

*Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.*

## New Rules

### ■ SCHOOL BUSES

The DEPARTMENT OF TRANSPORTATION adopted amendments to Minimum Safety Standards for Construction of School Buses Used in Special Education Transportation (92 IAC 444; 42 Ill Reg 7753), effective 8/17/18, that update and, where possible, replace outdated text with incorporations by reference to the current federal motor vehicle safety requirements for school buses and platform lifts. These amendments also clarify that if a child's IEP dictates transportation measures that conflict with this Part or federal requirements, the IEP should take precedence over any existing regulation as long as other passengers' safety is not threatened. The rulemaking also clarifies the requirements for special service doors. School districts, special education

organizations, and bus manufacturers are affected by this rulemaking.

Questions/requests for copies: Greg Stucka, IDOT, 2300 S. Dirksen Pkwy, Rm. 317, Springfield IL 62764.

### TELEPHONE SERVICE

The ILLINOIS COMMERCE COMMISSION adopted amendments to Telephone Assistance Programs (83 IAC 757; 42 Ill Reg 5141), effective 8/15/18, implementing a Public Act and a recent order of the Federal Communications Commission. The rulemaking aligns State eligibility criteria for the Lifeline program (which provides telephone service to low-income customers) with federal criteria, and gives ICC authority (in

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## Proposed Rulemakings

### ■ MEDICAL PAYMENT

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES proposed amendments to Medical Payment (89 IAC 140; 42 Ill Reg 16364) implementing Public Act 100-587 by adding adult diagnostic and preventative services to dental coverage, including oral exams and prophylactic tooth cleaning once every 12 months for persons age 21 and older. The rulemaking also increases payment rates for ambulance services by 12% and increases the mileage rate from \$5.00 to \$5.60 per mile.

Questions/requests for copies/comments through 10/15/18: Christopher Gange, HFS, 201 S. Grand Ave. East, 3<sup>rd</sup> Fl., Springfield IL 62763, [HFS.Rules@illinois.gov](mailto:HFS.Rules@illinois.gov)

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**NEW RULES:** Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.  
**PROPOSED RULES:** Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.  
**PEREMPTORY RULES:** Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.  
■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.  
**QUESTIONS/COMMENTS:** Submit mail, email or phone calls to the agency personnel listed below each summary.  
**RULE TEXT:** Available on the Secretary of State ([www.cyberdriveillinois.com](http://www.cyberdriveillinois.com)) and General Assembly ([www.ilga.gov](http://www.ilga.gov)) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

## New Rules

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accordance with PA 98-45) to implement low-income support programs for broadband internet access or other voice telephony services. Other provisions allow telecommunication carriers to post information regarding their service offerings on their websites as an alternative to tariff filings.

Questions/requests for copies: Brian W. Allen, ICC, 527 E. Capitol

Ave., Springfield IL 62701, 217/558-2387.

### STATE EMPLOYEES

The CIVIL SERVICE COMMISSION adopted amendments to the Part titled Civil Service Commission (80 IAC 1; 42 Ill Reg 7162), effective 9/1/18, updating and clarifying its procedures for meetings, contested hearings, appeals of CSC decisions, and other functions (e.g., classification of

State employee positions). The timeframe for requesting a full CSC hearing on certain actions (e.g., layoffs, alleged violations of the Personnel Code) is shortened from 21 to 10 days, and provisions are made for electronic filing and signing of documents.

Questions/requests for copies: Andrew Barris, CSC, 607 E. Adams St., Suite 801, Springfield IL 62701, 217/782-7373.

## Proposed Rulemakings

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### IEPA RULE WITHDRAWAL

The ILLINOIS ENVIRONMENTAL PROTECTION AGENCY has withdrawn its proposed repeal of

the Part titled Combined Sewer Overflow Exception Criteria and First Flush Determination (35 IAC 375; 41 Ill Reg 11129), which was published in the 9/8/17 *Illinois Register*. IEPA originally proposed repealing this Part

because it no longer accepts petitions for combined sewer overflow exceptions, but the agency has now determined that repeal of this Part would be premature.

## 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 Committee's September 18, 2018 meeting. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

### DEPT OF FINANCIAL AND PROFESSIONAL REGULATION

Pharmacy Practice Act (68 IAC 1330; 42 Ill Reg 15130) proposed 12/26/17

### POLLUTION CONTROL BOARD

Emissions Reduction Market System (35 IAC 205; 42 Ill Reg 6572) proposed 4/13/18

General Provisions (35 IAC 900; 42 Ill Reg 5946) proposed 4/6/18

Sound Emission Standards and Limitations for Property Line-Noise Sources (35 IAC 901; 42 Ill Reg 5367) proposed 4/6/18

Sound Emission Standards and Limitations for Motor Vehicles (35 IAC 902; 42 Ill Reg 5988) proposed 4/6/18

Measurement Procedures for the Enforcement of 35 Ill. Adm. Code 900 & 901 (35 IAC 910; 42 Ill Reg 6001) proposed 4/6/18

### OFFICE OF THE STATE TREASURER

Secure Choice Savings Program (74 IAC 721; 42 Ill Reg 10351) proposed 6/15/18