

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.

Proposed Rulemakings

TEACHING STANDARDS

The STATE BOARD OF EDUCATION proposed amendments to Culturally Responsive Teaching and Leading Standards for All Illinois Educators (23 IAC 24; 46 Ill Reg 9173) that change the name of the Part to Standards for All Illinois Educators and introduce a new system of competency-based standards, known as the Illinois Professional Educator Standards (IPES), effective 7/1/26. The current Illinois Professional Teaching Standards will remain in effect through 6/30/26. Educator preparation programs must align with the IPES by 10/1/25. The IPES are organized into 5 categories: Learning Environment; Instruction; Instructional Assessment; Collaboration and Communication; and Professional Expectations and Pursuit of Growth Opportunities. Specific expectations of competent

COVID-19 ACTIONS

Executive Orders of the Governor concerning the COVID-19 public health emergency can be accessed at <https://www2.illinois.gov/government/executive-orders>. Emergency rules adopted by State agencies will be summarized in The Flinn Report as they are published in the *Illinois Register*.

Emergency Rule, Page 3

Next JCAR Meeting:

Tues. June 14, 11 a.m.
160 N. La Salle St., Rm C-600,
Chicago

teachers in each category are listed. Examples of competent teacher expectations under Learning Environment include: reflecting school, local and State safety and public health regulations; integrating culturally

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Adopted Rules

ELECTRIC GRID CONNECTION

The ILLINOIS COMMERCE COMMISSION adopted amendments to the Parts now titled Electric Interconnection of Distributed Energy Resources Facilities (83 IAC 466; 46 Ill Reg 1) and Electric Interconnection of Large Distributed Energy Resources Facilities (83 IAC 467; 46 Ill Reg 124), effective 5/26/22, both implementing Public Act 102-662. The Part 466 rulemaking replaces emergency rules that expired on 5/12/22. Both rulemakings replace "Generation" with "Energy Resources" in the names of their respective Parts and extend these rules to facilities that store, as well as generate, energy in parallel with the grid distribution system (typically, stand-alone facilities that serve industrial complexes, military installations, university campuses,

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ADOPTED 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.

Adopted Rules

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etc.). Part 466 applies to facilities with generating capacity of 10 megavolt amperes (MVA) or less, while Part 467 applies to facilities with generating capacity greater than 10 MVA. The Part 466 rulemaking sets the standardized cost for a Level 1 interconnection request at \$200. Both rulemakings update numerous technical provisions and administrative procedures and address contingent upgrade situations in which one facility's ability to interconnect or upgrade hinges on the outcome of another interconnection request that has priority over the first facility's request. Since 1st Notice, ICC has clarified various aspects of the dispute resolution process in both Parts and added a website requirement for utilities serving more than 500,000 customers. Additional changes to Part 466 set a compliance deadline of 11/1/22 (unless extended for good cause by ICC) and modify a technical requirement. Those affected by these rulemakings include electric utilities and owners of distributed generation or energy storage facilities.

Questions/requests for copies of the 2 ICC rulemakings: Brian W. Allen, ICC, 527 E. Capitol Ave., Springfield IL 62701, 217/558-2387. Please reference Docket 20-0700.

INSURANCE

The DEPARTMENT OF INSURANCE adopted

amendments to the Part titled Misrepresentation and False Warranties (50 IAC 941; 45 Ill Reg 15934) effective 5/31/22, clarifying that misrepresentation of information on an insurance policy shall not result in denial of an insurance claim unless the misrepresentation was made with actual intent to deceive or materially affects the risk assumed by the insurer. If an auto insurance company fails to obtain readily available information concerning named insured drivers on an application prior to issuing a policy, the company cannot then void the policy or deny a claim based on this information after the claim is filed. An auto insurance policy cannot be voided or an accident claim denied based on identification of a previously undisclosed driver in the household unless the undisclosed driver was driving the vehicle at the time of the accident.

DOI REGISTRATION FORMS

DOI also adopted amendments to Registration of Workers' Compensation Utilization Review Organizations (50 IAC 2905; 46 Ill Reg 269) and Managed Care Reform & Patient Rights (50 IAC 4520; 46 Ill Reg 290), both effective 5/31/22, that remove examples of printed forms currently contained in those Parts and instead require use of standardized forms posted at the DOI website.

Questions/requests for copies of the 3 DOI rulemakings: Part 941,

Julie Rachford (217/782-4572); Parts 2905 and 4520, Ryan Gillespie (217/558-2746); DOI, 320 W. Washington St., Springfield, IL 62767-0001.

AMUSEMENTS

The DEPARTMENT OF LABOR adopted amendments to Amusement Ride and Attraction Safety Act (56 IAC 6000; 46 Ill Reg 4502) effective 5/26/22, replacing emergency rules that were effective 1/1/22. This rulemaking adds specific inspection and operation requirements for trampoline courts in Section 6000.353 and amends other Sections to make language consistent and update references to published standards. Trampoline courts, in addition to the normal safety inspection and permitting requirements for all amusement rides and attractions, must undergo an independent third-party inspection due to the specialized nature of trampolines. Trampoline courts have until 2/1/22 to come into compliance with PA 102-255, which took effect (and was implemented via emergency rule) 1/1/22. This rulemaking also specifies information that must be contained on a non-destructive testing report; clarifies definitions; allows electronic payment of fines and fees; requires rides and attractions seeking a non-profit exemption to submit proof of non-profit status to DOL; requires ride and attraction operators to preserve evidence and document conditions present when an

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Proposed Rulemakings

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responsive materials and resources into the learning environment; accommodating/modifying the learner environment based on learner needs; utilizing developmentally appropriate resources, procedures and expectations; and co-constructing the learning environment with learners and families. Examples of expectations for Instruction include aligning with prescribed learning standards and using technology and remote learning strategies that are developmentally appropriate and accessible to learners. Instructional Assessment expectations include, but are not limited to, using assessments that are justifiable, equitable, accessible, developmentally appropriate, challenging, engaging, collaborative, supportive, protective, and informing. Collaboration and Communication expectations include collaborating with learners, families and other professionals; applying the multiple perspectives of learners, families and colleagues in practice; and other expectations. Professional Expectations and Pursuit of Growth Opportunities expectations include critically analyzing one's personal biases and critically analyzing policies that are discriminatory, oppressive, or otherwise harmful to students, families, communities or teachers. Those affected by this rulemaking include prospective educators and

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Emergency Rule

■ EMERGENCY SERVICES

The DEPARTMENT OF PUBLIC HEALTH adopted emergency amendments to Emergency Medical Services, Trauma Center, Comprehensive Stroke Center, Primary Stroke Center and Acute Stroke Ready Hospital Code (77 IAC 515; 46 Ill Reg 10000) effective 5/26/22 for a maximum of 150 days, replacing emergency rules that expired 5/25/22. Companion proposed amendments were published in last week's *Illinois Register* at 46 Ill Reg 8984. These emergency amendments allow any Emergency Medical Services (EMS) personnel with a current and unencumbered certification as an Emergency Medical Technician (EMT), Advanced EMT, or Paramedic in the National EMT Registry to serve in an Illinois EMS system on a provisional basis until they receive an Illinois license. The emergency rule also modifies protocols for hospitals to notify DPH and regional EMS system providers that they cannot currently accept new emergency patients and intend to go on bypass status. A hospital will not be permitted to go on bypass status if 3 or more hospitals in the same geographic area are already on bypass status or if transport time to the next nearest hospital will exceed 15 minutes. Bypass status may be

requested if no resources (i.e., personnel, equipment, beds) are currently available to treat a given type or class of patient (e.g., stroke, heart attack, trauma) and if all reasonable efforts to remedy the situation have been exhausted (e.g., calling in off-duty staff, canceling elective procedures and admissions). The emergency rule also requires trauma centers to have at least one Registered Professional Nurse with a current, nationally recognized trauma nursing certification available in the Emergency Department to care for trauma patients at all times, and removes specific requirements for backup RN staffing. Other provisions modify technical and equipment standards for ambulances; establish alternative staffing provisions for private ambulance providers and rural volunteer providers serving communities of fewer than 5,000 residents; and expand the list of required protocols and procedures for EMS services. Those affected by this emergency rule include volunteer, municipal/fire district, and private ambulance services, and hospital emergency departments.

Questions/requests for copies: Tracey Trigillo, DPH, 524 S. Second St., 6th Floor, Springfield, IL 62701, 217/782-1159, dph.rules@illinois.gov

Adopted Rules

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accident has occurred; and clarifies the standard for determining whether a worker performing installation of an element is competent. Since 1st Notice, DOL has clarified the definition of a crane operator and clarified provisions concerning bungee jumping attractions and challenge courses. Those affected by this rulemaking include businesses that operate trampoline courts, amusement rides, and other attractions, and governmental or non-profit organizations sponsoring events that feature such attractions.

■ DOL REPEALER

DOL also adopted an amendment to the Part titled Health and Safety (56 IAC 350; 46 Ill Reg 3482) effective 5/26/22, replacing an emergency amendment that was effective 2/15/22. The rulemaking repeals a peremptory amendment, effective 1/7/22, that had implemented the federal Occupational Safety and Health Administration's (OSHA)

Emergency Temporary Standard (ETS) requiring employee COVID-19 vaccination or testing at employers with more than 100 workers. DOL repealed the peremptory rule because the federal ETS has been withdrawn. State and local public employers in Illinois (which are regulated under Part 350) are affected.

Questions/requests for copies of the 2 DOL rulemakings: Anna Koepfel, DOL, 524 S. Second St., Suite 400, Springfield IL 62701, 217/558-1270, Anna.Koepfel@illinois.gov

SBEL PERSONNEL

The STATE BOARD OF ELECTIONS adopted amendments to Personnel (26 IAC 212; 45 Ill Reg 14131) effective 5/26/22, changing the appointments of SBEL Directors and other senior-level employees from fixed 4-year terms to terms of "no longer than" 4 years. Since 1st Notice, SBEL has also clarified the applicability of examination requirements and clarified the retention requirements

for application, interview and selection documents.

Questions/requests for copies: Marni M. Malowitz, SBEL, 69 W. Washington St., Pedway LL08, Chicago IL 60602.

PCB PUBLIC INFORMATION

The POLLUTION CONTROL BOARD adopted amendments to the Part titled Organization, Public Information, and Types of Proceedings (2 IAC 2175; 46 Ill Reg 9973) effective 5/26/22, updating its office locations, its description of the Board's organization, the types of Board proceedings, meeting procedures, and procedures for the public to access information and for paying filing and copying fees. A dedicated email address for Freedom of Information Act requests has also been added.

Questions/requests for copies: Daniel Pauley, PCB, 60 E Van Buren St., Suite 630, Chicago IL 60605, 312-814-6931, Daniel.pauley@illinois.gov. Please reference docket R22-20.

Proposed Rulemakings

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institutions providing or sponsoring Illinois educator preparation programs.

SCHOOLS

SBE also proposed amendments to Public Schools Evaluation, Recognition and Supervision (23 IAC 1; 46 Ill Reg 9143)

implementing PA 101-643, which allows an 8th-grade pupil to demonstrate comprehensive knowledge of U.S. history via a remotely administered written test; PA 102-411, which adds to the required American history curriculum the contributions made to society by Americans of different faith practices (including, but not limited to, Christians, Jews, Muslims, Buddhists, Hindus,

Sikhs, and any other faith community that has shaped America); and PA 102-584, which allows schools to use e-learning days when they are designated as polling places.

Questions/requests for copies/comments on the 2 SBE rulemakings through 7/25/22:

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Proposed Rulemakings

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Azita Kakvand, SBE, 555 W. Monroe St., Suite 900, Chicago IL 60661, 312/783-2757, rules@isbe.net

■ DISABILITY SERVICES

The DEPARTMENT OF HUMAN SERVICES proposed amendments to Standards and Licensure Requirements for Community-Integrated Living Arrangements (59 IAC 115; 46 Ill Reg 9312) updating its rules for Community Integrated Living Arrangements (CILAs) that provide services and support to persons with developmental disabilities. The rulemaking, which updates the Part for the first time since 2003, outlines the responsibilities of DHS, Independent Service Coordination (ISC) agencies, and local agencies that operate CILAs. CILAs may consist of small group homes (8 or fewer residents) or host families with whom individuals reside continuously, and also may provide intermittent services to individuals living independently or with their own families.

Licensure

Local agencies that operate or plan to operate CILAs must be licensed by DHS and comply with the Person-Centered Planning and Settings requirements established in federal law. ISC agencies are responsible for developing a Personal Plan for each individual served by a CILA; this plan outlines the individual's priorities and needs and lists the services

to be provided by type, frequency and provider. The CILA provider agency, in turn, must develop an Implementation Strategy for each individual within 20 days after a personal plan is approved. Procedures for license application, review, and revocation and for transfers of ownership are updated.

Locations

The rulemaking also cross-references federal regulations concerning CILA services and the environments in which they can and cannot be located (to ensure that residents are not isolated from the surrounding community). A provider-owned or controlled CILA for individuals receiving Medicaid waiver services may be subject to "heightened scrutiny" under federal regulations if it is located in an environment that may tend to limit residents' interaction with the community. New CILAs must not be located adjacent to other residential or day program sites owned or controlled by the same provider, or located in the same building as an inpatient institutional facility. CILA settings must be validated as in compliance with federal regulations by 3/17/23.

Resident Rights

CILA sites must meet accessibility standards established under the Americans With Disabilities Act and other federal, State or local regulations, and CILA service providers must provide reasonable accommodation for individuals' disabilities. CILA residents must be provided privacy in their living arrangements

and must be free to choose their roommates in a group living arrangement. They also must have the freedom and support to determine their own daily schedules, have visitors and have access to food at any time. Residents must be provided access to education, resources and services promoting their sexual health and their right to be free from sexual exploitation and abuse. Individuals shall be assessed regarding their capability to consent to sexual activity and be provided access to developmentally appropriate resources. Agencies that provide or supervise administration of medications must follow DHS rules for medication administration and monitoring. Electronic monitoring of CILA residents, as well as remote monitoring and supports (via video, webcam, or other interactive technology), are permitted when the resident or guardian has consented to their use, they promote the independence and daily living skills of the individual, and they address specific needs outlined in the resident's Personal Plan. CILA residents must be at least 18 years of age, but waivers can be provided for persons who are at least 17½ years of age if requested by an agency and approved by DHS. Provider agencies must appoint Human Rights Committees to review program policies and hear complaints from individuals. CILA agencies that use behavioral interventions such as psychotropic

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Proposed Rulemakings

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medications must also establish Behavior Management Committees to approve interventions and review them at least every 6 months.

Services and Supports

CILA agencies shall maintain a Provider Support Team for each individual served. This team shall include a Qualified Intellectual Disabilities Professional (QIDP); a Direct Support Professional, nurse or other professionals (e.g., occupational or speech therapist) when necessary; and other staff consistent with the individual's Personal Plan and Implementation Strategy. Services and supports that CILA agencies are statutorily required to provide include assistance with residents' money management, which may include safekeeping of their personal funds, provided that the individual and/or guardian consent to the arrangement and have access to a written record of all transactions to or from the individual's fund.

Restraint

A new Section addresses the limited use of restraint when a CILA resident poses an immediate threat to self or others and less restrictive measures have proven ineffective. In these circumstances, restraint may be used if no medical or psychological contraindications to restraint exist; the restraint method has been included in the individual's Personal Plan; the method has been reviewed and approved by the individual or guardian, the

Provider Support Team and the agency's Behavior Management or Human Rights Committee; CILA staff have been trained in the type of restraint to be used; and the Personal Plan includes measures to reduce and ultimately eliminate use of restraint if possible. Restraint must be continuously monitored and must end after 15 minutes or when the immediate threat of physical harm has ended. Prohibited restraints include prone (face down), supine (face up), mechanical or chemical restraint; seclusion; time-out; or confinement in a room from which the individual cannot exit. Any instance of restraint must be documented, reported to the CILA agency, and reviewed by the Human Rights Committee, and the individual's guardian must be notified within 24 hours. All CILA agencies must train their employees upon hiring, and at least annually thereafter, in crisis de-escalation, trauma-informed practices, behavior management practices, and alternatives to restraint. Additional training is required for CILAs that use restraint.

Hiring

Prior to hiring any employee, volunteer or contractor, a CILA provider agency must conduct checks of the DPH Health Care Worker Registry, the DCFS Child Abuse and Neglect Tracking System (CANTS), the Illinois Sex Offender Registry, and the HFS Sanctions List (of vendors/providers barred from participating in the Medical Assistance Program). These checks must be repeated at least

annually. Provisions for CANTS waiver requests are included.

Complaints/Closures

If DHS receives repeated serious complaints regarding a CILA's treatment of residents or licensure issues, DHS may review its funding agreement with that agency and may appoint an independent monitor to oversee the agency. An independent monitor may also be assigned to an agency when a CILA is operating without a license; when its license has been revoked or not renewed, or its funding agreement has been terminated; or when an agency has closed or announced its intent to close and suitable arrangements for moving CILA residents elsewhere have not been made. An independent receiver will be appointed to handle instances in which CILA residents must be immediately moved elsewhere due to an immediate threat to their life, health or safety that the CILA agency cannot or will not address.

Other

Other revisions and additions to the Part include the content of initial medical, developmental, psychological and social assessments and periodic reassessments for CILA residents; qualifications for QIDPs; updates to safety and emergency procedures; procedures to be followed when a Personal Plan or Implementation Strategy are modified, when a CILA resident requires more intensive services or when the CILA can no longer

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Proposed Rulemakings

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meet the individual's needs; procedures for reporting critical or unusual incidents; and an explanation of CILA rate reimbursement components (e.g., room and board, transportation, administrative costs). Those affected by this rulemaking include CILA residents and agencies that operate CILAs.

Questions/requests for copies/comments through 7/25/22: Tracie Drew, DHS, 100 S. Grand Avenue East, 3rd Floor, Springfield IL 62762, 217/785-9772.

■ PHARMACIES

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION proposed amendments to the Part titled Pharmacy Practice Act (68 IAC 1330; 46 Ill Reg 9199) concerning continuing education (CE) for pharmacy technicians, administration of vaccines, and other matters. The rulemaking requires a new pharmacy application to DFPR whenever more than 50% (currently 10%) of ownership changes hands; the name, location, or legal status of a pharmacy changes; or any substantial change in pharmacy operations occurs. Pharmacy technicians must complete 10 hours of CE from an approved or accredited CE provider during the last 12 months of each licensing period after the initial licensing period. At least 1 hour must address pharmacy laws, rules and

ethics and at least 1 hour must address patient safety. The rulemaking also allows pharmacists, pharmacy students under a pharmacist's direct supervision, and pharmacy technicians to administer vaccinations ordered by a physician to persons age 7 or older. (Current rule allows pharmacists and pharmacy students under direct supervision to administer influenza and tetanus/diphtheria/pertussis vaccines to persons age 10 and older, and other vaccines to persons age 14 and older, pursuant to a physician's order.) A pharmacy student or technician must complete DFPR-approved training on vaccine administration prior to administering vaccines. The supervising pharmacist is responsible for insuring that a student or technician is properly trained in vaccine administration, for evaluating the appropriateness of all vaccinations, and for reporting each vaccination to the person's primary health care provider. Student pharmacists and pharmacy technicians may transmit and receive transferred prescriptions, and pharmacies must obtain the consent of the patient or the patient's agent for automated refills. A home pharmacy may supervise no more than 3 remote dispensing sites that are open at one time; records must be maintained at the remote site (currently, at the home pharmacy). Other provisions establish procedures for cancelling electronically transmitted prescriptions; allow prescriptions to be dispensed only when a

pharmacist is physically present (currently, present and on duty) and no more than 15 months (currently, 1 year) after the date of the original prescription; and eliminate fees for scoring examinations, for obtaining duplicate licenses, wall certificates, or rosters of registered pharmacists, and for obtaining licensing or disciplinary records pursuant to a subpoena. Pharmacists, student pharmacists, pharmacy technicians and their employers are affected by this rulemaking.

■ COUNSELORS

DFPR also proposed amendments to Professional Counselor and Clinical Professional Counselor Licensing Act (68 IAC 1375; 46 Ill Reg 9253) updating the Part to reflect current DFPR policy and professional standards. A definition of clinical supervision has been added that includes "live, interactive and visual" review of counseling and case management; video supervision meets this definition if all participation is simultaneous and verbal and visual interaction is possible. Internships/practicums should include at least 700 (currently, 100) on site clock hours, of which 280 (currently, 40) clock hours must consist of in-person client contacts. Effective 7/1/26, persons applying for licensure under this Part must have graduated from an accredited professional counseling program with a minimum of 60 (currently, 48) semester hours or 90

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Proposed Rulemakings

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(currently, 72) quarter hours, with a minimum of 3 semester hours (4.5 quarter hours) credit in each of the core subjects listed in existing rule. Also effective 7/1/26, a minimum of 30 (currently, 24) semester hours must be earned during the required 1-year residency. The rulemaking also clarifies the process for obtaining a hardship CE waiver, updates the list of approved CE sponsors and programs, and updates incorporated professional standards. Licensed counselors and counseling programs are affected.

Questions/requests for copies/ comments on the 2 DFPR rulemakings through 7/25/22: Craig Cellini, DFPR, 320 W. Washington, 2nd Floor, Springfield IL 62786, 217/785-0810, Fax: 217/557-4451.

■ LTC RESIDENT RIGHTS

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to Skilled Nursing and Intermediate Care Facilities Code (77 IAC 300; 46 Ill Reg 9478) and Specialized Mental Health Rehabilitation Facilities Code (77 IAC 380; 46 Ill Reg 9520) reflecting federal court orders concerning the rights of Illinois nursing home and mental health facility residents. Amendments to Part 300 reflect the *Colbert vs. Pritzker* federal consent decree, which requires that Medicaid-eligible nursing home residents in Cook County (Colbert Class Members) be

advised of their right to seek placement and services at home or in the community if feasible. Each fiscal year, one of the Colbert Consent Decree Defendant Agencies (the Departments of Human Services, Public Health, Healthcare and Family Services, and the Department on Aging) is designated the Lead Agency for implementation of the consent decree. Each month, Cook County nursing facilities with Colbert Class Members must submit to the Lead Agency an accurate count of their Medicaid-eligible residents and of their voluntary and involuntary discharges. They must also provide new residents and discharged residents with information about their rights under the Colbert Consent Decree and notify agencies providing transition services at least 48 hours prior to discharging a Colbert Class Member. Amendments to Part 380 reflect the *Williams vs. Pritzker* consent decree, which requires persons who are age 18 or older, have a mental illness, are residing in a privately owned Institution for Mental Disease, and may be able to move to a community setting (Williams Class Members) to be advised of their right to seek community placement. Lead Agencies for the Williams Consent Decree are the DHS Division of Mental Health, DPH, HFS, and the Department of Children and Family Services. Specialized Mental Health Rehabilitation Facilities (SMHRFs) regulated under this Part must submit monthly reports to the Lead Agency with an accurate count of Medicaid-

eligible residents and all voluntary and involuntary discharges. Williams Class Members must be given information and educational materials regarding their rights under the Williams Consent Decree within 1 to 3 days after admission to a SMHRF and at the time of discharge, and agencies providing transition services must be notified at least 48 hours prior to a Williams Class Member's discharge from a SMHRF. Certain nursing homes and residential mental health facilities are affected.

Questions/requests for copies/ comments on the 2 DPH rulemakings through 7/25/22: Tracey Trigillo, DPH, 524 S. Second St., 6th Floor, Springfield, IL 62701, 217/782-1159, dph.rules@illinois.gov

■ SALES TAXES

The DEPARTMENT OF REVENUE proposed amendments to Retailers' Occupation Tax (86 IAC 130; 46 Ill Reg 9549), Service Occupation Tax (89 IAC 140; 46 Ill Reg 9582), Use Tax (86 IAC 150; 46 Ill Reg 9593) and Vehicle Use Tax (86 IAC 151; 46 Ill Reg 9602). The amendments to Parts 130, 150 and 151 implement PA 102-53, which removes a \$10,000 cap on sales tax credit for traded-in vehicles for sales on and after 1/1/22. The Part 151 rulemaking also updates vehicle use tax rates (based on the age and price of the vehicle being sold) effective 1/1/22; applies the \$15 tax on vehicles

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transferred to beneficiaries of an estate to vehicles transferred via trusts that become irrevocable upon the grantor's death, and exempts transfers from an estate to a surviving spouse from vehicle use tax. Amendments to Part 130 and 140 also implement PA 100-1171, which requires taxpayers making bulk sales on or after 1/4/19 to give notice to DOR at least 10 business days prior to the bulk sale or transfer (previously, 10 business days after the sale/transfer). Those affected by these rulemakings include businesses making bulk sales or selling vehicles .

Questions/requests for copies/ comments on the 4 DOR rulemakings through 7/25/22: Parts 130, 150 and 151, Samuel J. Moore; Part 140, Alexis K. Overstreet; DOR, 101 W. Jefferson St., Springfield IL 62794, 217/782-2844.

■ UNCLAIMED PROPERTY

The OFFICE OF THE STATE TREASURER proposed amendments to the Part titled Revised Uniform Unclaimed Property Act (74 IAC 760; 46 Ill Reg 9609) that update the Part to reflect statutory changes pursuant to Public Acts 102-288, 102-734, and 102-835. These amendments add cryptocurrency to the definition of virtual currency and establish that virtual currency is considered abandoned 5 years after the last indication of interest by the apparent owner. Claims of more

than \$2,000 (currently, \$500) must be notarized or guaranteed by the officer of the claimant's financial institution. Claims of \$5,000 (currently, \$2,000) or less may be filed on an expedited basis. The rulemaking also forbids sale of certain items left in unclaimed safe deposit boxes (e.g., firearms, military medals, human remains, religious artifacts), clarify when funds deposited with a financial organization are presumed to be abandoned; allow OST to match data with the Secretary of State and the State Board of Elections to identify potential owners of unclaimed property; and address coverage of U.S. Savings Bonds, filing of negative reports, and payment of interest to owners. Businesses, municipalities and non-profit entities with unclaimed property may be affected.

Questions/requests for copies/ comments through 7/25/22: Sara Meek, OST, 219 State House, Springfield IL 62706, 217/836-0030, fax: 217/785-2777, SMeek@illinoistreasurer.gov

■ VIDEO GAMING

The ILLINOIS GAMING BOARD proposed amendments to Video Gaming (General) (11 IAC 1800; 46 Ill Reg 9295) that allow any entity that has applied to become a licensed video gaming location to enter into a use agreement with a terminal operator. Truck stops, fraternal or veterans organizations, and entities that hold valid State liquor licenses may enter use agreements before applying for a video gaming license, provided

they apply for the video gaming license within 30 days after executing the use agreement. Those affected by this rulemaking include taverns, restaurants, truck stops, fraternal and veterans' organizations, and other entities that have applied or will apply for video gaming licenses.

Questions/requests for copies/ comments through 7/25/22: Daniel Gerber, IGB, 160 N. LaSalle St., Chicago IL 60601, IGB.RuleComments@igb.illinois.gov

INSURANCE

The DEPARTMENT OF INSURANCE proposed amendments to Licensing of Public Adjusters (50 IAC 3118; 46 Ill Reg 9467) that reflect changes to the Insurance Code concerning disclosures filed by public adjusters and contracts between public adjusters and insured entities. The rulemaking also removes a requirement that continuing education for public adjusters include 3 hours of classroom ethics instruction so that this instruction can be completed via webinar. DOI also proposed amendments to Universal Life Insurance (50 IAC 1411; 46 Ill Reg 9457) that change the language in a subsection referring to misstatement of age or sex to refer only to misstatements of age.

Questions/requests for copies/ comments on the 2 DOI rulemakings through 7/25/22: Susan Anders, DOI, 320 W. Washington St., 4th Fl., Springfield IL 62767-0001, 217/558-0957.

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 appear in next week's *Illinois Register* and be considered at the July 12, 2022, JCAR meeting in Chicago. Other items not published in the *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 HEALTHCARE & FAMILY SERVICES

Special Eligibility Groups (89 IAC 118; 46 Ill Reg 4495) proposed 3/18/22

ILLINOIS STATE POLICE

Testing of Breath, Blood and Urine for Alcohol, Other Drug and Intoxicating Compounds (20 IAC 1286; 46 Ill Reg 3509) proposed 3/4/22

DEPT OF PUBLIC HEALTH

AIDS Drug Assistance Program (77 IAC 692; 46 Ill Reg 5157) proposed 3/25/22

Skilled Nursing and Intermediate Care Facilities Code (77 IAC 300; 46 Ill Reg 4771) proposed 3/18/22

Sheltered Care Facilities Code (77 IAC 330; 46 Ill Reg 4803) proposed 3/18/22

Illinois Veterans' Homes Code (77 IAC 340; 46 Ill Reg 4821) proposed 3/18/22

SECRETARY OF STATE

Departmental Duties (2 IAC 552; 45 Ill Reg 13655) proposed 10/29/21

Limited Liability Company Act (14 IAC 178; 45 Ill Reg 14109) proposed 11/12/21

STATE BOARD OF INVESTMENT

State (of Illinois) Employees' Deferred Compensation Plan (80 IAC 2700; 45 Ill Reg 15285) proposed 12/3/21

Joint Committee on Administrative Rules

Senator Bill Cunningham, *co-chair*
Senator John F. Curran
Senator Donald DeWitte
Senator Kimberly Lightford
Senator Tony Muñoz
Senator Sue Rezin

Representative Tom Demmer
Representative Michael Halpin
Representative Frances Ann Hurley
Representative Steven Reick
Representative Curtis Tarver, II
Representative Keith Wheeler, *co-chair*

Kim Schultz
Executive Director