

# THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY  
JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

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The Flinn Report is a weekly summary of regulatory actions of State agencies published in the *Illinois Register* and action taken by the Illinois General Assembly’s Joint Committee on Administrative Rules (JCAR). The Flinn Report honors founding JCAR member Representative Monroe Flinn, and is designed to inform and involve the public in changes taking place in agency administration.

## Proposed Rulemakings

### • CHILD CARE

The DEPARTMENT OF HUMAN SERVICES proposed amendments to Child Care (89 IAC 50; 48 Ill Reg 9216) implementing the Smart Start Workforce grant program for child care providers. Grant awards must be used for the sole purpose of paying child care workers wages at or above a specified minimum based on position and on the provider’s location. Applications will be made available by DHS or its qualified partners. To qualify for these grants, child care providers must have been licensed as day care homes, day care group homes, or day care centers by the Department of Children and Family Services at least one month prior to application; be open and providing care at least 8 consecutive hours per day, 5 days a week, at least 47 weeks per year; must not receive Early Childhood Block Grant, Head Start, or Early Head Start funds; and must have a minimum percentage or number of

children enrolled in the Child Care Assistance Program (CCAP), as determined by DHS based on available appropriations. Day care homes and group homes must have at least 4 children enrolled. Day care centers’ eligibility will be determined by classroom, with a minimum enrollment of 4 children under 2 years

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of age, 8 children ages 2 or 3, and 12 children ages 3 through 5. Day care providers that do not meet the minimum enrollment requirements may request waivers from these requirements, subject to additional documentation and restrictions. Award amounts for day care homes and group homes will be based on the number of staff and hours worked. Awards to day care centers will be based on the number of eligible classrooms and the ages served in those classrooms. Day care centers

that receive grants must pay teachers at least \$19.25/hour and assistant teachers at least \$18/hour if located in Cook, DeKalb, DuPage, Kane, Kendall, Lake or McHenry counties; at least \$18.50/hour for teachers and \$17.25/hour for assistant teachers if located in Boone, Champaign, Kankakee, Madison, McLean, Monroe, Ogle, Peoria, Rock Island, Sangamon, St. Clair, Tazewell, Whiteside, Will, Winnebago or Woodford counties; and at least \$18.25/hour for teachers and \$17/hour for assistant teachers if located in any other county. Day care and group day care homes that receive grants must pay their child care assistants at least \$17 to \$18/hour based on their county location. Other provisions address the application process, reporting, program monitoring, program violations, hearings, and appeals of adverse actions. Child care providers are affected by this rulemaking.

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**ADOPTED RULES:** Rules adopted by agencies this week. **EMERGENCY RULES:** Temporary rules adopted for no more than 150 days. **PROPOSED RULEMAKINGS:** Rules proposed by agencies this week, commencing a First Notice public comment period of at least 45 days. **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/or non-profit organizations. Agencies must consider comments from these groups and attempt to minimize regulatory burdens on them.

**QUESTIONS/COMMENTS:** Submit mail, e-mail or phone calls to the agency personnel listed below each summary.

**RULE TEXT:** First Notice proposed text, emergency rule and peremptory rule text is available at the Secretary of State website (<https://www.ilsos.gov/departments/index/register/home.html>) or at the Illinois General Assembly website (<http://www.ilga.gov>) under “Illinois Register”. Second Notice text for proposed rulemakings (original version with any changes made by the agency during First Notice included) is available at the JCAR website.

# Proposed Rulemakings

(cont. from page 1)

## DISABILITY SERVICES

DHS also proposed amendments to the Parts titled Assessment for Determining Eligibility and Rehabilitation Needs (89 IAC 553; 48 Ill Reg 9240) and Customer Financial Participation (89 IAC 562; 48 Ill Reg 9247). Amendments to Part 553 update the criteria for determining that an individual qualifies for vocational rehabilitation (VR) services to include having an impairment that constitutes or results in a substantial impediment to employment, and being able to benefit in terms of an employment outcome from VR services. The definition of an individual with a disability is revised to include individuals with some functional limitations (currently, an impediment that does not seriously limit functional limitations) who can benefit from the provision of VR services. The Part 562 rulemaking removes the requirement that a customer's family members complete a financial analysis (to determine how much of the cost of services the customer will be expected to pay). It also expands the list of services for which customer financial participation is not required to include: counseling, guidance, information and referral; evaluation and assessment and associated costs, including transportation, room and board if needed; pre-employment transition services for youth with disabilities who are graduating from high school; technical and consultation services to customers seeking self-employment; job-related services, including job search and placement assistance and on-the-job training; auxiliary services such as interpreting, orientation and mobility services; rehabilitation

technology, including vehicular modification and telecommunications, and sensory aids; personal assistance services; all costs directly related to attendance at an Illinois public community college; and all costs related to disability-related skills training (e.g., sign language, Braille, speech reading). Other services may be exempted from customer financial participation for limited periods of time and/or specified geographic areas at the discretion of the Director of the DHS Division of Rehabilitation Services. Individuals and employers that participate in DHS vocational rehabilitation programs are affected.

### • WIC VENDORS

Finally, DHS proposed an amendment to WIC Vendor Management Code (77 IAC 672; 48 Ill Reg 9209) that updates referenced State statutory citations in Section 672.105.

*Questions/requests for copies/comments on the 4 DHS rulemakings through 8/19/24: Tracie Drew, DHS, 100 S. Grand Ave. East, Harris Bldg, 3<sup>rd</sup> Fl., Springfield IL 62762, 217-785-9772, DHS.Administrative Rules@Illinois.gov*

### • DISEASE REPORTING

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to Control of Notifiable Diseases and Conditions Code (77 IAC 690; 48 Ill Reg 9506) that update reporting and testing requirements for various diseases. Cases of influenza or Respiratory Syncytial Virus (RSV) that are laboratory confirmed or result in intensive care admissions or pediatric deaths (under age 18) are reportable within 3 days (currently, 24 hours) to the local health department, which must then report to DPH within 3 additional days. Cases of COVID-19

that are laboratory confirmed or result in pediatric deaths or ICU admissions, and streptococcal infections in persons admitted to a hospital or residing in a residential facility, must also be reported to the local health authority within 3 days. With regard to measles, laboratories must report any request for measles diagnostic testing to the local health authority within 3 hours, and confirmatory PCR testing for measles should be conducted at a DPH Public Health Laboratory. Laboratories must also report patients who test positive on any test specific for or indicative of measles virus infection and forward to the DPH Laboratory any clinical materials that are PCR positive for measles. Negative PCR results for measles shall be forwarded to DPH upon request. Cases of toxic shock syndrome due to staphylococcus aureus infection must be reported within 3 (currently 7) days. Local health departments, healthcare providers, and laboratories are affected by this rulemaking.

*Questions/requests for copies/comments through 8/19/24: Tracey Trigillo, DPH, 524 S. Second St., 6<sup>th</sup> Floor, Springfield IL 62701, 217-782-1159, [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)*

## HUNTING & TRAPPING

The DEPARTMENT OF NATURAL RESOURCES proposed an amendment to the Part titled General Hunting and Trapping on Department-Owned, -Leased or -Managed Sites (17 IAC 510; 48 Ill Reg 9253) allowing the use of blaze pink (as well as blaze orange) hunting gear, hunting caps and ground blind coverings during firearm deer seasons and pheasant, rabbit, quail and partridge hunting seasons.

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# Proposed Rulemakings

(cont. from page 2)

## SMALL GAME HUNTING

DNR proposed amendments to the Parts titled Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 IAC 530; 48 Ill Reg 9261), Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote, Bobcat and Woodchuck (Groundhog) Hunting (17 IAC 550; 48 Ill Reg 9271), Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, River Otter, Beaver, Bobcat and Woodchuck (Groundhog) Trapping (17 IAC 570; 48 Ill Reg 9286), and Squirrel Hunting (17 IAC 690; 48 Ill Reg 9336). The Part 530 amendment requires either blaze pink or blaze orange caps and gear to be worn by hunting parties, except for falconers, who are only required to wear blaze pink or orange during upland game seasons when upland game hunting is in progress. The Part 550 and 570 rulemakings provide that DNR may notify holders of bobcat hunting or trapping permits by phone (in addition to making a public announcement) if bobcat season is closed early to avoid exceeding hunting or trapping limits. These rulemakings also open the Ralph Clover State Natural Area (Jackson County) to hunting and trapping. Amendments to Part 690 allow squirrel hunting with shotguns and bows and arrows (in addition to muzzleloading and rimfire firearms) unless site-specific restrictions specify otherwise, and update various site-specific restrictions.

## DEER HUNTING

DNR also proposed amendments to White-Tailed Deer Hunting By Use of Firearms (17 IAC 650; 48 Ill Reg 9301),

White-Tailed Deer Hunting By Use of Muzzleloading Rifles (17 IAC 660; 48 Ill Reg 9316), and Youth Hunting Seasons (17 IAC 685; 48 Ill Reg 9328). These rulemakings open the Ralph Clover State Natural Area to firearm and muzzleloading rifle deer hunting, including youth hunting, while the Part 660 rulemaking also allows bonus antlerless-only deer permits to be sold on site for disabled hunting at Rend Lake.

## TURKEY HUNTING

DNR proposed amendments to The Taking of Wild Turkeys - Spring Season (17 IAC 710; 48 Ill Reg 9349), The Taking of Wild Turkeys - Fall Gun Season (17 IAC 715; 48 Ill Reg 9369), and The Taking of Wild Turkeys - Fall Archery Season (17 IAC 720; 48 Ill Reg 9373). The Part 710 and 720 rulemakings open the Ralph Clover State Natural Area to turkey hunting. The Part 710 rulemaking additionally requires site permits for the spring youth turkey hunt at Moraine View State Park (McLean County). An amendment to Part 715 repeals the "special hunt" status of Crab Orchard National Wildlife Refuge (Williamson County) and the accompanying requirement for a site-specific permit.

## FISHING

Finally, DNR proposed amendments to Sport Fishing Regulations for the Waters of Illinois (17 IAC 810; 48 Ill Reg 9377) that clarify how fish length is measured; remove statewide restrictions on fishing within 250 yards of an occupied duck or goose blind during migratory waterfowl seasons; clarify which species and waterways are open to bowfishing or spearfishing; impose a harvest limit of 2 per day on paddlefish and clarify length limits and sorting restrictions for paddlefish and salmon; update site specific regulations; clarify which exemptions to site-specific length and

harvest limits may be made for fishing tournaments; and schedule June 13-16, 2025, as DNR's annual Free Fishing Days.

*Questions/requests for copies/comments on the 12 DNR rulemakings through 8/19/24: Parts 510 through 720, John Fischer; Part 810, Carrie Leitner; DNR, One Natural Resources Way, Springfield IL 62702, 217-782-1809, [dnr.rules@illinois.gov](mailto:dnr.rules@illinois.gov)*

## HOSPITALS

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES proposed amendments to Hospital Services (89 IAC 148; 48 Ill Reg 9183) that clarify how adjustment factors for high outpatient volume hospitals will be determined and require adjustments to be made when Enhanced Ambulatory Patient Groups (EAPG) groupers are updated (currently, every January 1). The rulemaking also removes an obsolete provision for an add-on payment to hospitals with a high volume of outpatient psychiatric Medicaid patients under age 19.

*Questions/requests for copies/comments through 8/19/24: Katie Hill, HFS, 201 S. Grand Ave. East, 3<sup>rd</sup> Floor, Springfield IL 62763-0002, 217-782-1233, [HFS.Rules@illinois.gov](mailto:HFS.Rules@illinois.gov)*

## STATE VEHICLES

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES proposed amendments to the Part titled State Vehicles and Garage (44 IAC 5040; 48 Ill Reg 9165) that update which State vehicle services are offered by CMS; remove references to the CMS Fleet Card (replaced by vendor fleet cards from a contracted vendor); and require vehicle purchase requests,

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# Proposed Rulemakings

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including requests for exceptions from fuel economy standards, to be submitted directly to the State Purchasing Officer by the purchasing agency (under current rule, CMS authorizes purchase requests and

submits them to the State Purchasing Officer). The CMS Division of Vehicles (DOV) will no longer be responsible for all passenger vehicle acquisitions for most agencies under the jurisdiction of the Governor. Other provisions clarify criteria for evaluating vehicle purchase requests; simplify the process for determining the most cost-effective vehicle; update the procedure for reporting accidents involving on-duty State employees;

and remove a recommendation to purchase fuel from a State-owned garage whenever possible.

*Questions/requests for copies/comments through 8/19/24: Administrative Rules Coordinator, CMS, 313 S. Sixth St., 3<sup>rd</sup> Floor, Springfield IL 62702, 217-782-9669, [CMS.Rule@illinois.gov](mailto:CMS.Rule@illinois.gov)*

# Adopted Rules

## ▪ EXPLOSIVES

The DEPARTMENT OF NATURAL RESOURCES adopted amendments to the Part titled The Illinois Explosives Act (62 IAC 200; proposed at 47 Ill Reg 11324) effective 6/24/24 at 48 Ill Reg 9591, concerning storage and handling requirements for consumer and display (professional) fireworks, licensing criteria, and other matters. This rulemaking provides that when an individual licensee no longer meets the licensing and/or storage requirements established under the Act, DNR may seize that individual's license or permit and any explosives in the person's possession through its agents or law enforcement personnel. (Previous rule allowed DNR to immediately suspend an explosives license and serve notice on the license holder when it believes violations of the Act pose a danger to the public, but did not mention further actions.) An applicant for an explosives license must be a U.S. citizen or legal permanent resident, must not have been discharged other than honorably (formerly, must not have been dishonorably discharged) from the U.S. Armed Forces, and must not have any outstanding unpaid fines or violations with DNR. Unpaid fines for violations are also grounds for refusing to renew a current explosives license, grant a temporary license, or grant or renew an explosives storage permit. The rulemaking updates the definitions of consumer and display fireworks to clarify that any bulk storage of more than 1,000 pounds of consumer fireworks, is subject to storage requirements for display fireworks. Non-commercial or homemade explosive materials may be tested via laboratory analysis or with field testing by law enforcement bomb technicians. If a violation or incident requires lab testing of a suspected explosive, DNR will charge a

\$4,600 administrative penalty to cover its costs. When stored explosives become unstable or are leaking and the owner does not or cannot immediately dispose of the explosives safely, DNR may seize these materials and have them rendered safe by a certified bomb technician. Individuals reasonably suspected of being under the influence of alcohol, marijuana or drugs while using or possessing explosives shall consent to testing by certified personnel. Other provisions address warning procedures prior to a detonation; establish requirements for various types of storage; clarify procedures for reporting theft or loss of explosive materials and accidents and injuries involving explosives; increase from 3 to 5 years the retention period for daily inventories of storage magazines and black powder transactions; and establish procedures for addressing the death of a magazine owner or the bankruptcy of a licensee. Since 1<sup>st</sup> Notice, DNR has removed language classifying any explosive composition of more than 500 grams as subject to display fireworks storage requirements and stated that a person who is unlicensed or does not have storage licensed by DNR will be inspected only if probable cause for an inspection is established. DNR also clarified that non-commercial or hobbyist transactions are subject to transportation regulations in this Part, that hobbyists cannot mix explosive materials prior to arrival at their destination, and clarified that loss of explosive material due to bankruptcy must be reported to DNR if the materials have passed into the possession of a person not in compliance with this Part. Those affected by this rulemaking include businesses that store or use explosive materials or that store or sell consumer and display fireworks.

## ▪ SURFACE MINING

DNR also adopted amendments to the Part titled Surface Mined Land Conservation and Reclamation Act (62 IAC 300; proposed at 47 Ill Reg 11373), effective 6/24/24 at 48 Ill Reg 9641, addressing the use of explosives in surface mining operations. The rulemaking requires a licensed blaster to be present during each phase of the loading and detonation process (formerly, at detonation). A licensed blaster may designate another person who is competent to handle explosives to detonate a blast, but the licensed blaster must still be physically present at the detonation. When explosive materials are loaded into blast holes and cannot be removed, a licensed blaster, individual explosives license holder, or surface coal certification holder must be present at all times, and no explosives can be left unattended. Blasting operations must be suspended and personnel moved to a safe location during any electrical storm. If a misfire is suspected the blast zone must be evacuated for 15 to 30 minutes, and if explosive material is burning at a blast site the site must be evacuated until at least 1 hour after the burning has stopped. Records of blasts, including documentation of the time and date of detonation and seismograph records of the blast and ground vibration, must be kept for at least 5 (previously, 3) years. Incidents in which rocks or rock pieces (flyrock) travel beyond the blasting zone must be reported to DNR immediately by phone and within 24 hours in writing. If flyrock causes injury or property damage, blasting will be suspended for up to 15 days while DNR investigates the incident. Exceedance of ground vibration limits must also be reported to DNR immediately. Initial

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applicants for a blasting license must submit fingerprints or fingerprint-based data with their applications. The temporary blasting license fee is increased from \$150 to \$300. A licensee with 3 or more violations of the same rule within a 12-month period may be ordered to cease operations. In addition to the base penalties for violations, an additional penalty of \$1,000 (previously \$100) will be imposed for a violation that could have caused injury or property damage, increasing to \$1,000 to \$3,500 (previously \$500) for a violation that actually caused injury or damage. An operator who conducts blasting without a licensed blaster will be fined \$5,000. Surface mining operators are affected by this rulemaking.

*Questions/requests for copies of the 2 DNR rulemakings: Amy Oakes, DNR, One Natural Resources Way, Springfield IL 62702, 217/782-1809.*

## FOSTER CARE

The DEPARTMENT OF CHILDREN AND FAMILY SERVICES adopted amendments to Permanency Planning (89 IAC 315; proposed at 48 Ill Reg 85) and Licensing Standards for Foster Family Homes (89 IAC 402; proposed at 47 Ill Reg 17589), both effective 6/24/24 at 48 Ill Reg 9549 and 9559, that align these Parts with federal requirements under Title IV-E of the Social Security Act (which provides federal funds for foster care programs). The Part 315 rulemaking describes the requirements for assessment driven, trauma-informed permanency planning that is focused on the child and family's identified strengths and needs. Service/case plans for a child's placement must ensure educational stability by taking

into account appropriateness and proximity to the child's school, and if the child cannot remain enrolled in the same school, must include a plan for enrolling in a new school. Child and family teams must comply with recordkeeping and procedural requirements established in federal law, including preference for keeping a child in the same household with siblings unless a court finds such placement to not be in the child's best interest. The Part 402 rulemaking adopts the federal definition of a foster home and accompanying limits on the number of children under 18 that may be placed in a foster home.

*Questions/requests for copies of the 2 DCFS rulemakings: Tamara Bristow, DCFS, 406 E. Monroe, Station #65, Springfield IL 62701-1498, 217-524-1983, [DCFS.Policy@illinois.gov](mailto:DCFS.Policy@illinois.gov)*

## UNEMPLOYMENT BENEFITS

The DEPARTMENT OF EMPLOYMENT SECURITY adopted amendments to the Part titled Claims, Adjudication, Appeals and Hearings (56 IAC 2720; proposed at 47 Ill Reg 18235) effective 6/20/24 at 48 Ill Reg 9583, that clarify the timelines for DES adjudicators to reconsider certain determinations made regarding unemployment insurance claims. If the issue involves back pay or withheld wages, the adjudicator has 3 years after the last day of the week for which the determination was made to reconsider the decision. If the original determination involved misstated earnings for any week beginning on or after 3/15/20, the adjudicator has 5 years after the last day of the week for which the determination was made to reconsider the decision.

*Questions/requests for copies: Kevin Lovellette, DES, 33 S. State St., 9<sup>th</sup> Floor, Chicago, IL 60603, 312-793-1224, fax: 312-793-5645, [Kevin.Lovellette@illinois.gov](mailto:Kevin.Lovellette@illinois.gov)*

## NURSING HOMES

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to Skilled Nursing and Intermediate Care Facilities Code (77 IAC 300; proposed at 48 Ill Reg 3008) and Sheltered Care Facilities Code (77 IAC 330; proposed at 48 Ill Reg 3042), both effective 6/21/24 at 48 Ill Reg 9733 and 9767, implementing Public Act 103-320, which provides that the State Long Term Care Ombudsman shall be notified when a resident is involuntarily transferred or discharged from a facility. The rulemaking also adds the Department on Aging's Community Care Program rules (89 IAC 240) to the list of referenced administrative rules.

*Questions/requests for copies of the 2 DPH rulemakings: Tracey Trigillo, DPH, 524 S. Second St., 6<sup>th</sup> Floor, Springfield IL 62701, [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)*

## HAZARDOUS WASTE

The POLLUTION CONTROL BOARD adopted amendments to Procedures for Permit Issuance (35 IAC 705; proposed at 48 Ill Reg 4715, adopted at 48 Ill Reg 9684), Hazardous Waste Management System: General (35 IAC 720; proposed at 48 Ill Reg 4726, adopted at 48 Ill Reg 9691), Identification and Listing of Hazardous Waste (35 IAC 721; proposed at 48 Ill Reg 4830, adopted at 48 Ill Reg 9698), Standards Applicable to Generators of Hazardous Waste (35 IAC 722; proposed at 48 Ill Reg 4849, adopted at 48 Ill Reg 9705), Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (35 IAC 724; proposed at 48 Ill Reg 4895, adopted at 48 Ill Reg 9712), Interim Status Standards for Owners and Operators of Hazardous Treatment, Storage, and

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# Adopted Rules

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Disposal Facilities (35 IAC 725; proposed at 48 Ill Reg 4914, adopted at 48 Ill Reg 9719) and Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 IAC 726; proposed at 48 Ill Reg 4933, adopted at 48 Ill Reg 9726), all effective 6/20/24. These amendments implement USEPA hazardous waste regulations adopted in 2020, 2021 and 2023 concerning procedures for identification, measurement and testing of ignitable hazardous solid or liquid waste. Those affected by these rulemakings include owners and operators of landfills and other waste facilities.

## WATER POLLUTION

PCB also adopted amendments to Sewer Discharge Criteria (35 IAC 307; proposed at 48 Ill Reg 4586) effective 6/20/24 at 48 Ill Reg 9681, that update incorporated U.S. Environmental Protection Agency (USEPA) regulations adopted during the latter half of 2023.

*Questions/requests for copies of the 8 PCB rulemakings: Don A. Brown, PCB, 60 E. Van Buren St., Suite 630, Chicago IL 60605, 312-814-3461, [don.brown@illinois.gov](mailto:don.brown@illinois.gov). Please reference docket R21-13 (Parts 705 through 726) or R24-14 (Part 307). Copies of the Board's opinions and orders are available at <http://www.pcb.illinois.gov>*

## DEFERRED COMPENSATION

The ILLINOIS STATE BOARD OF INVESTMENT adopted amendments to the Part titled State (of Illinois) Employees' Deferred Compensation Plan (80 IAC 2700; proposed at 48 Ill Reg 1645) effective 6/21/24 at 48 Ill Reg 9795, that conform the Part with recently enacted federal law (SECURE 2.0 Act of 2022). These amendments change the required minimum distribution age for deferred compensation funds from age 72 to the age established in federal law (was 72 through 12/31/22, now 73 for persons born on or after 1/1/51) and require deferral changes to take effect "as soon as administratively possible" rather than with the first pay period of the following month. The default investment option for automatically enrolled State employees or those who do not specify an investment option will be established by the Board (previously, the Stable Value Fund or Target Date Funds were specified as default options). Distributions may be taken as full lump sum payments, partial lump sum payments, or as installment payments on an annual, semi-annual, quarterly or monthly basis. Outdated and incorrect distributions rules are removed.

*Questions/requests for copies: Mary Cahill, ISBI, 180 N. LaSalle St., Suite 205, Chicago IL 60601, 312-793-5712, [mcahill@isbinvestment.com](mailto:mcahill@isbinvestment.com)*

## STATE EMPLOYEES

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES adopted amendments to Conditions of Employment (80 IAC 303; proposed at 48 Ill Reg 66) effective 6/20/24 at 48 Ill Reg 9528, that add Juneteenth as a

paid holiday for all State employees; permit up to 5 weeks paid bereavement leave for parents of any stillborn child (formerly, a full-term stillborn child); require that an employee's failure to give written notice of resignation be noted on the document that effects the resignation; allow the CMS Director to determine vacation time on an individual basis for new employees not covered by a collective bargaining agreement; and remove a provision excluding travel time from overtime calculations.

## STATE RETIREES

CMS also adopted amendments to State Employees Group Health Insurance Program (80 IAC 2210; 48 Ill Reg 4272) effective 6/20/24 at 48 Ill Reg 9538, concerning mandatory enrollment in the Total Retiree Advantage Illinois (TRAIL) Medicare supplemental insurance program. The amendments require all Medicare-eligible State retirees, dependents and survivors to enroll in TRAIL and in Medicare Part B even if other covered family or household members are not Medicare eligible and remain insured through the State's Benefits Choice program. (Previously, Medicare-eligible retirees, dependents and survivors were not required to enroll in TRAIL unless all members of their family or household were Medicare eligible.)

*Questions/requests for copies of the 2 CMS rulemakings: Part 303, Administrative Rules Coordinator, CMS, 313 S. Sixth St., 3<sup>rd</sup> Floor, Springfield IL 62702, 217-782-9669, [CMS.Rule@illinois.gov](mailto:CMS.Rule@illinois.gov). Part 2210, Joseph Chervin, CMS, 555 W. Monroe St., 13<sup>th</sup> Floor, Chicago IL 60661, 312-814-2838, [CMS.Rule@illinois.gov](mailto:CMS.Rule@illinois.gov)*

## Second Notices

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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 July 16, 2024 meeting in Chicago. 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 at [jcar@ilga.gov](mailto:jcar@ilga.gov).

### DEPT OF CHILDREN AND FAMILY SERVICES

Administrative Case Reviews and Court Hearings (89 IAC 316; 48 Ill Reg 1999) proposed 2/9/24

Audits, Reviews, and Investigations (89 IAC 434; 47 Ill Reg 17295) proposed 11/27/23

### DEPT OF COMMERCE AND ECONOMIC OPPORTUNITY

Angel Investment Credit Program (14 IAC 531; 48 Ill Reg 5851) proposed 4/19/24

### DEPT OF HEALTHCARE AND FAMILY SERVICES

Medical Payment (89 IAC 140; 48 Ill Reg 5379) proposed 4/12/24

### OFFICE OF THE ATTORNEY GENERAL

Crimes and Offenses, Impersonating Officer, Advertisements (Repealer) (14 IAC 440; 48 Ill Reg 6384) proposed 5/3/24

Illinois Estate and Generation-Skipping Transfer Tax Return (86 IAC 2000; 48 Ill Reg 6413) proposed 5/3/24

### Next JCAR Meeting: Tuesday, July 16, 11 a.m.

Room C-600, Bilandic Bldg. 160 N. LaSalle St., Chicago  
Meeting will be live streamed on the JCAR website

### Joint Committee on Administrative Rules

Senator Bill Cunningham, Co-Chair  
Senator Cristina Castro  
Senator Donald DeWitte  
Senator Dale Fowler  
Senator Napoleon Harris, III  
Senator Sue Rezin

Representative Ryan Spain, Co-Chair  
Representative Eva-Dina Delgado  
Representative Jackie Haas  
Representative Steven Reick  
Representative Curtis Tarver, II  
Representative Dave Vella

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