

*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.*

## Adopted Rules

### ■ UNEMPLOYMENT BENEFITS

The DEPARTMENT OF EMPLOYMENT SECURITY adopted amendments to Recovery of Benefits (56 IAC 2835; 45 Ill Reg 2563) effective 6/23/21, replacing emergency rules effective 2/8/21. The rulemaking implements provisions of the federal Continued Assistance Act (PL 116-260) that provide states with various options for extending Pandemic Emergency Unemployment Compensation (PEUC) beyond the 2020 benefit year and for waiving recovery of overpaid benefits. The rulemaking provides that DES will, upon request of an individual, waive its right to recover overpayments of PEUC, other forms of pandemic unemployment assistance, or the first week of any federally funded unemployment assistance, if it determines that the overpayment was not the fault of the recipient

### COVID-19 ACTIONS

Numerous Executive Orders and emergency rules have been issued in response to the COVID-19 pandemic. Executive Orders of the Governor concerning this pandemic 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

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and that recovery would be "contrary to equity and good conscience". The latter condition will be deemed to have been met if recovery would cause financial hardship to the recipient; if the recipient relinquished a valuable right, or changed positions for the

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## Proposed Rulemakings

### ■ DNR SITE ACTIVITIES

The DEPARTMENT OF NATURAL RESOURCES proposed amendments to the Part titled Public Use of State Parks and Other Properties of the Department of Natural Resources (17 IAC 110; 45 Ill Reg 8245) addressing use of State parks and other DNR properties for group events and other functions. Those affected by this rulemaking include small businesses and non-profit entities.

#### Group Permits

Any group of more than 20 (currently, 25) persons must obtain an activity permit before gathering or hosting an event on DNR-owned, -managed or -leased property. The permit fee is \$25 (in addition to any other fees that may be required). For groups that include persons under age 18, at

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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](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.

# Adopted Rules

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worse, based on those benefits or on a notice of those benefits; or if recovery could be unconscionable under the circumstances. If DES has previously recovered pandemic unemployment benefits from an individual who subsequently receives a waiver under the emergency rule, those benefits will be refunded. A request for waiver of recovery of any form of federal pandemic unemployment assistance will be treated as a waiver request applying to all forms of this assistance. However, the waiver request will not apply to recoveries of regular or non-pandemic related unemployment assistance. Since 1<sup>st</sup> Notice, DES has specified the types of unemployment assistance to which the overpayment waiver provisions apply. Persons receiving PEUC or other forms of pandemic or federally funded unemployment assistance are affected.

*Questions/requests for copies: Kevin Lovellette, DES, 33 S. State St., Room 930, Chicago IL 60603, 312/793-1224, [Kevin.Lovellette@illinois.gov](mailto:Kevin.Lovellette@illinois.gov)*

## TIME OUT & RESTRAINT

The STATE BOARD OF EDUCATION adopted amendments to Public Schools Evaluation, Recognition and Supervision (23 IAC 1; 45 Ill Reg 1777), effective 6/24/21, concerning the use of restraints in special needs situations when necessary for the safety of

students or staff. The rulemaking allows students to be restrained only in supine (face up) positions, and prohibits any use of prone (face down) restraint, in situations where either supine or prone restraint had previously been allowed. Limited exceptions to the ban on prone restraint are allowed for non-public special education facilities only through the 2021-22 school year (changed since 1<sup>st</sup> Notice from 2022-23). Also, the conditions that existing rule, through 6/30/21, had placed upon the use of any restraint (e.g., no known medical contraindications, used only in an emergency when less drastic interventions have failed) are made permanent and applied only to supine restraint. Those affected by this rulemaking include special needs students and staff.

## STUDENT PERSONAL DATA

SBE also adopted a new Part titled Student Online Personal Protection (23 IAC 380; 45 Ill Reg 1802), effective 6/24/21, implementing Public Act 101-516, the Student Online Personal Protection Act (SOPPA). The rulemaking establishes procedures through which parents may request copies of electronic data that schools have collected on or from their students in the course of school activities. Data that is subject to SOPPA and this Part includes, but is not limited to, information in the student's educational record or electronic mail; the student's home address, telephone number, electronic mail address, or other information that

allows physical or online contact; discipline records; grades, evaluations or test results; special education data; juvenile dependency records; criminal records; medical records; health records; the student's Social Security number; biometric information; and information regarding disabilities, socioeconomic status, food purchases, political affiliations, religious information, text messages, documents, student identifiers, search activity, photos, voice recordings, or geolocation information. Requests must be signed and dated. Since 1<sup>st</sup> Notice, SBE removed a requirement that parents verify their relationship to the student before the school may release data to the parent. Two requests per child (originally, one request) for data may be made by a parent per State fiscal quarter (7/1-9/30, 10/1-12/31, 1/1-3/31, 4/1-6/30) and schools must provide this information within 45 days of the request. No charge may be made for electronic copies of information; a charge of up to 15 cents per page after the first 50 pages (changed since 1<sup>st</sup> Notice from 35 cents per page) may be made for paper copies of information but parents may not be denied this information due to inability to pay.

*Questions/requests for copies of the 2 SBE rulemakings: Azita Kakvand, SBE, 100 N. First St., Springfield IL 62777-0001, 217/782-6510, [rules@isbe.net](mailto:rules@isbe.net)*

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# Proposed Rulemakings

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least one person age 18 or older must accompany the group and each adult can accompany no more than 15 minors. Groups may also be required to obtain liability insurance in an amount set by DNR, which must include dram shop insurance if alcohol will be served at the event. The group must also agree to hold DNR harmless against damage or injury caused by willful or negligent actions of the group or any persons in attendance at its event. Groups may be denied permits if the Site Superintendent determines that the event/gathering would be detrimental to public health, safety or natural resources at the site, or that the site's layout or physical infrastructure (e.g., parking, roadways, toilet facilities, other events taking place at or near the same time) cannot accommodate the event.

## Site Fees

Fees will be \$2 per person (currently \$1) for designated swimming beach areas and \$50 per day (currently \$25) for picnic shelter reservations plus a \$50 disposal fee if picnic participants fail to properly dispose of their trash. DNR may also charge facility usage fees for exclusive use of the World Shooting Recreation Complex or of any site space that is not available via an online reservation program. These fees will be set by DNR based on impact to the site, size of the event,

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## DOL Public Hearing

### ■ MINIMUM WAGE LAW

The DEPARTMENT OF LABOR will host an online public hearing on proposed amendments to the Part titled Minimum Wage Law (56 IAC 210; 45 Ill Reg 6894) **Wednesday, July 14, at 2 p.m.** The proposed amendments, published in the 6/11/21 *Illinois Register*, address situations in which one individual is jointly employed by two or more closely associated employers, thereby making all that individual's employers liable for any Minimum Wage Law violations involving that individual. The rulemaking also lists factors to be considered in determining whether a joint employment relationship exists among entities associated with a person's main employer. Participants may view and

participate in this hearing via Web Ex at <https://signin.webex.com/join>. The meeting number/access code is 177 598 5786 and the meeting password is 56IAC210. Participants may also join the hearing by phone at 1-312-535-8110 using the access code listed above. Oral testimony will be limited to 5 minutes per speaker and persons planning to testify are requested to submit written copies of their testimony to DOL at least 24 hours in advance of the hearing. Small businesses and non-profit entities with joint employment relationships may be affected by this rulemaking.

*Questions regarding this rulemaking or the public hearing:* Jason Keller, DOL, 900 S. Spring St., Springfield IL 62704, 217/782-1706, [jason.keller@illinois.gov](mailto:jason.keller@illinois.gov)

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## Emergency Rule

### HOSPITALS

The DEPARTMENT OF PUBLIC HEALTH adopted an emergency amendment to Hospital Licensing Requirements (77 IAC 250; 45 Ill Reg 8503), effective 6/20/21 for a maximum of 150 days, renewing some provisions of a previous emergency rule that expired on 6/19/21. This emergency rule allows licensed hospitals to increase bed capacity and/or re-allocate bed designations between clinical services (e.g., to/from an Intensive

Care Unit) if necessary to meet extraordinary needs due to the COVID-19 pandemic. Hospitals may increase or re-allocate beds, or take previously increased bed capacity out of circulation, without prior notification to DPH provided DPH is notified within 30 days after the action.

*Questions/requests for copies:* Tracey Trigillo, DPH, 524 S. 2nd St., 6th Fl., Springfield IL 62701, 2 1 7 / 7 8 2 - 1 1 5 9 , [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)

# Adopted Rules

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## ■ HUNTING

The DEPARTMENT OF NATURAL RESOURCES adopted amendments to Landowner Permits (17 IAC 528; 45 Ill Reg 3244), effective 6/23/21, clarifying certain eligibility criteria for landowner/tenant hunting permits. Bona fide current income beneficiaries of trusts that own 40 acres or more of land, and their immediate families, may apply for landowner or tenant permits (formerly, only owners of 40 acres or more of land or resident tenants renting/leasing 40 acres or more of commercial agricultural land, plus their immediate families, qualified for these permits). Shareholders, members or partners in a corporation, limited liability company or partnership that holds land in trust are not considered bona fide current income beneficiaries for this purpose. Limitations on the number of permits that may be granted per 40 acres are removed. The rulemaking also clarifies that a person may not hold both a landowner permit and a tenant permit and that persons who hold or have applied for landowner permits cannot apply for additional spring turkey hunting permits in the first lottery drawing. The application deadline for fall season turkey and deer landowner permits is moved to 9/1 (formerly 10/1). Applications for spring turkey season permits are due by 3/9 for the 2021 season and by 2/9 for each spring turkey season

thereafter. Owners or tenants of deer or turkey hunting lands are affected by this rulemaking.

## ■ PASSENGER BOATS

DNR also adopted amendments to Operation of Watercraft Carrying Passengers For Hire on Illinois Waters (17 IAC 2080; 45 Ill Reg 3256), effective 6/23/21, aligning the Part with U.S. Coast Guard regulations. The rulemaking allows required dockside and dry dock inspections of vessels that carry passengers for hire to be documented with current Coast Guard inspection reports (completed within the previous 12 months for dockside inspection or the previous 5 years for dry dock inspection) in lieu of a private marine inspection report. All qualified operators of passengers for hire vessels must be listed on the license issued by DNR and all applications for these licenses must include each operator's Coast Guard merchant mariner credentials. No one who is not listed on the vessel's license may operate a vessel carrying passengers. Rental boats must be registered with DNR and applications for rental boat licenses must include the boat's identification number (e.g., serial or hull identification number) and specify the type of watercraft (e.g., sailboat, motorboat, human powered). Any changes to the information contained on a passenger vessel's license or a rental boat license must be reported to DNR within 14 days. Those affected by this rulemaking

include owners and operators of passenger vessels and rental watercraft.

## DNR LICENSE REVOCATION

DNR adopted amendments to the Part titled Revocation Procedures for Conservation Offenses (17 IAC 2530; 45 Ill Reg 3276), effective 6/23/21, clarifying various aspects of these procedures. The definition of "single incident", for purposes of determining points toward revocation of a license or suspension of privileges, is amended to specify that it refers to a single act or event that includes multiple violations and does not include multiple acts or events. Any reasons or legal advice that resulted in a defendant being determined guilty in a court of law by trial, guilty plea or sentence of court supervision/conditional discharge, shall not be the subject of, or a defense against, DNR revocation or suspension actions. A request for an appeal hearing must be received by DNR within 34 days after the date of the notice of suspension or revocation. Suspension periods (18 months for Type I offenses, 36 months for Type II offenses) will be based on the date of the actual offense and not the date of disposition of the offense.

*Questions/requests for copies of the 3 DNR rulemakings: John Fischer, DNR, One Natural Resources Way, Springfield IL 62702, 217/782-1809.*

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# Proposed Rulemakings

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level of demand, time of day and year, need for DNR staff involvement, and fair market value for the region.

## Permits to Sell

Persons or entities that charge admission fees, sell items, or otherwise collect money or items as part of an event on DNR property, including events held on DNR managed/controlled property during the Illinois State Fair or DuQuoin State Fair, must complete a permit to sell application form. Revenue generated from these events is subject to a 10% fee (15% for events held during either State Fair) payable to DNR upon completion of the event. The activity permit application fee may be deducted from this amount and all funds received will be allocated to the site where collected.

## Friends Groups

Groups dedicated to enhancing, preserving and protecting DNR properties may be designated by DNR as Friends Groups (e.g., Friends of Wildlife Prairie State Park). These groups provide interpretive and educational activities, volunteer on a regular basis to promote, support, repair and develop DNR properties, and may also sponsor activities and outdoor recreation at the site. Friends Groups reinvest or return to the site all profits made from fundraisers, events, donations and sales (including souvenir/gift shop sales) and are exempt from activity

permit, facility usage and permit to sell fees. Prospective Friends Groups must submit to DNR a letter of intent, a copy of the organization's mission statement and by laws, and documentation of good standing as a non-profit corporation and of federal 501(c)(3) tax exempt status. Approval of a Friends Group will be based on the site's current needs, the organization's history and accomplishments, and the organization's size and abilities.

## Historical Encampments

Persons or entities participating in encampments (events reenacting life in Illinois during the 18<sup>th</sup> and early 19<sup>th</sup> centuries, e.g., Native American/French settlement period) must file a completed application or agreement for the event at least 30 days in advance. Required fees, if any, shall be submitted with the application or paid after the event in the required percentage from vendor sales. Persons engaging in primitive/historic camping must submit primitive camping permit applications. Food vendors must list all food items to be sold and their prices (any changes must be approved by DNR) and pay 10% of their gross sales (5% if the vendor is a non-profit, tax exempt organization) to DNR at the close of the last day of the encampment. Merchants, blanket traders and traditional craftsmen must submit their respective applications in advance with fees of \$200 for merchants and \$100 for blanket traders and craftsmen.

## Reduction/Waiver of Fees

DNR may reduce or waive facility usage fees, permit fees, or permit to sell fees if an event is hosted by a school or educational mission; if it is a conservation-oriented event that furthers DNR's mission; or based on the amount of DNR staff time required or the impact on the site.

## Cremated Remains

Scattering of cremated human remains on DNR property is allowed only under the terms and conditions of a permit, which must be requested at least 14 days in advance of the planned scattering. Cremated remains may not be scattered within nature preserves, land and water reserves, natural areas, State historic sites or memorials, or other properties designated by law. Scattering must take place out of sight of any public use areas and at least 200 feet from any body of water, watercourse or stream bed (wet or dry). Persons conducting the scattering must keep a copy of the permit in their possession at all times and must not leave behind any identifiable accumulation of ashes or any container, urn, cross or other memorial marker. Planting of memorial trees or placement of flowers is also prohibited.

## Other

The rulemaking also clarifies that service animals being utilized in accordance with the Americans With Disabilities Act are exempt from bans or restrictions on pets; clarifies restrictions applicable to

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# Adopted Rules

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## ■ PRESCRIPTION DRUGS

The DEPARTMENT OF HUMAN SERVICES adopted amendments to the Part titled Electronic Prescription Monitoring Program (77 IAC 2080; 44 Ill Reg 17587) effective 6/24/21, implementing Public Act 100-564, which requires all electronic health record (EHR) systems in Illinois to integrate with the Prescription Monitoring Program (PMP) via a secure, one-to-one connection. (The PMP records and monitors all prescriptions for controlled substances issued to persons other than hospital inpatients.) Information and procedures required for EHR systems to connect to the PMP are outlined. Prescribers and providers that fail to connect to the PMP by 1/1/22 will be subject to fines of \$50 for each day of noncompliance. Since 1<sup>st</sup> Notice, DHS has delayed the start date for noncompliance penalties and clarified the types of systems and procedures that may be used for this purpose. Pharmacies and medical practitioners with prescribing authority will be affected.

## ■ SNAP BENEFITS

DHS also adopted an amendment to Supplemental Nutrition Assistance Program (SNAP) (89 IAC 121; 45 Ill Reg 2585), effective 7/1/21, reversing a recent temporary expansion of student eligibility for SNAP because the federal government terminated this expansion effective 6/30/21.

*Questions/requests for copies of the 2 DHS rulemakings: Tracie Drew, DHS, 100 S. Grand Ave. East, 3<sup>rd</sup> Fl., Springfield IL 62762, 217/785-9772.*

## ■ MENTAL HEALTH FACILITIES

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES adopted an amendment to Specialized Health Care Delivery Systems (89 IAC 146; 45 Ill Reg 1096) effective 6/28/21, implementing a provision of PA 101-636. The rulemaking clarifies that the therapeutic visit reimbursement rate, effective 7/1/20, for facilities licensed or provisionally licensed under the Specialized Mental Health Rehabilitation Facilities Act of 2013 is 75% of the facility's current paid rate. (This rate is paid for periods of up to 20 days per year when a SMHRF resident may leave the facility for therapeutic reasons, including visits to family or to medical providers.) For the period 7/27/18 through 6/30/20, the therapeutic visit reimbursement rate is 75% of the rate in effect on 7/27/18. Specialized mental health rehabilitation facilities are affected by this rulemaking.

## ■ NURSING HOMES

HFS also adopted an amendment to Reimbursement of Nursing Costs for Geriatric Facilities (89 IAC 147; 45 Ill Reg 1103) effective 6/28/21, updating the formula for calculating the nursing component of per diem rates paid to nursing homes. For the period 1/1/20

through 6/30/20, the regional wage adjustor cannot be lower than 0.95; effective 7/1/20, the regional wage adjustor cannot be lower than 1.0. Nursing homes are affected.

## ■ HOSPITALS

HFS adopted an amendment to Hospital Reimbursement Changes (89 IAC 152; 45 Ill Reg 2571), effective 6/28/21, replacing an emergency amendment that was effective 2/19/21. The rulemaking provides that HFS' public health emergency payment rates for hospital services will remain in effect until HFS determines these rates or payments are no longer necessary to address a public health emergency. The Department's decision to continue or terminate these payments will be based on factors such as establishment, termination, or modification of applicable federal or State disaster declarations; Executive Orders of the Governor; or disaster-related flexibilities granted by federal agencies.

## ■ ID/DD FACILITIES

HFS also adopted an amendment to Long Term Care Reimbursement Changes (89 IAC 153; 45 Ill Reg 1112) effective 6/28/21, replacing an emergency amendment that expired on 6/4/21. The rulemaking implements provisions of PA 101-636 increasing reimbursement rates to facilities for the developmentally disabled (licensed under either the

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# Proposed Rulemakings

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motor vehicles, motor-driven cycles and low speed electric bicycles; forbids use of motorized watercraft on lakes of less than 40 (currently, 60) acres on DNR property; and forbids use of firewood obtained more than 50 miles from a DNR site unless the wood has been certified by the U.S. Department of Agriculture or by a regulatory agency of Illinois or another state.

*Questions/requests for copies/comments through 8/23/21: John Fischer, DNR, One Natural Resources Way, Springfield, IL 62702, 217/782-1809.*

## STUDENT ASSESSMENTS

The STATE BOARD OF EDUCATION proposed an amendment to Public Schools Evaluation, Recognition and Supervision (23 IAC 1; 45 Ill Reg 8187) that will, upon adoption, replace an emergency amendment effective 3/24/21. The rulemaking allows the State assessment that normally must be administered to students in grade 11 to be administered in grade 11 or grade 12 when the Governor has declared a disaster due to a public health emergency and the U.S. Department of Education has granted SBE a waiver from accountability assessments.

## ■ AG EDUCATION

SBE also proposed amendments to Agricultural Education Program (23 IAC 75; 45 Ill Reg 8202)

updating the Part to include middle school agricultural education activities, an increase in the percentage of expenditures allowed for consumable items from 10% to 25%, and the addition of Regional Offices of Education, Intermediate Service Centers, and nonprofit organizations as eligible grant applicants. Ag education programs will follow a “three circle” model consisting of classroom/laboratory instruction, supervised agricultural experience (SAE), and FFA participation to promote leadership, personal growth and career success. Middle school (grades 5-8) ag education programs must include at least one State-approved introductory ag education course, with an appropriately licensed teacher, in an ag education career pathway that connects to a secondary (high school) program. The introductory course must include a career exploration component with SAE. A middle school program shall also connect to either a stand-alone middle school or a secondary FFA chapter. High school programs must include at least one foundational course and one skill course, taught by an appropriately licensed teacher, with SAE instruction and for which at least 2 credits will be awarded. A high school program shall also be a State and nationally affiliated chapter of the National FFA Organization with student paid membership. The rulemaking also includes minimum and maximum hours/days to be allotted to various activities; qualifications for ag education program teachers; minimum standards/goals and

quality indicators for ag programs; application procedures and allowable costs for ag education program grants; general cleanup and updates to terminology. Those affected by this rulemaking include school districts, regional offices of education, and businesses or non-profit organizations providing supervised agricultural experience.

*Questions/requests for copies/comments on the 2 SBE rulemakings through 8/23/21: Azita Kakvand, SBE, 100 N. First St., Springfield IL 62777-0001, 217/782-6510, [rules@isbe.net](mailto:rules@isbe.net)*

## ■ COMMUNITY CARE

The DEPARTMENT ON AGING proposed amendments to Community Care Program (89 IAC 240; 45 Ill Reg 8172) implementing updated service cost maximums for in-home services effective 4/1/21 and for services that include adult day care effective 12/1/21. The cost maximums are based on the customer’s Determination of Need (DON) score ranging from 29 to 100. Providers of CCP in-home and adult day services are affected.

*Questions/requests for copies/comments through 8/23/21: James Shovlin, DonA, One Natural Resources Way, Suite 100, Springfield IL 62702-1271, 217/524-7945.*

# Adopted Rules

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ID/DD Community Care Act or the MC/DD Community Care Act) in order to provide wage increases to non-executive staff of 26 cents per hour effective 6/1/20; \$1 per hour effective 7/1/20 (of which at least 80 cents per hour must be earmarked for wage increases); and 50 cents per hour effective 1/1/21 (of which at least 40 cents/hr must be earmarked for wage increases). Priority must be given to wage increases for direct care staff. Since 1<sup>st</sup> Notice, HFS has added definitions of non-executive and direct care staff. Long term care facilities for the developmentally disabled are affected.

*Questions/requests for copies of the 4 HFS rulemakings: Steffanie Garrett, HFS, 201 S. Grand Avenue E., 3<sup>rd</sup> Floor, Springfield IL 62763-0002, [HFS.Rules@illinois.gov](mailto:HFS.Rules@illinois.gov)*

## STUDENT ASSISTANCE

The ILLINOIS STUDENT ASSISTANCE COMMISSION adopted amendments to the Parts titled General Provisions (23 IAC 2700; 45 Ill Reg 2620), Grant Program for Dependents of Correctional Officers (23 IAC 2731; 45 Ill Reg 2639), Grant Program for Dependents of Police or Fire Officers (23 IAC 2732; 45 Ill Reg 2645), Optometric Education Scholarship Program (23 IAC 2741; 45 Ill Reg 2651), Grant Program for Exonerates (23 IAC 2743; 45 Ill Reg 2658), John R. Justice Student Loan

Repayment Program (23 IAC 2754; 45 Ill Reg 2662), Minority Teachers of Illinois (MTI) Scholarship Program (23 IAC 2680; 45 Ill Reg 2680), Golden Apple Scholars of Illinois Program (23 IAC 2764; 45 Ill Reg 2689) and AIM HIGH Grant Program (23 IAC 2766; 45 Ill Reg 2694), and repealed the Part titled Robert C. Byrd Honors Scholarship Program (23 IAC 2755; 45 Ill Reg 2668), all effective 7/1/21. Amendments to Part 2700 add provisions for consortium agreements (between 2 or more ISAC-eligible institutions, in which one institution provides part of the educational program to students enrolled in a degree or certificate program at the other) to the Part's existing provisions for contractual agreements (between an eligible institution and a school or organization that is not ISAC-eligible, in which the non-eligible institution provides a portion of the educational program). The institution or organization providing instruction is the host institution and the institution in which the student is enrolled is the home institution; the latter is responsible for administering ISAC student aid to its enrollees. In accordance with federal law, the home institution must limit the percentage of its students who receive tuition assistance through a contractual agreement to 25% if the host and home institutions are owned or controlled by the same entity, or 50% if they do not share ownership/control. Amendments to Parts 2731, 2732, 2741, 2754, and 2763 remove gender-specific language. The Part 2754

rulemaking additionally clarifies one of the program eligibility criteria. Amendments to Parts 2763 and 2764 clarify that MTI and Golden Apple awards are paid directly to the institution and cover only those student expenses that exceed those covered by Monetary Award Program (MAP) grants if the eligible student also receives MAP funds. The Part 2743 amendment removes a provision disqualifying participants from receiving MAP grants in the same academic year that they receive exoneree program grants. Amendments to Part 2766 clarify the matching requirements for institutions that participate in the AIM HIGH program. Finally, Part 2755 has been repealed because the scholarship program has been abolished.

*Questions/requests for copies of the 10 ISAC rulemakings: Jackie Eckley, ISAC, 500 West Monroe, 3<sup>rd</sup> Floor, Springfield IL 62704, 217/782-5161, [jackie.eckley@illinois.gov](mailto:jackie.eckley@illinois.gov)*

## PUBLIC INFORMATION

The DEPARTMENT ON AGING adopted an amendment to Public Information, Rulemaking and Organization (2 IAC 725; 45 Ill Reg 8276), effective 6/24/21, updating the agency's organizational chart to include the Division of Advocacy and Prevention Services.

*Questions/requests for copies: James Shovlin, DonA, One Natural Resources Way, Suite 100, Springfield IL 62702-1271, 217/524-7945.*



## 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 listed in next week's *Illinois Register* and considered at the July 13, 2021 JCAR meeting. 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

Americans With Disabilities Act Grievance Procedure (4 IAC 2110; 45 Ill Reg 4769) proposed 4/16/21

Medical Assistance Programs (89 IAC 120; 45 Ill Reg 4043) proposed 3/26/21

Specialized Health Care Delivery Systems (89 IAC 146; 45 Ill Reg 4205) proposed 4/2/21

### IL GAMING BOARD

Video Gaming (General) (11 IAC 1800; 45 Ill Reg 4751) proposed 4/16/21

### IL STATE POLICE

Firearm Owners Identification Card Act (20 IAC 1230; 44 Ill Reg 14826) proposed 9/18/20

Firearm Concealed Carry Act Procedures (20 IAC 1231; 44 Ill Reg 14828) proposed 9/18/20

### STATE EMPLOYEES' RETIREMENT SYSTEM

The Administration and Operation of the State Employees' Retirement System of Illinois (80 IAC 1540; 45 Ill Reg 6166) proposed 5/14/21

## Joint Committee on Administrative Rules

**Senator Bill Cunningham, *co-chair***

**Representative Tom Demmer**

**Senator John F. Curran**

**Representative Michael Halpin**

**Senator Donald DeWitte**

**Representative Frances Ann Hurley**

**Senator Kimberly Lightford**

**Representative Steven Reick**

**Senator Tony Muñoz**

**Representative Curtis Tarver, II**

**Senator Sue Rezin**

**Representative Keith Wheeler, *co-chair***

**Kim Schultz  
Executive Director**