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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

■ PHYSICAL THERAPY

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted amendments to the Part titled Illinois Physical Therapy Act (68 IAC 1340; 42 Ill Reg 3239), effective 7/11/18, implementing Public Act 100-418, which allows physical therapists to perform intramuscular manual therapy within their scope of practice provided they complete the required hours of instruction, practical training and supervised patient treatment sessions. The rulemaking also makes technical changes. Physical therapists, PT assistants and their employers are affected by this rulemaking.

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

INSURANCE

The DEPARTMENT OF INSURANCE, effective 7/12/18, adopted amendments to The Minimum Mortality Standard for Valuation of Annuity and Pure Endowment Contracts (50 IAC 935; 42 Ill Reg 1061), Accelerated Life Benefit/Terminal Illness/Qualified Conditions (50 IAC 1407; 42 Ill Reg 1066), Valuation of Life Insurance Policies Including the Use of Select Mortality Factors (50 IAC 1409; 42 Ill Reg 1070), General Account Modified Guaranteed Annuity (GAMGA) Contracts (50 IAC 1410; 42 Ill Reg 1079), Recognition of the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits (50 IAC 1412; 42 Ill Reg 1093), Recognition of 2001 CSO Preferred Class Structure

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Proposed Rulemakings

CYBERSECURITY

The DEPARTMENT OF INNOVATION AND TECHNOLOGY (DoIT) proposed a new Part titled Mandatory Cybersecurity Training (80 IAC 4000; 42 Ill Reg 14173) implementing a provision of the Data Security on State Computers Act [20 ILCS 450]. The Part codifies annual State employee cybersecurity training requirements, including instruction on phishing scams, spyware infections, identity theft, and preventing or responding to data breaches. DoIT shall provide access to electronic, in-person or paper-based training and make reasonable efforts to accommodate the needs of an employee or his/her agency. At least two training periods shall be offered per year, with at least 60 calendar days notice of tentative

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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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Mortality Tables for Use in Determining Minimum Reserve Liabilities (50 IAC 1413; 42 Ill Reg 1101), and Preneed Life Insurance Minimum Standards for Determining Reserve Liabilities and Nonforfeiture Values (50 IAC 1414; 42 Ill Reg 1104), all of which implement statute establishing the National Association of Insurance Commissioners (NAIC) Valuation Manual as the source for actuarial valuation standards for insurance contracts issued on or after 1/1/17. These rulemakings amend the applicable Parts to apply only to contracts not covered by the NAIC manual effective 1/1/17.

Questions/requests for copies of the 7 DOI rulemakings: Bruce Sartain, DOI, 320 W. Washington St., Springfield IL 62767, 217/785-0903.

IEPA REPEALERS

The ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, effective 7/20/18, repealed the Parts titled NOx Trading Program Procedures (35 IAC 273; 42 Ill Reg 1041) and Clean Air Set-Aside (35 IAC 274; 42 Ill Reg 1051), in response to Executive Order 2016-13 (Illinois Competitiveness Council). These rulemakings repeal obsolete IEPA programs that have sunset (NOx Trading Program) or have

been replaced (Clean Air Set-Aside). IEPA also repealed the Part titled Interpretation of Pollution Control Board Rules and Related Definitions Concerning Grain Handling and Grain Drying Operations (35 IAC 164; 42 Ill Reg 1981) effective 7/20/18. This Part had not been amended since its adoption in 1977 and no longer corresponded to the pertinent PCB rules.

Questions/requests for copies of the 3 IEPA rulemakings: Antonette Palumbo, IEPA, 1021 N. Grand Ave. East, P.O. Box 19726, Springfield IL 62794-9276, 217/785-43372, antonette.palumbo@illinois.gov

Proposed Rulemakings

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training dates to the designated contact persons at each agency. In-person training may include web conferences that, if attended online, satisfy the training requirement as though they were attended in person. State agencies, boards and commissions must designate a contact person to monitor compliance with cybersecurity training requirements and maintain a list of employees required to complete this training.

Questions/requests for copies/ comments through 9/10/18: Josue Barba, DoIT, 120 W. Jefferson St., Springfield IL 62702, 217/524-1294, fax 217/524-0755, e-mail: josue.barba@illinois.gov

■ COMMUNITY DEVELOPMENT

The DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY proposed amendments to State Administration of the Federal Community Development Block Grant Program for Small Cities (47 IAC 110; 42 Ill Reg 14126) aligning the Part with federal requirements, including Community Development Block Grant (CDBG) National Objective and Procurement Standards. Changes include updating various cross-references to State and federal law; updating program objectives to define needs of “recent origin” as those which have arisen within the past 18 months; and allowing private development costs to be paid for

with CDBG grant funds, rather than limiting those funds to cover only public infrastructure costs supporting job creation or retention. Those affected by this rulemaking include CDBG non-entitlement units of local government (those with populations under 50,000 for a city or 500,000 for a county).

Questions/requests for copies/ comments through 9/10/18: Jolene Clarke, DCEO, 500 E. Monroe St., Springfield IL 62701, 217/557-1820, fax 217/524-3701, jolene.clarke@illinois.gov

Second Notice

The following rulemaking was moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. This rulemaking will be considered at the Committee's August 14, 2018 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning this rulemaking should be addressed to JCAR using the contact information on page 1.

DEPT OF PUBLIC HEALTH

Community-Based Residential Rehabilitation Center Demonstration Program Code
(77 IAC 220; 42 Ill Reg 7655) proposed 4/27/18

Joint Committee on Administrative Rules

Senator Pamela Althoff

Representative Peter Breen

Senator Karen McConaughay **Representative Barbara Flynn Currie**

Senator Don Harmon

Representative Tom Demmer

Senator Tony Muñoz

Representative Greg Harris

Senator Ira Silverstein

Representative André Thapedi

Senator Chuck Weaver

Representative Keith Wheeler

Vicki Thomas
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