMENTS/RULE TEXT: Direct mail or phone calls to the agency personnel listed below each summary. Providing volume and issue number of The Flinn Report or the Illinois Register will expedite the process. Some agencies charge copying fees. However, copy requests do not have to be made under the Freedom of Information Act .