

*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 is designed to inform and involve the public in changes taking place in agency administration.*

## New Regulations

## Proposed Regulations

### RIGHT-OF-WAY ACQUISITIONS

The ILLINOIS COMMERCE COMMISSION adopted amendments to "Guidelines for Land and Right-of-Way Acquisitions" (83 Ill Adm Code 300; 36 Ill Reg 10558), effective 3/1/13, that implement Public Act 96-1348, establishing an expedited procedure for the review of certain specified applications for certificates of public convenience and necessity. (These certificates are required for certain public utility or pipeline projects involving acquisition of land or easements.) The rulemaking also updates contact information for inquiries concerning this Part. Those affected by this rulemaking include utilities, pipeline companies and landowners along utility or pipeline rights-of-way.

Questions/requests for copies: Conrad Rubinkowski, ICC, 527 E. Capitol Ave., Springfield IL 62701, 217/785-3922.

### WORKERS' COMPENSATION

The DEPARTMENT OF INSURANCE adopted amendments to rules titled "Preferred Provider Programs" (50 Ill Adm Code 2051; 36 Ill Reg 6356), effective 3/4/13, to implement changes in the Workers' Compensation Act

required by Public Act 97-18, which permits employers to adopt preferred provider programs approved by the Department of Insurance for worker's compensation cases. Copies of approved workers' compensation preferred provider program (PPP) applications may be requested through the Department. All PPP applications must contain material outlined within Appendix D of this rule, including a registration fee of \$1,000; signed copies of all current contracts with other entities to provide services; employee notification provisions required by the Illinois Workers' Compensation Commission; information regarding the organization and officers of the PPP; assurance that beneficiaries will not pay more if referred to out-of-network providers; and various provisions concerning medical services, physician status, liability and malpractice coverage, and network availability and access. A workers' compensation PPP payor agreement must outline all incentives to use a PPP and guarantee that out of network services that cannot be provided by the PPP shall be rendered at no greater cost to the beneficiary or the payor than specified in the Medical Fee Schedule. Agreements between PPPs and insur-

(cont'd next page)

### RADIOACTIVE MATERIALS

The ILLINOIS EMERGENCY MANAGEMENT AGENCY has proposed amendments to the following Parts: "Medical Use of Radioactive Material" (32 Ill Adm Code 335; 37 Ill Reg 2775), "Accrediting Persons in the Practice of Medical Radiation Technology" (32 Ill Adm Code 401; 37 Ill Reg 2783), "Standards for Selection of Contractors", (32 Ill Adm Code 605; 37 Ill Reg 2807) and "Registration of Low-Level Radioactive Waste Generators" (32 Ill Adm Code 620; 37 Ill Reg 2831). Amendments to Part 335 require licensees, prior to administration of specified quantities of sodium iodide I-131 to females capable of childbirth, to conduct and obtain results of a pregnancy test. If the delay caused by conducting such a test would jeopardize the patient's health, the test may be foregone if the action is noted by the authorized user on a written directive. Amendments to Part 401 define terms; expand exemptions from the Part; require letters of agreement/delegation for radiologist assistants and nuclear medicine advanced associates as part of the accreditation application process (two new appendices provide examples of letters of agree-

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*NEW REGULATIONS: Rules adopted by agencies this week.*

*PROPOSED REGULATIONS: Rules proposed by agencies this week, commencing a 45-day First Notice period. Public comments must be accepted by the agency for the period of time indicated.*

*☞: Symbol designating 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/RULE TEXT: Direct mail or phone calls to the agency personnel listed below each summary. Providing volume and issue number of The Flinn Report or the Illinois Register will expedite the process. Some agencies charge copying fees. However, copy requests do not have to be made under the Freedom of Information Act.*

# New Regulations

ers, employers or workers' compensation PPP administrators must include a description of the health care services to be provided, including discount services, limitations and exclusions; a provision requiring the provider to comply with applicable administrative policies (e.g., credentialing, utilization review, and referral procedures); notification procedures for contract termination; and criteria for liability and malpractice coverage, administrative services, and internal appeal/arbitration procedures. When payments are due to a provider, the provider must maintain and make the beneficiary's medical records available to the payor and/or administrator, as well as regulatory authorities. PPP administrators must file a description of the services to be offered that includes the method of marketing the program; a map of the proposed area to be served; names and addresses of the providers; the number of estimated beneficiaries to be covered; the Internet website and toll-free number of the PPP; a description of services to be rendered; policies concerning closure or inclusion of the program to other providers wishing to participate; procedures for referrals within and outside the network; efforts to accommodate English deficient beneficiaries and comply with the Americans with Disabilities Act; and provisions for providing non-emergency care outside the PPP geographic area of service. Since 1st Notice, DOI has made mandatory (rather than optional) a requirement that certain specialists be exempted from the general provision that physician providers in a PPP have admitting privileges in at least one hospital with which the PPP contracts. DOI also added language clarifying that medical costs are charged to employers (not beneficiaries); cross-referencing statutory provisions concerning out-of-network care; and specifying that maximum costs allowed under the Medical Fee Schedule apply to non-network as well as network providers. Those affected by this rulemaking include employers wishing to contract with a PPP for worker's

compensation cases and medical providers that wish to participate in a worker's compensation PPP.

Questions/requests for copies: Kari Dennison, DOI, 320 W. Washington St., Springfield IL 62767-0001, (217) 782-1771, email: [Kari.Dennison@illinois.gov](mailto:Kari.Dennison@illinois.gov).

## **LAW ENFORCEMENT INTERNS**

The LAW ENFORCEMENT TRAINING AND STANDARDS BOARD adopted a new Part titled "Intern Training Program" (20 Ill Adm. Code 1725; 35 Ill Reg 5077), effective 2/26/13. The rules implement Public Act 90-259, which specifies requirements for civilians seeking admission to basic law enforcement courses and sets eligibility criteria to take the exam to become a law enforcement officer. The rules detail the application and participation process, testing (cognitive, psychological, drug and physical agility), and background investigation of candidates. Program applicants are responsible for 100% of the costs incurred by their participation, must maintain personal health insurance, and hold harmless any persons or groups associated with the program. Applications must be filed at least 90 days prior to the start of instruction and LETSB has 30 days after receipt of the application to notify the applicant. Other topics covered in this rulemaking include training standards, minimum curriculum requirements, minimum intern requirements, certification of training academies, and procedures for the administration of the law enforcement certification examination. Municipalities and other entities that hire law enforcement officers trained in the intern program may be affected by this rulemaking.

Questions/requests for copies: Kevin T. McClain, LETSB, 4500 S. Sixth St. Rd., Room 173, Springfield IL 62703-6617 217/782-4540.

## **HUNTING AND TRAPPING**

The DEPARTMENT OF NATURAL RE-

SOURCES adopted amendments to "General Hunting and Trapping on Department -Owned or -Managed Sites" (17 Ill Adm Code 510; 36 Ill Reg 13507), effective 3/4/13. The amendments state that statewide regulations will apply at sites where windshield permits are issued, except that hunters must obtain a free site permit. This permit must be displayed under the vehicle windshield. Hunters must report their annual harvest online by February 15 or two weeks after the season close for those seasons ending after February 1 even if the hunter did not hunt. Hunters may forfeit their hunting privileges at the site for the following year if they fail to report by the deadline. Since 1st Notice, DNR removed proposed provisions for modifying hunting regulations at sites with specific hunting regulations if weather or other adverse conditions interfered with these procedures (e.g., check-in, drawing for permits). DNR has instead maintained existing provisions allowing sites to be either closed or opened under statewide regulations when operation of check stations is impractical. Hunters and outfitters will be affected by this rulemaking.

Questions/requests for copies: Shelly Knuppel, DNR, One Natural Resources Way, Springfield IL 62702-1271, 217/782-1809.

## **PROCUREMENT**

The OFFICE OF THE COMPTROLLER adopted amendments to "Standard Procurement" (44 Ill Adm Code 1120; 36 Ill Reg 12702), effective 3/1/13 to conform to statutory amendments to the Illinois Procurement Code. The Office announces it will promulgate rules for capital construction, but until that is done the Office shall follow the rules of the Chief Procurement Officer (CPO) for General Services. The Comptroller shall designate a CPO with at least 5 or more years in state or corporate budgeting activities and who is a certified professional public buyer or certified public purchasing officer. The Comptroller may appoint Pur-

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chasing Officers (POs), with the Comptroller's Ethics Officer serving as the Office's Procurement Compliance Monitor. The Comptroller shall appoint his own Procurement Policy Board (IOC PPB), consisting of 3 members. The Board shall meet at least 3 times annually and be contacted in writing prior to the publication of any Request for Information exceeding \$10,000. Other duties of the IOC PPB include: reviewing and commenting on rules and practices governing the procurement of supplies, services, construction and capital improvements of the Office; reviewing any proposal, bid or contract; issuing recommendations regarding procurement matters; recommending action to the CPO and Comptroller in cases of conflict of interest, and reporting to the Inspector General whenever the IOC PPB has cause to believe there has been a violation of the Procurement Code. The Comptroller shall appoint a chief internal auditor that must be either a certified internal auditor or a CPA or an auditor with 5 years' experience. Within 30 days after making an award, if the SPO receives a purchase request for the same item for the same or lesser quantity, the SPO may contract with the same vendor on the same terms. Where a particular source selection method is not required by law, such as use of competitive sealed bidding for a small purchase otherwise exempt from the bidding requirement, the Office is not bound to strict compliance with the Code and rules governing the method of source selection used. "Stringing", the splitting of procurements to avoid use of competitive bidding, is prohibited. Vendors must identify any information that is exempt from disclosure under the Freedom of Information Act. Required records that must be maintained by an SPO in the procurement file include Procurement Bulletin postings; solicitation documents; vendor responses; evaluation material; protest and resolution documents; and the contract and any change order, amendments, renewal or extension. Policies regarding ex parte procurement communications and

reporting to the Procurement Policy Board involving procurement mirror those established already by the Executive Ethics Commission. Provisions for soliciting, receipt and evaluation of competitive sealed proposals are prescribed. New allowances for sole source procurements include advertising media, procurement of art or entertainment services, and changes to existing contracts. Emergency contracts shall not normally exceed 90 days unless a CPO determination is made otherwise, a public hearing is held and there is written justification. All competitive sealed proposals shall identify subcontractors that will be employed, and amounts expected to be paid to each. Since 1<sup>st</sup> Notice, two Sections that were to have been repealed from this Part (concerning small businesses and minority/female/disabled contracting goals) have been reinstated without change. The rulemaking will affect small businesses wishing to obtain contracts with the Comptroller's Office.

Questions/requests for copies: Alissa Camp, Office of the Comptroller, Room 201 Statehouse, Springfield IL 62706, 217/782-0905, email: [CampAJ@mail.ioc.state.il.us](mailto:CampAJ@mail.ioc.state.il.us).

## HAZARDOUS WASTE

The POLLUTION CONTROL BOARD adopted amendments to rules titled "Hazardous Waste Management System: General" (35 Ill Adm Code 720; 36 Ill Reg 16475), "Identification and Listing of Hazardous Waste" (35 Ill Adm Code 721; 36 Ill Reg 16507) and "Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities" (35 Ill Adm Code 726; 36 Ill. Reg. 16543) all effective 3/4/13. The rulemakings implement federal hazardous waste amendments adopted during the 1/1/12-6/30/12 period regarding newly approved and revised methods for demonstrating compliance with the federal Clean Water Act. The amendments clarify the one-time notification requirements for recyclable materials used in a

manner that constitutes disposal, update incorporations by reference to the Code of Federal Regulations adopted by the federal Environmental Protection Agency (USEPA), and make nonsubstantive technical corrections.

Requests for copies of the 3 rulemakings above: Michael J. McCambridge, PCB, 100 W. Randolph, Ste. 11-500, Chicago IL 60601, 312/814-6924, e-mail: [Michael.McCambridge@illinois.gov](mailto:Michael.McCambridge@illinois.gov). Please reference consolidated docket R13-5.

## PEST CONTROL LICENSES

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to "Structural Pest Control Code" (77 Ill Adm Code 830; 36 Ill Reg 14198), effective 3/1/13. The rulemaking makes numerous technical corrections, including revising the list of reference materials and clarifying background text for consistency throughout the Part. DPH clarifies licensure and registration renewal provisions, including what constitutes filing of an application in a timely and sufficient manner, circumstances under which an application will be returned to the applicant, and late application filing process. DPH shall not renew any license or registration beyond the December 31 expiration date. Renewal applicants who do not submit renewals prior to December 31 must file application for an original license or registration. DPH also clarified that renewal applications cannot be used to obtain a license or registration when there has been a change in ownership. Applications received after December 1 shall be considered late and be subject to a late filing charge. Structural pest control technicians applying for certificate renewal must include evidence of completing 9 classroom contact hours of DPH-approved seminars. The rulemaking also addresses reciprocal certification revisions, new provisions addressing applicants who are unable to attend scheduled certification examinations, record of completion retention provisions, and updated administrative

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PH. DPH also added a new Subpart addressing integrated pest management course requirements, including application requirements for educational institutions or other entities that wish to establish an integrated pest management course, instructor requirements, course content requirements, course evaluation methods, record of completion criteria, and a provision addressing alternative methods of training. Those affected by this rulemaking include pest control technicians and businesses.

Questions/requests for copies: Susan Meister, DPH, 535 W. Jefferson St., 5<sup>th</sup> Fl., Springfield IL, 62761, 217/782-2043, e-mail: [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov).

## DRIVER'S LICENSES

The SECRETARY OF STATE adopted amendments to "Illinois Safety Responsibility Law" (92 Ill Adm Code 1070; 36 Ill Reg 15413), effective 2/28/13, implementing Public Act 97-1047, the Steven Watkins Memorial Act, requiring SOS to suspend the driver's license of a person who is found to have abused or violated child visitation orders. SOS will suspend an individual's driver's license after it gets an authenticated report of visitation abuse from the court. The report must be submitted on an SOS form that includes the following information: name, address, driver's license number, birth date, gender, date and county of order was entered, case number, name of judge entering order, court seal or stamp and date certified. The suspension will be terminated when SOS receives an SOS form authenticating compliance or that the order has been stayed or suspended. The form must contain the following information: name, address, driver's license number, birth date, gender, date and county of order was entered, case number, name of judge entering order and court seal or stamp. An individual who has had his or her

driving privileges revoked for visitation abuse may be issued a Family Financial Responsibility Permit (FFRP) for limited driving privileges that may be lifted once SOS receives the form authenticating compliance or that the order has been stayed or suspended. Individuals who request an administrative hearing to contest the FFRP suspension due to visitation abuse will not be charged a reinstatement fee.

Questions/requests for copies: Jennifer Egizii, SOS, 2701 S. Dirksen Parkway, Springfield IL 62723, 217/557-4462.

## PUBLIC RECORDS

The ILLINOIS COUNCIL ON DEVELOPMENTAL DISABILITIES repealed a Part titled "Access to Public Records" (2 Ill Adm Code 2905; 37 Ill Reg 2871) and adopted a new Part titled "Access to Records of the Illinois Council on Developmental Disabilities" (2 Ill Adm Code 2905; 37 Ill Reg 2873), both effective 2/28/13, in accordance with the required rulemaking process in Section 5-15 of the Illinois Administrative Procedure Act. The rulemakings implement Public Act 96-542, an extensive revision of the Illinois Freedom of Information Act (FOIA) that affects what documents and information agencies must make public, the timelines for providing such information, and the appeals process when a request for information is denied. Information that must be disclosed includes records of funds, payrolls, settlement agreements, and some criminal history records. Information exempt from disclosure includes personal information (e.g., Social Security numbers, home addresses); certain personnel information exempt under the Personnel Record Review Act; attorney-client communications; minutes of closed meetings; and information that could compromise a person's or facility's security, jeopardize a law enforcement investigation, or interfere with a person's right to a fair trial or impartial hearing. Other information exempt from disclosure includes proposals or bids on contracts or for real estate purchases not yet completed, matters related to ongoing collective bargaining, trade secrets and other proprietary information, and testing materials to be used by applicants for employment. Other provisions specify how and to whom a request for public information should be submitted, shorten the timeline for ICDD response to a request from 7 to 5 business days, and list conditions under which the agency may extend the timeline (e.g., if a large number of records are sought or if they require an extensive search to locate). Provisions for appealing a denial of requested documents to the Attorney General's public access counselor and for filing legal actions seeking disclosure of records are also included. Original records may be inspected and copied at ICDD headquarters and off-site copying may be allowed under the constant supervision of agency staff. Contractors, rather than agency personnel, may copy the records under certain conditions. The new Part also lists charges for copies made in various formats (black and white photocopies, color or oversized copies, microfilm, audio or video tapes, CD ROM) and specifies that the agency will not charge a fee if it fails to provide the material within the required timeline. New provisions for appealing a denial of requested documents to the Attorney General's Public Access Counselor are also included. Those affected by these rulemakings include individuals, groups, or business entities seeking public information or documents from ICDD.

dize a law enforcement investigation, or interfere with a person's right to a fair trial or impartial hearing. Other information exempt from disclosure includes proposals or bids on contracts or for real estate purchases not yet completed, matters related to ongoing collective bargaining, trade secrets and other proprietary information, and testing materials to be used by applicants for employment. Other provisions specify how and to whom a request for public information should be submitted, shorten the timeline for ICDD response to a request from 7 to 5 business days, and list conditions under which the agency may extend the timeline (e.g., if a large number of records are sought or if they require an extensive search to locate). Provisions for appealing a denial of requested documents to the Attorney General's public access counselor and for filing legal actions seeking disclosure of records are also included. Original records may be inspected and copied at ICDD headquarters and off-site copying may be allowed under the constant supervision of agency staff. Contractors, rather than agency personnel, may copy the records under certain conditions. The new Part also lists charges for copies made in various formats (black and white photocopies, color or oversized copies, microfilm, audio or video tapes, CD ROM) and specifies that the agency will not charge a fee if it fails to provide the material within the required timeline. New provisions for appealing a denial of requested documents to the Attorney General's Public Access Counselor are also included. Those affected by these rulemakings include individuals, groups, or business entities seeking public information or documents from ICDD.

Questions/requests for copies: Sandy Ryan, ICDD, 100 W. Randolph, Suite 10-600, Chicago IL 60601, 312/814-2080.

# Proposed Regulations

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ment for those categories); add nuclear medicine advance associates as an accreditation category; and specify the examination and CE requirements for that category. Amendments to Parts 605 and 620 reflect the merger of the former Department of Nuclear Safety with IEMA and update the Parts which have not been amended since 1988 and 1987, respectively. IEMA is also proposing to repeal 2 obsolete Parts: "Individual and Family Grant Program" (29 Ill Adm Code 410; 37 Ill Reg 2757) and "Public Disaster Assistance Program" (29 Ill Adm Code 420; 37 Ill Reg 2766) because FEMA now administers these programs. Those affected by these rulemaking include radiologists and other medical practitioners.

Requests for copies/comments on the 6 IEMA rulemakings above through 4/29/13: Traci Burton, IEMA, 1035 Outer Park Drive, Springfield IL 62704, 217/785-9860, TDD-217/782-6133.

## **GAS PIPELINES**

The ILLINOIS COMMERCE COMMISSION proposed an amendment to "Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities" (83 Ill Adm Code 590; 35 Ill Reg 3878) that incorporates updated federal Department of Transportation safety regulations (effective 1/1/13) for pipeline transport of gas and liquefied natural gas. Regulated entities will also be required to submit to ICC copies of reports they submit to the federal Pipeline and Hazardous Materials Safety Administration. Small businesses that own, operate, or repair

gas pipelines may be affected by this rulemaking.

Questions/requests for copies/comments through 4/29/13: Elizabeth Rolando, Chief Clerk, ICC, 527 E. Capitol Ave., Springfield IL 62701, 217/782-7434.

## **WATER POLLUTION STANDARDS**

The POLLUTION CONTROL BOARD proposed amendments to "Water Use Designations and Site-Specific Water Quality Standards" (35 Ill Adm Code 303; 37 Ill Reg 2851) establishing numeric water quality standards for fecal coliform bacteria applicable to primary contact recreation waters (waters open to swimming). The amendments also propose designations of aquatic life use (ALU) for the Chicago Areas Waterways System and Lower Des Plaines River.

Requests for copies through 4/29/13: John T. Therriault, PCB, 100 W. Randolph, Ste. 11-500, Chicago IL 60601, 312/814-3620. Questions, at the same address: Marie Tipsord, 312/814-4925, e-mail: [MarieTipsord@Illinois.Gov](mailto:MarieTipsord@Illinois.Gov). Please reference docket R08-09(B).

## **DNR GRANTS**

The DEPARTMENT OF NATURAL RESOURCES proposed a new Part titled "Grant Review and Processing Fees" (17 Ill Adm Code 3000; 37 Ill Reg 2843). The rules institute a new 1% fee (capped at \$5,000) which must be submitted with any application for a DNR grant program. Applications

submitted without the fee or an incorrect fee will not be accepted and unsuccessful applicants will not receive a refund. Several programs and/or classes of grants are exempt from the fee, including operation grants and grants of less than \$10,000. The rulemaking also establishes definitions and outlines other program practices. Applicants for DNR grants will be affected.

Questions/requests for copies/comments through 4/29/13: George Sisk, DNR, One Natural Resources Way, Springfield IL 62702-1271, 217/782-1809.

## **CAPITAL DEVELOPMENT BOARD**

The CAPITAL DEVELOPMENT BOARD proposed an amendment to "Illinois Energy Conservation Code" (71 Ill Adm Code 600; 37 Ill Reg 2748) that increases the number of residential contracting industry representative on the Illinois Energy Advisory Council from 1 to 2, thereby increasing the Council's overall membership from 10 to 11 members. The rulemaking also increases the quorum requirement from 6 to 7 members of the Council, reflecting the increase in Council membership, and clarifies that the Chairperson shall only vote to break a tie or when necessary to establish a quorum.

Questions/requests for copies/comments through 4/29/13: Lisa Mattingly, CDB, 401 S. Spring Street, 3<sup>rd</sup> Fl., Springfield IL 62706, 217/524-6408, Fax 217/524-4208, email: [lisa.mattingly@illinois.gov](mailto:lisa.mattingly@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. The rulemakings will be considered at JCAR's April 16, 2013 meeting.

### **DEPARTMENT OF PUBLIC HEALTH**

"Emergency Medical Services and Trauma Center Code" (77 Ill Adm Code 515) proposed 1/4/12 (37 Ill Reg 21)

### **DEPARTMENT OF HUMAN SERVICES**

"Sex Equity" (89 Ill Adm Code 829) proposed 11/30/12 (36 Ill Reg 16614)

"Aid to the Aged, Blind or Disabled" (89 Ill Adm Code 113) proposed 12/14/12 (36 Ill Reg 17306)

## **JCAR Meeting Action**

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At its 3/12/13 meeting, the Joint Committee on Administrative Rules issued recommendations concerning three proposed rulemakings. The Committee and the respective agencies also agreed to extend the Second Notice period an additional 45 days for two rulemakings: Office of the Treasurer, "Uniform Disposition of Unclaimed Property Act" (74 Ill Adm Code 760; 36 Ill Reg 13578), and Department of Financial and Professional Regulation, "Lending Limits" (38 Ill Adm Code 300; 36 Ill Reg 17671).

### **DEPARTMENT OF CENTRAL MANAGEMENT SERVICES**

With regard to the rulemaking titled "The Travel Regulation Council" (80 Ill Adm Code 3000; 36 Ill Reg 17663), JCAR recommends that the Department be more timely in updating rules to reflect changes in statute. This rulemaking reflects statutory amendments that were effective 1/1/10.

### **DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION**

With regard to the rulemaking titled "Illinois Orthotics, Prosthetics and Pedorthics Practice Act" (68 Ill Adm Code 1325; 36 Ill Reg 6118), JCAR recommends that the Department be more timely in proposing rules implementing statute. This rulemaking was proposed more than 3 years after Public Act 96-682 reauthorized the Act.

### **HEALTH FACILITIES AND SERVICES REVIEW BOARD**

With regard to the rulemaking titled "Health Facilities Planning Procedural Rules" (77 Ill Adm Code 1130; 36 Ill Reg 6210), JCAR recommends that the Board be more timely in proposing rules implementing statute. This rulemaking was proposed almost 3 years after PA 96-31 (which restructured the former Health Facilities Planning Board) became effective.