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**Joint Committee on Administrative Rules**  
Illinois General Assembly

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*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

### ☞ SEXUAL ASSAULT TREATMENT

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to "Sexual Assault Survivors Emergency Treatment Code" (77 Ill Adm Code 545; 33 Ill Reg 3904), effective 10/9/09, that implement Public Act 95-432, a comprehensive re-write of the Sexual Assault Survivors Emergency Treatment Act. Incorporated federal guidelines and statutory definitions are added or revised. Also, requirements are updated for hospital sexual assault treatment plans, treatment of sexual assault survivors, review of hospital compliance with established procedures, and the provision of emergency contraception and treatment. Since 1<sup>st</sup> Notice, the definition of "date rape drug" and references to date rape drugs have been replaced by a definition of, and references to, "drug-facilitated sexual assault". Other changes permit advanced practice nurses who have clinical privileges at a treating hospital to write prescriptions for emergency contraception and remove a proposed requirement that hospital staff not disclose the identity

of a sexual assault survivor when notifying police that a survivor has presented himself or herself for treatment. Also, a statement encouraging all hospitals to enter into an agreement with a community-based rape crisis center to assist the survivor in receiving ongoing support, information, and counseling was not included in the adopted text. Those affected by this rulemaking include hospitals that treat sexual assault survivors or transfer them to other facilities for treatment.

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)

### ☞ ELECTRICITY BROKERS

The ILLINOIS COMMERCE COMMISSION adopted a new Part titled "Licensure of Retail Electric Agents, Brokers and Consultants" (83 Ill Adm Code 454; 32 Ill Reg 16291), effective 11/1/09, that implements Public Act 95-679. The statute and the Part establish licensing requirements for persons

### ☞ DENTAL RULES HEARING

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION will hold a public hearing on proposed amendments to rules titled "Illinois Dental Practice Act" (68 Ill Adm Code 1220; 33 Ill Reg 12927) on Thursday, 10/29/09, from 10 a.m. to noon at DFPR headquarters, 320 W. Washington St., 5<sup>th</sup> Fl., Springfield. The hearing is intended to gather public comments on the proposed rulemaking, which appeared in the 9/25/09 *Illinois Register* and implements new training standards and other requirements for dentists and dental personnel who administer anesthesia or sedation. Persons presenting oral testimony must provide a written copy of their testimony, and all oral testimony will be limited to no more than 10 minutes.

Questions/requests for copies/comments concerning the above rulemaking through 11/9/09: Craig Cellini, DFPR, 320 W. Washington St., 3<sup>rd</sup> Fl., Springfield IL 62786, 217/785-0813, Fax 217/557-4451.

(cont'd next page)

*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

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engaged in the procurement or sale of retail electricity supplies for third parties. The rule sets out managerial, financial, and technical requirements for licensure; required customer records and information; reporting requirements; treatment of erroneous or defective reports; complaint procedures; and ICC oversight. Changes since 1<sup>st</sup> Notice clarify the definition of "attempts to procure" electric power; add a definition of "attempts to sell" power; and allow the 90-day deadline for granting or denying license applications to be extended to 180 days by order of an administrative law judge. Those affected by this rulemaking include electric utilities and alternative retail electric suppliers that are small businesses.

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

## RADON SERVICE PROVIDERS

The ILLINOIS EMERGENCY MANAGEMENT AGENCY adopted amendments to "Regulations for Radon Service Providers" (32 Ill Adm Code 422; 33 Ill Reg 6786), effective 10/9/09, changing the title of the Part from "Licensing of Radon Detection and Mitigation Services" to more accurately describe the contents and applicability of the Part. Additional amendments clarify that records must be maintained after license expiration or termination for a specified time; licensed activities must cease at li-

cence expiration; and the licensee must return his or her valid license to IEMA if the licensee ceases to perform such activities. Criteria for continuing education course approval are added, and further amendments add disciplinary action for making material false statements; failing to respond to IEMA requests for records; failing to provide access to records for an audit or inspection; and failing to pay taxes. The licensed radon professional is required to provide on-site supervision of all radon activities at schools and commercial buildings and to maintain public liability and property damage insurance. Licensing provisions for radon measurement of multi-family buildings are added, as well as a requirement for laboratories to submit radon measurement reports. The previous requirement that licensees maintain copies of federal Environmental Protection Agency publications is stricken. Laboratory and license fees are increased, and an appendix containing a room worksheet for radon measurement is added. Additionally, terms are revised or defined, and obsolete provisions (e.g., obsolete technology devices) are stricken. Those affected by this rulemaking include small businesses and small municipalities (e.g., county health departments) that provide radon measurement services.

Questions/requests for copies: Louise Michels, IEMA, 1035 Outer Park Dr., Springfield IL 62704, 217/785-9876, TDD 217/782-6133.

## FOOD STAMPS

The DEPARTMENT OF HUMAN SERVICES adopted emergency amendments to "Food Stamps" (89 Ill Adm Code 121; 33 Ill Reg 14627), effective 10/13/09, for a maximum of 150 days. An identical proposed rulemaking appears in this week's issue of the *Illinois Register* at 33 Ill Reg 14463. DHS increases maximum net and gross monthly income eligibility standards for participation in the Supplemental Nutrition Assistance Program (SNAP, formerly known as "food stamps") in compliance with federal regulations. The rulemaking also decreases the standard deduction for a household of 1 through 3 persons from \$144 to \$141 and increases standard deductions for families of 4, 5, and 6 or more persons from \$147 to \$153, \$172 to \$179, and \$197 to \$205, respectively. The maximum shelter cost deduction is also increased from \$446 per month to \$459 per month. (SNAP applicants are allowed to claim deductions from their income for certain regular expenses when calculating their eligibility for SNAP benefits.) The above changes will increase the maximum monthly SNAP benefit amounts for larger qualifying families and reduce the benefit amounts for households of 1 through 3 persons.

Questions/requests for copies/comments concerning the proposed rulemaking through 12/7/09: Tracie Drew, DHS, 100 S. Grand Ave. E., 3<sup>rd</sup> Fl., Springfield IL 62762, 217/785-9772.

# 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 November 17, 2009 meeting.

## DEPARTMENT OF TRANSPORTATION

"Airport Hazard Zoning" (92 Ill Adm Code 16) proposed 8/28/09 (33 Ill Reg 12100)

Repeal of "Greater Rockford Airport Hazard Zoning Regulations" (92 Ill Adm Code 47) proposed 8/28/09 (33 Ill Reg 12108)

Repeal of "Greenville Airport Zoning Regulations" (92 Ill Adm Code 48) proposed 8/28/09 (33 Ill Reg 12131)

Repeal of "Metropolis Municipal Airport Hazard Zoning Regulations" (92 Ill Adm Code 66) proposed 8/28/09 (33 Ill Reg 12145)

Repeal of "Pittsfield-Penstone Municipal Airport Hazard Zoning Regulations" (92 Ill Adm Code 74) proposed 8/28/09 (33 Ill Reg 12164)

Repeal of "Sparta Community Airport Hazard Zoning Regulations" (92 Ill Adm Code 82) proposed 8/28/09 (33 Ill Reg 12183)

Repeal of "Vermilion County Airport Hazard Zoning Regulations" (92 Ill Adm Code 90) proposed 8/28/09 (33 Ill Reg 12202)

# The Flinn Report

# Illinois Regulation

*Illinois General Assembly*

Joint Committee on Administrative Rules  
700 Stratton Building Springfield IL 62706

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