**Section 910.40 Supplier Diversity Report Requirements**

By April 1 of every year, everyrisk-bearing entity *authorized to do business in this State or accredited by this State with* total net admitted *assets of at least $50,000,000* for the current year as reflected on the Assets page of the annual statement filed with the Director for the year ending December 31st immediately preceding must *submit a* two*-page report on its voluntary supplier diversity program, or the* risk-bearing entity's *procurement program if there is no supplier diversity program, to the Department.* (Section 155.49(a) of the Code) The submission must adhere to the following requirements:

a) The report must be submitted on the template provided on the Department's website at https://idoi.illinois.gov/companies/industry-supplier-diversity and must contain the following information:

1) The filing year in which the report is submitted;

2) The official name, NAIC code, and NAIC group code of the risk-bearing entity and, if submitted as a reporting group under subsection (b)(1), the reporting group and every affiliated risk-bearing entity that is subject to Section 910.20 and covered by the same supplier diversity program or other procurement program. For risk-bearing entities, the official name is the full legal name on the certificate of authority or other registration with the Department. For reporting groups, the official name is the group name on file with the NAIC;

3) An answer whether the risk-bearing entity or reporting group currently has a supplier diversity program, and if not, whether they intend to create one within the next 12 months.

A) If there is a supplier diversity program, the report must provide a brief overview of the program, a link to any website that currently exists for the program, and a disclosure and explanation of whether the program applies to Tier 2 suppliers.

B) If there is an intent to create a supplier diversity program within the next 12 months, the report must provide a timeline for its expected beginning and a summary of any other details currently available, such as a program director or program plan.

C) If there is no supplier diversity program and no intent to create one within the next 12 months, the report must explain why.

4) *The name, address, phone number, and email address of the point of contact for the supplier diversity program* or procurement program *for vendors to register with the program*. (Section 155.49(a)(1) of the Code) If the program has a contract, agreement, or other express arrangement with a third party to register suppliers on the risk-bearing entity or reporting group's behalf, the point of contact must be from the third party;

5) Government and private *local and State certifications the* risk-bearing entity or reporting group *accepts or recognizes for minority-owned, women-owned, LGBT-owned, or veteran-owned business status.* (Section 155.49(a)(2) of the Code) If a local or State certification does not exist for one of those types of inclusion suppliers but the risk-bearing entity or reporting group accepts other certifications for them, such as national or international certifications, the report must identify those certifications. The report also may, but is not required to, identify local, State, and national certifications the risk-bearing entity or reporting group accepts for status of business owned by persons with a disability or by any other historically underrepresented population defined by the supplier diversity program. If the risk-bearing entity or reporting group runs its own program to recognize or certify suppliers that meet the definition of one or more inclusion supplier statuses defined in Section 910.30, the report must identify the statuses of inclusion supplier and summarize or provide a weblink to a list of the documentation required from suppliers for eligibility verification;

6) *The voluntary goals* on inclusion suppliers *for the calendar year* in *which the report is made in each category for the entire* procurement *budget of the* risk-bearing entity or reporting group *and the commodity codes or a description of particular goods and services for the area of procurement in which the* risk-bearing entity or reporting group *expects most of those goals to focus on in that year.* (Section 155.49(a)(4) of the Code) Goals related to overall spend or contract spend on inclusion suppliers must be expressed in flat-dollar amounts or as percentages of the total spend for the procurement category. If the risk-bearing entity or reporting group has goals related to the number inclusion suppliers or a percentage of inclusion suppliers versus total suppliers, the report must specify whether the goal is in terms of unique paid suppliers;

7) *On the second page, a narrative explaining the results of the program and the tactics to be employed to achieve the goals of its voluntary supplier diversity program.* (Section 155.49(a)(3) of the Code)

A) The results must include the following for the preceding calendar year with respect to suppliers in Illinois and nationally:

i) for each procurement category:

* the total amount of procurement spend;
* if the risk-bearing entity or reporting group has a supplier diversity program, the total amount of spend with inclusion suppliers;
* the total dollars in contracts signed; and
* the total number of unique paid suppliers;

ii) for each type of certification, if any, accepted or recognized by the risk-bearing entity or reporting group:

* the total spend on inclusion suppliers;
* the total dollars in contracts signed with inclusion suppliers; and
* the total number of unique paid inclusion suppliers;

iii) if the risk-bearing entity or reporting group has a supplier diversity program, the percentage of total procurement spend overall that is composed of total spend on inclusion suppliers overall.

B) The description of the current tactics in Illinois and nationally must include, but need not be limited to, whether the risk-bearing entity or reporting group conducts outreach specifically to inclusion suppliers, and if so, what outreach and communication strategies and practices are conducted with inclusion suppliers and internally among the risk-bearing entity or reporting group's employees. The report must identify the specific outreach and communications practices that the risk-bearing entity or reporting group uses, including:

i) direct outreach to specific suppliers;

ii) types of events that the risk-bearing entity or reporting group hosts;

iii) forms of media that are used to conduct outreach and communications;

iv) membership in organizations that facilitate or help guide the outreach and communications; and

v) any other programs used to implement a supplier diversity program, such as mentorship, technical assistance or training for inclusion suppliers, a supplier diversity website, or third-party assistance with locating inclusion suppliers.

C) Nothing in this subsection (a)(7) requires a risk-bearing entity or reporting group to meet any specific goals or use any specific tactics; and

8) If deemed appropriate by the risk-bearing entity or reporting group, any other information that would help contextualize, qualify, expand upon, or explain variability or uncertainty in fields of the report, or any other information about its voluntary supplier diversity program outside the scope of the prescribed questions that the risk-bearing entity or reporting group wants to voluntarily express. For example, the risk-bearing entity or reporting group may use this field to identify other fields where the reported information could be incomplete, imprecise, estimated, or rudimentary due to specified factors outside the risk-bearing entity or reporting group's control.

b) Group filings

1) Subject to subsection (b)(2), if a risk-bearing entity authorized to transact business or accredited by this State participates in the same supplier diversity program or the same procurement program as one or more affiliates, the reporting group may submit a single, combined report on behalf of the risk-bearing entity and those affiliates.

2) If two or more affiliated risk-bearing entities authorized to transact business or accredited by this State either do not participate in the same supplier diversity program or do not participate in the same procurement program, a separate report must be filed for each supplier diversity program or procurement program in which any of those affiliated risk-bearing entities participates.

c) The report must be submitted as a searchable Portable Document Format (PDF) file via SERFF.

d) Pursuant to Section 155.49(b) of the Code, the entire report will be published on the Department's public website for five years. The Department will reject a report as noncompliant if the risk-bearing entity or reporting group furnishes the report with a claim that any of the information provided is confidential, proprietary, or privileged.