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Joint Committee on Administrative Rules
Illinois General Assembly

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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, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

New Rules

EMERGENCY SERVICES

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to Emergency Medical Services, Trauma Center, Comprehensive Stroke Center, Primary Stroke Center and Acute Stroke Ready Hospital Code (77 IAC 515; 40 III Reg 5374), effective 7/11/16, implementing Public Act 99-480, which requires regional Emergency Medical Services systems to include administration of opioid antagonists (medications that counteract the effects of heroin or other opioid drugs) in their standing medical orders. The rulemaking also includes provisions for EMS personnel to be trained in the administration and use of opioid antagonists as required by the PA. Those affected by this rulemaking include local governments and non-profits that provide EMS or first responder services.

DPH REPEALERS

DPH also repealed the following 6 Parts effective 7/11/16: General Provisions (77 IAC 2500; 40 III Reg 5418), Data Collection (77 IAC 2510; 40 III Reg 5423), Reports (77 IAC 2520; 40 III Reg 5503), Hospital Price Information (77 IAC 2530; 40 III Reg 5508), Penalties (77 IAC 2540; 40 III Reg 5515) and Miscellaneous Provisions (77 IAC 2550; 40 III Reg 5519). DPH now collects the same data under the Health Care Data Collection and Submission Code (77 IAC 1010) and repealed these Parts because they were either obsolete or redundant.

Questions/requests for copies of the 7 DPH rulemakings: Elizabeth Paton, DPH, 535 W. Jefferson, 5th Fl., Springfield IL 62761, 217/782-2043, dph.rules@illinois.gov

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Proposed Rulemakings

MEDICAL ASSISTANCE

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES proposed amendments to Practice in Administrative Hearings (89 IAC 104; 40 III Reg 9900) regarding the appeal process for ambulance providers whose payments have been denied or reduced, or who have been barred, terminated or suspended from enrollment as medical assistance providers. The amendments remove references to "ground" ambulance service providers; extend from 30 to 60 days the time limit for HFS to schedule an appeal hearing after a provider has been notified of denial, termination, suspension or exclusion from participation in the Medical Assistance Program; and provide that appeal hearings

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NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.
PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.
PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.
■ Designates 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: Submit mail, email or phone calls to the agency personnel listed below each summary.
RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

New Rules

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■ ACCOUNTING

The BOARD OF EXAMINERS adopted amendments to Certificate of Certified Public Accountant (23 IAC 1400; 40 Ill Reg 3120) effective 7/7/16 revising the Part to reflect current practices. These include holding its meetings in accordance with the Open Meetings Act and updating the educational

requirements. The rulemaking includes changes in the fee structure, including increasing domestic credentials evaluations fees and instituting a combination of international and domestic credentials evaluation. Fees for international credential evaluation, application for reciprocity, duplicate CPA certificate, and computer disks are removed, while fees for pre-evaluation, duplicate certificate of successful completion of

education and exam, and for reproduction of documents are added. Finally, the Board is updating the administration of the Uniform Certified Public Accountant Examination. Certified public accountants and those seeking CPA certification are affected.

Questions/requests for copies: Russ Friedewald, BOE, 1120 Diehl Rd., Suite 107, Naperville IL 60563, 815/753-8900.

Proposed Rulemakings

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will be conducted de novo (presenting the entire case as if for the first time). Documentary evidence will no longer be limited to documents submitted to HFS for review prior to the hearing. Any documentation supporting medical necessity will be accepted whether or not it has been previously submitted. Ambulance service providers are affected by this rulemaking.

HFS also proposed amendments to Medical Payment (89 IAC 140; 40 Ill Reg 9909) concerning payments for dental care, hospice care and non-emergency ambulance services. The rulemaking replaces HFS' former scoring tool for determining the severity of an orthodontic condition with the nationally recognized Handicapping Labio-Lingual Deviation Index (HLD). Effective 7/1/16, orthodontic treatment for patients under age 21 whose conditions score 28 points or

more on the HLD will be approved as medically necessary. Other amendments align payment rates for Medicaid hospice care with those established in federal regulations for Medicare. Effective 1/1/16, different rates will be paid for routine home hospice care for the first 60 days and for the 61st day and beyond, and a service intensity add-on payment may be authorized for visits by a social worker or registered nurse during the last 7 days of life of a person receiving routine hospice care. Finally, ambulance services providing non-emergency transport will have 90 days from the date of a patient's discharge to obtain and submit a discharge order and medical certification form if the discharging facility failed to complete these documents prior to the transport. A failure by the discharging facility to complete these documents will not prevent an ambulance provider from appealing an adverse decision

by HFS to reduce or deny payment for the service. Orthodontists, hospice providers, hospitals, nursing homes, and ambulance services may be affected by this rulemaking.

Questions/requests for copies/comments on the 2 HFS rulemakings through 9/6/15: Mollie Zito, HFS, 201 S. Grand Ave. East, 3rd Fl., Springfield IL 62763-0002, 217/782-1233, HFS.Rules@illinois.gov.

HUNTING

The DEPARTMENT OF NATURAL RESOURCES proposed amendments to Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 IAC 530; 40 Ill Reg 9943) setting a start date of July 1 for accepting applications for permit reservations on public/private partnership lands (Silver Springs, Ramsey Lake,

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Proposed Rulemakings

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Horseshoe Lake and Chain O'Lakes State Parks). The start date for accepting permit applications for other State parks and areas operated by DNR is the first Monday of August. Other changes allow hunters under age 18 (currently, under age 16)

to participate in youth hunting days without paying a permit fee; establish separate fee schedules for controlled pheasant hunting permits on standard hunting days and on special non-standard hunting days; and replace fixed fees for pheasant hunting permits with fee ranges (e.g. between \$30 and \$40 for a

resident 2-pheasant permit, instead of \$33). Other site-specific changes in hunting schedules are included.

Questions/requests for copies/comments through 9/6/16: Anne Mergen, DNR, One Natural Resources Way, Springfield IL 62702-1271, 217/782-1809.

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's August 9, 2016 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT OF INSURANCE

Licensing of Public Adjusters (50 IAC 3118; 40 Ill Reg 5813) proposed 4/8/16

OFFICE OF THE COMPTROLLER

Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment (74 IAC 330; 40 Ill Reg 7519) proposed 5/20/16

Joint Committee on Administrative Rules

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