



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4223

Introduced 1/27/2020, by Rep. C.D. Davidsmeyer

SYNOPSIS AS INTRODUCED:

20 ILCS 415/4d
20 ILCS 2405/10

from Ch. 127, par. 63b104d
from Ch. 23, par. 3441

Amends the Personnel Code. Provides that all positions within the Illinois School for the Deaf and the Illinois School for the Visually Impaired are completely exempt from the jurisdiction of the Department of Central Management Services concerning the selection and tenure of employees on the basis of merit and fitness. Amends the Rehabilitation of Persons with Disabilities Act. Allows the Superintendent of the Illinois School for the Deaf and the Superintendent of the Illinois School for the Visually Impaired to hire employees without being subject to the requirements of the Personnel Code. Makes conforming changes.

LRB101 16204 RJF 65576 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Personnel Code is amended by changing
5 Section 4d as follows:

6 (20 ILCS 415/4d) (from Ch. 127, par. 63b104d)

7 Sec. 4d. Partial exemptions. The following positions in
8 State service are exempt from jurisdictions A, B, and C to the
9 extent stated for each, unless those jurisdictions are extended
10 as provided in this Act:

11 (1) In each department, board or commission that now
12 maintains or may hereafter maintain a major administrative
13 division, service or office in both Sangamon County and
14 Cook County, 2 private secretaries for the director or
15 chairman thereof, one located in the Cook County office and
16 the other located in the Sangamon County office, shall be
17 exempt from jurisdiction B; in all other departments,
18 boards and commissions one private secretary for the
19 director or chairman thereof shall be exempt from
20 jurisdiction B. In all departments, boards and commissions
21 one confidential assistant for the director or chairman
22 thereof shall be exempt from jurisdiction B. This paragraph
23 is subject to such modifications or waiver of the

1 exemptions as may be necessary to assure the continuity of
2 federal contributions in those agencies supported in whole
3 or in part by federal funds.

4 (2) The resident administrative head of each State
5 charitable, penal and correctional institution, the
6 chaplains thereof, and all member, patient and inmate
7 employees are exempt from jurisdiction B.

8 (3) The Civil Service Commission, upon written
9 recommendation of the Director of Central Management
10 Services, shall exempt from jurisdiction B other positions
11 which, in the judgment of the Commission, involve either
12 principal administrative responsibility for the
13 determination of policy or principal administrative
14 responsibility for the way in which policies are carried
15 out, except positions in agencies which receive federal
16 funds if such exemption is inconsistent with federal
17 requirements, and except positions in agencies supported
18 in whole by federal funds.

19 (4) All beauticians and teachers of beauty culture and
20 teachers of barbering, and all positions heretofore paid
21 under Section 1.22 of "An Act to standardize position
22 titles and salary rates", approved June 30, 1943, as
23 amended, shall be exempt from jurisdiction B.

24 (5) Licensed attorneys in positions as legal or
25 technical advisors; positions in the Department of Natural
26 Resources requiring incumbents to be either a registered

1 professional engineer or to hold a bachelor's degree in
2 engineering from a recognized college or university;
3 licensed physicians in positions of medical administrator
4 or physician or physician specialist (including
5 psychiatrists); all positions within the Department of
6 Juvenile Justice requiring licensure by the State Board of
7 Education under Article 21B of the School Code; ~~all~~
8 ~~positions within the Illinois School for the Deaf and the~~
9 ~~Illinois School for the Visually Impaired requiring~~
10 ~~licensure by the State Board of Education under Article 21B~~
11 ~~of the School Code and all rehabilitation/mobility~~
12 ~~instructors and rehabilitation/mobility instructor~~
13 ~~trainees at the Illinois School for the Visually Impaired;~~
14 and registered nurses (except those registered nurses
15 employed by the Department of Public Health); except those
16 in positions in agencies which receive federal funds if
17 such exemption is inconsistent with federal requirements
18 and except those in positions in agencies supported in
19 whole by federal funds, are exempt from jurisdiction B only
20 to the extent that the requirements of Section 8b.1, 8b.3
21 and 8b.5 of this Code need not be met.

22 (5.5) All positions within the Illinois School for the
23 Deaf and the Illinois School for the Visually Impaired are
24 exempt from jurisdiction B.

25 (6) All positions established outside the geographical
26 limits of the State of Illinois to which appointments of

1 other than Illinois citizens may be made are exempt from
2 jurisdiction B.

3 (7) Staff attorneys reporting directly to individual
4 Commissioners of the Illinois Workers' Compensation
5 Commission are exempt from jurisdiction B.

6 (8) Twenty-one senior public service administrator
7 positions within the Department of Healthcare and Family
8 Services, as set forth in this paragraph (8), requiring the
9 specific knowledge of healthcare administration,
10 healthcare finance, healthcare data analytics, or
11 information technology described are exempt from
12 jurisdiction B only to the extent that the requirements of
13 Sections 8b.1, 8b.3, and 8b.5 of this Code need not be met.
14 The General Assembly finds that these positions are all
15 senior policy makers and have spokesperson authority for
16 the Director of the Department of Healthcare and Family
17 Services. When filling positions so designated, the
18 Director of Healthcare and Family Services shall cause a
19 position description to be published which allots points to
20 various qualifications desired. After scoring qualified
21 applications, the Director shall add Veteran's Preference
22 points as enumerated in Section 8b.7 of this Code. The
23 following are the minimum qualifications for the senior
24 public service administrator positions provided for in
25 this paragraph (8):

26 (A) HEALTHCARE ADMINISTRATION.

1 Medical Director: Licensed Medical Doctor in
2 good standing; experience in healthcare payment
3 systems, pay for performance initiatives, medical
4 necessity criteria or federal or State quality
5 improvement programs; preferred experience serving
6 Medicaid patients or experience in population
7 health programs with a large provider, health
8 insurer, government agency, or research
9 institution.

10 Chief, Bureau of Quality Management: Advanced
11 degree in health policy or health professional
12 field preferred; at least 3 years experience in
13 implementing or managing healthcare quality
14 improvement initiatives in a clinical setting.

15 Quality Management Bureau: Manager, Care
16 Coordination/Managed Care Quality: Clinical degree
17 or advanced degree in relevant field required;
18 experience in the field of managed care quality
19 improvement, with knowledge of HEDIS measurements,
20 coding, and related data definitions.

21 Quality Management Bureau: Manager, Primary
22 Care Provider Quality and Practice Development:
23 Clinical degree or advanced degree in relevant
24 field required; experience in practice
25 administration in the primary care setting with a
26 provider or a provider association or an

1 accrediting body; knowledge of practice standards
2 for medical homes and best evidence based
3 standards of care for primary care.

4 Director of Care Coordination Contracts and
5 Compliance: Bachelor's degree required; multi-year
6 experience in negotiating managed care contracts,
7 preferably on behalf of a payer; experience with
8 health care contract compliance.

9 Manager, Long Term Care Policy: Bachelor's
10 degree required; social work, gerontology, or
11 social service degree preferred; knowledge of
12 Olmstead and other relevant court decisions
13 required; experience working with diverse long
14 term care populations and service systems, federal
15 initiatives to create long term care community
16 options, and home and community-based waiver
17 services required. The General Assembly finds that
18 this position is necessary for the timely and
19 effective implementation of this amendatory Act of
20 the 97th General Assembly.

21 Manager, Behavioral Health Programs: Clinical
22 license or advanced degree required, preferably in
23 psychology, social work, or relevant field;
24 knowledge of medical necessity criteria and
25 governmental policies and regulations governing
26 the provision of mental health services to

1 Medicaid populations, including children and
2 adults, in community and institutional settings of
3 care. The General Assembly finds that this
4 position is necessary for the timely and effective
5 implementation of this amendatory Act of the 97th
6 General Assembly.

7 Manager, Office of Accountable Care Entity
8 Development: Bachelor's degree required, clinical
9 degree or advanced degree in relevant field
10 preferred; experience in developing integrated
11 delivery systems, including knowledge of health
12 homes and evidence-based standards of care
13 delivery; multi-year experience in health care or
14 public health management; knowledge of federal ACO
15 or other similar delivery system requirements and
16 strategies for improving health care delivery.

17 Manager of Federal Regulatory Compliance:
18 Bachelor's degree required, advanced degree
19 preferred, in healthcare management or relevant
20 field; experience in healthcare administration or
21 Medicaid State Plan amendments preferred;
22 experience interpreting federal rules; experience
23 with either federal health care agency or with a
24 State agency in working with federal regulations.

25 Manager, Office of Medical Project Management:
26 Bachelor's degree required, project management

1 certification preferred; multi-year experience in
2 project management and developing business analyst
3 skills; leadership skills to manage multiple and
4 complex projects.

5 Manager of Medicare/Medicaid Coordination:
6 Bachelor's degree required, knowledge and
7 experience with Medicare Advantage rules and
8 regulations, knowledge of Medicaid laws and
9 policies; experience with contract drafting
10 preferred.

11 Chief, Bureau of Eligibility Integrity:
12 Bachelor's degree required, advanced degree in
13 public administration or business administration
14 preferred; experience equivalent to 4 years of
15 administration in a public or business
16 organization required; experience with managing
17 contract compliance required; knowledge of
18 Medicaid eligibility laws and policy preferred;
19 supervisory experience preferred. The General
20 Assembly finds that this position is necessary for
21 the timely and effective implementation of this
22 amendatory Act of the 97th General Assembly.

23 (B) HEALTHCARE FINANCE.

24 Director of Care Coordination Rate and
25 Finance: MBA, CPA, or Actuarial degree required;
26 experience in managed care rate setting,

1 including, but not limited to, baseline costs and
2 growth trends; knowledge and experience with
3 Medical Loss Ratio standards and measurements.

4 Director of Encounter Data Program: Bachelor's
5 degree required, advanced degree preferred,
6 preferably in health care, business, or
7 information systems; at least 2 years healthcare
8 or other similar data reporting experience,
9 including, but not limited to, data definitions,
10 submission, and editing; background in HIPAA
11 transactions relevant to encounter data
12 submission; experience with large provider, health
13 insurer, government agency, or research
14 institution or other knowledge of healthcare
15 claims systems.

16 Manager of Medical Finance, Division of
17 Finance: Requires relevant advanced degree or
18 certification in relevant field, such as Certified
19 Public Accountant; coursework in business or
20 public administration, accounting, finance, data
21 analysis, or statistics preferred; experience in
22 control systems and GAAP; financial management
23 experience in a healthcare or government entity
24 utilizing Medicaid funding.

25 (C) HEALTHCARE DATA ANALYTICS.

26 Data Quality Assurance Manager: Bachelor's

1 degree required, advanced degree preferred,
2 preferably in business, information systems, or
3 epidemiology; at least 3 years of extensive
4 healthcare data reporting experience with a large
5 provider, health insurer, government agency, or
6 research institution; previous data quality
7 assurance role or formal data quality assurance
8 training.

9 Data Analytics Unit Manager: Bachelor's degree
10 required, advanced degree preferred, in
11 information systems, applied mathematics, or
12 another field with a strong analytics component;
13 extensive healthcare data reporting experience
14 with a large provider, health insurer, government
15 agency, or research institution; experience as a
16 business analyst interfacing between business and
17 information technology departments; in-depth
18 knowledge of health insurance coding and evolving
19 healthcare quality metrics; working knowledge of
20 SQL and/or SAS.

21 Data Analytics Platform Manager: Bachelor's
22 degree required, advanced degree preferred,
23 preferably in business or information systems;
24 extensive healthcare data reporting experience
25 with a large provider, health insurer, government
26 agency, or research institution; previous

1 experience working on a health insurance data
2 analytics platform; experience managing contracts
3 and vendors preferred.

4 (D) HEALTHCARE INFORMATION TECHNOLOGY.

5 Manager of MMIS Claims Unit: Bachelor's degree
6 required, with preferred coursework in business,
7 public administration, information systems;
8 experience equivalent to 4 years of administration
9 in a public or business organization; working
10 knowledge with design and implementation of
11 technical solutions to medical claims payment
12 systems; extensive technical writing experience,
13 including, but not limited to, the development of
14 RFPs, APDs, feasibility studies, and related
15 documents; thorough knowledge of IT system design,
16 commercial off the shelf software packages and
17 hardware components.

18 Assistant Bureau Chief, Office of Information
19 Systems: Bachelor's degree required, with
20 preferred coursework in business, public
21 administration, information systems; experience
22 equivalent to 5 years of administration in a public
23 or private business organization; extensive
24 technical writing experience, including, but not
25 limited to, the development of RFPs, APDs,
26 feasibility studies and related documents;

1 extensive healthcare technology experience with a
2 large provider, health insurer, government agency,
3 or research institution; experience as a business
4 analyst interfacing between business and
5 information technology departments; thorough
6 knowledge of IT system design, commercial off the
7 shelf software packages and hardware components.

8 Technical System Architect: Bachelor's degree
9 required, with preferred coursework in computer
10 science or information technology; prior
11 experience equivalent to 5 years of computer
12 science or IT administration in a public or
13 business organization; extensive healthcare
14 technology experience with a large provider,
15 health insurer, government agency, or research
16 institution; experience as a business analyst
17 interfacing between business and information
18 technology departments.

19 The provisions of this paragraph (8), other than this
20 sentence, are inoperative after January 1, 2014.

21 (Source: P.A. 99-45, eff. 7-15-15; 100-258, eff. 8-22-17;
22 100-771, eff. 8-10-18.)

23 Section 10. The Rehabilitation of Persons with
24 Disabilities Act is amended by changing Section 10 as follows:

1 (20 ILCS 2405/10) (from Ch. 23, par. 3441)

2 Sec. 10. Residential schools; visual and hearing
3 disabilities.

4 (a) The Department of Human Services shall operate
5 residential schools for the education of children with visual
6 and hearing disabilities who are unable to take advantage of
7 the regular educational facilities provided in the community,
8 and shall provide in connection therewith such academic,
9 vocational, and related services as may be required. Children
10 shall be eligible for admission to these schools only after
11 proper diagnosis and evaluation, in accordance with procedures
12 prescribed by the Department.

13 (a-5) The Superintendent of the Illinois School for the
14 Deaf shall be the chief executive officer of, and shall be
15 responsible for the day to day operations of, the School, and
16 shall obtain educational and professional employees who are
17 certified by the Illinois State Board of Education or licensed
18 by the appropriate agency or entity to which licensing
19 authority has been delegated, as well as all other employees of
20 the School, subject to the provisions of ~~the Personnel Code and~~
21 any applicable collective bargaining agreement. The
22 Superintendent shall be appointed by the Governor, by and with
23 the advice and consent of the Senate. In the case of a vacancy
24 in the office of Superintendent during the recess of the
25 Senate, the Governor shall make a temporary appointment until
26 the next meeting of the Senate, when the Governor shall

1 nominate some person to fill the office, and any person so
2 nominated who is confirmed by the Senate shall hold office
3 during the remainder of the term and until his or her successor
4 is appointed and qualified. The Superintendent shall hold
5 office (i) for a term expiring on June 30 of 2015, and every 4
6 years thereafter and (ii) until the Superintendent's successor
7 is appointed and qualified. The Superintendent shall devote his
8 or her full time to the duties of the office, shall not serve
9 in any other capacity during his or her term of office, and
10 shall receive such compensation as the Governor shall
11 determine. The Superintendent shall have an administrative
12 certificate with a superintendent endorsement as provided for
13 under Section 21-7.1 of the School Code, and shall have degrees
14 in both educational administration and deaf education,
15 together with at least 15 years of experience in either deaf
16 education, the administration of deaf education, or a
17 combination of the 2.

18 (a-10) The Superintendent of the Illinois School for the
19 Visually Impaired shall be the chief executive officer of, and
20 shall be responsible for the day to day operations of, the
21 School, and shall obtain educational and professional
22 employees who are certified by the Illinois State Board of
23 Education or licensed by the appropriate agency or entity to
24 which licensing authority has been delegated, as well as all
25 other employees of the School, subject to the provisions of ~~the~~
26 ~~Personnel Code~~ and any applicable collective bargaining

1 agreement. The Superintendent shall be appointed by the
2 Governor, by and with the advice and consent of the Senate. In
3 the case of a vacancy in the office of Superintendent during
4 the recess of the Senate, the Governor shall make a temporary
5 appointment until the next meeting of the Senate, when the
6 Governor shall nominate some person to fill the office, and any
7 person so nominated who is confirmed by the Senate shall hold
8 office during the remainder of the term and until his or her
9 successor is appointed and qualified. The Superintendent shall
10 hold office (i) for a term expiring on June 30 of 2015, and
11 every 4 years thereafter and (ii) until the Superintendent's
12 successor is appointed and qualified. The Superintendent shall
13 devote his or her full time to the duties of the office, shall
14 not serve in any other capacity during his or her term of
15 office, and shall receive such compensation as the Governor
16 shall determine. The Superintendent shall have an
17 administrative certificate with a superintendent endorsement
18 as provided for under Section 21-7.1 of the School Code, and
19 shall have degrees in both educational administration and blind
20 or visually impaired education, together with at least 15 years
21 of experience in either blind or visually impaired education,
22 the administration of blind or visually impaired education, or
23 a combination of the 2.

24 (b) In administering the Illinois School for the Deaf, the
25 Department shall adopt an admission policy which permits day or
26 residential enrollment, when resources are sufficient, of

1 children with hearing disabilities who are able to take
2 advantage of the regular educational facilities provided in the
3 community and thus unqualified for admission under subsection
4 (a). In doing so, the Department shall establish an annual
5 deadline by which shall be completed the enrollment of children
6 qualified under subsection (a) for admission to the Illinois
7 School for the Deaf. After the deadline, the Illinois School
8 for the Deaf may enroll other children with hearing
9 disabilities at the request of their parents or guardians if
10 the Department determines there are sufficient resources to
11 meet their needs as well as the needs of children enrolled
12 before the deadline and children qualified under subsection (a)
13 who may be enrolled after the deadline on an emergency basis.
14 The Department shall adopt any rules and regulations necessary
15 for the implementation of this subsection.

16 (c) In administering the Illinois School for the Visually
17 Impaired, the Department shall adopt an admission policy that
18 permits day or residential enrollment, when resources are
19 sufficient, of children with visual disabilities who are able
20 to take advantage of the regular educational facilities
21 provided in the community and thus unqualified for admission
22 under subsection (a). In doing so, the Department shall
23 establish an annual deadline by which the enrollment of
24 children qualified under subsection (a) for admission to the
25 Illinois School for the Visually Impaired shall be completed.
26 After the deadline, the Illinois School for the Visually

1 Impaired may enroll other children with visual disabilities at
2 the request of their parents or guardians if the Department
3 determines there are sufficient resources to meet their needs
4 as well as the needs of children enrolled before the deadline
5 and children qualified under subsection (a) who may be enrolled
6 after the deadline on an emergency basis. The Department shall
7 adopt any rules and regulations necessary for the
8 implementation of this subsection.

9 (Source: P.A. 99-143, eff. 7-27-15.)