**Section 310.20 General Provisions**

a) Definitions of Terms - As used in this Part, unless the context requires otherwise:

"Act" means the Guardianship and Advocacy Act [20 ILCS 3955].

"Chairperson" means the Chairperson of a Regional Human Rights Authority.

*"Commission"* means the Guardianship and Advocacy Commission.

"Complainant" means any person or entity who files a complaint with an authority or member of an authority.

"Complaint" means any allegation that the rights of an eligible person have been or may have been violated which is initiated by or communicated to a regional authority or member of an authority.

"Director" means the Director of the Guardianship and Advocacy Commission.

*"Eligible Person"* means an individual who has received, is receiving, has requested, or may be in need of mental health services, or is "developmentally disabled" as defined in the federal "Developmental Disabilities Services and Facilities Construction Act" (42 USC 6001(7)), as now or hereafter amended, or any "person with one or more disabilities" as defined in the Disabled Persons Rehabilitation Act [20 ILCS 2405].

*"Frivolous"* means a factual allegation which, if true, has no legal consequence nor implies any violation of a right established by law.

"Guardian" means a court appointed guardian or conservator.

"HRA Committee" means the Commissioners appointed by the Chairperson of the Guardianship and Advocacy Commission to oversee the Human Rights Authority program and to propose HRA policy to the Commission.

"Identifiable Data" means any record, document, paper, material, description or other information that discloses the identity of an eligible person or his family.

"Person" means an individual, corporation, partnership, association, unincorporated organization, or a government or any subdivision, agency, or instrumentality of that government;

"Program Director" means the person designated by the Director to coordinate the activities of all regional authorities.

"Regional Authority" means a regional Human Rights Authority.

"Regional Coordinator" means the person designated by the Program Director to assist a specific regional authority in its activities.

*"Rights"* includes but is not limited to all rights, benefits, and privileges guaranteed by law, the constitution of the State of Illinois, and the constitution of the United States.

*"Service Provider"* means any public or private facility, center, hospital, clinic, program or any other person devoted in whole or in part to providing services to eligible persons.

"Services" includes examination, diagnosis, evaluation, treatment, care, training, psychotherapy, pharmaceuticals, after-care, habilitation, rehabilitation, and related activities provided for an eligible person.

b) Computation of Time

In computing any period of time prescribed in this Part, the date of the event from which such period begins to run shall not be included. If the last day of the period so computed shall fall on a Saturday, Sunday or State holiday, the time period shall continue to run until the next day that is not a Saturday, Sunday or State holiday.

c) Severability

In the event any provision of this Part is determined by a court or other body of competent jurisdiction to be invalid, that determination shall not affect the remaining provisions that continue in full force and effect.

d) Rules Exclusive

All procedures or activities employed by a regional authority in exercising its statutorily defined powers and duties shall be governed by this Part. No regional authority shall adopt policy unless approved by the Commission. The Commission shall disapprove, pursuant to Section 5(c) of the Act, any action taken by a regional authority contrary to the provisions of this Part.

e) Petition by a Regional Authority for Rule Change

A regional authority may request that the Commission promulgate, amend or repeal a rule in this Part by submitting a written petition to the Program Director setting forth the particular rulemaking action desired and the reasons in support of that action. The Program Director shall forward, within 10 days, the petition, together with any observation or comments, to the Director and the HRA Committee that shall, upon consideration, forward its recommendation on the petition to the Commission. Should the HRA Committee decide to propose to amend or adopt a rule, it shall forward its recommendation to the Chairperson of each regional authority at the same time it is sent to the Commission.

(Source: Amended at 24 Ill. Reg. 13029, effective August 21, 2000)