The Flinn Report

Illinois Regulation

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Joint Committee on Administrative Rules
Illinois General Assembly

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VOL. 35 September 30, 2011 Issue 40

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

☞CONDO MANAGERS

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted a new Part titled "Community Association Manager Licensing and Disciplinary Act" (68 Ill Adm Code 1445; 35 Ill Reg 7258), effective 10/1/11, implementing Public Act 96-726. The statute requires DFPR to regulate managers of community associations. A community association manager is an individual who receives compensation for completing financial, administrative, maintenance, or other duties for a community association (e.g., a condo association). The rulemaking provides for grandfathering of community managers until 4/1/12 and requires individuals to supply specified documentation to DFPR to meet listed licensing requirements. Covered topics include application and education requirements, licensure examinations, licensure by endorsement, license renewal and restoration, and inactive status. The rulemaking also includes fees for initial licensure ($300), license renewal ($150 per year), and miscellaneous general fees. Actions that constitute unprofessional conduct are listed, and criteria for granting variances from these regulations are explained. Community associations employing managers will be impacted by this rulemaking.

Questions/requests for copies: Craig Cellini, DFPR, 320 W. Washington, 3rd Fl., Springfield IL 62786, 217/785-0813, Fax 217/557-4451.

☞AMERICORPS PROGRAM

The DEPARTMENT OF HUMAN SERVICES adopted a new Part titled "Illinois AmeriCorps Program" (77 Ill Adm Code 2250; 34 Ill Reg 13733), effective 9/16/11, to replace AmeriCorps program rules initially promulgated by the Lieutenant Governor's Office at 47 Ill Adm Code 610. (See the proposed repealer for Part 610 summarized below.) This program is now the responsibility of DHS. New Part 2250 contains a purpose and summary statement, definitions, general federal instructions to states for implementation of the AmeriCorps program, a list of materials that are incorporated by reference, program application and selection procedures, program membership recruitment and selection provisions, and the State Commission's program monitoring

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Proposed Regulations

☞DCFS GROUP HOMES

The DEPARTMENT OF CHILDREN AND FAMILY SERVICES proposed amendments to "Licensing Standards for Group Homes" (89 Ill Adm Code 403; 35 Ill Reg 15502). The rulemaking proposes removal of a provision that became effective 5/1/10 requiring same-gender group home staff to directly supervise children in their sleeping or bathroom areas. (DCFS cites group homes' lack of qualified male staff as the reason for this change. DCFS proposed a similar rulemaking to repeal this provision in August 2010 but never carried through with adopting it.) Small businesses operating group homes (facilities owned and operated by licensed child welfare agencies that house up to 10 children placed by the agency) may be impacted by this rulemaking.

Questions/requests for copies/comments through 11/14/11: Jeff Osowski, Department of Children and Family Services, 406 East Monroe, Station #65, Springfield IL 62701-1498, 217/524-1983, TTY 217/524-3715, Fax 217/557-0692, e-mail: cfpolicy@idcfs.state.il.us.

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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 .