

# Forgotten Books

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V. 13  
no. 40  
Illinois register  
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# REGISTER

## Rules of Governmental Agencies

**JIM EDGAR**  
Secretary of State

### TABLE OF CONTENTS

PROPOSED RULES	PAGE
<b>CONSERVATION, DEPARTMENT OF</b>	
Duck, Goose and Coot Hunting; 17 Ill. Adm. Code 590 .....	15509
Taking of Wild Turkeys - Spring Season, The; 17 Ill. Adm. Code 710 .....	15534
<b>EMPLOYMENT SECURITY, DEPARTMENT OF</b>	
Determination of Unemployment Contributions; 56 Ill. Adm. Code 2770 .....	15543
<b>POLLUTION CONTROL BOARD</b>	
Organic Material Emission Standards & Limitations; 35 Ill. Adm. Code 215 ....	15551
<b>PUBLIC AID, DEPARTMENT OF</b>	
Medical Assistance Programs; 89 Ill. Adm. Code 120 .....	15582
Medical Payment; 89 Ill. Adm. Code 140 .....	15612
<b>SECRETARY OF STATE</b>	
Cancellation, Revocation or Suspension of Licenses or Permits; 92 Ill. Adm. Code 1040 .....	15635
Use of the Capitol Complex Facilities, The; 71 Ill. Adm. Code 2005 .....	15640
<b>ADOPTED RULES</b>	
<b>POLLUTION CONTROL BOARD</b>	
Water Use Designations & Site-Specific Water Quality Standards; 35 Ill. Adm. Code 303 .....	15649
<b>PROFESSIONAL REGULATION, DEPARTMENT OF</b>	
Nursing Home Administrators Licensing & Disciplinary Act, The; 68 Ill. Adm. Code 1310 .....	15653
<b>PUBLIC AID, DEPARTMENT OF</b>	
Drug Manual; 89 Ill. Adm. Code 141 .....	15672
<b>PUBLIC HEALTH, DEPARTMENT OF</b>	
Emergency Medical Services Code; 77 Ill. Adm. Code 535 .....	15716
<b>REHABILITATION SERVICES, DEPARTMENT OF</b>	
Access to Public Records; 2 Ill. Adm. Code 1176 .....	15763
Administrative Reviews & Hearings; 89 Ill. Adm. Code 510, Repeal of .....	15767
Appeals & Hearings; 89 Ill. Adm. Code 510 .....	15769
Total Life Planning Program; 89 Ill. Adm. Code 895 .....	15793
<b>SECRETARY OF STATE</b>	
Procedures & Standards; 92 Ill. Adm. Code 1001 .....	15803

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201 West Monroe  
Springfield, IL 62756

(217) 782-9786

(continued on next page)

**EMERGENCY RULES**

**REHABILITATION SERVICES, DEPARTMENT OF**  
Vending Stand Program for the Blind; 89 Ill. Adm. Code 650 ..... 15849

**PEREMPTORY RULES**

**AGRICULTURE, DEPARTMENT OF**  
Meat & Poultry Inspection Act; 8 Ill. Adm. Code 125 ..... 15853

**PUBLIC AID, DEPARTMENT OF**  
Food Stamps; 89 Ill. Adm. Code 121 ..... 15859

**AGENCY NOTICES OF MODIFICATION, WITHDRAWAL OR REFUSAL TO PROPOSED RULES**

**PROFESSIONAL REGULATION, DEPARTMENT OF**  
Nursing Home Administrators Licensing & Disciplinary Act, The; 68 Ill. Adm. Code 1310, Refusal ..... 15874

**REHABILITATION SERVICES, DEPARTMENT OF**  
Appeals & Hearings; 89 Ill. Adm. Code 510, Modification ..... 15876

**JOINT COMMITTEE ON ADMINISTRATIVE RULES - STATEMENT OF OBJECTIONS, SUSPENSIONS, RECOMMENDATIONS, PROHIBITED FILINGS & APPROVALS**

**CIVIL SERVICE SYSTEM, STATE UNIVERSITIES**  
State Universities Civil Service System; 80 Ill. Adm. Code 250, Objection ..... 15879

**NUCLEAR SAFETY, DEPARTMENT OF**  
Dept. of Nuclear Safety Science Scholarship Program; 32 Ill. Adm. Code 700, Objection ..... 15883  
Dept. of Nuclear Safety Science Scholarship Program; 32 Ill. Adm. Code 700, Recommendation ..... 15886

**PUBLIC HEALTH, DEPARTMENT OF**  
College Immunization Code; 77 Ill. Adm. Code 694, Objection ..... 15888  
College Immunization Code; 77 Ill. Adm. Code 694, Recommendation ..... 15892

**JOINT COMMITTEE ON ADMINISTRATIVE RULES - REVIEW OF EXISTING RULES - STATEMENT OF OBJECTIONS & RECOMMENDATIONS**

**PUBLIC AID, DEPARTMENT OF**  
Medical Assistance Programs; 89 Ill. Adm. Code 120, Objection (Emergency) ..... 15895  
Medical Assistance Programs; 89 Ill. Adm. Code 120, Objection (Emergency) ..... 15897  
Reimbursement for Nursing Costs for Geriatric Facilities; 89 Ill. Adm. Code 147, Objection (Emergency) ..... 15899

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Second Notices Received ..... 15901

**EXECUTIVE ORDERS AND PROCLAMATIONS**

**PROCLAMATIONS**

89-427 American Indian History Month ..... 15903  
89-428 Family Week ..... 15903  
89-429 Health Care Materials Management Week ..... 15903  
89-430 International Year Of Bible Reading ..... 15904  
89-431 Spinal Health Care Month ..... 15904  
89-432 St. Louis Community Leadership Awards Day ..... 15905

89-433 Brown's Business College Day .....	15905
89-434 Certified Public Accountant Week .....	15906
89-435 Chiropractic Health Care Month .....	15906
89-436 Grandparents Day .....	15907
89-437 Mental Illness Awareness Week .....	15907
89-438 Arlington Reads Month .....	15908
89-439 Learning Disabilities Month .....	15908

**CUMULATIVE INDEX**

1989 Index - Issue #1 thru Issue #40 .....	CI-1
--	------

**SECTIONS AFFECTED INDEX**

1989 Index - Issue #1 thru Issue #39 .....	SAI-1
1989 Index - Issue #40 .....	SAI-61

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## INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The Register also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the Register contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume and a Sections Affected Index listing, by Title of the Illinois Administrative Code, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The Register will serve as the update to the Illinois Administrative Code, a compilation of the rules of State agencies. The most recent edition of the Code along with the Register comprise the most current accounting of the State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

## REGISTER PUBLICATION SCHEDULE 1989

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Dec. 27, 1988	Jan. 3, 1989	2	Jan. 13, 1989	July 3, 1989 (Mon.)	July 11, 1989	29	July 21, 1989
Jan. 3, 1989	Jan. 10, 1989	3	Jan. 20, 1989	July 11, 1989	July 18, 1989	30	July 28, 1989
Jan. 10, 1989	Jan. 17, 1989	4	Jan. 27, 1989	July 18, 1989	July 25, 1989	31	Aug. 4, 1989
Jan. 17, 1989	Jan. 24, 1989	5	Feb. 3, 1989	July 25, 1989	Aug. 1, 1989	32	Aug. 11, 1989
Jan. 24, 1989	Jan. 31, 1989	6	Feb. 10, 1989	Aug. 1, 1989	Aug. 8, 1989	33	Aug. 18, 1989
Jan. 31, 1989	Feb. 7, 1989	7	Feb. 17, 1989	Aug. 8, 1989	Aug. 15, 1989	34	Aug. 25, 1989
Feb. 7, 1989	Feb. 14, 1989	8	Feb. 24, 1989	Aug. 15, 1989	Aug. 22, 1989	35	Sept. 1, 1989
Feb. 14, 1989	Feb. 21, 1989	9	Mar. 3, 1989	Aug. 22, 1989	Aug. 29, 1989	36	Sept. 8, 1989
Feb. 21, 1989	Feb. 28, 1989	10	Mar. 10, 1989	Aug. 29, 1989	Sept. 5, 1989	37	Sept. 15, 1989
Feb. 28, 1989	Mar. 7, 1989	11	Mar. 17, 1989	Sept. 5, 1989	Sept. 12, 1989	38	Sept. 22, 1989
Mar. 7, 1989	Mar. 14, 1989	12	Mar. 24, 1989	Sept. 12, 1989	Sept. 19, 1989	39	Sept. 29, 1989
Mar. 14, 1989	Mar. 21, 1989	13	Mar. 31, 1989	Sept. 19, 1989	Sept. 26, 1989	40	Oct. 6, 1989
Mar. 21, 1989	Mar. 28, 1989	14	Apr. 7, 1989	Sept. 26, 1989	Oct. 3, 1989	41	Oct. 13, 1989
Mar. 28, 1989	Apr. 4, 1989	15	Apr. 14, 1989	Oct. 3, 1989	Oct. 10, 1989	42	Oct. 20, 1989
Apr. 4, 1989	Apr. 11, 1989	16	Apr. 21, 1989	Oct. 10, 1989	Oct. 17, 1989	43	Oct. 27, 1989
Apr. 11, 1989	Apr. 18, 1989	17	Apr. 28, 1989	Oct. 17, 1989	Oct. 24, 1989	44	Nov. 3, 1989
Apr. 18, 1989	Apr. 25, 1989	18	May 5, 1989	Oct. 24, 1989	Oct. 31, 1989	45	Nov. 13, 1989 (Mon.)
Apr. 25, 1989	May 2, 1989	19	May 12, 1989	Oct. 31, 1989	Nov. 7, 1989	46	Nov. 17, 1989
May 2, 1989	May 9, 1989	20	May 19, 1989	Nov. 7, 1989	Nov. 14, 1989	47	Nov. 27, 1989 (Mon.)
May 9, 1989	May 16, 1989	21	May 26, 1989	Nov. 14, 1989	Nov. 21, 1989	48	Dec. 1, 1989
May 16, 1989	May 23, 1989	22	June 2, 1989	Nov. 21, 1989	Nov. 28, 1989	49	Dec. 8, 1989
May 23, 1989	May 30, 1989	23	June 9, 1989	Nov. 28, 1989	Dec. 5, 1989	50	Dec. 15, 1989
May 30, 1989	June 6, 1989	24	June 16, 1989	Dec. 5, 1989	Dec. 12, 1989	51	Dec. 22, 1989
June 6, 1989	June 13, 1989	25	June 23, 1989	Dec. 12, 1989	Dec. 19, 1989	52	Dec. 29, 1989
June 13, 1989	June 20, 1989	26	June 30, 1989	Dec. 19, 1989	Dec. 26, 1989	1	Jan. 5, 1990
June 20, 1989	June 27, 1989	27	July 7, 1989	Dec. 26, 1989	Jan. 2, 1990	2	Jan. 12, 1990

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

NOTICE OF PROPOSED AMENDMENTS

1) HEADING OF THE PART: Duck, Goose and Coot Hunting

2) CODE CITATION: 17 Ill. Adm. Code 590

3) SECTION NUMBERS: PROPOSED ACTION:

590.20  
Amendments

590.60  
Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 29, 1987).

5) A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED: These changes are being proposed because previously (and through December 31, 1989), the daily limit on Canada Geese was 2 per day. During the month of January, 1990, in the Southern Illinois Quota Zone, the U.S. Fish and Wildlife Service will allow hunters to harvest 3 Canada Geese per day. Since we allowed 10 shells with a 2 goose limit, we wish to allow 15 shells during the 3 goose limit.

6) WILL THIS PROPOSED RULE REPLACE AN EMERGENCY RULE CURRENTLY IN EFFECT? No

7) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

8) DOES THIS PROPOSED RULE CONTAIN INCORPORATIONS BY REFERENCE? No

9) ARE THERE ANY OTHER PROPOSED AMENDMENTS PENDING ON THIS PART? Yes

Section Numbers Proposed Action Illinois Register Citation  
590.60 Amendments 13 Ill. Reg. 12171, July 28, 1989

10) STATEMENT OF STATEWIDE POLICY OBJECTIVES: This rule has no impact on local governments.

11) TIME, PLACE, AND MANNER IN WHICH INTERESTED PERSONS MAY COMMENT ON THIS PROPOSED RULEMAKING: Comments on the proposed rule may be submitted in writing for a period of 30 days following publication of this notice to:

Jack Price  
Lincoln Tower Plaza  
524 S. Second Street  
Springfield, Illinois 62701-1787

NOTICE OF PROPOSED AMENDMENTS

12) INITIAL REGULATORY FLEXIBILITY ANALYSIS: This rule has no impact on small businesses or municipalities.

THE FULL TEXT OF THE PROPOSED AMENDMENTS BEGINS ON THE NEXT PAGE:

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION  
 CHAPTER I: DEPARTMENT OF CONSERVATION  
 SUBCHAPTER b: FISH AND WILDLIFE

PART 590  
 DUCK, GOOSE AND COOT HUNTING

## Section

- 590.10 Statewide Regulations  
 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting  
 590.25 Illinois Youth Goose Hunting Permit Requirements  
 590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites.  
 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting  
 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting  
 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting  
 EXHIBIT A The Non-Toxic Shot Zones of Illinois

**AUTHORITY:** Implementing and authorized by Sections 1.3, 1.4, 1.13 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 29, 1987).

**SOURCE:** Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendments at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendments at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendments at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendments at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendments at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendments at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective September 7, 1989; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting**

- a) Sites covered in this Section, which allow hunting by permit only, are:

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Horseshoe Lake Conservation Area (Alexander County)

Rice Lake Conservation Area

Union County Conservation Area

b) Permit Requirements

- 1) Permit reservations will be accepted starting in September. Initial acceptance dates will be publicly announced.
- 2) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, par. 3.8).
- 3) The permit will be for the use of the entire blind and it will be the responsibility of the permit holder to bring one hunting partner for Horseshoe Lake (Alexander County) and Union County (two hunters per blind) or two hunting partners for Rice Lake (three hunters per blind). Unfilled blinds will be filled by a drawing at the sites.
- 4)
  - A) All duplicate permit reservations will be rejected and the hunter will forfeit his rights to a permit. Permits are not transferrable.
  - B) Permits cannot be transferred on the hunting area. For other information write to:
 

Illinois Department of Conservation  
 Permit Office - Waterfowl  
 524 S. Second Lincoln Tower Plaza, Room 210  
 P.O. Box 19227  
 Springfield, IL 62794-9227
- 5) Permits for waterfowl hunting will be issued from the Springfield Permit Office for Horseshoe Lake (Alexander County), Union County and Rice Lake.

- c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County), Union County and Rice Lake areas

NOTICE OF PROPOSED AMENDMENTS

1) Subsection (c) of this Section shall be in accordance with Federal Regulations (50 CFR 20, effective September 29, 1987) unless the regulations in this Section are more restrictive.

2) Season dates, bag limits and methods of taking geese are set by the U. S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.

3) Hours, Permits and Stamp Charges

A) Hunting hours are from legal opening time until 12:00 Noon at Rice Lake. Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise until 12:00 Noon and will be closed on Mondays.

B) Hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing will be held to allocate blind sites. At Horseshoe Lake (Alexander County) and Union County, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), will have priority to be reassigned to the better blinds as they become available.

C) A \$15.00 Daily Usage Stamp must be purchased at Horseshoe Lake (Alexander County) and Union County. A \$6.00 Daily Usage Stamp must be purchased at Rice Lake.

4) When daily quotas are not filled, permits will be issued to standby hunters by a drawing held at the check station.

5) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

6) Hunting will be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

7) Baiting with corn, grains or other feed is not allowed.

8) Guns must be unloaded and encased at all times when not hunting.

9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.

NOTICE OF PROPOSED AMENDMENTS

d)

Special Canada geese hunting regulations for Horseshoe Lake (Alexander County) and Union County.

1) The legal hunting season is the dates of the Quota Zone goose hunting season except that the areas will be closed December 24, 25 and 26.

2) Hunters may not possess more than 10 shells nor shot larger than size T steel until January 1. During the January goose season, hunters may possess up to 15 shells with shot not larger than size T steel. It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.

3) Hunters cannot leave their blinds and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.

4) Hunters must be at least 16 years of age (except for the Illinois Youth Goose Hunt) to draw for a pit or blind on the Union County or Horseshoe Lake (Alexander County) areas.

e) Special duck regulations for Rice Lake.

1) The legal hunting season is the dates of the central zone duck hunting season.

2) It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.

3) All hunting parties (each blind) are required to use a minimum of 12 duck decoys.

4) Hunters can bring a private boat or can rent a boat at the area. The maximum motor size limit for private boats is unrestricted and for rental boats is 10 h.p. while hunting. Boats will be provided with blinds on Big Lake and no motors will be allowed.

5) Hunters must be at least 16 years of age to draw for a blind at the Rice Lake area.

6) Rice Lake will be closed to hunting when the lake is frozen over.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

a)

Sites covered in this Section conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.30), except as noted in the remainder of this Section. These sites are:



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Carlyle Lake Wildlife Management Area  
 Clinton Lake State Recreation Area  
 Crab Orchard Refuge  
 Donnelley State Wildlife Area  
 Fox Ridge State Park  
 Ft. de Chartres Historic Site  
 Heidecke State Fish and Wildlife Area and Powerton Lake  
 Horseshoe Lake Conservation Area (Alexander County) Public Hunting Area (other than permit area)  
 Horseshoe Lake State Recreation Area (Madison County)  
 Kaskaskia River Fish and Wildlife Area  
 Kidd Lake State Natural Area (no permanent blinds allowed)  
 Kinkaid Lake Fish and Wildlife Area  
 Lake Shelbyville  
 Lake Shelbyville Fish and Wildlife Management Area  
 LaSalle Fish and Wildlife Area  
 Little Black Slough State Natural Area  
 Lower Cache River State Natural Area  
 Mermet Lake Conservation Area  
 Mississippi River Area Fish and Wildlife Area  
 Pike County Conservation Area  
 Powerton Lake (Regulations combined with Heidecke Lake)  
 Rend Lake Wildlife Management Area  
 Rice Lake Conservation Area

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Saline County Conservation Area  
 Sanganois Conservation Area  
 Sangchris Lake State Park  
 Shawnee National Forest, Bluff Lake  
 Shawnee National Forest, LaRue Scatters  
 Shawnee National Forest, Oakwood Bottoms (West of the Big Muddy Levee)  
 Stephen A. Forbes State Park  
 Turkey Bluffs Fish and Wildlife Area (All hunters must sign in and out and report kill; no permanent blinds allowed)  
 Union County (firing line Waterfowl Management Area)

## b) Site specific regulations

- 1) Waterfowl Hunting Regulations for Carlyle Lake Lands and Waters
  - A) Shooting hours for waterfowl are statewide opening hour until 1:00 p.m.
  - B) Waterfowl and coot hunting will be permitted except in clearly posted refuge areas OR developed recreation areas, or within 500 feet of construction sites or developed recreation areas.
  - C) No permanent blinds, goose pits, or other structural works may be constructed or dug on State managed lands at any time, except that the U.S. Army Corps of Engineers may build permanent blinds for disabled or handicapped hunters. All other blinds must be portable in nature or constructed of natural vegetation located at the blind site, and must be removed at the end of the day's hunt.
  - D) It is unlawful to enter the subimpoundment area 3 days prior to the opening of waterfowl hunting season. No one may enter the subimpoundment area before 3:00 a.m. each day of the duck hunting season, and no one may remain in the area after 3:00 p.m. each day of the duck hunting season. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4.

DEPARTMENT OF CONSERVATION  
NOTICE OF PROPOSED AMENDMENTS

N) East Side Management Area from Cox Bridge to the north and east boundary of the State managed land is open to hunting of other species (that are in season) during the waterfowl hunting season. Subimpoundment area waterfowl regulations apply in this area for waterfowl hunting. Statewide and site specific regulations apply for other species.

2) Clinton Lake

A) Hunters must obtain free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for following season will be forfeited.

B) Hunting is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge, and within 200 yards of developed recreation areas, construction and industrial sites, or within 300 yards of electrical power lines.

C) Hunting parties must maintain a minimum distance of 200 yards apart.

D) No more than 3 persons shall occupy or use a portable boat blind.

E) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of each hunting day.

F) Each hunting party is required to hunt over a minimum of 12 decoys.

3) Donnelley State Wildlife Area

A) Hunting is prohibited on Tuesdays and Wednesdays.

B) Hunting hours are from sunrise to 12 Noon.

C) Goose hunting is prohibited after the close of the duck season.

D) All hunting will be from designated blinds only. Refilling or changing blinds is not permitted.

E) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.

DEPARTMENT OF CONSERVATION  
NOTICE OF PROPOSED AMENDMENTS

E) No one may enter or remain on the waters of Carlyle Lake from 12:00 a.m. (midnight) to 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunter may remain in the area after 3:00 p.m. each day of the waterfowl hunting season.

F) It shall be unlawful to be in possession of firearms on the waters of Carlyle Lake after 3:00 p.m. each day during the waterfowl hunting season and 24 hours prior to the opening day of waterfowl hunting season.

G) Only walk-in hunting will be permitted in the subimpoundment areas. No flotation devices capable of floating a man are allowed. When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department of Conservation personnel will post that the area is open to boats. Boats are allowed only at these times in the subimpoundment areas.

H) Only waterfowl and coot hunting are allowed in the subimpoundment area during the duck hunting season. On the day following the close of duck season to the close of goose season, the following areas in the Carlyle subimpoundment will be refuge. All of compartments 3 and 4 and that portion of compartment 2 that lies 200 yards south of levee B where the levee runs east and west, and 200 yards west where the levee turns and runs north and south.

I) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season.

J) A minimum of 200 yards shall be maintained between waterfowl hunting parties. (A hunting party shall be defined as an individual, or group of hunters occupying a single boat, blind, or hunting site).

K) No person shall tamper or attempt to manipulate any of the gates, pumps, or structures in the subimpoundment area.

L) No motor driven vehicles are allowed in the subimpoundment area except those operated by Department of Conservation or Corps of Engineers personnel.

M) The lands and waters lying south of a line from the south side of the mouth of Coles Creek on the east side of Carlyle Lake to the south side of the mouth of Allen Branch on the west side of Carlyle Lake is a designated waterfowl refuge and is closed to hunting.

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

- F) \$5 daily usage stamp must be purchased to hunt this area.
  - G) No outboard motors are allowed by public - only by authorized DOC personnel.
  - H) No more than 3 persons shall occupy a blind at any one time.
  - I) All parties are required to report to check station within 1 hour after termination of hunt or no later than 1 p.m.
  - J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys which must be removed upon the termination of the hunt.
  - K) The first weekend and the third Saturday of the waterfowl season will be designated as youth hunt days. This will consist of youth or youths 15 and under plus one adult per blind. There will be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.
- 4) Fox Ridge State Park
- A) Hunting restricted to Embarras River and its flood waters.
  - B) No permanent blinds of any kind or other structural works are permitted.
  - C) No pits shall be dug, built or occupied.
- 5) Fort de Chartres Historic Site
- A) No check station.
  - B) Hunting is allowed from anchored, portable boat blinds only on a first-come, first-served basis; no permanent blinds allowed.
  - C) Portable boat blinds must have been completed, including final brushing, before entering the area and must be removed at the end of each hunting day.
  - D) Hunting parties must maintain a minimum distance of 200 yards apart.
  - E) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

- F) No hunting is allowed during firearm deer season.
- 6) Heidecke State Fish and Wildlife Area and Powerton Lake
- A) Definitions:
- i) Boat blind (water blind) - a portable form of boat which must be completely concealed (including final brushing) before entering the area. The boat blind and all blind materials will be removed at the end of each hunting day.
  - ii) Water blind site - a position within 10 yards of a numbered stake or buoy where a blind may be located.
  - iii) Daily draw - procedure by which blinds or blind sites are allocated daily.
  - iv) Refuge - an inviolate area on which all hunters and the general public may not trespass.
- B) Waterfowl hunting will be permitted on Department leased or managed lands and waters only at designated blind sites.
- C) Water blind sites will be determined by the Department of Conservation and marked with a numbered stake or buoy.
- D) Blind sites will be allocated on a daily draw basis conducted at the check stations 90 minutes before sunrise. At Heidecke Lake hunters shall register as parties for the drawing; each party drawn will be allowed to select blind site in order drawn; only those hunters registered in party will be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
- E) Blind sites not selected during the drawing will be allocated on a first-come, first-served basis. Vacant blind sites will not be allocated after the drawing until one hour after legal shooting time. No blind sites will be allocated after the drawing until one hour after legal shooting time. No blind sites will be allocated after 10:00 a.m.
- F) Hunters wishing to move to another blind site must report this move to the check station attendant, in person, before such a move.

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

(G) Hunting will be from boat blinds only.  
(H) Access to water blind sites will be by boat only and from designated boat launch sites.

(I) All water hunting must be from portable blind, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind. Portable boat blinds must have been completed, including final brushing, before entering the area, and be removed at the end of each hunting day.

(J) Daily shooting hours will be legal opening time to 12:00 Noon. Upon vacating blinds, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged will be checked in and displayed to the station operator and hunting licenses returned.

(K) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.

(L) No unauthorized pits or blinds will be built on Department leased or managed land or water.

(M) Heidecke Lake will be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of the waterfowl season. Powerton Lake will be closed to boat traffic from October 1 to February 15, except for legal waterfowl hunters; and closed to all unauthorized entry during the waterfowl season.

(N) No hunting will be allowed on Monday and Tuesday at Heidecke Lake. No hunting will be allowed at Powerton Lake on Monday through Thursday except hunting will be permitted on State holidays.

(O) It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam; however, layout boats approved in advance by the site superintendent will be permitted. A layout boat is defined as a nonmotorized, flat bottom, low profile boat in which the sides are continuous with the front deck and slope inward toward the opening rather than the usual outward slope. Such layout boats must be attended at all times by a nonhunting tender boat that is at least 16 feet with a 60 inch beam. Layout boats are restricted to open water blind sites. Tender boats must anchor as close as possible to the center dike.

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

(P) No guns may be carried from water blinds to retrieve waterfowl that fall on land.  
(Q) Hunting is closed on Christmas Day.

(R) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.  
(S) It is unlawful to shoot across any dike at Heidecke Lake.

(T) Waterfowl hunting will close with the conclusion of the duck season at Powerton Lake. At Heidecke Lake waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting during the September goose season is permitted at Heidecke Lake.

(U) In the event of adverse water and/or weather conditions, such as flooding, high winds, or heavy fog, hunting will be prohibited.

(7) Horseshoe Lake (Alexander County) Public Hunting Area (other than permit area)

The refuge area shall be defined as all State owned land and those areas adjacent within the tract of land hereinafter described: Beginning at the intersection of State Highway No. 3 and the Olive Branch-Miller City Road, thence in southerly direction to the intersection of the Olive Branch-Miller City Road and the Promised Land Road, thence easterly to the intersection of the Promised Land Road and Old Highway No. 3, thence northwesterly to intersection of Old Highway No. 3 and State Highway No. 3 and thence northwesterly along State Highway No. 3 to point of beginning at Olive Branch.

(8) Horseshoe Lake State Recreation Area (Madison County)

(A) A pothole cleared of all weeds and brush for a 40 yard radius is required around all blind sites.

(B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season, after which time the Department of Conservation will inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.

(C) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, and have failed the inspection pursuant to Section 590.30(e),

DEPARTMENT OF CONSERVATION  
NOTICE OF PROPOSED AMENDMENTS

will be given one week to correct deficiencies. Blinds failing the second inspection will be reassigned to alternates selected at a drawing or by a first-come allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.

9) Kaskaskia River Fish and Wildlife Area

- A) Shooting hours are statewide opening hour until 1:00 p.m. during the waterfowl hunting season. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal shooting hours shall be from statewide opening hour until statewide closing hour. Goose hunting hours end at 1:00 p.m.
- B) All waterfowl hunting parties must use at least 12 decoys and hunt at least 200 yards from the next hunting party.
- C) No permanent blinds will be allowed on the area. No one has any prior claim or right to any blind site. First-come, first-served rule prevails. Blinds shall be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of each day's hunt.
- D) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.
- E) No one under 16 years of age shall hunt or attempt to hunt on the area unless accompanied by an adult due to safety factors.
- F) The following regulations apply to the Doza Creek Waterfowl Management Area:
  - i) This area will be closed to all public use 3 days prior to waterfowl hunting season. No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
  - ii) Waterfowl, coot and archery deer hunting only will be allowed in this area during the duck hunting season.

10) Lake Shelbyville

It is unlawful for any unauthorized persons to enter a duly posted restricted area.

DEPARTMENT OF CONSERVATION  
NOTICE OF PROPOSED AMENDMENTS

- 11) Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area
  - A) Waterfowl hunting will be permitted as described below except in duly posted restricted and "No Hunting" areas.
  - B) Waterfowl hunting in the Fish Hook Waterfowl Area, the McGee Waterfowl Area, and the Jonathan Creek Waterfowl Area will be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Drawings will be conducted at each area. Parties will register for drawings between 4:00 a.m. and 5:00 a.m. Central Daylight Time (3:00 a.m. and 4:00 a.m. Central Standard Time) on those days. Each party drawn will be allowed to choose one of the staked sites in the waterfowl area. Parties will select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations will apply:
    - i) All parties must hunt within 10 yards of their assigned stake.
    - ii) All parties must be in place by one-half hour before shooting time.
    - iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
  - C) Hunting in the Jonathan Creek and McGee Waterfowl Areas will be restricted to designated, staked sites on a first-come, first-served basis except as noted in subsections (A) and (B) above. A hunting party must hunt within 10 yards of the stake.
  - D) Daily shooting hours will be from legal opening to 1:00 p.m.
  - E) Waterfowl hunters must maintain a distance of 200 yards between parties except as described in subsection (B) above. (A hunting party shall be defined as an individual or group of hunters occupying a single boat, blind, or hunting site).
  - F) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.
  - G) The building of permanent blinds of any kind or other structural works is prohibited. All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.

NOTICE OF PROPOSED AMENDMENTS

H) wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds will be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law from having hunting licenses must deposit their Firearm Owner's Identification Cards.

C) The daily drawing shall be held one hour prior to legal shooting time.

D) All members of the hunting party shall register as a group (not to exceed 4 people per group) for the purpose of the drawing.

E) Those hunters in the blind area shall park in designated areas. These parking areas will be numbered to correspond with particular blind sites located along the levee road.

F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.

G) Deer, squirrel and woodcock may not be taken in the waterfowl areas after the opening of the waterfowl season.

H) Daily hunting hours shall be the legal opening until 12:00 Noon local time.

I) All boats are prohibited from entering the duly posted waterfowl refuge (Main Lake) from October 1 until the close of the waterfowl season.

16) Mississippi River Area Fish and Wildlife Area

A) A pothole cleared of all weeds and brush for a 40 yard radius is required around all blind sites.

B) Blinds must be completed, including final brushing, 4 weeks in advance of the opening date of waterfowl season, after which time the Department of Conservation will inspect all blinds and blind sites and issue blind registration cards to those which pass inspection.

C) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, and have failed the inspection pursuant to Section 590.60(e), will be given one week to correct deficiencies. Blinds failing the second inspection will be reassigned to alternates selected at a drawing on a day publicly announced by the Department.

NOTICE OF PROPOSED AMENDMENTS

H) No goose pits shall be built or dug.

I) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.

J) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season.

K) During the regular waterfowl season, no bank or boat fishing will be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from one-half hour before sunrise until 1:00 p.m.

12) Little Black Slough

A) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.

B) Dedicated Nature Preserve areas are closed to hunting.

13) Lower Cache River State Natural Area

A) No permanent blinds or pits may be constructed or dug at any time. All blinds must be of a portable nature or be established with natural vegetation and must be removed or dismantled at the end of the day's hunt. Cutting of live trees and shrubs on the area is prohibited.

B) Dedicated Nature Preserve areas are closed to hunting.

14) Meredosia Lake - Cass County Portion Only

All boat traffic is prohibited from entering the duly posted Waterfowl Refuge from 1 week before waterfowl season until the season closes.

15) Mermet

A) Waterfowl hunting will be permitted only during the duck hunting season.

B) Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

All reassigned blinds must be completed, including final brushing, in advance of the opening date of the waterfowl season.

## 17) Pike County Conservation Area

Statewide season regulations apply except that the season closes November 30 or the legal statewide closing, whichever is earlier, in Area A.

## 18) Rend Lake Wildlife Management Area

- A) All blinds must be of a portable nature or constructed with natural vegetation located at the blind site and must be removed or dismantled at the end of the day's hunt.
- B) No goose pits or permanent blinds shall be dug or built on State lands.
- C) Only row boats and boats with electric motors shall be used in the subimpoundment areas during the waterfowl hunting season, except that during the last 14 days of the duck hunting season and until the end of the waterfowl season 10 h.p. outboard motors or less may be used.
- D) All waterfowl hunters and all boats must be out of the subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 3:00 a.m.
- E) No hunting will be permitted from the subimpoundment dams.
- F) No waterfowl hunting will be permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.
- G) The distance between waterfowl hunting parties shall be no less than 100 yards in the Big Muddy and Casey Fork subimpoundment and 200 yards outside the subimpoundment on the remainder of the Area. (A hunting party shall be defined as an individual or group of hunters occupying a single boat, blind, or hunting site).
- H) All boat traffic is prohibited from entering the duly posted waterfowl refuge and the subimpoundments from 2 weeks before waterfowl season until March 1.
- I) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

- J) All waterfowl hunting along an east-west line running 200 yards north of the Casey Fork Subimpoundment Dam will be within 10 feet of staked locations.
- K) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- L) Daily shooting hours for waterfowl will be from legal opening time to 1:00 p.m.
- M) The land portion of the Rend Lake Refuge is closed to trespassing at all times. The location of the Rend Lake Refuge is described as follows:
  - i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
  - ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
  - iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
  - iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
  - v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
  - vi) Bounded on Nason Point by refuge boundary signs at project limits.
- 19) Rice Lake (Walk-in and Copperas Creek Management Units)
  - A) Hunting will be alternated between units every other day beginning with opening day at the walk-in unit, and shall be limited to 20 hunters per day.
  - B) Hunters shall be determined by a daily drawing at the designated check station.
  - C) Shooting hours shall be from legal opening time until 12:00 Noon. Statewide bag and possession limits apply on this area.
- 20) Saline County Conservation Area

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

D) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.

E) There will be a duly posted waterfowl refuge located at the north end of the lake that will include all waters of the lake located north and at right angles to (in an east and west direction) the peninsula created by the junction of the east and west arms. This area will be closed to all boat traffic and boat fishing during the duck season. Bank fishing along the dam will be permitted.

F) A waterfowl refuge will be located on State land between the east and west arms of the lake. Additional refuges are located on waters from the junction of the center arm and the east arm of the lake north to the refuge area, the area adjacent to the power plant is utilized as a fly ash pond and the south portion of the west arm will be duly designated as inviolate areas.

G) Waterfowl hunting will close with conclusion of duck season. No more than 4 persons shall occupy a blind at one time.

I) Waterfowl hunting will be permitted on State leased lands and waters in the Sangchris Lake State Park area, except in duly posted refuge areas, developed recreation areas, a minimum of 300 yards from all high lines and 500 feet from construction or industrial sites. The center arm of the lake will be closed to all waterfowl hunting.

J) Blind sites will be determined by the Department of Conservation and marked with a numbered stake. When it is deemed necessary, the Department of Conservation will remove, move or close blind sites in order to carry out the operations of the overall management program.

K) Blind sites will be allocated on a daily draw basis. Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.

M) Access to blind sites will be by boat only and from designated boat launch sites, the West Hill Boat Launch and the East Harbor Boat Launch. A corridor located north of the Middle Peninsula along the southern edge of the existing refuge will be established to provide access to the west arm of the Lake from the East Harbor Boat Launch when the West Hill Boat

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENTS

A) Waterfowl hunting is allowed north of the township road only.

B) Walk-in hunting only.

A) Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.

B) Walk-in waterfowl hunting will be permitted only in the area posted for this purpose.

C) All hunters using this area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.

D) Upon the completion of hunting, hunters must report to the check station within one hour.

E) Fishing is prohibited in the impoundment areas during the waterfowl season.

F) No person shall trespass on the Barkhausen Refuge during the period from October 1 through December 31.

G) No person shall trespass on the Marion-Pickere] Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season.

22) Sangchris Lake State Park

A) Hunting hours are legal opening until 12:00 Noon.

B) Hunters will participate in daily drawing commencing 2 hours prior to sunrise. Blind sites not selected during the drawings will be allocated on a first-come, first-served basis. Vacant blind sites will not be allocated until 9:00 a.m. Further, no blind sites will be allocated after 10:00 a.m.

C) All hunting will be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.

21)

Sanganois



## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Launch is closed. Such notice of corridor use will be announced prior to the blind drawing for that day.

- N) All hunting must be from 1 portable blind or 1 anchored portable blind located within a numbered cove and between the assigned numbered stakes. Portable blinds or boat blinds must have been completed, including final brushing, before entering the area, and removed at the end of each hunting day. Cutting of natural vegetation for any purpose will be unlawful.
- O) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- P) No pits or blinds will be built on State leased or Commonwealth Edison land.
- Q) Blind sites: A position between two like numbered stakes within a cove where a blind may be located.
- R) Corridor - Water travel lane, during waterfowl season only, for boating back and forth to blind sites.
- S) Fishing will be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the waterfowl season.
- T) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.
- U) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Conservation will close the lake area to all fishing and all boating activity except for non-water hunting programs.
- 23) Shawnee National Forest, Bluff Lake
- A) Goose hunting is prohibited.
- B) Shooting hours: legal opening until noon.
- C) No permanent blinds or other structures may be constructed on the site.
- 24) Shawnee National Forest, LaRue Scatters

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

- A) All hunting will be by walking in or in boats without motors.
- B) Shooting hours for all species in this area shall close at 12:00 Noon local time, except bow hunting for deer shall be permitted in accordance with statewide deer hunting hours (17 Ill. Adm. Code 670).
- C) Permanent blinds shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.
- 25) Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)
- A) All hunting will be by walking into the area.
- B) Shooting hours for all species on this area shall close at 12:00 Noon local time, except bow hunting for deer shall be permitted in accordance with Statewide deer hunting hours (17 Ill. Adm. Code 670).
- C) Permanent blinds shall not be constructed in this area and all equipment used in the taking of waterfowl must be removed at the end of each hunting day.
- D) Each hunting party will be required to hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.
- E) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the sub-impoundment area.
- 26) Stephen A. Forbes
- A) Daily hunting hours are legal open to 1:00 p.m.
- B) On the main lake hunting is allowed from a boat blind only and must be within 100 yards of a staked location.
- C) Only walk-in hunting is allowed in the sub-impoundment. Hunting must occur within 100 yards of a staked location.
- D) Hunting will be allowed on a first-come, first-served basis. All hunters must use 12 decoys, minimum.
- 27) Union County (Firing Line Waterfowl Management Area)
- A) It shall be unlawful to take a gun beyond the posted boundary while retrieving crippled geese.

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## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF CONSERVATION  
SUBCHAPTER b: FISH AND WILDLIFE

PART 710  
THE TAKING OF WILD TURKEYS - SPRING SEASON

Section	
710.10	Hunting Seasons and Permit Quotas
710.20	Turkey Permit Requirements
710.30	Turkey Hunting Regulations
710.40	Other Regulations (Repealed)
710.50	Regulations at Various Department Owned or Managed Sites
710.60	Releasing or Stocking of Turkeys

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, and 2.9 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.20, and 2.9), and Sections 2.10 and 2.11 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 2.10 and 2.11).

SOURCE: Adopted at 4 Ill. Reg. 15, p. 153, effective April 1, 1980; codified at 5 Ill. Reg. 10643; amended at 6 Ill. Reg. 3852, effective March 31, 1982; amended at 7 Ill. Reg. 4208, effective March 25, 1983; amended at 8 Ill. Reg. 5663, effective April 16, 1984, amended at 9 Ill. Reg. 6200, effective April 24, 1985; amended at 10 Ill. Reg. 6848, effective April 4, 1986; amended at 11 Ill. Reg. 2267, effective January 20, 1987; amended at 12 Ill. Reg. 5342, effective March 8, 1988; amended at 13 Ill. Reg. 5090, effective April 4, 1989; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 710.10 Hunting Seasons and Permit Quotas

## a) Season Dates:

1st Season: Monday, April ~~109~~ - Friday, April ~~14~~, 1989, 1990.

2nd Season: Saturday, April ~~15~~14 - Friday, April ~~21~~, 198920, 1990.

3rd Season: Saturday, April ~~22~~21 - Wednesday, May ~~3~~, 19892, 1990.

## b) Open Counties and Permit Quotas:

COUNTIES	NUMBER OF PERMITS PER SEASON
Adams	<u>140200</u>
Alexander	<u>170</u>
Brown	<u>175</u>
Calhoun	<u>125150</u>
Carroll	<u>110150</u>
Cass	<u>50</u>

## DEPARTMENT OF CONSERVATION

## NOTICE OF PROPOSED AMENDMENTS

Effingham	<u>50</u>
Fayette	<u>100150</u>
Fulton	<u>100120</u>
Gallatin-Hardin	<u>250</u>
Greene	<u>80120</u>
Hancock	<u>90140</u>
Henderson	<u>60</u>
Jackson	<u>310</u>
Jersey	<u>180</u>
Jo Daviess	<u>275350</u>
Johnson	<u>75</u>
Macoupin	<u>90</u>
Marion	<u>70</u>
Marshall-Putnam	<u>5060</u>
McDonough	<u>7080</u>
Monroe	<u>70110</u>
Pike	<u>250300</u>
Pope	<u>420</u>
Randolph	<u>100125</u>
Saline	<u>80</u>
Schuyler	<u>250275</u>
Union	<u>330</u>
Washington	<u>5060</u>
Williamson	<u>85</u>

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 710.20 Turkey Permit Requirements

- a) To take, or attempt to take, a wild turkey, Illinois residents must first obtain a "Wild Turkey Hunting Permit" from the Department of Conservation for a fee of \$15.00. Non-resident turkey hunters shall be charged the same fee for wild turkey hunting permits as that charged residents of Illinois by the state in which the applicant resides, except that in no case shall the fee be less than \$30.00. If the state in which the applicant resides does not provide for turkey hunting by Illinois residents, then the fee shall be \$75.00. Non-residents are also required to obtain a Non-Resident Hunting License before hunting wild turkeys. Residents, except those exempted by Section 3.1 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, par. 3.1) are also required to obtain a hunting license before hunting wild turkey. Permits are issued for a specific county or area and are valid only in the county or area designated on the permit. Applications for wild turkey permits must be mailed to:

Department of Conservation - Turkey  
524 S. Second Street, Room 210  
P. O. Box 19446  
Springfield, Illinois 62794-9446

NOTICE OF PROPOSED AMENDMENTS

C) Submittal of copy of most recent real estate tax statement. (If name on tax statement is different from name of landowner, proof of purchase agreement must be submitted.) If you are applying for a tenant permit, you are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:

A) A copy of Internal Revenue Service Schedule F 1986

B) Any document showing participation in Set Aside or Agricultural Conservation Programs (ACP) such as a form Agricultural Stabilization and Conservation Service 476, Commodity Credit Corporation 477 or Agricultural Conservation Programs 245.

4) A hunting rights lease, or other non-agricultural lease, is not valid for a landowner or tenant permit.

5) If the property is owned or rented by more than one person: Only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land.

6) For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive turkey permits.

7) Shareholders of corporations owning 40 or more acres of land in a county may apply for a free permit to hunt the corporation lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county shall be issued based on ownership of lands by corporations. Lands leased to corporations shall not be considered as a basis for a free permit for the shareholders of the lessee. Lands held in trust by corporations shall not be considered as a basis for a free permit by the shareholders of the trustee. If application is made for a free permit based upon lands owned by the corporation, a duly authorized officer of the corporation must sign a notarized statement authorizing the applicant to hunt on the corporate lands for which a permit is being requested. This statement must identify the applicant as a shareholder, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation lands. This document must be attached to the application upon submittal to the Permit Office.

8) Landowners or tenants who obtain a free permit to hunt their owned or leased property may apply for a second county-wide permit (\$15.00 fee) from any permits not issued as of the second Monday in March in a random daily drawing.

NOTICE OF PROPOSED AMENDMENTS

b) Applicants must complete all portions of the permit application form. Incomplete applications will be rejected and fees returned. Each applicant must submit a personal check or money order for his/her individual application. Not more than 4 applications may be submitted for group hunters. Applicants submitting applications within three weeks of the season will not be guaranteed receipt of permit by start of season.

c) Applications will be accepted January 22 through January 30, 1982. Applications received in the permit office after close of business on January 12 will be returned and will not be included in the computerized drawing. All requests must be on an official application form. Permits are not transferable and refunds will not be granted. Permits will be allocated in a computerized drawing to be held in Springfield in which the first choice of seasons will be allocated before the second or third choices are considered.

d) Permits not issued during the computerized drawing will be available in a random daily drawing beginning February 27-19. All hunters not receiving a permit in the computerized drawing may apply at this time for the available permits.

e) Any permits not issued as of the second Monday in March will also be available in a random daily drawing to those hunters who have previously received one permit.

f) Landowners or tenants of 40 acres or more land and members of their immediate family may apply for one free turkey permit for their property only in counties open for turkey hunting. A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agricultural shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. All landowners or tenants that do not reside on the property must possess a valid hunting license.

g) Landowners, or tenants are not required to participate in the public drawing for permits and are not counted toward the total number of permits issued for a particular county. Landowner/tenant permits are valid for the entire 24 days encompassed by the 3 seasons, but allow the taking of only one wild turkey.

1) The immediate family is limited to the spouse, children, and parents permanently residing on the same property as the landowner or tenant.

2) Proof of ownership for all free landowner or tenant applications must be provided by one of the following methods:

- A) Submittal of a copy of property deed;
- B) Submittal of a copy of contract for deed;

DEPARTMENT OF CONSERVATION  
NOTICE OF PROPOSED AMENDMENTS

- h) A \$3.00 service fee will be charged for replacement permits issued by the Department.
- i) It shall be unlawful to:
- 1) Submit applications before the second Monday in March for receiving more than one permit for the same person, and thereafter, submittal of applications for receiving more than two permits for the same person.
  - 2) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this section shall have their application rejected, permit revoked, and fees forfeited.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 710.30 Turkey Hunting Regulations**

It is unlawful:

- a) to use live turkey decoys, recorded calls, dogs, or bait;
- b) to take any wild turkey except a gobbler (male), or a hen with a visible beard;
- c) to take, or attempt to take, more than two wild turkey during the spring season, one must have a valid permit for each turkey that is taken;
- d) to use any weapon except a shotgun or bow and arrow. Shotguns cannot be larger than 10 gauge, nor smaller than 20 gauge. #4 shot is the largest and #7 1/2 is the smallest size shot that may be legally used. Archers may use a long, recurved, or compound bow with a minimum pull of 40 pounds at some point within a 28-inch draw; a barbless broadhead hunting arrow is the only legal arrow. Any mechanical device capable of maintaining a drawn position or partially drawn position on a bow is illegal;
- e) to hunt except from • hour before sunrise to noon during each day of the season;
- f) for any person having taken the legal limit of wild turkey(s) to further participate with a weapon in any hunting party for the purpose of taking additional wild turkeys;
- g) for any person to hunt wild turkeys without having a signed Wild Turkey Hunting Permit in possession;
- h) to transport a wild turkey without first affixing the adhesive-backed turkey permit securely around the leg. Leg tag must be affixed to the turkey

DEPARTMENT OF CONSERVATION  
NOTICE OF PROPOSED AMENDMENTS

immediately upon taking possession. The wild turkey shall be taken whole (not dressed) to the designated check station for the county in which it was killed, or the closest check station, by 2:00 P.M. the same day it was killed. It will be checked, tagged and recorded by the Department at the check station.

- i) For any person to shoot a wild turkey while it is in a tree before 7:00 a.m.
- j) For any person to use a turkey call or to attempt to call a turkey while in the field from April 1 through the day before turkey season.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 710.50 Regulations at Various Department Owned or Managed Sites**

- a) Statewide regulations shall apply for the following sites:

Carlyle Lake Wildlife Management Area

LaRue Scatters

Mark Twain N.W.R., Gardner Division

Mississippi River Pool #18 (Henderson County)

Oakwood Bottoms

Panther Creek Conservation Area

Pike County Conservation Area

Saline County Conservation Area

~~Trail of Tears State Forest~~

~~Union County Conservation Area - Firing Line Management Unit Only~~

- b) Statewide regulations shall apply except that all hunters must check in and out and report turkeys harvested at the check station for the following sites:

Anderson Lake Conservation Area

Fort de Chartres - muzzleloading shotgun or archery only.

Giant City State Park - hunting allowed only in designated zones.

Pere Marquette State Park - designated open zone in southeast portion of the Park only.

NOTICE OF PROPOSED AMENDMENTS

Trail of Tears State Forest

Turkey Bluffs Fish and Wildlife Area - hunting-allowed-only-in designated zones.

Union County Conservation Area - Firing line management unit only.

Weinburg-King State Park - hunting allowed only in designated zones.

c)

Statewide regulations shall apply and a drawing will be held the day prior to each day's hunt to fill the area's daily hunter quota. All hunters must check in and out at the check station. Hunters will be allowed to hunt in designated zones only.

Early-Lake-Wildlife-Management-Area - quota-12

Big River State Forest - quota 6

Mississippi Palisades State Park - quota 10

Pere Marquette State Park - quota 15

Ramsey-Lake-State-Park - quota 4

Siloam Springs State Park - quota 20

d)

Statewide regulations shall apply except that all hunters must sign in and check out to report turkeys harvested. There will be a daily quota of hunters which will be taken on a first-come, first-served basis. Hunters will not be allowed to sign in prior to 4 a.m. each day of the season.

Fort-de-Chartres-hunter-quota - muzzleloading shotgun or archery only

Tapley Woods (hunter quota - 2)

e)

Statewide regulations shall apply and a drawing will be held the day prior to each of the three seasons to fill the hunter quota. All hunters must check in and out at the check station. Hunters will be allowed to hunt in designated zones only.

Ferne Clyffe State Park (season-hunter-quota - 2 + 2 alternates)

Stephen A. Forbes State Park - (quota 6 + 6 alternates)

Ramsey Lake State Park - (quota 6 + 6 alternates)

f)

Additional regulations may be posted at the sites when more restriction is required. These additional regulations shall include, but not be limited

NOTICE OF PROPOSED AMENDMENTS

to, selected check stations, limited hunting hours, and designated first-come first-serve sites.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Determination of Unemployment Contributions
- 2) Code Citation: 56 Ill. Adm. Code 2770
- 3) Section Number: 2770.110      Proposed Action: Amended Section
- 4) Statutory Authority: Ill. Rev. Stat., 1987, ch. 48, pars. 570, 571, 573, 576.1, 576.2, 576.3, 578.1, 610, and 611.
- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendment provides the 1990 contribution rates for newly liable employers by classification within their Standard Industrial Code. In keeping with our commitment to the Joint Committee on Administrative Rules, we are also repealing the rates for 1984 as they are no longer needed.
- 6) Will the proposed amendment replace an emergency amendment currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain an incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objective? Not Applicable.
- 11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

Stella Adams Cuthbert, Commissioner  
 Illinois Department of Employment Security  
 401 South State Street - 2nd Floor South  
 Chicago, IL 60605  
 (312) 793-4240

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT

- 12) Initial Regulatory Flexibility Analysis:  
Date rules were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 24, 1989.  
Types of small businesses affected: All recently established businesses subject to the Unemployment Insurance Act.  
Reporting, bookkeeping or other procedures required for compliance: None.  
Types of professional skills necessary for compliance: None.  
The full text of the Proposed Amendment begins on the next page:

NOTICE OF PROPOSED AMENDMENT

SOURCE: Emergency rules adopted as 56 Ill. Adm. Code 600: Subpart C at 8 Ill. Reg. 550, effective January 1, 1984, for a maximum of 150 days; adopted at 8 Ill. Reg. 8208, effective May 30, 1984; recodified from 56 Ill. Adm. Code 600: Subpart C at 8 Ill. Reg. 15030; emergency amendments at 8 Ill. Reg. 15088, effective August 8, 1984, for a maximum of 150 days; emergency amendments at 8 Ill. Reg. 22139, effective October 26, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 24117, effective November 30, 1984; amended at 9 Ill. Reg. 4507, effective March 25, 1985; amended at 10 Ill. Reg. 6935, effective April 14, 1986; amended at 10 Ill. Reg. 21683, effective December 15, 1986; amended at 11 Ill. Reg. 9878, effective May 11, 1987; emergency amendments at 12 Ill. Reg. 210, effective January 1, 1988, for a maximum of 150 days, expired May 30, 1988; amended at 12 Ill. Reg. 11213, effective June 20, 1988; amended at 12 Ill. Reg. 12473, effective July 15, 1988; amended at 12 Ill. Reg. 18143, effective October 27, 1988; amended at 12 Ill. Reg. 20477, effective November 28, 1988; amended at 13 Ill. Reg. 11507, effective June 29, 1989; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART B: STANDARD INDUSTRIAL CLASSIFICATION

Section 2770.110 Average Contribution Rates By Standard Industrial Classification (SIC) Codes

a) The average contribution rate for each Economic Division including the appropriate emergency rate for calendar year 1984 as determined by the application of Section 2770-105(a)(3)-shall be:

Rate	Division	Code	Industry
3-0%	Agriculture-Forestry	01-09	Fishing
3-1%	Mining	10-14	
4-3%	Construction	15-17	
3-6%	Manufacturing	20-39	
3-3%	Transportation-Communication-Electric-Gas	40-49	
2-6%	Wholesale-Retail Trade	50-54	
2-6%	Finance-Insurance-Real Estate	60-67	

NOTICE OF PROPOSED AMENDMENT

TITLE 56: LABOR AND EMPLOYMENT  
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY  
SUBCHAPTER c: RIGHTS AND DUTIES OF EMPLOYERS

PART 2770

DETERMINATION OF UNEMPLOYMENT CONTRIBUTIONS

SUBPART B: STANDARD INDUSTRIAL CLASSIFICATION

Section 2770.100 Industrial Classification  
2770.105 Contribution Rate For Non Experience-Rated Employers  
2770.110 Average Contribution Rates By Standard Industrial Classification (SIC) Codes

SUBPART C: ALTERNATIVE BENEFIT WAGE RATIO

2770.150 Eligibility To Elect The Alternative Benefit Wage Ratio  
2770.155 Approval Of Election Of The Alternative Benefit Wage Ratio

2770.160 Adjustment Of The Benefit Wage Charges And The Determination Of The Alternative Benefit Wage Ratio

2770.165 Revocation Of Election Of Alternative Benefit Wage Ratio  
2770.170 Appeals

SUBPART E: TRANSFER OF BENEFIT WAGES FROM BASE PERIOD TO SUBSEQUENT EMPLOYER

2770.400 Definitions  
2770.405 Application Of Base Period Wages  
2770.410 Restriction On Benefit Wage Transfers  
2770.415 Benefit Wage Transfer Procedural Requirements  
2770.420 Petition For Hearing

SUBPART F: BENEFIT WAGE CANCELLATIONS

2770.501 Effective Date Of Benefit Wage Cancellations Pursuant To Section 1508.1 Of The Act

2770. Table A General SIC Classification

AUTHORITY: Implementing and authorized by Sections 1500, 1501, 1503, 1506.1, 1506.2, 1506.3, 1508.1, 1700 and 1701 of the Unemployment Insurance Act (Ill. Rev. Stat. 1987, ch. 48, pars. 570, 571, 573, 576.1, 576.2, 576.3, 578.1, 610 and 611).



## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT

70-89	F.	Services	2.1%
91-97	J.	Public Administration	1.9%
99	K.	Nonclassifiable Establishments	3.0%

b) The average contribution rate for each Economic Division, excluding the applicable emergency rate, for calendar year 1985, as determined by the application of Section 2770.105(a)(3) shall be:

Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	3.3%
10-14	B. Mining	3.5%
15-17	C. Construction	4.8%
20-39	D. Manufacturing	4.0%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	3.6%
50-51	F. Wholesale Trade	2.8%
52-59	G. Retail Trade	2.9%
60-67	H. Finance, Insurance, Real Estate	1.8%
70-89	I. Services	2.2%
91-97	J. Public Administration	2.8%
99	K. Nonclassifiable Establishments	2.7%

eb) The average contribution rate for each Economic Division, excluding the applicable emergency rate, for calendar year 1986, as determined by the application of Section 2770.105(a)(3) shall be:

Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	3.3%
10-14	B. Mining	3.7%
15-17	C. Construction	4.6%
20-39	D. Manufacturing	3.6%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	3.4%
50-51	F. Wholesale Trade	2.6%

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT

52-59	G.	Retail Trade	2.8%
60-67	H.	Finance, Insurance, Real Estate	1.7%
70-89	I.	Services	2.1%
91-97	J.	Public Administration	2.5%
99	K.	Nonclassifiable Establishments	2.2%

dc) The average contribution rate for each Economic Division, excluding the applicable emergency rate, for calendar year 1987, as determined by the application of Section 2770.105(ab)(3) shall be:

Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	3.3%
10-14	B. Mining	3.9%
15-17	C. Construction	4.4%
20-39	D. Manufacturing	3.3%
40-49	E. Transportation, Communication, Electric, Gas, Sanitary Services	3.2%
50-51	F. Wholesale Trade	2.5%
52-59	G. Retail Trade	2.6%
60-67	H. Finance, Insurance, Real Estate	1.6%
70-89	I. Services	2.0%
91-97	J. Public Administration	2.3%
99	K. Nonclassifiable Establishments	2.0%

ed) The average contribution rate for each Economic Division, excluding the fund building rate as set forth in Section 1506.3 of the Act, for calendar year 1988, as determined by the application of Section 2770.105(ac)(3) of this Part shall be:

Digits	Economic Division	Rate
01-09	A. Agriculture, Forestry, Fishing	3.4%
10-14	B. Mining	4.6%
15-17	C. Construction	4.5%
20-39	D. Manufacturing	3.2%

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# HISTORY

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## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) The Heading of the Part: Organic Material Emission Standards and Limitations
- 2) Code Citation: 35 Ill. Adm. Code 215
- 3) Section Number: Proposed Action:  

215.104	Amend
215.105	Amend
215.585	New Section
- 4) Statutory Authority: Illinois Environmental Protection Act (Ill. Rev. Stat. 1988, ch. 111 $\frac{1}{2}$ , pars. 1010 and 1027)
- 5) A Complete Description of the Subjects and Issues.  
Involved: The Board today proposes a regulation to limit the volatility of gasoline sold and distributed in Illinois. The Board began consideration of this rulemaking in January of 1989. Since that time, the Board has held two merit hearings and accepted numerous public comments on this issue. As a result of the record prepared, the Board proceeds to first notice on this proposal.

BACKGROUND

Ozone pollution is one of the nation's most serious and complex air pollution problems. Ozone is a photochemical oxidant and the major component of smog. Unlike other pollutants, ozone is not emitted directly into the atmosphere but is formed through chemical reactions among precursor emissions (volatile organic compounds or VOCs, nitrogen oxides, carbon monoxide and other compounds) in the presence of sunlight. The rate of ozone production is increased when atmospheric temperatures are warmer.

The hot summers of 1987 and 1988 resulted in high levels of ozone in the Chicago and Metro East non-attainment areas. Readings as high as 0.22 ppm by volume were recorded, which is some 83% above the federal and Illinois air quality standard of 0.12 ppm by volume. However, the ozone problem is not specific to Illinois. The United States Environmental Protection Agency (USEPA) estimates that there are more than 80 urban areas where the ozone air quality standard is being exceeded.

New and emerging scientific data is shedding more light on the effect high levels of ozone have on the

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

general public. Ozone severely affects individuals with chronic heart, lung, and circulatory system diseases. Otherwise healthy individuals who exercise while ozone levels are high can experience reduced functioning of the lungs, leading to chest pains, coughing, wheezing, and pulmonary congestion. In addition to the health effects, ozone has been estimated to cause two to three billion dollars worth of crop damage nationally each year. Also, because the Chicago area has exceeded the ozone standard repeatedly, USEPA has imposed a construction ban on the Chicago non-attainment area which prohibits the construction or modification of major air pollution sources and thus restricts the economic development of the Chicagoland area.

In its comments (P.C. 23), the Illinois Environmental Protection Agency (Agency) noted that in the early 1970's, the average summertime RVP of gasoline was approximately 9.0 psi. However, with the phasing out of leaded gasoline, refiners began adding butane to meet octane requirements which increased the RVP levels. The Agency noted that it was not aware that the typical summer RVP of gasoline in Illinois was well above 9.0 psi until late in 1987. As a result, Agency estimates of VOC emissions during the 1970's and 1980's from both stationary and mobile gasoline-related sources have been made using an RVP approximately 20-25% lower than actual RVP. Accordingly, those emissions have been underestimated by approximately 20-25%. Thus, during this period that the Agency had been actively engaged in imposing reasonably available control technologies (RACT) on major sources of air pollution, the increase in gasoline RVP was causing a significant increase in the emission of ozone precursors. Much of the benefit of the RACT regulations was lost as a result. Reducing the summertime volatility of gasoline to 1970 levels is expected to correct this situation.

To cure all of these ozone related problems, federal, state, and local governments have attempted to limit the emission of ozone precursors. One method of limiting such emissions is to reduce the volatility of gasoline. Volatility, generally speaking, is the rate at which a substance evaporates into the atmosphere -- the higher the volatility, the faster the evaporation. As will be discussed below, reducing the volatility of gasoline sold in Illinois, and ultimately the country, is believed to be a giant step forward in solving the ozone problem.

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

commercial gasoline volatility". The federal regulation limits the volatility of gasoline in Illinois to 10.5 psi north of 40° latitude and 9.5 psi south of 40° latitude. The 40° latitude line is an east-west line south of Beardstown, Champaign and Danville and north of Quincy, Springfield and Georgetown.

On April 4, 1989, the Chicago Lung Association (CLA) submitted a proposed rule, a statement of reasons, and a motion to waive the 200 signature requirement of Section 28 of the Environmental Protection Act (Act) and Section 102.121(a) of the Board's procedural rules, 35 Ill. Adm. Code 102.121(a).

PUBLIC HEARINGS

On July 17 and 21, 1989, the Board conducted public hearings to address the CLA proposal to limit the volatility of gasoline. Presenting testimony on July 17, 1989 were the Chicago Lung Association, United States Environmental Protection Agency, the Illinois Petroleum Council, Amoco Oil Company, Phillips 66, Marathon Oil Company, and the Motor Vehicle Manufacturers Association (MVMA) Presenting testimony on July 21, 1989, were Mobil Oil Corporation and the Chicago Lung Association.

At hearing, the Hearing Officer established a post-hearing comment schedule, ordering that comments be submitted on or before August 7, 1989. Six post-hearing comments were submitted in a timely fashion (P.C. 42-47). Mobil Oil Corporation filed its comments on August 15, 1989. On August 17, 1989, CLA filed an additional comment along with a motion to file instanter. CLA's motion is hereby granted. Although Mobil's comment was not submitted under a motion to file, the Board will accept the comment into the record. Mobil's comment was submitted in time to permit adequate consideration; no participant will be prejudiced; and the record will be complete, which is the Board's ultimate goal.

ECONOMIC IMPACT

The Board's Order of June 22, 1989 in this docket addresses the issue of whether an economic impact study (EIS) would be prepared. As noted in that Order, Section 27(a) of the Act requires that the Board make a determination within 60 days of the acceptance of a

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

On August 19, 1987 the United States Environmental Protection Agency (USEPA) published a notice of proposed rulemaking (52 Fed. Reg. 31274) proposing to require gasoline refineries to reduce the volatility of their summertime commercial fuels and to require manufacturers of most gasoline fueled vehicles to make minor improvements in the design of their existing evaporative emission control systems. The purpose of USEPA's action was to control the emission of organic materials which are precursors to the formation of ozone. USEPA held a public hearing on October 27, 1987, on both the proposed volatility and refueling control programs and accepted public comment until February 11, 1988.

It has been estimated that reducing gasoline RVP to 9.0 psi in Illinois could result in summertime weekday emissions reductions of 103,000 kg/day or 41,000 tons/year. Such a reduction may reduce ozone levels by 10-15%. Although this alone may not solve the ozone problem, it would be significant step forward.

However, by December of 1988, well over one year from the date of USEPA's proposed rulemaking, the date for the final adoption of a national gasoline volatility limit remained uncertain. This uncertainty, coupled with a desire to avoid further ozone excursions, prompted the Board on January 5, 1989 to adopt an order requesting written public comment on various aspects of the gasoline volatility issue, i.e., the feasibility of reducing the RVP of gasoline to 9.0 pounds per square inch (psi) by the summer of 1989, the anticipated costs of reducing the gasoline volatility, the status of the USEPA's rulemaking to reduce gasoline volatility, etc. Written public comments were received through March 1, 1989. Twenty-one (21) written public comments were submitted into this docket by March 1, 1989, by various members of the public and of the regulated community. An additional five (5) public comments were received by March 8, 1989.

On March 9, 1989, the Board adopted an order stating its intent to proceed with a proposal for rulemaking. The Board noted that the written public comment would require careful review and that the pending USEPA action was uncertain; thus, further action would be forthcoming.

On March 22, 1989, USEPA published at 54 Fed. Reg. 11868 "Phase I of a two-phase reduction in summertime

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

proposal. Noting that the record at that time already contained a fair amount of economic information and noting further that hearings were scheduled at which additional economic information was expected to be submitted, the Board determined that an EcIS need not be prepared. The Board noted, however, that Section 27(a) permits the Board to determine after the 60 days that an EcIS need be done if new information indicates that one need be done. The Board here addresses the issue of economic impact and the need for an EcIS.

Section 27(a) of the Act sets forth the Criteria that the Board is to consider when determining whether an EcIS should be conducted. Section 27(a) states in relevant part:

The Board shall reach its decision based on its assessment of the potential economic impact of the rule, the potential for consideration of the economic impact absent such a study, the extent, if any, to which the Board is free under the statute authorizing the rule to modify the substance of the rule based upon the conclusions of such a study, and any other considerations the Board deems appropriate.

Many of the commenters, primarily the refineries and gasoline distributors, specifically requested that the Board determine that an EcIS be prepared. In comments and at hearing, the Illinois Petroleum Council (IPC) strongly advocated for the preparation of an EcIS, arguing that in declining to require an EcIS, the Board is overlooking several key considerations. First, IPC argues that Illinois is the hub of the midwest gasoline supply and distribution system, and asks what impact would limiting gasoline volatility to 9.0 psi in Illinois have on both Illinois and other states supplied by Illinois based refineries. Second, IPC asks how much improvement in Illinois' ambient air quality would volatility control produce, especially in light of the large summertime natural source volatile organic compound emissions in the state. Third, what is the real cost to Illinois consumers and is this cost reasonable and commensurate with the expected improvement in air quality? Fourth, would not a 1.0 psi waiver for ethanol blends negate the improvement in Illinois' air quality expected from a reduction in RVP

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

levels? And finally, IPC asks does the Clean Air Act allow the state to adopt more restrictive environmental controls absent their inclusion in an approved state implementation plan (SIP)?

Other commenters, primarily the proponent CLA and NESCAUM, argue that the economic information in the record is sufficient to support the proposed regulation, that an EcIS need not be prepared, and that the impact will be reasonable. In support of their argument, these commenters note that the Chicago area is non-attainment for ozone. As a result, Chicago is currently under a construction ban, which means that no new construction or modification of a major air emission source may take place. This alone restricts economic development of the Chicago area. CLA estimates that adoption of this rule will result in emission reductions of approximately 199.5 tons/day. CLA further estimates that this value is nine percent of the estimated 1988 VOC inventory of 2,186.9 tons/day and thirteen percent of the reductions estimated by USEPA to be necessary to bring the Chicago area into attainment, and thereby lift the construction ban. USEPA estimates that early implementation of this rule will reduce emissions by 261 tons/day. CLA also notes that the Agency has noted its belief that the emission reductions resulting from a gasoline volatility limit of 9.0 psi would be the largest single reduction option available in Illinois.

In further support of their position, these commenters argue that other benefits would result as well. They argue that adoption of this rule would go a long way toward avoiding the adverse health effects, noted above, associated with excessive ozone levels. In addition, crop damage resulting from high ozone levels would be minimized. CLA argues that Illinois crop yields will improve, as major crops for the Illinois farm economy are sensitive to ozone-induced yield loss even at the relatively low concentrations at which ozone is found in the farm areas of the state. For Illinois this was valued to be worth 226 million dollars for a ten percent reduction in ozone levels experienced in 1980. As the estimated ozone reduction resulting from implementation of this rule is two percent, this calculates to a potential benefit of approximately 45 million dollars. Also, CLA and USEPA point out that another benefit will be increased fuel economy due to the increased energy density of lower RVP fuel and as less fuel is lost through evaporation and running loss.

estimated the cost effectiveness (using the old emission inventory) for gas volatility reduction to 9.0 psi was \$982 - 1,129 per ton of VOC controlled. CLA's own estimates put the costs of control at approximately \$1,000 per ton. CLA notes that this cost estimate is well within the range of cost effectiveness values associated with the adoption of other Reasonably Available Control Technology (RACT) regulations. Mobile, however, estimates that the cost would be approximately \$2,000/ton.

The Board notes that these cost estimates include a consideration of most of the issues raised by the Board turns next to potentially regulated community. The Board turns next to one of the major issues that has proven more difficult to analyze. Many commenters have argued that a 9.0 psi RVP limitation in Illinois would set Illinois apart from the rest of the Midwest region, making Illinois, for all effective purposes, a "specialty" state in terms of refining and distributing gasoline. Generally, the Midwest region includes Illinois, Indiana, Wisconsin, Michigan, Iowa, Missouri, Minnesota, and Kentucky. Of these, Indiana, Wisconsin, Michigan, Iowa, Minnesota, and Kentucky are subject to a 10.5 psi RVP standard. The southern portion of Illinois, Missouri, Oklahoma, Tennessee, and Arkansas are subject to a 9.5 psi standard. The commenters argue that limiting the volatility of gasoline in Illinois to 9.0 psi while many of the other states operate under a 10.5 psi standard would impose a burden upon the refiners and distributors in three fundamental respects.

First, the commenters argue that the distribution network is not equipped to accommodate a 9.0 psi RVP gasoline. Illinois refiners are presently producing gasolines of 10.5 to 9.5 psi for distribution in Illinois, Indiana, Wisconsin, etc. 10.5 psi gasoline is presently being distributed in Indiana, Wisconsin, and the northern part of Illinois, i.e., north of 40 degrees latitude. 9.5 psi gasoline is presently being distributed in southern Illinois and Missouri. Most of the gasoline supplied in the Midwest is provided primarily by refiners in and around Illinois. In addition, the commenters argue that shipments to this supply are provided by shipments from the Gulf Coast and from Canada. While the commenters note that Gulf Coast supplies have become tight due primarily to pipeline capacity constraints and that imports from Canada have been rather sporadic, they argue that it would be difficult to supplement the Midwest region's supply of

NOTICE OF PROPOSED AMENDMENTS

POLLUTION CONTROL BOARD

ILLINOIS REGISTER

NOTICE OF PROPOSED AMENDMENTS

POLLUTION CONTROL BOARD

ILLINOIS REGISTER

As a preliminary matter, the Board notes that the nature of this rulemaking is somewhat different from most other rulemakings. In this rulemaking, the Board is being asked to adopt early a rule which USEPA is in the process of promulgating. In its consideration of this rule, USEPA has considered and addressed the economic impact upon the regulated community. USEPA has already adopted the first phase of that rule. USEPA has stated on the record in this proceeding that it expects to publish the final phase of its rule early next year, with an effective date of 1992. The final rule is expected to limit the volatility of gasoline in Illinois, and other areas, to 9.0 psi RVP. Thus, a 9.0 psi RVP limitation appears inevitable, which means that the economic impact will result, whether the Board acts or not.

The question, then, in determining whether an ECIS need be conducted is not necessarily what is the economic impact of a gasoline volatility rule in Illinois; more precisely the question is what is the economic impact of early implementation of the federal gasoline volatility rule in Illinois?

The record indicates that reducing the volatility of gasoline from 11.5 to 9.0 psi, taking all of the above considerations into account, would result in a price increase of gasoline of approximately 1-3 cents per gallon. This estimate preceded adoption by USEPA of phase I of its rule. The record is not clear on what the approximate cost per gallon would be in Illinois now that the standard is 10.5 psi. In other words, the record does not articulate what the cost of reducing the volatility of gasoline from 10.5 to 9.0 psi will be per gallon. The Board can only assume that it will be less than or equal to 1-3 cents per gallon. Market forces as they are, the economic burden of this rule will still be carried by the consumer. In relation to the benefits derived from this rule, however, a 1-3 cent cost per gallon of gasoline is not unreasonable. And again, part of this cost increase will be offset by increased fuel economy resulting from the use of lower RVP gasoline.

Put another way, the total cost of implementation appears to be less than \$1000 per ton of VOC controlled. According to P.C. 42, the Office of Technology Assessment has estimated the cost to be in the range of \$320 - 700 per ton of VOC controlled. CLA notes that the Agency has

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

gasoline from these sources because it would be difficult for the pipeline operators to supply only Illinois with 9.0 psi gasoline while the remainder of the upper midwest region receives 10.5 psi gasoline.

Second, the commenters argue that if they are required to produce and market a 9.0 psi gasoline, or a "specialty" gasoline product, they will be placed in a position of economic disadvantage with their out-of-state competitors who are not required to produce 9.0 psi gasoline. These commenters argue that because their competitors will not be required to incur the expense of producing 9.0 psi product, these competitors will be able to sell their product at a lower price.

Third, the commenters argue that limiting Illinois to a 9.0 psi standard would impose a burden on gasoline suppliers in times of spot shortage. For example, one of the hearing participants (Mobil) offered the following testimony on this point:

Right now if we have a spot shortage in Chicago or Illinois, or somewhere in the State of Illinois, some city has a spot shortage, we can bring product in from Minnesota, we can bring it from Indiana, we can bring it in from Wisconsin. We cover it like that. And it is no problem.

But if you have a nine pound standard in Chicago, and there is a ten and a half pound standard in Indiana, we can't do that. Now, where do we go for the product to cover that temporary disruption? We don't know.

(R. 272.)

Thus, the record indicates that in times of spot shortages, Illinois, if under a 9.0 psi standard, would be unable to conveniently make up the shortage using supplies from other states.

It is based upon these issues and concerns that the Board has determined that the appropriate course is to split this docket into two separate proposals, Docket (A) and Docket (B). In Docket (A), the Board proposes a 9.5 psi RVP limitation statewide, and determines that an EcIS need not be conducted. Because the southern portion of Illinois, i.e., south of 40 degrees Latitude, is currently

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

operating under a 9.5 psi standard, the Board believes that much of the concern noted above will be avoided. In other words, Illinois refiners are currently producing 9.5 psi gasoline for distribution in Illinois, and Missouri. Illinois will not be a "specialty" state; Illinois refiners will not be placed in a position of economic disadvantage. Since refiners are producing 9.5 gasoline for southern Illinois, there should be little difficulty in producing it for northern Illinois as well. Further, in times of spot shortage in northern Illinois, the marketers can turn to supplies in southern Illinois and adjoining states to make up the difference. According to USEPA's post hearing comments, adoption of a 9.5 psi limit could result in almost 80% of the potential benefits to be derived from a 9.0 psi standard (P.C. 44).

In Docket (B), however, the Board proposes the 9.0 psi RVP limitation statewide and determines that an EcIS need only be conducted on the issues discussed above, namely whether a 9.0 standard in Illinois would be economically or technically unreasonable or pose an economic hardship in terms of supplying gasoline to Illinois and the other midwestern states; whether a 9.0 standard in Illinois would impose economic hardship in events of spot shortages and an economic analysis of granting the 1.0 psi exemption for ethanol blenders. As will be discussed below, the Board also requests that the EcIS review the impact if the proposed subsection (i) requirement that retail outlets and other facilities maintain records regarding each delivery of gasoline. The Board specifically requests that the Department of Energy and Natural Resources (DENR) prepare and submit this EcIS to the Board on or before June 30, 1989. The Board makes this request so that it will have time to adopt the rule if found to be feasible in time for 1991 implementation.

TECHNICAL FEASIBILITY

As previously described, "volatility" of a liquid is a measure of its tendency to evaporate. Gasoline is a mixture of a number of hydrocarbon components which are very volatile under most conditions. Certain hydrocarbons, known as "light-end" hydrocarbons, are among the most volatile components of gasoline. Butane is a light-end hydrocarbon. Light-end hydrocarbons make up the largest part of gasoline vapor. Evaporated gasoline, however, will also include certain amounts of heavier hydrocarbons.

The Board is not persuaded by the record that it would be technically infeasible for refiners to remove, store,

and/or reuse the butane at a later date. The Board can see no reason why the refiners cannot remove the butane during the regulatory control period, i.e., July and August, and then reuse it during the colder winter months when ozone formation is not a problem. The commenter's argument that storage facilities must be constructed is not, in and of itself, dispositive of this issue. The Board is aware of the existence of potential storage facilities that are apparently being unused. The Board specifically requests comment on the potential availability of these and other facilities for the purpose of butane storage.

Further, the Board notes that the commenters' arguments are directed more to the merits of the gasoline volatility rule in general than to the early implementation of the rule. When the federal rule is adopted, the refiners will be required to remove the butane and do something with it. The Board's consideration of early implementation of the rule merely requires the refiners to begin the search for storage facilities or new markets sooner than the federal rule would.

Safety/Driveability

Many of the commenters argue that the Board should not proceed with this rulemaking because 9.0 psi RVP gasoline would likely give noticeably degraded driveability performance in the early spring and late fall when product would be in the distribution system to ensure compliance with the restriction period. One of the commenters, P.C. 48, submitted a study prepared August 1, 1988 for submission to the American Petroleum Institute. Results of the study are as follows:

- (a) 30% of the vehicles tested showed significant deterioration in driveability performance (at least two or more have hesitation and/or stalls) with 9.0 psi RVP fuel compared to the typical 13.5 psi RVP fuel.
- (b) There were nearly twice as many start stalls with the 9.0 psi RVP fuel compared to the 13.5 psi RVP fuel within the 51 vehicle fleet tested.

Benzene, one of the heavier compounds, is a known carcinogen in addition to contributing to ozone.

Reformulation

As a practical matter, implementation of this rule will be effected by the reformulation, or alteration of the chemical composition, of the gasoline distributed in Illinois. The primary approach that gasoline refiners would take to reduce the volatility of gasoline products would be to add less butane during the refining process. Apparently, in the early 1970's, gasoline volatility had an average RVP of approximately 9.0 psi. With the phasing out of lead in gasoline, refiners began to add butane to gasoline to meet octane requirements. Butane was chosen because it is relatively inexpensive and because it increases octane. However, it also substantially increases volatility. P.C. 42, p.1. Thus, reducing the amount of butane will have the result of decreasing the volatility of the gasoline.

Based on a review of the record, the Board determines that reducing the level of butane in gasoline products would be technically feasible. In most cases, refiners simply need not add butane to the gasoline product. Evidence for this determination is found in the fact that refiners in Illinois already produce gasoline with a volatility of 9.5 psi RVP.

However, many participants, primarily the refiners, note that by not adding the butane to gasoline, the refiners will incur costs for butane removal, butane storage, loss of butane value, octane value replacement, and/or compliance testing. One commenter, P.C. 6, further notes that butane is contained in crude oil as well as being produced in processing units. Processing units like the catalytic reformer and fluid catalytic cracker increase butane production when operating to produce higher octane gasolines. These commenters argue that the surplus butane would have no economic value in the refinery. Thus, new markets for the butane must be developed. Once these markets are developed, the refiner must make refining modifications as well as construct storage and transportation facilities. These commenters believe that the costs associated with such facilities would be excessive.



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- (c) Average driveability performance with the tank fuel (average RVP = 13.0 psi) was similar to performance with the nominal 13.5 psi RVP test fuel.
- (d) Test temperatures for this program ranged from 21-30 degrees F; however, it is expected that lower temperatures than those observed during this test could occur in some ASTM Class C areas during March and November.

Many other participants submitted similar comments.

The CLA argues that vehicle performance will not deteriorate as a result of the reduced volatility, but rather vehicle performance and safety may improve. CLA points to the state of California as an example where fuel volatility has been reduced since 1971 without commensurate driveability problems. CLA further points to the comments of NESCAUM and the Motor Vehicle Manufacturers Association (MVMA) for support of its position.

At hearing, the Board received testimony from a representative of MVMA who stated:

Because every vehicle on the road today was designed and built to operate on nine pound volatility gasoline, MVMA does not believe that vehicle performance would suffer from volatility control. In fact we believe that performance would be increased in the hot summer months due to reduction in vapor lock and stalling on those hot days when ozone is a problem. However, the concern remains regarding vehicle performance in very cold weather. This should be addressed by adjusting the effective date of the control period. It is not a reason to abandon volatility controls. (R.214-215)

Based on the record, the Board is not persuaded that implementation of this rule will result in safety or driveability problems. The study submitted in P.C. 48 was conducted under temperatures of 21 - 30 degrees F. The Docket (A) proposal requires 9.5 psi gasoline at the retail outlet during July and August. The Board does not believe it likely that northern Illinois will be subject to temperatures as cold as that during those months. The Docket (B) proposal would require 9.0 psi gasoline at the

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

retail outlet from June 1 to September 15. The Board does not believe it likely that northern Illinois will be subject to temperatures below 30 degrees during this period also. As a result, the Board is not persuaded that gasoline with a volatility of 9.5 psi, or 9.0 psi for that matter, will pose a safety/driveability problem in Illinois during the regulatory control period here proposed. In colder climates, lower volatility gasoline may pose problems, but the Board believes that those problems should not be present during the implementation of either of these proposals.

ENFORCEABILITY

At hearing, the IPC raised a valid question regarding whether the Clean Air Act allows the state to adopt more restrictive environmental controls absent their inclusion in an approved state implementation plan (SIP). After noting the recent case of American Petroleum Institute v. New York State Department of Environmental Conservation, 29 ERC 1457 (D.N.Y. April 4, 1989), IPC asks:

Since Illinois currently does not have an approved SIP and is bound from developing one until after the FIP has been promulgated or settled, which should be sometime in 1990, how can the Pollution Control Board possibly act on the Chicago Lung Association's proposal? (R. 81.)

The Board does not believe it is precluded from promulgating this regulation based on the decision in the API case. In fact, the Board believes it has every right and power granted under the Environmental Protection Act (Act), Ill. Rev. Stat. 1987, ch. 111-1/2, pars. 1001 et seq., to proceed with this proposal. The Board is aware, however, that under the API decision a final adopted rule will not be enforceable until it is approved as a revision to the SIP. As USEPA has appeared in this rulemaking proceeding and has articulated its support for the rule, the Board believes that USEPA will work expeditiously to approve the rule as a revision to the SIP. Thus, the Board does not agree with IPC that the State must have an "approved SIP" before it can proceed with this rule; rather, the State must submit the adopted rule to USEPA as a revision to the SIP, and once approved as such, the rule can be enforced.

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## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

215.104	Amended	13 Ill. Reg. 15249
215.105	Amended	13 Ill. Reg. 15249
215.585	New Section	13 Ill. Reg. 15249

- 10) Statement of Statewide Policy Objective (if applicable)?  
The Board does not expect that this proposal will require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues. Therefore, the Board does not believe that this rule will create or enlarge a mandate subject to the State Mandates Act, Ill. Rev. Stat. ch. 85, Sec. 2201 et seq.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:  
Send written comments concerning R88-30(B) within 45 days of publication in the Illinois Register to the Clerk of the Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601.
- 12) Initial Regulatory Flexibility Analysis (if applicable):
- A) Date rule submitted to Business Assistance Office of the Department of Commerce and Community Affairs: September 13, 1989
- B) Types of small businesses affected: Small businesses engaged in the process of refining and/or distributing gasoline for use in Illinois.
- C) Reporting, bookkeeping or other procedures required for compliance: See proposed Section 215.585(h). Each refiner or supplier that distributes gasoline or ethanol blends shall maintain records of the volatility of the gasoline that it distributes in Illinois.
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER c: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

## PART 215

## ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS

## SUBPART A: GENERAL PROVISIONS

Section	
215.100	Introduction
215.101	Clean-up and Disposal Operations
215.102	Testing Methods
215.103	Abbreviations and Conversion Factors
215.104	Definitions
215.105	Incorporations by Reference
215.106	Afterburners
215.107	Determination of Applicability

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	
215.121	Storage Containers
215.122	Loading Operations
215.123	Petroleum Liquid Storage Tanks
215.124	External Floating Roofs
215.125	Compliance Dates and Geographical Areas
215.126	Compliance Plan

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section	
215.141	Separation Operations
215.142	pumps and Compressors
215.143	Vapor Blowdown
215.144	Safety Relief Valves

## SUBPART E: SOLVENT CLEANING

Section	
215.181	Solvent Cleaning in General
215.182	Cold Cleaning
215.183	Open Top Vapor Degreasing
215.184	Conveyorized Degreasing

NOTICE OF PROPOSED AMENDMENTS

215.185 Compliance Plan

SUBPART F: COATING OPERATIONS

215.202 Compliance Schedules  
215.204 Emission Limitations for Manufacturing Plants  
215.205 Alternative Emission Limitations  
215.206 Exemptions from Emission Limitations  
215.207 Compliance by Aggregation of Emission Sources  
215.208 Testing Methods for Solvent Content  
215.209 Exemption from General Rule on Use of Organic Material

215.210 Alternative Compliance Schedule

215.211 Compliance Dates and Geographical Areas

215.212 Compliance Plan

215.213 Special Requirements for Compliance Plan

SUBPART H: SPECIAL LIMITATIONS FOR SOURCES IN MAJOR URBANIZED AREAS WHICH ARE NONATTAINMENT FOR OZONE

215.240 Applicability  
215.245 Flexographic and Rotogravure Printing  
215.241 External Floating Roofs  
215.249 Compliance Dates

SUBPART I: ADJUSTED FACT EMISSIONS LIMITATIONS

215.260 Applicability  
215.261 Petition  
215.263 Public Hearing  
215.264 Board Action  
215.267 Agency Petition

SUBPART K: USE OF ORGANIC MATERIAL

Section  
215.301 Use of Organic Material  
215.302 Alternative Standard  
215.303 Fuel Combustion Emission Sources  
215.304 Operations with Compliance Program  
215.305 Viscose Exemption (Repealed)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART N: VEGETABLE OIL PROCESSING

Section  
215.340 Hexane Extraction Soybean Crushing  
215.342 Hexane Extraction Corn Oil Processing  
215.344 Recordkeeping for Vegetable Oil Processes  
215.345 Compliance Determination  
215.346 Compliance Dates and Geographical Areas  
215.347 Compliance Plan

SUBPART P: PRINTING AND PUBLISHING

Section  
215.401 Flexographic and Rotogravure Printing  
215.402 Exemptions  
215.403 Applicability of Subpart K  
215.404 Testing and Monitoring  
215.405 Compliance Dates and Geographical Areas  
215.406 Alternative Compliance Plan  
215.407 Compliance Plan  
215.408 Heatset Web Offset Lithographic Printing

SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING EQUIPMENT

Section  
215.420 Applicability  
215.421 General Requirements  
215.422 Inspection Program Plan for Leaks  
215.423 Inspection Program for Leaks  
215.424 Repairing Leaks  
215.425 Recordkeeping for Leaks  
215.426 Reporting for Leaks  
215.427 Alternative Program for Leaks  
215.428 Compliance Dates  
215.429 Compliance Plan  
215.430 General Requirements  
215.431 Inspection Program Plan for Leaks  
215.432 Inspection Program for Leaks  
215.433 Repairing Leaks  
215.434 Recordkeeping for Leaks  
215.435 Report for Leaks  
215.436 Alternative Program for Leaks  
215.437 Open-Ended Valves  
215.438 Standards for Control Devices  
215.439 Compliance Plan

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES; ASPHALT MATERIALS

Section	
215.441	Petroleum Refinery Waste Gas Disposal
215.442	Vacuum Producing Systems
215.443	Wastewater (Oil/Water) Separator
215.444	Process Unit Turnarounds
215.445	Leaks General Requirements
215.446	Monitoring Program Plan for Leaks
215.447	Monitoring Program for Leaks
215.448	Recordkeeping for Leaks
215.449	Reporting for Leaks
215.450	Alternative Program for Leaks
215.451	Sealing Device Requirements
215.452	Compliance Schedule for Leaks
215.453	Compliance Dates and Geographical Areas

## SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

Section	
215.461	Manufacture of Pneumatic Rubber Tires
215.462	Green Tire Spraying Operations
215.463	Alternative Emission Reduction Systems
215.464	Testing and Monitoring
215.465	Compliance Dates and Geographical Areas
215.466	Compliance Plan

## SUBPART T: PHARMACEUTICAL MANUFACTURING

Section	
215.480	Applicability of Subpart T
215.481	Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers
215.482	Control of Air Dryers, Production Equipment Exhaust Systems and Filters
215.483	Material Storage and Transfer
215.484	In-Process Tanks
215.485	Leaks
215.486	Other Emission Sources
215.487	Testing
215.488	Monitors for Air Pollution Control Equipment
215.489	Compliance Schedule

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART U: COKE MANUFACTURING AND BY-PRODUCT RECOVERY

Section	
215.500	Exception
215.510	Coke By-Product Recovery Plants
215.512	Coke By-Product Recovery Plant Leaks
215.513	Inspection Program
215.514	Recordkeeping Requirements
215.515	Reporting Requirements
215.516	Compliance Dates
215.517	Compliance Plan

## SUBPART V: AIR OXIDATION PROCESSES

Section	
215.520	Applicability
215.521	Definitions
215.525	Emission Limitations for Air Oxidation Processes
215.526	Testing and Monitoring
215.527	Compliance Date

## SUBPART W: AGRICULTURE

Section	
215.541	Pesticide Exception

## SUBPART X: CONSTRUCTION

Section	
215.561	Architectural Coatings
215.562	Paving Operations
215.563	Cutback Asphalt

## SUBPART Y: GASOLINE DISTRIBUTION

Section	
215.581	Bulk Gasoline Plants
215.582	Bulk Gasoline Terminals
215.583	Gasoline Dispensing Facilities
215.584	Gasoline Delivery Vessels
215.585	Gasoline Volatility Standards

## SUBPART Z: DRY CLEANERS

Section	
215.601	Perchloroethylene Dry Cleaners
215.602	Exemptions

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

215.943	Permit Conditions	
215.946	Control Requirements	
SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES		
Section	215.960	Applicability
	215.963	Permit Conditions
	215.966	Control Requirements
Appendix A	Rule into Section Table	
Appendix B	Section into Rule Table	
Appendix C	Past Compliance Dates	
Appendix D	List of Chemicals Defining Synthetic Organic	
Appendix E	Chemical and Polymer Manufacturing Reference Methods and Procedures	
Appendix F	Coefficients for the Total Resource Effectiveness Index (TRE) Equation	
AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 ½ pars. 1010 and 1027).		
SOURCE: Adopted as Chapter 2: Air Pollution, Rule 205: Organic Material Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-3, 33 PCB 357, at 3 Ill. Reg. 18, p. 41, effective May 3, 1979; amended in R78-3 and R78-4, 35 PCB 75, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5 at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13601; Notice of Corrections at 7 Ill. Reg. 14575; amended in R82-14 at 8 Ill. Reg. 13254, effective July 12, 1984; amended in R83-36 at 9 Ill. Reg. 9114, effective May 30, 1985; amended in R82-14 at 9 Ill. Reg. 13960, effective August 28, 1985; amended in R85-28 at 11 Ill. Reg. 3127, effective February 3, 1987; amended in R82-14 at 11 Ill. Reg. 7296, effective April 3, 1987; amended in R85-21(A) at 11 Ill. Reg. 11770, effective June 29, 1987; recodified in R86-39 at 11 Ill. Reg. 13541; amended in R82-14 and R86-12 at 11 Ill. Reg. 16706, effective September 30, 1987; amended in R85-21(B) at 11 Ill. Reg. 19117, effective November 9, 1987; amended in R86-36, R86-39, R86-40 at 11 Ill. Reg. 20829, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 815, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7311, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7650, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg.		

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

215.603	Testing and Monitoring	
215.604	Compliance Dates and Geographical Areas	
215.605	Compliance Plan	
215.606	Exception to Compliance Plan	
215.607	Standards for Petroleum Solvent Dry Cleaners	
215.608	Operating Practices for Petroleum Solvent Dry Cleaners	
215.609	Program for Inspection and Repair of Leaks	
215.610	Testing and Monitoring	
215.611	Exemption for Petroleum Solvent Dry Cleaners	
215.612	Compliance Dates and Geographical Areas	
215.613	Compliance Plan	
SUBPART AA: PAINT AND INK MANUFACTURING		
Section	215.620	Applicability
	215.621	Exemption for Waterbase Material and Heatset Offset Ink
	215.623	Permit Conditions
	215.624	Open-top Mills, Tanks, Vats or Vessels
	215.625	Grinding Mills
	215.628	Leaks
	215.630	Clean Up
	215.636	Compliance Date
SUBPART BB: POLYSTYRENE PLANTS		
Section	215.875	Applicability of Subpart BB
	215.877	Emissions Limitation at Polystyrene Plants
	215.879	Compliance Date
	215.881	Compliance Plan
	215.883	Special Requirements for Compliance Plan
	215.886	Testing and Monitoring
SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES		
Section	215.920	Applicability
	215.923	Permit Conditions
	215.926	Control Requirements
SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES		
Section	215.940	Applicability

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

10893, effective June 27, 1989.; amended in R88-30(A) at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_; amended in R88-30(B) at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

## Section 215.104 Definitions

The definitions of 35 Ill. Adm. Code 201 and 211 apply to this Part, as well as the definitions contained in this Section. Where the definitions contained in this Section are more specific than that found in 35 Ill. Adm. Code 201 or 211, it shall take precedence in application of this Part.

"Binders": Organic materials and resins which do not include volatile organic materials.

"Clear Topcoat": The final coating which contains binders, but not opaque pigments, and is specifically formulated to form a transparent or translucent solid protective film.

"Continuous Process": A method of manufacture of polystyrene resin in which the styrene raw material is delivered on a continuous basis to the reactor in which the styrene is polymerized to polystyrene.

"Conventional Soybean Crushing Source": Any hexane extraction soybean crushing equipment that uses direct contact steam for desolventizing and producing toasted soy meals.

"Ethanol blend gasoline" means a mixture of gasoline and at least 9% ethanol by volume.

"Furniture Coating Application Line": The combination of coating application equipment, flash-off area, spray boots, ovens, conveyors, and other equipment operated in a predetermined sequence for purpose of applying coating materials to wood furniture.

"Heatset": A class of web offset lithography which requires a heated dryer to solidify the printing inks.

"Heavy Liquid": Liquid with a true vapor pressure of less than 0.3 kPa (0.04 psi) at 294.3° K (70° F) established in a

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

standard reference text or as determined by ASTM method D-2879; or which has 0.1 Reid Vapor Pressure as determined by ASTM method D-323; or which when distilled requires a temperature of 421.95K (300° F) or greater to recover 10% of the liquid as determined by ASTM method D-86.

"In Vacuum Service": For the purposes of Subpart Q, Sections 215.430 through 215.438 equipment which is operating at an internal pressure that is at least 5 kPa (0.73 psia) below ambient pressure.

"Light Liquid": Volatile organic material in the liquid state which is not defined as heavy liquid.

"Light Oil": A liquid condensed or absorbed from coke oven gas composed of benzene, toluene, and xylene.

"Material Recovery Section": Any equipment designed to transport and recover styrene monomer and other impurities from other products and by-products in a polystyrene plant, including but not limited to the styrene devolatilizer unit and styrene recovery unit.

"Offset": Use of a blanket cylinder to transfer ink from the plate cylinder to the surface to be printed.

"Opaque Stains": All stains containing pigments not classified as semi-transparent stains including stains, glazes and other opaque material to give character to wood.

"Open-Ended/Valve": Any valve, except pressure relief devices, having one side of the valve in contact with process fluid and one side open to the atmosphere, either directly or through open piping.

"Pigments Coatings": Opaque coatings containing binders and colored pigments which are formulated to conceal the wood surface either as an undercoat or topcoat.

"Polystyrene Plant": Any plant using styrene to manufacture polystyrene resin.

"Polystyrene Resin": A substance consisting of styrene polymer and additives which is manufactured at a polystyrene plant.

"Reid vapor pressure": is the standardized measure of the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Wholesale Purchaser-Consumer": means any person or organization that purchases or obtains gasoline from a supplier for ultimate consumption or use in motor vehicles and receives delivery of the gasoline into a storage tank with a capacity of at least 550 gallons (2082 liters) owned and controlled by that person.

"Wood Furniture": Room furnishings including cabinets (kitchen, bath and vanity), tables, chairs, beds, sofas, shutters, art objects, wood paneling, wood flooring, and any other coated furnishings made of wood, wood composition or fabricated wood materials.

(Source: Amended at \_\_\_\_\_ effective \_\_\_\_\_, Ill. Reg. \_\_\_\_\_)

Section 215.105 Incorporation by Reference

The following materials are incorporated by reference:

a) American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103;

1) ASTM D 1644-59 Method A

2) ASTM D 1475-60

3) ASTM D 2369-73

4) ASTM D 2879-83 (Approved 1983)

5) ASTM D 323-82 (Approved 1982)

6) ASTM D 86-82 (Approved 1982)

7) ASTM E 260-73 (Approved 1973), E 168-67 (Reapproved 1977), E 169-63 (Reapproved 1981), E 20 (Approved 1985)

8) ASTM D 97-66

9) ASTM D 1946-67

10) ASTM D 2382-76

11) ASTM D 2504-83

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

vapor pressure of a liquid in pounds per square inch absolute (kPa) at 100° F (37.8° C).

"Repair Coatings": Coatings to correct imperfections or damage to furniture surface.

"Repaired": For the purposes of Subpart Q, Sections 215.430 through 215.438 equipment which is adjusted or otherwise altered, to eliminate a leak.

"Retail Outlet": means any gasoline dispensing facility at which gasoline is sold or offered for sale for use in motor vehicles.

"Sealer": coating containing binders which seals the wood prior to application to subsequent coatings.

"Semi-transparent Stains": Stains containing dyes or semi-transparent pigments which are formulated to enhance wood grain and change the color of the surface but not to conceal the surface, including, but not limited to, sap stain, toner, non-grain raising stains, pad stain, spatter stain.

"Specialty Soybean Crushing Source": Any hexane extraction soybean crushing equipment using indirect steam heat in flash or vapor desolventizers as the primary method of desolventizing and producing specialty solvent extracted soy flakes, grits or flour.

"Styrene Devolatilizer Unit": Equipment performing the function of separating unreacted styrene monomer and other volatile components from polystyrene in a vacuum devolatilizer.

"Styrene Recovery Unit": Equipment performing the function of separating styrene monomer from other less volatile components of the styrene devolatilizer unit's output. The separated styrene monomer may be reused as a raw material in the polystyrene plant.

"Wash Coat": Coating containing binders which seals wood surfaces, prevents undesired staining and controls penetration.

"Web": A substrate which is printed in continuous roll-fed presses.



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 12) ASTM D 2382-83
- 13) ASTM D 4057-81 (Approved 1981)
- 14) ASTM D 4177-82 (Approved 1982)
- b) Federal Standard 141a, Method 4082.1.
- c) National Fire Codes, National Fire Prevention Association, Battery March Park, Quincy, Massachusetts 02269 (1979).
- d) United States Environmental Protection Agency, Washington, D.C., EPA-450/2-77-026, Appendix A (October 1977).
- e) United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-051 Appendix A and Appendix B (December 1978).
- f) Standard Industrial Classification Manual, published by Executive Office of the President, Office of Management and Budget, Washington, D.C., 1972
- g) 40 CFR 60, Appendix A (1986).
- h) United States Environmental Protection Agency, Washington D.C., EPA-450/2-78-041.
- i) 40 CFR 80, Appendices D, E, and F, adopted March 22, 1989 at 54 Fed. Reg. 11897.

BOARD NOTE: The incorporations by reference listed above contain no later amendments or editions.

(Source: Amended at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART Y: GASOLINE DISTRIBUTION

Section 215.585 Gasoline Volatility Standards

- a) No person shall sell, offer for sale, dispense, supply, offer for supply, or transport for use in Illinois gasoline whose Reid vapor pressure exceeds the applicable limitations set forth in subsections (b) and

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

(c) during the regulatory control periods set forth as follows:

- 1) The regulatory control period for calendar year 1990 shall be July 1 to August 31 for retail outlets, wholesale purchaser-consumer facilities, and all other facilities.
- 2) The regulatory control period for calendar year 1991 and each calendar year thereafter shall be July 1 to August 31 for retail outlets, wholesale purchaser-consumer facilities, and all other facilities.
- b) The Reid vapor pressure of gasoline, a measure of its volatility, shall not exceed 9.5 psi (65.5 kPa) during the regulatory control period in 1990 and each year thereafter.
- c) The Reid vapor pressure of ethanol blend gasolines shall not exceed the limitations for gasoline set forth in subsection (b) by more than 1.0 psi (6.9 kPa). Notwithstanding this limitation, blenders of ethanol blend gasolines whose Reid vapor pressure is less than 1.0 psi above the base stock gasoline immediately after blending with ethanol are prohibited from adding butane or any product that will increase the Reid vapor pressure of the blended gasoline.
- d) All sampling of gasoline required pursuant to the provisions of this Section shall be conducted by one or more of the following approved methods or procedures which are incorporated by reference in Section 215.105.
- 1) For manual sampling, ASTM D4057;
- 2) For automatic sampling, ASTM D4177;
- 3) Sampling Procedures for Fuel Volatility, 40 CFR 80 Appendix D.
- e) The Reid vapor pressure shall be measured in accordance with test method ASTM D323 or in the case of gasoline-oxygenate blends which contains water-extractable oxygenates, a modification of ASTM D323 as set forth in 40 CFR 80, Appendix E, incorporated by reference in Section 215.105.

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## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
120.20	Amendment	September 22, 1989 (13 Ill. Reg. 14778)
120.30	Amendment	September 22, 1989 (13 Ill. Reg. 14778)
120.31	Amendment	June 23, 1989 (13 Ill. Reg. 9996)
120.70	Amendment	March 17, 1989 (13 Ill. Reg. 3281)
120.72	New Section	March 17, 1989 (13 Ill. Reg. 3281)
120.74	New Section	March 17, 1989 (13 Ill. Reg. 3281)
120.76	New Section	March 17, 1989 (13 Ill. Reg. 3281)
120.346	New Section	June 30, 1989 (13 Ill. Reg. 10753)
120.380	Amendment	June 30, 1989 (13 Ill. Reg. 10753)
120.382	Amendment	March 17, 1989 (13 Ill. Reg. 3281)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Office of the General Counsel, Illinois Department of Public Aid, 100 South Grand Avenue East, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.70 Supplementary Medical Insurance Benefits, Buy-In Program

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section 120.80 Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section 120.90 Migrant Medical Program  
Income Standards

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section 120.208 Client Cooperation

Citizenship

Residence

Age

Relationship

Living Arrangement

Supplemental Payments

Institutional Status

Foster Care Program

Social Security Numbers

Unearned Income

Exempt Unearned Income

Education Benefits

Unearned Income In-kind

Earmarked Income

Lump Sum Payments and Income Tax Refunds

Protected Income

Earned Income

Budgeting Earned Income

Exempt Earned Income

Recognized Employment Expenses

Income from Work/Study/Training Program

Earned Income from Self-Employment

Earned Income from Roomer and Boarder

Earned Income In-kind

Payments from the Illinois Department of Children and Family Services

Assets

Exempt Assets

Asset Disregards

Section 120.70

Section 120.90

120.91

Section 120.208

120.210

120.211

120.212

120.215

120.216

120.217

120.218

120.224

120.225

120.230

120.235

120.236

120.240

120.245

120.250

120.255

120.260

120.261

120.262

120.270

120.271

120.272

120.273

120.275

120.276

120.280

120.281

120.282

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID

SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section 120.1

Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section 120.10

Eligibility For Medical Assistance

120.11

Eligibility For Medical Assistance For Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

120.20

MANG(AABD) Income Standard

120.30

MANG(C) Income Standard

120.31

MANG(P) Income Standard

120.40

Exceptions To Use Of MANG Income Standard

120.50

AMI Income Standard

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section 120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

120.61

Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG(AABD) and MANG(C)

120.62

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 111. Adm. Code

120.63

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings

120.64

Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section	
120.283	Deferral of Consideration of Assets
120.284	Spend-down of Assets (AMI)
120.285	Property Transfers
120.290	Persons Who May Be Included in the Assistance Unit
120.295	Payment Levels for AMI

## SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section	
120.308	Client Cooperation
120.309	Caretaker Relative
120.310	Citizenship
120.311	Residence
120.312	Age
120.313	Blind
120.314	Disabled
120.315	Relationship
120.316	Living Arrangements
120.317	Supplemental Payments
120.318	Institutional Status
120.319	Assignment of Rights to Medical Support and Collection of Payment
120.320	Cooperation in Establishing Paternity and Obtaining Medical Support
120.321	Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.322	Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.323	Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause
120.324	Foster Care Program
120.325	Social Security Numbers
120.330	Unearned Income
120.332	Budgeting Unearned Income
120.335	Exempt Unearned Income
120.336	Education Benefits
120.338	Incentive Allowance
120.340	Unearned Income In-Kind
120.342	Court Ordered Child Support Payments of Parent/Step-Parent
120.345	Earmarked Income
120.350	Lump Sum Payments and Income Tax Refunds
120.355	Protected Income
120.360	Earned Income
120.361	Budgeting Earned Income
120.362	Exempt Earned Income
120.364	Earned Income Exemption

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section	
120.366	Exclusion From Earned Income Exemption
120.370	Recognized Employment Expenses
120.371	Income From Work/Study/Training Programs
120.372	Earned Income From Self-Employment
120.373	Earned Income From Roomer and Boarder
120.375	Earned Income In Kind
120.376	Payments from the Illinois Department of Children and Family Services
120.380	Assets
120.381	Exempt Assets
120.382	Asset Disregard
120.383	Deferral of Consideration of Assets
120.384	Spend-down of Assets (MANG)
120.385	Property Transfers
120.390	Persons Who May Be Included In the Assistance Unit
120.391	Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Infants Under Age One Year
120.392	Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
120.393	Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project
120.395	Payment Levels for MANG
120.399	Redetermination of Eligibility

AUTHORITY: Implementing Articles III, IV, V, VI and VII and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill.

NOTICE OF PROPOSED AMENDMENTS

at 7 111. Reg. 6082; amended at 7 111. Reg. 8256, effective July 1, 1983; amended at 7 111. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 111. Reg. 14747; amended (by adding sections being codified with no substantive change) at 7 111. Reg. 16108; amended at 8 111. Reg. 5253, effective April 9, 1984; amended at 8 111. Reg. 6770, effective April 27, 1984; amended at 8 111. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 111. Reg. 17897; amended at 8 111. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 111. Reg. 20706, effective October 3, 1984; amended at 8 111. Reg. 25053, effective December 12, 1984; emergency amendment at 9 111. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 111. Reg. 4515, effective March 25, 1985; amended at 9 111. Reg. 5346, effective April 11, 1985; amended at 9 111. Reg. 7153, effective May 6, 1985; amended at 9 111. Reg. 11346, effective July 8, 1985; amended at 9 111. Reg. 12298, effective July 25, 1985; amended at 9 111. Reg. 12823, effective August 9, 1985; amended at 9 111. Reg. 15903, effective October 4, 1985; amended at 9 111. Reg. 16300, effective October 10, 1985; amended at 9 111. Reg. 16906, effective October 18, 1985; amended at 10 111. Reg. 1192, effective January 10, 1986; amended at 10 111. Reg. 3033, effective January 23, 1986; amended at 10 111. Reg. 4907, effective March 7, 1986; amended at 10 111. Reg. 6966, effective April 16, 1986; amended at 10 111. Reg. 10688, effective June 3, 1986; amended at 10 111. Reg. 12672, effective July 14, 1986; amended at 10 111. Reg. 15649, effective September 19, 1986; amended at 11 111. Reg. 3992, effective February 23, 1987; amended at 11 111. Reg. 7652, effective April 15, 1987; amended at 11 111. Reg. 8735, effective April 20, 1987; emergency amendment at 11 111. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 111. Reg. 14034, effective August 14, 1987; amended at 11 111. Reg. 14763, effective August 26, 1987; amended at 11 111. Reg. 20142, effective January 1, 1988; amended at 11 111. Reg. 20898, effective December 14, 1987; amended at 12 111. Reg. 904, effective January 1, 1988; amended at 12 111. Reg. 3516, effective January 22, 1988; amended at 12 111. Reg. 6234, effective March 22, 1988; amended at 12 111. Reg. 8672, effective May 13, 1988; amended at 12 111. Reg. 9132, effective May 20, 1988; amended at 12 111. Reg. 11483, effective June 30, 1988; emergency amendment at 12 111. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 111. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 111. Reg. 12835, effective July 22, 1988; emergency amendment at 12 111. 13243,

NOTICE OF PROPOSED AMENDMENTS

Reg. 46, p. 36, effective November 2, 1979; amended at 3 111. Reg. 47, p. 96, effective November 13, 1979; amended at 3 111. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 111. Reg. 9, p. 259, effective February 22, 1980; amended at 4 111. Reg. 10, p. 258, effective February 25, 1980; at 4 111. Reg. 12, p. 551, effective March 10, 1980; amended at 4 111. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 111. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 111. Reg. 37, p. 797, effective September 2, 1980; amended at 4 111. Reg. 37, p. 800, effective September 2, 1980; amended at 4 111. Reg. 45, p. 134, effective October 27, 1980; amended at 5 111. Reg. 766, effective January 2, 1981; amended at 5 111. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 111. Reg. 5722, effective June 1, 1981; amended at 5 111. Reg. 7071, effective June 23, 1981; amended at 5 111. Reg. 7104, effective June 23, 1981; amended at 5 111. Reg. 8041 effective July 27, 1981; amended at 5 111. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 111. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 111. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 111. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 111. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 111. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 111. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 111. Reg. 10131, effective October 1, 1981; peremptory amendment at 5 111. Reg. 10730, effective October 1, 1981; amended at 5 111. Reg. 10733, effective October 1, 1981; amended at 5 111. Reg. 10760, effective October 1, 1981; amended at 5 111. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 111. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 111. Reg. 611, effective January 1, 1982; amended at 6 111. Reg. 1216, effective January 14, 1982; emergency amendment at 6 111. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 111. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 111. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 111. Reg. 6912, effective May 20, 1982; emergency amendment at 6 111. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 111. Reg. 8142, effective July 1, 1982; amended at 6 111. Reg. 8159, effective July 1, 1982; amended at 6 111. Reg. 10970, effective August 26, 1982; amended at 6 111. Reg. 11921, effective September 21, 1982; amended at 6 111. Reg. 12293, effective October 1, 1982; amended at 6 111. Reg. 12318, effective October 1, 1982; amended at 6 111. Reg. 13754, effective November 1, 1982; amended at 7 111. Reg. 394, effective January 1, 1983; codified

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. \_\_\_\_\_, effective October 6, 1989; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

## SUBPART B: ASSISTANCE STANDARDS

## Section 120.10 Eligibility For Medical Assistance

- a) Eligibility for Medical Assistance exists when a client meets the non-financial requirements of the program and the client's nonexempt income (Sections 120.325 and 120.342) ~~available over a six-(6)-month eligibility period, Sections 120.200 and 120.227 (three-(3)-months for Aid to the Medically Indigent (AMI))~~ is equal to or less than the applicable Medical Assistance - No Grant (MANG) or Aid to the Medically Indigent (AMI) Standard (Sections 120.20 and 120.50) and non-exempt assets are not in excess of the applicable asset disregards (Sections 120.282 and 120.382).
- b) ~~If the client's nonexempt income available over the applicable six-(6)-or-three-(3)-month-eligibility period is greater than the applicable MANG or AMI Standard and/or non-exempt assets are over the applicable asset disregard,~~ the client must meet the spend-down obligation determined for the applicable time period before becoming eligible to receive Medical Assistance.
- c) A one month eligibility period is used for clients receiving care in an Intermediate (ICF) or Skilled Nursing Care Facility (SNF) or in a Department of Mental Health and Developmental Disabilities (DMHDD) Facility. Nonexempt income and non-exempt assets over the asset disregard is are applied toward the cost of

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 120.10 Eligibility For Medical Assistance (Cont'd.)

care on a monthly basis.

~~d) If a client has nonexempt assets over the asset disregard amount, the client is ineligible for Medical Assistance.~~

~~e)d) 1)~~ 1) When the Department becomes aware of the birth of a child to a recipient of an AFDC or AABD grant or related medical assistance or medical assistance due to the mother's pregnancy, the child shall be deemed to have applied for medical assistance only, without written request, subject to the following conditions:

A) The mother must have been receiving AFDC or AABD related medical assistance, or medical assistance due to her pregnancy on the date of birth of the child;

B) The mother must have been continuously eligible for such medical assistance.

2) The newborn shall be eligible to receive medical assistance only from the date of birth for up to one year or until the mother becomes ineligible for medical assistance, whichever comes first. The newborn can be added to the grant or medical assistance case, if otherwise eligible, through regular procedures by written request at any time.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 120.60 All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

The following subsections apply to all cases other than those receiving care in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Care Facilities, Department of Mental Health and Developmental Disabilities (DMHDD) Facilities, or DMHDD approved community based residential settings under '89 Ill. Adm. Code 140.643 or pregnant women and infants under age one year who do not qualify as mandatory categorically needy.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Nedy (Cont'd.)

120.382) the client is eligible for medical assistance from the first day of the eligibility period. Covered services received during the entire eligibility period will be paid for by the Department.

2)

The client is responsible to report any changes that occur during the eligibility period which might affect eligibility for Medical Assistance. If changes occur, appropriate action shall be taken by the Department, including termination of eligibility for Medical Assistance. If changes in income, assets or family composition occur which would make the client a spend-down case, a spend-down obligation will be determined and the subsections in (d) below will apply.

3)

For MANG(C) and MANG(AABD), a full re-determination of eligibility will be made every twelve (12) months. For AMI, clients wishing continued Medical Assistance after the six (6) month eligibility period must reapply for Medical Assistance.

d)

Eligibility with Spend-down for MANG (AABD), MANG(C), and AMI

1)

If the client's nonexempt income available during the six-(6)-month applicable eligibility period is greater than the applicable MANG or AMI Standard and/or non-exempt assets are over the applicable asset disregard, the client must meet the spend-down obligation determined for the eligibility period before becoming eligible to receive Medical Assistance. The spend-down obligation is the sum of the amount by which the client's non-exempt income available during the eligibility-period exceeds the MANG or AMI Standard and the amount of non-exempt assets in excess of the applicable asset disregard.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Nedy (Cont'd.)

The eligibility periods for MANG (AABD) and MANG(C) is six-(6) one (1) months. The eligibility period shall begin with:

1)

the first day of the month of application, or the first day of any month prior to the month of application that the client meets non-financial eligibility requirements up to three months prior to the month of application, if the client so desires, or

3)

the first day of a month after the month of application that the client meets non-financial eligibility requirements.

b)

The eligibility period for AMI is six (6) months. The eligibility period shall begin with:

1)

the first day of the month of application, or the first day of the month prior to the month of application, if the client meets non-financial eligibility requirements and if the client so desires, or

3)

the first day of a month after the month of application that the client meets non-financial eligibility requirements.

c)

Eligibility Without Spend-down for MANG (AABD), MANG(C) and AMI

1)

If the client's nonexempt income (Sections 120.220, 120.227, 120.325, and 120.342) available during the six-(6)-month eligibility period is equal to or below the applicable MANG or AMI Standard (Sections 120.20 and 120.50), and non-exempt assets are not in excess of the applicable asset disregard (Sections 120.282 and



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy (Cont'd.)

- 2) The client meets the spend-down obligation by incurring or paying for medical expenses in an amount equal to the spend-down obligation.
  - A) Medical expenses shall be applied to the spend-down obligation in chronological order.
  - B) Medical expenses incurred prior to the eligibility period ~~will~~ may be considered for purposes of spend-down ~~only~~ to the extent that the client makes payments on them during the eligibility period ~~and only to the extent of the amount of such payments or to the extent the medical bills remain the responsibility of the client.~~
- 3) After application for Medical Assistance, the client will be notified in writing of the spend-down obligation. The client will also be notified of the six-month enrollment period, the time in which no new application is necessary. When proof of incurred medical expenses equal to the spend-down obligation is provided to the local office, eligibility for Medical Assistance shall begin effective the first day that the spend-down obligation is met. Covered services received from that date until the end of the eligibility period will be paid for by the Department. The client shall be responsible directly to the provider for payment for services provided prior to the time client meets the spend-down obligation.
  - A) If one bill for medical expenses incurred on a certain date is more than enough to equal the spend-down obligation, part of the bill will be used to meet the spend-down obligation and the Department will price the bill to determine the Department's liability, if any. The Department shall be

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy (Cont'd.)

- liable only if the Department rate is greater than that part of the bill used to meet spend-down and only for the difference between those two amounts.
- B) If more than one bill for medical expenses incurred on the same date would be enough to equal or exceed the spend-down obligation, medical expenses shall be applied to the spend-down obligation in the following order:
    - i) Medicare and other health insurance premiums, deductibles or coinsurance charges;
    - ii) medical expenses for services recognized under State law but not included in the State plan;
    - iii) medical expenses for services included in the State plan. Once medical expenses are applied towards the spend-down obligation, the order of application shall not be changed.
  - C) If a service is provided during the eligibility period but payment may be made by a third party, such as an insurance company, the medical expense will not be considered towards spend-down until the bill is adjudicated. When adjudicated, that part determined to be the responsibility of the client shall be considered as incurred on the date of service.
  - 4) Prior to the end of the eligibility six-month enrollment period all clients, whether or not the spend-down obligation has been met, shall be notified in writing that ~~the-eligibility-period enrollment~~ will end on a certain date. The client will also be informed by this notice that

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## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 120.61 Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG (AABD) and MANG(C) (Cont'd.)

of care at the non-DMHDD facility for the month the transfer occurs. If the client is discharged from a DMHDD facility or non-DMHDD facility to his/her residence in the community or to a community based residential setting (such as Community Living Facility, Special Home Placement, Supported Living Arrangement, Home Individual Program, Community Residential Alternatives as defined at 59 Ill. Adm. Code 120.10), the MANG Community Income Standard is used (see Section 120.20) beginning with the month of discharge from the DMHDD facility or non-DMHDD.

- 3) If non-exempt income and non-exempt assets over the applicable asset disregard is are greater than the Department's rate for cost of care, no payment will be made to the facility. However, the client may become eligible for Medical Assistance for other medical expenses by incurring medical expenses equal to the spend-down obligation. The private rate of the facility may be applied to the spend-down obligation in this instance. A full redetermination shall be made every twelve (12) months.
- c) Allow a deduction from the MANG client's income to meet the needs of a dependent spouse and/or children under age 21 who do not have enough income to meet their needs and whose assets do not exceed the asset limit. To determine needs and asset limits:
- 1) for a spouse only, use the AABD MAG standard and asset disregard (see Sections 120.20 and 120.382).
  - 2) for spouse and/or dependent children, use AFDC MAG standard and asset disregard (see Sections 120.30 and 120.382).
  - 3) allow any payments made on medical bills for the spouse and/or children.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 120.62 Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 140.643

- a) 1) The following rule applies to individuals receiving in-home care services through the Department of Mental Health and Developmental Disabilities (DMHDD) in accord with 89 Ill. Adm. Code 140.643. The in-home care services are provided in the following community based residential settings.
  - A) Community Living Facilities (CLF)
  - B) Special Home Placements (SHP)
  - C) Supported Living Arrangement (SLA)
  - D) Home Individual Program (HIP)
  - E) Community Residential Alternatives (CRA)
- 2) A definition of the above quoted Home and Community based residential settings as well as a description of the Title XIX waiver services can be found at 59 Ill. Adm. Code 120.
- b) A one-month eligibility period will be used. Eligibility begins the first day of the eligibility period or the day during the month that spend-down is met.
- c) A one-person MANG Community Income Standard will be used (see 89 Ill. Adm. Code 120.20).
- d) The client shall be allowed an asset disregard in the amount for one client in accord with Section 120.382. Assets are considered in accord with 89 Ill. Adm. Code 113.140, 113.141, 113.142 and 113.154.
- e) If the client has SSI income, the SSI income will be applied by DMHDD toward the cost of room and board. However, no payment will be made by the Department for the cost of room and board. The client shall be responsible directly to DMHDD for payment of room and board costs.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.62

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 140.643 (Cont'd.)

- f) A new application and/or a redetermination of eligibility will not be required for eligible clients who move from an institutional setting to an approved Home and Community based residential setting.
- k) A case review is required for eligible cases placed in an approved residential setting.
- l) A full redetermination of eligibility shall be made every twelve months.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 120.63

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings

This Section applies to individuals receiving remedial care services through the Department of Mental Health and Developmental Disabilities (DMHDD) in Home and Community Based Residential Settings approved by DMHDD. Remedial care services are those services (except for room and board) provided by DMHDD that are directed toward meeting the needs of disabled clients who are not receiving services through the Department's In-Home Care Program (see Section 120.62). The remedial care services are provided in the following Home and Community Based Residential Settings:

- A) Community Living Facilities (CLF)
- B) Special Home Placements (SHP)
- C) Supported Living Arrangement (SLA)
- D) Home Individual Program (HIP)
- E) Community Residential Alternatives (CRA)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.62

Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 140.643 (Cont'd.)

- f) If the client's non-exempt income is greater than the MANG standard and/or non-exempt assets are over the applicable asset disregard, the client must meet the spend-down obligation determined for the eligibility period before becoming eligible to receive medical Assistance. The spend-down obligation is the sum of the amount by which the client's non-exempt income ~~available-during-the-eligibility-period~~ exceeds the MANG standard and the amount of non-exempt assets in excess of the applicable asset disregard.
- g) The client may meet the spend-down by incurring Title XIX waiver (in-home care) services. Waiver services are considered incurred in total for the month on the first day of the month or the first day of stay for a month that the client resides in the approved residential setting if for less than an entire month. If the cost of waiver services equals or exceeds the spend-down amount, the spend-down obligation is met. DMHDD will provide the local office a statement of expected monthly charges for waiver services to ensure that the spend-down obligation is met.
- h) If the client's non-exempt income is equal to or less than the MANG standard and non-exempt assets are not in excess of the applicable asset disregard, the client is eligible for medical assistance from the first day of the eligibility period.
- i) If the client's non-exempt income exceeds the MANG standard and/or non-exempt assets are over the applicable asset disregard, eligibility for medical assistance shall begin effective the first day that the spend-down obligation is met. The Department will pay for covered services less the client's liability (excluding Title XIX waiver services) received from the date the spend-down obligation is met date until the end of the eligibility period. The client shall be responsible directly to the provider for payment for services provided prior to the time client meets the spend-down obligation.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 120.63 Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings (Cont'd.)

- 2) A definition of the Home and Community Based Residential Settings can be found at 59 Ill. Adm. Code 120.
- b) A one-month eligibility period will be used. Eligibility begins the first day of the eligibility period or the day during the month that spend-down is met.
- c) A one-person MANG Community Income Standard will be used (see Section 120.20).
- d) The client shall be allowed an asset disregard in the amount for one client in accord with Section 120.382. Assets are considered in accord with 89 Ill. Adm. Code 113.140, 113.141, 113.142 and 113.154.
- e) If the client has SSI income, the SSI income will be applied by DMHDD toward the cost of room and board. The client shall be responsible directly to DMHDD for payment of room and board costs. No payment will be made by the Department for the cost of room and board.
- f) If the client's non-exempt income is greater than the MANG Standard and/or non-exempt assets are over the applicable asset disregard, the client must meet the spend-down obligation determined for the eligibility period before becoming eligible to receive medical assistance. The spend-down obligation is the sum of the amount by which the client's non-exempt income available-during-the-eligibility-period exceeds the MANG Standard and the amount of non-exempt assets in excess of the applicable asset disregard.
- g) The client may meet the spend-down by incurring costs for remedial care services. Remedial care costs are the cost of all services reported by DMHDD that exceed the MANG Community Income Standard and the Income Disregard amount. Remedial care services are considered incurred in total for the month on the first day of the month or the first day of stay for a month that the client resides in the approved residential setting if for less than an entire month.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 120.63 Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings (Cont'd.)

- If the cost of remedial care services equal or exceeds the spend-down amount, the spend-down obligation is met. DMHDD will provide the local office a statement of expected monthly charges for remedial care services to ensure that the spend-down obligation is met.
- h) If the client's non-exempt income is equal to or less than the MANG Standard and non-exempt assets are not in excess of the applicable asset disregard, the client is eligible for medical assistance from the first day of the eligibility period.
- i) If the client's non-exempt income exceeds the MANG Standard and/or non-exempt assets are over the applicable asset disregard, eligibility for medical assistance shall begin effective the first day that the spend-down obligation is met. Covered services, less the client's liability, received from the spend-down met date until the end of the eligibility period will be paid for by the Department. The client shall be responsible directly to the provider for payment for services provided prior to the time client meets the spend-down obligation.
- j) A new application and/or a redetermination of eligibility will not be required for eligible clients who move from an institutional setting to an approved Home and Community Based Residential Setting.
- k) A case review is required for eligible cases placed in an approved Home and Community Based Residential Setting.
- l) A full redetermination of eligibility shall be made every twelve months.
- (Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 120.284 Spend-down of Assets (AMI)

- a) Determination of Assets

Spend-down of Assets (AMI) (Cont'd.)

Section 120.284

When an individual residing in the community, has countable income during the six-month period of not more than 99 cents over the appropriate AMI standard and has non-exempt excess assets of not more than 99 cents over the appropriate asset disregard, the case is referred to as a Regular AMI case. Payment for covered services is made for each month of the authorization period.

Spend-down AMI

2)

A) When the individual resides in the community and has countable income during the six-month period of at least \$1.00 over the AMI standard and/or non-exempt assets of at least \$1.00 in excess of the asset disregard for the appropriate size household, the case is referred to as a community spend-down case. The spend-down amount is the sum of the amount of income in excess of the appropriate AMI standard and any non-exempt assets in excess of the appropriate asset disregard. The department will disregard excess countable income and/or asset amounts that are not at least \$1.00 over the appropriate standard or disregard.

B) The transfer of asset policy set forth in Section 120.285 still applies. Once the client has been determined to have a non-exempt assets, the spend-down cannot be eliminated by a non-allowable transfer made to qualify for or increase the need for medical assistance.

C)

If the individual presents verification that the excess amount is no longer available and the transfer of assets is allowable according to policy set forth in Section 120.285, the Department will make the appropriate changes the month following the month the assets were transferred. If the resource spend-down has been met, the policy set forth in Section 120.285 regarding transfer of assets does not apply. The

Spend-down of Assets (AMI) (Cont'd.)

Section 120.284

1) For individuals residing in the community, the department determines the amount of non-exempt assets using the verified amount on the date of decision on the application for medical assistance. The date of verification may be prior to the date of decision. Money considered as income for an enrollment period is not considered as an asset for that same enrollment period. If income for a month is added to a bank account that month, the department will subtract the amount of income from the bank balance to determine the asset level. Any income remaining the following month(s) is considered as an asset.

2) The amount of non-exempt assets verified during the application process is used on the date of decision. If medical eligibility includes a backdated month, for the backdated month(s), the department will consider the amount of assets available to apply to the cost of medical care. The department will not determine the value of assets for a backdated month(s) of eligibility. However, the amount of the excess assets verified during the application process is used to determine spend-down status in the backdated month of eligibility.

3) Once the excess asset has been used to meet spend-down, whether or not the excess amount has actually been reduced, it is no longer considered. However, at reapplication, the department will consider any excess non-exempt assets remaining as currently available.

b)

Community Cases

To determine the spend-down obligation for AMI clients, the department will compare the amount of countable income anticipated to be received during the six month enrollment period to the appropriate AMI standard and add any non-exempt assets in excess of the appropriate asset disregard to countable income in excess of the appropriate AMI standard.

1)

Regular AMI

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.284 Spend-down of Assets (AMI) (Cont'd.)

client may dispose of the asset as he/she wishes as it has been applied to a met spend-down.

- D) Individuals enrolled in spend-down are not eligible for payment of covered medical services until spend-down is met. Spend-down is met by presenting allowable medical bills or receipts to the Department that equal the amount of the individual's excess countable income and/or non-exempt excess assets. Individuals are not required to reduce excess assets prior to the issuance of a medical card.

(Source: Added at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 120.384 Spend-down of Assets (MANG)

a) Determination of Assets

- 1) For individuals residing in the community the Department determines the amount of non-exempt assets using the verified amount on the date of decision on the application for medical assistance. The date of verification may be prior to the date of decision. Money considered as income for a month is not considered as an asset for that same month. If income for a month is added to a bank account that month, the Department will subtract the amount of income from the bank balance to determine the asset level. Any income remaining the following month(s) is considered as an asset.
- 2) The amount of non-exempt assets verified during the application process is used on the date of decision. If medical eligibility includes a backdated month(s), for the backdated month(s), the Department will consider the amount of assets available to apply to the cost of medical care. The Department will not determine the value of assets for a backdated month(s) of eligibility. However, the amount of the excess assets verified during the application process is used to

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.384 Spend-down of Assets (MANG) (Cont'd.)

determine spend-down status in each backdated month of eligibility.

- 3) Once the excess asset has been used to meet spend-down, whether or not the excess amount has actually been reduced, it is no longer considered. However, at reapplication/redetermination, the Department will consider any excess non-exempt assets remaining as currently available.

b) Community Cases (MANG)

To determine the spend-down obligation for MANG clients in the community, the Department will compare monthly countable income to the appropriate MANG standard and add any non-exempt assets in excess of the appropriate asset disregard to non-exempt monthly income in excess of the appropriate MANG Standard.

1) Regular MANG - Community Residents

When an individual residing in the community, has countable monthly income of not more than 99 cents over the appropriate MANG Standard and has non-exempt excess assets of not more than 99 cents over the appropriate asset disregard, the case is referred to as a Regular MANG case. Payment for covered services is made for each month eligibility exists.

2) Spend-down MANG

- A) When an individual resides in the community and has countable monthly income of at least \$1.00 over the MANG Standard and/or non-exempt assets of at least \$1.00 in excess of the asset disregard for the appropriate size household, the case is referred to as a community spend-down case. The spend-down amount is the sum of the amount of income in excess of the MANG Standard plus non-exempt assets in excess of the appropriate asset disregard. The Department will disregard any excess income and/or asset amounts that

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.384 Spend-down of Assets (MANG) (Cont'd.)

When an individual in group care has countable monthly income plus non-exempt assets in excess of the applicable asset disregard of not more than 99 cents over the private pay rate, the case is referred to as a Regular Group Care case. If monthly countable income plus excess non-exempt assets are less than the long term care charges at the department rate, the department will pay the difference.

1)

Regular Group Care

2)

Group Care Spend-down

A) When an individual in group care has countable monthly income plus non-exempt assets in excess of the applicable asset disregard of at least \$1.00 over the cost of long term care at the private pay rate, the case is referred to as a Group Care Spend-down case. The spend-down amount is the sum of the monthly countable income plus non-exempt assets over the applicable asset disregard.

B)

The transfer of asset policy set forth in Section 120.385 still applies. Once the client has been determined to have a resource spend-down because of excess non-exempt assets, the spend-down cannot be eliminated by a non-allowable transfer made to qualify for or increase the need for medical assistance.

C)

If the individual presents verification that the excess amount is no longer available and the transfer of assets is allowable according to Section 120.385, the department will make the appropriate changes the month following the month the assets were transferred. If spend-down has been met, the policy set forth in Section 120.385 regarding transfer of assets does not apply. The client may dispose of the asset as he/she wishes as it has been applied to a met spend-down.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.384 Spend-down of Assets (MANG) (Cont'd.)

are not at least \$1.00 over the appropriate standard or disregard.

B)

The transfer of asset policy set forth in Section 120.385 still applies. Once the client has been determined to have a resource spend-down because of excess non-exempt assets, the spend-down cannot be eliminated by a non-allowable transfer made to qualify for or increase the need for medical assistance.

C)

If the individual presents verification that the excess amount is no longer available and the transfer of assets is allowable according to Section 120.385, the department will make the appropriate changes the month following the month the assets were transferred. If spend-down has been met, the policy set forth in Section 120.385 regarding transfer of assets does not apply. The client may dispose of the asset as he/she wishes as it has been applied to a met spend-down.

D)

Individuals enrolled in spend-down are not eligible for payment of covered medical services until spend-down is met. Spend-down is met by presenting allowable medical bills or receipts to the department that equal the amount of the individual's excess countable income and/or non-exempt excess assets. Excess assets do not have to be reduced prior to the issuance of a medical card.

C)

Group Care Cases

To determine the spend-down obligation for MANG clients in group care, the department will compare monthly countable income and non-exempt assets in excess of the appropriate asset disregard to the cost of long term care at the private pay rate. When an individual has non-exempt excess assets, the excess amount is applied to the monthly long term care charges after the monthly countable income has been applied.





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DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

- B) Types of small businesses affected: Medical Providers
- C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required.
- D) Types of professional skills necessary for compliance: No new skills required.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES  
 CHAPTER I: DEPARTMENT OF PUBLIC AID  
 SUBCHAPTER d: MEDICAL PROGRAMS

PART 140  
 MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under GA and AMI
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Infants Under Age One Year
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Recovery of Money
- 140.16 Termination of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

Section	140.202	Payment for Hospital Services During Fiscal Year 1983 (Recodified)
	140.203	Limits on Length of Stay by Diagnosis (Recodified)
	140.300	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
	140.350	Copayments (Recodified)
	140.360	Payment Methodology (Recodified)
	140.361	Non-participating Hospitals (Recodified)
	140.362	Pre July 1, 1989 Services (Recodified)
	140.363	Post June 30, 1989 Services (Recodified)
	140.364	Prepayment Review (Recodified)
	140.365	Base Year Costs (Recodified)
	140.366	Restructuring Adjustment (Recodified)
	140.367	Inflation Adjustment (Recodified)
	140.368	Volume Adjustment (Repealed)
	140.369	Groupings (Recodified)
	140.370	Rate Calculation (Recodified)
	140.371	Payment (Recodified)
	140.372	Review Procedure (Recodified)
	140.373	Utilization (Repealed)
	140.374	Alternatives (Recodified)
	140.375	Exemptions (Recodified)
	140.376	Utilization, Case-Mix and Discretionary Funds (Repealed)
	140.390	Subacute Alcoholism and Substance Abuse Services (Recodified)
	140.391	Definitions (Recodified)
	140.392	Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
	140.394	Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
	140.396	Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
	140.398	Hearings (Recodified)
SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES		
Section	140.400	Payment to Practitioners and Laboratories
	140.410	Physicians' Services
	140.411	Covered Services By Physicians
	140.412	Services Not Covered By Physicians
	140.413	Limitation on Physician Services
	140.414	Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians
	140.416	Optometric Services and Materials
	140.417	Limitations on Optometric Services

Section	140.18	Effect of Termination on Individuals Associated with Vendor
	140.19	Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
	140.20	Submission of Claims
	140.21	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
	140.22	Magnetic Tape Billings
	140.23	Payment of Claims
	140.24	Payment Procedures
	140.25	Overpayment or Underpayment of Claims
	140.26	Payment to Factors Prohibited
	140.27	Assignment of Vendor Payments
	140.28	Record Requirements for Medical Providers
	140.30	Audits
	140.35	False Reporting and Other Fraudulent Activities
	140.40	Prior Approval for Medical Services or Items
	140.41	Prior Approval in Cases of Emergency
	140.42	Limitation on Prior Approval
	140.43	Post Approval for Items or Services When Prior Approval Cannot Be Obtained
	140.71	Drug Manual (Recodified)
	140.72	Drug Manual (Recodified)
	140.73	Drug Manual Updates (Recodified)
SUBPART C: HOSPITAL SERVICES		
Section	140.94	Hospital Services (Recodified)
	140.95	Participation (Recodified)
	140.96	General Requirements (Recodified)
	140.97	Special Requirements (Recodified)
	140.98	Covered Hospital Services (Recodified)
	140.99	Hospital Services Not Covered (Recodified)
	140.100	Limitation On Hospital Services (Recodified)
	140.101	Transplants (Recodified)
	140.102	Heart Transplants (Recodified)
	140.103	Liver Transplants (Recodified)
	140.104	Bone Marrow Transplants (Recodified)
	140.110	Disproportionate Share Hospital Adjustments (Recodified)
	140.116	Payment for Inpatient Services for GA (Recodified)
	140.117	Hospital Outpatient and Clinic Services (Recodified)
	140.200	Payment for Hospital Services During Fiscal Year 1982 (Recodified)
	140.201	Payment for Hospital Services After June 30, 1982 (Repealed)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

Section  
 140.418 Department of Corrections Laboratory  
 140.420 Dental Services  
 140.421 Limitations on Dental Services  
 140.422 Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists  
 140.425 Podiatry Services  
 140.426 Limitations on Podiatry Services  
 140.427 Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry  
 140.428 Chiropractic Services  
 140.429 Limitations on Chiropractic Services  
 140.430 Independent Laboratory Services  
 140.431 Services Not Covered by Independent Laboratory  
 140.432 Limitations on Independent Laboratory Services  
 140.433 Payment for Laboratory Services  
 140.434 Record Requirements for Independent Laboratories  
 140.440 Pharmacy Services  
 140.441 Pharmacy Services Not Covered  
 140.442 Prior Approval of Prescriptions  
 140.443 Filling of Prescriptions  
 140.444 Compounded Prescriptions  
 140.445 Prescription Items (Not Compounded)  
 140.446 Over-the-Counter Items  
 140.447 Reimbursement  
 140.448 Returned Pharmacy Items  
 140.449 Payment of Pharmacy Items  
 140.450 Record Requirements for Pharmacies  
 140.452 Mental Health Clinic Services  
 140.453 Definitions  
 140.454 Types of Mental Health Clinic Services  
 140.455 Payment for Mental Health Clinic Services  
 140.456 Hearings  
 140.460 Clinic Services  
 140.461 Clinic Participation Requirements  
 140.462 Covered Services in Clinics  
 140.463 Encounter Rate Clinics  
 140.464 Psychiatric Clinics (Hospital-based)  
 140.465 Speech and Hearing Clinics  
 140.466 Rural Health Clinics  
 140.467 Independent Clinics  
 140.469 Hospice  
 140.470 Home Health Services  
 140.471 Home Health Covered Services  
 140.472 Types of Home Health Services  
 140.473 Prior Approval for Home Health Services  
 140.474 Payment for Home Health Services  
 140.475 Medical Equipment, Supplies and Prosthetic Devices

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

Section  
 140.476 Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made  
 140.477 Limitations on Equipment, Supplies and Prosthetic Devices  
 140.478 Prior Approval for Medical Equipment, Supplies and Prosthetic Devices  
 140.479 Approval of Medical Supplies  
 140.480 Equipment Rental Limitations  
 140.481 Payment for Medical Equipment, Supplies and Prosthetic Devices  
 140.482 Family Planning Services  
 140.483 Limitations on Family Planning Services  
 140.484 Payment for Family Planning Services  
 140.485 Medichek Services  
 140.486 Limitations on Medichek Services  
 140.487 Payment on Medichek Services  
 140.490 Medical Transportation  
 140.491 Limitations on Medical Transportation  
 140.492 Payment for Medical Transportation  
 140.495 Psychological Services  
 140.496 Payment for Psychological Services  
 140.497 Hearing Aids

## SUBPART E: GROUP CARE

Section  
 140.500 Group Care Services  
 140.502 Cessation of Payment at Federal Direction  
 140.503 Cessation of Payment for Improper Level of Care  
 140.504 Cessation of Payment Because of Termination of Facility  
 140.505 Continuation of Payment Because of Threat To Life  
 140.506 Provider Voluntary Withdrawal  
 140.507 Continuation of Provider Agreement  
 140.510 Determination of Need for Group Care  
 140.511 Services Provided Without Charge  
 140.512 Utilization Control  
 140.513 Utilization Review Plan  
 140.514 Certifications and Recertifications of Care  
 140.515 Management of Recipient Funds--Personal Allowance Funds  
 140.516 Recipient Management of Funds  
 140.517 Correspondent Management of Funds  
 140.518 Facility Management of Funds  
 140.519 Use or Accumulation of Funds  
 140.520 Management of Recipient Funds--Local Office Responsibility  
 140.521 Room and Board Accounts  
 140.522 Reconciliation of Recipient Funds

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section	140.577	Capital Costs for Rented Facilities (Renumbered)
	140.578	Property Taxes
	140.579	Specialized Living Centers
	140.580	Mandated Capital Improvements
	140.581	Qualifying as Mandated Capital Improvement
	140.582	Cost Adjustments
	140.583	Campus Facilities
	140.584	Illinois Municipal Retirement Fund (IMRF)
	140.590	Audit and Record Requirements
	140.642	Pre-Screening Assessment
	140.643	In-Home Care Program
	140.645	Medical and In-Home Care for Disabled Persons Under Age 21
	140.646	Reimbursement for Developmental Training for the Mentally Retarded Who Reside in Long Term Care Facilities
	140.647	Description of Developmental Training Service Levels
	140.648	Determination of the Amount of Reimbursement for Day Programming for the Mentally Retarded
	140.649	Effective Dates of Reimbursement for Day Programs
	140.650	Certification of Day Programs
	140.651	Decertification of Day Programs
	140.652	Terms of Assurances and Contracts
	140.680	Effective Date of Payment Rate
	140.700	Discharge of Long Term Care Residents
	140.830	Appeals of Rate Determinations
	140.835	Determination of Cap on Payments for Long Term Care
SUBPART F: POINT COUNT GUIDELINES FOR ICF/MR AND SNF/PBD FACILITIES		
Section	140.850	Facility/Client Participation (Recodified)
	140.855	Evaluation Of Need For Care (Recodified)
	140.860	Payment (Recodified)
	140.865	Definitions (Recodified)
	140.870	Guidelines (Recodified)
	140.875	Intermediate Care (ICF/MR) (Recodified)
	140.880	Skilled Care (SNF/PBD) (Recodified)
	140.885	Statewide Rates (Recodified)
	140.890	Reimbursement for ICF/MR-15 and Under Facilities (Recodified)
	140.895	Night Shift Reimbursement (Recodified)
	140.896	Reimbursement For Program Costs (Active Treatment) For Clients in Long Term Care Facilities For the Developmentally Disabled (Recodified)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section	140.523	Bed Reserves
	140.524	Cessation of Payment Due to Loss of License
	140.525	Eligibility For Quality Incentive Program (QUIP)
	140.526	Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP)
	140.527	Quality Incentive Survey
	140.528	Payment of Quality Incentive
	140.529	Reviews
	140.530	Basis of Payment for Group Care Services
	140.531	General Service Costs
	140.532	Health Care Costs
	140.533	General Administration Costs
	140.534	Ownership Costs
	140.535	Costs for Interest, Taxes and Rent
	140.536	Organization and Pre-Operating Costs
	140.537	Payments to Related Organizations
	140.538	Special Costs
	140.539	Nurse's Aide Training
	140.540	Costs Associated With Nursing Home Care Reform Act and Implementing Regulations
	140.541	Salaries Paid to Owners or Related Parties
	140.542	Cost Reports-Filing Requirements
	140.543	Time Standards for Filing Cost Reports
	140.544	Access to Cost Reports
	140.545	Penalty for Failure to File Cost Reports
	140.550	Update of Operating Costs
	140.551	General Service Costs
	140.552	Nursing and Program Costs
	140.553	General Administrative Costs
	140.554	Component Inflation Index
	140.555	Minimum Wage
	140.560	Components of the Base Rate Determination
	140.561	Support Costs Components
	140.562	Nursing Costs
	140.563	Capital Costs
	140.565	Incentive Payments for Quality Care
	140.566	Level I Incentive Payments
	140.567	Level II Incentive Payments
	140.568	Duration of Incentive Payments
	140.569	Clients With Exceptional Nursing Care Needs
	140.570	Capital Rate Component Determination
	140.571	Fair Rental Value (FRV) Calculation
	140.572	Total Capital Rate
	140.573	Other Capital Provisions
	140.574	Capital Costs for Rented Facilities
	140.575	Newly Constructed Facilities (Repealed)
	140.576	Renovations (Repealed)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

## SUBPART G: REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES

Section	
140.900	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Recodified)
140.901	Functional Areas of Needs (Recodified)
140.902	Service Needs (Recodified)
140.903	Definitions (Recodified)
140.904	Times and Staff Levels (Repealed)
140.905	Statewide Rates (Repealed)
140.906	Reconsiderations (Recodified)
140.907	Midnight Census Report (Recodified)
140.908	Times and Staff Levels (Recodified)
140.909	Statewide Rates (Recodified)
140.910	Referrals (Recodified)
140.911	Basic Rehabilitation Aide Training Program (Recodified)
140.912	Interim Nursing Rates (Recodified)

## SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section	
140.940	Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)
140.942	Definition of Terms (Recodified)
140.944	Notification of Negotiations (Recodified)
140.946	Hospital Participation in ICARE Program Negotiations (Recodified)
140.948	Negotiation Procedures (Recodified)
140.950	Factors Considered in Awarding ICARE Contracts (Recodified)
140.952	Closing an ICARE Area (Recodified)
140.954	Administrative Review (Recodified)
140.956	Payments to Contracting Hospitals (Recodified)
140.958	Admitting and Clinical Privileges (Recodified)
140.960	Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)
140.962	Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)
140.964	Contract Monitoring (Recodified)
140.966	Transfer of Recipients (Recodified)
140.968	Validity of Contracts (Recodified)
140.970	Termination of ICARE Contracts (Recodified)
140.972	Hospital Services Procurement Advisory Board (Recodified)
TABLE A	Medichex Recommended Screening Procedures

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

Section	
TABLE B	Health Service Areas
TABLE C	Capital Cost Areas
TABLE D	Schedule of Dental Procedures
TABLE E	Time Limits for Processing of Prior Approval Requests
TABLE F	Podiatry Service Schedule
TABLE G	Travel Distance Standards
TABLE H	Staff Time and Allocation by Need Level (Recodified)
TABLE I	Staff Time and Allocation for Training Programs (Recodified)
TABLE J	HSA Grouping

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13).

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 140.71 recodified to 89 III. Adm. Code 141 at II III. Reg. 4302; amended at II III. Reg. 4303, effective March 6, 1987; amended at II III. Reg. 7664, effective April 15, 1987; emergency amendment at II III. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at II III. Reg. 9169, effective April 28, 1987; amended at II III. Reg. 10903, effective June 1, 1987; amended at II III. Reg. 11528, effective June 22, 1987; amended at II III. Reg. 12011, effective June 30, 1987; amended at II III. Reg. 12290, effective July 6, 1987; amended at II III. Reg. 14048, effective August 14, 1987; amended at II III. Reg. 14771, effective August 25, 1987; amended at II III. Reg. 16758, effective September 28, 1987; amended at II III. Reg. 17295, effective September 30, 1987; amended at II III. Reg. 18696, effective October 27, 1987; amended at II III. Reg. 20909, effective December 14, 1987; amended at II III. Reg. 916, effective January 1, 1988; emergency amendment at II III. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at II III. Reg. 5427, effective March 15, 1988; amended at II III. Reg. 6246, effective March 16, 1988; amended at II III. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140. Table H and 140. Table I recodified to 89 III. Adm. Code 147.5 thru 147.205 and 147. Table A and 147. Table B at 12 III. Reg. 6956; amended at 12 III. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 III. Adm. Code 149.5 thru 149.325 at 12 III. Reg. 7401; amended at 12 III. Reg. 10497, effective June 3, 1988; amended at 12 III. Reg. 10717, effective June 14, 1988; emergency amendment at 12 III. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 III. Reg. 12509, effective July 15, 1988; amended at 12 III. Reg. 14271, effective August 29, 1988; emergency amendment at 12 III. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 III. Reg. 16738, effective October 5, 1988; amended at 12 III. Reg. 17879, effective October 24, 1988; amended at 12 III. Reg. 18198, effective November 4, 1988; amended at 12 III. Reg. 19396, effective November 6, 1988; amended at 12 III. Reg. 19734, effective November 15, 1988; amended at 13 III. Reg. 125, effective January 1, 1989; amended at 13 III. Reg. 2475, effective February 14, 1989; amended at 13 III. Reg. 3069, effective February 28, 1989; amended at 13 III. Reg. 3351, effective March 6, 1989; amended at 13 III. Reg. 3917, effective March 17, 1989; amended at 13 III. Reg. 515, effective April 3, 1989; amended at 13 III. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 III Adm. Code 146.5 thru 146.225 at 13 III. Reg. 7040; amended at 13 III. Reg. 7025, effective April 24,

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

at 8 III. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 III. Reg. 17899; peremptory amendment at 8 III. Reg. 18151, effective September 19, 18, 1984; amended at 8 III. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 III. Reg. 21677, effective October 24, 1984; peremptory amendment at 8 III. Reg. 22155, effective October 29, 1984; amended at 8 III. Reg. 23218, effective November 20, 1984; emergency amendment at 8 III. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 III. Reg. 25067, effective December 19, 1984; emergency amendment at 9 III. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 III. Reg. 2697, effective February 22, 1985; amended at 9 III. Reg. 6235, effective April 19, 1985; amended at 9 III. Reg. 8677, effective May 28, 1985; amended at 9 III. Reg. 9564, effective June 5, 1985; amended at 9 III. Reg. 10025, effective June 26, 1985; emergency amendment at 9 III. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 III. Reg. 12000, 11357, effective June 28, 1985; amended at 9 III. Reg. 12000, effective July 24, 1985; amended at 9 III. Reg. 12306, effective August 5, 1985; amended at 9 III. Reg. 13998, effective September 3, 1985; amended at 9 III. Reg. 14684, effective September 13, 1985; amended at 9 III. Reg. 15503, effective October 4, 1985; amended at 9 III. Reg. 16312, effective October 11, 1985; amended at 9 III. Reg. 19138, effective December 2, 1985; amended at 9 III. Reg. 19737, effective December 9, 1985; amended at 10 III. Reg. 238, effective December 27, 1985; emergency amendment at 10 III. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 III. Reg. 672, effective January 6, 1986; amended at 10 III. Reg. 1206, effective January 13, 1986; amended at 10 III. Reg. 3041, effective January 24, 1986; amended at 10 III. Reg. 6981, effective April 16, 1986; amended at 10 III. Reg. 7825, effective April 30, 1986; amended at 10 III. Reg. 8128, effective May 7, 1986; emergency amendment at 10 III. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 III. Reg. 11440, effective June 20, 1986; amended at 10 III. Reg. 14714, effective August 27, 1986; amended at 10 III. Reg. 15211, effective September 12, 1986; emergency amendment at 10 III. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 III. Reg. 18808, effective October 24, 1986; amended at 10 III. Reg. 21784, effective December 15, 1986; amended at 11 III. Reg. 698, effective December 19, 1986; amended at 11 III. Reg. 1418, effective December 31, 1986; amended at 11 III. Reg. 2323, effective January 16, 1987; amended at 11 III. Reg. 4002, effective February 25, 1987;



DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 140.569 Clients With Exceptional Nursing Care Needs

~~Notwithstanding the provisions of Subparts F and G of this Part, the Department may negotiate a special rate of payment to a skilled nursing facility if the negotiated rate is at least twenty-five percent less than the rate paid by the Department for the client's care in a hospital. The Department will negotiate a special rate of payment if the following factors exist:~~

- ~~a) The client's hospital must document that clients are medically stable for discharge, but near acute care hospital level of intensity; require multi-disciplinary care, i.e., care by a physician, a nurse, and a therapist; require care in at least four of the following body system areas: respiratory, skin, urinary, digestive, emotional, neuro-muscular, and cardio-vascular; needs active physical and other therapies; and exhibits a near total dependency on mechanical equipment in order to maintain life. Required documentation includes, but is not limited to a physician's written statement specifying client needs, medical records including case history and/or detailed summary of the client's condition, list of medication needs, list of medical equipment and supply needs, and care plan or synopsis of needs.~~
- ~~b) All licensure and certification standards as exist for facilities providing skilled nursing care must be met.~~
- a) Exceptional Care Program

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 140.569 Clients With Exceptional Nursing Care Needs (Cont'd.)

- 1) Pursuant to Section 5-5A of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, par. 5-5A), the Department may make payments to nursing facilities which substantially meet licensure and certification requirements as may be prescribed by the Department of Public Health.
- 2) The Department may, but is not required to, enter into contracts with facilities offering exceptional medical services, referred to herein as Providers.
- 3) Exceptional medical care is defined as the level of medical care required by persons who are medically stable and ready for discharge from a hospital but who require a multi-disciplinary level of care for physician, nurse and ancillary specialist services with exceptional costs related to extraordinary equipment and/or supplies that have been determined to be a medical necessity. This includes but is not limited to persons with acquired immune deficiency syndrome (AIDS) or related condition, head-injured persons, and ventilator dependent persons. Consideration may be given to those residents currently residing in a facility who require a multi-disciplinary level of care and meet criteria as stated in subsection (j)(2).
- 4) The Department shall negotiate with nursing home providers and enter into a contract with Providers. The rate of payment will be reasonable and adequate to meet the costs incurred by the facilities providing exceptional care. The rate of payment shall not exceed the amount the Department determines would be paid under Medicare principles of reimbursement. Providers may negotiate separate facility wide rates for separate types of care.

b) Exceptional Care Contract Requirements

The Department may enter into a contract for exceptional care services only if the Provider agrees to the following conditions:

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DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 140.569 Clients With Exceptional Nursing Care Needs  
(Cont'd.)

training in ventilator care prior to providing such care.

e) Exceptional Care Agreement Requirements

The Provider must have a valid written agreement with:

- 1) A medical equipment and supply provider which must include a service contract for ventilator equipment when accepting ventilator dependent residents;
- 2) A local emergency transportation provider;
- 3) A local hospital capable of providing the necessary care for equipment dependent residents, when appropriate; and
- 4) A respiratory therapist, (unless a respiratory therapist is on staff within the facility) when accepting ventilator dependent residents or residents requiring respiratory therapy services.

f) Exceptional Care Emergency Policy and Procedures Requirements

The Provider must have specific written policies and procedures addressing emergency needs for residents requiring exceptional care.

g) Accessibility to Records

The Provider must make accessible to IDPA and/or IDPH all facility, resident and other records necessary to determine that the needs of the resident are being met and to determine the appropriateness of exceptional care services.

h) Contract Negotiations

- 1) A Provider shall notify the Department of its interest in participating in the Exceptional Care Program in writing by certified or registered mail, return receipt requested.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 140.569 Clients With Exceptional Nursing Care Needs  
(Cont'd.)

- 2) Negotiations between the Provider and the Department shall be conducted solely on an individual facility basis. Multiple facility negotiations shall not be permitted.
- 3) Prior to the beginning of negotiations, the Provider shall submit to the Department a completed Exceptional Care Data Sheet. The Department shall furnish such Data Sheet. The Exceptional Care Data Sheet shall require:
  - A) Identification of the types, quantities and costs of services which the Provider intends to offer;
  - B) A staffing plan for the area of the facility serving exceptional care residents; and
  - C) Documentation of the qualifications of staff serving exceptional care residents.
- 4) The Department shall provide each Provider which has notified the Department of its interest in participation in the Exceptional Care Program with a copy of the proposed contract provisions by mailing such proposed contract provisions to the provider. Each contract shall be for a period of one year.
- i) Renewal/Nonrenewal of Exceptional Care Contracts
  - 1) Providers desirous of renewing exceptional care contracts must contact the Department in writing sixty (60) days prior to the expiration date of the contract to express their intent to renew the contract.
  - 2) Upon receipt of the Providers' intent to renew their contract, the Department shall open negotiations as set forth in subsection (h).
  - 3) Providers desiring to terminate or not renew their contract shall notify the Department sixty (60) days prior to the date of termination or contract expiration. Payment for new admissions at an exceptional care rate will not be made to

NOTICE OF PROPOSED AMENDMENT

Section 140.569 Clients with Exceptional Nursing Care Needs (Cont'd.)

exceptional care services or skilled nursing services cannot be located, the Department shall approve payment to the hospital in which the patient is receiving services. The rate of payment to the hospital shall not exceed the average statewide long term care facility per diem rate for the level of services provided.

1) Contract Monitoring

1) All utilization controls applied to exceptional care by the Department in accordance with the approved plan for medical services under Section 5-2 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, par. 5-2), and Title XIX of the Federal Social Security Act (42 U.S.C. 1396a) shall continue to apply to exceptional care provided under the Exceptional Care Program (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 6503-5).

2)

The Department shall provide for a program of delegated utilization review and quality assurance. The Department may contract with Medical Peer Review organizations to provide utilization review and quality assurance under any contract negotiated for exceptional care.

3)

The Department shall review exceptional care residents' utilization of services every ninety (90) days.

4)

In the event that it is determined that the resident is no longer in need of exceptional care services, the Department shall reduce the rate of payment to the provider to the facility's standard Medicaid per diem rate.

(Source: Amended at 13 Ill. Reg. , effective )

NOTICE OF PROPOSED AMENDMENT

Section 140.569 Clients with Exceptional Nursing Care Needs (Cont'd.)

those providers who do not have a valid exceptional care contract. Payment for exceptional care residents in facilities which terminate or do not renew their contracts will remain at the previous exceptional care rate until such time as the resident no longer requires exceptional care as determined by the Department's utilization review (see Contract Monitoring 2 and 3) or the resident is discharged.

4)

It is the responsibility of a nursing home provider to effect appropriate discharge planning for exceptional care residents when terminating or not renewing its contract. The Department agrees to assist providers with any information available regarding appropriate placement settings.

1)

Determining eligibility for exceptional care payment.

1)

All persons must be approved by an authorized Department representative prior to placement in a facility to be eligible for exceptional care payment. Excluding those residents currently enrolled in the negotiated rate program.

2)

In order for a person to be approved for exceptional care placement the cost of the person's care must be at least 50% more than the proposed admitting facility's per diem rate (capital, support and nursing components). Eligible items which may be used in computing the cost of the person's care include nursing services costs, therapy services costs, and medical equipment and supply costs. Computations for determining cost of care shall be based upon maximum allowable costs for service equipment and supplies and HSA wage rates for the proposed admitting facility as determined by the Department.

k)

Provision for Patients for which a Long Term Care Placement is Unavailable

In the event placement for a patient in need of

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits
- 2) Code Citation: 92 Ill. Adm. Code 1040
- 3) Section Numbers: Proposed Action  
1040.60 Amendment
- 4) Statutory Authority: Sections 2-104(b) and 2-123 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 2-104(b) and 2-123).
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking adds law enforcement authorities, the driver, or his attorney to the list of persons who may be provided information regarding a driver's placement on court supervision.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed rulemaking contain incorporations by reference? No, this amendment does not contain incorporations by reference.
- 9) Are there any other amendments pending on this part? Yes.

<u>Section Number</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
1040.31	Amendment	13 Ill. Reg. 9490 (June 23, 1989)
1040.46	Amendment	13 Ill. Reg. 10216 (June 30, 1989)
1040.25	New Section	13 Ill. Reg. 14810 (September 25, 1989)
1040.55	New Section	13 Ill. Reg. 15351 (September 29, 1989)

- 10) Statement of Statewide Policy Objective: This policy has no effect on local units of government.
- 11) Time, place and Manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENTS

Nancy Easum  
Deputy General Counsel to the Secretary  
2701 S. Dirksen Parkway  
Springfield, IL 62723  
217/782-5356

- 12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State does not feel this proposed rulemaking will affect any type of small business and the proposed rule has not been submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the Proposed Rule begins on the next page:

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION

CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section 1040.10 Court to Forward Licenses and Reports of Convictions

1040.20 Illinois Traffic Offense Table

1040.30 3 or More Traffic Offenses Within 12 Months

1040.31 Operating a Motor Vehicle During a Period of Suspension or Revocation

1040.32 Suspension or Revocation of Licenses or Permits Used Fraudulently

1040.35 Commission of Offense Requiring Mandatory Revocation Upon Conviction

1040.38 Commission of a Traffic Offense in Another State Repeated Conviction or Collisions

1040.40 Suspension of Licenses for Curfew Violations

1040.42 Fleeing and Eluding

1040.43 Illegal Transportation

1040.46 Fatal Accident and Personal Injury Suspensions

1040.48 Vehicle Emission Suspensions

1040.50 Suspension or Revocation of a License of Commercial Vehicle Driver

1040.60 Release of Information Regarding a Disposition of Court Supervision

1040.65 Offenses Occurring on Military Bases

1040.66 Invalidation of a Restricted Driving Permit

1040.70 National Driver Register

1040.100 Rescissions

1040.101 Reinstatement Fees

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, para. 6-201 et seq. and 6-700 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 11 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16927, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153,

NOTICE OF PROPOSED AMENDMENTS

effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7082, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 1, 1989; amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: Boldface type denotes statutory language.

Section 1040.60 Release of Information Regarding a Disposition of Court Supervision

a)

Information pertaining to a driver's placement on court supervision for any of the following offenses of the Illinois Vehicle Code or similar provisions of a local ordinance:

1) Section 6-303, Driving while license, or permit or privilege to operate a motor vehicle is suspended or revoked;

2) Section 11-401, Leaving the scene of a traffic accident involving death or personal injury;

3) Section 11-501 or a similar provision of a local ordinance, Driving under the influence of alcohol, other drugs, or a combination thereof;

4) Section 11-503, Reckless driving; or

5) Section 11-504, Drag racing;

shall not be released or made available to any source outside the Office of the Secretary of State except as expressly provided in paragraph (b) of this Section.

b)

Information pertaining to a driver's placement on court supervision for any of the offenses named in paragraph (a) of this Section shall be released to the following parties upon receipt of a proper written request: Federal Courts, State Courts, or prosecuting authorities, law enforcement authorities, the driver, or his/her attorney.

1)

"Proper request" shall mean a written request for an abstract of driver's record submitted pursuant to Section 2-123 of the Illinois Vehicle Code. The request shall be submitted on the business letterhead of the agency and shall be signed by the judge, or the prosecutor of the agency, the law enforcement authority, or the individual's attorney. Any individual may also request an abstract of his/her driving record. The request shall include the following information concerning the driver if such information is known to the agency:

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENTS

- A) full name, including middle initial;  
 B) address;  
 C) birthdate;  
 D) sex  
 D)E) driver's license number;  
 E)F) date of offense;  
 F)G) offense charged;  
 G)H) court date, if applicable.

- 2) The Office of the Secretary of State shall provide sufficient information on the abstract of a driver's record to enable the requesting agency to obtain specific details of the matter by contacting the court which has previously granted the disposition of supervision.

(Source: Amended at 13 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SECRETARY OF STATE

## NOTICE OF PROPOSED RULES

- 1) Heading of Part: The Use of the Capitol Complex Facilities
- 2) Code Citation: 71 Ill. Adm. Code 2005
- 3) Section Number                      Proposed Action  
 2005.10                                      New Section  
 2005.20                                      New Section  
 2005.30                                      New Section  
 2005.40                                      New Section  
 2005.50                                      New Section  
 2005.60                                      New Section  
 2005.70                                      New Section  
 2005.80                                      New Section  
 2005.90                                      New Section
- 4) Statutory Authority: Implementing Section 5, subparagraph 7 and authorized by Section 5, subparagraph 7, of "An Act to revise the law in relation to the Secretary of State." (Ill. Rev. Stat. 1987, ch. 124, par. 5, subparagraph 7)
- 5) A Complete Description of the Subjects and Issues Involved:  
 This rulemaking defines the Capitol Complex facilities, set forth permissible and prohibited uses of the facilities, and the requisite conditions of their use.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference?  
 No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives:  
 This rulemaking does not affect units of local government.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking. Written comments may be submitted within 45 days to:

Philip S. Howe  
 Counsel to the Secretary  
 Office of the Secretary of State  
 298 Centennial Building  
 Springfield, Illinois 62706  
 (217)785-3094

NOTICE OF PROPOSED RULES

12) Initial Regulatory Flexibility Analysis:

After careful consideration, the Secretary has determined that this rulemaking does not affect small businesses; therefore, the rules were not submitted to the Department of Commerce and Community Affairs.

The full text of the proposed rules is as follows:

Section  
2005.10  
2005.20  
2005.30  
2005.40  
2005.50  
2005.60  
2005.70  
2005.80  
2005.90

Applicability  
Definitions  
Business Hours and Public Access  
Prohibited Activities  
Demonstrations  
Use of Buildings for Public Events  
Distribution of Leaflets  
Secretary of State Police Department  
Severability

AUTHORITY: Implementing Section 5, subparagraph 7 and authorized by Section 5, subparagraph 7, of "An Act to revise the law in relation to the Secretary of State." (Ill. Rev. Stat. 1987, ch. 124, par. 5, subparagraph 7)

SOURCE: Adopted at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_

Section 2005.10 Applicability

These rules are applicable to the use of the Stratton Building, the Visitors' Center, the Supreme Court Building, the Capitol Building, the Willard Ice Revenue Building, the Department of Driver Services Building and the Centennial Building and their grounds, and other properties within the control of the Secretary of State within the City of Springfield pursuant to Ill. Rev. Stat. 1987, ch. 124, par. 5(7).

Section 2005.20 Definitions

"Building" means the Stratton Office Building, Visitors' Center, the Capitol Building, and the Centennial Building, in Springfield, Illinois.

"Capitol Complex" means all buildings, grounds, and parking lots herein identified with boundaries being Washington Street, Third Street, Cook

Street, and Pastfield Street in the City of Springfield, based upon Section 3.08 of the Space Needs Act (Ill. Rev. Stat. 1987, ch. 63, par. 223.05).

"Commercial Activity" means an activity whose primary purpose is to obtain a profit for the benefit of an individual or business entity organized for profit.

NOTICE OF PROPOSED RULES

TITLE 71: PUBLIC BUILDINGS, FACILITIES, AND REAL PROPERTY  
CHAPTER IV: SECRETARY OF STATE

PART 2005

THE USE OF THE CAPITOL COMPLEX FACILITIES



## SECRETARY OF STATE

## NOTICE OF PROPOSED RULES

"Demonstration" means demonstrating, picketing, marching, a rally, the sale of non-commercial printed matter or materials, moving in procession, holding of vigils, and all other like forms of activity that involve the communication or expression orally or by conduct, of views or grievances, engaged in by one or more person, the conduct of which has the effect, intent, or propensity to draw a crowd or onlookers.

"Director" means the Director or Acting Director of the Department of Physical Services of the Office of the Secretary of State of Illinois.

"Grounds" shall mean the grass areas, garden areas, and shall exclude all parking areas in the Capitol Complex.

## Section 2005.30 Business Hours and Public Access

- a) The public business hours of the Capitol Complex Buildings are 7 a.m. to 6 p.m. Monday through Friday, except holidays, and on weekends and holidays between 9 a.m. and 4 p.m. for purposes of public tours only. When the General Assembly is in session, and the start of a committee meeting or session is sooner or later than the limits listed in this subsection, the public hours shall be one hour before the earliest committee meeting or session of either house for the opening time, and one hour after the adjournment of the last committee meeting or session of either house for the closing time in the Capitol Building or in whatever building the legislative function is held.
- b) Entrance to any building during other than the times stated in subsection (a) of this Section is prohibited, except for the following persons who may be admitted to office areas assigned to them for their use in carrying out their official duties:
  - 1) members of the General Assembly;
  - 2) employees of the General Assembly;
  - 3) employees of the executive departments whose offices are in the building;
  - 4) representatives of news media who have offices in the Capitol Building;
  - 5) any authorized maintenance, repairer, contractor or other service employee, while performing duties which have been arranged for by the Department of Physical Services; and
  - 6) any person who is specially requested to enter into any building or office by an authorized individual listed in subsection 1 to 4 of this Section.

## SECRETARY OF STATE

## NOTICE OF PROPOSED RULES

- c) Proper identification of all persons may be demanded by security personnel, and all persons will be required to sign in and out of a building after 5 p.m. and before 7 a.m. Only one entrance shall be open after the public business hours.

## Section 2005.40 Prohibited Activities

- a) No animals, except guide dogs to assist handicapped persons, shall be permitted in the buildings in the Capitol Complex.
- b) No person or organization shall camp, erect a tent, monument (except as authorized by the Secretary of State to commemorate a deceased public official or a historical event), structure, portable toilet, platform, sign, or similar device on the grounds of or within the State Capitol, Visitors' Center, the Centennial Building, or the Stratton Building, except as provided in subsection (f) of this Section.
- c) No person or organization shall block obstruct, or impede any doorway, stairway, corridor, or elevator in the Capitol Complex.
- d) No posters or signs may be carried above the first floor of the Capitol Building. No sticks, poles, or laths may be used to carry any sign or placard into the buildings. No chains or ropes may be carried into the buildings, except by authorized workmen and State employees, with the permission of the Director.
- e) No person or group of persons shall use any electronic loudspeaker, bullhorn, or other amplifying device within the Capitol Complex buildings or grounds, unless prior permission of the Director is obtained. Permission will be granted for public rallies only. No such voice amplifying devices shall be used after the public business hours, except for public events if permission is granted by the Director.
- f) No signs or posters for demonstration purposes may be affixed in any way to the walls, railings, floors, or ceilings of the buildings. No displays or structures (including tents) in the buildings or on the grounds may be erected without the permission of the Director. Permission shall be granted only if the display structure is part of symbolic expression in the exercise of free speech guaranteed by the First Amendment to the United States Constitution and Article I, Sections 4 and 5 of the 1970 Illinois Constitution. No more than 2 tents or small structures may be erected at the location designated by the Director, which location will not impede pedestrian or vehicular traffic or substantially damage the Capitol grounds.

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# HISTORY

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## SECRETARY OF STATE

## NOTICE OF PROPOSED RULES

- c) No alcohol or alcoholic beverages are allowed to be sold, consumed, delivered, or used in the buildings specified in Section 2005.10 of this Part, except as permitted by Section 6-15 of the Liquor Control Act of 1934 (Ill. Rev. Stat. 1987, ch. 43, par. 130).
- d) All organizations that are permitted to use the Capitol Complex buildings or the buildings specified in Section 2005.10 of this Part shall indemnify the State and the Secretary of State from any injury or damage caused by their members' or participants' negligence or willful misconduct. Such organization shall also restore the used areas to their pre-use appearance and condition, less reasonable wear and tear, and the Director shall be the final decision-maker on the clean-up of the used area. This subsection applies to those organizations listed in subsection (a) of this Section and any other organization receiving permission from the Director to use the specified buildings for meetings or parties.
- e) All requests to use the buildings specified in Section 2005.10 or the Capitol Complex will be submitted in writing to the Director at least 48 hours in advance of the proposed starting time of the activity.

## Section 2005.70 Distribution of Leaflets

- a) No organization, including charitable organizations and political parties or candidates, shall distribute leaflets to, or solicit and collect funds from, persons entering or in the buildings specified in Section 2005.10, except from public sidewalks, walkways within the Capitol Complex, or on the north plaza of the Centennial Building.
- b) No such distribution or solicitation shall be allowed in any automobile parking area under the control of the Director in Springfield or within business areas in the buildings specified in Section 2005.10 of this Part.
- c) Activities included in subsection (a) of this Section shall not be allowed without the permission of the Director, which shall not be withheld if the request pertains to political activity or charitable solicitation.
- d) All requests to engage in such activity must be submitted in writing at least 48 hours in advance of the activity.
- e) All leaflets that are dropped on the grounds of the Capitol Complex or in the buildings specified in Section 2005.10 shall be picked up and put in trash cans by the members of the organization that handed out the leaflet.

## SECRETARY OF STATE

## NOTICE OF PROPOSED RULES

## Section 2005.80 Secretary of State Police Department

- a) The Secretary of State's Police Department shall enforce all laws within the Capitol Complex and the buildings specified within Section 2005.10 of this Part.
- b) The Illinois statutes applicable to the presentation of order and peace within the specified buildings include, but are not limited to, disorderly conduct in the General Assembly (Ill. Rev. Stat. 1987, ch. 63, par. 12), criminal damage to state supported property (Ill. Rev. Stat. 1987, ch. 38, sec. 21-4), the unauthorized possession of firearms on state property (Ill. Rev. Stat. 1987, ch. 28, sec. 21-6), trespass to state lands (Ill. Rev. Stat. 1987, ch. 38, sec. 21-5), the unauthorized possession of explosives (Ill. Rev. Stat. 1987, ch. 38, sec. 20-2), mob section (Ill. Rev. Stat. 1987, ch. 38, sec. 25), disorderly conduct (Ill. Rev. Stat. 1987, ch. 38, sec. 26), interference with public officials (Ill. Rev. Stat. 1987, ch. 38, sec. 31), interference with federal procedure (Ill. Rev. Stat. 1987, ch. 38, sec. 32), and threatening a public official (Ill. Rev. Stat. 1987, ch. 38, par. 12-9).

## Section 2005.90 Severability

If any part of these rules shall be held by a court of competent jurisdiction to be invalid, such holding shall not affect the remaining parts hereof.

13) Will this rule replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? No.

Section Numbers: Proposed Action: Ill. Reg. Citation:

15) Summary and Purpose of Rule(s): This matter is before the Board on the January 28, 1987 petition of the Marathon Petroleum Company ("Marathon") pursuant to Section 28 of the Environmental Protection Act ("Act"), Ill. Rev. Stat. ch. 111 1/2, par. 1028. That petition seeks site-specific relief from Section 304.105 of the Board's water pollution rules, 35 Ill. Adm. Code 304.105, as it applies to the total dissolved solids (TDS) and chloride (Cl) content of Marathon's wastewater discharges from outfall 001, under NPDES permit No. IL0004073, into an unnamed tributary of Sugar Creek, in the Wabash River Basin, at Robinson, in Crawford County.

16) Information and questions regarding this adopted rule shall be directed to:

Karen Rosenwinkle  
100 W. Randolph Street  
State of Illinois Center  
Suite 11-500  
Chicago, IL 60601  
(312) 917-3665

The full text of the adopted rule(s) begins on the following page:

1) The Heading of the Part: Water Use Designations and Site-Specific Water Quality Standards

2) The Code Citation: 35 Ill. Adm. Code 303

3) Section Number: 303.323  
Adopted Action: Added

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1013 and 1027

5) Effective Date of Rule: September 22, 1989

6) Does this rulemaking contain an automatic repeal date? No.

If so, please specify date:

7) Does this rule contain incorporations by reference? No.

If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking?

8) Date Filed in Agency's Principal Office: September 13, 1989

9) Notice of Proposal Published in Illinois Register: 13 Ill. Reg. 7863, May 26, 1989.

10) Has JCAR issued a Statement of Objections to this Rule? If answer is "yes," please complete the following: No.

A) Statement of Objection: Ill. Reg.

B) Agency Response: Ill. Reg.

C) Date Agency Response Submitted for Approval to JCAR:

11) Difference(s) between proposal and final version: The Board revised the proposed rule in one minor regard as a result of P.C. #5. In Section 303.323(b), that portion that read "Section 304.105 shall not apply..." now reads "35 Ill. Adm. Code 304.105 shall not apply..." The Board made no further revisions and proposed the rule.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

## PART 303

WATER USE DESIGNATIONS AND SITE SPECIFIC  
WATER QUALITY STANDARDS

## SUBPART A: GENERAL PROVISIONS

Section  
303.100 Scope and Applicability  
303.101 Multiple Designations  
303.102 Rulemaking Required

## SUBPART B: NONSPECIFIC WATER USE DESIGNATIONS

Section  
303.200 Scope and Applicability  
303.201 General Use Waters  
303.202 Public and Food Processing Water Supplies  
303.203 Underground Waters  
303.204 Secondary Contact and Indigenous Aquatic Life Waters

## SUBPART C: SPECIFIC USE DESIGNATIONS AND SITE SPECIFIC WATER QUALITY STANDARDS

Section  
303.300 Scope and Applicability  
303.301 Organization  
303.311 Ohio River Temperature  
303.312 Waters Receiving Fluorspar Mine Drainage  
303.321 Wabash River Temperature  
303.322 Unnamed Tributary of the Vermilion River  
303.323 Sugar Creek and Its Unnamed Tributary  
303.331 Mississippi River North Temperature  
303.341 Mississippi River North Central Temperature  
303.351 Mississippi River South Central Temperature  
303.352 Unnamed Tributary of Wood River Creek  
303.353 Shoenerger Creek; Unnamed Tributary of Cahokia Canal  
303.361 Mississippi River South Temperature  
303.441 Secondary Contact Waters  
303.442 Waters Not Designated for Public Water Supply  
303.443 Lake Michigan

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART D: THERMAL DISCHARGES

Section  
303.500 Scope and Applicability  
303.502 Lake Sangchris Thermal Discharges

Appendix A References to Previous Rules  
Appendix B Sources of Codified Sections

AUTHORITY: Implementing Section 13 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1013 and 1027).

SOURCE: Filed with the Secretary of State January 1, 1978; amended at 2 Ill. Reg. 27, p. 221, effective July 5, 1978; amended at 3 Ill. Reg. 20, p. 95, effective May 17, 1979; amended at 5 Ill. Reg. 11592, effective October 19, 1981; codified at 6 Ill. Reg. 7818; amended at 6 Ill. Reg. 11161, effective September 7, 1982; amended at 7 Ill. Reg. 8111, effective June 23, 1983; amended in R87-27 at 12 Ill. Reg. 9917, effective May 27, 1988; amended in R87-2 at 13 Ill. Reg. 15649, effective September 22, 1989.

Section 303.323 Sugar Creek and Its Unnamed Tributary

- a) This Section applies only to Sugar Creek and its unnamed tributary from the point at which Marathon Petroleum Company's outfall 001 discharges into the unnamed tributary to the confluence of Sugar Creek and the Wabash River.
- b) 35 Ill. Adm. Code 304.105 shall not apply to total dissolved solids and chlorides discharged by Marathon Petroleum Company's outfall 001, so long as both of the following conditions are true:
- 1) Effluent from Marathon Petroleum Company's outfall 001 does not exceed either 3,000 mg/l total dissolved solids or 700 mg/l chlorides,
  - 2) The water in the unnamed tributary does not exceed 2,000 mg/l total dissolved solids or 550 mg/l chlorides.

(Source: Added at 13 Ill. Reg. 15649, effective Sept. 22, 1989)

1) Heading of the Part: The Nursing Home Administrators Licensing and Disciplinary Act

2) Code Citation: 68 Ill. Adm. Code 1310

3) Section Numbers:

1310.10	Repealing
1310.20	Amending
1310.30	Amending
1310.40	Amending
1310.50	Amending
1310.60	Amending
1310.70	Amending
1310.75	Amending
1310.80	Amending
1310.85	Amending

Adopted Action:

In Section 1310.20(a)(4), "Temporary" has been inserted before "Nursing Home Administrator".

In Section 1310.20(b), "An individual shall be issued only one temporary license within a three year period" has been added.

In Section 1310.20(c), "in writing" has been added after "request".

Section 1310.20(e) has been added and reads as follows: "Upon approval of the temporary license, the applicant will be eligible to sit for the examination set forth in Section 1310.60."

Section 1310.30(a) has been added and reads as follows: "Certification of

In the second sentence of Section 1310.40(a) "(i.e., Social Security Act (42 U.S.C. 301 et seq.) and Nursing Home Care Act (111. Rev. Stat. 1987, ch. 111 1/2, par. 4151 et seq.) and)" has been added after "state and federal laws".

In Section 1310.50(a), "full time" has been hyphenated and "or director of nursing in a facility licensed by the Illinois Department of Public Health pursuant to the Nursing Home Care Act" has been added in the first sentence. The words "long term" have been hyphenated in the next to last sentence. In the last sentence, "or director of nursing" has been added.

In Section 1310.60(b), "(i.e., 77 Ill. Adm. Code 300, 350, and 390)" has been inserted.

In Section 1310.60(e), "Section 3(3)" been changed to "par. 3653".

Section 1310.70(a)(1) has been added and reads as follows: "Certification of graduation from high school or a GED."

In Section 1310.70(a)(2)(B), "satisfactory" has been deleted.

In Section 1310.70(a)(2)(E), "successful" has been deleted.

In Section 1310.70(a)(4)(B), "pursuant to Section 17 of the Act" has been added.

1) Heading of the Part: The Nursing Home Administrators Licensing and Disciplinary Act

2) Code Citation: 68 Ill. Adm. Code 1310

3) Section Numbers:

1310.10	Repealing
1310.20	Amending
1310.30	Amending
1310.40	Amending
1310.50	Amending
1310.60	Amending
1310.70	Amending
1310.75	Amending
1310.80	Amending
1310.85	Amending

Adopted Action:

Statutory Authority: 111. Rev. Stat. 1987, ch. 111, par. 3651 et seq.

5) Effective Date of Amendments: September 25, 1989

6) Does this rulemaking contain an automatic repeal date? No

7) Does this Amendment contain incorporations by reference? No

8) Date filed in Agency's Principal Office: September 20, 1989

9) Date Notice of Proposal Published in Illinois Register: September 23, 1988, 12 Ill. Reg. 14938

10) Has JCAR issued a Statement of Objections to these amendments? Yes

a) Statements of Objection: September 8, 1989 at 13 Ill. Reg. 14120

h) Agency Response: October 6, 1989 at 13 Ill. Reg. 15874

c) Date Agency Response Submitted for Approval to JCAR: September 7, 1989

11) Difference(s) between proposal and final version:

In Section 1310.(a)(3)(B), "satisfactory" has been deleted.

In Sections 1310.20(a)(1) 1310.30(d), and 1310.70(a)(6), "dated within one year preceding application" has been inserted after "mental health".

Section 1310.20(a)(2), which had been deleted in the proposed version has

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

After "in accordance with" in Section 1310.70(a)(7), "Section 1310.60(c) of this Part" has replaced the reference to Section 13 of the Act.

In Section 1310.70(a)(7), "Section 13 of the Act" has been deleted.

In Section 1310.80(c), "submit" has been inserted in the last sentence.

Section 1310.85(b)(2) has been changed to read as follows: "Verified attendance at or participation in a program given by a sponsor as set forth in subsection (c)(1) of this Section."

Section 1310.85(b)(3) has been broken up into subsections (A), (B), and (C). The number of hours has been changed from "18" to "12". Subsection (D) has been added and reads as follows: "self-study courses taken through an accredited college or university or an approved sponsor."

In Section 1310.85(b)(5), "shall" has been added in place of "may".

Section 1310.85(b)(8) has been modified to read as follows: "No credit will be given for activities including, but not limited to, attendance at meetings or readings of journals."

Section 1310.85(c)(1) has been broken up into subsections (A) through (F).

In the second sentence of Section 1310.85(c)(2)(C), "Act" has been inserted in place of "statute".

In Section 1310.85(c)(3), "by November 30 of each year" has been inserted after "shall submit".

In Section 1310.85(c)(5)(A), "Contain materials which" has been added before "contribute" and "and contain material related to the practice of nursing home administration" has been deleted.

In Section 1310.85(c)(6), the word "approved" has been deleted.

In Section 1310.85(c)(8), "except for the signature of the sponsor" has been added.

In Section 1310.85(g)(3)(A), "full time" has been hyphenated.

At the end of Section 1310.85(g)(3)(D), "(i.e., family illness and prolonged hospitalization)" has been added.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

- 13) Will these Amendments replace an Emergency Amendment currently in effect?  
No

- 14) Are there any Amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: This rulemaking modifies the application requirements for temporary licensure and licensure by examination and endorsement--the photograph requirement has been deleted and a work history has been added. Licensure standards have been set forth for applicants who are members of a recognized church or religious denomination which teaches reliance on spiritual healing. Education and experience requirements have been expanded to include persons who have at least 60 semester hours or 90 quarter hours of college coursework, 3 year diploma nurse graduates and nursing home corporation management experience. The examination required for licensure will consist of two portions: The National Association of Boards of Examiners for Nursing Home Administrators and the Illinois Boards of Examiners for Nursing Home Administrators and the Illinois Supplemental. A government relations course will be required by January 1, 1990, as part of the approved nursing home administrators program.

This rulemaking also sets forth standards for entities wishing to become approved continuing education sponsors. The Department will no longer be giving credit for continuing education as an instructor, speaker or discussion leader and completed college course in accordance with the standards set forth in these amendments. Provisions for waiver of continuing education have been modified.

- 16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, IL 62786  
217/785-0800

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

application on forms supplied by the Department, together with:

1) A statement of sound physical and mental health, dated within one year preceding application, signed by a currently licensed physician (nothing in this subsection shall require a physical or mental examination for any applicant who is a member of a recognized church or religious denomination which teaches reliance on spiritual means alone for healing) (The Nursing Home Administrators Licensing and Disciplinary Act) (Ill. Rev. Stat. 1987, ch. 111, par. 3653);

2) Certification of graduation from an accredited high school or proof of a general education diploma (GED) passage of an equivalency examination;

3) Certified education/experience records of any one of the following:

A) Graduation from an accredited college or university with the minimum of a Baccalaureate Degree;

B) Completion of an approved course of instruction in nursing home administration as outlined in Section 1310.40;

C) Graduation from a three year diploma nurse program and an Employer's Affidavit certifying to two years of qualifying experience as described in Section 1310.50; or

D) An associate degree or a minimum of 60 semester hours or 90 quarter hours of credit earned from an accredited college or university and an Employer's Affidavit certifying to two years of qualifying experience as described in Section 1310.50.

4) An applicant applying pursuant to Section 3(3) of the Act shall submit a certification that the applicant is certified by a recognized church or religious denomination which teaches reliance on spiritual healing, as having been approved to administer institutions certified by such church or denomination for the care and treatment of the sick in accordance with its teaching. Such applicant will be issued a limited Temporary Nursing Home Administrator License which will allow the individual to be an administrator in an institution of the certifying church or denomination.

5) An employer's statement of the acceptance or appointment of the applicant as a full-time nursing home administrator in a facility licensed to provide nursing care by the Illinois Department of Public Health, which includes the beginning date of the applicant's employment. For purposes of this Section, "full-time" shall mean working at least as many hours as the Illinois Department of Public Health requires of nursing home administrators in that particular facility; and

6) A complete work history since completion of education set forth in subsection (2) above until present;

57) The required fee set forth in Section 14 of the Nursing Home Administrators Licensing and Disciplinary Act.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS  
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS  
 PART 1310  
 THE NURSING HOME ADMINISTRATORS LICENSING AND DISCIPLINARY ACT

Section 1310.10 Statutory Authority (Repealed)  
 1310.20 Temporary Certificates License  
 1310.30 Application for Examination  
 1310.40 Approved Nursing Home Administration Courses  
 1310.50 Qualifying Experience  
 1310.60 Examination  
 1310.70 Endorsement  
 1310.75 Renewals  
 1310.80 Restoration  
 1310.85 Continuing Education  
 1310.90 Granting Variances

AUTHORITY: Implementing the Nursing Home Administrators Licensing and Disciplinary Act (Ill. Rev. Stat. 1987, ch. 111, par. 3651 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 60(7)).

SOURCE: Adopted at 5 Ill. Reg. 1500; effective February 1, 1981; codified at 5 Ill. Reg. 11045; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 9 Ill. Reg. 5364, effective April 8, 1985; amended at 10 Ill. Reg. 16715, effective September 22, 1986; transferred from Chapter I, 68 Ill. Adm. Code 310 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1310 (Department of Professional Regulation) pursuant to P.A. 85-225 effective January 1, 1988, at 12 Ill. Reg. 2955; amended at 13 Ill. Reg. 15653, effective September 25, 1989.

Section 1310.10 Statutory Authority (Repealed)  
 These rules are promulgated pursuant to Section 18 of the Nursing Home Administrators Licensing Act (Ill. Rev. Stat. 1979, ch. 111, par. 3647-3649)

(Source: Repealed at 13 Ill. Reg. 15653, effective September 25, 1989)

Section 1310.20 Temporary Certificates License  
 An applicant for a temporary certificate license shall file an



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENT(S)

- b) The holder of a temporary certificate license shall only be authorized to serve as administrator of the facility indicated on the application. A temporary certificate license as an administrator becomes void and shall be surrendered upon the termination, or interruption, of the holder's service as an administrator to the facility for which the temporary certificate license was granted or one year from the date of issuance, whichever comes first. No permanent license will be issued until the temporary certificate license has been returned to the Department. An individual shall be issued only one temporary license within a three year period.
- c) An applicant may request in writing an extension of his temporary license and pay a \$20 processing fee which covers the cost of printing a new temporary license. Upon the recommendation of the Board, a temporary certificate license shall be extended for an additional twelve (12) months, or any portion thereof, for the following reasons:
- 1) Interruption of work during the initial twelve (12) month period of temporary licensure for service in the military; ;
  - 2) Completion of the approved courses of study in nursing home administration during the initial twelve (12) month period. (Certificate shall be extended until notification has been received by the certificate holder from the Department of the results of the first available examination.)
  - 3) Interruption of the initial twelve (12) month period for incapacitating illness and/or hospitalization verified by a physician; ; or
  - 4) Interruption of the initial twelve (12) month period because of an unanticipated change of residence necessitating surrender of the temporary certificate.
- d) A temporary license shall be extended upon request from the license holder pending the successful completion of the next available nursing home administrator examination and the permanent license being issued. No license will be issued until the temporary license has been returned to the Department. In the event the individual fails to take the next available examination or fails to successfully complete the next available examination for licensure set forth in Section 1310.60 of this Part, the temporary license shall be void and the individual shall be practicing as a nursing home administrator without a license and subject to discipline in accordance with Section 17 of the Act.
- e) Upon approval of the temporary license, the applicant will be eligible to sit for the examination set forth in Section 1310.60.

(Source: Amended at 13 Ill. Reg. 15653, effective September 25, 1989.)

## Section 1310.30 Application for Examination

a) An applicant for a license as a nursing home administrator shall file an application on forms supplied by the Department, at least 60 days prior to an examination date, together with:

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENT(S)

- 1) One recent photograph not larger than 2-1/2 by 2-1/2 inches;
- a) Certification of graduation from high school or a GED;
- 2b) Certified records of education and experience of any one of the following:
- 1A) Graduation from an accredited college or university with the minimum of an Associate Baccalaureate Degree;
  - 2B) Satisfactory completion of an approved course of instruction in nursing home administration as outlined in Section 1310.40; or
  - 3) Graduation from a three year diploma nurse program and an Employer's Affidavit certifying to two years of qualifying experience as described in Section 1310.50; or
  - 4) Graduation from an associate degree or a minimum of 60 semester or 90 quarter hours of credit earned from an accredited college or university with the minimum of an Associate Degree and an Employer's Affidavit certifying to the applicant's qualifying experience as described in Section 1310.50(a).
- c) An applicant applying pursuant to Section 3(3) of the Act shall submit certification that the applicant is certified by a recognized church or religious denomination which teaches reliance on spiritual means alone for healing, as having been approved to administer institutions certified by such church or denomination for the care and treatment of the sick in accordance with its teaching. Such applicant upon successful completion of the examination set forth in Section 1310.60(e) of this Part, will be issued a Limited Nursing Home Administrator License which will allow the individual to be an administrator in an institution of the certifying church or denomination.
- 3d) A statement of sound physical and mental health, dated within one year preceding application, signed by a currently licensed physician, (nothing in this subsection shall require a physical or mental examination for any applicant who is a member of a recognized church or religious denomination which teaches reliance on spiritual means alone for healing) (Section 3(3) of the Act); and
- e) A complete work history since completion of education set forth in subsection (a) above; and
- 4f) The required fee set forth in Section 14 of the Act.
- b) Any holder of a valid temporary certificate applying for licensure on the basis of an associate degree and experience, who has not completed his qualifying experience shall be permitted to take the examination required by Section 1310.60, if otherwise qualified, within 6 months of the expiration of his temporary certificate, however, no license will be issued until verification of the full one year of qualifying experience is received.

(Source: Amended at 13 Ill. Reg. 15653, effective September 25, 1989.)

## Section 1310.40 Approved Nursing Home Administration Courses

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## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENT(S)

## Section 1310.70 Endorsement

a) An applicant for a license as a nursing home administrator who is licensed under the laws of another state or territory jurisdiction of the United States shall file an application with the Department, together with:

- 1) ~~A recent photograph, not larger than 2-1/2 by 2-1/2 inches;~~
- 1) Certification of graduation from high school or a GED;
- 2) Verification, on forms provided by the Department, of education and/or qualifying experience of any one of the following:
- 2) ~~Certified transcripts showing graduation from an accredited college or university;~~
  - A) Graduation from an accredited college or university with the minimum of a Baccalaureate Degree;
  - B) Completion of an approved course of instruction in nursing home administration as outlined in Section 1310.40;
  - C) Graduation from a three year diploma nurse program and an Employer's Affidavit certifying to two years of qualifying experience as described in Section 1310.50;
  - D) An associate degree or a minimum of 60 semester or 90 quarter hours of credit earned from an accredited college or university and an Employer's Affidavit certifying to the applicant's qualifying experience as described in Section 1310.50;
  - E) Certification of completion of the Professional Certification Program for Nursing Home Administrators developed by the Foundation of the American College of Health Care Administrators; or
- 3) An applicant applying pursuant to Section 3(3) of the Act shall submit certification that the applicant is certified by a recognized church or religious denomination which teaches reliance on spiritual means alone for healing, as having been approved to administer institutions certified by such church or denomination for the care and treatment of the sick in accordance with its teaching. Such applicant will be issued a Limited Nursing Home Administrator License which will allow the individual to be an administrator in an institution of the certifying church or denomination.
- 3 4) A certification from the state or territory jurisdiction of the United States of original licensure, stating:
  - A) The time during which the applicant was licensed in that state; and
  - B) Whether the file on the applicant contains any record of any disciplinary actions taken or pending pursuant to Section 17 of the Act; and
  - C) Examination(s) taken and examination scores received;
- 5) A copy of the Act and Rules in effect in the jurisdiction at the time of original licensure;
- 46) A statement of sound physical and mental health, dated within one

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENT(S)

year preceding application, signed by a currently licensed physician (nothing in this subsection shall require a physical or mental examination for any applicant who is a member of a recognized church or religious denomination which teaches reliance on spiritual means alone for healing) (Section 3(3) of the Act);

- 57) ~~A Verification of Qualifying Experience Form completed by the appropriate employer; and A work history since completion of education as set forth in subsection (a)(1) above;~~
- 8) Successful completion of the Illinois Supplemental examination in accordance with Section 1310.60(c) of this Part; and
- 9) The required fee as set forth in Section 14 of the Act.
- b) The Nursing Home Administrators Licensing and Disciplinary Board shall examine each endorsement application to determine whether the requirements in such state jurisdiction at the date of licensing licensure were substantially equivalent to the requirements then in force in this State or if the applicant's qualifications were, at the date of licensure in the other jurisdiction, substantially equivalent to the requirements then in force in this State. The Department shall within a reasonable time either issue a license by endorsement to the applicant or notify him of the reasons for the denial of his application.

(Source: Amended at 13 Ill. Reg. 15653, effective September 25, 1989)

## Section 1310.75 Renewals

- a) Every certificate-of-registration license issued under the Act shall expire on November 30 of each odd numbered year. The holder of a certificate-of-registration license may renew such certificate license during the month preceding the expiration date thereof by paying the required fee and certifying to fulfilling the continuing education requirements set forth in Section 1310.85 of this Part.
- b) It is the responsibility of each registrant licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.

(Source: Amended at 13 Ill. Reg. 15653, effective September 25, 1989)

## Section 1310.80 Restoration

- a) A registrant person seeking restoration of his certificate-of-registration license which has expired for less than five (5) years shall have his license restored upon payment of \$10 plus all lapsed renewal fees required by Section 19 14 of the Act and proof of the successful completion of 36 hours of continuing education as defined

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

by--Section--330-85, or four--(4) three (3) semester hours of completed college level course work during the pre renewal period in accordance with Section 1310.85.

A registrant person seeking restoration of his certificate of registration license which has been placed on inactive status for less than five (5) years shall have his license restored upon payment of the current renewal fee and proof of the successful completion of 36 hours of continuing education as defined by Section 330-85 or four (4) three (3) semester hours of completed college level course work during the pre renewal period in accordance with Section 1310.85.

A person applying for restoration of his license as a nursing home administrator which has been expired or on inactive status for more than five (5) years shall file an application with the Department, together with proof of 36 hours of continuing education or three (3) semester hours of completed college level course work during the pre renewal period as defined by in accordance with Section 1310.85 and the fee required by Section 14 of the Act. The applicant shall also submit either:

1) Submit sworn evidence of active practice in another jurisdiction. Such evidence of active practice shall include a statement from the appropriate board of licensing authority in another jurisdiction that the registrant was authorized to practice during the term of said active practice; or

2) An affidavit attesting to military service as provided in Section 11 of the Act; or

3) Pass the written examinations provided for in Section 1310.60. When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is reasonably questioned by the Department because of discrepancies or conflicts in information, information needing further clarification, and/or missing information, the registrant seeking restoration will be requested to: 1) Provide such information as may be necessary; and/or 2) Explain such relevance or sufficiency during an oral interview; 3) Appear for an oral interview before the Committee Board when the information available to the Committee Board is insufficient to evaluate the individual's current competency to practice under the Act. Upon recommendation of the Committee Board, an applicant shall have his license restored.

Appear for an oral interview before the Board designed to determine the individual's current competency to practice as a nursing home administrator.

(Source: Amended at 13 Ill. Reg. 15653, effective September 25, 1989)

Section 1310.85 Continuing Education

a) Continuing Education Hour Requirements

1) Every renewal applicant shall complete 36 hours of continuing education (CE) relevant to the practice of nursing home administration required during each pre renewal period. A pre renewal period is the 24 months preceding October 1 in the year of the renewal. For the pre renewal period ending October 1, 1987 each renewal applicant shall be required to have a total of 36 credit hours of CE which must have been obtained subsequent to January 1, 1984. The Department shall conduct random audits to verify compliance with this Section. The pre renewal period is the 24 months preceding the expiration date of the license.

2) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.

3) Nursing home administrators licensed in Illinois but residing and practicing in other states must comply with the CE requirements set forth in this Section.

Activities approved by the Department upon the recommendation of the Nursing Home Administrators Board for which CE credit may be earned are as follows:

1) Verified attendance or participation in any continuing education course approved by the National Continuing Education Review Service of the National Association of Boards of Examiners of Nursing Home Administrators.

2) Verified attendance at or participation in an approved program given by a sponsor as set forth in subsection (c) (1) of this Section. Each applicant shall attest to the completion of the required number of continuing education hours by so stating on the renewal form.

3) A maximum of 12 hours per pre renewal period for: A) papers prepared or delivered before recognized nursing home administration and nursing home organizations; B) papers published in nationally recognized nursing home administration journals; C) or a chapter in a book of nursing home administration; each verified; and D) self-study courses taken through an accredited college or university or an approved sponsor.

4) A licensee who serves as an instructor, speaker or discussion leader of an approved course will be allowed CE course credit for actual presentation time, plus actual preparation time of up to 2 hours for each hour of presentation. Preparation time shall not be allowed for repetitious presentations of the same course, and will only be allowed for additional study or research. In no case shall credit for actual time of presentation and preparation be given for more than 9 hours during any renewal period.

35) Continuing education credit hours used to satisfy the CE requirements of the EB requirements of the State of Illinois. The continuing education hours used to satisfy the CE requirements for renewal requirements of another state may be applied to fulfillment of the EB requirements of the State of Illinois.

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENT(S)

of a nursing home administrator license held in another jurisdiction shall be applied to fulfillment of the CE requirements for renewal of their Illinois nursing home administrator license.

- ~~4) Courses offered by accredited colleges and universities.~~
- 6) Three (3) semester hours of completed course work at an accredited college or university.
- 7) A CE hour equals 60 minutes. Credit will not be given for half hour increments.
- 8) No credit will be given for activities including, but not limited to, attendance at meetings or reading of journals.
- c) Criteria for Approval of CE Sponsors and Programs
- 1) Sponsor, as used in this Section, shall mean:
- A) The Illinois Association of Homes for the Aging;  
B) Council on Long Term Care;  
C) County Nursing Home Association of Illinois;  
D) Illinois Health Care Association;  
E) the Illinois Nursing Home Administrators Association;  
F) or any other school, college or university, State agency, or any other person, firm, or association which has been approved and authorized by the Department to coordinate and present continuing education courses and programs in conjunction with this Section.
- 2) A sponsor shall file a sponsor application, along with the required fee set forth in Section 14 of the Act, which certifies:
- A) that all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(5) below and all other criteria in this Section;  
B) that the sponsor will be responsible for verifying attendance at each course or program and provide a certificate of completion as set forth in subsection (c)(7); and  
C) that upon request by the Department, the sponsor will submit such evidence as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the Act and this Part and that this information is necessary to ensure compliance.
- 3) Each sponsor shall submit by November 30 of each year a sponsor application along with the required fee set forth in Section 14 of the Act. With the application the sponsor shall be required to submit to the Department a list of all courses and programs offered in the past year, which includes a description, location, date and time the course was offered.
- 4) State agencies, colleges and universities shall submit a sponsor application in accordance with subsection (2) and (3) above, however; they shall be exempt from payment of the fee in accordance with Section 14 of the Act.

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENT(S)

~~5) Criteria for approval of continuing education sponsors by the Department, upon the recommendation of the Board, are as follows. All courses and programs shall:~~

- ~~A) Whether the programs provided by such sponsors contain materials which contribute to the advancement, extension and enhancement of professional skills and knowledge in the practice of nursing home administration; and contain material related to the practice of nursing home administration;~~
- ~~B) Specify the course objectives, course content and teaching methods to be used;~~
- ~~C) Be developed and presented by persons with education and/or experience in the subject matter of the program;~~
- ~~D) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal; and~~
- ~~B) Whether the sponsors will provide experiences which contain relevant subject matter and course materials as well as organizational philosophy and objectives, background in continuing education, instructional staff and support staff;~~
- ~~E) Whether the program content is related to the practice of nursing home administration;~~
- ~~E) Include some mechanism whereby participants evaluate the overall quality of the program.~~
- ~~6) All programs given by approved sponsors should be open to all licensed nursing home administrators and not be limited to the members of a single organization or group.~~
- ~~d) Procedure for Approval of CE Sponsors and Programs~~
- ~~1) Any organization that desires to become an approved sponsor shall file with the Department a completed Sponsorship Application, all relevant information bearing on their compliance with the criteria set forth above, and 6 copies of the proposed program schedule. All information must be received by the Department at least 90 days prior to the date of any program for which the organization seeks approval.~~
- ~~2) Once a sponsor has been approved, he is only required to submit to the Department 6 copies of the proposed program schedule at least 60 days prior to the date of each program.~~
- ~~3) Each program that is approved by the Department, upon the recommendation of the Board, shall be assigned the number of CE clock hours actually spent by the program in continuing education activities.~~
- ~~4) Each organization shall be given at least 30 days written notice of the Department's decision to approve or disapprove a program and, if the program is approved, the number of CE credit hours assigned to it.~~
- ~~5) Certificate of Attendance or Participation. A) It shall be the responsibility of the sponsor to provide each participant in an approved program or course with a certificate of attendance or~~

NOTICE OF ADOPTED AMENDMENT(S)

participation signed by the sponsor's information:
4 A) The name and address of the sponsor;
5 B) The name, address and license number of the participant;

6 C) A detailed brief statement of the subject matter;
7 D) The number of clock hours actually attended in each topic
8 E) The date and place of the program; and
9 F) The signature of the sponsor.

10 B) The sponsor shall maintain course materials and attendance records containing all of the above information in subsection (C)(6) above for not less than 5 years, except for the signature of the sponsor.

11 9) The sponsor shall be responsible for assuring verified-continued attendance-at-each-program:--No that no renewal applicant shall receive CE credit for time not actually spent attending the program.

12 10) Upon the failure-of-any If a sponsor should fail to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Board, shall thereafter refuse to accept for CE credit attendance at or participation in any of such sponsor's CE activities until such time as the Department receives assurances of compliance with this Section.

13 11) Notwithstanding any other provision of this Section, the Department or Board may evaluate any sponsor of any approved continuing education program at any time. It has--reasons-to-continue-to-continue-to-satisfy-the minimum-requirements-of-this-Section-or-that--its-decision-was based-upon--false-or-deceptive-information--Such-reason-may-be based-on-the-investigation-of-a-complaint.

14 12) The Department shall maintain a list of all approved continuing education sponsors.
15 d) Continuing Education Earned in Other States Jurisdictions. If a renewal applicant will be earning or has earned CE hours in another state-or-territory jurisdiction, but is not licensed in that jurisdiction and the course is not presented by an approved sponsor, the applicant shall submit an individual program approval request form, along with a \$20 processing fee, to have the program reviewed. The Board shall review and recommend approval or disapproval of those the programs using the criteria stated-above-even-though-such programs-were-not-submitted-to-this-department-for-approval set forth in subsection (c)(5) of this Section. Applicants may seek individual program approval prior to participation in the course or prior to the expiration date of the license.

16 e) Certification of Compliance with CE Requirements

NOTICE OF ADOPTED AMENDMENT(S)

1) Each renewal applicant shall certify, on his renewal application, to full compliance with the CE requirements set forth in subsection (a), above.

2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance. Such additional evidence will be required in the context of the Department's random audit. Function-performed pursuant-to-section-1330-05(a)(1)-

3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Board, at which time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 16 of the Illinois Administrative Procedure Act (III. Rev. Stat. 1983 7, ch. 127, par. 1016).

4) Restoration of Nonrenewed License. Upon evidence of compliance with CE requirements, the Department shall reinstate the license upon payment of the required fee.

5) Waiver of CE Requirements
6) Any renewal applicant seeking a waiver-for-reason-of-extreme hardship-of-these-CE-requirements-shall-file-with-the-department a renewal-application-a-sworn-statement-setting-forth-the-facts concerning-his-inability-to-comply-and-a-request-for-waiver-of the-CE-requirements-on-the-basis-of-such-facts-the-request shall-be-reviewed-by-the-board-at-its-next-regularly-scheduled meeting--the-renewal-applicant-will-be-notified-in-writing-of the-date-of-the-review-within-30-days-of-accept-of-the-request for-a-waiver--within-30-days-of-the-review-the-renewal-applicant will-be-notified-in-writing-of-the-board's--such-statement-or-any other-evidence-submitted-that-good-cause-has-been-shown-for granting-a-waiver-the-department-shall-waive-enforcement-of-such requirements-for-the-renewal-period-for-which-the-applicant-has applied--that-time-the-renewal-applicant-will-be-requested to-submit-the-requested-renewal-fee.

7) Any renewal applicant seeking renewal of his license without having fully complied with these CE requirements shall file with the Department a renewal application, the required renewal fee, a statement setting forth the facts concerning such non-compliance, and a request for waiver of the CE requirements on the basis of such facts. If the Department, upon the written recommendation of the Board, finds from such affidavit or any other evidence submitted, that extreme hardship has been shown for granting a waiver, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied.

8) If such an interview with the Board is requested at the time the request for such waiver is filed with the Department - 7 & the

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENT(S)

renewal applicant requesting such waiver shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.

- 2 3) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:
- A) Full-time service in the armed forces of the United States of America during a substantial part of such period; i
- B) an incapacitating illness, documented by a currently licensed physician; or
- C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; r or
- D) Any other similar extenuating circumstances (i.e., family illness and prolonged hospitalization).
- 3) ~~Any renewal applicant who has requested a waiver of the continuing education requirements and whose application for such waiver has been denied by the Department may request an interview before the Nursing Home Administrators Licensing Board to further explain the justification for the waiver sought. The applicant must submit his request for an interview before the Board, in writing, within twenty-one days from the date of mailing the notice from the Department that his request for a waiver has been denied. The renewal applicant requesting such waiver shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.~~
- 4) ~~If a renewal applicant notifies the Department prior to the date of the interview of his or his designated representative's inability to appear for the interview because of physical incapacity, the applicant shall be scheduled for another time. However, if the renewal applicant or his designated representative does not appear for the interview, the Board will act upon the waiver request and the renewal applicant will be deemed to have forfeited his opportunity for an interview.~~
- 5) ~~A renewal applicant whose waiver request is considered by the Board pursuant to the provisions of subsections (3) or (4) above will be notified in writing of the Board's recommendation and the Department's decision within 30 days of the Committee meeting.~~
- 6 4) Any renewal applicant who, prior to the expiration date of his license, submits a request for a waiver, pursuant to the provisions of this Section shall be deemed to be in good standing until the final Department's decision on the application has been made.

(Source: Amended at 13 Ill. Reg. 15653, effective September 25, 1989)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: DRUG MANUAL
- 2) Code Citation: 89 Ill. Adm. Code 141
- 3) Section Numbers: Adopted Action:
- |          |           |
|----------|-----------|
| 141.100  | Amendment |
| 141.200  | Amendment |
| 141.360  | Amendment |
| 141.400  | Amendment |
| 141.480  | Amendment |
| 141.520  | Amendment |
| 141.560  | Amendment |
| 141.800  | Amendment |
| 141.1000 | Amendment |
| 141.1200 | Amendment |
| 141.1240 | Amendment |
| 141.1280 | Amendment |
| 141.1320 | Amendment |
| 141.1480 | Amendment |
| 141.1520 | Amendment |
| 141.3080 | Amendment |
| 141.3320 | Amendment |
| 141.3400 | Amendment |
| 141.3520 | Amendment |
| 141.3560 | Amendment |
| 141.3800 | Amendment |
| 141.3920 | Amendment |
| 141.4040 | Amendment |
| 141.4200 | Amendment |
| 141.4440 | Amendment |
| 141.4600 | Amendment |
| 141.4640 | Amendment |
| 141.4760 | Amendment |
- 4) Statutory Authority: Sections 5-5.16 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-5.16 and 12-13) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, Ch. 127, Par. 1005.02)
- 5) Effective Date of Amendments: September 22, 1989
- 6) Does this rulemaking contain an automatic repeal date?  
 Yes  No
- 7) Do these amendments contain incorporations by reference? No

NOTICE OF ADOPTED AMENDMENTS

- 8) Date filed in Agency's Principal Office: September 22, 1989
- 9) Notices of Proposal published in Illinois Register: May 26, 1989 (13 Ill. Reg. 7873)

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference between proposal and final version: No changes were made to the text.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace Emergency Amendments currently in effect? Yes

14) Are there any Amendments pending on this Part? Yes. In addition to the following proposed amendments pending on this Part, there are still emergency amendments in effect on Sections 141.2080, 141.2960 and 141.3840 which are not affected by this set of amendments. The emergency amendments appear at 13 Ill. Reg. 10700, effective June 15, 1989, for a maximum of 150 days. The copies filed in the Administrative Code Division reflect both the emergency amendments and these amendments.

Section Numbers	Proposed Action	Illinois Register Citation
141.2080	Amendment	June 30, 1989 (13 Ill. Reg. 7873)
141.2960	Amendment	June 30, 1989 (13 Ill. Reg. 7873)
141.3840	Amendment	June 30, 1989 (13 Ill. Reg. 7873)

15) Summary and Purpose of Amendments: With this rulemaking the Department makes several additions and deletions to various therapeutic categories of the Drug Manual.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Anita Williams, Staff Attorney  
Office of the General Counsel

NOTICE OF ADOPTED AMENDMENTS

Address: 100 South Grand Avenue East, Third Floor  
Springfield, Illinois 62706  
Telephone: (217) 546-4606

The full text of the Adopted Amendments begins on the next page:



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMSPART 141  
DRUG MANUAL

Section	
141.10	DRUG MANUAL
141.100	AGENCY NOTES
141.200	ANALGESICS/NARCOTIC ANTAGONISTS: ANTIRHEUMATIC
141.240	ANALGESICS/NARCOTIC ANTAGONISTS: GOUT
141.280	ANALGESICS/NARCOTIC ANTAGONISTS: MIGRAINE
141.320	ANALGESICS/NARCOTIC ANTAGONISTS: NARCOTIC ANTAGONISTS
141.360	ANALGESICS/NARCOTIC ANTAGONISTS: NONOPIATE AGONISTS
141.400	ANALGESICS/NARCOTIC ANTAGONISTS: OPIATE AGONISTS
141.440	ANTI-ALCOHOL
141.480	ANTICONVULSANTS
141.520	ANTIDOTES
141.560	ANTIHYPERTENSIVES
141.600	ANTIMICROBIAL: AMINOGLYCOSIDES
141.640	ANTIMICROBIAL: ANTIFUNGALS
141.680	ANTIMICROBIAL: ANTITUBERCULARS
141.720	ANTIMICROBIAL: CEPHALOSPORINS
141.760	ANTIMICROBIAL: ERYTHROMYCINS
141.800	ANTIMICROBIAL: MISCELLANEOUS
141.840	ANTIMICROBIAL: NITROFURANTOINS
141.880	ANTIMICROBIAL: PENICILLINS
141.920	ANTIMICROBIAL: SULFONAMIDES
141.960	ANTIMICROBIAL: TETRACYCLINES
141.1000	ANTIMICROBIAL: VACCINES
141.1040	BLOOD: ANTIANEMIA
141.1080	BLOOD: ANTICOAGULANT
141.1120	BLOOD: HEMOSTATIC
141.1125	BLOOD: MISCELLANEOUS
141.1160	CALCIUM
141.1200	CARDIOVASCULAR: ANTIANGINAL
141.1240	CARDIOVASCULAR: ANTIARRHYTHMIC
141.1280	CARDIOVASCULAR: ANTIHYPERLIPIDEMICS
141.1320	CARDIOVASCULAR: BETA BLOCKERS
141.1360	CARDIOVASCULAR: DIGITALIS GLYCOSIDES
141.1400	CARDIOVASCULAR: HYPOTENSION/SHOCK
141.1440	CARDIOVASCULAR: VASODILATOR (Repealed)
141.1480	CONTRACEPTIVE: NONORAL
141.1500	DIAPER RASH PRODUCTS
141.1520	DIURETICS
141.1560	DOPAMINE RECEPTOR AGONISTS

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section	
141.1600	ENZYMES
141.1640	EYE/EAR/NOSE/THROAT: ANTIBIOTICS
141.1680	EYE/EAR/NOSE/THROAT: ANTI-INFLAMMATORY
141.1720	EYE/EAR/NOSE/THROAT: ANTIVIRALS
141.1760	EYE/EAR/NOSE/THROAT: ANTIBIOTIC/ANTI-INFLAMMATORY
141.1800	EYE/EAR/NOSE/THROAT: LOCAL ANESTHETICS
141.1840	EYE/EAR/NOSE/THROAT: LUBRICANTS
141.1880	EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
141.1920	EYE/EAR/NOSE/THROAT: MISCELLANEOUS
141.1960	EYE/EAR/NOSE/THROAT: MISCELLANEOUS ANTI-INFECTIVES
141.2000	EYE/EAR/NOSE/THROAT: MYDRIATICS
141.2040	EYE/EAR/NOSE/THROAT: SULFONAMIDES
141.2080	EYE/EAR/NOSE/THROAT: SULFONAMIDE/ANTI-INFLAMMATORY
141.2120	EYE/EAR/NOSE/THROAT: TOPICAL DECONGESTANTS
141.2160	GASTROINTESTINAL: ANTACID/ADSORBENTS
141.2200	GASTROINTESTINAL: ANTIDIARRHEA
141.2240	GASTROINTESTINAL: ANTISPASMODICS
141.2280	GASTROINTESTINAL: DIGESTANTS
141.2320	GASTROINTESTINAL: EMETICS/ANTIEMETICS
141.2360	GASTROINTESTINAL: LAXATIVES
141.2400	GASTROINTESTINAL: MISCELLANEOUS
141.2440	GLUCOSE ELEVATORS
141.2480	HOMEOSTATIC/NUTRITIONAL: ACIDIFIERS
141.2520	HOMEOSTATIC/NUTRITIONAL: ALKALINIZERS
141.2560	HOMEOSTATIC/NUTRITIONAL: AMMONIA DETOXICANTS
141.2600	HOMEOSTATIC/NUTRITIONAL: INSULIN
141.2640	HOMEOSTATIC/NUTRITIONAL: IV FLUIDS
141.2680	HOMEOSTATIC/NUTRITIONAL: ORAL HYPOGLYCEMICS
141.2720	HOMEOSTATIC/NUTRITIONAL: VITAMINS
141.2760	HORMONES/AGENTS AFFECTING MECHANISMS: ADRENAL CORTICAL STEROIDS
141.2800	HORMONES/AGENTS AFFECTING MECHANISMS: ANABOLIC HORMONES
141.2840	HORMONES/AGENTS AFFECTING MECHANISMS: ANDROGENS
141.2880	HORMONES/AGENTS AFFECTING MECHANISMS: ANTITHYROID
141.2920	HORMONES/AGENTS AFFECTING MECHANISMS: ESTROGENS/PROGESTINS
141.2960	HORMONES/AGENTS AFFECTING MECHANISMS: ORAL CONTRACEPTIVES
141.3000	HORMONES/AGENTS AFFECTING MECHANISMS: OXYTOCICS
141.3040	HORMONES/AGENTS AFFECTING MECHANISMS: PARATHYROID
141.3080	HORMONES/AGENTS AFFECTING MECHANISMS: PITUITARY
141.3120	HORMONES/AGENTS AFFECTING MECHANISMS: THYROID
141.3160	HYDROCHOLERETICS
141.3200	IMMUNOSUPPRESSIVES
141.3240	IRRIGATION SOLUTIONS

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## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.100 AGENCY NOTES (Cont'd)

- 2) The nursing home must provide the following listed drugs to resident recipients at no charge to the recipient:

ACETAMINOPHEN DROPS 80MG/0.8ML  
 ACETAMINOPHEN DROPS 120MG/2.5ML  
 ACETAMINOPHEN ELIXIR/SYRUP 120MG/5ML  
 ACETAMINOPHEN TAB/CAP 325MG  
 ACETAMINOPHEN TAB/CAP 500MG  
 ACETAMINOPHEN TAB/CAP 650MG  
 ACETAMINOPHEN TABLET CHEWABLE 80MG  
 ACETAMINOPHEN TABLET CHEWABLE 120MG  
 ASPIRIN TAB BUFFERED 325MG  
 ASPIRIN TAB BUFFERED 600MG  
 ASPIRIN TAB EC 300MG  
 ASPIRIN TAB EC 600MG  
 ASPIRIN TAB PEDIATRIC  
 ASPIRIN TAB 300MG  
 ASPIRIN TAB 600MG  
 GLUCOLA LIQUID  
 MILK OF MAGNESIA LIQUID  
 MILD OF MAGNESIA TABLET  
 ZINC OXIDE OINTMENT

- b) No restrictions - The drug is available to all recipient categories including nursing home residents and recipients of basic health coverage.

- c) 1) Group care restricted - The drug is available to all recipients (including basic health recipients) except recipients residing in nursing homes.

- 2) The nursing home must provide the following listed items to resident recipients at no charge to the recipient:

ACETEST REAGENT TABLETS  
 ALBUSTIX STRIPS  
 CHEMSTRIP BG STRIPS  
 CHEMSTRIP GP  
 CHEMSTRIP K PAPERS  
 CHEMSTRIP TEST KIT  
 CHEMSTRIP UG STRIPS  
 CHEMSTRIP UGK STRIPS

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.100 AGENCY NOTES (Cont'd)

CHEMSTRIP 5  
 CLINISTIX STRIP  
 CLINITEST (2 DROP)  
 CLINITEST ANALYSIS SET.  
 CLINITEST ANALYSIS SET (2 DROP)  
 CLINITEST TABLET  
 CLINITEST TABLET FOIL  
 COMBISTIX  
 DEXTROSTIX REAGENT STRIPS  
 DEXTROSTIX REAGENT STRIPS FOIL  
 DIASTIX STRIPS  
 GLUCOSCAN TEST STRIPS  
GLUCOSTIX STRIPS  
 HEMA-COMBISTIX  
 HEMASTIX STRIPS  
 HEMATEST TABLET  
 KETO-DIASTIX  
 KETO-DIASTIX 5  
 KETOSTIX STRIPS  
 LABSTIX  
 LANCET FOR DIABETIC USE, STERILE  
 N-URISTIX  
ONE TOUCH TEST STRIPS  
 TES-TAPE  
 URISTIX  
 VISIDEX II REAGENT STRIPS  
 ANY PRODUCT EQUIVALENT TO THOSE ON THE ABOVE LIST OR ANY OTHER NONLISTED DIABETIC TESTING SUPPLY

- d) Group care limited - The drug is available only to recipients residing in nursing homes.

- e) Basic health restricted - If no sign appears next to the drug, it is available to all categories of recipients except those receiving only basic health coverage.

- f) The drugs referenced in subsection (a) above are identified in the Drug Manual by a single asterisk immediately before the item number. The drugs referenced in subsection (b) above are identified in the Drug Manual by a double asterisk immediately before the item number. The drugs referenced in subsection (c) above are identified

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.200 ANALGESICS/NARCOTIC ANTAGONISTS: ANTI-RHEUMATIC

Item Number Drug Name and Strength

00068762 MYOCHRYSSINE INJECTION 50MG/ML 1ML AMP  
00067762 MYOCHRYSSINE INJECTION 50MG/ML 10ML VIAL

\*\* 50001740 NAPROXEN SODIUM TABLET 275MG  
\*\* 50001747 NAPROXEN SODIUM TABLET 550MG

\*\* 50001737 NAPROXEN TABLET 250MG  
\*\* 50001738 NAPROXEN TABLET 375MG  
\*\* 50001739 NAPROXEN TABLET 500MG

\*\* 60008050 NONSTEROIDAL ANTI-INFLAMMATORY-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX

00315816

\*\* 50001741 PIROXICAM CAPSULE 10MG  
\*\* 50001742 PIROXICAM CAPSULE 20MG  
\*\* 00074879 RIDAURA CAPSULE 3MG

00850460 SOLGANOL INJECTION IN OIL 50MG/ML 10ML VIAL  
\*\* 50001743 SULINDAC TABLET 150MG  
\*\* 50001744 SULINDAC TABLET 200MG

\*\* 50001746 TOLMETIN SODIUM CAPSULE 400MG  
\*\* 50001745 TOLMETIN SODIUM TABLET 200MG  
\*\* 50001748 TOLMETIN SODIUM TABLET 600MG

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.360 ANALGESICS/NARCOTIC ANTAGONISTS: NON-OPIATE AGONISTS

Item Number

Drug Name and Strength

\* 50007006 ACETAMINOPHEN DROPS 80MG/0.8ML  
\* 50008252 ACETAMINOPHEN DROPS-120MG/2.5CC 50CC BTL  
\* 50007012 ACETAMINOPHEN ELIXIR/SYRUP 120MG/5CC

50000500 ACETAMINOPHEN SUPPOSITORY 120MG  
50000501 ACETAMINOPHEN SUPPOSITORY 300MG  
50000499 ACETAMINOPHEN SUPPOSITORY 600MG

\* 50007008 ACETAMINOPHEN TAB/CAP 325MG  
\* 50007011 ACETAMINOPHEN TAB/CAP 500MG  
\* 50007014 ACETAMINOPHEN TAB/CAP 650MG

\* 50007007 ACETAMINOPHEN TABLET CHEWABLE 80MG  
\* 50007010 ACETAMINOPHEN TABLET CHEWABLE 120MG  
50006420 ACETAMINOPHEN 325MG; BUTALBITAL 50MG; CAFFEINE 40MG CAPSULE

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.100 AGENCY NOTES (cont'd)

in the Drug Manual by a triple asterisk immediately before the item number. The drugs referenced in subsection (d) above are identified in the Drug Manual by the letter "G" immediately before the item number.

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.200 ANALGESICS/NARCOTIC ANTAGONISTS: ANTI-RHEUMATIC

Item Number

Drug Name and Strength

\*\* 50002091 DICLOFENAC SODIUM TABLET 25MG  
\*\* 50002093 DICLOFENAC SODIUM TABLET 50MG  
\*\* 50002095 DICLOFENAC SODIUM TABLET 75MG

\*\* 50006495 DIFLUNISAL TABLET 250MG  
\*\* 50006496 DIFLUNISAL TABLET 500MG

\*\* 50001730 FENOPROFEN CAPSULE 200MG  
\*\* 50001731 FENOPROFEN CAPSULE 300MG  
\*\* 50001732 FENOPROFEN TABLET 600MG

\*\* 50004800 FLURBIPROFEN TABLET 50MG  
\*\* 50004802 FLURBIPROFEN TABLET 100MG

\*\* 50000590 IBUPROFEN TABLET 300MG  
\*\* 50000592 IBUPROFEN TABLET 400MG  
\*\* 50000594 IBUPROFEN TABLET 600MG

\*\* 50000597 IBUPROFEN TABLET 800MG  
\*\* 50000610 INDOMETHACIN CAPSULE 25MG  
\*\* 50000612 INDOMETHACIN CAPSULE 50MG

\*\* 50001733 INDOMETHACIN CAPSULE 75MG SUSTAINED RELEASE  
\*\* 50001711 INDOMETHACIN INJECTION 3MG VIAL  
\*\* 50000608 INDOMETHACIN SUPPOSITORY 50MG

\*\* 50000617 INDOMETHACIN SUSPENSION 25MG/5ML  
\*\* 50004963 KETOPROFEN CAPSULE 25MG  
\*\* 50004967 KETOPROFEN CAPSULE 50MG  
\*\* 50004969 KETOPROFEN CAPSULE 75MG

\*\* 50004971 KETOPROFEN TABLET 75MG  
\*\* 50001734 MECLIZENAMATE SODIUM CAPSULE 50MG  
\*\* 50001735 MECLIZENAMATE SODIUM CAPSULE 100MG

\*\* 50001736 MEFENAMIC ACID CAPSULE 250MG  
\*\* 50005696 METHOPREXATE TABLET 2.5MG DOSEPACK  
\*\* 00067763 MYOCHRYSSINE INJECTION 10MG/ML 1ML AMP

00067764 MYOCHRYSSINE INJECTION 25MG/ML 1ML AMP

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.360 ANALGESICS/NARCOTIC ANTAGONISTS: NONOPIATE AGONISTS

Item Number	Drug Name and Strength
50006425	ACETAMINOPHEN 325MG; BUTALBITAL 50MG; CAFFEINE 40MG TABLET
50008224	ASPIRIN SUPPOSITORY 60MG
50008226	ASPIRIN SUPPOSITORY 120MG
50008228	ASPIRIN SUPPOSITORY 150MG
50008230	ASPIRIN SUPPOSITORY 200MG
50008232	ASPIRIN SUPPOSITORY 300MG
50008234	ASPIRIN SUPPOSITORY 600MG
* 50008222	ASPIRIN TAB BUFFERED 325MG
* 50008223	ASPIRIN TAB BUFFERED 600MG
* 50006726	ASPIRIN TAB E C 300MG
* 50006734	ASPIRIN TAB E C 600MG
* 50006740	ASPIRIN TAB E C 975MG
* 50008215	ASPIRIN TAB PEDIATRIC
* 50008206	ASPIRIN TAB 300MG
* 50008208	ASPIRIN TAB 600MG
* 50006745	ASPIRIN TABLET SUSTAINED RELEASE 800MG
50006438	ASPIRIN 325MG; BUTALBITAL 50MG; CAFFEINE 40MG CAPSULE
50006441	ASPIRIN 325MG; BUTALBITAL 50MG; CAFFEINE 40MG TABLET
50003700	MAGNESIUM SALICYLATE TAB/CAP 545MG
50003701	MAGNESIUM SALICYLATE TAB/CAP 600MG
50002004	MAGNESIUM SALICYLATE TAB/CAP 650MG
** 40002065	SALSALATE CAPSULE 500MG
** 40002067	SALSALATE TABLET 500MG
** 40002069	SALSALATE TABLET 750MG
** 00340520	TRILISATE LIQUID
** 00340500	TRILISATE TABLET 500MG
** 00340505	TRILISATE TABLET 750MG
** 00340510	TRILISATE TABLET 1000MG

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.400 ANALGESICS/NARCOTIC ANTAGONISTS: OPIATE AGONISTS

Item Number	Drug Name and Strength
50006005	ACETAMINOPHEN 120MG/5ML; CODEINE PHOSPHATE 12MG/5ML ELIX/SUSP

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.400 ANALGESICS/NARCOTIC ANTAGONISTS: OPIATE AGONISTS

Item Number	Drug Name and Strength
50006001	ACETAMINOPHEN 325MG; CODEINE PHOSPHATE 7.5MG CAP/TAB
50006002	ACETAMINOPHEN 325MG; CODEINE PHOSPHATE 15.0MG CAP/TAB
50006003	ACETAMINOPHEN 325MG; CODEINE PHOSPHATE 30.0MG CAP/TAB
50006004	ACETAMINOPHEN 325MG; CODEINE PHOSPHATE 60.0MG CAP/TAB
50005002	ASPIRIN 325MG; CODEINE PHOSPHATE 15MG CAP/TAB
50005003	ASPIRIN 325MG; CODEINE PHOSPHATE 30MG CAP/TAB
50005004	ASPIRIN 325MG; CODEINE PHOSPHATE 60MG CAP/TAB
50000046	ASPIRIN 325MG; OXYCODONE HCL 2.25MG; OXYCODONE TEREPHTHALATE 0.19 MG TAB
50000048	ASPIRIN 325MG; OXYCODONE HCL 4.5 MG; OXYCODONE TEREPHTHALATE 0.38MG TAB
50001376	CODEINE PHOSPHATE/SULFATE TAB/HT 15MG
50001384	CODEINE PHOSPHATE/SULFATE TAB/HT 30MG
50001392	CODEINE PHOSPHATE/SULFATE TAB/HT 60MG
50003058	HYDROMORPHONE TABLET 1MG
50003060	HYDROMORPHONE TABLET 2MG
50003062	HYDROMORPHONE TABLET 3MG
50003064	HYDROMORPHONE TABLET 4MG
00041910	LEVO-DROMORAN INJECTION 2MG/ML 1ML AMP
00041911	LEVO-DROMORAN INJECTION 2MG/ML-10ML VIAL
00040044	LEVO-DROMORAN TABLET 2MG
50003493	MEPERIDINE HCL INJECTION 25MG AMP
50003492	MEPERIDINE HCL INJECTION 25MG SYRINGE
50003494	MEPERIDINE HCL INJECTION 50MG AMP
50003495	MEPERIDINE HCL INJECTION 50MG SYRINGE
50003499	MEPERIDINE HCL INJECTION 50MG/ML 30ML VIAL
50003496	MEPERIDINE HCL INJECTION 75MG AMP
50003500	MEPERIDINE HCL INJECTION 75MG SYRINGE
50004850	MEPERIDINE HCL INJECTION-100MG AMP (1ML)
50003497	MEPERIDINE HCL INJECTION-100MG AMP (2ML)
50004851	MEPERIDINE HCL INJECTION-100MG SYRINGE
50004852	MEPERIDINE HCL INJECTION-100MG/ML 20ML VIAL
50003061	METHADONE HCL INJECTION 10MG/ML 1ML
50003063	METHADONE HCL INJECTION 10MG/ML 20ML
50003065	METHADONE HCL ORAL SOLUTION 5MG/5ML
50003075	METHADONE HCL ORAL SOLUTION 10MG/ML 30ML
50003067	METHADONE HCL ORAL SOLUTION 10MG/5ML
50003069	METHADONE HCL TABLET 5MG

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.480 ANTI-CONVULSANTS

Item Number Drug Name and Strength

00710525 CELONTIN CAPSULE 300MG \*\*

00746212 DEPAKOTE ENTERIC COATED TABLET 125MG \*\*

00746214 DEPAKOTE ENTERIC COATED TABLET 250MG \*\*

00746215 DEPAKOTE ENTERIC COATED TABLET 500MG \*\*

50000701 DIAZEPAM INJECTION 5MG/ML 2ML AMP \*\*

50000703 DIAZEPAM INJECTION 5MG/ML 2ML SYRINGE \*\*

50000705 DIAZEPAM INJECTION 5MG/ML 10ML VIAL \*\*

00040061 KLONOPIN TABLET 0.5MG \*\*

00040062 KLONOPIN TABLET 1.0MG \*\*

00040063 KLONOPIN TABLET 2.0MG \*\*

00780052 MESANTOIN TABLET 100MG \*\*

50004649 PHENOBARBITAL DROP 16MG/ML \*\*

50004650 PHENOBARBITAL ELIXIR 20MG/5ML \*\*

50004618 PHENOBARBITAL TABLET 15MG \*\*

50004626 PHENOBARBITAL TABLET 30MG \*\*

50004634 PHENOBARBITAL TABLET 60MG \*\*

50004642 PHENOBARBITAL TABLET 100MG \*\*

50000098 PHENYTOIN SODIUM INJECTION 100MG/2ML \*\*

50040099 PHENYTOIN SODIUM INJECTION 250MG/5ML \*\*

50002372 PHENYTOIN SODIUM EXTENDED CAPSULE 30MG \*\*

50002380 PHENYTOIN SODIUM EXTENDED CAPSULE 100MG \*\*

50002401 PHENYTOIN SODIUM PROMPT CAPSULE 100MG \*\*

50002381 PHENYTOIN SUSPENSION 30MG/5ML \*\*

50002382 PHENYTOIN SUSPENSION 125MG/5ML \*\*

50002364 PHENYTOIN TABLET CHEWABLE 50MG \*\*

50004036 PRIMIDONE SUSPENSION 250MG/5ML \*\*

50004032 PRIMIDONE TABLET 50MG \*\*

50004034 PRIMIDONE TABLET 250MG \*\*

50002180 VALPROATE SODIUM SYRUP 250MG/5ML \*\*

50002182 VALPROIC ACID CAPSULE 250MG \*\*

00710237 ZARONTIN CAPSULE 250MG \*\*

00711418 ZARONTIN SYRUP 250MG/5ML \*\*

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.520 ANTI-DOSES

Item Number Drug Name and Strength

00890510

CALCIUM DISODIUM VERSENATE 20MG/ML 5ML

00833801

DESFERAL MESYLATE INJECTION 500MG/5ML VIAL

SECTION 141.400 ANALGESICS/NARCOTIC ANTAGONISTS: OPIATE

AGONISTS

Item Number Drug Name and Strength

50003071 METHADONE HCL TABLET 10MG

50003899 MORPHINE SULFATE CONTROLLED RELEASE TABLET 30MG

50003889 MORPHINE SULFATE CONTROLLED RELEASE TABLET 60MG

50003354 MORPHINE SULFATE INJECTION 2MG/ML 1 ML SYRINGE

50003352 MORPHINE SULFATE INJECTION 4MG/ML 1 ML SYRINGE

50003523 MORPHINE SULFATE INJECTION 8MG/ML 1 ML AMP

50004858 MORPHINE SULFATE INJECTION 8MG/ML 1 ML SYRINGE

50003524 MORPHINE SULFATE INJECTION 10MG/ML 1 ML AMP

50004859 MORPHINE SULFATE INJECTION 10MG/ML 1 ML

50003525 MORPHINE SULFATE INJECTION 15MG/ML 1 ML AMP

50004860 MORPHINE SULFATE INJECTION 15MG/ML 1 ML

50007016 MORPHINE SULFATE ORAL SOLUTION 10MG/5ML 120ML

50002006 MORPHINE SULFATE ORAL SOLUTION 10MG/5ML 500ML

50005590 MORPHINE SULFATE ORAL SOLUTION 20MG/ML 30ML

50005592 MORPHINE SULFATE ORAL SOLUTION 20MG/ML 120ML

50002016 MORPHINE SULFATE ORAL SOLUTION 20MG/5ML

50007018 MORPHINE SULFATE ORAL SOLUTION 20MG/5ML 120ML

50002717 MORPHINE SULFATE ORAL SOLUTION 100MG/5ML

50003875 MORPHINE SULFATE TABLET 10MG

50003883 MORPHINE SULFATE TABLET 15MG

50003885 MORPHINE SULFATE TABLET 30MG

50002071 OXYCODONE HCL ORAL SOLUTION 5MG/5ML

50002073 OXYCODONE HCL TABLET 5MG

50004316 PAREGORIC LIQUID

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.480 ANTI-CONVULSANTS

Item Number Drug Name and Strength

50005149

CARBAMAZEPINE SUSPENSION 100MG/5ML

50002141

CARBAMAZEPINE TABLET CHEWABLE 100MG

50002145

CARBAMAZEPINE TABLET 200MG

00710537

CELONTIN CAPSULE 150MG

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.520 ANTIDOTES

Item Number	Drug Name and Strength
	DISODIUM EDETATE INJ 3GM AMP
** 00153560	MESNEX INJECTION 100MG/ML 2ML AMP
** 00153561	MESNEX INJECTION 100MG/ML 4ML AMP
** 00153562	MESNEX INJECTION 100MG/ML 10ML AMP
00460376	PROTOPAM CHLORIDE TABLET 500MG
00460374	PROTOPAM INJECTION 1GM/20ML VIAL
** 50006515	SODIUM POLYSTYRENE SULFONATE POWDER
** 50006517	SODIUM POLYSTYRENE SULFONATE SUSPENSION 15GM/60ML 60ML
** 50006519	SODIUM POLYSTYRENE SULFONATE SUSPENSION 15GM/60ML 500ML

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.560 ANTIHYPERTENSIVES

Item Number	Drug Name and Strength
** 00030450	CAPOTEN TABLET 12.5MG
** 00030452	CAPOTEN TABLET 25MG
** 00030562	CAPOTEN TABLET 50MG
** 00030485	CAPOTEN TABLET 100MG
** 00030338	CAPOZIDE TABLET 25/15
** 00030349	CAPOZIDE TABLET 25/25
** 00030384	CAPOZIDE TABLET 50/15
** 00030390	CAPOZIDE TABLET 50/25
** 05970031	CATAPRES-TTS-1 PATCHES
** 05970032	CATAPRES-TTS-2 PATCHES
** 05970033	CATAPRES-TTS-3 PATCHES
** 50000941	CLONIDINE HCL TABLET 0.1MG
** 50000943	CLONIDINE HCL TABLET 0.2MG
** 50000945	CLONIDINE HCL TABLET 0.3MG
** 00030283	CORZIDE TABLET 40MG; 5MG
** 00030284	CORZIDE TABLET 80MG; 5MG
** 00830047	ESIMIL TABLET
** 50001614	GUANETHIDINE MONOSULFATE TABLET 10MG
** 50001616	GUANETHIDINE MONOSULFATE TABLET 25MG
** 50005686	HYDRALAZINE HCL INJECTION 20MG/ML AMP
** 50003074	HYDRALAZINE HCL TABLET 10MG
** 50003076	HYDRALAZINE HCL TABLET 25MG
** 50003078	HYDRALAZINE HCL TABLET 50MG

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.560 ANTIHYPERTENSIVES

Item Number	Drug Name and Strength
** 50003080	HYDRALAZINE HCL TABLET 100MG
** 50003066	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 15MG TABLET
** 50003068	HYDRALAZINE HCL 25MG; HYDROCHLOROTHIAZIDE 25MG CAPSULE
** 50003070	HYDRALAZINE HCL 50MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
** 50003072	HYDRALAZINE HCL 100MG; HYDROCHLOROTHIAZIDE 50MG CAPSULE
** 50002981	HYDROCHLOROTHIAZIDE 15MG; METHYLDOPA 250MG TABLET
** 50002341	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 100MG TABLET
** 50002343	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 200MG TABLET
** 50002345	HYDROCHLOROTHIAZIDE 25MG; LABETALOL HCL 300MG TABLET
** 50002983	HYDROCHLOROTHIAZIDE 25MG; METHYLDOPA 250MG TABLET
** 50005520	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 40MG TABLET
** 50005522	HYDROCHLOROTHIAZIDE 25MG; PROPRANOLOL HCL 80MG TABLET
** 50003090	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.1MG TABLET
** 50003094	HYDROCHLOROTHIAZIDE 25MG; RESERPINE 0.125MG TABLET
** 50002985	HYDROCHLOROTHIAZIDE 30MG; METHYLDOPA 500MG TABLET
** 50002987	HYDROCHLOROTHIAZIDE 50MG; METHYLDOPA 500MG TABLET
** 50004021	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 80MG LA CAPSULE
** 50004023	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 120MG LA CAPSULE
** 50004025	HYDROCHLOROTHIAZIDE 50MG; PROPRANOLOL HCL 160MG LA CAPSULE
** 50003092	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.1MG TABLET
** 50003096	HYDROCHLOROTHIAZIDE 50MG; RESERPINE 0.125MG TABLET
** 00180787	HYLOREL TABLET 10MG
** 00180788	HYLOREL TABLET 25MG

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.800 ANTIMICROBIAL: MISCELLANEOUS

Item Number	Drug Name and Strength
50004923	ACYCLOVIR CAPSULE 200MG
50001410	ACYCLOVIR INJECTION 500MG VIAL
50000851	AMANTADINE HCL CAPSULE 100MG
50000853	AMANTADINE HCL SYRUP 50MG/5ML
60008018	ANTIMICROBIAL MISCELLANEOUS-INJECTION-NOT OTHERWISE LISTED-IF REQUIRES RX
60008017	ANTIMICROBIAL MISCELLANEOUS-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
50005151	AZTREONAM INJECTION 500MG/15ML VIAL
50005153	AZTREONAM INJECTION 500MG/100ML BOTTLE
50005155	AZTREONAM INJECTION 1GM/15ML VIAL
50005157	AZTREONAM INJECTION 1GM/100ML BOTTLE
50005159	AZTREONAM INJECTION 2GM/15ML VIAL
50005161	AZTREONAM INJECTION 2GM/100ML BOTTLE
50001411	BACITRACIN INJECTION 10,000 UNITS IM
50001412	BACITRACIN INJECTION 50,000 UNITS IM
50001128	CHLORAMPHENICOL CAPSULE 250MG
50001413	CHLORAMPHENICOL CAPSULE 500MG
50001236	CHLORAMPHENICOL PALMITATE ORAL SUSPENSION 150MG/5ML 60ML
50000061	CHLORAMPHENICOL SODIUM SUCCINATE INJECTION 1GM VIAL
50001414	CINOXACIN CAPSULE 250MG
50001415	CINOXACIN CAPSULE 500MG
50001793	CIPROFLOXACIN TABLET 250MG
50001795	CIPROFLOXACIN TABLET 500MG
50001797	CIPROFLOXACIN TABLET 750MG
50001416	CLINDAMYCIN HCL CAPSULE 75MG
50001417	CLINDAMYCIN HCL CAPSULE 150MG
50005804	CLINDAMYCIN HCL CAPSULE 300MG
50001418	CLINDAMYCIN PALMITATE GRANULES 75MG/5ML 100ML
50001420	CLINDAMYCIN PHOSPHATE INJECTION 300MG/2ML 2ML AMP/VIAL
50001421	CLINDAMYCIN PHOSPHATE INJECTION 600MG/4ML 4ML AMP/VIAL
50001419	CLINDAMYCIN PHOSPHATE INJECTION 900MG/6ML 6ML AMP/VIAL
50001423	COLISTIMETHATE SODIUM INJECTION 150MG VIAL
50001424	COLISTIN SULFATE ORAL SUSPENSION 25MG/5ML 60ML DAPSONE TABLET 25MG
50001219	DAPSONE TABLET 100MG
50001223	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML; SULFISOXAZOLE ACETYL 600MG/5ML SUSP 100ML

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.560 ANTIHYPERTENSIVES

Item Number	Drug Name and Strength
00743322	HYTRIN TABLET 1MG
00743323	HYTRIN TABLET 2MG
00743324	HYTRIN TABLET 5MG
00743325	HYTRIN TABLET 10MG
50001825	LISINAPRIL TABLET 5MG
50001827	LISINAPRIL TABLET 10MG
50001829	LISINAPRIL TABLET 20MG
50001831	LISINAPRIL TABLET 40MG
00750082	LOZOL TABLET 2.5MG
50000712	METHYLDOPA ORAL SUSPENSION 250MG/5ML
50000714	METHYLDOPA TABLET 125MG
50000716	METHYLDOPA TABLET 250MG
50000718	METHYLDOPA TABLET 500MG
50000710	METHYLDOPATE HCL INJECTION 250MG/5ML
00694370	MINIPRESS-CAPSULE-1-0MG
00694370	MINIPRESS-CAPSULE-2-0MG
00694380	MINIPRESS-CAPSULE-5-0MG
00694300	MINIZIDE CAPSULE 1.0MG/0.5MG
00694320	MINIZIDE CAPSULE 2.0MG/0.5MG
00694360	MINIZIDE CAPSULE 5.0MG/0.5MG
50002096	MINOXIDIL TABLET 2.5MG
50002098	MINOXIDIL TABLET 10MG
50002751	PRAZOSIN HCL CAPSULE 1MG
50002753	PRAZOSIN HCL CAPSULE 2MG
50002755	PRAZOSIN HCL CAPSULE 5MG
50005223	RESERPINE TABLET 0.1MG
50005231	RESERPINE TABLET 0.25MG
00318901	TENEX TABLET 1MG
00380115	TENORETIC 50 TABLET
00380117	TENORETIC 100 TABLET
00600067	TIMOLIDE TABLET 10/25
00607020	VASERETIC TABLET 10/25
006063508	VASOTEC INJECTION 1.25MG/ML 2ML VIAL
00606014	VASOTEC TABLET 2.5MG
00606712	VASOTEC TABLET 5MG
00606713	VASOTEC TABLET 10MG
00606714	VASOTEC TABLET 20MG
00060714	VASOTEC TABLET 20MG
00080073	WYTENSIN TABLET 4MG
00080074	WYTENSIN TABLET 8MG
00080092	WYTENSIN TABLET 16MG

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.800 ANTIMICROBIAL: MISCELLANEOUS

Item Number	Drug Name and Strength
** 50002015	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML; SULFISOXAZOLE ACETYL 600MG/5ML SUSP 150ML
** 50002017	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML; SULFISOXAZOLE ACETYL 600MG/5ML SUSP 200ML
** 50001425	FURAZOLIDONE LIQUID 50MG/15ML
** 50001426	FURAZOLIDONE TABLET 100MG
** 50001427	HYDROXYSTILBAMIDINE ISOETHIONATE INJECTION 225MG/20ML AMP
** 50002331	IMIPENEM 250MG; CILASTATIN SODIUM 250MG INJECTION INFUSION VIAL
** 50002333	IMIPENEM 250MG; CILASTATIN SODIUM 250MG INJECTION VIAL
** 50002335	IMIPENEM 500MG; CILASTATIN SODIUM 500MG INJECTION INFUSION VIAL
** 50002339	IMIPENEM 500MG; CILASTATIN SODIUM 500MG INJECTION VIAL
** 00280108	LAMPRENE CAPSULE 50MG
** 00280109	LAMPRENE CAPSULE 100MG
** 50001428	LINCOMYCIN CAPSULE 250MG
** 50001429	LINCOMYCIN CAPSULE 500MG
** 50001431	LINCOMYCIN INJECTION 300MG/ML 2ML SYRINGE
** 50001432	LINCOMYCIN INJECTION 300MG/ML 2ML VIAL
** 50001433	LINCOMYCIN INJECTION 300MG/ML 10ML VIAL
** 50001018	METHENAMINE HIPPURATE TABLET 1GM
** 50003780	METHENAMINE MANDELATE GRANULES 0.5GM
** 50003781	METHENAMINE MANDELATE GRANULES 1.0GM
** 50003778	METHENAMINE MANDELATE SUSP 50MG/ML
** 50003779	METHENAMINE MANDELATE SUSP 100MG/ML
** 50003735	METHENAMINE MANDELATE TAB 0.25GM
** 50003743	METHENAMINE MANDELATE TAB 0.50GM
** 50003751	METHENAMINE MANDELATE TAB 1.00GM
** 50001435	METHYLENE BLUE TABLET 65MG
** 50001436	NALIDIXIC ACID ORAL SUSPENSION 250MG/5ML
** 50001437	NALIDIXIC ACID TABLET 250MG
** 50001438	NALIDIXIC ACID TABLET 500MG
** 50001439	NALIDIXIC ACID TABLET 1GM
** 50005526	NEOMYCIN SULFATE EQ 40MG BASE/ML; POLYMYXIN B SULFATE 200,000U/ML 1ML
** 50005528	NEOMYCIN SULFATE EQ 40MG BASE/ML; POLYMYXIN B SULFATE 200,000U/ML 20ML

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.800 ANTIMICROBIAL: MISCELLANEOUS

Item Number	Drug Name and Strength
** 50005523	NORFLOXACIN TABLET 400MG
** 50001570	NOVOBIOCIN CAPSULE 250MG
** 50004951	PENTAMIDINE ISETHIONATE INJECTION 300MG/VIAL
** 50004028	PHENAZOPYRIDINE HCL TABLET 100MG
** 50004030	PHENAZOPYRIDINE HCL TABLET 200MG
** 50001571	POLYMYXIN B SULFATE INJECTION 500,000 UNITS/VIAL
** 50001572	SPECTINOMYCIN INJECTION 2GM VIAL
** 50001573	SPECTINOMYCIN INJECTION 4CM VIAL
** 50001218	SULFAMETHOXAZOLE 200MG/5ML; TRIMETHOPRIM 40MG/5ML SUSPENSION
** 50001220	SULFAMETHOXAZOLE 400MG; TRIMETHOPRIM 80MG TABLET
** 50001221	SULFAMETHOXAZOLE 800MG; TRIMETHOPRIM 160MG TABLET
** 50001217	SULFAMETHOXAZOLE 400MG/5ML; TRIMETHOPRIM 80MG/5ML INJECTION 5ML AMP/VIAL
** 50001574	SULFOXONE SODIUM TABLET ENTERIC COATED 165MG
** 50001224	TRIMETHOPRIM TABLET 100MG
** 50001575	TRIMETHOPRIM TABLET 200MG
** 50006866	TROLEANDOMYCIN CAPSULE 250MG
** 50006874	TROLEANDOMYCIN SUSPENSION 125MG/5ML
** 50000901	VANCOMYCIN HCL CAPSULE 125MG
** 50000903	VANCOMYCIN HCL CAPSULE 250MG
** 50001576	VANCOMYCIN HCL INJECTION 500MG
** 50001579	VANCOMYCIN HCL INJECTION 1GM VIAL
** 50002523	VANCOMYCIN HCL ORAL SOLUTION 1GM/20ML
** 50001577	VANCOMYCIN HCL ORAL SOLUTION 10GM/115ML
** 50001578	VIDARABINE INJECTION 200MG/5ML 10ML VIAL
* 50009000	ZIDOVUDINE CAPSULE 100MG

(Source: Amended at 13 Ill. Reg. 15672, effective  
September 22, 1989)

## SECTION 141.1000 ANTIMICROBIAL: VACCINES

Item Number	Drug Name and Strength
** 50004672	HEPATITIS B VACCINE 10MCG ANTIGEN/ML 0.5ML VIAL
** 50004670	HEPATITIS B VACCINE 20MCG ANTIGEN/ML 3ML MULTI-DOSE VIAL

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## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.1240 CARDIOVASCULAR: ANTIARRHYTHMIC

Item Number	Drug Name and Strength
** 00345470	CARDIOQUIN TABLET 275MG
** 50003901	DISOPYRAMIDE PHOSPHATE CAPSULE 100MG
** 50003903	DISOPYRAMIDE PHOSPHATE CAPSULE 150MG
** 50003905	DISOPYRAMIDE PHOSPHATE CONTROLLED RELEASE CAPSULE 100MG
** 50003907	DISOPYRAMIDE PHOSPHATE CONTROLLED RELEASE CAPSULE 150MG
** 00870732	ENKAID CAPSULE 25MG
** 00870734	ENKAID CAPSULE 35MG
** 00870735	ENKAID CAPSULE 50MG
** 05970066	MEXITIL CAPSULE 150MG
** 05970067	MEXITIL CAPSULE 200MG
** 05970068	MEXITIL CAPSULE 250MG
G 50004048	PROCAINAMIDE HCL INJ 100MG/ML 10ML VIAL
G 50004050	PROCAINAMIDE HCL INJ 500MG/ML 2ML VIAL
** 50004043	PROCAINAMIDE HCL SR TABLET 250MG
** 50004047	PROCAINAMIDE HCL SR TABLET 500MG
** 50004049	PROCAINAMIDE HCL SR TABLET 750MG
** 50004051	PROCAINAMIDE HCL SR TABLET 1000MG
** 50004042	PROCAINAMIDE HCL TAB/CAP 250MG
** 50004044	PROCAINAMIDE HCL TAB/CAP 375MG
** 50004046	PROCAINAMIDE HCL TAB/CAP 500MG
** 50004066	QUINIDINE GLUCONATE TAB/CAP 324/330MG TD
** 50000985	QUINIDINE SULFATE TABLET CR 300MG
** 50005141	QUINIDINE SULFATE TABLET 100MG
** 50005142	QUINIDINE SULFATE TABLET 200MG
** 50005143	QUINIDINE SULFATE TABLET 300MG
** 00890305	TAMBOCOR TABLET 50MG
** 00890307	TAMBOCOR TABLET 100MG
** 00890314	TAMBOCOR TABLET 150MG
** 00060707	TONOCARD TABLET 400MG
** 00060709	TONOCARD TABLET 600MG

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.1280 CARDIOVASCULAR: ANTIHYPERLIPIDEMICS

Item Number	Drug Name and Strength
** <u>50004593</u>	<u>CHOLESTYRAMINE RESIN BAR 4GM</u>

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.1280 CARDIOVASCULAR: ANTIHYPERLIPIDEMICS (Cont'd)

Item Number	Drug Name and Strength
** 50004597	CHOLESTYRAMINE RESIN POWDER PACKET 4GM
** <u>50004595</u>	<u>CHOLESTYRAMINE RESIN POWDER 378GM CAN</u>
00481230	CHOLOXIN TABLET 1MG
00481250	CHOLOXIN TABLET 2MG
00481270	CHOLOXIN TABLET 4MG
00481290	CHOLOXIN TABLET 6MG
50002851	CLOFIBRATE CAPSULE 500MG
00090260	COLESTID POWDER - BOTTLE 500GM
00091260	COLESTID POWDER - PACKETS
** 00710669	LOPID CAPSULE 300MG
** 00710737	LOPID TABLET 600MG
01830051	LORELCO TABLET 250MG
00680053	LORELCO TABLET 500MG
** 00060731	MEVACOR TABLET 20MG
** 00060732	MEVACOR TABLET 40MG
** <del>00871580</del>	<del>QUESTRAN-POWDER-PACKET-4GM</del>
** <del>00870580</del>	<del>QUESTRAN-POWDER-378GM-CAN</del>

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.1320 CARDIOVASCULAR: BETA BLOCKERS

Item Number	Drug Name and Strength
** 00030232	CORGARD TABLET 20MG
** 00030207	CORGARD TABLET 40MG
** 00030241	CORGARD TABLET 80MG
** 00030208	CORGARD TABLET-120MG
** 00030246	CORGARD TABLET-160MG
** 40001069	LABETALOL HCL TABLET 100MG
** 50003386	LABETALOL HCL TABLET 200MG
** 50003388	LABETALOL HCL TABLET 300MG
** 00214500	LEVATOL TABLET 20MG
** 00280051	LOPRESSOR TABLET 50MG
** 00280071	LOPRESSOR TABLET 100MG
G 50005440	PROPRANOLOL HCL INJECTION 1MG/1ML AMP
** 50005468	PROPRANOLOL HCL LONG ACTING CAPSULE 60MG
** 50005470	PROPRANOLOL HCL LONG ACTING CAPSULE 80MG
** 50005475	PROPRANOLOL HCL LONG ACTING CAPSULE 120MG
** 50005480	PROPRANOLOL HCL LONG ACTING CAPSULE 160MG
** 50005442	PROPRANOLOL HCL TABLET 10MG

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.1480 CONTRACEPTIVE: NONORAL (Cont'd)

Item Number Drug Name and Strength

\*\* 00623282 INTERCEPT CONTRACEPTIVE SUPPOSITORIES 12'S REFILL

\*\* 00270020 KOROMEX CREAM C APPLICATOR 115GM

\*\* 00270030 KOROMEX FOAM C APPLICATOR 40GM

\*\* 00270060 KOROMEX GEL C APPLICATOR 126GM

\*\* 00625190 ORTHO-CREME CONTRACEPTIVE CR 115GM REFILL

\*\* 00623190 ORTHO-CREME CONTRACEPTIVE CR 70GM C APP

\*\* 00624190 ORTHO-CREME CONTRACEPTIVE CR 70GM REFILL

\*\* 00625170 ORTHO-GYNOL CONTRACEPTIVE JE 126GM REFILL

\*\* 00623170 ORTHO-GYNOL CONTRACEPTIVE JE 81 GM C APP

\*\* 00624170 ORTHO-GYNOL CONTRACEPTIVE JE 81GM REFILL

\*\* 05476538 PARAGUARD COPPER IUD MODEL T 380A

\*\* 50002368 PRENTIF CAVITY RIM CERVICAL CAP; FIT SET

ONLY TO BE BILLED BY PHYSICIAN/CLINIC

PROGESTASERT INTRAVAGINAL CONTRACEPTIVE

MAY ONLY TO BE BILLED BY A PHYSICIAN/CLINIC

\*\* 17314423

\*\* 02340003 RAMSES VAGINAL JELLY 90GM

\*\* 02340002 RAMSES VAGINAL JELLY REFILL 90GM

\*\* 02340005 RAMSES VAGINAL JELLY REFILL 150GM

\*\* 05733301 SEMICID VAGINAL SUPPOSITORY 10'S

\*\* 05733401 SEMICID VAGINAL SUPPOSITORY 20'S

\*\* 03964010 SHUR-SEAL GEL 24 PACK

\*\* 01760300 TODAY CONTRACEPTIVE SPONGES 3'S

\*\* 01760600 TODAY CONTRACEPTIVE SPONGES 6'S

\*\* 01761200 TODAY CONTRACEPTIVE SPONGES 12'S

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.1520 DIURETICS

Item Number Drug Name and Strength

\*\* 50002400

\*\* 50002404 ACETAZOLAMIDE TABLET 125MG

\*\* 50002406 ACETAZOLAMIDE TABLET 250MG

\*\* 50002039 AMILORIDE HCL 5MG; HYDROCHLOROTHIAZIDE 50MG TABLET

\*\* 50005510 CHLOROTHIAZIDE SUSPENSION 250MG/5ML

\*\* 50005250

\*\* 50005250 CHLOROTHIAZIDE TABLET 250MG

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.1320 CARDIOVASCULAR: BETA BLOCKERS (Cont'd)

Item Number Drug Name and Strength

\*\* 5005444 PROPRANOLOL HCL TABLET 20MG

\*\* 5005446 PROPRANOLOL HCL TABLET 40MG

\*\* 5005448 PROPRANOLOL HCL TABLET 60MG

\*\* 5005450 PROPRANOLOL HCL TABLET 80MG

\*\* 5005452 PROPRANOLOL HCL TABLET 90MG

\*\* 00824177 SCTRAL CAPSULE 200MG

\*\* 00824179 SCTRAL CAPSULE 400MG

\*\* 00380105 TENORMIN TABLET 50MG

\*\* 00380101 TENORMIN TABLET 100MG

\*\* 50007401 TIMOLOL MALEATE TABLET 10MG

\*\* 50007402 TIMOLOL MALEATE TABLET 20MG

\*\* 00780111 VISKEN TABLET 5MG

\*\* 00780073 VISKEN TABLET 10MG

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.1480 CONTRACEPTIVE: NONORAL

Item Number Drug Name and Strength

\*\* 01110022 BECAUSE CONTRACEPTOR 10GM APPLICATION

\*\* 00623252 CONCEPTROL JELLY 2.5GM APPLICATION 6'S

\*\* 00625252 CONCEPTROL JELLY 2.5GM APPLICATION 10'S

\*\* 00624252 CONCEPTROL JELLY-TUBE 70GM

\*\* 50002900 CONDOMS

\*\* 60009950 CONTRACEPTIVE FOAM CRM JELLY NOT OTHERWISE LISTED

\*\* 00625130 DELFEN FOAM KIT 20GM

\*\* 00624130 DELFEN FOAM REFILL 20GM

\*\* 00623130 DELFEN FOAM REFILL 50GM

\*\* 60009951 DIAPHRAMS - CONTRACEPTIVE

\*\* 01110031 EMKO PRE-FIL KIT 30GM

\*\* 01110031 EMKO PRE-FIL REFILL 60GM

\*\* 01110221 EMKO VAGINAL FOAM KIT 40GM

\*\* 01120221 EMKO VAGINAL FOAM REFILL 40GM

\*\* 01100221 EMKO VAGINAL FOAM REFILL 90GM

\*\* 11962003 ENCARE OVAL VAGINAL CONTRACEPTIVE 12'S

\*\* 00623180 GYNOL II JELLY 81GM C APPLICATOR

\*\* 00623280 GYNOL II JELLY 126GM REFILL

\*\* 00623280 INTERCEPT CONTRACEPTIVE SUPPOSITORIES 12'S C APP

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.1520 DIURETICS

Item Number	Drug Name and Strength
** 04840806	DYRENIUM CAPSULE 50MG
** 04840807	DYRENIUM CAPSULE 100MG
** 50000460	FUROSEMIDE INJECTION 10MG/ML 2ML AMP
** 50000464	FUROSEMIDE INJECTION 10MG/ML 4ML AMP
** 50000468	FUROSEMIDE INJECTION 10MG/ML 10ML AMP
** 50000470	FUROSEMIDE ORAL SOLUTION 10MG/ML 60ML
** 50000472	FUROSEMIDE ORAL SOLUTION 10MG/ML 120ML
** 50000474	FUROSEMIDE TABLET 20MG
** 50000476	FUROSEMIDE TABLET 40MG
** 50000478	FUROSEMIDE TABLET 80MG
** 50003158	HYDROCHLOROTHIAZIDE TABLET 25MG
** 50003166	HYDROCHLOROTHIAZIDE TABLET 50MG
** 50003168	HYDROCHLOROTHIAZIDE TABLET 100MG
** 50007363	HYDROCHLOROTHIAZIDE 25MG; SPIRONOLACTONE 25MG TABLET
** 50007167	HYDROCHLOROTHIAZIDE 25MG; TRIAMTERENE 37.5MG TABLET
** 50000530	HYDROCHLOROTHIAZIDE 25MG; TRIAMTERENE 50MG CAPSULE
** 50007169	HYDROCHLOROTHIAZIDE 50MG; TRIAMTERENE 75MG TABLET
** 50003588	METHYCLOTHIAZIDE TABLET 2.5MG
** 50003589	METHYCLOTHIAZIDE TABLET 5.0MG
** 50005596	METOLAZONE TABLET 0.5MG
** 50005693	METOLAZONE TABLET 2.5MG
** 50005694	METOLAZONE TABLET 5MG
** 50005695	METOLAZONE TABLET 10MG
** 00060917	<del>METHYCLOTHIAZIDE TABLET 5.0MG</del>
** 00054570	NEPTAZANE TABLET 50MG
** 50007362	SPIRONOLACTONE TABLET 25MG
** 50007364	SPIRONOLACTONE TABLET 100MG
** 50004073	TRICHLORMETHIAZIDE TABLET 2MG
** 50004081	TRICHLORMETHIAZIDE TABLET 4MG

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.3080 HORMONES/AGENTS AFFECTING MECHANISMS: PITUITARY

Item Number	Drug Name and Strength
** 00752451	DDAVP INJECTION 4MCG/ML 1ML AMP

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.3080 HORMONES/AGENTS AFFECTING MECHANISMS: PITUITARY

Item Number	Drug Name and Strength
** 00752450	DDAVP NASAL SOLUTION 0.01% 2.5ML VIAL
** 00752450	DDAVP NASAL SOLUTION 0.01% 5ML BOTTLE
** 00781042	DIAPID NASAL SPRAY 8CC
** 00711209	PITRESSIN AQ INJ 10U/0.5ML AMP
** 00711194	PITRESSIN AQ INJ 20U/1.0ML AMP
** 00711273	PITRESSIN TANNATE/OIL INJ 50/ML
** 00532451	STIMATE INJECTION 4MCG/ML 10ML VIAL

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.3320 MISCELLANEOUS

Item Number	Drug Name and Strength
** 50006910	RABIES VACCINE HDCV SINGLE DOSE VIAL
** 50006920	RABIES IMMUNE GLOBULIN 150IU/ML 2ML
** 50006930	RABIES IMMUNE GLOBULIN 150IU/ML 10ML
** 50004797	RHO (D) IMMUNE GLOBULIN 1:1000
** 50003300	SODIUM CHLORIDE 0.9% 3ML VIAL FOR RESPIRATORY THERAPY USE
** 50003308	SODIUM CHLORIDE 0.9% 5ML VIAL FOR RESPIRATORY THERAPY USE
** 50005722	SODIUM CHLORIDE 0.9% FOR INJECTION 10ML
** 50005720	SODIUM CHLORIDE 0.9% FOR INJECTION 5ML
** 50005732	WATER, STERILE, FOR INJECTION 10ML
** 50005730	WATER, STERILE, FOR INJECTION 5ML
50006894	ZINC SULFATE 66MG (15MG ZINC)
50006896	ZINC SULFATE 110MG (25MG ZINC)
50006900	ZINC SULFATE 220MG (50MG ZINC)

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.3400 ONCOLYTIC/ANTINEOPLASTIC: ALKYLATING

Item Number	Drug Name and Strength
** 00810045	ALKERAN TAB 2MG
** 00153012	BICNU INJECTION 100MG VIAL
** 00153030	CEENU CAPSULE 10MG

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SECTION 141.3560 ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS  
(Cont'd)

Item Number	Drug Name and Strength
** 50005540	LEUCOVORIN CALCIUM TABLET 5MG
** 50005834	LEUCOVORIN CALCIUM TABLET 15MG
** 50005545	LEUCOVORIN CALCIUM TABLET 25MG
** 03268213	LYSODREN TABLET 500MG
** 00040053	MATULANE CAPSULE 50MG
** 00041933	ROFERON A INJECTION 3 MILLION IU/0.5ML POWDER VIAL WITH DILUENT
** 00041988	ROFERON A INJECTION 3 MILLION IU/0.5ML 3ML VIAL
** 00041987	ROFERON A INJECTION 3 MILLION IU/ML 1ML VIAL
** 00042005	ROFERON-A INJECTION 36 MILLION IU/ML 1ML
** 00153091	VEPESID CAPSULE 50MG
** 00153095	VEPESID INJECTION 20MG/ML 5ML VIAL
** 50003601	VINBLASTINE SULFATE 10MG/10ML VIAL
** 50003603	VINCISTINE SULFATE 1MG/ML 1ML
** 50003605	VINCISTINE SULFATE 1MG/ML 2ML
** 50003607	VINCISTINE SULFATE 1MG/ML 5ML

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.3800 PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS

Item Number	Drug Name and Strength
** 50006630	AMITRIPTYLINE HCL INJ 10MG/ML 10ML VIAL
** 50002710	AMITRIPTYLINE HCL TABLET 10MG
** 50002725	AMITRIPTYLINE HCL TABLET 25MG
** 50002750	AMITRIPTYLINE HCL TABLET 50MG
** 50002775	AMITRIPTYLINE HCL TABLET 75MG
** 50002800	AMITRIPTYLINE HCL TABLET-100MG
** 50002850	AMITRIPTYLINE HCL TABLET-150MG
** 50006445	DESIPRAMINE HCL CAPSULE 25MG
** 50006447	DESIPRAMINE HCL CAPSULE 50MG
** 50004635	DESIPRAMINE HCL TABLET 10MG
** 50001815	DESIPRAMINE HCL TABLET 25MG
** 50001816	DESIPRAMINE HCL TABLET 50MG
** 50001822	DESIPRAMINE HCL TABLET 75MG
** 50001824	DESIPRAMINE HCL TABLET 100MG
** 50001826	DESIPRAMINE HCL TABLET 150MG
** 50005359	DOXEPIN HCL CONCENTRATE 10MG/ML 120ML
** 50005352	DOXEPIN HCL CAPSULE 10MG

## DEPARTMENT OF PUBLIC AID

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## SECTION 141.3800 PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS (Cont'd)

Item Number	Drug Name and Strength
** 50005353	DOXEPIN HCL CAPSULE 25MG
** 50005354	DOXEPIN HCL CAPSULE 50MG
** 50005356	DOXEPIN HCL CAPSULE 75MG
** 50005357	DOXEPIN HCL CAPSULE 100MG
** 50005358	DOXEPIN HCL CAPSULE 150MG
** 50003474	IMIPRAMINE HCL INJECTION 25MG/2ML 2ML AMP
** 50006068	IMIPRAMINE HCL TABLET 10MG
** 50006076	IMIPRAMINE HCL TABLET 25MG
** 50006078	IMIPRAMINE HCL TABLET 50MG
** 50003541	MAPROTILINE HCL TABLET 25MG
** 50003543	MAPROTILINE HCL TABLET 50MG
** 50003545	MAPROTILINE HCL TABLET 75MG
** 00470270	NARDIL TABLET 15MG
** 50002005	NORTRIPTYLINE HCL SOLUTION 10MG/5ML
** 50002010	NORTRIPTYLINE HCL CAPSULE 10MG
** 50002025	NORTRIPTYLINE HCL CAPSULE 25MG
** 50002511	NORTRIPTYLINE HCL CAPSULE 50MG
** 50002075	NORTRIPTYLINE HCL CAPSULE 75MG
** 00071471	PARNATE TABLET 10MG
** 07773105	PROZAC CAPSULE 20MG
** 50000771	TRAZODONE HCL TABLET 50MG
** 50000773	TRAZODONE HCL TABLET 100MG
** 50000775	TRAZODONE HCL TABLET 150MG
** 50000777	TRAZODONE HCL TABLET 300MG

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC

Item Number	Drug Name and Strength
** 50005940	CHLORPROMAZINE CAPSULE SR 30MG
** 50005959	CHLORPROMAZINE CAPSULE SR 75MG
** 50005960	CHLORPROMAZINE CAPSULE SR 150MG
** 50005961	CHLORPROMAZINE CAPSULE SR 200MG
** 50005962	CHLORPROMAZINE CAPSULE SR 300MG
** 50006010	CHLORPROMAZINE CONCENTRATE 30MG/ML 120ML
** 50006012	CHLORPROMAZINE CONCENTRATE 100MG/ML 240ML
** 50000065	CHLORPROMAZINE INJECTION 25MG/ML 10ML VIAL
** 50000066	CHLORPROMAZINE INJECTION 25MG/1ML AMP
** 50000068	CHLORPROMAZINE INJECTION 50MG/2ML AMP

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (cont'd)

Item Number	Drug Name and Strength
0056385	LOXAPINE HCL INJ IM 10ML VIAL 50MG/ML
5002357	LOXAPINE SUCCINATE 5MG
5002358	LOXAPINE SUCCINATE 10MG
5002360	LOXAPINE SUCCINATE 25MG
5002362	LOXAPINE SUCCINATE 50MG
5002366	LOXAPINE SUCCINATE CONCENTRATE 25MG/ML
5003128	MOLINDONE HCL 5MG TAB/CAP
5003130	MOLINDONE HCL 10MG TAB/CAP
5003132	MOLINDONE HCL 25MG TAB/CAP
5003134	MOLINDONE HCL 50MG TAB/CAP
5003136	MOLINDONE HCL 100MG TAB/CAP
5002009	MOLINDONE HCL CONCENTRATE 20MG/ML
5003170	PERPHENAZINE CONCENTRATE 16MG/5ML 118ML
5003172	PERPHENAZINE INJECTION 5MG/ML 1ML
5003176	PERPHENAZINE TABLET 2MG
5003178	PERPHENAZINE TABLET 4MG
5003180	PERPHENAZINE TABLET 8MG
5003174	PERPHENAZINE TABLET SUSTAINED ACTION 8MG
5003182	PERPHENAZINE TABLET 16MG
5007347	PROCHLORPERAZINE EDIS INJ 5MG/ML 10ML VIAL
5007348	PROCHLORPERAZINE EDIS INJ 10MG/2ML AMP
5007354	PROCHLORPERAZINE EDISYLAATE CONC 10MG/ML
5007350	PROCHLORPERAZINE EDISYLAATE SYR 5MG/5ML
5007351	PROCHLORPERAZINE MALEATE TAB/CAP 5MG
5007352	PROCHLORPERAZINE MALEATE TAB/CAP 10MG
5007353	PROCHLORPERAZINE MALEATE TAB/CAP 25MG
5007358	PROCHLORPERAZINE MALEATE TR CAP/TAB 10MG
5007359	PROCHLORPERAZINE MALEATE TR CAP/TAB 15MG
5007360	PROCHLORPERAZINE MALEATE TR CAP/TAB 30MG
5007361	PROCHLORPERAZINE MALEATE TR CAP/TAB 75MG
0080251	PROKETAZINE TABLET 12.5MG
0080252	PROKETAZINE TABLET 25.0MG
0080253	PROKETAZINE TABLET 50.0MG
5007371	PROMAZINE HCL CONC 30MG/ML 120ML
5007373	PROMAZINE HCL INJ 25MG/ML - 10ML VIAL
5007374	PROMAZINE HCL INJ 25MG/1ML SYRINGE
5007375	PROMAZINE HCL INJ 50MG/ML - 2ML VIAL
5007376	PROMAZINE HCL INJ 50MG/ML - 10ML VIAL
5007377	PROMAZINE HCL INJ 50MG/1ML SYRINGE
5007378	PROMAZINE HCL INJ 100MG/2ML SYRINGE
5007379	PROMAZINE HCL SYRUP 10MG/5ML 120ML
5007380	PROMAZINE HCL TAB/CAP 10MG
5007381	PROMAZINE HCL TAB/CAP 25MG
5007382	PROMAZINE HCL TAB/CAP 50MG

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (cont'd)

Item Number	Drug Name and Strength
5005991	CHLORPROMAZINE SUPPOSITORY 25MG
5006009	CHLORPROMAZINE SUPPOSITORY 100MG
5005983	CHLORPROMAZINE SYRUP 10MG/5ML 120ML
5005908	CHLORPROMAZINE TABLET 10MG
5005916	CHLORPROMAZINE TABLET 25MG
5005924	CHLORPROMAZINE TABLET 50MG
5005932	CHLORPROMAZINE TABLET 100MG
5005934	CHLORPROMAZINE TABLET 200MG
5003437	FLUPHENAZINE DECANOATE INJ 25MG/ML 1ML S
5003438	FLUPHENAZINE DECANOATE INJ 25MG/ML 5ML V
5003439	FLUPHENAZINE ENANTHATE INJ 25MG/ML 1ML S
5003440	FLUPHENAZINE ENANTHATE INJ 25MG/ML 5ML V
5002778	FLUPHENAZINE HYDROCHLORIDE CONC 5MG/CC
5002777	FLUPHENAZINE HYDROCHLORIDE ELIXIR .5MG/CC
5002776	FLUPHENAZINE HYDROCHLORIDE TAB RA 1MG
5002780	FLUPHENAZINE HYDROCHLORIDE TAB 0.25MG
5002781	FLUPHENAZINE HYDROCHLORIDE TAB 1.00MG
5002782	FLUPHENAZINE HYDROCHLORIDE TAB 2.50MG
5002783	FLUPHENAZINE HYDROCHLORIDE TAB 5.00MG
5002784	FLUPHENAZINE HYDROCHLORIDE TAB-10.00MG
5003441	FLUPHENAZINE-HCL INJ 2.5MG/ML 10ML VIAL
5003799	HALOPERIDOL DECANOATE INJ 70.52MG/ML (50MG/ML HALOPERIDOL) 1ML AMP/VIAL
5003803	HALOPERIDOL DECANOATE INJ 70.52MG/ML (50MG/ML HALOPERIDOL) 5ML VIAL
5004805	HALOPERIDOL INJECTION 5MG/ML 1ML
5004807	HALOPERIDOL INJECTION 5ML/ML 10ML
5004801	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML 15ML
5004803	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML 240ML
5004809	HALOPERIDOL TABLET 0.5MG
5004811	HALOPERIDOL TABLET 1.0MG
5004813	HALOPERIDOL TABLET 2.0MG
5004815	HALOPERIDOL TABLET 5.0MG
5004817	HALOPERIDOL TABLET 10.0MG
5004819	HALOPERIDOL TABLET 20.0MG
0055385	LOXAPINE HCL INJ IM 1ML AMP 50MG/ML



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)

Item Number	Drug Name and Strength
** 50007383	PROMAZINE HCL TAB/CAP 100MG
** 05970025	SERENTIL CONCENTRATE 25MG/CC
** 05970027	SERENTIL INJECTION 25MG/ML 1ML AMP
** 05970020	SERENTIL TABLET 10MG
** 05970021	SERENTIL TABLET 25MG
** 05970022	SERENTIL TABLET 50MG
** 05970023	SERENTIL TABLET 100MG
** 00041010	TARACTAN CONCENTRATE 100MG/5CC
** 00041926	TARACTAN INJECTION 25MG/2ML AMP
** 00040045	TARACTAN TABLET 10MG
** 00040046	TARACTAN TABLET 25MG
** 00040047	TARACTAN TABLET 50MG
** 00040049	TARACTAN TABLET 100MG
** 50006531	THIORIDAZINE HCL CONCENTRATE 30MG/ML
** 50006533	THIORIDAZINE HCL CONCENTRATE 100MG/ML
** 50006535	THIORIDAZINE HCL SUSPENSION 25MG/5ML
** 50006537	THIORIDAZINE HCL SUSPENSION 100MG/5ML
** 50006541	THIORIDAZINE HCL TABLET 10MG
** 50006543	THIORIDAZINE HCL TABLET 15MG
** 50006545	THIORIDAZINE HCL TABLET 25MG
** 50006547	THIORIDAZINE HCL TABLET 50MG
** 50006549	THIORIDAZINE HCL TABLET 100MG
** 50006551	THIORIDAZINE HCL TABLET 150MG
** 50006553	THIORIDAZINE HCL TABLET 200MG
** 50006040	THIOTHIXENE CAPSULE 1MG
** 50006042	THIOTHIXENE CAPSULE 2MG
** 50006044	THIOTHIXENE CAPSULE 5MG
** 50006046	THIOTHIXENE CAPSULE 10MG
** 50006048	THIOTHIXENE CAPSULE 20MG
** 50006035	THIOTHIXENE HCL CONCENTRATE 5MG/ML 30ML
** 50006037	THIOTHIXENE HCL CONCENTRATE 5MG/ML 120ML
** 50006027	THIOTHIXENE HCL INJECTION 2MG/ML 2ML VIAL
** 50006029	THIOTHIXENE HCL INJECTION 5MG/ML 2ML VIAL
** 00850968	TINDAL TABLET 20MG
** 50001262	TRIFLUOPERAZINE HCL CONC 10MG/ML
** 50001264	TRIFLUOPERAZINE HCL INJECTION 2MG/ML
** 50001266	TRIFLUOPERAZINE HCL TABLET 1MG
** 50001268	TRIFLUOPERAZINE HCL TABLET 2MG
** 50001270	TRIFLUOPERAZINE HCL TABLET 5MG
** 50001272	TRIFLUOPERAZINE HCL TABLET 10MG

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## NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)  
EMERGENCY

Item Number	Drug Name and Strength
** 00850363	TRIFLAFON-CONCENTRATE--16MG/5CC--120CC
** 00850012	TRIFLAFON-INJECTION--5MG/ML--1ML--AMP
** 00850141	TRIFLAFON-REPEATABS-TABLET--8MG
** 00850705	TRIFLAFON-TABLET--2MG
** 00850940	TRIFLAFON-TABLET--4MG
** 00850313	TRIFLAFON-TABLET--8MG
** 00850077	TRIFLAFON-TABLET-16MG
** 00031987	VESPRIN INJECTION 10MG/ML 1ML SYRINGE
** 00030987	VESPRIN INJECTION 10MG/ML 10ML VIAL
** 00030920	VESPRIN INJECTION 20MG/ML 1ML AMP
** 00030935	VESPRIN SUSPENSION 50MG/5CC 120CC
** 00030921	VESPRIN TABLET 10MG
** 00030922	VESPRIN TABLET 25MG
** 00030923	VESPRIN TABLET 50MG

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.4040 RESPIRATORY ALLERGIC: ANTI-ASTHMATIC

Item Number	Drug Name and Strength
** 03693007	AEROBID AEROSOL 7GM CANISTER 250MCG/ACTUATION 100 DOSES/INHALER
** 50000614	ALBUTEROL SULFATE INHALER 17GM
** 50000616	ALBUTEROL SULFATE INHALER 17GM - REFILL
** 50001981	ALBUTEROL SULFATE SOLUTION FOR INHALATION 0.5%
** 40001095	ALBUTEROL SULFATE SYRUP 2MG/5ML
** 50002323	ALBUTEROL SULFATE TABLET SR 4MG
** 50002320	ALBUTEROL SULFATE TABLET 2MG
** 50002322	ALBUTEROL SULFATE TABLET 4MG
** 50000023	AMINOPHYLLINE IV INJECTION 500MG/20ML AMP
** 50002414	AMINOPHYLLINE ORAL SOLUTION 315MG/15ML
** 50000108	AMINOPHYLLINE TABLET 100MG
** 50000116	AMINOPHYLLINE TABLET 200MG
** 50000117	AMINOPHYLLINE TABLET SR 225MG
** 05970082	ATROVENT INHALATION AEROSOL 14GM 17MCG/ACTUATION 200 DOSES/UNIT
** 50006490	BECLOMETHASONE DIPROPIONATE AEROSOL INHALER 42MCG/ ACTUATION 16.8GM UNIT ORAL

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## SECTION 141.4200 SKIN/MUCOUS MEMBRANE: ANTIBIOTICS (Cont'd)

Item Number	Drug Name and Strength
** 50003287	ERYTHROMYCIN GEL 2% 30GM
** 50003289	ERYTHROMYCIN GEL 2% 65GM
** 50003517	ERYTHROMYCIN SWAB 2%
** 50001646	ERYTHROMYCIN TOPICAL SOLUTION 1.5% 60ML
** 50001647	ERYTHROMYCIN TOPICAL SOLUTION 2.0% 60ML
** 50001648	GENTAMICIN SULFATE CREAM 0.1% 15GM
** 50001649	GENTAMICIN SULFATE OINTMENT 0.1% 15GM
** 50001650	MECLOCYCLINE SULFOSALICYLATE CREAM 1% 20GM
** 50001640	MECLOCYCLINE SULFOSALICYLATE CREAM 1% 45GM
** 50006133	METRONIDAZOLE TOPICAL GEL 0.75% 28.4GM
** 50006421	MUPIROCIIN OINTMENT 2% 15GM
** 50003860	NEOMYCIN SULFATE OINTMENT 0.5% 15GM
** 50003861	NEOMYCIN SULFATE OINTMENT 0.5% 30GM
** 60008024	SKIN/MUCOUS MEMBRANE ANTIBIOTIC-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 00690860	TERRAMYCIN TOPICAL PWD C POLYMYXIN 30GM
** 50001652	TETRACYCLINE HCL OINTMENT 3% 14.2GM TUBE
** 37000401	TETRACYCLINE TOPICAL SOLUTION 2.2MG/ML

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.4440 SKIN/MUCOUS MEMBRANE: FUNGICIDES

Item Number	Drug Name and Strength
** 00850849	AKRINOL CREAM
** 50001653	CICLOPROX OLAMINE CREAM 1% 15GM
** 50001654	CICLOPROX OLAMINE CREAM 1% 30GM
** 50001651	CICLOPROX OLAMINE LOTION 1% 30ML
** 50000142	CLOTRIMAZOLE CREAM 1.0% 15GM
** 50000143	CLOTRIMAZOLE CREAM 1.0% 30GM
** 50000144	CLOTRIMAZOLE CREAM 1.0% 45GM
** 50000145	CLOTRIMAZOLE CREAM 1.0% 90GM
** 50004821	CLOTRIMAZOLE LOTION 1.0% 30ML
** 50000146	CLOTRIMAZOLE SOLUTION 1.0% 10ML
** 50000147	CLOTRIMAZOLE SOLUTION 1.0% 30ML
** 50001655	ECONAZOLE NITRATE CREAM 1% 15GM
** 50001656	ECONAZOLE NITRATE CREAM 1% 30GM
** 50001657	ECONAZOLE NITRATE CREAM 1% 85GM
** 00030411	FUNGIZONE CREAM 3%
** 00030412	FUNGIZONE LOTION 3%

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## SECTION 141.4440 SKIN/MUCOUS MEMBRANE: FUNGICIDES (Cont'd)

Item Number	Drug Name and Strength
** 00030426	FUNGIZONE OINTMENT 3%
** 08842448	FUNGOID CREAM 30GM
** 08843149	FUNGOID SOLUTION 15ML
** 08840248	FUNGOID TINCTURE 30ML
** 08841248	FUNGOID TINCTURE 480ML
** 00721590	HALOTEX CREAM 15GM
** 00720590	HALOTEX CREAM 30GM
** 00721591	HALOTEX SOLUTION 10ML
** 00720591	HALOTEX SOLUTION 30ML
** 50006410	IDOCHLORHYDROXYQUIN CREAM 3% 30GM
** 50006412	IDOCHLORHYDROXYQUIN OINTMENT 3% 30GM
** 50001618	KETOCONAZOLE CREAM 2% 15GM
** 50001620	KETOCONAZOLE CREAM 2% 30GM
** 01371375	MONISTAT-DERM CREAM 2% 15GM
** 01370375	MONISTAT-DERM CREAM 2% 30GM
** 01374375	MONISTAT-DERM CREAM 2% 85GM
** 01373375	MONISTAT-DERM LOTION 12ML
** 01372375	MONISTAT-DERM LOTION 30ML
** 00625435	MONISTAT-DERM LOTION 60ML
** 50001184	NAFTIFENE HCL CREAM 1% 15GM
** 50001186	NAFTIFENE HCL CREAM 1% 30GM
** 00263031	NYSTAFORM OINTMENT 15GM
** 50003980	NYSTATIN CREAM 100,000U/GM 15GM
** 50003982	NYSTATIN CREAM 100,000U/GM 30GM
** 50003983	NYSTATIN LOTION 100,000U/ML
** 50003984	NYSTATIN OINT 100,000U/GM 15GM
** 50003986	NYSTATIN OINT 100,000U/GM 30GM
** 50003990	NYSTATIN TOPICAL POWDER 100,000U/GM 15GM
** 50002624	OXICONAZOLE NITRATE CREAM 1% 15GM
** 50002626	OXICONAZOLE NITRATE CREAM 1% 30GM
** 60008025	SKIN/MUCOUS MEMBRANE ANTIFUNGAL-NOT OTHERWISE LISTED IF LAW REQUIRES RX
** 00770792	TINVER LOTION 180ML

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

## SECTION 141.4600 SKIN/MUCOUS MEMBRANE: SCABICIDES/PEDICULOCIDES

Item Number	Drug Name and Strength
07660518	A 200 PYRINATE GEL 30GM

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4640 TESTING SUPPLIES (Cont'd)

Item Number Drug Name and Strength

\*\*\* 01932884 DEXTROSTIX REAGENT STRIPS FOIL 10'S  
 \*\*\* 01933802 DIASTIX STRIPS 50'S  
 \*\*\* 01932802 DIASTIX STRIPS 100'S  
 \*\*\* 01931000 DIASTIX-5 STRIPS 100'S  
 50000513 FLUORESCCEIN SODIUM OPHT SOLN 2.0% 15CC  
 \*\*\* 05380031 GLUCOSCAN TEST STRIPS 50'S  
 \*\*\* 05380073 GLUCOSCAN TEST STRIPS 100'S  
 \*\*\* 01932627 GLUCOSTIX STRIPS 50'S  
 \*\*\* 01932628 GLUCOSTIX STRIPS 100'S  
 \*\*\* 01932876 HEMA-COMBISTIX 100'S  
 \*\*\* 01932816 HEMASTIX STRIPS 50'S  
 \*\*\* 01932426 HEMATEST TABLET 100'S  
 50003457 HISTAMINE PHOSPHATE INJECTION 0.275MG/ML  
 50003458 HISTAMINE PHOSPHATE INJECTION 2.75MG/1ML  
 50003459 HISTAMINE PHOSPHATE INJECTION 2.75MG/5ML  
 \*\*\* 01933882 KETO-DIASTIX 50'S  
 \*\*\* 01932882 KETO-DIASTIX 100'S  
 \*\*\* 01931010 KETO-DIASTIX S 100'S  
 \*\*\* 01933880 KETOSTIX STRIPS 50'S  
 \*\*\* 01932880 KETOSTIX STRIPS 100'S  
 \*\*\* 01932810 LABSTIX 100'S  
 \*\*\* 50008000 LANCET FOR DIABETIC USE, STERILE  
 \*\*\* 01932854 N-URISTIX 100'S  
 \*\*\* 05380232 ONE TOUCH TEST STRIPS 50'S  
 \*\*\* 00022344 TES-TAPE 100 TEST PACKAGE  
 \*\*\* 01932855 URISTIX 100'S  
 \*\*\* 01931050 VISIDEX II REAGENT STRIPS 25'S  
 \*\*\* 01931080 VISIDEX II REAGENT STRIPS 100'S

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.4760 VAGINAL: ANTI-INFECTIVES

Item Number Drug Name and Strength

\*\*\* 50002497 BUTOCONAZOLE NITRATE VAGINAL CREAM 2.0% 15GM  
 \*\*\* 50002483 BUTOCONAZOLE NITRATE VAGINAL CREAM 2.0% 28GM  
 \*\*\* 50000148 CLOTRIMAZOLE VAGINAL CREAM 1.0% 45GM  
 \*\*\* 50000149 CLOTRIMAZOLE VAGINAL CREAM 1.0% 90GM  
 \*\*\* 50000150 CLOTRIMAZOLE VAGINAL TABLET 100MG

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4600 SKIN/MUCOUS MEMBRANE: SCABICIDES/PEDICULOCIDES

Item Number Drug Name and Strength

00220002 A 200 PYRINATE LIQUID 60ML  
 07660002 A 200 PYRINATE LIQUID 120ML  
 50000171 CROTAMITON CREAM 10.0% 60GM  
 50000172 CROTAMITON LOTION 10.0% 60ML  
 50000690 LINDANE CREAM 1%  
 50000692 LINDANE LOTION 1%  
 50000694 LINDANE SHAMPOO 1% 60ML  
 00810780 NIX CREME RINSE 1% 60ML  
 00342365 PRIODERM LOTION 0.5%  
 09959987 RID LIQUID

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

SECTION 141.4640 TESTING SUPPLIES

Item Number Drug Name and Strength

\*\*\* 01932381 ACETEST REAGENT TABLETS 100'S  
 \*\*\* 01932383 ACETEST REAGENT TABLETS 250'S  
 \*\*\* 01932870 ALBUSTIX STRIPS 100'S  
 \*\*\* 01932232 BUMINTEST TABLETS 100'S  
 \*\*\* 09245028 CHEMSTRIP S 100'S  
 \*\*\* 09245010 CHEMSTRIP BG STRIPS 25'S  
 \*\*\* 09245012 CHEMSTRIP BG STRIPS 50'S  
 \*\*\* 09245030 CHEMSTRIP GP 100'S  
 \*\*\* 09245035 CHEMSTRIP K PAPERS 100'S  
 \*\*\* 09245011 CHEMSTRIP TEST KIT  
 \*\*\* 09245040 CHEMSTRIP UG STRIPS 100'S  
 \*\*\* 09245045 CHEMSTRIP UGK STRIPS 100'S  
 \*\*\* 01932844 CLINISTIX STRIP 50'S  
 \*\*\* 01932105 CLINISTIX ANALYSIS SET  
 \*\*\* 01932114 CLINISTIX ANALYSIS SET (2 DROP)  
 \*\*\* 09132112 CLINISTEST (2 DROP) 36'S  
 \*\*\* 09132113 CLINISTEST (2 DROP) 100'S  
 \*\*\* 01932100 CLINISTEST TABLET 36'S  
 \*\*\* 01932121 CLINISTEST TABLETS 100'S  
 \*\*\* 01933100 CLINISTEST TABLET FOIL 100'S  
 \*\*\* 01932867 COMBISTIX 100'S  
 \*\*\* 01932888 DEXTROSTIX REAGENT STRIPS 25'S  
 \*\*\* 01932886 DEXTROSTIX REAGENT STRIPS 100'S

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SECTION 141.4760 VAGINAL: ANTI-INFECTIVES (Cont'd)

Item Number	Drug Name and Strength
** 50002485	CLOTRIMAZOLE VAGINAL TABLET 500MG
** 00730916	GENAPAX TAMPON 12'S
** 00271082	HYVA GENTIAN VIOLET VAGINAL TAB 14'S
** 00270082	HYVA GENTIAN VIOLET VAGINAL TAB 28'S
** 00625431	MONISTAT 7 CREAM C-APP-47GM WITH APPLICATOR 45GM
** 00625432	MONISTAT 7 VAGINAL SUPPOSITORY
** 00625429	MONISTAT DUAL PACK
** 00263098	MYCELEX TWIN PACK
** 50003992	NYSTATIN VAGINAL TABLET 100,000U 15'S
** 50003994	NYSTATIN VAGINAL TABLET 100,000U 30'S
** 50003996	NYSTATIN VAGINAL/ORAL TABLETS 14/21
** 50003219	OXYTETRACYCLINE HCL 100MG; POLYMYXIN B SULFATE 100,000U VAGINAL TABLET
** 50001632	SULFACETAMIDE 143.75MG; SULFABENZAMIDE 184MG; SULFATHIAZOLE 172.5MG VAG TAB
** 50001631	SULFACETAMIDE 2.86%; SULFABENZAMIDE 3.7% SULFATHIAZOLE 3.42% VAGINAL CREAM
** 50002481	SULFANILAMIDE VAGINAL CREAM 15% 120GM
** 50002471	SULFANILAMIDE VAGINAL SUPPOSITORY 1.05GM
** 50002641	TERCONAZOLE VAGINAL CREAM 0.4% 45GM
** 50002643	TERCONAZOLE VAGINAL SUPPOSITORY 80MG
** 03966010	TRIMO-SAN REFILL TUBE ONLY 120GM
** 03965010	TRIMO-SAN WITH APPLICATOR 120GM
** 60008023	VAGINAL ANTI-INFECTIVES-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 00680427	VANOVID VAGINAL OINTMENT C APP
** 00680425	VANOVID VAGINAL TABLET C APP 28'S

(Source: Amended at 13 Ill. Reg. 15672, effective September 22, 1989)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part:

Emergency Medical Services Code

2) Code Citation:

77 Ill. Adm. Code 535

3) Section Numbers:

Adopted Action:

535.10	Amendment
535.20	Amendment
535.900	New Section
535.910	New Section
535.920	New Section
535.930	New Section
535.931	New Section
535.932	New Section
535.933	New Section
535.934	New Section
535.935	New Section
535.936	New Section
535.940	New Section
535.941	New Section
535.942	New Section
535.943	New Section
535.950	New Section
535.951	New Section
535.952	New Section
535.953	New Section

4) Statutory Authority:

Emergency Medical Services (EMS) Act  
Ill. Rev. Stat. 1987, ch 111 1/2 pars 5501 et seq.

5) Effective Date of Rules:

September 15, 1989

6) Does this Rulemaking Contain an Automatic Repeal Date? Yes \_\_\_ No X

If "yes," please specify date:

7) Does this Rulemaking Contain Any Incorporations by Reference? Yes X No \_\_\_

If "yes," please specify type: 6.02(a) X or 6.02(b) X

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## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- 18) In Section 535.935(b)(2) the word "powerplant" will be separated.
- 19) In Section 535.941(a), the words "Sections 4-1 through 4-10" will be changed to "Article IV".
- 20) In Section 535.942(b)(13), the "e" will be deleted in the word "nasopharyngeal".
- 21) In Section 535.942(c)(2), the words "Section 535.942(b)(3) through (40) of this Part" will be changed to "subsections (b)(3) through (40) of this Section."
- 22) In Section 535.950(b), the reference in parentheses shall be changed from "(See, subsection (f) of this Section)" to "(See Section 535.952)".
- 23) In Section 535.952(b)(13) the "e" will be deleted from the word "nasopharyngeal".
- 24) In Section 535.952(c)(2), The words "Section 535.952(b)(3) through (37) of this Part" shall be changed to "subsections (b)(3) through (37) of this Section."
- 25) In the definition of "Aeromedical Crewmember" change the reference in the parentheses to "(See Section 535.932(a) and (b), or 535.940(8)(B) through (D), or 535.950(7)(A) and (B) of this Part)".
- 26) In the definition of "Pilot or EMS Pilot", change the reference in the parentheses to (See Section 535.931 of this Part)".
- 27) In Section 535.920(b) the reference in the parentheses shall be changed to "(See Section 535.933, or 535.941, or 535.951 of this Part)".
- 28) In Section 535.930(e) change the reference in the parentheses to "(See Section 535.936 of this Part)".
- 29) In Section 535.932(b) the reference "subsection (j)(1)" will be changed to "subsection (a)".
- 30) In Section 535.933(h)(2), the words "who is certified for Visual Flight Rules (VFR) operations," shall be deleted.
- 31) In Section 535.934(b) the words "These supplies shall include, but need not be limited to:" shall be changed to "This list of supplies shall be available for each mission but may not be utilized on each mission. The SEMSV Medical Director shall decide what medical equipment and drugs from the list will be taken on any particular mission based on patient type (adult, child, infant), medical

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- condition (high risk infant, cardiac, burn, etc.) and anticipated treatment needs en route. Additional equipment not listed in the rules may be utilized at the discretion of the SEMSV Medical Director."
  - 32) In Section 535.942(b) the words "these supplies shall include, but need not be limited to:" shall be changed to "The list of supplies shall be available for each mission but may not be utilized on each mission. The SEMSV Medical Director shall decide what medical equipment and drugs from the list will be taken on any particular mission based on patient type (adult, child, infant), medical condition (high risk infant, cardiac, burn, etc.) and anticipated treatment needs en route. Additional equipment not listed in the rules may be utilized at the discretion of the SEMSV Medical Director."
  - 33) In Section 535.952(b) the words "these supplies shall include, but need not be limited to:" shall be changed to "The list of supplies shall be available for each mission but may not be utilized on each mission. The SEMSV Medical Director shall decide what medical equipment and drugs from the list will be taken on any particular mission based on patient type (adult, child, infant), medical condition (high risk infant, cardiac, burn, etc.) and anticipated treatment needs en route. Additional equipment not listed in the rules may be utilized at the discretion of the SEMSV Medical Director."
- The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:
1. In Section 535.900(f), the Department will delete "at least".
  2. The Department shall insert after "unqualified personnel" the words ", or as provided in Section 535.650(a)(4)".
  3. In Section 535.910(a) and (b) the Department will insert the word "suspend," after the word "renewal".
  4. In Section 535.920(c) the Department will delete the words "except when" and "are unsafe" and insert after "year," the words "in accordance with" and after "conditions" the words "except when".
  5. In Section 535.920(e)(1)(B) the Department will insert the word "document" before the word "fifty".
  6. In Section 535.920(e)(1)(C) the Department will insert after the word "Medicine" the words "as defined in 77 Ill. Adm. Code 540.20".

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 21. The Department will change the words "This list" in Section 535.934(b), 535.942(b) and 535.952(b) to "The following list".
  - 22. The Department will delete the period following the statutory citation in Section 535.20(b)(1).
  - 23. In the title of Section 535.931, The word "Specifications" will be added after the words "EMS pilots"
  - 24. In the title of Section 535.932, the words "Training Requirements" will be added after the words "Aeromedical Crew Members".
- In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes  No

14) Are there any other Amendments Pending on this Part? Yes  No

If Yes:

15) Summary and Purpose of Rules:

This rulemaking identifies requirements and standards for Specialized Emergency Medical Services Vehicles, including crewmember qualifications, training, continuing education, staffing, vehicle specifications, maintenance requirements, communication standards, medical equipment and drug lists.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Mr. Robert John Kane, Division of Governmental Affairs, Department of Public Health, 525 West Jefferson, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 7. In Section 535.920(e)(4), the Department will insert the words "documentation, such as certificates of completion in course work designed to bring about," after the word "vehicles," and also in (5) after the word "watercraft,".
- 8. In Section 535.931(a)(1)(C) the Department will insert the words "separate sleeping" before the word "quarters".
- 9. In Section 535.931(b)(3) the Department shall delete the words "at the discretion" and insert the words "in the judgement of".
- 10. In Section 535.931(b)(5) and (c)(3) insert the words "Documentation of" before the word "completion".
- 11. In Section 535.10, the Department will insert the definition "Instrument Meteorological Conditions (IMC)", means meteorological conditions expressed in terms of visibility, distance from clouds and ceiling.", and in Section 535.931(b)(5)(C) replace the word "Intermittent" with the word "Instrument".
- 12. In Section 535.932(a)(2) and (b)(1), insert the words "Documentation of" before the word "completion".
- 13. In Section 535.930(a)(8), 535.940 (a)(7), and 535.950(a)(6) insert the words "Submit documentation" before the word "Assuring".
- 14. In Section 535.933(b), the Department will delete the words "appropriate to any mission"
- 15. In Section 535.933(d), the Department will add the words "in the judgement of the Medical Director", after the word "care".
- 16. In Section 535.935(a)(5) and (b)(3) words ", as specified in manufacturer's requirements.", after the word "activities".
- 17. In Section 535.940(a)(8)(D) and (E), delete the words "have completed" and insert the words "document the completion of".
- 18. In Section 535.941(c), the word "appropriate" after the word "have" shall be deleted, and the words "appropriate to the mission" after the word "agencies" shall be deleted.
- 19. In Section 535.930(e) the "subsection (a)" shall be changed to "Section 535.936".
- 20. In Section 535.931(b)(5)(C) and (c)(3)(C) the Department will place a space before the "(IMC)".



DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER F: EMERGENCY SERVICES AND HIGHWAY SAFETY

PART 535  
EMERGENCY MEDICAL SERVICES CODE

SUBPART A: GENERAL

SECTION  
535.10 Definitions  
535.20 Incorporated Materials

SUBPART B: COMMUNICATIONS

SECTION  
535.50 General Communications  
535.60 EMS Communications

SUBPART C: LICENSURE OF AMBULANCES

SECTION  
535.100 Licensure of Ambulances - General  
535.110 Denial of License  
535.120 Renewal of License  
535.130 Renewal of License Denied  
535.140 Revocation of License  
535.150 Ambulance Licensing Requirements

SUBPART D: EMERGENCY MEDICAL SERVICES SYSTEM PROGRAM

SECTION  
535.200 Emergency Medical Services System Program - General  
535.210 EMS System Program Plan  
535.220 Additions to an Approved Program  
535.230 EMS System Personnel Standards  
535.240 Minimum Standards for Continuing Operation  
535.250 Resolution of Conflicts (Repealed)  
535.260 System Participation Suspensions  
535.265 System Review Board  
535.270 State EMS Disciplinary Board

SUBPART E: EMERGENCY MEDICAL TECHNICIAN - AMBULANCE TRAINING (EMT-A)

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

SECTION  
535.300 Emergency Medical Technician - Ambulance Training - General  
535.310 EMT-A Testing  
535.315 Fee For Testing  
535.320 EMT-A Certification  
535.330 EMT-A Recertification  
535.340 Failure to Recertify-Denial of Recertification  
535.350 Penalty

SUBPART F: EMERGENCY MEDICAL TECHNICIAN - INTERMEDIATE TRAINING (EMT-I)

SECTION  
535.400 Emergency Medical Technician - Intermediate Training - General  
535.410 EMT-I Testing  
535.415 Fee For Testing  
535.420 EMT-I Certification  
535.430 EMT-I Recertification  
535.435 Failure to Recertify-Denial of Recertification  
535.440 EMT-I Inactive Status  
535.450 Penalty

SUBPART G: EMERGENCY MEDICAL TECHNICIAN - PARAMEDIC TRAINING (EMT-P)

SECTION  
535.500 Emergency Medical Technician - Paramedic Training - General  
535.510 EMT-P Testing  
535.515 Fee For Testing  
535.520 EMT-P Certification  
535.530 EMT-P Recertification  
535.535 Failure to Recertify-Denial of Recertification  
535.540 EMT-P Inactive Status  
535.550 Penalty

SUBPART H: RECIPROCITY

SECTION  
535.600 Reciprocity

SUBPART I: SUSPENSION, REVOCATION AND DENIAL OF CERTIFICATION OF EMT'S

SECTION  
535.650 Suspension, Revocation and Denial of Certification of EMT's

SUBPART J: DATA COLLECTION AND EVALUATION

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## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

PROVISION OF ADVANCED LIFE SUPPORT, AS DEFINED AND REGULATED BY THIS PART PROMULGATED PURSUANT TO THE ACT. (Section 4.03 of the Act).

"Aeromedical crew member" or "Watercraft crew member" or "Off-road SEMSV crew member" means an individual, other than an EMS pilot, who has been approved by a SEMSV Medical Director for specific medical duties in a helicopter or fixed-wing aircraft, on a watercraft, or on an off-road SEMSV used in a Department-certified SEMSV Program (See Sections 535.932(a) and (b), or 535.940(8)(B) through (D), or 535.950(7)(A) and (B) of this Part).

"Alternate Project Medical Director" or "Alternate PMD" means the physician who is designated by the Resource Hospital to direct the ALS/ILS operations in the absence of the Project Medical Director.

"AMBULANCE" MEANS ANY PUBLICLY OR PRIVATELY OWNED VEHICLE THAT IS SPECIFICALLY DESIGNED, CONSTRUCTED OR MODIFIED AND EQUIPPED, AND IS INTENDED TO BE USED FOR, AND IS MAINTAINED OR OPERATED FOR THE EMERGENCY TRANSPORTATION OF PERSONS WHO ARE SICK, INJURED, WOUNDED OR OTHERWISE INCAPACITATED OR HELPLESS (See Subpart C of this Part). (Section 4.05 of the Act).

"Ambulance Provider" means any individual, group of individuals, corporation, partnership, association, trust, joint venture, individual doing business under an assumed name, unit of local government or other public or private ownership entity which owns and operates a business or service utilizing one or more ambulances or EMS vehicles for the transportation of emergency patients.

"Areawide Hospital Emergency Medical Services (AHES) Committees" means those bodies formed pursuant to Section 86-14 1.1 of "AN ACT requiring hospitals to render hospital emergency service in case of injury or acute medical condition and to implement emergency hospital, medical and surgical services on a community or areawide basis" (Ill. Rev. Stat. 1987, ch 111 1/2, par. 86.1), and in compliance with the Hospital Licensing Requirements (77 Ill. Adm. Code 250.730).

"Associate Hospital" means a hospital participating in an approved EMS System in accordance with the EMS System Program Plan, fulfilling the same clinical and communications requirements as the Resource Hospital. This hospital has neither the primary responsibility for conducting the mobile intensive care personnel training program nor the responsibility for the overall operation of the EMS System program. The Associate Hospital must have a basic or comprehensive Emergency Department with a 24-hour physician coverage. It must have a functioning Intensive Care Unit and/or a Cardiac Care Unit. This hospital agrees to replace medical supplies and provide for equipment

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

exchange for participating EMS vehicles.

"Associate Hospital EMS Coordinator" means the EMT-P or Registered Nurse at the Associate Hospital who shall be responsible for duties in relation to the ALS or ILS System, in accordance with the Department-approved EMS System Program Plan.

"Associate Hospital EMS Medical Director" means the physician at the Associate Hospital who shall be responsible for the day-to-day operations of the Associate Hospital in relation to the ALS or ILS System, in accordance with the Department-approved EMS System Program Plan.

"BASIC LIFE SUPPORT (BLS) SERVICES" MEANS THE RENDERING OF BASIC LEVEL OF PRE-HOSPITAL AND INTER-HOSPITAL EMERGENCY CARE, INCLUDING BUT NOT LIMITED TO AIRWAY MANAGEMENT, CARDIOPULMONARY RESUSCITATION, CONTROL OF SHOCK AND BLEEDING AND SPLINTING OF FRACTURES, AS OUTLINED IN A BASIC EMERGENCY CARE COURSE APPROVED BY THE DEPARTMENT AND MEETING THE CURRENT NATIONAL CURRICULUM OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION. (Section 4.06 of the Act).

"CENTRAL COMMUNICATIONS SYSTEM" MEANS A RADIO AND COMMUNICATIONS COMMAND AND CONTROL CENTER OR CENTERS RESPONSIBLE FOR ACCEPTING CALLS FROM THE PUBLIC FOR EMERGENCY MEDICAL SERVICES, FOR DISPATCHING EMERGENCY MEDICAL SERVICES PERSONNEL AND VEHICLES, FOR RADIO COORDINATION OF EMERGENCY MEDICAL SERVICES VEHICLES AND PERSONNEL, FOR COORDINATION OF MEDICAL COMMUNICATIONS BETWEEN EMERGENCY MEDICAL SERVICES PERSONNEL AND PUBLIC SAFETY AGENCIES, AND WHERE APPLICABLE, FOR COORDINATION AND MANAGEMENT OF RADIO FREQUENCIES DEVOTED TO BIOMEDICAL TELEMETRY. (Section 4.07 of the Act).

"Channel, Half-Duplex" means a radio channel that transmits and receives signals, but in only one direction at a time.

"CONSUMER" MEANS A PERSON IN THIS STATE WHO IS A RECIPIENT OR POTENTIAL RECIPIENT OF THE SERVICES PROVIDED BY AN EMERGENCY MEDICAL SERVICES SYSTEM, WHO RECEIVES NO DIRECT OR INDIRECT PERSONAL, FINANCIAL, OR PROFESSIONAL BENEFIT AS A RESULT OF AN ASSOCIATION WITH HEALTH CARE OR EMERGENCY SERVICES OTHER THAN THAT GENERALLY SHARED BY THE PUBLIC AT LARGE, AND WHO IS NOT OTHERWISE CONSIDERED A PROVIDER UNDER THE PROVISIONS OF THIS ACT. (Section 4.08 of the Act).

"DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH, STATE OF ILLINOIS. (Section 4.09 of the Act).

"DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH, STATE OF ILLINOIS. (Section 4.10 of the Act).

"Dysrhythmia" means a variation from the normal electrical rate and sequences of cardiac activity, also including abnormalities of impulse formation and conduction.

"Effective Radiated Power (ERP)" means the power gain of a transmitting antenna multiplied by the net power accepted by the antenna from the connected transmitter.

"Electrocardiogram" means a single lead rhythm strip graphic recording of the electrical activity of the heart by a series of deflections which represent certain components of the cardiac cycle.

"EMERGENCY" means a condition or situation in which an individual declares a need for immediate medical attention or when that need is declared by emergency medical personnel or a public safety official. (Section 4.11 of the Act).

"EMERGENCY MEDICAL SERVICES (EMS) SYSTEM" means an organization of providers which through a program plan submitted to and approved by the department (pursuant to subpart D of this part) entitles a hospital to utilize qualified personnel specified in the act to provide or coordinate pre-hospital and inter-hospital emergency care at an advanced or intermediate level, to victims of illness or injury within the area specified in the program plan. Advanced or intermediate level services may include the utilization of BLS level services. One hospital in each program plan must be designated as the resource hospital. All hospitals and ambulance providers participating in an EMS system must specify their level of participation in the program plan. (Section 4.18 of the Act).

"Emergency Medical Services System Survey" means a questionnaire which provides data to the Department for the purpose of compiling annual reports.

"Emergency Medical Services Vehicle (EMS vehicle)" means any vehicle used for BLS, ILS or ALS, as a special EMS unit or rescue vehicle, operating within an approved EMS System.

"EMERGENCY MEDICAL TECHNICIAN-AMBULANCE" OR "EMT-A" MEANS A PERSON WHO HAS SUCCESSFULLY COMPLETED A COURSE OF INSTRUCTION IN BASIC LIFE SUPPORT SERVICES AS REQUIRED AND IS CURRENTLY CERTIFIED BY THE DEPARTMENT IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE ACT AND THIS PART, WHO PROVIDES EMERGENCY MEDICAL SERVICES. (Section 4.12 of the Act).

"EMERGENCY MEDICAL TECHNICIAN INTERMEDIATE" OR "EMT-I" MEANS AN EMT-A CURRENTLY CERTIFIED BY THE DEPARTMENT WHO HAS COMPLETED A DEPARTMENT APPROVED COURSE OF INSTRUCTION (pursuant to Subpart F of this part)

IN SPECIFIC ADVANCED LIFE SUPPORT-MOBILE INTENSIVE CARE SERVICES AND WHO IS CURRENTLY FUNCTIONING IN A PROGRAM APPROVED BY THE DEPARTMENT TO PROVIDE SUCH SERVICES UNDER THE SUPERVISION AND CONTROL OF A PROJECT MEDICAL DIRECTOR. (Section 4.15 of the Act).

"EMERGENCY MEDICAL TECHNICIAN-PARAMEDIC" OR "EMT-P" MEANS A PERSON WHO HAS SUCCESSFULLY COMPLETED A DEPARTMENT APPROVED COURSE OF INSTRUCTION (pursuant to subpart G) IN ADVANCED LIFE SUPPORT-MOBILE INTENSIVE CARE SERVICES AND IS CURRENTLY CERTIFIED BY THE DEPARTMENT. CANDIDATES FOR EMT-P TRAINING MUST BE SPONSORED BY, EMPLOYED BY, OR SHOW DOCUMENTATION OF FUNCTIONING WITHIN A STATE APPROVED EMS VEHICLE AGENCY PROVIDING ADVANCED LIFE SUPPORT SERVICES. (Section 4.13 of the Act).

"EMS System Coordinator(s)" means the designated individual(s) responsible to the Project Medical Director and Project Director for coordination of the educational and functional aspects of the System program.

"EMS System Program Plan" means the document prepared by the Resource Hospital and approved by the Department which describes the EMS System program and directs the program's operation (see Subpart D of this part).

"FCC" means the Federal Communications Commission.

"Fixed-wing aircraft" means an engine-driven aircraft that is heavier than air, and is supported in-flight by the dynamic reaction of the air against its wings.

"HEALTH SYSTEMS AGENCY" MEANS A HEALTH SYSTEMS AGENCY AS DEFINED IN 42 USC 300 L-1 (a). (Section 4.14 of the Act).

"Helicopter" or "Rotorcraft" means an aircraft that is capable of vertical take-offs and landings, including maintaining a hover.

"HOSPITAL" HAS THE MEANING ASCRIBED TO IT IN THE HOSPITAL LICENSING ACT (111. Rev. Stat. 1987, ch. 111 1/2, par 142 et seq.). (Section 4.04 of the Act).

"Instrument Flight Rules" or "IFR" means the operation of an aircraft in weather minimums below the minimums for flight under visual flight rules (VFR). (See General Operating and Flight Rules, 14 CFR 91.115 through 91.129).

"Instrument Meteorological Conditions (IMC)" means meteorological conditions expressed in terms of visibility, distance from clouds and ceiling which requires Instrument Flight Rules.

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

"INTERMEDIATE LIFE SUPPORT CARE" or "ILS" MEANS AN INTERMEDIATE LEVEL OF PRE-HOSPITAL AND INTER-HOSPITAL EMERGENCY CARE THAT INCLUDES BLS CARE, PLUS INTRAVENOUS CANNULATION AND FLUID THERAPY, INVASIVE AIRWAY MANAGEMENT, TRAUMA CARE, AND OTHER AUTHORIZED TECHNIQUES AND PROCEDURES INITIATED FOR THE TREATMENT OF REAL OR POTENTIAL ACUTE LIFE-THREATENING CONDITIONS, UNDER THE DIRECTION OF A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN ALL OF ITS BRANCHES OR A REGISTERED PROFESSIONAL NURSE/MICN OR REGISTERED PROFESSIONAL NURSE/FIELD RN, AND WHERE AUTHORIZED BY THE PROJECT MEDICAL DIRECTOR IN A DEPARTMENT APPROVED EMS SYSTEM. (Section 4.19 of the Act).

"INTERMEDIATE LIFE SUPPORT SERVICES" MEANS A HOSPITAL PROVIDING, WITH THE APPROVAL OF THE DEPARTMENT (See Subpart D of this Part), PRE-HOSPITAL AND INTER-HOSPITAL EMERGENCY MEDICAL CARE THROUGH THE USE OF INTERMEDIATE LIFE SUPPORT MOBILE INTENSIVE CARE PERSONNEL, EQUIPMENT AND VEHICLES, UNDER THE DIRECTION OF A PROJECT MEDICAL DIRECTOR. (Section 4.20 of the Act).

"Mobile Radio" means a two-way radio installed in an EMS vehicle which may not be readily removed.

"Off-Road Specialized Emergency Medical Services Vehicle" or "Off-Road SEMSV" or "Off-Road SEMS Vehicle" means a motorized cart, golf cart, ATV (all-terrain-vehicle), or amphibious vehicle which is not intended for use on public roads.

"Participating Hospital" means a hospital participating in an approved EMS System in accordance with the EMS System Program Plan, which may or may not have monitoring capabilities and which receives patients transported by System EMS vehicles under the direction of the Project Medical Director or PMD designee. This hospital agrees to replace medical supplies and provide for equipment exchange for participating EMS vehicles.

"Physician" means any person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, pars. 4400-1 et seq.).

"Pilot" or "EMS Pilot" means a pilot certified by the Federal Aviation Administration who has been approved by a SEMSV Medical Director to fly a helicopter or fixed-wing aircraft used in a Department-certified SEMSV Program (See Section 535.931 of this Part).

"Portable Radio" means a hand-held radio which accompanies the user during the conduct of emergency medical services.

"PRE-HOSPITAL CARE" MEANS THOSE EMERGENCY MEDICAL SERVICES RENDERED TO EMERGENCY PATIENTS FOR ANALYTIC, RESUSCITATIVE, STABILIZING, OR

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

PREVENTIVE PURPOSES, PRECEDENT TO AND DURING TRANSPORTATION OF SUCH PATIENTS TO HOSPITALS. (Section 4.16 of the Act).

"Pre-Hospital Care Provider or System Participant" means an EMT-A, I, P, Ambulance, Ambulance Provider, EMS Vehicle, Associate Hospital, Participating Hospital, EMS System Coordinator, Associate Hospital EMS Coordinator, Associate Hospital EMS Medical Director, Field RN, MICN or Physician serving on an ambulance or giving voice orders over an EMS System and is subject to suspension by the Project Medical Director of that System in accordance with the policies of the EMS System Program Plan approved by the Department.

"Project Director" means the administrator, appointed by the Resource Hospital with the approval of the Project Medical Director, responsible for the administration of the EMS System.

"Project Medical Director" or "PMD" means the physician appointed by the Resource Hospital who has the responsibility and authority for total management of the EMS System. (See Sections 535.210(h) and 535.230(a) of this Part).

"REGISTERED PROFESSIONAL NURSE/FIELD RN" MEANS A REGISTERED NURSE, LICENSED UNDER "THE ILLINOIS NURSING ACT OF 1987", AS AMENDED, (Ill. Rev. Stat. 1987, ch 111, pars. 3501 et seq.), WHO HAS BEEN APPROVED BY THE PROJECT MEDICAL DIRECTOR IN A DEPARTMENT-APPROVED EMS SYSTEM, AND WHO HAS SATISFACTORILY COMPLETED ADDITIONAL SUPPLEMENTARY TRAINING INCLUDING BUT NOT LIMITED TO COURSES IN EXTRICATION, TELEMETRY AND COMMUNICATIONS, ADVANCED CARDIAC LIFE SUPPORT, INCLUDING DEFIBRILLATION AND INTUBATION OR ITS EQUIVALENT, AND EITHER TRAUMA NURSE SPECIALIST OR NURSE TRAUMA LIFE SUPPORT OR THEIR EQUIVALENTS AS APPROVED BY THE PROJECT MEDICAL DIRECTOR (Section 4.21 of the Act).

"REGISTERED PROFESSIONAL NURSE/MICN" OR "Mobile Intensive Care Nurse" MEANS A REGISTERED NURSE, LICENSED UNDER "THE ILLINOIS NURSING ACT OF 1987," AS AMENDED, (Ill. Rev. Stat. 1987, ch. 111, pars. 3501 et seq.), WHO HAS SATISFACTORILY COMPLETED THE MOBILE INTENSIVE CARE NURSE COURSE, INCLUDING TRAINING IN TELEMETRY AND COMMUNICATION, ADVANCE CARDIAC LIFE SUPPORT, AND A PRE-HOSPITAL TRAUMA SUPPORT COURSE OR ITS EQUIVALENT, AS APPROVED BY THE DEPARTMENT. (Section 4.21(a) of the Act).

"Registered Nurse" or "Registered Professional Nurse" or "RN" means a person who is licensed as a professional nurse under The Illinois Nursing Act of 1987 (Ill. Rev. Stat. 1987 ch. 111, pars. 3501 et seq.)

"Resource Hospital" means the hospital with the authority and the responsibility for an EMS System as outlined in the

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## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

"911" means an emergency answer and response system in which the caller need only dial 9-1-1 on a telephone to obtain emergency services including police, fire, medical ambulance and rescue.

(Source: Amended at 13 Ill. Reg. 15716, effective September 15, 1989)

## Section 535.20 Incorporated Materials

The following regulations, standards and statutes are incorporated or referenced in this Part.

## a) Federal guidelines, statutes and regulations:

- 1) U.S. Code 42, The Public Health and Welfare, 42 USC 300 L-1(a). (See Section 535.100).
- 2) Federal Specification for Ambulance, KKK-A-1822B (1985). (See Section 535.150).
- 3) Emergency Medical Technician-Ambulance: National Standard Curriculum (1984). (See Sections 535.300(c) and (h); 535.310(a); 535.400(c) and (h); 535.410(a); 535.420(a) and (b); 535.500(c) and (e); 535.510(a) and (d) and 535.530(d)).
- 4) United States Department of Transportation, Emergency Medical Technician - Intermediate: National Standard Curriculum (1985). (See Sections 535.400 (c) and (h); 535.410 (a); 535.420 (a) and (b); 535.430(b).)
- 5) United States Department of Transportation, Emergency Medical Technician - Paramedic: National Standard Curriculum (1985). (See Sections 535.500 (c) and (e); 535.510 (a) and (d); 535.530 (c) 535.810(b) and (c); 535.850(a) and (b)).
- 6) 47 CFR 90 (1988) (Section 535.60(a))
- 7) Air Taxi Operations and Commercial Operators (14 CFR 135, 1988, Subparts A, Sections 135.1 through 135.43, B, Sections 135.61 through 135.125, C, Sections 135.141 through 135.185, D, Sections 135.201 through 135.229, E, Sections 135.241 through 135.247, F, Section 135.261, J, Sections 135.411 through 135.443.)

## b) State of Illinois Statutes:

- 1) "AN ACT requiring hospitals to render hospital emergency service in case of injury or acute medical condition and to implement emergency hospital, medical and surgical services on a community

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

or areawide basis," (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 86 et seq.). (See Section 535.10).

- 2) Hospital Licensing Act, (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 142 et seq.). (See Section 535.10).
- 3) Medical Practice Act of 1987, (Ill. Rev. Stat. 1987, ch. 111, par. 4400-1 et seq.). (See Section 535.10).
- 4) The Illinois Nursing Act of 1987, (Ill. Rev. Stat. 1987, ch. 111, par. 3501 et seq.). (See Section 535.10).
- 5) Code of Civil Procedure (Ill. Rev. Stat. 1987, ch. 110, par. 8-2101 et seq.). (See Section 535.700(g)).

## c) State of Illinois Regulations

- 1) Rules of Practice and Procedure for Administrative Hearings (77 Ill. Adm. Code 100). (See Sections 535.140(d) and 535.250(g)).
- 2) Hospital Licensing Requirements (77 Ill. Adm. Code 250). (See Sections 535.10, 535.200(d) and 535.210(e)).

- d) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

(Source: Amended at 13 Ill. Reg. 15716, effective September 15, 1989)

SUBPART M: CERTIFICATION OF SPECIALIZED EMERGENCY MEDICAL SERVICES  
VEHICLE (SEMSV) PROGRAMS

## Section 535.900 Certification of SEMSV Programs - General

- a) No person, either as owner, agent, or otherwise shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in the provision of emergency medical care or transportation to a sick or injured patient using a Specialized Emergency Medical Services Vehicle (SEMSV), unless currently certified by the Department pursuant to Subpart J of this Part, or the SEMSV is owned, operated, licensed or regulated by a unit of local government.
- b) An application for certification shall be filed with the Department by submitting a Program Plan which includes the information required in this Part. The Program Plan shall be signed by the SEMSV Medical Director and the Project Medical Director of the EMS System of which the SEMSV Program is a part (See Section 535.920(a) of this Part).

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

ILLINOIS REGISTER

Section 535.920 SEMSV Program Certification Requirements for All Vehicles

- a) The SEMSV program shall be part of a Department-approved EMS System.
- b) The SEMSV program shall meet and comply with all State and Federal requirements governing the specific vehicles employed in the program. (See Sections 535.933, or 535.941, or 535.951 of this Part).
- c) The SEMSV program shall comply with this Part during its hours of operation. The SEMSV program shall operate twenty-four (24) hours per day, every day of the year in accordance with weather conditions, except when the service is committed to another medical emergency request, or is unavailable due to maintenance requirements.
- d) The SEMSV program shall provide pre-hospital emergency services within its service area on a per need basis without regard to the patient's ability to pay for such service. (See Section 535.150(g)(2)).
- e) The SEMSV program shall be supervised and managed by a Medical Director, who shall be a physician who has met at least the following requirements:

1) One or more of the following:

- A) Board certification by the American Board of Emergency Medicine,
  - B) Completion of twelve (12) months of internship, followed by sixty (60) months plus seven thousand (7000) hours of hospital based Emergency Medicine (two thousand eight hundred (2800) of the seven thousand (7000) hours must be completed within one twenty-four (24) month period), and document fifty (50) hours of continuing medical education in Emergency Medicine for each complete year of practice,
  - C) Completion of residency in Emergency Medicine as defined in 77 Ill. Adm. Code 540.20, in a residency program approved by the Residency Review Committee for Emergency Medicine, Board certified or prepared in Internal Medicine,
  - D) Board certified or prepared in General Surgery.
  - E) Board certified or prepared in General Surgery.
- 2) Training and experience in Advanced Cardiac Life Support (ACLS), such as the American Academy of Emergency Physicians' ACLS course,

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

ILLINOIS REGISTER

c) Each certification shall be valid for a period of one (1) year from the date of issuance, unless suspended or revoked.

d) Each certification shall be issued to the program named in the application for the specific vehicle(s) identified in the application, and shall not be assignable or transferable.

e) An application for renewal of certification shall be filed with the Department at least thirty (30) days prior to the expiration date, on a form prepared and furnished by the Department. The renewal application shall be accompanied by photocopies of any current licenses or certificates required of SEMSV personnel by the provisions of this Part (See Sections 535.920(e), 535.931, 535.932(a) of this Part), and verification that SEMSV personnel continuing education required by the provisions of this Part have been met (See Section 535.930(d) of this Part). Each renewed certificate shall be valid for a period of one (1) year from the date of issuance, unless suspended or revoked.

f) The Department shall inspect any vehicles, equipment, records or other documents covered by the certified or applicant SEMSV program annually to determine initial or continued compliance with the requirements of the Act or this Part.

(Source: Added at 13 Ill. Reg. 15716, effective September 15, 1989)

Section 535.910 Dental, Nonrenewal, Suspension or Revocation of Certification

a) The Department, after notice and an opportunity for hearing, shall deny an application for certification or renewal, suspend, or revoke a certification when the applicant or certificate holder has failed to meet or has violated any of the requirements of the Act or this Part, or any SEMSV personnel, during the provision of emergency services, engaged in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public, such as not meeting the requirements of this Act, charging for services or equipment not provided or used, or utilizing unqualified personnel, or as provided in Section 535.650(a)(4).

b) All hearings shall be governed by the Department's Rules of Practice and Procedures for Administrative Hearings (77 Ill. Adm. Code 100). Upon receipt of a notice to deny, nonrenew, suspend or revoke, the applicant or certificate holder shall have ten (10) business days in which to request such a hearing.

(Source: Added at 13 Ill. Reg. 15716, effective, September 15, 1989)



DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- 3) Training and experience in Advanced Trauma Life Support (ATLS), such as the College of Surgeons' ATLS course,
- 4) In programs utilizing air vehicles, documentation, such as certificates of completion in course work designed to bring about:
  - A) Experience and knowledge in inflight treatment modalities,
  - B) Experience and knowledge in altitude physiology,
  - C) Experience and knowledge in infection control as it relates to airborne and intra facility transportation, and
  - D) Experience and knowledge in stress management techniques.
- 5) In programs utilizing watercraft, documentation, such as certificates of completion in course work designed to bring about:
  - A) Experience and knowledge in drowning (cold, warm, fresh, and salt water), and
  - B) Experience and knowledge in diving accident physiology and treatment.

(Source: Added at 13 Ill.Reg. 15716, effective September 15, 1989)

Section 535.930 Helicopter and Fixed-Wing Aircraft Requirements

In addition to the requirements specified in Sections 535.900 and 535.920 of this Part, a SEMSV Program utilizing helicopters or fixed-wing aircraft shall submit a Program Plan which includes the following:

- a) Documentation of the Medical Director's credentials as required by Section 535.920(e) of this Part, and a statement signed by the Medical Director containing his or her commitment to the following duties and responsibilities:
  - 1) The supervision and management of the program,
  - 2) Supervising and evaluating the quality of patient care provided by the aeromedical crew,
  - 3) Developing written treatment protocols and standard operating procedures to be used by the aeromedical crew during flight,
  - 4) Developing and approving a list of equipment and drugs to be

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- available on the SEMSV during patient transfer,
- 5) Providing periodic review, at least monthly, of patient care provided by the aeromedical crew,
- 6) Providing for the continuing education of the aeromedical team,
- 7) Providing medical advice/expertise on the utilization, need, and special requirements of aeromedical transfer,
- 8) Submit documentation assuring the qualifications of the aeromedical crew,
- 9) Notifying the Department when the primary SEMSV is unavailable in excess of 24 hours, stating the reason for unavailability, the expected date of return to service, and the provisions made, if any, for replacement vehicles, and
- 10) Assuring appropriate staffing of the SEMSV, with a minimum of one (1) EMS pilot and one (1) aeromedical crew member. Two (2) EMS pilots shall be used for fixed-wing aircraft or helicopters requiring such staffing. Additional aeromedical personnel may be required at the discretion of the SEMSV Medical Director. The Medical Director shall provide the Department with a list of all approved pilots and aeromedical crew members, and shall update the list whenever a change in such personnel is made.
  - b) The SEMSV Medical Director's list of required medical equipment and drugs for use on the aircraft (See Section 535.934),
  - c) The SEMSV Medical Director's treatment protocols and standard operating procedures,
  - d) The curriculum and requirements for orientation and training, including mandatory continuing education for all aeromedical crewmembers consisting of at least sixteen (16) hours in specialized aeromedical transportation topics, eight (8) hours of which may include quality assurance reviews,
  - e) A description of the communications system accessing the aeromedical dispatch center, the medical control point, receiving and referring agencies (See Section 535.936 of this Part),
  - f) A description and map of the service area for each vehicle,
  - g) A description of the EMS System's method of providing emergency medical services utilizing the SEMSV Program,

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DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

aircraft shall be approved by the Medical Director and shall meet the following requirements:

- 1) Be an EMT-P, registered nurse or a physician licensed to practice medicine in all of its branches,
  - 2) Documentation of completion of training which includes but is not limited to the following:
    - A) Advanced life support,
    - B) Cardiac emergencies,
    - C) Traumatic emergencies,
    - D) Pediatric emergencies,
    - E) Obstetrical emergencies,
    - F) Neonatal emergencies,
    - G) Psychiatric emergencies,
    - H) Crisis intervention,
    - I) Infection control,
    - J) Altitude physiology,
    - K) Advanced Surgical and airway management techniques,
    - L) Environmental emergencies,
    - M) Flight safety,
    - N) Aircraft emergencies,
    - O) Radio communications,
    - P) Rescue and survival techniques,
    - Q) Record keeping,
    - R) Legal aspects.
  - 3) Yearly completion of the continuing education requirements as described in Section 535.930 (d) of this Part.
- b) In addition to at least one (1) aeromedical crew member who has met the requirements of subsection (a) of this Section, the Medical Director may approve and assign additional crew members to a helicopter or fixed-wing aircraft. Such additional crew members shall meet the following requirements:
- 1) Documentation of completion of training which includes but is not limited to the following:
    - A) General patient care in-flight,
    - B) Aircraft emergencies,
    - C) Flight safety,
    - D) EMS System and SEMSV Program communications,
    - E) Use of all patient care equipment, and
    - F) Rescue and survival techniques.
  - 2) Yearly completion of the continuing education requirements as

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

described in Section 535.930 (d) of this Part.

(Source: Added at 13 Ill.Reg. 15716 \_\_\_\_\_, effective September 15, 1989)

Section 535.933 Aircraft Vehicle Specifications and Operations

- a) All vehicles shall meet the requirements of subparts A, B, C, and D of Air Taxi Operations and Commercial Operators (14 CFR 135).
- b) All vehicles shall have communication equipment to permit both internal crew and air-to-ground exchange of information between individuals and agencies, including at least those involved in SEMSV medical control within the EMS System, the flight operations center, air traffic control, and law enforcement agencies.
- c) All vehicles shall be designed to allow the loading and unloading of the patient without rotating the patient more than thirty (30) degrees along the longitudinal axis or forty-five (45) degrees along the lateral axis.
- d) All vehicles shall be climate controlled to prevent temperature extremes that would adversely affect patient care in the judgement of the Medical Director.
- e) All vehicles shall have interior lighting, to permit patient care to be given and patient status to be monitored without interfering with the pilot's vision.
- f) All vehicles shall carry survival equipment including but not limited to:
  - 1) Two (2) sources of heat or fire,
  - 2) Two (2) forms of signaling device,
  - 3) Equipment to provide shelter, blanket, nylon cord, adhesive tape,
  - 4) Knife and fishing kit, and
  - 5) Food and water supply.
- g) All patients shall be restrained to the helicopter or fixed-wing aircraft litter in order to assure the safety of the patient and crew.
- h) For helicopter programs:
  - 1) There shall be at least one (1) single-engine aircraft.

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

ILLINOIS REGISTER

Medical Director:

- 1) Cardiac monitor and defibrillator with adult and pediatric paddles and appropriate accessories,
- 2) Oxygen masks in adult, child and infant sizes,
- 3) Oxygen valve key,
- 4) Oxygen connective/extension tubing,
- 5) Nasal cannulas, medium and small,
- 6) Non-rebreathing mask,
- 7) Oxygen regulator,
- 8) Oxygen flowmeter, capable of providing 1 thru 15 l/min. flow,
- 9) Oxygen outlet or tank, size E or H,
- 10) Endotracheal tubes, sizes 5, 6, 7, 8 cuffed, and 2, 3, 4 uncuffed,
- 11) Magill forceps,
- 12) Laryngoscope, with adult, child and infant blades, both curved and straight,
- 13) Bag-valve-mask with a reservoir system,
- 14) Portable suction device, able to provide a vacuum of 300 mm Hg through a shatterproof catchment container for a minimum of twenty minutes,
- 15) Suction outlet,
- 16) Set of oropharyngeal/nasopharyngeal airways for adults, children and infants,
- 17) Suction catheters, flexible, set of sizes 6fr, 14fr and 18fr,
- 18) Suction catheter, rigid,
- 19) Suction connective tubing,
- 20) Suction rinsing bottle, shatterproof,

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

ILLINOIS REGISTER

- 2) Each vehicle shall be staffed with at least one (1) EMS pilot and at least one (1) aeromedical crew member.
  - 3) Each vehicle shall be equipped with flight reference instruments to allow recovery from inadvertent IFR situations.
  - 4) Each vehicle shall be equipped with a searchlight pivoting at least one hundred eighty (180) degrees horizontal and ninety (90) degrees vertical, controlled by the pilot without removing hands from the flight controls.
  - 5) The cockpit shall be isolated, by a protective barrier, to minimize in-flight distraction or interference.
  - 6) All medical equipment, supplies and personnel shall be secured and/or restrained.
  - 1) For fixed-wing aircraft programs:
    - 1) There shall be at least one (1) twin-engine aircraft.
    - 2) Each vehicle shall be staffed with at least one (1) EMS pilot, and at least one (1) aeromedical crew member.
    - 3) The aircraft shall be Instrument Flight Rules (IFR) equipped and certified.
    - 4) All equipment, litters/stretchers and seating shall be arranged so as not to block rapid egress by personnel or patient from the aircraft and affixed or secured in approved racks, compartments or by strap restraint.
- (Source: Added at 13 Ill. Reg. 15716, effective September 15, 1989)
- Section 535.934 Aircraft Medical Equipment and Drugs
- a) Each helicopter or fixed-wing aircraft shall be equipped with medical equipment and drugs which are appropriate for the various types of missions to which it will be responding, as specified by the SEMSV Medical Director.
  - b) The following list of supplies shall be available for each mission but may not be utilized on each mission. The SEMSV Medical Director shall decide what medical equipment and drugs from the list will be taken on any particular mission based on patient type (adult, child, infant), medical condition (high risk infant, cardiac, burn, etc.) and anticipated treatment needs en route. Additional equipment not listed in the rules may be utilized at the discretion of the SEMSV

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- 21) Burn sheets,
- 22) Trauma dressings, sterile,
- 23) 4x4 sterile dressings,
- 24) Tape, adhesive, 1" rolls,
- 25) Tape, paper, adhesive, 1" rolls,
- 26) Bandage, gauze, roller soft sterile 2x4" rolls,
- 27) Bandage, elastic, 2x6", non-sterile rolls,
- 28) Alcohol preps, disposable,
- 29) Providone Iodine,
- 30) Sterile petroleum gauze dressing,
- 31) Gloves, latex,
- 32) Eye patches, sterile,
- 33) Air-sick bags,
- 34) Cutting shears with protective tip,
- 35) Board, spinal immobilization device, long,
- 36) Traction splint,
- 37) Cervical collar, rigid, adult and child,
- 38) Lateral cervical stabilization devices,
- 39) Stethoscope with bell and diaphragm,
- 40) Blood pressure cuffs, adult and pediatric,
- 41) Sphygmomanometer,
- 42) Childbirth kit, emergency, disposable, sterile,
- 43) Flashlight,
- 44) Blanket,

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- 45) Sheet, non-sterile,
- 46) Sheet, sterile,
- 47) Pneumatic counterpressure trouser kit, adult and child,
- 48) Catheter over needle sets, indwelling IV, 14, 16, 18, 20, 22 gauge, each,
- 49) Needles, 18, 20 gauge each,
- 50) Syringe, tuberculin, 1 cc.,
- 51) Syringes, 3, 10, 20, 35 cc., each,
- 52) Dextrose, 5% in water,
- 53) Dextrose, 5%, 1/4 Normal Saline,
- 54) Lactated ringers solution, 1000cc.,
- 55) Normal Saline, 1000cc.,
- 56) Water, sterile, for injection,
- 57) Intravenous administration set, minidrip,
- 58) Intravenous administration set, standard,
- 59) IV infusion pump,
- 60) Pressure Infusor,
- 61) Atropine sulfate, 1mg. ampules,
- 62) Dextrose, 50%, 25gm ampules,
- 63) Epinephrine, 1mg, 1:10,000 ampules,
- 64) Epinephrine, 1mg, 1:1000 ampules,
- 65) Naloxone, 2mg, ampules,
- 66) Nitroglycerin sublingual tablets, 1/150 grain,
- 67) Sodium Bicarbonate, 50 mEq ampules.
- 68) Lidocaine HCL 100 mgm/5cc,

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## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- 4) Developing and approving a list of equipment and drugs to be available on the SEMSV during patient transfer,
- 5) Providing periodic review, at least quarterly, of patient care provided by the watercraft crew,
- 6) Providing medical advice/expertise on the utilization, need, and special requirements of watercraft transfer,
- 7) Submit documentation assuring the qualifications of the watercraft crew,
- 8) Assuring appropriate staffing of the SEMSV:
  - A) Each watercraft crew member assigned to a watercraft shall be approved by the Medical Director, who shall provide the Department with a list of all approved crew members and watercraft operators and update the list whenever a change in such personnel is made.
  - B) For Advanced Life Support (ALS) operations, the watercraft shall be staffed by a crew of at least one (1) EMT-P, registered nurse or physician, and one (1) other EMT, registered nurse or physician, in addition to the watercraft operator.
  - C) For Basic Life Support (BLS) operations, the watercraft shall be staffed by a crew of at least two (2) EMTs, registered nurses or physicians, one (1) of whom may also be the watercraft operator.
  - D) Except as provided for by subsection (a)(8)(E) of this Section, each watercraft crew member shall document the completion of training which includes but is not limited to the following:
    - i) Advanced life support,
    - ii) Cardiac support,
    - iii) Traumatic emergencies,
    - iv) Pediatric emergencies,
    - v) Psychiatric emergencies,
    - vi) Crisis intervention,
    - vii) Infection control,
    - viii) Advanced surgical and airway management techniques,
    - ix) Environmental emergencies,
    - x) Radio communications,
    - xi) Rescue and survival techniques,
    - xii) Record keeping,

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- xiii) Legal aspects,
  - xiv) Certification in Advanced Life Saving by the American Red Cross,
  - xv) Completion of a boat safety course conducted pursuant to Section 5-18 of the Boat Registration and Safety Act (Ill.Rev.Stat. 1987, ch. 95 1/2, par. 315-13).
- E) In addition to at least two (2) watercraft crew members who have met the requirements of subsections (a)(8)(B) through (D) of this Section, the Medical Director may approve and assign additional watercraft crew members to a watercraft. Such additional watercraft crew members shall document the completion of training which includes but is not limited to the following:
- i) General patient care,
  - ii) Watercraft emergencies,
  - iii) Completion of a boat safety course conducted pursuant to Section 5-18 of the Boat Registration and Safety Act (Ill.Rev.Stat. 1987, ch. 95 1/2, par. 315-13),
  - iv) EMS System and SEMSV Program communications,
  - v) Use of all patient care equipment,
  - vi) Rescue and survival techniques,
  - vii) Certification in Advanced Life Saving by the American Red Cross.
- F) Watercraft operators shall be at least twenty one (21) years of age, and shall meet the following requirements:
- A) Certification in Advanced Life Saving by the American Red Cross,
  - B) Completion of a boat safety course conducted pursuant to Section 5-18 of the Boat Registration and Safety Act (Ill.Rev.Stat. 1987, ch. 95 1/2, par. 315-13).
- b) The SEMSV Medical Director's list of required medical equipment and drugs for use on the watercraft (See Section 535.942),
  - c) The SEMSV Medical Director's standing orders (treatment protocols, standard operating procedures),
  - d) A description of the communications system linking the watercraft with the SEMSV medical control point,
  - e) A description of the EMS System's method of providing emergency medical services utilizing the SEMSV Program,
  - f) A description and map of the service area for each vehicle,

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- 13) A locking mechanism to secure a stretcher or litter below the gunwale level.
- 14) For watercraft operating on Lake Michigan:
  - A) A UHF/FM marine radio with at least twenty-five (25) watts of power.
  - B) Loran Navigational Aid,
  - C) Navigational charts for service area and navigational aids, including compass,
  - D) Speed capability of twenty (20) knots per hour.

c) All watercraft shall have communication equipment to assure exchange of information between individuals and agencies including at least those involved at the SEMSV medical control point within the EMS System, and law enforcement agencies.

(Source: Added at 13 Ill. Reg. 15716, effective September 15, 1989)

Section 535.942 Watercraft Medical Equipment and Drugs

- a) Each watercraft shall be equipped with medical equipment and drugs which are appropriate for the various types of missions to which it will be responding, as specified by the SEMSV Medical Director.
- b) For Advanced Life Support (ALS) operations, the following list of supplies shall be available for each mission but may not be utilized on each mission. The SEMSV Medical Director shall decide what medical equipment and drugs from the list will be taken on any particular mission based on patient type (adult, child, infant), medical condition (high risk infant, cardiac, burn, etc.) and anticipated treatment needs en route. Additional equipment not listed in the rules may be utilized at the discretion of the SEMSV Medical Director:

- 1) One (1) telemetry radio for voice and electrocardiogram transmission/communication between the watercraft and the SEMSV medical control point,
- 2) Cardiac monitor and defibrillator with adult and pediatric paddles and appropriate accessories,
- 3) Oxygen masks in adult, child and infant sizes,
- 4) Oxygen valve key.

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

g) The identification number and description of all vehicles used in the program.

(Source: Added at 13 Ill. Reg. 15716, effective September 15, 1989)

Section 535.941 Watercraft Vehicle Specifications and Operation

- a) All watercraft shall meet the requirements of Article IV of the Boat Registration and Safety Act (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 314-1 through 314-10).
- b) All watercraft shall carry equipment including but not limited to the following:

- 1) One (1) anchor with line attached that is three times the maximum depth of water in the areas of usual operation,
- 2) Two (2) docking fenders,
- 3) Two (2) mooring lines,
- 4) Self or mechanical bailer,
- 5) Search light with a minimum of two hundred thousand (200,000) candle power,
- 6) Swim harness attached to seventy-five (75) feet of tethering line,
- 7) Waterproof flashlight, six volt minimum,
- 8) Basic tool kit, to include at least:
  - A) Wrench, twelve (12) inch with adjustable open end,
  - B) Screw driver, twelve (12) inch with straight blade,
  - C) Locking pliers, minimum length, ten (10) inches,

- 9) One (1) life jacket for each member of the watercraft crew and two (2) extra adult life jackets,
- 10) Two (2) child life jackets,
- 11) Knife, six (6) inch blade, with sheath,
- 12) Boat hook, extendable to at least ten (10) feet,



DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- 5) Oxygen connective/extension tubing,
- 6) Nasal cannulas, medium and small,
- 7) Non-rebreathing mask,
- 8) Oxygen regulator,
- 9) Oxygen flowmeter, capable of providing 1 thru 15 l/min flow,
- 10) Oxygen outlet or tank, size D, E or H,
- 11) Bag-valve-mask with a reservoir system,
- 12) Portable suction device, able to provide a vacuum of 300 mm Hg through a shatterproof catchment container for a minimum of twenty minutes,
- 13) Set of oropharyngeal/nasopharyngeal airways for adults, children and infants,
- 14) Suction catheters, flexible, set of sizes 6fr, 14fr and 18fr,
- 15) Suction catheter, rigid,
- 16) Suction connective tubing,
- 17) Suction rinsing bottle, shatterproof,
- 18) Trauma dressings, sterile,
- 19) 4x4 sterile dressings,
- 20) Tape, adhesive, 1" rolls,
- 21) Tape, paper, adhesive, 1" rolls,
- 22) Bandage, gauze, roller soft sterile 2x4" rolls,
- 23) Bandage, elastic, 2x6", non-sterile rolls,
- 24) Alcohol preps, disposable,
- 25) Providone Iodine,
- 26) Sterile petroleum gauze dressing,
- 27) Gloves, latex,

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- 28) Eye patches, sterile,
- 29) Cutting shears with protective tip,
- 30) Board, long spine with three straps, compatible with basket litter,
- 31) Traction splint,
- 32) Floatable cervical immobilization device, adult and child, with reflective material,
- 33) Basket litter with floatation device which shall automatically float the patient head and face up,
- 34) Stethoscope with bell and diaphragm,
- 35) Blood pressure cuffs, adult and pediatric,
- 36) Sphygmomanometer,
- 37) Blanket,
- 38) Sheet, non-sterile,
- 39) Pneumatic counterpressure trouser kit, adult and child,
- 40) Catheter over needle sets, indwelling IV, 14, 16, 18, 20, 22 gauge, each,
- 41) Needles, 18, 20 gauge each,
- 42) Syringe, tuberculin, 1 cc.,
- 43) Syringes, 3, 10, 20, 35 cc., each,
- 44) Dextrose, 5% in water,
- 45) Lactated ringers solution, 1000cc.,
- 46) Intravenous administration set, minidrip,
- 47) Intravenous administration set, standard,
- 48) Atropine sulfate, 1mg. ampules,
- 49) Dextrose, 50%, 25gm ampules,

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(Source: Added at 13 Ill.Reg. 15716, effective September 15, 1989)

Section 535.951 Off-Road Vehicle Specifications and Operation

- a) The off-road SEMSV shall have sufficient space for the vehicle operator, a patient in a supine position, and personnel rendering medical care along side of the patient.
- b) Each vehicle shall have a locking mechanism to secure the litter/stretchers or backboard to the off-road SEMSV.

(Source: Added at 13 Ill.Reg. 15716, effective September 15, 1989)

Section 535.952 Off-Road Medical Equipment and Drugs

- a) Each off-road SEMSV shall be equipped with medical equipment and drugs for the various types of missions to which it will be responding, as specified by the SEMSV Medical Director.
- b) For Advanced Life Support (ALS) operations, the following list of supplies shall be available for each mission but may not be utilized on each mission. The SEMSV Medical Director shall decide what medical equipment and drugs from the list will be taken on any particular mission based on patient type (adult, child, infant), medical condition (high risk infant, cardiac, burn, etc.) and anticipated treatment needs en route. Additional equipment not listed in the rules may be utilized at the discretion of the SEMSV Medical Director:
  - 1) One (1) telemetry radio for voice and electrocardiogram transmission/communication between the off-road SEMSV and the SEMSV medical control point,
  - 2) Cardiac monitor and defibrillator with adult and pediatric paddles and appropriate accessories,
  - 3) Oxygen masks in adult, child and infant sizes,
  - 4) Oxygen valve key,
  - 5) Oxygen connective/extension tubing,
  - 6) Nasal cannulas, medium and small,
  - 7) Non-rebreathing mask,
  - 8) Oxygen regulator,

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- 9) Oxygen flowmeter; capable of providing 1 thru 15 l/min flow,
- 10) Oxygen outlet or tank, size D, E or H,
- 11) Bag-valve-mask with a reservoir system,
- 12) Portable suction device, able to provide a vacuum of 300 mm Hg through a shatterproof catchment container for a minimum of twenty minutes,
- 13) Set of oropharyngeal/nasopharyngeal airways for adults, children and infants,
- 14) Suction catheters, flexible, set of sizes 6fr, 14fr and 18fr,
- 15) Suction catheter, rigid,
- 16) Suction connective tubing,
- 17) Suction rinsing bottle, shatterproof,
- 18) Trauma dressings, sterile,
- 19) 4x4 sterile dressings,
- 20) Tape, adhesive, 1" rolls,
- 21) Tape, paper, adhesive, 1" rolls,
- 22) Bandage, gauze, roller soft sterile 2x4" rolls,
- 23) Bandage, elastic, 2x6", non-sterile rolls,
- 24) Alcohol preps, disposable,
- 25) Providone Iodine,
- 26) Sterile petroleum gauze dressing,
- 27) Gloves, latex,
- 28) Eye patches, sterile,
- 29) Cutting shears with protective tip,
- 30) Board, long spine with three straps, compatible with basket litter,

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

- 31) Traction splint,
- 32) Stethoscope with bell and diaphragm,
- 33) Blood pressure cuffs, adult and pediatric,
- 34) Sphygmomanometer,
- 35) Blanket,
- 36) Sheet, non-sterile,
- 37) Pneumatic counterpressure trouser kit, adult and child,
- 38) Catheter over needle sets, indwelling IV, 14, 16, 18, 20, 22 gauge, each,
- 39) Needles, 18, 20 gauge each,
- 40) Syringe, tuberculin, 1 cc.,
- 41) Syringes, 3, 10, 20, 35 cc., each,
- 42) Dextrose, 5% in water,
- 43) Lactated ringers solution, 1000cc.,
- 44) Intravenous administration set, minidrip,
- 45) Intravenous administration set, standard,
- 46) Atropine sulfate, 1mg. ampules,
- 47) Dextrose, 50%, 25gm ampules,
- 48) Epinephrine, 1mg, 1:10,000 ampules,
- 49) Epinephrine, 1mg, 1:1000 ampules,
- 50) Naloxone, 2mg, ampules,
- 51) Nitroglycerin sublingual tablets, 1/150 grain,
- 52) Sodium Bicarbonate, 50 meq ampules,
- 53) Lidocaine HCL 100 mgm/5cc,
- 54) Lidocaine HCL 1 Gm vial or premix solution of 4 mgm/ml.

- c) For Basic Life Support (BLS) operations, these supplies shall include, but need not be limited to:
    - 1) Radio communication equipment which will provide voice contact with personnel who can access EMS agencies,
    - 2) The supplies listed in subsections (b)(3) through (37) of this Section.
- (Source: Added at 13 Ill. Reg. 15716, effective September 15, 1989)
- Section 535.953 Off-Road Communications and Dispatch Center
- a) The SEMSV program shall have a designated dispatch center assigned and available twenty-four (24) hours per day every day of the year to receive and dispatch all requests for off-road SEMSV services.
  - b) The communications and dispatch center shall have the ability to communicate with the off-road SEMSV for non-medical purposes on a separate designated frequency.
- (Source: Added at 13 Ill. Reg. 15716, effective September 15, 1989)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Access to Public Records
- 2) Code Citation: 2 Ill. Adm. Code 1176
- 3) Section Numbers: 1176.410 Adopted Action: amendment
- 4) Statutory Authority: Implementing the Freedom of Information Act (Ill. Rev. Stat. 1987, ch. 116, pars. 201 et seq.) and Section 4.01 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1004.01) and authorized by Section 3 of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, par. 3434).
- 5) Effective Date of Amendments: September 22, 1989
- 6) Does this rulemaking contain an automatic repeal date?  
 Yes  No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 22, 1989
- 9) Notice of Proposal Published in Illinois Register: N/A, pursuant to Section 4.01 of the "Illinois Administrative Procedure Act" this amendment is being adopted without a prior publishing as proposed amendments.
- \_\_\_\_\_, Ill. Reg. \_\_\_\_\_  
 (issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? N/A If answer is "yes," please complete the following:
- A) Statement of Objection: \_\_\_\_\_, Ill. Reg. \_\_\_\_\_  
 (issue date)
- B) Agency Response: \_\_\_\_\_, Ill. Reg. \_\_\_\_\_  
 (issue date)
- C) Date Agency Response Submitted for Approval to JCAR:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 11) Difference(s) between proposal and final version: N/A
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: No
- Section Numbers Proposed Action Illinois Register Citation
- 15) Summary and Purpose of Rule(s): Section 1176.410 is being amended to clarify DORS' policies regarding circumstances in which charges for copies of public record may be waived or reduced.
- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed  
 Regulations and Procedures Section  
 Department of Rehabilitation Services  
 P.O. Box 19429  
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896  
 T.D.D.: (217) 782-5734

The full text of Adopted Rule(s) begins on the next page:

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## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED REPEALER

1) Heading of the Part: Administrative Reviews and Hearings

2) Code Citation: 89 Ill. Adm. Code 510

3) Section Numbers: Adopted Action:

510.10	repeal
510.20	repeal
510.30	repeal
510.40	repeal
510.50	repeal
510.60	repeal
510.110	repeal
510.120	repeal
510.130	repeal
510.140	repeal
510.210	repeal
510.220	repeal
510.230	repeal
510.240	repeal
510.250	repeal
510.260	repeal
510.270	repeal
510.280	repeal
510.290	repeal
510.300	repeal
510.310	repeal
510.320	repeal
510.410	repeal
510.420	repeal

4) Statutory Authority: Implementing Section 3 of "An ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1981, ch. 23, par. 3434) and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1981, ch. 127, par. 16).

5) Effective Date of Rule(s) (Amendments, Repealer): September 26, 1989

6) Does this rulemaking contain an automatic repeal date?  
 Yes  No

7) Does this rule (amendment, repealer) contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: September 20, 1989

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED REPEALER

9) Notice of Proposal Published in Illinois Register:

March 10, 1989, 13 Ill. Reg. 3020  
 (issue date)

10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:

A) Statement of Objection: \_\_\_\_\_, Ill. Reg. \_\_\_\_\_  
 (issue date)

B) Agency Response: \_\_\_\_\_, Ill. Reg. \_\_\_\_\_  
 (issue date)

C) Date Agency Response Submitted for Approval to JCAR:

11) Difference(s) between proposal and final version: No differences

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
 Yes

13) Will this rule replace an Emergency Rule(s) currently in effect? No

14) Are there any amendments pending on this Part: No

Section Numbers Proposed Action Illinois Register Citation

15) Summary and Purpose of Rule(s): These rules detail the appeals utilized by clients of the vocational rehabilitation and home services programs.

16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed  
 Regulations and Procedures Section  
 Department of Rehabilitation Services  
 P.O. Box 19429  
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896  
 T.D.D.: (217) 782-5734

NOTICE OF ADOPTED RULES

- B) Agency Response: October 6, 1989 13 Ill. Reg. 15876 (Issue date)
- C) Date Agency Response Submitted for Approval to JCAR: September 12, 1989
- 11) Difference(s) between proposal and final version: Pursuant to agreements with the Joint Committee on Administrative Rules and the Administrative Code Division, DORS has agreed to make the following changes:
- To change headings of Sections 510.20 and 510.70 so that the text and table of contents match exactly.
  - The authority note now includes the effective date of the Public Act.
  - The definitions in Section 510.10(a) were arranged in alphabetical order. In the definition of "personal Representative", the language "Sections 510.10(b)(2) and 510.70(h)" was changed to "subsection (b)(2) of this Section and Section 510.70(h)". Part number "910" was changed to part number "895".
  - The subsections in Section 510.20 were re-labeled.
  - In Section 510.60(g), the acronym, "IWRP" has been defined (Individualized Written Rehabilitation Program)
  - In Section 510.90(a), "Section 8 of the" was added in front of the title of the Act in the next to the last line.
  - To place an example in Section 510.30(a)(12) which states: "(e.g., a client wishing to appeal DORS terminating sponsorship of another client in training for failing to maintain a "C" grade point average, per 89 Ill. Adm. Code 592.80)."
  - To state in Section 510.30(c) its standards for determining when failure would not result in dismissal which will read in part "...time frames shall result in dismissal of the appeal except if the failure to follow procedures was a result of DORS failure to provide required notice or information."
  - To amend Section 510.40(c) to state: "A grievant may request an interpreter, either sign (if the grievant is hearing impaired) or language (if the grievant's

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Appeals and Hearings
- 2) Code Citation: 89 Ill. Adm. Code 510
- 3) Section Numbers: 510.10, 510.20, 510.30, 510.40, 510.50, 510.60, 510.70, 510.80, 510.90, 510.100, 510.110
- Adopted Action:
- 4) Statutory Authority: Implementing Section 3 of "AN ACT in relation to rehabilitation of disabled persons," (Ill. Rev. Stat. 1987, ch. 23, par. 3434(g) as amended by Public Act 85-1381, effective September 1, 1988) and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 16).
- 5) Effective Date of Rule(s) (Amendments, Repealer): September 26, 1989
- 6) Does this rulemaking contain an automatic repeal date?  Yes  No
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 20, 1989
- 9) Notice of Proposal Published in Illinois Register: March 10, 1989, 13 Ill. Reg. 3036 (Issue date)
- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? Yes If answer is "Yes," please complete the following: Statement of Objection: August 18, 1989, 13 Ill. Reg. 13297 (Issue date)



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

normally spoken language is other than English), to attend the hearing. A visually impaired grievant may either request a reader to read materials provided by DORS in preparation for the hearing or request that the materials be provided in braille, large print or audiotape."

10. To change "may" to "shall" in Section 510.40(f).
11. To amend Section 510.40(g) to state: "After a request for a hearing is received by DORS, the grievant will be provided with written notification of his/her right to:"
12. To change the cross-reference in Section 510.40(g)(4) to state "subsection (c)."
13. To amend former Section 510.60(a) which was renumbered to Section 510.60(b) to state 60 days rather than 45.
14. To amend the second sentence of former Section 510.60(d) which was renumbered to Section 510.60(e) to state: "The length of time for any delay or continuance caused or requested by DORS or made by mutual agreement will be added to the 100 day period during which services will continue."
15. To amend Sections 510.70(j) and 510.70(k) to state:
  - j) The Hearing Officer has the power to:
    - 1) control the conduct of the hearing to prevent irrelevant or immaterial discussion (repetitive discussion or discussion not germane to the issue being appealed);
    - 2) rule upon all motions and other matters arising in the course of the hearing, including, but not limited to, a response to a party's motion or objection concerning the admissibility of evidence and;
    - 3) require the parties at any stage of any hearing or after all parties have completed the presentation of their evidence, to present further evidence including, but not limited to, the production of any and all documents, books, papers and accounts the Hearing Officer deems material or relevant to any issue.

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

- k) Any relevant evidence presented which is of a type commonly relied upon by reasonably prudent individuals may be admissible, i.e., any information not presented in the hearing previously which pertains to the issues raised in the appeal and which has been made available to both parties within the agreed upon time.
16. To amend Section 510.70(b)(2) to state: "a hearing will not be adjourned until the Hearing Officer has received all information agreed upon within the time the parties have agreed to provide it."
17. To insert "per Section 510.20" in Section 510.70(b)(3) after "review" and before "may" to circumscribe what is appealable.
18. To delete "undue delay caused by" in Section 510.70(g).
19. To amend the second sentence in Section 510.70(g) to state: "A hearing may for good cause shown (e.g., illness of the grievant, representative, or DORS employee or severe weather problems) be continued once by the Hearing Officer."
20. To amend the third sentence in Section 510.70(g) to state: "Notice of the request must be given in writing to the other party and to the Hearing Officer no less than three (3) days prior to the previously scheduled hearing date in the absence of an emergency (e.g., illness of the grievant, representative, or DORS employee or severe weather problems)."
21. To amend Section 510.80(b) to state:
 

The request must be received with 15 days of receipt of any written notice. Requests for hearings for grievances of issues for which notice has not been sent (e.g., DORS inaction) must be received within 15 days of the date the person knew or should have known, of the issue being grieved. For grievances relating to an available vending facility location (89 Ill. Adm. Code 650.600), the request for a Level I hearing must be made within 5 days of receipt by the grievant of the notice of the selection.
22. To change the cross reference in Section 510.80(a) to 34 CFR 361.48(c)(2).

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## NOTICE OF ADOPTED RULES

44. Section 510.80(e)(4) has been modified to change from 10 days to 15 days the number of days from the date of the Level I hearing decision notice. The language, "postmark on" has been replaced with "of receipt".
45. DORS has modified Section 510.90(a) to include the procedure required for a Level II request when a Level I hearing has not been held.
46. Section 510.90(f) has been modified to add, "with the exception of appeals by licensed blind vendors" in order to reflect DORS' policy for the blind vendors' Level II hearings, which has been added as Section 510.90(g).
47. Section 510.100(a) has been modified to state, "The Director may choose to review any Level II decision except for an appeal brought by a licensed blind vendor by issuing a Notice of Intent to Review within 10 days. The scope of such review shall include, but is not limited to, the consistency of the Hearing Officer's finding with applicable law and regulations."
48. Section 510.100(c) has been modified to delete "transcript" and "per subsection (c)", which was an incorrect cite.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: No
- Section Numbers Proposed Action Illinois Register Citation
- 15) Summary and Purpose of Rule(s):
- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed  
 Regulations and Procedures Section  
 Department of Rehabilitation Services  
 P.O. Box 19429  
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896  
 T.D.D.: (217) 782-5734

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

TITLE 89: SOCIAL SERVICES  
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
 SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 510  
 APPEALS AND HEARINGS

Section	
510.10	General Information
510.20	What May Be Appealed
510.30	What May Not Be Appealed
510.40	Grievant Rights
510.50	DORS' Rights
510.60	Service Notice
510.70	Conduct of Level I and Level II Hearings
510.80	Level I Hearings
510.90	Level II Hearings
510.100	Director's Review
510.110	Exhaustion of Administrative Remedies

AUTHORITY: Implementing Section 3 of "AN ACT in relation to rehabilitation of disabled persons," (Ill. Rev. Stat. 1987 and 1988 Supp., ch. 23, par. 3434(g), and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 16)

SOURCE: Adopted and codified at 7 Ill. Reg. 5230, effective April 1, 1983; amended at 7 Ill. Reg. 14526, effective October 19, 1983; amended at 9 Ill. Reg. 12325, effective July 30, 1985; peremptory amendment at 11 Ill. Reg. 6563, effective March 31, 1987; Part repealed, new Part adopted at 13 Ill. Reg. 15769, effective September 26, 1989.

## Section 510.10 General Information

## a) Definitions

For the purposes of this Part, the following terms have the following meanings:

"Client" means any individual who has been referred to, applied for, or is receiving services from DORS, and the parent or guardian of the person of a minor or a court appointed guardian of the person of an adult.

NOTICE OF ADOPTED RULES

"Days" unless otherwise specified, means working days, i.e., Mondays through Fridays, excluding state established holidays or days on which government offices are closed by order of the Governor.

"Director" means the Director of DORS.

"DORS" means the Department of Rehabilitation Services and does not include any contractor, grantee, nominee agency, or service provider.

"Grievant" means any person who has been aggrieved by any action or inaction of DORS; is receiving services from DORS; has made application for DORS services; has been denied application for DORS services; has been referred to or has sought services from DORS; has been determined by DORS to have misspent funds, as specified in 89 Ill. Adm. Code 527; Recovery of Misspent Funds; is an aggrieved licensed blind vendor, as specified in 89 Ill. Adm. Code 650; Vending Stand Program for the Blind; or the parent or guardian of the person of a minor or a court appointed guardian of the person of an adult.

"Hearing Officer" means a DORS employee appointed to conduct the Level I proceeding as set forth in Section 510.80 or an impartial Hearing Officer appointed to conduct the Level II proceeding as set forth in Section 510.90.

"Inaction" means the failure of DORS to act within 60 days on a client's request for any change in service or upon an application for services.

"Level I hearing" means a hearing at the first level of appeal by a grievant, as set forth in Section 510.80.

"Level II hearing" means a hearing at the second level of appeal by a grievant, as set forth in Section 510.90.

"Personal representative" means an attorney or other individual designated by a grievant to act on the grievant's behalf in the proceedings contained in this Part, as set forth in subsection (b) (2) of this Section and Section 510.70(h).

NOTICE OF ADOPTED RULES

"Schools" means the three schools which are operated by DORS: the Illinois Children's School and Rehabilitation Center, the Illinois School for the Deaf, and the Illinois School for the Visually Impaired.

"Services" means services provided directly or purchased by DORS as set forth in 89 Ill. Adm. Code: Chapter IV, Subchapters b, c, d, and e (Vocational Rehabilitation, Vocational Related Programs, Home Services Program and Community Services/Illinois Visually Handicapped Institute, respectively) and 89 Ill. Adm. Code 895 (Total Life Planning).

b) General Provisions

1) Any and all notices and communications made pursuant to this Part must be in writing, unless the grievant is unable to communicate in writing. All nonwritten communications must be documented in the grievant's file.

2) A personal representative may exercise any right of the grievant on the grievant's behalf. A grievant may only designate one personal representative at any one time.

3) All time periods related to communications arising under this Part commence on the date of receipt (receipt is presumed 4 days from the date of postmark or on the day of delivery for hand delivered items) or, if a nonwritten form of communication, on the date of receipt.

4) Appeals by any party not a "grievant" cannot be heard by DORS pursuant to this Part.

Section 510.20 What May Be Appealed

The following may be appealed under this Part:

a) DORS' refusal to provide any service;

b) modification of any service currently provided to the client by DORS, or termination of a service or case closure, unless agreed upon by the client and DORS;

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

- e) a determination that a client is ineligible for services;
- d) issues related to sex equity and DORS schools, set forth in 89 Ill. Adm. Code 829;
- e) refusal of the schools to permit modifications to a student's records, set forth in 89 Ill. Adm. Code 765.60 (a) (1);
- f) collection of misspent funds, set forth in 89 Ill. Adm. Code 527;
- g) inaction of DORS employees as defined in Section 510.10;
- h) dissatisfaction of a blind vendor with any action of DORS arising from the administration of the Vending Stand Program for the Blind; and
- i) dissatisfaction of a client of the Community Services for Visually Handicapped program.

## Section 510.30 What May Not Be Appealed

- a) The following may not be appealed under this Part:
  - 1) changes in services or procedures over which DORS exercises no discretion or control;
  - 2) changes in services or procedures which are mandated by federal or state law or regulation;
  - 3) failure to provide services which DORS does not provide;
  - 4) the establishment of, and provisions contained in, an Individualized Educational Program (IEP) and other matters as governed by 89 Ill. Adm. Code: Chapter IV, Subchapter f (Educational Facilities), except as set forth in Section 510.20 (d) and (e);
  - 5) all recommendations for decisions and procedures for the adjudication of benefits under the federal Social Security Act which are made by DORS under its authority from the United States Department of Health and Human Services, Social Security Administration, as set forth in 89 Ill. Adm. Code: Chapter IV, Subchapter g (Bureau of Disability Determination Services);

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

- 6) issues related to the legality of DORS' rules;
- 7) discipline of a vendor under the Vending Stand Program for the Blind, as set forth in 89 Ill. Adm. Code 650;
- 8) student discipline, as set forth in 89 Ill. Adm. Code 827;
- 9) matters concerning the conduct of clients at the Illinois Visually Handicapped Institute, as set forth in 89 Ill. Adm. Code 730. Subpart D;
- 10) DORS findings relating to the evaluation of rehabilitation facilities, as set forth in 89 Ill. Adm. Code 530. Subpart A;
- 11) a grievance which has already been decided through the appeal process as set forth in this Part; and
- 12) an action taken by DORS which does not affect the grievant (e.g., a client wishing to appeal DORS terminating sponsorship of another client in training for failing to maintain a "C" grade point average, per 89 Ill. Adm. Code 592.80).

- b) Should a grievant improperly request an appeal and other procedures for appeal are available, DORS will advise the grievant of the proper appeal process.
- c) Failure of the grievant to follow procedures as set forth in this Part or failure to request appeals within the specified time frames shall result in dismissal of the appeal except if the failure to follow procedure was a result of DORS failure to provide required notice or information.

## Section 510.40 Grievant Rights

- a) DORS must make the grievant aware, in a language that is understandable to the grievant, of the right to appeal pursuant to this Part, at the following times or events:
  - 1) upon application for services,
  - 2) upon denial of application,

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## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

## Section 510.50 DORS' Rights

DORS has the right to:

- a) refuse to hear appeals pursuant to Section 510.30;
- b) have a DORS attorney present at any hearing upon request;
- c) cooperation by the grievant;
- d) publish hearing summaries, with deletions as necessary to ensure confidentiality; and
- e) consolidate for hearing all issues relating to a grievant or to several grievants which arise out of the same set of facts and circumstances.

## Section 510.60 Service Notice

- a) This section applies to VR and HSP clients only.
- b) When an individual applies for VR or HSP services from DORS, the individual must be informed that DORS notifies clients whenever it denies, modifies or terminates a service or services, if not mutually agreed upon; and of the right to action within 60 days from request for an application. DORS must send the client a service notice at least 15 days before the effective date of the action.
- c) Any action mutually agreed upon must be so documented in the client's case file.
- d) The service notice must:
  - 1) contain the name, address and telephone number of the person to whom the request for the Level I or II hearing must be made (the supervisor of the staff who made the decision being appealed, or if that person was involved in the decision, that person's supervisor);
  - 2) outline the action;
  - 3) state the basis for the action;
  - 4) give the effective date of the action; and

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

- 5) inform the client of the right to a Level I hearing in the matter or that if a client of the vocational rehabilitation program chooses, he/she may proceed to Level II, and of the specific means of initiating the hearing.
- e) For issues related to termination, modification or change in existing services, the client must also be advised that DORS will continue to provide the disputed services (with the exceptions noted in subsections (f) and (g)) until DORS final decision has been issued or 100 days from the date of the service notice, whichever comes first. The length of time for any delay or continuance caused or requested by DORS or made by mutual agreement, will be added to the 100 day period during which services will continue. Any delays or continuances caused or requested by a grievant will not extend this period.
- f) A service which is the subject of an appeal will not continue if the change is:
  - 1) initiated by the client;
  - 2) unilaterally initiated by a service provider other than DORS;
  - 3) planned or authorized, but not commenced; or
  - 4) contraindicated on the basis of medical or psychological information contained in the client's case record.
- g) In no event will a disputed service continue past the planned ending date on the Individualized Written Rehabilitation Program (IWRP).

## Section 510.70 Conduct of Level I and Level II Hearings

- a) Procedures set forth in the Civil Practice Law (Ill. Rev. Stat. 1987, ch. 110, par. 2-101 et seq.) do not apply to the procedures contained in this Part.
- b) All hearings, as set forth in this Part, must be conducted in the following manner:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

1) DORS employees directly involved in the contested action will be present to testify and can be questioned by the grievant. However, if such person is no longer employed by DORS and declines to attend the hearing after DORS has made a reasonable attempt to secure his/her attendance, the person most knowledgeable about the case will attend;

2) a hearing will not be adjourned until the Hearing Officer has received all information agreed upon within the time the parties have agreed to provide it;

3) only information bearing directly on the issue under review per Section 510.20 may be introduced from the grievant's case file. The Hearing Officer may not consider any information that has not been made available to the other party;

4) either party may present additional information and evidence, which must also be made available to the other party;

5) if the grievant has chosen to have a Level I hearing and then requests a Level II hearing, the Level II hearing shall review only those issues presented by the grievant in the Level I hearing or which are material and related to those presented in the Level I hearing!

6) the following is the order of proceedings:

A) presentation, argument and disposition of all preliminary motions and matters,

B) opening statements,

C) evidence presented by the grievant,

D) evidence presented by DORS,

E) rebuttal by either or both sides, and

F) closing statements.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

c) The grievant and DORS may call any person as a witness and conduct examinations and cross-examinations. The Hearing Officer may examine any of the witnesses at any time or request additional information from either party.

d) The grievant and DORS may, by stipulation, agree upon any facts or laws involved in the proceeding. The facts stipulated must be considered as evidence in the proceeding.

e) It is the grievant's responsibility to prove to the Hearing Officer that his/her position is correct, and the grievant shall be so informed prior to the Level I and Level II hearings.

f) DORS will assume all administrative costs of the appeals, i.e., interpreter, pursuant to Section 510.40(c), and record, pursuant to Section 510.90(d), but not costs personally incurred by the grievant because of the proceedings, e.g., legal fees, travel, witness costs, and room and board.

g) All parties involved in the hearing must avoid repetitive continuances so that the subject matter of the hearing may be resolved expeditiously. A hearing may for good cause shown (e.g., illness of the grievant, representative, or DORS employee or severe weather problems) be continued once by the Hearing Officer. Notice of the request must be given in writing to the other party and to the Hearing Officer no less than three (3) days prior to the previously scheduled hearing date in the absence of an emergency (e.g., illness of the grievant, representative, or DORS employee or severe weather problems).

h) DORS and the Hearing Officer must be notified by the grievant of the appointment of a personal representative by filing, no later than 3 days in advance of a hearing, a notice of appearance stating the personal representative's name, address and telephone number, identifying the grievant represented, and signed by the grievant. Such notice must be accompanied by appropriate consent for the release of confidential information to the personal representative.



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

- i) At least 3 days prior to the hearing, the grievant and the DORS staff person who has taken the action being appealed must provide each other and the Hearing Officer with a list of witnesses, copies of documents not in the possession of the other party, and a summary of the evidence which they plan to present at the hearing.
- j) The Hearing Officer has the power to:
  - 1) control the conduct of the hearing to prevent irrelevant or immaterial discussion (repetitive discussion or discussion not germane to the issue being appealed);
  - 2) rule upon all motions and other matters arising in the course of the hearing, including, but not limited to, a party's motion or objection concerning the admissibility of evidence; and
  - 3) require the parties, at any stage of any hearing or after all parties have completed the presentation of their evidence, to present further evidence including, but not limited to, the production of any and all documents, books, papers and accounts the Hearing Officer deems material or relevant to any issue.
- k) Any relevant evidence presented which is of a type commonly relied upon by reasonably prudent individuals may be admissible, i.e., any information not presented in the hearing previously which pertains to the issues raised in the appeal and has been made available to both parties within the agreed upon time.

## Section 510.80 Level I Hearings

- a) A grievant who is not satisfied with an action taken by DORS is entitled to a Level I hearing. If a client of the vocational rehabilitation program chooses to have a Level I hearing, this request signifies agreement with an extension of the federally mandated time for a Level II hearing, per 34 CFR 361.48 (c) (2), and the times shall commence on the date the Level II hearing is requested.

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

- b) The request must be received within 15 days of receipt of any written notice. Requests for hearings for grievances of issues for which notice has not been sent (e.g., DORS inaction) must be received within 15 days of the date the person knew, or should have known, of the issue being grieved. For grievances relating to an available vending facility location (89 Ill. Adm. Code 650.600), the request for a Level I hearing must be made within 5 days of receipt by the grievant of the notice of the selection.
- c) The Hearing Officer for a Level I hearing must be the supervisor of the DORS staff person who has taken the action being appealed, or that person's supervisor pursuant to Section 510.60 (d), except for hearings requested to modify school records (89 Ill. Adm. Code 765.60(a)(1)) and to resolve school sex equity issues (89 Ill. Adm. Code 829) which must be heard by the school's superintendent or designee.
- d) The hearing must be scheduled for between 10 and 15 days of date of receipt of request for hearing. The grievant must be informed in writing by the Hearing Officer, within 5 days of receiving the request, of the date, time, location of the hearing, name and address of the Hearing Officer (for requests for extensions), and of all rights accorded under this Part. If the grievant has notified DORS of his/her inability to attend a hearing at the local DORS office, it will be held in the grievant's home.
- e) Within 10 days after adjournment of the Level I hearing the grievant must be informed of the decision in writing. The decision must contain:
  - 1) a statement of the basis upon which the decision was made;
  - 2) the applicable laws and policies used;
  - 3) the name and address of the DORS Hearings Coordinator; and
  - 4) a statement that if the grievant is dissatisfied with the decision, a request for a Level II hearing must be received by the Hearings Coordinator within 15 days from the date of receipt of the Level I hearing decision notice.

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## NOTICE OF ADOPTED RULES

reasoning that led to the decision, the right to appeal per Section 510.110(b), and have a copy of the Hearing Officer's recommendations attached.

## Section 510.100 Director's Review

- a) The Director may choose to review any Level II decision except for an appeal brought by a licensed blind vendor by issuing a Notice of Intent to Review within 10 days. The scope of such review shall include, but is not limited to, the consistency of the Hearing Officer's finding with applicable law and regulations.
- 1) The DORS Hearings Coordinator and appropriate program staff will review the grievant's case file and the transcript of the Level II hearing, and make a recommendation to the Director regarding a Level II decision which is thought to be:
    - A) in violation of constitutional, statutory, regulatory, or written policy;
    - B) in excess of the statutory authority of DORS;
    - C) affected by other error of law, regulation, or written policy;
    - D) not reasonably supported by the evidence; or
    - E) arbitrary, capricious, or characterized by abuse of or clearly unwarranted exercise of discretion.
  - 2) If the Director determines that a review is necessary, based on the recommendations made in subsection (a)(1) of this Section, the Notice shall be sent to the grievant, who shall be informed of the right to submit additional written

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

evidence and arguments to the Director. Such additional evidence and arguments must be received within 10 days of receipt of the Notice.

- b) The Director's decision, citing the findings and grounds, must be mailed within 30 calendar days of the Notice. This decision must be sent by Certified Mail, return receipt requested, to the grievant.
- c) The Director may modify, reverse or uphold the Hearing Officer's decision. This decision is based upon review of the Level I decision, the Level II record, and the Hearing Officer's decision, and any additional evidence and arguments submitted by the grievant.

## Section 510.110 Exhaustion of Administrative Remedies

- a) DORS administrative action becomes final upon the decision of the Director, or, if no such review has been undertaken, 10 days after the Level II Hearing Officer's decision has been issued.
- b) Any further appeal must be made to the courts, except that a vendor in the Vending Stand Program must first file an appeal with the U.S. Department of Education in accordance with the Randolph-Sheppard Act (20 U.S.C. 107 et seq.).

NOTICE OF ADOPTED RULES

1) Heading of the Part: Total Life Planning Program

2) Code Citation: 89 Ill. Adm. Code 895

3) Section Numbers: Adopted Action:

895.10	new section
895.20	new section
895.30	new section
895.40	new section
895.50	new section
895.60	new section
895.70	new section

4) Statutory Authority: Implementing and authorized by Section 3(b) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, par. 3434(b)).

5) Effective Date of Rule(s) (Amendments, Repealer): September 25, 1989

6) Does this rulemaking contain an automatic repeal date? Yes  No

7) Does this rule (amendment, repealer) contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: September 25, 1989

9) Notice of Proposal Published in Illinois Register: March 17, 1989, 13 Ill. Reg. 3310 (issue date)

10) Has JCAR issued a Statement of Objections to this (these) Rule(s)? Yes if answer is "yes," please complete the following:

A) Statement of Objection: August 18, 1989, 13 Ill. Reg. 13302

B) Agency Response: Sept. 22, 1989 13 Ill. Reg. 15127 (issue date)

C) Date Agency Response Submitted for Approval to JCAR: August 29, 1989

NOTICE OF ADOPTED RULES

11) Difference(s) between proposal and final version: Pursuant to agreements made with the Administrative Code Division and the Joint Committee on Administrative Rules, DORS has agreed to make the following changes:

1. To delete the comma after minor in Section 895.10 under the definition of "Client".

2. To modify the definition of "TLP" to read: "TLP" means total life planning (TLP) and consists of evaluating a client's abilities and needs, developing the client's goals and a plan for meeting those goals, and referring the client to the appropriate agencies for the services identified in his/her plan."

3. To state examples of such assistance in Section 895.20(a) as "(e.g. case management services, communication training, information referral)".

4. To amend Sections 895.20(b)(1) and (b)(5) to include an introductory clause which states "providing assistance".

5. To state "appeal, as set forth in 89 Ill. Adm. Code 510 (Appeals and Hearings)" in Section 895.20(c)(4).

6. To update the citation to state "(42 U.S.C. 2000d et seq. 1987)" in Section 895.20(f).

7. To delete "significantly limit or will significantly limit in the future" in former Section 895.40(a)(1) renumbered to 895.40 and state: "result in the client's need for assistance in".

8. To delete "self-direction" from Section 895.40(a)(1)(E) renumbered to Section 895.40.

9. To delete Section 895.40(a)(2) as eligibility is established by the need for assistance in two or more areas in old subsection (a)(1) renumbered to Section 895.40.

10. To place examples after each of the needs assessment areas in new Section 895.50(a)(1-10) to state:

a) The TLP Specialist shall determine the client's needs through an assessment of the following:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

- 1) medical condition and treatment (e.g., degree of visual impairment and hearing loss, orthopedic impairments, diabetes or kidney disorder),
  - 2) communication skills (e.g., client lacks fluency in major mode of communication such as braille or sign language, or client has no form of communication),
  - 3) socialization skills (e.g., client has inability to relate with others),
  - 4) behavior skills (e.g., client has behavior disorders or lacks self-control),
  - 5) academic skills (e.g., client lacks reading or writing skills),
  - 6) vocational skills (e.g., client is not punctual or is unable to follow an employer's instructions),
  - 7) mobility skills (e.g., client is unable to travel independently in the home or client is unable to travel independently outside the home),
  - 8) daily living skills (e.g., client is unable to independently perform housekeeping chores, prepare foods, perform personal hygiene tasks),
  - 9) leisure/recreational skills (e.g., client is unable to independently choose recreational activities or client lacks access to recreational activities), and
  - 10) inability to obtain and utilize services from other public and private agencies (due to lack of communication skills, lack of transportation or inaccessibility of agencies or services).
11. To amend Section 895.50(a)(1) renumbered to 895.50(b)(1) to state how acceptable objectives are developed as "b) Based upon the client's needs assessment described in subsection (a), the TLP staff

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

- and client will develop a TLP Service Program. The Program shall: 1) outline the objectives developed to address the areas of need determined by the results of the needs assessment to make the client more independent."
12. To amend Section 895.50(a)(2) renumbered to 895.50(b)(2) to state examples of the types of client activities and TLP specialist activities which could be conducted to meet program objectives as:
- 2) contain activities of the client, (e.g., attend Helen Keller National Center for Communication Training, purchase communication equipment, or be counseled) and the TLP specialist (e.g., refer client for housing, train employers in communication skills, arrange for transportation, provide technical assistance to counselors in vocational rehabilitation cases, or refer client for orientation and mobility training) which are necessary to meet those objectives.
13. To amend Section 895.60 to state:
- a) An annual review of the client's TLP Service Program will be conducted by the TLP Specialist and the client to determine:
    - 1) which activities have been completed,
    - 2) which objectives have been met, and
    - 3) whether any new activities or objectives need to be added.
  - b) The annual review must be signed by the client.
14. To add "of 1970" following "The Illinois Constitution" in Section 895.20(f).
15. To correct margins and indentations in several sections.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No

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## b) Client Responsibilities

Clients are expected to cooperate with the TLP staff in:

- 1) providing assistance in determining eligibility,
- 2) meeting the responsibilities specified in the clients' TLP Service Programs,
- 3) keeping appointments,
- 4) carrying out medical and other professional instructions, and
- 5) providing assistance in completing annual TLP reviews.

## c) Client Rights

Clients have the right to:

- 1) terminate TLP services at any time,
- 2) apply for TLP services at any time,
- 3) discuss any problem or complaint about their TLP Programs at any time, and
- 4) appeal, as set forth in 89 Ill. Adm. Code 510 (Appeals and Hearings), any decision concerning eligibility, service provision, or closure.

## d) Confidentiality

TLP clients' records are confidential and subject to the rules contained in 89 Ill. Adm. Code 505 (Confidentiality of Information).

## e) Documentation of Guardianship

TLP staff will request a copy of proof of legal guardianship of a client. The copy will be kept in the client's case file.

## f) Non-Discrimination Compliance

In compliance with the Illinois Human Rights Act (Ill. Rev. Stat. 1987, ch. 68, pars. 1-101 et seq.), the Illinois Constitution of 1970, the U.S. Civil Rights Act of 1964 (42 U.S.C. 2000d et seq. 1987), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF ADOPTED RULES

Financial Assistance, (34 CFR 104), and the U.S. Constitution, the TLP Program will not discriminate in admission or access to, or treatment or employment in, TLP programs or services.

## Section 895.30 Application

The TLP Program requires that an application for services be signed by the client before a determination of eligibility for TLP services begins.

## Section 895.40 Eligibility

To be eligible for TLP services, a client must have documented visual and hearing impairments which result in the client's need for assistance in two or more of the following:

- a) education,
- b) mobility,
- c) communication,
- d) self-care,
- e) social and vocational planning, and
- f) recreation (leisure activity).

## Section 895.50 Service Program

a) The TLP Specialist shall determine the client's needs through an assessment of the following:

- 1) medical condition and treatment (e.g., degree of visual impairment and hearing loss, orthopedic impairments, diabetes or kidney disorder),
- 2) communication skills (e.g., client lacks fluency in major mode of communication such as braille or sign language, or client has no form of communication),
- 3) socialization skills (e.g., client has inability to relate with others),
- 4) behavior skills (e.g., client has behavior disorders or lacks self-control),
- 5) academic skills (e.g., client lacks reading or writing skills),
- 6) vocational skills (e.g., client is not punctual or is unable to follow an employer's instructions),
- 7) mobility skills (e.g., client is unable to travel independently in the home or client is unable to travel independently outside the home),

NOTICE OF ADOPTED RULES

- 8) daily living skills (e.g., client is unable to independently perform housekeeping chores, prepare foods, perform personal hygiene tasks), leisure/recreational skills (e.g., client is unable to independently choose recreational activities or client lacks access to recreational activities), and
- 10) inability to obtain and utilize services from other public and private agencies (due to lack of communication skills, lack of transportation or inaccessibility of agencies or services).

b) Based upon the client's needs assessment described in subsection (a), the TLP staff and client will develop a TLP Service Program. The Program shall:

- 1) outline the objectives developed to address the areas of need determined by the results of the needs assessment to make the client more independent,
- 2) contain activities of the client, (e.g., attend Helen Keller National Center for Communication Training, purchase communication equipment, or be counseled) and the TLP Specialist (e.g., refer client for housing, train employers in communication skills, arrange for transportation, provide technical assistance to counselors in vocational rehabilitation cases, or refer client for orientation and mobility training) which are necessary to meet those objectives,
- 3) identify the person or agency responsible for providing the activity, and
- 4) establish time frames for completion of each activity.

c) Each Program shall include client comments and must be signed by the client.

Section 895.60 Annual Review

a) An annual review of the client's TLP Service Program will be conducted by the TLP Specialist and the client to determine:

- 1) which activities have been completed,
- 2) which objectives have been met, and

NOTICE OF ADOPTED RULES

3) whether any new activities or objectives need to be added.

b) The annual review must be signed by the client.

Section 895.70 Closure

TLP cases will be closed when:

- a) the client dies,
- b) the client requests in writing that the case be closed, or
- c) the client moves out of state.





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## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATEPART 1001  
PROCEDURES AND STANDARDS

## SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section	
1001.10	Applicability
1001.20	Definitions
1001.30	Right to Counsel
1001.40	Appearance of Attorney
1001.50	Special Appearance
1001.60	Substitution of Parties
1001.70	Commencement of Actions; Notice of Hearing
1001.80	Motions
1001.90	Form of Papers
1001.100	Conduct of Formal Hearings
1001.110	Orders
1001.120	Record of Hearings
1001.130	Invalidity

## SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section	
1001.200	Applicability
1001.210	Definitions
1001.220	Hearings: Notice; Locations; Procedures; Record
1001.230	Rules of Evidence
1001.240	Scope of Hearings
1001.250	Decisions and Orders
1001.260	Rehearings
1001.270	Judicial Review
1001.280	Invalidity

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS  
IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section	
1001.300	Applicability
1001.310	Definitions
1001.320	Right to Representation
1001.330	Records and Reports
1001.340	Location of Hearings
1001.350	Duties and Responsibilities
1001.360	Decisions
1001.370	Invalidity

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS,  
REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF  
DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section	
1001.400	Applicability
1001.410	Definitions
1001.420	General Provisions Relating to the Issuance of Restricted Driving Permits
1001.430	General Provisions for Reinstatement of Driving Privileges after Revocation
1001.440	Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations, and Denials
1001.450	New Hearings
1001.460	Requests for Modification of Revocations and Suspensions
1001.470	Renewal, Correction and Cancellation of RDP's
1001.480	Unsatisfied Judgements <u>Suspensions</u>
1001.490	Invalidity

AUTHORITY: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103, 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. 1985 1987, ch.95 $\frac{1}{2}$ , pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118). Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. 1985 1987, ch.95 $\frac{1}{2}$ , pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101). Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95 $\frac{1}{2}$  of the Illinois Vehicle Code (Ill. Rev. Stat. 1985 1987, ch.95 $\frac{1}{2}$ , pars. 2-103, 2-104, 6-205(c), and 6-206(c)3). Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. 1985 1988, ch.95 $\frac{1}{2}$ , pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208).

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803, effective October 1, 1989.

NOTE: Capitalization denotes Statutory language.

## SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

## Section 1001.30 Right to Counsel

- a) Any party may appear and be heard through an attorney at law licensed to practice in the State of Illinois: and any law student

NOTICE OF ADOPTED AMENDMENTS

SECRETARY OF STATE

licensed under Supreme Court Rule 711. (111. Rev. Stat. 1987, ch. 110A, par. 711).

1) Attorneys admitted to practice in states other than the State of Illinois may appear and be heard by special leave of the Hearing Officer appointed to conduct the hearing, upon the attorney's verbal representations or written documentation as to the attorney's admittance.

2) A natural person may appear and be heard on his or her own behalf.

3) A corporation, association, or partnership may appear and present evidence by any bona fide officer, employee, or representative.

b) Only an attorney properly licensed or any law student licensed under Supreme Court Rule 711 shall represent anyone else in any hearing in any matter involving the exercise of legal skill or knowledge.

The standards of conduct shall be the same as before the Courts of the State of Illinois.

(Source: Amended at 13.111. Reg. 15803, effective October 1, 1989.)

Section 1001.50 Special Appearance

Prior to filing any other pleading or motion, a special appearance may be made either in person or by an attorney for the limited purpose of objecting to jurisdiction. Every appearance not expressly designated a special appearance shall be deemed to be a general appearance. If the reasons for objecting to jurisdiction are not apparent from the papers on file in the proceeding, the special appearance shall be supported by affidavit setting forth the reasons. In ruling upon any objection, the Hearing Officer may consider all matters apparent from the papers on file, affidavits submitted by any party, and any other evidence adduced upon disputed issues of fact. No determination of any issue of fact in connection with the objection is a determination of the merits of the case or any aspect thereof. A ruling adverse to the movant does not preclude the making of any motion or defense which might otherwise have been made. If the Hearing Officer sustains the objection, an appropriate ruling shall be entered of record. Error in ruling against the objection is not waived by the objector's taking part in further proceedings in the matter.

(Source: Amended at 13.111. Reg. 15803, effective October 1, 1989.)

Section 1001.60 Substitution of Parties

A Hearing Officer shall, upon motion, when proper in cases in which a party has died, resigned, been moved or otherwise succeeded to the interest of a previously named party rule on a request for the substitution of parties.

(Source: Amended at 13.111. Reg. 15803, effective October 1, 1989.)

Section 1001.70 Commencement of Actions; Notice of Hearing

a)

A contested case is commenced by the Office, either after the written request of the Applicant or on the Office's initiative, by service of a Notice of Hearing in accordance with Section 2-114, within the time limitation contained in Sections 2-118(a) and (b) and 3-402(B)(7)(a) and (b), as applicable, of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (111. Rev. Stat. 1985 1987, ch. 95 1/2, pars. 2-114, 2-118(a) and (b), and 3-402(B)(7)(a) and (b)) 1-100-00-(the-Code) upon the Respondent.

b)

The Notice of Hearing shall include:

1) The names and addresses of all known parties, Petitioner and Respondent, including the department initiating said hearing;

2) Whether the hearing is at the request of the Petitioner or Applicant;

3) The time, date and place of hearing;

4)---The-name-of-the-Hearing-Officer;

54)

A short and concise statement of facts, (as distinguished from conclusions of law or a mere recitation in the words of the statute) alleging the act or acts done by each Petitioner or, where appropriate, Respondent; the time, date and place each such act was done or a short and concise statement of the matters asserted; and the rule, statute, or constitutional provision, if any, alleged to have been violated or otherwise involved in the proceeding; and the relief sought by the petitioning party;

65)

A concise statement to each party that:

A) Such party may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate in the hearing.

B)

Failure to so appear shall constitute a default, unless such party has, upon due notice to other parties, moved for and obtained a continuance from the Hearing Officer.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- c) Delivery of notice to the designated representative of a party constitutes service upon said party.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989)

## Section 1001.100 Conduct of Formal Hearings

- a) All hearings conducted in any proceeding shall be open to the public. Pursuant to statute, Formal Hearings shall be conducted in Springfield, Chicago, Hillside or Mt. Vernon, ~~except that~~ Petitioners who have permanently relocated outside of the State of Illinois and Petitioners who are still residents but are outside the State of Illinois for 30 days or more due to employment reasons (e.g. military service) may make written application in lieu of returning to Illinois for a Formal Hearing, provided he/she Such application shall be deemed to waive their his/her right to appearance, waives their right to representation; ~~and~~ Out of state applicants must submit at a minimum all documentation and information required by Subpart D herein, and as well as a sworn, out-of-state Petitioner's affidavit, which provides the information otherwise required by the Illinois Secretary of State (the Secretary) at a Formal Hearing. ~~However;~~ Out-of-state Petitioners who reside within 30 miles of the Illinois border shall be required to attend a Hearing in person, unless the Petitioner shows good cause for not being able to attend in person. Good cause is shown when it is demonstrated through a written statement that the Petitioner ~~is prohibited by~~ cannot attend a Formal Hearing in person due to economic, physical, or mental ~~restraints from attending~~ medical reasons. Mere inconvenience does not constitute good cause.
- b) Every hearing shall be presided over by a Hearing Officer duly appointed by the Secretary. The Secretary shall also appoint a representative to appear and participate in said hearing on his/her behalf. Prior to the taking of evidence, the Petitioner/Respondent may request disqualification of the Hearing Officer by making a motion on the record for same, stating the specific grounds upon which it is alleged that a fair and impartial hearing cannot be afforded the Petitioner/Respondent by the Hearing Officer. The Hearing Officer will rule upon the motion. If the motion is denied, the hearing will proceed, or the Petitioner may withdraw from the Hearing. If the motion is granted, the case shall be transferred to another Hearing Officer for a same-day hearing on the same day if possible. If it is not possible to schedule a hearing on the same day, a new hearing date will shall be established scheduled and a new Hearing Officer shall be assigned by the Secretary. The Hearing Officer shall have authority to conduct the hearing, to rule on all motions, to administer oaths, to subpoena witnesses or documents at the request of any party, to examine witnesses, and to rule upon the

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

admissibility of testimony and evidence.

- c) The technical rules of evidence shall not apply. Any relevant evidence may be admitted if it is the sort of evidence relied upon by reasonably prudent people in the conduct of their affairs, ~~regardless of the~~ existence of any common law or statutory exclusionary rule which might make improper the admission of such evidence over objections in civil or criminal actions shall not be a bar to the admissibility of otherwise relevant evidence. The rules of privilege shall be followed to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant, and immaterial and or unduly repetitious evidence shall may be excluded upon objection. Objections to evidentiary offers may be made and shall be noted in the record, and ruled upon by the Hearing Officer. Any party may make an offer of proof following an adverse evidentiary ruling. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, any part of the evidence may be received in written form. Subject to the evidentiary requirements of this subsection, a party may conduct cross-examination required for a full and fair disclosure of the facts.
- d) Official Notice may be taken of past hearings and any matter of which the Circuit Courts of Illinois may take judicial notice. In addition, official notice may be taken of generally recognized technical or scientific facts within the agency's specialized knowledge. Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material noticed, including staff memoranda and data, and they shall be afforded an opportunity to contest the material so noticed. The Department's and the Hearing Officer's experience, technical competence and specialized knowledge may be utilized in the evaluation of the evidence.
- e) Upon written request, made, at least ten (10) business days prior to the hearing, a party shall furnish to other parties a list of the names and addresses of prospective witnesses, or furnish written answers to a written demand for a bill or particulars.
- f) Any party or his representative shall have the right, upon written motion made at least ten (10) business days prior to the hearing, to inspect any relevant documents in the possession of or under the control of any other party and to interview parties or persons having knowledge of relevant facts, subject to any statutory or constitutional privileges. Interviews of persons and inspection of documents shall be at times and places reasonable for the persons and for the custodian of the document.

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## NOTICE OF ADOPTED AMENDMENTS

unless otherwise provided for in Subpart D.

- r) All exhibits for any party shall be clearly marked for identification and as admitted into evidence by the Hearing Officer.
- s) Report of Proceedings.
- 1) The Department shall, at its expense, have present at each hearing, an electronic recording device or a qualified court reporter, for the purpose of making a permanent and complete report of the proceedings, to-wit: evidence admitted or tendered and not admitted, testimony, offer of proof, objections, remarks of Hearing Officer and of parties and/or their representatives, all rulings of Hearing Officers.
  - 2) Upon request and at his own expense any party may have a copy of said report of proceedings, from said court reporter, or transcribed from the electronic device by the Department at the statutory rate as set forth in Section 10 of "AN ACT concerning fee and salaries, and to classify the several counties of the this state with reference thereto" (Ill. Rev. Stat. 1985 1987, ch. 53, par. 24) and 2 Ill. Adm. Code 551.150, or the cost of an audio tape plus mailing.
- t) A request for to continuance of or withdraw a hearing request is directed to the sound discretion of the Hearing Officer to whom the case has been assigned for hearing. Such Either request may be granted, for good cause shown, provided the request is received by the Department not less than five (5) days prior to the hearing date unless good cause is shown within the five days or during the hearing due to the need for new evidence, sudden unavailability of counsel, sudden illness of a party, or similar reasons. Such request prior to the hearing shall be in writing and shall set forth the grounds alleged therefore. "Good cause" is shown when a Petitioner or Respondent demonstrates a real and compelling need for additional time. "A real and compelling need" includes, but is not limited to, service in the armed forces, serious illness, family death, or act of God, relating to either party or that party's attorney. No request by any attorney on behalf of a Petitioner/Respondent will be considered unless the attorney shall have filed a written notice of appearance as provided in Section 1001.40.
- u) No Formal Hearing shall be continued "generally". A continuance, when granted, shall state a date certain, not more than sixty (60) days from the prior hearing date at which time the hearing shall reconvene. Repeated continuances will not be granted. If the Petitioner is not prepared to go forward after the first continuance a request to withdraw should be submitted.

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- v) The Secretary will provide an interpreter for hearing impaired Petitioners/Respondents who wish to testify; providing a language interpreter, however, is the responsibility of the Petitioner/Respondent.
- w) The party requesting the hearing may ~~withdraw the request~~ withdrawal from the hearing at any time up to the conclusion of the taking of evidence. A request to withdraw from a hearing which in the Hearing Officer's judgment is based upon surprise of evidence presented or adverse evidence shall not be granted. Upon withdrawal, the requested relief will not be considered and the case dismissed. Should the party request another hearing, it must be done in writing and it will be treated as any other request for hearing. (See Section 1001.70).

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989)

## Section 1001.110 Orders

- a) The Department shall prepare a written order for all final determinations, which shall include the Findings of Fact, Conclusions of Law, Recommendations of the Hearing Officer, and the Order of the Secretary.
- b) The Hearing Officer shall prepare the Findings of Fact, Conclusions of Law, and Recommendations to the Secretary. The Findings of Fact and Conclusions of Law must be stated separately.
- c) The Order of the Secretary of State shall be the decision of the Office upon the application for relief.
- d) The Department shall notify all parties and their agents personally or by mail of the Findings of Fact, Conclusions of Law, Recommendations, and the Order within the statutory time limit but in no case more than 180 days of the date of the hearing's conclusion.
- e) An Orders of Default shall be entered against the a Petitioner or Respondent, ~~as the case may be; where the Petitioner or Respondent who fails to appear for the a hearing at the scheduled time and has failed to request or been granted a continuance in accordance with~~ Section 1001.100(t) and (u).
- f) Orders resulting from Formal Hearings are final administrative orders within the meaning of the Administrative Review Law. (Ill. Rev. Stat. 1987, ch. 110, pars. 3-101 et seq.)

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989)

submitting a written request; within 15 days of the mailing date of the Notice of Suspension, will be afforded a full, fair and impartial hearing shall be afforded for the purpose of to contest the preliminary finding of the Secretary, determining whether the petitioner's driving privileges, driver's license, or registration should be suspended or an order of exoneration entered. Hearing requests received after the prescribed time will be granted; however, the suspension will not be stayed or removed pending the hearing.

b) The hearing afforded petitioner shall determine the decision resulting from the hearing shall be based upon the following factors: whether said petitioner, as a motor vehicle owner or operator, has been involved or whose vehicle has been involved in a motor vehicle accident occurring within the State of Illinois and which has resulted in bodily injury or death of any person or in which damage to the property of any one person exceeds the amount provided by statute; and, further, whether petitioner is exempt from the Safety Responsibility Law; and whether there exists a reasonable possibility of a civil judgment against the petitioner. The petitioner shall bear the burden of proof throughout the proceedings. The standard of proof shall be a preponderance of the evidence.

c) The hearing shall be initiated by the issuance of a Notice of Hearing by the Secretary. Said notice shall be served upon the petitioner, as the party against whom action may be taken by the Secretary, any interested party, and any attorney of record. The Notice of Hearing shall be a written statement setting forth, but not limited to the following information; to wit:

- 1) The name of the petitioner;
- 2) The name and address of any claimants or injured parties;
- 3) The date, time, place, and nature of the hearing;
- 4) The matters to be addressed at the hearing;
- 5) The name of the Hearing Officer;
- 6) The specific sections of the Statutes involved; and
- 7) The statutory authority pursuant to which the hearing is being conducted.

8) Advise the petitioner that a failure to appear will result in the denial of any relief requested and that at any rehearing

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS  
Section 1001.210 Definitions

"Administrative Hearing" means a proceeding in which the legal rights, duties, and privileges of a petitioner are determined by the Secretary as required by the Safety Responsibility Law.

"Code" means the Illinois Vehicle Code, (Ill. Rev. Stat. 1985 1987, ch.95 1/2, pars 1-100 et seq. as amended).

"Department" means the Department of Transportation, State of Illinois.

"Hearing Officer" means the person appointed by the Secretary to conduct an administrative hearing held pursuant to these regulations.

"Interested Party" means an insured person, claimant, or parties suffering property damages and/or personal injuries who is not the petitioner.

"Party" means each person specifically named as a party to the administrative hearing, or admitted as a person interested in the subject matter of the administrative hearing held pursuant to these regulations; not including interested party.

"Person" means every natural person, firm, co-partnership, association, or corporation.

"Petitioner" means any person who could be or is being afforded a hearing pursuant to these regulations and who is the only party as defined in Paragraphs Sections 7-201 and 7-202 of the Code, as being subject to the Illinois Safety Responsibility Law.

"Secretary" means the Secretary of State, State of Illinois, through the Department of Administrative Hearings.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )  
Section 1001.220 Hearings: Notice; Location; Procedures; Record

a) Subsequent to certification of an uninsured motorist by the Department of Transportation as provided by statute, and upon a preliminary finding that a REASONABLE POSSIBILITY OF A CIVIL JUDGMENT exists, the Secretary shall institute a Notice of Suspension which advises the petitioner of his/her right to a hearing in lieu of a deposit of security. Upon receipt of the Any Petitioner's timely by



## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

granted under Section 1001.260 the Petitioner will be deemed to have waived the right to subpoena, or cross-examine witnesses that testified at the original hearing.

- e) Hearings shall be conducted in the Counties of Cook, DeKalb, Will, Rock Island, Tazewell, Adams, Sangamon, Champaign, Coles, Kane, Marion, St. Clair, Jackson, and in such other locations as the Secretary shall from time to time designate. If the Secretary determines to abandon or change the location of the hearing outside the counties where any one of the thirteen (13) original hearing locations are situated, which are located in the counties listed in the previous sentence, the Secretary shall publish in a local newspaper of general circulation in each county served by such office, twenty days prior notice thereof. The notice shall indicate the reasons for such determination and shall identify the new location proposed to serve each county, if known at the time of publication.
- f) Every hearing shall be presided over by a Hearing Officer duly appointed by the Secretary. The Secretary shall also appoint a representative to appear and participate in his behalf. Prior to the taking of evidence, a Petitioner may request the disqualification of the Hearing Officer by making a motion for same, stating the specific grounds upon which it is alleged that a fair and impartial hearing cannot be afforded the Petitioner by the Hearing Officer. The Hearing Officer will rule upon the motion and the motion shall be granted if the Hearing Officer previously heard the case, or is personally acquainted with the parties. If the motion is denied, the hearing will proceed. If the motion is granted, the case shall be transferred to another Hearing Officer for a same day hearing if possible. If not possible, a new hearing date will be established and a new Hearing Officer shall be assigned by the Secretary. The Hearing Officer shall have authority to conduct the hearing, to rule on all motions, to administer oaths, to subpoena witnesses or documents at the request of any party, to examine witnesses, and to rule upon the admissibility of testimony and evidence.
- g) Each party to the hearing shall have the following rights:
- 1) The right to the issuance of subpoenas upon a ten (10) business day written request directed to the Hearing Officer;
  - 2) The right to call and examine witnesses;
  - 3) The right to cross-examine witnesses on any matter relevant to the issues, even though the matter was not covered on direct examination;

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- 4) The right to introduce exhibits; and
  - 5) The right to obtain in advance, upon a ten-(10)-business-day written request, copies of all related police reports not designated confidential by State Law. Such requests must be submitted at least 10 business days prior to the hearing date to be considered. The parties may request copies of the related police reports at the hearing if the need for such copies could not be foreseen before the hearing, or the need for them arose because of issues or allegations adduced at the hearing.
- h) The Petitioner shall have the right to appear in person and be heard through an attorney at law licensed to practice in the State of Illinois or any law student licensed under Supreme Court Rule 711. If the Petitioner does not testify on his own behalf, he may be called by the representative of the Secretary and examined as if under cross-examination.
- 1) Attorneys admitted to practice in states other than the State of Illinois may appear by special leave of the Hearing Officer appointed to conduct the hearing, upon the attorney's verbal representation or written documentation as to the attorney's admittance.
  - 2) A natural person may appear and be heard in his own behalf.
  - 3) A corporation, association, or partnership may appear and present evidence by any bona fide officer, employee, or representative.
  - 4) Only an attorney mentioned above, properly licensed shall represent anyone else in any hearing in any matter involving the exercise of legal skill or knowledge. The standards of conduct shall be the same as before the Courts of the State of Illinois.
- i) The proceedings shall be recorded by a suitable electronic method, unless the Petitioner may furnish, at his own expense, a certified shorthand reporter. All records taken pursuant hereto shall be properly cataloged and preserved by the Secretary for a period of at least forty-five (45) days from the entry of the Hearing Officer's order. Oral proceedings, or any part thereof, shall be transcribed upon request of the Petitioner, any party, or their counsel at said requesting party's personal expense as specified in 2 Ill. Adm. Code 551.150; or the cost of an audio tape, plus mailing.
- j) The record of a hearing held pursuant hereto shall include, but not

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## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- 1) The identity of the driver(s) involved in the accident;
  - 2) The identity of the owner(s) of the vehicle(s) involved in the accident;
  - 3) The nature and extent of the the bodily injury or property damage sustained in the accident;
  - 4) ~~The determination, based upon the evidence presented, as to whether there is a reasonable possibility of either of the following situations occurring, to wit:~~
    - A) A judgment being rendered against the Petitioner for liability resulting from bodily injury occasioned by the accident; or
    - B) A judgment being rendered against the Petitioner for liability in an amount in excess of the statutory minimum of \$250 resulting from property damage to the property of any one person occasioned by the accident.
  - 5) Should it be so determined that either of these two factual situations exist, ~~the preliminary finding of the Secretary shall stand. a prima facie case shall be deemed established; and only in the event that a prima facie case, as defined in this paragraph, is established, shall the Petitioner have the burden to rebut or overcome said prima facie case.~~
  - 6) The existence of any other issue or element necessary to the establishment of a case, if same is contested by the Petitioner.
- b) The law of negligence as determined by the Illinois Supreme Court and the Illinois General Assembly will apply in the decisions made from the hearings.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )

## Section 1001.250 Decisions and Orders

- a) Upon the completion of the presentation of evidence, ~~if the Secretary established a prima facie case which the Petitioner was unable to rebut and~~ if the Petitioner is unable to present a preponderance of evidence rebutting the preliminary finding of the Secretary or otherwise on any other contested issue exempting said the Petitioner from the purview of the statute, the Hearing Officer shall direct that an Order of Suspension be entered. However, if the ~~Secretary is unable to establish or sustain after the Petitioner's~~

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- ~~evidence is admitted a prima facie case, or rebut the Petitioner's rebuts by a preponderance of the evidence relating to another contested issue the preliminary finding of the Secretary or otherwise establishes that the Petitioner is exempting said Petitioner from the purview of the statute, the Hearing Officer shall direct that an Order of Exoneration be entered and further direct that the Petitioner be dismissed.~~
- b) A copy of the Order entered pursuant to a hearing shall be served, as soon as practicable after entry of said Order, upon the Petitioner in the same manner as provided in Section 1001.220(c) above for the service of the Notice of Hearing.
  - c) Decision on Petitioner's Refusal or Non-Appearance.
    - 1) If the Petitioner fails to appear at the hearing, Petitioner will be held to be in default. However, an attorney, who has filed an appearance on behalf of the Petitioner, may appear and present motions, and the provisions at Section 1001.220(f) shall be followed. If the attorney, in such a case, requests a continuance which is denied, the matter shall proceed and an appropriate order entered.
    - 2) If a Petitioner appears for a hearing and refuses to testify on the grounds that any answer of his/hers may tend to incriminate him/her, then the Hearing Officer shall take an adverse inference from the refusal to testify and shall consider the adverse inference in addition to other evidence in determining if a prima facie case has been made whether Petitioner should be suspended or exonerated. If the Petitioner appears and refuses to testify without asserting the right against self-incrimination, ~~then~~ the Hearing Officer shall enter any appropriate order as is required by the evidence and these rules.
  - d) Except for evidence depositions admissible under the law of the State of Illinois, oral testimony shall be given greater weight by the Hearing Officer than a written statements which is unsubstantiated by oral testimony may not prevail against oral testimony offered or other documentary evidence, on the same issue. In determining the weight to be accorded evidence the Hearing Officer shall take into account the demeanor and/or credibility of the proponent of the evidence. The certification from the Illinois Department of Transportation regarding the dollar amount of damages shall be given greater weight than oral testimony which is unsubstantiated by written corroboration, unless the witness is qualified as an expert in the field.
  - e) Continuances.

NOTICE OF ADOPTED AMENDMENTS

1) Any party may, for good cause, request a continuance of the hearing provided same is postmarked not less than ten (10) days prior to the hearing. Said request shall be in writing and shall set forth the grounds alleged therefore. Oral requests will not be considered, unless made at the hearing for good cause shown.

2) If good cause is shown, the hearing will be rescheduled and all parties notified as required in this Rule.

3) Good cause is shown when it is demonstrated that a real and compelling need for additional time exists, such as, but not limited to, service in the armed forces, serious illness, family death, act of God, relating to any party or that party's attorney.

4) A request for a continuance to allow Petitioner time to submit proof of compliance shall not constitute good cause.

5) No case may be continued "generally". Cases must be set for hearing no more than 60 days from the date the motion for continuance is made.

f) Upon oral motion or written request of the Petitioner or Secretary, and for good cause shown, the Hearing Officer may stay the execution of any Administrative Order for a period not to exceed thirty (30) days.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )  
Section 1001.260 Rehearings

a) A request by the Petitioner for a rehearing will be granted only if the Petitioner was-in-default failed to appear at on the date and at the time scheduled for the original Hearing and good cause is shown.  
b) Good cause is shown when it is demonstrated that a real and compelling reason existed at the time of the original hearing for failing to appear, such as, but not limited to, service in the armed forces, serious illness, family death, act of God, relating to any party or that party's attorney.  
c) Rehearing requests must be in writing and directed to the Administrator, Safety Responsibility Division, Room 207, Centennial Building, Springfield, Illinois 62756.

d) If the interested party appears and the Petitioner fails to appear (at the original hearing), said hearing will be held and the

NOTICE OF ADOPTED AMENDMENTS

testimony of the interested party or any other witness present taken. The evidence admitted at the original hearing shall be admissible at the rehearing and the Petitioner shall be deemed to have waived the right of cross-examination of any witnesses at the original hearing.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section 1001.300 Applicability

This Subpart applies to Informal Hearings conducted by Driver License Hearing Officers in the Department of Administrative Hearings of the Office of the Secretary of State in various locations throughout Illinois. These Informal Hearings are limited to the consideration of and the making of recommendations on drivers license suspension and revocation matters and the recommendations may include any recommendation able to be made by a Formal Hearing, except that an Informal Hearing shall not consider petitions in cases involving: death; felony convictions; modification of suspensions or revocations; or multiple convictions pursuant to Section 11-501 of the Code; or multiple violations pursuant to Section 11-501.1 of the Code; and felony convictions other than those enumerated in Section 6-205(a)(3), 6-205(a)(7), and 6-206(a)(28) of the Code. They are a lower level hearing than the Formal Hearings conducted pursuant to Subpart A of these Rules this Part. There is no appeal from an Informal Hearing to a Formal Hearing because the Formal Hearing is an original proceeding conducted on the evidence.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )  
Section 1001.320 Right to Representation

Any Applicant may represent himself or herself in an Informal Hearing, or may be represented by an attorney licensed to practice law in Illinois, or in another state who is specifically permitted by the Hearing Officer to represent an Applicant at the Informal Hearing, upon the attorney's verbal representations or written documentation as to the attorney's admittance or any law student licensed under Supreme Court Rule 711. An Applicant may be assisted by a non-lawyer if the Applicant is representing himself or herself.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )  
Section 1001.330 Records and Reports

a) The Hearing Officer will record all proceedings on a form prescribed and supplied by the Director. The form will include, but not be limited to, identification information about the Applicant, a

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

narrative from the Applicant concerning his/her driving record and need for relief, the type of relief sought, the violations for which the Applicant was suspended or revoked, and the Hearing Officer's recommendation. The recommendations of the Hearing Officer shall be based upon the evidence, the driving record of the Applicant, the Illinois Vehicle Code, these rules, and any other relevant factor.

- b) The Applicant may submit any relevant and probative documentary or testimonial evidence the Applicant wishes to have considered by the Hearing Officer and the Department.
- c) The report and evidence from the Hearing Officer shall be considered a public record, and copies may be purchased for the statutory fee for copies of state records.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989)

## Section 1001.340 Location of Hearings

- a) There shall be at least one Hearing Officer in each region.
- b) The headquarters of each region shall be in the facility located in that city, and a work location may also be established by the supervisor for one or more Hearing Officers within a region.
- c) The regions and headquarters are:
  - 1) Region 1, consisting of the counties of Jo Daviess, Stephenson, Winnebago, Boone, DeKalb, Lee, Ogle, Whiteside, and Carroll, with headquarters in Rockford.
  - 2) Region 2, consisting of the counties of Whiteside, Rock Island, Henry, Mercer, Knox, Warren, and Henderson with headquarters in the City of Moline.
  - 3) Region 3, consisting of the counties of Kendall, Will, Grundy, Kankakee, and Livingston, with headquarters in Joliet.
  - 4) Region 4, consisting of the counties of Fulton, Stark, Peoria, Woodford, and Tazewell; with headquarters in the City of Peoria.
  - 5) Region 5, consisting of the counties of Iroquois, Ford, Vermilion, Champaign, and Piatt, with headquarters in the City of Champaign.
  - 6) Region 6, consisting of the counties of Mason, Logan, Cass, Menard, Morgan, Sangamon, Scott, Christian, Greene, Macoupin,

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

and Montgomery, with headquarters in the Centennial Building, Springfield, Illinois.

- 7) Region 7, consisting of the counties of Hancock, McDonough, Schuyler, Adams, Brown, and Pike, with headquarters in Quincy.
- 8) Region 8, consisting of the counties of Douglas, Edgar, Moultrie, Coles, Clark, Cumberland, Shelby, Effingham, Jasper, and Crawford, with headquarters in Mattoon or Effingham.
- 9) Region 9, consisting of the counties of Fayette, Bond, Marion, Clay, Richland, Lawrence, Clinton, Washington, and Jefferson, Wayne, Edwards, Wabash, Hamilton, and White, with headquarters in Centralia or Mt. Vernon.
- 10) Region 10, consisting of the counties of Calhoun, Jersey, Madison, Randolph, St. Clair, and Monroe, with headquarters in East St. Louis.
- 11) Region 11, consisting of the counties of Perry, Franklin, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac, with headquarters in Carbondale or Marion.
- 12) Region 12, consisting of the counties of Kane and DuPage, with headquarters in Elgin.
- 13) Region 13, consisting of the county of Cook, with headquarters in the building where the Department is located in Cook County.
- 14) Region 14, consisting of the counties of McHenry and Lake, with headquarters in Libertyville.
- 15) Region 15, consisting of the counties of Bureau, LaSalle, Putnam, and Marshall, with headquarters in the City of LaSalle.
- 16) Region 16, consisting of the counties of DeWitt, Macon, and McLean, with headquarters in Decatur Bloomington.
- 17) Region 17, consisting of the counties of Wayne, Edwards, Wabash, Lawrence, Richland, Hamilton and White, with headquarters in Lawrenceville.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989)

## Section 1001.360 Decisions

- a) The decision at the Informal Hearing is not a final order and as

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"Department" means the Department of Administrative Hearings of the Office of the Secretary of State.

"Designated Driver Remedial or Rehabilitative Program" means an alcohol or drug evaluation, an alcohol or drug related driver remedial program, an alcohol or drug treatment program, the Office driver improvement program, or any similar program intended to diagnose and change an Applicant's driving problem as evidenced by the Applicant's abstract. (See Sections 6-205(c) and 6-206(c)3 of the Code.

"Director" means the Director or Acting Director of the Department.

"Documentation of Abstinence" means testimony and documentation, in the form of affidavits, letters, etc. from individuals who have regular, frequent contacts with the Petitioner (e.g. spouse, significant other, employer, co-workers, roommates) verifying that to the best of their knowledge the Petitioner has been abstinent from alcohol and/or drugs for a specified period of time.

"DUI" means driving under the influence.

"Employ" or "Employed" or "Employment" shall all relate to activity for compensation to support oneself or one's dependents as well as activities ordered by a court in connection with a sentence which includes the completion of a term of community service.

"Evaluator" means any person qualified to conduct an alcohol and drug evaluation, which would include either a staff member of a DUI program licensed by the Illinois Department of Alcoholism and Substance Abuse DASA who satisfies that Department's qualifications, a or physician, or a staff member of a hospital-based DUI program (See 77 Ill. Adm. Code 2056.305). Evaluations may be performed by staff members of hospital based DUI programs where: the program is licensed by DASA to provide evaluations; the Petitioner has participated in and completed alcohol/drug treatment at the hospital; or where a previous evaluation by the program was submitted and accepted by the office of the Secretary of State. (See 77 Ill. Adm. Code 2056.1).

"Fee" means the statutory fees for restricted driving permits or reinstatement of driving privileges, as specified in Section 6-118 of the Code.

"Hearing" means Informal Hearings and Formal Hearings.

"JDP" means a Judicial Driving Permit, as defined by Section 6-206.1 of the Code which may be ordered by the court of venue to "first

## NOTICE OF ADOPTED AMENDMENTS

offenders" as defined in Section 11-501.1 of the Code.

"Level I - Non-problematic Use (Minimal Risk)" means no impairment in family, social, emotional, vocational, physical or behavioral functioning as a consequence of alcohol or other drug use. There is also an ability to stop or control use and an absence of serious withdrawal symptoms after stopping or reducing use. This pattern must be consistent over the past twelve months for an individual classified at this level. Also indicative of this classification is the lack of prior alcohol/drug related driving dispositions, and/or a blood alcohol concentration (BAC) at the time of the current DUI arrest of less than .15. the classification resulting from an alcohol and drug evaluation assigned to an Applicant who has no prior convictions or court ordered supervisions for DUI, a blood alcohol concentration (BAC) at time of arrest of less than .20, and no other symptoms of alcohol or drug abuse or dependence within the past twelve months. (See the rules promulgated by the Department of Alcohol and Substance Abuse; 77 Ill. Adm. Code 2056.310).

"Level II - Problematic Use (Moderate Risk)" means impairment in one or more of the following areas as a consequence of alcohol and/or drug use: family, social, legal, emotional, vocational, physical, or behavioral functioning. There remains the ability to control or stop use of alcohol and/or drugs, as well as the absence of serious withdrawal symptoms after stopping or reducing use. The disease/addiction process may or may not be involved, but an individual classified at this level is definitely at risk to experience further problems related to alcohol and/or other drug use. Also indicative of this classification is the existence of any prior alcohol/drug related driving disposition and/or a blood alcohol concentration (BAC) at the time of the most recent DUI arrest of .15 or greater. the classification resulting from an alcohol and drug evaluation assigned to an Applicant who has no prior conviction(s) or court ordered supervision(s) for DUI and a blood alcohol concentration (BAC) at the time of arrest of .20 or higher and no other symptoms of alcohol or drug abuse within the past twelve months. (See the rules promulgated by the Department of Alcohol and Substance Abuse; 77 Ill. Adm. Code 2056.310).

"Level II - Problematic Use (Significant Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant who has prior conviction(s) or court ordered supervisions(s) for DUI and/or a blood alcohol concentration (BAC) of .20 or higher as a result of the most current arrest for DUI and/or other symptoms of alcohol or drug abuse. (See 77 Ill. Adm. Code 2056.310).

"Level III - Problematic Use Dependent (High Risk)" means impairment

in one or more of the following areas as a consequence of alcohol and/or drug use: --family; social; legal; vocational; educational; physical; or behavioral functioning: --There is an inability to control or stop use and the development of serious withdrawal symptoms after stopping or reducing use: --An individual is classified at this level in the disease/addiction process: --Indicative of this classification is the existence of more than one prior alcohol/drug-related driving-disposition within the last five years; or a blood-alcohol-concentration (BAC) at the time of the most recent arrest of 28 or greater: --Anyone with three or more alcohol/drug-related driving-dispositions within the last five years is by definition classified as level III: the classification resulting from an alcohol and drug evaluation assigned to an applicant with symptoms of alcohol and/or drug dependence. (See the rules promulgated by the Department of Alcohol and Substance Abuse, 77 Ill. Adm. Code 2056.310).

"Office" means the Office of the Secretary of State and not any particular department address, or location.

"Reinstatement" means the restoration of driving privileges entitled to the applicant to apply for a new driver's license in accordance with the requirements of the Illinois Vehicle Code and the Rules promulgated thereunder.

"Respondent" means a person against whom a complaint or petition is filed, or who, by reason of interest in the subject matter of a petition of application or the relief sought therein, is made a respondent or to whom an order or complaint is directed by the Department initiating a proceeding.

"RDP" means a restricted driving permit, as defined by Section 1-173.1 of the Code and limited as specified in Sections 6-205(c) and 6-206(c)(3) of the Code.

"Secretary" means the Illinois Secretary of State.

"Self-help Program" means an independent non-profit organization comprised of individuals who hold voluntary meetings specifically to help each member to achieve and/or maintain abstinence from alcohol and/or other drugs.

"Significant Other" means any person with whom an individual is experiencing an ongoing, close association that represents a meaningful part of that individual's established lifestyle (e.g. spouse, other family member, employer, co-worker, clergy member, roommate). "Support/Recovery Program" means specific activities which a

recovering alcoholic/chemically dependent person has incorporated into his/her lifestyle to help support his/her continued abstinence from alcohol and other drugs. Such a program may include, but is not limited to, self-help program, participation, professional counseling, religious involvement, and support provided by engaging in free-time, recreational activities in social organizations or with friends and significant others: This may include, but is not limited to participating in a self-help group (Alcoholics Anonymous, Narcotics Anonymous, etc.), a professional support group, or regularly and frequently engaging in religious activities which have a distinct and positive effect on an individual's continued abstinence. Any activity and its relationship to the individual's ability to remain abstinent must be clearly identified and verified by proper documentation independent from an individual's self report (such as indicated in Section 1001.440(e)-(f)). The Hearing Officer shall determine the viability of the activity as a means of supporting continued abstinence, taking into account all the evidence brought forward at the hearing.

"Undue Hardship" relating to employment means, as used in the context of Sections 6-205(c) and 6-206(c)3 of the Code an extreme difficulty in regard to getting to or from an Applicant's place of employment or to operate on a route during employment, e.g. as delivery person, because of the suspension, revocation, or cancellation of the Applicant's driving privileges. It is more than mere inconvenience on the Applicant, and pertains only to the Applicant. All other reasonable means of transportation must be unavailable to the Applicant. An undue hardship is not shown by the mere fact that the driving privileges are suspended or revoked.

"Undue Hardship" as it relates to necessary medical care means an extreme difficulty in regard to getting to and from a location where an Applicant or a member of his/her immediate family receives examinations, therapy or treatment, etc., prescribed or recommended by a physician and, in the case of a diagnosis or clinical impression of alcoholism/chemical dependency, where an Applicant receives self-help group is participating in an ongoing support program as prescribed or recommended by a physician or other qualified professional. It means more than mere inconvenience. There must be no other reasonable alternative means of transportation available. An undue hardship is not demonstrated by the mere fact that the Applicant's driving privileges are suspended or revoked.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989) Section 1001.420 General Provisions Relating to the Issuance of Restricted Driving Permits



## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- a) An Applicant for an employment related RDP must be currently employed, or present a written verifiable commitment for employment, and the employment must be verified upon forms prescribed by the Department. An applicant for a RDP for medical or treatment purposes must provide written verifiable documentation from the doctor, counselor or program involved. An Applicant for a RDP for community service must provide certified court documents detailing the terms of the service, including but not limited to the place or places the service is performed, the hours during which the service is to be performed and the nature of the service.
- b) A RDP may be granted only after suspension, revocation, or cancellation for the offenses listed in Sections 6-205, 6-206, 6-303, 6-201(a)5 as it relates to 6-103.4 and 11-501.1 of the Code. Applicants who are eligible to apply for a JDP will not be considered for a RDP.
- c) An Applicant must show prove by clear and convincing evidence that an undue hardship is currently being suffered currently by the Applicant; as a result of the inability to legally operate a motor vehicle. Mere inconvenience to the Applicant, or family and friends is not undue hardship. The Applicant should produce clear and convincing evidence as to the unavailability of reasonable alternative means of transportation, such as but not limited to: walking, mass transit, car pools, or being driven; how Applicant is currently getting to his/her destination; whether driving is required in the course of employment; the distance between the Applicant's residence and his/her destination; and similar factors relating to employment and/or necessary medical care.
- 1) Appropriate limits will be established for necessary on-the-job driving. for The days, hours, and mileage limits not to will not exceed that those absolutely necessary for the accomplishment of the applicant's primary employment and shall be limited to a maximum of twelve (12) hours per day and six (6) days per week unless the request for increased limits is substantially documented, such as the through an employer's verification of the Petitioner's work schedule.
  - 2) A medical RDP may include attendance at no more than three self-help program meetings per week.
- d) Factors which will be considered by the Department in determining the propriety of granting a Petitioner a RDP include, but are not limited to: The Applicant's age; whether the Applicant has driven while suspended or revoked; duration of present employment; number of years licensed to drive; number, severity, and frequency of accidents; frequency, type, and severity of traffic violations;

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- efforts at rehabilitation or reform of past driving practices; demeanor of Applicant in hearing; credibility of Applicant and witnesses in hearing; credibility and weight of Applicant's documentary evidence; Applicant's total driving record, including but not limited to reasons for violations, prior permits issued (unless such permits were issued pursuant to the order of a circuit or appellate court following an administrative review action) and driving record while on such permits, driving history in another state if licensed previously; reports of probation and/or parole officers; and psychiatric reports where the evidence shows that Petitioner is suffering or has suffered from a mental disorder which might affect his/her ability to operate a motor vehicle in a safe and responsible manner. will-all-be-considered-in-addition-to-any-other-relevant-evidence-in-the-hearing.
- e) The effect of the issuance of an RDP upon public safety will be carefully considered before any RDP is granted, pursuant to Sections 6-205(c) and 6-206(c)3 of the Code.
- f) No RDP will be issued while any ticket is pending against him/her in any court of this or any other state, unless the pending ticket citation or citations are also is the cause of the-current an open summary suspension or suspensions.
- g) If-an-Applicant's-driving-record-is-poor-by-having-numerous-violations-or-a-few-but-serious-violations;-and-if-an-RDP-may-be-granted; the -Applicant -may -be -referred -to -a -remedial -or -rehabilitative program; -as -permitted -by -Sections -6-205(c) -and -6-206(c)3 -of -the Code: A Petitioner who is otherwise eligible for a RDP may be referred to a remedial or rehabilitative program prior to the permit's issuance, if his/her driving record warrants such measures. (See Sections 6-205(c) and 6-206(c)(3) of the Code).
- h) A Petitioner otherwise eligible for reinstatement of driving privileges or termination of a cancellation under 6-201(a)5 as it relates to 6-103.4, may be issued a RDP for a probationary or trial period, prior to full reinstatement of driving privileges or termination of cancellation in cases where the Petitioner has a poor driving record evidenced by many minor violations or a few serious violations or has been evaluated as Level II or Level III by an alcohol/drug evaluation.
- i) A RDP will be issued to an out-of-state resident only if he/she has a valid license to drive issued by the jurisdiction in which he/she resides; and he/she has a verified employment or medical related need to drive in Illinois; and he/she complies with all other requirements of this Subpart.

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terminations of an order of cancellations, or relief following the denial of an application for driving privileges, all Applicants must submit an alcohol or and drug evaluation and, where required, evidence of successful completion of an alcohol or and drug-related driver remedial course and/or evidence of successful completion of treatment or proof of adequate rehabilitative progress. Out-of-State Applicants who seek clearance relief from an Illinois suspension or revocation and who have been classified as Level I or II in an alcohol or and drug evaluation must provide proof of a the successful completion of an licensed alcohol/drug remedial education course. ~~from the State in which he/she resides:~~

- 1) An alcohol or and drug evaluation submitted by a resident of Illinois must have been conducted by an individual or an agency licensed by the ~~Illinois Department of Alcoholism and Substance Abuse~~ DASA, a physician licensed to practice medicine and to provide evaluations, or a hospital based DUI program where an applicant has received substance abuse treatment or has previously submitted such an evaluation at a prior hearing. An alcohol or drug-related remedial course completed by an Illinois resident must have been provided by an individual or agency licensed by the ~~Illinois Department of Alcoholism and Substance Abuse~~ DASA; ~~a physician licensed to practice medicine; or a hospital based DUI program~~. Exceptions to these requirements will be allowed in the cases listed below. In such case, the evaluation and remedial course must be provided by an individual or agency accredited by the state in which the individual or agency operates. (See 77 Ill. Adm. Code 2056.5):
  - A) If the Petitioner is currently and has been continuously employed outside the state of Illinois for a period of at least three (3) months;
  - B) If the Petitioner received treatment for alcohol or drug abuse from a treatment program located outside the State of Illinois, which has been appropriately accredited by the state in which it operates;
  - C) If the Petitioner is a member of the military and has been who at the time of application is stationed outside the State of Illinois;
  - D) If the Petitioner is a student at a college, university or technical school located outside the State of Illinois.
- 2) The choice of these programs is within the discretion of the Applicant. The evidence submitted must be in-writing typewritten, although the evaluator may testify at any hearing.

NOTICE OF ADOPTED AMENDMENTS

- 3) The Department may provide Applicants who inquire with a list of programs, from which the Applicant may choose an evaluator and remedial programs, but the Applicant is not limited to the use of persons or programs on this list.
- 4) The alcohol or and drug evaluation as defined in Section 1001.410 must conform to the standards for an evaluation set by the ~~Illinois Department of Alcoholism and Substance Abuse~~ DASA. (See 77 Ill. Adm. Code 2056.305). The evaluation must be signed and dated by both Petitioner and evaluator. It must contain; -at a minimum; -a history of the Applicant's use of alcohol/drugs; -periods of abstinence; -alcohol/drug use classification; -corroborative information; -recommended countermeasures; -and the dated signature of the evaluator.
- 5) The alcohol ~~or and~~ drug-related driver remedial course program must, at a minimum, conform to the standards for alcohol/drug remedial education courses set by the ~~Illinois Department of Alcoholism and Substance Abuse~~ DASA. (See 77 Ill. Adm. Code 2056; Subpart D).
- 6) The alcohol or and drug evaluation must be current, which is defined as having been completed within six (6) months of the date of the hearing.
  - A) Updates of original evaluations shall be conducted only by the same program which conducted the original evaluation, unless the person's Applicant's records are case file is transferred to another program which prepares the update. If an update cannot be obtained from the original records, then a ~~complete new~~ another original evaluation must be submitted.
  - B) An updated evaluation shall contain, at a minimum, the following: a narrative description of alcohol/drug use and/or abuse covering the time since the last evaluation or update; any impairment of significant life areas since the last evaluation or update; (77 Ill. Adm. Code 2056.305(a)(2)(C)) Petitioner's most recent arrest for DUI including; -at a minimum; -the time and place of the arrest; -the pattern of drinking prior to the arrest; -the reason for the underlying traffic stop; -Petitioner's perception of his impairment at the time of the stop; -and the results of any chemical tests; -if such results are known; -summary of the Petitioner's alcohol/drug use history covering the period of time from the Applicant's last evaluation to the present; the evaluator's previous and current alcohol/drug use classification of the

NOTICE OF ADOPTED AMENDMENTS

Applicant; any further countermeasures currently recom- mended to the Applicant (s); and the rationale for the such recommendation(s); and an indica- tion that Petitioner has or has not completed all prior recommendations. The updated evaluation must be corro- borated from at least two (2) of the following sources: by an interview with a family member of or significant other; objective test; or written documentation. The information obtained must be summarized and the evaluator should indicate whether it corroborates the data provided by the Applicant. The updated evaluation must be type- written on a form provided by the Department, and verified by the evaluator. The program must meet the same stan- dards as programs qualified to prepare original evalua- tions. (See subsection (a)(1)).

7) The Hearing Officer shall require an alcohol/drug evaluation to be completed and submitted by the Applicant, as part of the Secretary's investigation process, where the evidence indicates that alcohol or other drugs may have been involved in any a traffic violation, traffic accident or any crime.

8) The Any alcohol or drug related remedial course required as a result of an evaluation must have been completed since on a date after the last most recent alcohol/drug related violation. Before any driving relief will be granted, the Applicant must prove by clear and convincing evidence: that he/she does not have a current problem with alcohol or other drugs; that he/she is a low or minimal risk to repeat his/her past abusive behaviors and the operation of a motor vehicle while under the influence of alcohol or other drugs; and that he/she has complied with all other standards as specified in this Subpart D. If the evidence establishes that the Applicant has had an alcohol/drug problem, the Applicant must also prove that said problem has been resolved.

1) Applicants whose use of alcohol/drugs has been classified as Non-Problematic (Level I) must document successful completion of an 10 hour alcohol/drug remedial education course; by submission of a document which reflects the completion of the requirements contained in 77 Ill. Adm. Code 2056.505(a) through (d) where applicable.

2) Applicants whose use of alcohol/drugs has been classified as Problematic (Level II) must document successful completion of an alcohol/drug remedial course as specified in (1) above and the treatment recommended by the evaluator or other qualified professional recommended on referral by the evaluator. The

NOTICE OF ADOPTED AMENDMENTS

treatment must be provided by an individual or agency licensed to provide such treatment by DASA or the Department of Public Health.

3) Applicants classified as Problematic Use, Dependent (Level III) must document abstinence as required in subsection (e) below, and compliance with all treatment recommendations of the evaluator and must prove that he/she has established an the completion of treatment provided by a facility or facilitator licensed by DASA or the Illinois Department of Public Health; the establishment of an ongoing support/recovery program; and the completion of any additional treatment recommendations of his/her evaluator.

4) In the event that a treatment provider does not require an individual classified Level II or Level III to complete at least the minimum amount and type of treatment specified by DASA, the treatment provider must supply the Department with a detailed explanation of the rationale for that decision.

c) The presence of more than one conviction for DUI on an Applicant's abstract shall create a rebuttable presumption that the Applicant suffers from a current alcohol/drug problem and should, therefore, be classified at least as a problematic user (Level II).

d) Evidence which shall be considered in determining whether the Applicant has met his/her burden of proof and, in particular, has overcome the presumption of a current alcohol/drug problem includes, but is not limited to, the following, where applicable:

1) The factors enumerated in Section 1001.430(b) above;

2) The similarity of circumstances between BUI alcohol or drug related arrests;

3) Any property damage or personal injury caused by the Applicant while driving under the influence;

4) Changes in lifestyle and alcohol/drug use patterns following BUI alcohol/drug related arrests, and the reasons therefor;

5) The chronological relationship of BUI alcohol/drug related arrests;

6) Length of alcohol/drug abuse pattern;

7) Degree of self-acceptance of alcohol/drug problem;

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- 8) Degree of involvement in or successful completion of prior treatment/intervention recommendations following BUI alcohol/drug related arrests;
- 9) Prior relapses from attempted abstinence;
- 10) The problems, pressures and/or external forces alleged to have precipitated the Petitioner's abuse of alcohol or other drugs on the occasion of each alcohol/drug related arrest for BUI, and the present status of the same; particularly whether they have been satisfactorily resolved;
- 11) The Petitioner's explanation for his/her multiple arrests and/or convictions for BUI offenses involving alcohol/drugs, particularly for allowing the second and subsequent arrests/convictions to occur;
- 12) The evaluator's rationale for classifying an Applicant with multiple DUI convictions as a non-problematic user (Level I). In such cases it is particularly important that the evaluator's classification be based on complete and accurate information.
- 13) It is particularly important that the evaluator's classification be based on complete, accurate and consistent information. The probative value of evaluations which deviate from this standard will be diminished. The degree to which their probative value will be diminished will depend upon the degree to which the evaluation deviates from this standard and the standards imposed by DASA.
- e) Applicants with a clinical impression of Problematic Use, Dependency-(Level-III) (High Risk) should have a minimum of twelve (12) consecutive months of documented abstinence. Waivers are discretionary when considering an RDP but shall be for no not be granted unless than Petitioner proves at least six (6) months continuous abstinence and active involvement in a support program. Documentation of abstinence must be received from at least three (3) independent sources. The sources should not be fellow members of a support group. When waivers are granted Petitioner shall be required to supply the Office of the Secretary with monthly documentation of his involvement in the support program or the RDP will be cancelled. The Hearing Officer shall determine the weight to be accorded the documentation, taking into account the credibility of the source and the totality of the evidence adduced at the hearing. Letters documenting abstinence should contain at a minimum, the following:
- 1) The writer's relationship to Applicant (friend, family member,

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- fellow employee, etc.).
- 2) How long the writer has known the Applicant.
  - 3) How often the writer sees the Applicant (daily, weekly, monthly, etc.).
  - 4) How long the writer knows the Applicant has abstained.
- f) If the Applicant has been attending a self-help program, such as Alcoholics Anonymous or Narcotics Anonymous, the Applicant should present at least three dated letters from fellow self-help program members documenting at a minimum the following:
- 1) How long the writer has known the Applicant.
  - 2) How long the Applicant has attended the program.
  - 3) How often the Applicant attends the program.
- g) If applicant has a self-help program sponsor, one (1) letter should be obtained from his/her sponsor documenting the above data.
- h) In cases where an Applicant seeks a restricted driving permit to allow him/her to drive to self-help program meetings, he/she must provide specific information identifying at a minimum, the following:
- (1) The locations of the meetings he/she wishes to attend;
  - (2) The days of the week when meetings are held at these locations;
  - (3) The hours of the day when these meetings are held;
- i) WhenIf the Petitioner has had alcoholism/ or drug related treatment he/she should document must provide a narrative summary which includes, at a minimum, the following information:
- 1) The Name, address, and telephone number of treatment center.
  - 2) The type -and -length -of -treatment -(include -dates)- date the Petitioner entered treatment and the date the Petitioner was discharged from treatment. The number of days or hours the Petitioner was involved in treatment.
  - 3) A -summary -of -the -Applicant's -involvement -in -treatment; -with particular -attention -to -the -quality -of -participation -and -the overall -response -of -the -Applicant -during -treatment. The type

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## NOTICE OF ADOPTED AMENDMENTS

will be modified to a suspension and terminated early, or the date of eligibility for full reinstatement of Illinois driving privileges shall be advanced.

- f) Suspension periods are set by rule of the Department of Drivers Services to apply equally to all persons. Modifications in any way should be granted in only limited cases. This procedure should be used rarely and the reasons should be fully documented on the record.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )

Section 1001.470 Renewal, Correction and Cancellation of RDP's

- a) Holders of a RDP granted as a result of a Formal Hearing decision, if still valid or expired for 30 days or less, who want to renew it, and who are required to apply for reinstatement through a formal hearing, (See Section 1001.300) may apply for a new RDP through an informal hearing, and will use using the standard procedures set forth in Subpart C of this part and providing all documentation required in Subpart D in cases which are alcohol/drug related.
- b) Applicants who are required to apply for relief at a Formal Hearing or who choose to apply for relief at a Formal Hearing and who are issued a RDP, may apply for additional RDPs for different purposes at informal hearings. Petitioners so situated must produce the same evidence at the informal hearing as would have been required for favorable consideration at a Formal Hearing.
- bc) Corrected RDPs will be issued to the holders of valid RDPs to make necessary changes to the information on the RDP if changes to in employment information and and driving limits are documented and verified, able in the same manner as the original permit. Corrected RDPs will expire on the same date as the original permit.
- ed) RDP's will be cancelled or invalidated pursuant to Sections 6-303, 6-113, 6-201, 6-205(a), and 6-206(a) of the Code. The Secretary of State reserves the authority to cancel any restricted driving permit(s) previously issued to a Petitioner when the preponderance of the evidence taken at a subsequent hearing demonstrates that the Petitioner can no longer be considered a low risk to repeat his/her past abusive behavior and be a safe and responsible driver, has regressed in his/her recovery from an alcohol/drug problem, or otherwise in any way is no longer in compliance with the standards specified in this Subpart D.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

Section 1001.480 Unsatisfied Judgements Suspensions

- a) No A hearing is not necessary where the judgement has been satisfied, stayed by court order, or become unenforceable under Sections 12-108, 2-1601, and 13-218 of the Code of Civil Procedure (Ill. Rev. Stat. 1985 1987, ch. 110, pars. 12-108, 2-1601, 13-218). A certified or file stamped copy of the release, stay order, or half-sheet or docket sheet shall be filed with the Safety and Financial Responsibility Division of the Department of Driver Services, 2701 S. Dirksen Parkway, Springfield, Illinois.
- b) If the judgement has not been satisfied, stayed by court order, nor become unenforceable, no relief will be granted by the Secretary of State's Office.

(Source: Amended at 13 Ill. Reg. 15803, effective October 1, 1989 )

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER c: VOCATIONALLY RELATED PROGRAMS

PART 650

VENDING STAND PROGRAM FOR THE BLIND

Section 650.1

Definitions 650.10  
Basis for Legal Authority and Scope of Rules and Regulations 650.20  
Functions of the Department as State Licensing Agency and private property by blind persons, and to repeal certain acts herein named," (Ill. Rev. Stat. 1987, ch. 23, par. 3331 et seq.)  
Right, Title To, and Interest in Program Equipment, Accessories, and Initial Stocks of Merchandise and Supplies 650.30  
Use of Program Servicing Arrangement by the Department 650.40  
Licensing Program Blind Vendors 650.50  
Conditions of License 650.60  
Disciplinary Procedures for Licensed Blind Vendors 650.70  
Grievance Procedures for Licensed Blind Vendors 650.80  
EMERGENCY (Repealed)

Illinois Committee of Blind Vendors (I.C.B.V.) 650.90

Setting Aside of Funds for Program Purposes 650.100  
Training, Retraining, Upward Mobility Training, and In-Service Training 650.200  
Leaves of Absence 650.500  
Promotions and Transfers (P&T) 650.600  
Vending Facilities in Rest Areas 650.700  
Business Practices 650.1000  
APPENDIX A Manager Operator's Affidavit (Repealed)  
APPENDIX B Approved Purveyor

AUTHORITY: Implementing and authorized by "AN ACT in relation to the operation of vending facilities on public and private property by blind persons, and to repeal certain Acts herein named," (Ill. Rev. Stat. 1987, ch. 23, par. 3331 et seq.)

SOURCE: Amended August 31, 1973; codified at 6 Ill. Reg. 13790; amended at 8 Ill. Reg. 5285, effective April 16, 1984; amended at 9 Ill. Reg. 12347, effective August 5, 1985; amended at 10 Ill. Reg. 3058, effective February 1, 1986; amended at 10 Ill. Reg. 9814, effective May 21, 1986; amended at 13 Ill. Reg. 7465, effective May 1, 1989; emergency amendment at 13 Ill. Reg. 15849, effective September 26, 1989 for a maximum of 150 days.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENTS

1) The Heading of the Part: Vending Stand Program for the Blind

2) Code Citation: 89 Ill. Adm. Code 650

3) Section Numbers: Emergency Action:

650.80 repeal

4) Statutory Authority: Implementing and authorized by "AN ACT in relation to the operation of vending facilities on public and private property by blind persons, and to repeal certain acts herein named," (Ill. Rev. Stat. 1987, ch. 23, par. 3331 et seq.)

5) Effective Date of Rule(s) (Amendments, Repeal): September 26, 1989

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date Filed in Agency's Principal Office: September 20, 1989

8) Reason for Emergency: Emergency action is being taken to ensure DORS' compliance with an agreement with the Joint Committee on Administrative Rules.

9) A Complete Description of the Subjects and Issues Involved: Section 650.80 is being repealed so that the appeals procedures in 89 Ill. Adm. Code 510 may take effect.

10) Are there any proposed amendments to this Part Pending? Yes

Section Numbers Proposed Action Illinois Register Citation  
650.80 Repeal 13 Ill. Reg. 12758

11) Statement of Statewide Policy Objectives:

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Name: Leigh Reed  
Address: P.O. Box 19429, Springfield, Illinois 62794-9429  
Telephone: (217)785-3896

The full text of the emergency rules (amendments, repealer) begins on the next page:



## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

Section 650.80 Grievance Procedures for Licensed Blind  
EMERGENCY Vendors (Repealed)

- a) When a licensed blind vendor is dissatisfied with any action arising from the operation or administration of the Vending Facility Program, a request for an administrative review of the grievance may be made. The vendor shall give notice in writing by certified mail to the Coordinator of the Vending Facility Program. The notice shall state the particular rule or regulation the vendor believes to have been violated, or set forth the facts the vendor believes constitute some form of harassment or unreasonable interference with business.
- b) The Coordinator shall respond immediately to the notice of grievance, and shall do so in writing by certified mail. The Coordinator shall state the Department's position and shall cite any rules or regulations which justify the practice complained of. The Coordinator and blind vendor shall meet and attempt to resolve the grievance to their mutual satisfaction if at all possible.
- c) If no satisfactory resolution can be agreed upon, the blind vendor may request a formal evidentiary hearing. The request shall be in writing and by certified mail to the Director of the Department or the Director's designee at the correct address of the Central Office, Springfield, Illinois. The Department shall schedule such hearing at the earliest possible moment, at a time and place convenient to both parties. If no location or time can be agreed upon, the vendor shall make the final decision provided his or her objections to other times and locations have been reasonable, but not to exceed ten (10) days from the date of receipt of letter.
- d) The evidentiary hearing shall be conducted, and the rights of all parties shall be as set forth under Section 650.70 (b) (4), (5), (6), (7), and (8). However, the burden shall be upon the vendor to prove the grievance, rather than upon the Department to prove violation.

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF EMERGENCY AMENDMENTS

## e) The Decision

The evidentiary hearing officer shall make recommendations to the Director of the Department within fifteen (15) days subsequent to the hearing. The recommendations shall be based upon the record of the hearing and cite those portions of the record pertinent to the reasoning of the recommendations. The hearing officer shall recommend that the relief sought by the vendor be granted, or that the vendor's complaint is totally without foundation and that the relief sought be denied. The hearing officer may further recommend any intermediate solution so long as it can be justified by the record adduced at the hearing. Copies of the record and recommendations shall be sent by certified mail to the blind vendor and his or her personal representative, to the nominee agency and to the Department officials involved. The Director of the Department shall within fifteen (15) days of the receipt of the record and recommendations make a final order in the case, and shall agree with the hearing officer, or order some other solution. The Director shall make the order in writing and shall send it to all parties by certified mail.

- f) In the event the vendor is still dissatisfied with the Department, he or she may file an appeal with Secretary of the Department of Education (DE), and have the case reviewed by an arbitration panel of the DE. The Randolph-Sheppard Act, as amended, shall apply to such hearings, as outlined in Section 650.70 (b) (8).

## g) Costs

The Department as state administering agency under the Randolph-Sheppard Act, as amended, shall assume all administrative costs of the disciplinary proceedings of Section 650.70 and the grievance proceedings of Section 650.80 but shall not reimburse the blind vendor for expenses personally incurred because of those grievance proceedings.

(Source: Emergency Repealer at 13 Ill. Reg 15849, effective Sept. 26, 1989, for a maximum of 150 days).

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## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS  
 CHAPTER I: DEPARTMENT OF AGRICULTURE  
 SUBCHAPTER c: MEAT AND POULTRY INSPECTION ACT

PART 125  
 MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR  
 POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation

SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments
125.160	Equine and Equine Products
125.170	Facilities for Inspection
125.180	Sanitation
125.190	Ante-Mortem Inspection
125.200	Post-Mortem Inspection
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220	Humane Slaughter of Animals
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250	Marking Products and Their Containers
125.260	Labeling, Marking and Containers
125.270	Entry into Official Establishment; Reinspection and Preparation of Product

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PEREMPTORY AMENDMENTS

125.280	Meat Definitions and Standards of Identity or Composition
125.290	Transportation
125.300	Special Services Relating to Meat and Other Products
125.305	Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section	
125.310	Application of Inspection
125.320	Facilities for Inspection
125.330	Sanitation
125.340	Operating Procedures
125.350	Ante-Mortem Inspection
125.360	Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370	Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380	Labeling and Containers
125.390	Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400	Definitions and Standards of Identity or Composition
125.410	Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1987, ch. 56 1/2, par. 301 et seq.) and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 16).

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22 1986; peremptory amendment at 10

emergency slaughter and in accordance with the procedure outlined in Section 125.190.

(c) In the case of emergency slaughter and where a veterinarian was obtained by the owner to perform ante-mortem inspection (see Section 125.190), the veterinarian may perform post-mortem inspection of the animal. The carcass and all parts, including viscera, shall be identified as set forth in 9 CFR 310.2 and held for the inspector. If the veterinarian performs the post-mortem inspection at the request of the owner, then the cost of such service shall be borne by the owner of the animal.

(d) Distinctants that can be used in an official establishment shall be those set forth in Section 125.180.

(e) With regard to the incorporated language in 9 CFR 310.2(b)(4), alternate methods proposed by the operator of an official establishment for handling devices shall be approved if such method will accomplish the specific provisions as stated in that paragraph.

(f) Retained carcasses may be washed or trimmed provided such washing or trimming does not affect the disposition of the carcasses by removing conditions or lesions which caused the carcasses to be identified as retained.

(g) Temporary identification of retained carcasses by an Illinois Retained tags shall be used to identify the carcasses along with any temporary identification that is used.

(h) References in the incorporated language to 9 CFR 314 shall be interpreted to mean in accordance with Section 125.230.

(i) Facilities for handling and inspecting cow udders shall be as set forth in "U.S. Inspected Meat and Poultry Packing Plants, A Guide to Construction and Layout" as adopted in Section 125.20.

(Source: Peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989)

111. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 22, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989.

Section 125.200 Post-Mortem Inspection

SUBPART B: MEAT INSPECTION

- (a) The Department incorporates by reference 9 CFR 310(a) and 310.2 through 310.23 (1984; 49 FR 23606, effective June 4, 1984; 50 FR 32162, effective September 9, 1985; 52 FR 2101, effective January 20, 1987; 53 FR 40378, effective November 14, 1988; 53 FR 45888, effective December 15, 1988; 54 FR 36755, effective October 5, 1989), except that the preparation of meat and meat products for nonhuman food purposes (e.g., dog food) is not permitted at an official establishment. The preparation of nonhuman food products must be done in establishments licensed under the Illinois Dead Animal Disposal Act.
- (b) The unusual circumstance and acceptable arrangements referred to in 9 CFR 310(a) shall mean in the case of

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

- 1) The Heading of the Part: FOOD STAMPS
- 2) Code Citation: 89 Ill. Adm. Code 121
- 3) Section Numbers:                      Adopted Action:
- |        |           |
|--------|-----------|
| 121.60 | Amendment |
| 121.61 | Amendment |
| 121.63 | Amendment |
| 121.64 | Amendment |
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute Which Requires this Peremptory Rulemaking: In a letter dated August 4, 1989, the Food and Nutrition Service of the United States Department of Agriculture notified the Department of Public Aid ("Department") of required changes in the income eligibility standards, required standard deductions and the shelter care deductions for the Food Stamp Program, effective October 1, 1989. These changes are required by 7 CFR 273.9(a)(4), (d)(1), (d)(4) and (d)(5).
- This rulemaking implements the above-referenced changes. These changes are mandated by the federal government and preclude the exercise of discretion by the Department. Consequently, the Department finds it necessary to implement these changes pursuant to the peremptory rulemaking process.
- 5) Statutory Authority: Sections 12-4.4 thru 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-4.4 thru 12-4.6 and 12-13)
- 6) Effective Date: October 1, 1989
- 7) A Complete Description of the Subjects and Issues Involved: This rulemaking updates the net monthly income eligibility standards, the gross monthly income eligibility standards, the standard deductions and the shelter care deductions for the Food Stamp programs. These adjustments, which are effective October 1, 1989, take into account changes in the cost of living.
- 8) Does this rulemaking contain an automatic repeal date?  
Yes      X No
- 9) Date Filed in Agency's Principal Office: October 1, 1989

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

- 10) These Amendments are in compliance with Section 5.03 of the Illinois Administrative Procedure Act. Yes
- 11) Are there any Proposed Amendments pending to this Part? Yes
- | <u>Section Numbers</u> | <u>Proposed Action</u> | <u>Illinois Register Citation</u>       |
|------------------------|------------------------|---|
| 121.19                 | Amendment              | August 25, 1989<br>(13 Ill. Reg. 13503) |
| 121.27                 | Amendment              | August 25, 1989<br>(13 Ill. Reg. 13503) |
| 121.31                 | Amendment              | August 25, 1989<br>(13 Ill. Reg. 13503) |
| 121.70                 | Amendment              | August 25, 1989<br>(13 Ill. Reg. 13503) |
| 121.72                 | Amendment              | August 25, 1989<br>(13 Ill. Reg. 13503) |
- 12) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 13) Information and questions regarding these Peremptory Amendments shall be directed to:
- |                   |   |
|-------------------|---|
| <u>Name:</u>      | Anita Williams, Staff Attorney<br>Office of the General Counsel   |
| <u>Address:</u>   | Illinois Department of Public Aid<br>Jesse B. Harris Building II<br>100 South Grand Avenue East, 3rd Floor<br>Springfield, Illinois 62762 |
| <u>Telephone:</u> | (217) 782-1233  |

The full text of the Peremptory Amendments begins on the next page:

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# HISTORY

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## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

## Section

- 121.135 Incorporation By Reference  
 121.140 Small Group Living Arrangement Facilities and  
 Drug/Alcoholic Treatment Centers

## SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

## Section

- 121.150 Definition of Intentional Violations of the Program  
 121.151 Penalties for Intentional Violations of the Program  
 121.152 Notification To Applicant Households  
 121.153 Disqualification Upon Finding of Intentional Violation  
 of the Program  
 121.154 Court Imposed Disqualification

## SUBPART H: CLAIMS FOR OVERISSUANCES OF FOOD STAMP BENEFITS

## Section

- 121.200 Types of Claims (Recodified)  
 121.201 Establishing a Claim for Intentional Violation of the  
 Program (Recodified)  
 121.202 Establishing a Claim for Unintentional Household  
 Errors and Administrative Errors (Recodified)  
 121.203 Collecting Claim Against Households (Recodified)  
 121.204 Failure to Respond to Initial Demand Letter  
 (Recodified)  
 121.205 Methods of Repayment of Food Stamp Claims (Recodified)  
 121.206 Determination of Monthly Allotment Reductions  
 (Recodified)  
 121.207 Failure to Make Payment in Accordance with Repayment  
 Schedule (Recodified)  
 121.208 Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and  
 authorized by Section 12-13 of the Illinois Public Aid Code  
 (Ill. Rev. Stat. 1987, ch. 23, pars. 12-4.4 through 12-4.6 and  
 12-3).

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5,  
 p. 875 effective February 2, 1979; amended at 3 Ill. Reg. 31,  
 p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p.  
 399 effective August 18, 1979; amended at 3 Ill. Reg. 41, p.  
 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p.  
 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p.  
 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p.  
 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p.  
 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p.  
 1; effective November 15, 1979; preemptory amendment at 4 Ill.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

Reg. 3, p. 49, effective January 9, 1980; preemptory amendment  
 at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended  
 at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended  
 at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency  
 amended at 4 Ill. Reg. 29, p. 294, effective July 8, 1980 for  
 maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797,  
 effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134,  
 effective October 17, 1980; amended at 5 Ill. Reg. 766,  
 effective January 2, 1981; amended at 5 Ill. Reg. 1131,  
 effective January 16, 1981; amended at 5 Ill. Reg. 4586,  
 effective April 15, 1981; preemptory amendment at 5 Ill. Reg.  
 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071,  
 effective June 23, 1981; preemptory amendment at 10062,  
 effective October 1, 1981; amended at 5 Ill. Reg. 10733,  
 effective October 1, 1981; amended at 5 Ill. Reg. 12736,  
 effective October 29, 1981; amended at 6 Ill. Reg. 1653,  
 effective January 17, 1982; amended at 6 Ill. Reg. 2707,  
 effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective  
 July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9,  
 1982; amended at 6 Ill. Reg. 11921, effective September 21,  
 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982;  
 amended at 6 Ill. Reg. 13754, effective November 1, 1982;  
 amended at 7 Ill. Reg. 394, effective January 1, 1983; codified  
 at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May  
 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983;  
 preemptory amendment at 7 Ill. Reg. 12899, effective October 1,  
 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983,  
 preemptory amendment at 7 Ill. Reg. 16067, effective November  
 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22,  
 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984;  
 amended at 8 Ill. Reg. 7249, effective May 16, 1984; preemptory  
 amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended  
 at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8  
 Ill. Reg. 17900, effective September 14, 1984; amended (by  
 adding section being codified with no substantive change) at 8  
 Ill. Reg. 17898; preemptory amendment at 8 Ill. Reg. 19690;  
 effective October 1, 1984; preemptory amendment at 8 Ill. Reg.  
 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302,  
 effective January 1, 1985; amended at 9 Ill. Reg. 6804,  
 effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective  
 May 29, 1985; preemptory amendment at 9 Ill. Reg. 8898,  
 effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective  
 July 8, 1985; amended at 9 Ill. Reg. 14334, effective September  
 6, 1985; preemptory amendment at 9 Ill. Reg. 15582, effective  
 October 1, 1985; amended at 9 Ill. Reg. 16889, effective  
 October 16, 1985; amended at 9 Ill. Reg. 19726, effective  
 December 9, 1985; amended at 10 Ill. Reg. 229, effective  
 December 20, 1985; preemptory amendment at 10 Ill. Reg. 7387,

NOTICE OF PEREMPTORY AMENDMENTS

Section 121.60 Net Monthly Income Eligibility Standards (Cont'd.)

assigned a coupon allotment based on the net monthly food stamp income.

b) The maximum net monthly income standards are:

Household Size	Amount
1.	\$ 487
2.	645
3.	808
4.	977
5.	1,009
6.	1,179
7.	1,349
8.	1,519
	1,689
	1,859
	+ 170

Derived from Office of Management and Budget non-farm, income poverty guidelines.

(Source: Peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989)

Section 121.61 Gross Monthly Income Eligibility Standards

a) 1)

The gross income standards of eligibility shall be 130 percent of the nonfarm income poverty guidelines prescribed by the Office of Management and Budget (see 7 CFR 273.9(a)(1)(1986)). However, categorically eligible households and households containing a member who is elderly, blind or disabled will be exempt from this gross income check (see also 7 CFR 273.9(c) (1986)). To qualify for increased benefits a household must contain a member who meets one (1) of the following requirements:

A) A member is 60 years of age or older. An individual is considered age 60 in the fiscal month he/she becomes 60.

B) A member receives Supplemental Security Income (SSI) benefits under Title XVI of the Social Security Act, (this includes the

NOTICE OF PEREMPTORY AMENDMENTS

effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988, amended at 12 Ill. Reg. 20161, effective October 1, 1988, amended at 13 Ill. Reg. 3890, effective November 30, 1988; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART D: ELIGIBILITY STANDARDS

Section 121.60 Net Monthly Income Eligibility Standards

a) Eligible households whose net monthly income does not exceed the maximum monthly income standards shall be



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 121.61 Gross Monthly Income Eligibility Standards (Cont'd.)

household where the member is receiving SSI income pending a final decision from the Social Security Administration. This SSI income is being provided on a temporary or emergency basis), or

- C) A member receives Social Security disability or blindness benefits under Title II (RSDI) of the Social Security Act.
- D) A member receives State Supplemental Payment (SSP) due to blindness or disability. This does not include cases in PE status pending a determination of blindness or disability.
- E) A veteran with a service connected disability rated or paid as totally disabled by the Veterans Administration (VA).
- F) A veteran considered by the VA to be in need of regular aid and attendance or permanently housebound.
- G) A veteran's surviving spouse who is considered in need of aid and attendance or considered permanently housebound by the Veterans Administration or a veteran's surviving child who is considered permanently incapable of self-support by the Veterans Administration.
- H) A veteran's surviving spouse or child entitled to compensation for a service connected death or pension benefits for a non-service connected death from the Veterans Administration if the spouse or child also has a disability considered permanent under Social Security requirements.

- 2) For those veterans, surviving spouses, or children mentioned in subsections (F) and (G) above, proof of receipt of VA disability benefits is sufficient verification of disability. For those veterans mentioned in subsection (E) above, a verified statement in writing from the VA that

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 121.61 Gross Monthly Income Eligibility Standards (Cont'd.)

the individual is totally disabled must be provided. To verify disability for those individuals mentioned in subsection (H) above, the individual must provide a statement from the Social Security Administration or from a physician (Ill. Rev. Stat. 1985 1987, ch. 111, par. 4401 et seq.), or a licensed or certified psychologist (Ill. Rev. Stat. 1985 1987, ch. 111, par. 5301 et seq.) that the individual suffers from one of the disabilities listed in the preamble to Section 221(i) of the Social Security Act (42 U.S.C. 421(i)) or if the disability is obvious, by observation of the caseworker (e.g., permanent loss of use of both hands).

b) Household Size	Gross Income	
One Person	\$ 626	648
Two Persons	838	869
Three Persons	1,050	1,090
Four Persons	1,263	1,311
Five Persons	1,475	1,532
Six Persons	1,687	1,753
Seven Persons	1,900	1,974
Eight Persons	2,112	2,195
Nine Persons	2,325	2,416
Ten Persons	2,538	2,637
Each Additional Member	+ 213	+ 221

(Source: Peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989)

## Section 121.63 Deductions From Monthly Income

The following deductions shall be allowed in the determination of the adjusted net monthly food stamp income:

## a) Earned income Deduction

Eighty percent of total gross earned income is considered. (See 89 Ill. Adm. Code 121.40 through 121.54 for a description of earned income.)

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DEPARTMENT OF PUBLIC AID

NOTICE OF PEREMPTORY AMENDMENTS

Section 121.63 Deductions From Monthly Income (Cont'd.)

utility allowance may continue to use the standard utility allowance between billing months.

iv) Households in public housing or privately owned rental units which receive a bill for over-usage are not entitled to use the standard utility allowance. When households (as defined at 7 CFR 273.1(a)(1987) live together, the standard utility allowance shall be divided equally among the households which contribute toward the utility costs whether or not each household participates in the program.

v) Households whose heat and/or air conditioning expense is covered by indirect energy assistance payments (Illinois Home Energy Assistance Program [47 Ill. Adm. Code 100]) shall be entitled to the standard utility allowance (7 CFR 273.9 and 273.10(d)(6) [1987]). The provisions of subsection (ii) above, are applicable to households whose heating and/or air conditioning expense(s) are covered by indirect energy assistance payments.

D) Those households which are not billed separately for either heat or air conditioning are not entitled to claim the standard utility allowance but may claim the actual utility amounts for which they are billed separately, subject to the \$14.00 per month limitation for telephone expense.

4) Shelter Costs for a home temporarily unoccupied by the household because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss, if, the household intends to return to the home; the current occupants of the home, if any, are not claiming the shelter costs for food stamp purposes; and the home is not leased or rented during the absence of the household.

DEPARTMENT OF PUBLIC AID

NOTICE OF PEREMPTORY AMENDMENTS

Section 121.63 Deductions From Monthly Income (Cont'd.)

5) Charges for Repair of the home which was damaged or destroyed due to a natural disaster. Shelter costs shall not include repair charges which have been or will be reimbursed by private or public relief agencies, insurance companies or any other source.

e) Excess Medical Deductions

A deduction for excess medical expenses for households which contain an elderly or disabled member as defined at 7 CFR 271.2 (1987) and Section 121.6) "Gross Monthly Income Eligibility Standards". The medical expenses incurred by the qualifying household member which are over \$35 will be deducted if the expenses will not be reimbursed by insurance or a third party.

(Source: Peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989)

Section 121.64 Coupon Allotment

a) The monthly coupon allotment amount is determined by subtracting 30% of the adjusted net monthly income from the maximum monthly allotment

b) MAXIMUM MONTHLY ALLOTMENT:

Household Size	
1. . . . .	\$ 90 99
2. . . . .	\$165 182
3. . . . .	\$236 260
4. . . . .	\$300 331
5. . . . .	\$356 393
6. . . . .	\$427 472
7. . . . .	\$472 521
8. . . . .	\$540 596

NOTICE OF PEREMPTORY AMENDMENTS

Section 121.64 Coupon Allotment (Cont'd.)

Each Add'l Member

\$ 68 75

c) All one and two person households will receive a minimum monthly allotment of \$10.00

(Source: Peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989)

DEPARTMENT OF PROFESSIONAL REGULATION  
NOTICE OF REFUSAL TO MEET THE OBJECTION  
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

DEPARTMENT OF PROFESSIONAL REGULATION

1) The Heading of the Part: The Nursing Home Administrators Licensing and Disciplinary Act

2) Code Citation: 68 Ill. Adm. Code 1310

3) Section Numbers: Action:

1310.20	Refusal
1310.30	Refusal
1310.60	Refusal
1310.85	Refusal

4) Date Notice of Proposed Rules Published in the Register (if applicable):

September 23, 1988  
12 Ill. Reg. 14938  
(issue date)

5) Date JCAR Statement of Objection Published in the Register:

September 8, 1989  
13 Ill. Reg. 14120  
(issue date)

6) Summary of Action Taken by the Agency:

Objection 1: The Joint Committee objected to the Section 1310.85(d) fee on a license renewal applicant's request for Department approval of continuing education hours that are earned by the applicant in another jurisdiction, when the applicant is not a licensed nursing home administrator in that jurisdiction and the continuing education sponsor has not been approved by the Department. This fee was included in this rulemaking so there would be a mechanism for renewal applicants who have taken courses in the above situation to apply for and receive credit for these courses and not impose a financial burden by not allowing credit for courses completed toward fulfillment of their continuing education requirement. This is a necessary fee based on the administrative hours expended by the Department to review and process such a request. The Department recognizes that the statute has specific fee language; however, this fee is necessary to carry out the provisions of the Act and to not create a hardship for the licensee. The Department refuses to modify the rule, however, will seek legislation to add this fee to the statute so that the intent is clear.

Objection 2: The Joint Committee on Administrative Rules has objected to Section 1310.20, 1310.30, and 1310.60 because the Department's rules are

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF REFUSAL TO MEET THE OBJECTION  
OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

ambiguous in light of the changes in the law resulting from Public Act 86-130. Public Act 86-130 amended Section 10 of the Nursing Home Administrators Licensing Act by providing that "nothing in this Act or in the rules adopted hereunder shall require an administrator of any facility or institution operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer alone, in accordance with the creed or tenets of any well-recognized church or religious denomination, to be licensed as a nursing home administrator." Nothing in these rules requires a nursing home administrator in one of these facilities to be licensed. Section 3 of the Act states ". . .an applicant for a license as a nursing home administrator or a temporary license to demonstrate proficiency in any medical techniques or to meet any medical educational qualifications or medical standards not in accord with the remedial care and treatment provided in such institutions, if such applicant is certified by a recognized church or religious denomination, which teaches reliance on spiritual means alone for healing, as having been approved to administer institutions certified by such church or denomination for the care and treatment of the sick in accordance with its teachings;". Based on the fact that this provision is still in the Act it is conceivable that if a person chooses to obtain a license, the Department by statute would be required to allow this person to apply and comply with the provisions in Section 3 of the Act. Section 1310.20, 1310.30 and 1310.60 set forth application provisions for these individuals seeking licensure. Therefore, the Department refuses to modify these Sections of the rules.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF MODIFICATION OF RULEMAKING TO MEET  
THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Appeals and Hearings
- 2) Code Citation: 89 Ill. Adm. Code 510
- 3) Section Numbers:

510.10	modification
510.20	modification
510.30	modification
510.40	modification
510.50	modification
510.60	modification
510.70	modification
510.80	modification
510.90	modification
510.100	modification
510.110	modification
- 4) Date Notice of Proposed Rules Published in the Register: 13 Ill Reg. 3036, March 10, 1989
- 5) Date JCAR Statement of Objection Published in the Register: 13 Ill. Reg. 13297, August 18, 1989
- 6) Summary of Action Taken by the Agency:

Objection 1

The Joint Committee has objected to the rulemaking of the Department of Rehabilitation Services (DORS) entitled "Appeals and Hearings" (89 Ill. Adm. Code 510), because the rules do not accurately and completely reflect DORS' policies for the conduct of hearings concerning blind vendors. Consequently DORS has agreed to modify 89 Ill. Adm. Code 510 to meet the objection of the Joint Committee, thereby promulgating DORS' policies for the conduct of hearings concerning blind vendors accurately and completely. The modifications which have been in this rulemaking are specified below:

Section 510.10(b)(3) has been modified to include "(Receipt is presumed 4 days from the date of postmark or on the day of delivery for hand delivered items)" to clarify the time periods related to communications.

Section 510.20(i) has been added to specify that dissatisfaction of a client of the Community Services for Visually Handicapped program may be appealed.

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# HISTORY

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JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION

## STATE UNIVERSITIES CIVIL SERVICE SYSTEM

Heading of Part: State Universities Civil Service SystemCode Citation: 80 Ill. Adm. Code 250Section Numbers: 250.70Date Originally Published in Illinois Register: February 17, 1989  
13 Ill. Reg. 1921

At its meeting on September 21, 1989, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

The specific objections are as follows:

Objection 1

The Joint Committee objects to Section 250.70(g)(6) of the rulemaking of the State Universities Civil Service System entitled "State Universities Civil Service System," 80 Ill. Adm. Code 250, because contrary to the requirements of Section 4.02 of the Illinois Administrative Procedure Act, the rule fails to set forth the standards which the Director will use to approve continuation requests for extra help positions after the position has accrued the maximum of 900 consecutive hours.

The State Universities Civil Service System proposed this rulemaking to amend its rules concerning Extra Help Appointments. The procedures which the System is proposing in Section 250.70(g)(6) allow the Director to approve continuation of the Extra Help position after the position has accrued 900 consecutive hours. Specifically Section 250.70(g)(6) states:

An Extra Help position may be utilized for a maximum of 900 hours of actual work in any consecutive 12 calendar months. The employer shall review the status of the position at least every three calendar months. If at any time it is found that the position has become an appointment which is other than Extra Help, the employer shall terminate the Extra Help appointment. If an Extra Help position has accrued 900 consecutive hours, the position shall not be

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTIONSTATE UNIVERSITIES CIVIL SERVICE SYSTEM  
(Continued Page 2)

reestablished until six (6) months time have elapsed from the date of the termination of the position, except that the position may be continued only upon approval of the Director. Standards that the Director shall utilize in determining a continuation shall include those listed in (1) above.

The System was asked to explain whether the Director reviews these Extra Help positions on a regular basis or whether continuation requests must be initiated by the employer, why the Director would approve continuation based upon the standards for creation of the position when 900 actual work hours is established as the maximum, and how the Director will apply these conditions to approve continuation of a position.

The System responded that any request for an exception to the 900 hour rule will be in the form of a written request to the Director from the employer with justification. The Director will review the request and may investigate the request to his/her satisfaction. He/she will then either approve or disapprove the request. Approval will not be granted unless there is a demonstration of unique circumstances and unless the request is not an attempt to circumvent the criteria and restrictions of the rules. The System provided an example: an extra help employee may reach the maximum of 900 hours before a research grant is to expire within the current payroll period. To train a new employee to perform specialized duties for less than 30 days would be gross misuse of human resources.

The System was asked to place its standards for determining that the request is a "demonstration of unique circumstances and not an attempt to circumvent the criteria and restrictions of the rules" in Section 250.70(g). Section 4.02 of the IAPA states that rules implementing discretionary powers to be exercised by an agency shall include the standards by which the agency shall exercise the power. Section 4.02 provides that such standards shall be stated as clearly and precisely as practicable, and was designed to ensure that parties affected by the rulemaking know the standards against which their compliance will be measured. Clearly, the System's Director is exercising a discretionary authority in determining whether to approve an employer's request to continue an Extra Help position based upon some showing of unique circumstances and evidence that such a request is not an attempt to circumvent the criteria and restriction of the rules. As such Section 250.70(g) must conform to the requirement of Section 4.02 of the IAPA.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION

STATE UNIVERSITIES CIVIL SERVICE SYSTEM  
(Continued Page 4)

under the Act. The System was asked why these policies had not been included in its proposed amendments.

Although the System explained that the intent of the amendment to Section 250.70(g)(8) was to require employers to review their Extra Help appointments on a quarterly basis to determine whether the position ought to be moved to a permanent basis, whether the use of such Extra Help was appropriate, and whether the position continued to comply with the establishment criteria, these policies are not expressly articulated in the rule as currently drafted. The System indicated that it would agree to make modifications in the rule, but that it does not have the authority to revise the proposed language until the University Civil Service Merit Board has considered the proposed changes. The System requested that the Joint Committee vote the recommendation for objection to Section 250.70(b)(8) to enable the System to place the objection before its Merit Board. The Merit Board could then review and approve changes in the rules which would be made in response to the Joint Committee's objection.

Therefore, the Joint Committee objects to Section 250.70(g)(8) of the rules of the State Universities Civil Service System entitled "State Universities Civil Service System", 80 Ill. Adm. Code 250, because the rule is incomplete insofar as it fails to fully and clearly articulate System policies concerning required employer filing of quarterly reports on Extra Help positions and the System's verification of such data during annual payroll file audits.

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JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION

STATE UNIVERSITIES CIVIL SERVICE SYSTEM  
(Continued Page 3)

Given the restraints of time, the System had no time to propose standards and seek its Board's approval prior to the Joint Committee meeting. The System indicated that it does not have the authority to revise the proposed language until the University Civil Service Merit Board has considered any suggested changes. The System requested that the Joint Committee vote the recommendation for objection to enable the System to place the objection before its Merit Board. The Merit Board could then review and approve changes in the rules which would be made in response to the Joint Committee's objection.

Therefore, the Joint Committee objects to Section 250.70(g)(6) of the proposed rulemaking of the State Universities Civil Services System entitled "State Universities Civil Service System", 80 Ill. Adm. Code 250, because contrary to the requirements of Section 4.02 of the Illinois Administrative Procedure Act, the rule fails to set forth the standards which the Director will use to approve continuation requests for extra help positions after the position has accrued 900 consecutive hours.

Objection 2

The Joint Committee objects to Section 250.70(g)(8) of the rules of the State Universities Civil Service System entitled "State Universities Civil Service System", 80 Ill. Adm. Code 250, because the rule is incomplete insofar as it fails to fully and clearly articulate System policies concerning required employer filing of quarterly reports on Extra Help positions and the System's verification of such data during annual payroll file audits.

The State Universities Civil Service System proposed this rulemaking to amend its rules concerning Section 250.70(g), Extra Help Appointments. Of specific concern is the newly proposed amendment at Section 250.70(g)(8). Section 250.70(g)(8) specifies that "[t]he employer shall periodically review its use of Extra Help appointments to ensure compliance with these rules." The System was asked to clarify what "periodically" means and whether it verifies this employer review.

In response, the System stated that the employer is required to file quarterly reports identifying all Extra Help appointments in use by the employer. The System verifies the data in the reports by reviewing the number of appointments against the reports during the annual audit from the payroll files. The Director thus approves such appointments on a post audit basis, allowing the employer to meet emergent Extra Help needs while keeping the Director in a position to exercise his authority



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION

## DEPARTMENT OF NUCLEAR SAFETY

Heading of Part: Department of Nuclear Safety Science Scholarship Program

Code Citation: 32 Ill. Adm. Code 700

Section Numbers: 700.50

Date Originally Published in Illinois Register: June 30, 1989  
13 Ill. Reg. 9645

At its meeting on September 21, 1989, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

The specific objection is as follows:

The Joint Committee objects to Section 700.50 of the rulemaking of the Department of Nuclear Safety entitled "Department of Nuclear Safety Science Scholarship Program" (32 Ill. Adm. Code 700), because the Department has exceeded its statutory authority by requiring a scholarship recipient to repay scholarship expenses under conditions not specified in Sections 7 or 8 of the Nuclear Safety Education Assistance Act (Ill. Rev. Stat. 1988 Supp., ch. 144, par. 2507 and 2508) (i.e., if the scholar is dismissed, withdraws, fails, does not maintain a grade average of B for undergraduates or B+ for graduates).

Section 8 of the Act, Failure to fulfill obligation - Repayment, states that "[g]rant or scholarship recipients who fail to fulfill any or all of an obligation imposed pursuant to Section 7 of this Act shall pay to the Department a sum equal to the amount of the scholarship or grant awarded subject to the obligation, reduced in proportion to the amount of the obligation fulfilled by the recipient." Section 7 states that "[i]n awarding a grant or scholarship under this Act, the Department may require as a condition of such award that the recipient agree to accept an offer of employment with the Department, the operator of a regional facility for the disposal of low-level radioactive waste in Illinois, or a public utility owning or operating a nuclear power plant in Illinois, and to be so employed one year for each year that he or she is a grant or scholarship recipient."

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION

## DEPARTMENT OF NUCLEAR SAFETY

(Continued Page 2)

Section 700.50 of the rules specifies the Department's policies regarding conditions of the scholarship award. Section 700.50(b) states that "if the scholar withdraws from, is dismissed from, or fails to pursue an eligible program of study, the scholarship will be withdrawn and the scholar shall repay the State of Illinois in full for all expenses paid to that date in connection with the scholarship." Section 700.50(c) provides that a scholarship will be withdrawn and repayment will be required if the scholar does not maintain a B average as an undergraduate or a B+ average as a graduate. The Department was asked to explain the statutory authority for requiring repayment under these conditions which have not been specified in Sections 7 and 8 of the Act.

The Department responded that requiring repayment as a condition of the scholarship is not inconsistent with Section 7 or 8 of the Act. Maintenance of a B or better average encourages good performance and assures money is spent for the intended purpose. Such conditions also preclude partial completion of a degree paid with State of Illinois monies, withdrawal, and completion of the degree at an out-of-state institution to avoid the employment condition, as public employment opportunities are generally less lucrative than offers of employment in the private sector.

While the Department asserts that such repayment provisions are necessary, Sections 7 and 8 of the Act authorize repayment only when a scholar refuses an employment offer. The Department's expansion of the repayment requirement to require repayment under conditions of withdrawal, failure to continue, dismissal, or failure to maintain a B average for undergraduates and a B+ for graduates, exceeds the statutory authority of the Act. Refusal of an offer of employment represents the only grounds for repayment by statute. The additional grounds for repayment may be appropriate from a policy standpoint and may well enhance the Department's ability to operate this program. However, the Department must make this change through a amendment to the law rather than through rulemaking. If the Department wishes to require repayment for the conditions specified in Sections 700.50(b), (c), (d), it should seek legislation to so authorize repayment.

Therefore, the Joint Committee objects to Section 700.50 of the proposed rulemaking of the Department of Nuclear Safety entitled "Department of Nuclear Safety Science Scholarship Program" (32 Ill. Adm. Code 700), because the Department has exceeded its statutory authority by requiring a scholarship recipient to repay scholarship expenses under conditions not specified in Sections 7 or 8 of the Nuclear Safety Education Assistance Act (Ill. Rev. Stat. 1988 Supp., ch. 144, par. 2507

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JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION

DEPARTMENT OF NUCLEAR SAFETY

(Continued Page 2)

that date in connection with the scholarship." Section 700.50(c) provides that a scholarship will be withdrawn and repayment will be required if the scholar does not maintain a B average as an undergraduate or a B+ average as a graduate. The Department was asked to explain the statutory authority for requiring repayment under these conditions which have not been specified in Sections 7 and 8 of the Act.

The Department responded that requiring repayment as a condition of the scholarship is not inconsistent with Section 7 or 8 of the Act. Maintenance of a B or better average encourages good performance and assures money is spent for the intended purpose. Such conditions also preclude partial completion of a degree paid with State of Illinois monies, withdrawal, and completion of the degree at an out-of-state institution to avoid the employment condition, as public employment opportunities are generally less lucrative than offers of employment in the private sector.

While the Department asserts that such repayment provisions are necessary, Sections 7 and 8 of the Act authorize repayment only when a scholar refuses an employment offer. The Department's expansion of the repayment requirement to require repayment under conditions of withdrawal, failure to continue, dismissal, or failure to maintain a B average for undergraduates and a B+ for graduates, exceeds the statutory authority of the Act. Refusal of an offer of employment represents the only grounds for repayment by statute. The additional grounds for repayment may be appropriate from a policy standpoint and may well enhance the Department's ability to operate this program. However, the Department must make this change through an amendment to the law rather than through rulemaking. If the Department wishes to require repayment for the conditions specified in Sections 700.50(b), (c), (d), it should seek legislation to so authorize repayment.

Therefore, the Joint Committee suggests to the Department of Nuclear Safety that if the Department believes it should be authorized to require repayment of scholarships under conditions not specified in Sections 7 or 8 of the Nuclear Safety Education Assistance Act (the Act) (Ill. Rev. Stat. 1988 Supp., ch. 144, pars. 2507 and 2508), that it seek legislation to specifically authorize such repayment.

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JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION

DEPARTMENT OF PUBLIC HEALTH

Heading of Part: College Immunization Code

Code Citation: 77 Ill. Adm. Code 694

Section Numbers:

694.10	694.20
694.100	694.110
694.120	694.200
694.210	694.220

Date Originally Published in Illinois Register: April 21, 1989  
13 Ill. Reg. 5491

At its meeting on September 21, 1989, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

The specific objections are as follows:

Objection 1

The Joint Committee objects to the definition of student found in Section 694.20 of the Department of Public Health's rules entitled "College Immunization Code" (77 Ill. Adm. Code 694) because, the Department lacks the statutory authority to allow persons who were born prior to January 1, 1957 to be exempt from the college immunization program.

Section 694.20 contains several definitions of terms used in this rulemaking, and defines "Student" as "any person who enrolls for the first time in an Illinois post-secondary educational institution after July 1, 1989 and who was born on or after January 1, 1957." As Section 694.100 requires students to provide proof of immunity, the effect of this definition is to exempt those persons born prior to January 1, 1957 from compliance with Public Act 85-1315 and the rules.

The Department was asked to cite its statutory authority for its rule which allows persons who were born prior to January 1, 1957, to be exempt from the college immunization program.

The Department said that the January 1, 1957, date was designated because it is consistent with the measles and mumps recommendation of the American College Health Association and the U.S. Public Health Service's Immunization Practices Advisory Committee (ACIP). The

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION

DEPARTMENT OF PUBLIC HEALTH  
(Continued Page 3)

prior to January 1, 1957 to be exempt from the college immunization program.

Objection 2

The Joint Committee objects to the Department of Public Health's rules entitled "College Immunization Code" (77 Ill. Adm. Code 694) because, by waiting to propose rules implementing Public Act 85-1315 until April 21, 1989, and not adopting regulations in a timely manner prior to the July 1, 1989 effective date of the Act, the Department has created a situation in which students, colleges and universities had no guidance as to when and how the terms of Public Act 85-1315 were to be implemented.

This rulemaking implements the provisions of Public Act 85-1315, signed by the Governor, August 31, 1988 and effective July 1, 1989 which specifies the circumstances under which proof of immunization shall be required for enrollment in a public or private college or university. Section 694.100(a), as proposed, requires that beginning with the Fall 1989 school term, students who enroll at a post-secondary educational institution shall present to the designated record keeping office proof of immunization evidencing the following immunizations: Diphtheria, Tetanus, Measles, Rubella, and Mumps. In addition, Section 694.100(e) provides "A student who enrolls at a post-secondary educational institution without providing proof of immunization shall be precluded from enrolling at that institution in a subsequent term unless the student provides proof of immunity acceptable to the designated record keeping office or is granted a medical or religious exemption by the institution." These rules also set forth the medical, religious and classification exemptions from the specific immunization requirements specified in these rules, and list the recordkeeping requirements for the colleges and universities regarding this immunization program.

As noted above, these rules were proposed on April 21, 1989 and were stated to be effective beginning with the Fall 1989 School Term. However, the Fall Term has begun and these rules are not yet adopted. The Department was asked to explain the implementation of this rulemaking for the 1989 Fall term. The Department asserted that they have not been doing anything to implement these rules prior to completion of the rulemaking process. The Department said that colleges and universities are requiring information for immunization to comply with Public Act 85-1315 effective July 1, 1989. It was explained that if Colleges and Universities call asking for information concerning this

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION

DEPARTMENT OF PUBLIC HEALTH  
(Continued Page 2)

Department explained that these two vaccine preventable diseases have been the cause of numerous outbreaks on Illinois college and university campuses in recent years. The Department explained that in practically every state in the United States with college immunization requirement laws, the January 1, 1957 date has been the standard for all vaccine preventable disease classification. The Department said that the designated January 1, 1957 date should enable the institutions to be administratively expedient in their implementation of the rule, in order to reach the majority of students at risk.

The Department offered to delete the definition of "Student". Also the Department said it would add language to the definition of "Proof of immunity" which would require that if a person was born before January 1, 1957 he or she would be exempt from the immunization program because the age requirement would show proof of immunity. The Department noted that Section 2 of Public Act 85-1315 effective July 1, 1989 gives the Department the authority to determine what constitutes "proof of immunity". Section 2 of Public Act 85-1315 (effective July 1, 1989) provides:

No person shall attend a post-secondary educational institution without presenting proof that he or she has received such immunizations against preventable communicable diseases as the Department shall require by rules and regulations promulgated pursuant to this Act.

The Department asserted that if a person was born prior to January 1, 1957, diseases were so wide spread that persons born prior to this time would be immune from diseases, and do not need immunization.

It may well be that the Department's assertion that this additional exception is quite practical is correct. However, such an expansion of the list of exceptions should be accomplished through legislation. If the Department feels that persons born prior to January 1, 1957 should be exempt from the college immunization program, then the Department should seek legislation for this authorization.

Therefore, the Joint Committee objects to the definition of student found in Section 694.20 of the Department of Public Health's rules entitled "College Immunization Code" (77 Ill. Adm. Code 694) because, the Department lacks the statutory authority to allow persons who were born

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION

DEPARTMENT OF PUBLIC HEALTH  
(Continued Page 4)

matter, the Department stated it tells them that there are no rules or regulations in effect and none are being enforced.

The Department states that the provision of Section 694.100(a) which requires compliance with the regulations beginning with the fall term of 1989, was mistaken and offered to delete that provision from the adopted rulemaking. Unfortunately, it seems that this action occurs too late. The Fall 1989 term has begun. Schools have already required a number of incoming freshmen to comply with the immunization regulations. The Department argues that the schools should have known that administrative rules are not effective until adopted and that the schools should have known that they did not have to comply with the rules until adopted even though the rules stated they were effective with the Fall term of 1989.

Public Act 85-1315 was signed by the Governor in August, 1988 with a July 1, 1989 effective date. However, the Department waited until April 21, 1989 to propose rules to implement the law. The Department's inaction has caused confusion among those subject to the law. It seems clear that the Department had sufficient time in this instance to adopt rules prior to July 1, 1989 so that those affected could have been informed as to their duties and obligations. The Department's failure to adopt such rules in a timely manner has led to needless confusion on the part of those regulated and will no doubt lead to a situation where the law will be basically unenforceable for the Fall Term of 1989 and perhaps for the whole of the '89-'90 school year.

Therefore, the Joint Committee objects to the Department of Public Health's rules entitled "College Immunization Code" (77 Ill. Adm. Code 694) because, by waiting to propose rules implementing Public Act 85-1315 until April 21, 1989, and not adopting regulations in a timely manner prior to the July 1, 1989 effective date of the Act, the Department has created a situation in which students, colleges and universities had no guidance as to when and how the terms of Public Act 85-1315 were to be implemented.

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JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION

DEPARTMENT OF PUBLIC HEALTH

Heading of Part: College Immunization Code

Code Citation: 77 Ill. Adm. Code 694

Section Numbers: 694.20

Date Originally Published in Illinois Register: April 21, 1989  
13 Ill. Reg. 5491

At its meeting on September 21, 1989, the Joint Committee recommended that the Department of Public Health seek legislation in regard to the above-referenced proposed rules. The Department should respond within 90 days of the receipt of this Statement of Recommendation.

The specific recommendation is as follows:

The Joint Committee suggests to the Department that if the Department of Public Health believes that it should be authorized to exempt persons who were born prior to January 1, 1957 from the college immunization program, the Department seek legislation to obtain specific statutory authorization for this exemption.

Section 694.20 contains several definitions of terms used in this rulemaking, and defines "Student" as "any person who enrolls for the first time in an Illinois post-secondary educational institution after July 1, 1989 and who was born on or after January 1, 1957." As Section 694.100 requires students to provide proof of immunity, the effect of this definition is to exempt those persons born prior to January 1, 1957 from compliance with Public Act 85-1315 and the rules.

The Department was asked to cite its statutory authority for its rule which allows persons who were born prior to January 1, 1957, to be exempt from the college immunization program.

The Department said that the January 1, 1957, date was designated because it is consistent with the measles and mumps recommendation of the American College Health Association and the U.S. Public Health Service's Immunization Practices Advisory Committee (ACIP). The Department explained that these two vaccine preventable diseases have been the cause of numerous outbreaks on Illinois college and university campuses in recent years. The Department explained that in practically every state in the United States with college immunization requirement laws, the January 1, 1957 date has been the standard for all vaccine

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JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

DEPARTMENT OF PUBLIC AID

Heading of Part: Medical Assistance Programs

Code Citation: 89 Ill. Adm. Code 120

Section Numbers: 120.10 120.284  
120.60 120.384  
120.62  
120.63

Date Originally Published in Illinois Register: July 14, 1989  
13 Ill. Reg. 11929

At its meeting on September 21, 1989, the Joint Committee on Administrative Rules objected to the above emergency rulemaking. Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute a refusal to amend or repeal the rule.

The specific objection is as follows:

The Joint Committee objects to the emergency rulemaking of the Department of Public Aid which amends the Department's rules governing medical assistance programs to permit spend-down of assets because, contrary to the requirements of Section 5.02 of the Illinois Administrative Procedure Act, there appears to be no emergency situation which warrants the use of emergency rulemaking in this instance.

The federal Medicare Catastrophic Coverage Act, P.L. 100-360, effective July 1, 1988, amended Section 1902 of the Social Security Act (42 U.S.C. 1902) to permit states to allow spend-down of assets. Spend-down of assets allows those with assets in excess of the allowable maximums to spend those assets in payment for allowable expenses and then to become eligible for medical assistance once these assets have been expended. This emergency rulemaking amends the Department of Public Aid rules to permit spend-down of assets. The rulemaking provides that for applications filed on or after June 1, 1989, non-exempt assets in excess of the appropriate asset disregard, in addition to non-exempt income, must be considered when determining eligibility for medical assistance.

The Department was asked to explain the threat to the public interest, safety or welfare that required the use of emergency rulemaking in this instance. The Department explained that the rulemaking is designed to

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

DEPARTMENT OF PUBLIC AID

(Continued Page 2)

correct the inequity of denying an application for medical assistance because of any surplus of assets while permitting a large spend-down of income. With the change in federal law, this situation could and was occurring and could be remedied by rulemaking. The Department explained that it made the decision to implement this provision of federal law as soon as possible and therefore used emergency rulemaking. It was explained that it was felt that it would be inequitable to wait to implement this program until permanent rules could be adopted.

Section 5.02 of the Illinois Administrative Procedure Act (IAPA) defines "emergency" as "the existence of any situation which an agency finds reasonably constitutes a threat to the public interest, safety or welfare." It does not appear that in this instance a situation exists which constitutes an emergency.

The change in federal law which allowed this rulemaking is a 1988 enactment. The Department has not explained why it was constrained from developing rulemaking on this subject prior to June 27, 1989, when P.L. 100-360, the federal enactment upon which the rulemaking was based, was effective July 1, 1988. While the policy behind the rule and the benefits provided by the rulemaking are unquestioned, it unfortunately does not appear that adopting this rulemaking at this time is a proper use of the emergency rulemaking procedures of Section 5.02 of the IAPA.

Therefore, the Joint Committee objects to the emergency rulemaking of the Department of Public Aid which amends the Department's rules governing medical assistance programs to permit spend-down of assets because, contrary to the requirements of Section 5.02 of the Illinois Administrative Procedure Act, there appears to be no emergency situation which warrants the use of emergency rulemaking in this instance.

88511929

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

DEPARTMENT OF PUBLIC AID

(Continued Page 2)

sufficient time to implement the program by July 1, 1989 without the use of emergency rulemaking.

Section 5.02 of the Illinois Administrative Procedure Act defines "emergency" as "the existence of any situation which an agency finds reasonably constitutes a threat to the public interest, safety or welfare." The Department's explanation that the rulemaking needed to be in place by July 1, does not appear to constitute a threat to the public interest, safety or welfare which justifies the use of emergency rulemaking.

The Department advised that the primary goal of the demonstration project is to determine whether expanded Medicaid coverage will help reduce infant mortality. However, it appears that this goal could have been served by adopting permanent rules in a more timely manner so as to have the demonstration program in place by July 1, 1989 without resorting to emergency rulemaking. While the goals of the demonstration appear laudable and no doubt the program should be implemented as quickly as possible, it is nonetheless unfortunately true that the use of emergency rulemaking seems in this instance to have been improper.

Therefore, the Joint Committee objects to the emergency rulemaking of the Department of Public Aid which added Section 120.393 to the Medical Assistance Programs rules of the Department because, contrary to the requirements of Section 5.02 of the Illinois Administrative Procedure Act, any emergency situation which may exist has been created by the failure of the Department to pursue normal rulemaking through the procedures of Section 5.01 of the IAPA in a timely manner.

88512137

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

DEPARTMENT OF PUBLIC AID

Heading of Part: Medical Assistance Programs

Code Citation: 89 Ill. Adm. Code 120

Section Numbers: 120.393

Date Originally Published in Illinois Register: July 21, 1989

13 Ill. Reg. 12137

At its meeting on September 21, 1989, the Joint Committee on Administrative Rules objected to the above emergency rulemaking. Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute a refusal to amend or repeal the rule.

The specific objection is as follows:

The Joint Committee objects to the emergency rulemaking of the Department of Public Aid which added Section 120.393 to the Medical Assistance Programs rules of the Department because, contrary to the requirements of Section 5.02 of the Illinois Administrative Procedure Act, any emergency situation which may exist has been created by the failure of the Department to pursue normal rulemaking through the procedures of Section 5.01 of the IAPA in a timely manner.

This rulemaking adds Section 120.393 which is designed to implement a demonstration project in Macon County and the Garfield and Western offices in Cook County. The project expands the provision of medical assistance to pregnant women and children under the age of eight years who do not qualify as mandatory categorically needy and whose incomes are no more than 185% of the federal Poverty Income Guidelines. The Department is authorized to operate demonstration programs pursuant to Section 12-4.30 of the Public Aid Code. (Ill. Rev. Stat. 1987, ch. 23, par. 12-4.30) Federal Law authorizes the provision of such coverage at Section 1902(1) of the Social Security Act (42 U.S.C. 1396a(1)).

The Department was asked to explain the threat to the public interest, safety, or welfare that required the use of emergency rulemaking in this instance. The Department explained that it had made a commitment to establish such a demonstration program effective July 1, 1989. It was explained that there was much discussion about the nature of the program and that by the time the program was finalized there was not



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

DEPARTMENT OF PUBLIC AID

Heading of Part: Reimbursement for Nursing Costs for Geriatric Facilities

Code Citation: 89 Ill. Adm. Code 147

Section Numbers: 147.Table A  
147.Table B

Date Originally Published in Illinois Register: July 7, 1989  
13 Ill. Reg. 10999

At its meeting on September 21, 1989, the Joint Committee on Administrative Rules objected to the above emergency rulemaking. Failure of the agency to respond within 90 days of receipt of the Statement of Objection shall constitute a refusal to amend or repeal the rule.

The specific objection is as follows:

The Joint Committee objects to the emergency amendments to 147.Table A and 147.Table B of the rules of the Department of Public Aid entitled "Reimbursement for Nursing Costs for Geriatric Facilities" because, contrary to the requirements of Section 5.02 of the Illinois Administrative Procedure Act, any emergency situation which may exist has been created by the failure of the Department to pursue normal rulemaking through the procedures of Section 5.01 of the IAPA in a timely manner.

The rules of the Department of Public Aid governing reimbursement for nursing costs for geriatric facilities are found at 89 Ill. Adm. Code 147. The rules establish the framework within which such reimbursement will be made. Sections 147.Table A and 147.Table B detail the amount of staff time and the particular staff members who will be reimbursed for the provision of the various services provided to residents of nursing facilities. This particular emergency rulemaking modifies Tables A and B to reflect, in the words of the Department, "a greater emphasis on the level of care provided nursing facility residents."

The Department was asked to explain the threat to the public interest, safety or welfare that required the use of emergency rules in this instance. The Department explained that this was a policy decision on the part of the Department. It was indicated that there was no change

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

DEPARTMENT OF PUBLIC AID

(Continued Page 2)

in federal law or rules, nor any change in state law that required this change in the Department's regulations.

The Department advised that it was necessary to have these changes in place on July 1, the beginning of the state fiscal year. It was explained that from a practical stand point it would have been extremely difficult to implement these changes in the middle of the fiscal year.

Section 5.02 of the Illinois Administrative Procedure Act defines "emergency" as "the existence of any situation which an agency finds reasonably constitutes a threat to the public interest, safety or welfare." The Department's explanation that the rulemaking needed to be in place by the beginning of the fiscal year does not appear to constitute a threat to the public interest and welfare which justifies the use of emergency rulemaking.

The Department admitted that these emergency amendments resulted from a policy decision by the Department. If the Department had made this policy decision sooner, it could have utilized the normal rulemaking procedures of Section 5.01 of the IAPA to adopt this rulemaking, rather than having to resort to the use of emergency rulemaking. It appears that in this instance, any emergency situation which may exist has been agency created.

Therefore, the Joint Committee objects to the emergency amendments to 147.Table A and 147.Table B of the rules of the Department of Public Aid entitled "Reimbursement for Nursing Costs for Geriatric Facilities" because, contrary to the requirements of Section 5.02 of the Illinois Administrative Procedure Act, any emergency situation which may exist has been created by the failure of the Department to pursue normal rulemaking through the procedures of Section 5.01 of the IAPA in a timely manner.

88510999

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**PROCLAMATION  
89-427**

**AMERICAN INDIAN HISTORY MONTH**

Whereas, American Indians are considered to be the original native peoples of North America, and their culture has nearly vanished in the wake of civilization; and

Whereas, there is a large American Indian population in Illinois, particularly in Chicago, and public recognition of these people can help them to secure a niche in society; and

Whereas, although Indian Day was established in Illinois in 1919 for the 25th of September, it is rarely recognized, and American Indians continue to be regarded as people of the past rather than of the future;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim September 22 - October 23, 1989, as AMERICAN INDIAN HISTORY MONTH in Illinois, urging all citizens to remember the plight of these people and support this significant tribute.

Issued by the Governor September 18, 1989.

Filed with the Secretary of State September 25, 1989.

**89-428  
FAMILY WEEK**

"There's no vocabulary for love within a family, love that's lived in but not looked at, love within the light of which all else is seen, the love within which all other love finds speech. This love is silent" T.S. Eliot, The Elder Statesman, 1958

Whereas, the family is the entity that nurtures the values which have made America great. The bonds of familial love are the foundation of our nation's strength; and

Whereas, the trust, duty, respect and cooperation that are a way of life for family members are traits that reinforce the fabric and function of all societal units from the neighborhood to the nation. The acceptance of each individual family member's uniqueness, teamed with simultaneous, unified striving to improve gives momentum to our progress as a nation; and

Whereas, appropriately placed with the traditional week of Thanksgiving, National Family Week is a period of thanks for all the contributions the family has made to our country;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim November 19-25, 1989, as FAMILY WEEK in Illinois, in conjunction with the national observance.

Issued by the Governor September 18, 1989.

Filed with the Secretary of State September 25, 1989.

**89-429  
HEALTH CARE MATERIALS MANAGEMENT WEEK**

Whereas, material managers in the health care field play a

vital role in contributing to quality patient care; and

Whereas, material managers make important contributions to controlling costs in health care delivery; and

Whereas, the role of the material manager has expanded to include serving as financial and purchasing advisors; and

Whereas, material managers now act as strategic planners responsible for developing revenue-generating and cost-saving business plans; and

Whereas, material managers participate in system design to manage up-to-date health care technology; and

Whereas, material managers across the country will celebrate the fourth annual National Health Care Materials Management Week, October 1-7, 1989, with the theme "New Ideas for Changing Times";

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1-7, 1989, as HEALTH CARE MATERIALS MANAGEMENT WEEK and urge all citizens to be cognizant of the contributions of health care material managers.

Issued by the Governor September 18, 1989.

Filed with the Secretary of State September 25, 1989.

**89-430  
INTERNATIONAL YEAR OF BIBLE READING**

Whereas, the Bible has made a unique contribution in shaping the United States as a distinctive and blessed nation and people; and

Whereas, the history of our nation clearly illustrates the value of voluntarily applying the teachings of the Holy Scriptures in the lives of individuals, families, and societies; and

Whereas, many of our great national leaders, such as Presidents Washington, Jackson, Lincoln, and Wilson, paid tribute to the important influence the Bible has had in the development of our nation;

Whereas, the International Bible Reading Association is trying to establish widespread individual and group participation in the International Year of Bible Reading in hopes of worldwide improvement in the actions and attitudes of millions of people;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim 1990 as the INTERNATIONAL YEAR OF BIBLE READING in Illinois, and urge all citizens of Illinois to participate in this worthy effort.

Issued by the Governor September 18, 1989.

Filed with the Secretary of State September 25, 1989.

**89-431  
SPINAL HEALTH CARE MONTH**

Whereas, doctors of chiropractic throughout the United States are active during October in a community health program to

as a business college continuously since 1864; and  
 Whereas, the college has graduated thousands of secretarial,  
 accounting, word processing, and court reporting professionals in  
 its 125 years of operation;  
 Therefore, I, James R. Thompson, Governor of the State of  
 Illinois, proclaim October 2, 1989, as BROWN'S BUSINESS COLLEGE  
 DAY in Illinois, and commend them on their 125-year commitment to  
 the provision of higher education in Illinois.  
 Issued by the Governor September 19, 1989.  
 Filed with the Secretary of State September 25, 1989.

89-434

CERTIFIED PUBLIC ACCOUNTANT WEEK

Whereas, Certified Public Accountants (CPAs) render valuable  
 services to the public and strive to maintain the highest  
 standards of objectivity and integrity; and  
 Whereas, the Illinois CPA Society represents more than 23,000  
 CPAs in public accounting practice, industry, government, and  
 education; and  
 Whereas, the Illinois CPA Society sponsors the Midwest  
 Accounting and Business Management Show, which is the largest  
 gathering of CPAs and business executives in the Midwest and  
 constitutes a unique educational service to the CPA profession  
 and the business community; and  
 Whereas, the 1989 Midwest Accounting and Business Management  
 Show, in its 9th consecutive year, will be held at the Expo  
 Center in Chicago, Illinois, on October 4-6;  
 Therefore, I, James R. Thompson, Governor of the State of  
 Illinois, proclaim October 2-6, 1989, as CERTIFIED PUBLIC  
 ACCOUNTANT WEEK in Illinois, in recognition of the important  
 contributions made by CPAs and the Illinois CPA Society to the  
 financial integrity and well-being of businesses, government, and  
 individuals in Illinois.  
 Issued by the Governor September 19, 1989.  
 Filed with the Secretary of State September 25, 1989.

89-435

CHIROPRACTIC HEALTH CARE MONTH

Whereas, doctors of chiropractic throughout the United States  
 are active during October in community health programs to improve  
 the health of our citizens; and  
 Whereas, chiropractors have long stressed that exercise, good  
 posture and balanced nutrition are essential to proper growth,  
 development and health maintenance; and  
 Whereas, Illinoisans should become more aware of their health  
 and receive periodic examinations; and  
 Whereas, the science of chiropractic and the physicians who  
 practice it have contributed greatly to the better health of our

improve the spinal health of our citizens; and  
 Whereas, spinal integrity makes it possible for all the  
 organs in the body to function more efficiently, and spinal  
 health is essential to proper growth and development; and  
 Whereas, Illinoisans should become more aware of their spinal  
 health and receive periodic examinations; and  
 Whereas, the science of chiropractic and the doctors who  
 practice it have contributed greatly to the better health of our  
 citizenry by providing this specialized health care;  
 Therefore, I, James R. Thompson, Governor of the State of  
 Illinois, proclaim October 1989 as SPINAL HEALTH CARE MONTH in  
 Illinois.  
 Issued by the Governor September 18, 1989.  
 Filed with the Secretary of State September 25, 1989.

89-432

ST. LOUIS COMMUNITY LEADERSHIP AWARDS DAY

Whereas, the St. Louis Community Leadership Awards have been  
 established to recognize and congratulate those individuals who  
 have contributed their time, energy, and talents to creating a  
 better metropolitan community for all of its citizens; and  
 Whereas, 11 individuals have been chosen to be honored for  
 their outstanding individual efforts. These individuals have  
 unique talents and in some cases have volunteered to ensure a  
 better community for all; and  
 Whereas, KPLR-TV, Channel 11, has during the last 30 years  
 provided thousands of hours of free airtime as a public service  
 and has provided resources, professional staff and  
 state-of-the-art facilities for a myriad of causes and community  
 groups in the area; and  
 Whereas, the St. Louis Community Leadership Award, sponsored  
 by KPLR-TV, Channel 11, during its 30th anniversary, reflect the  
 station's ever-growing commitment to the community and provide  
 yet another opportunity to serve the public's trust;  
 Therefore, I, James R. Thompson, Governor of the State of  
 Illinois, proclaim September 22, 1989, as ST. LOUIS COMMUNITY  
 LEADERSHIP AWARDS DAY in Illinois.  
 Issued by the Governor September 18, 1989.  
 Filed with the Secretary of State September 25, 1989.

BROWN'S BUSINESS COLLEGE DAY

89-433

Whereas, Brown's Business College will celebrate its 125th  
 anniversary of operation this fall; and  
 Whereas, the college was founded as Rutledge and Davidson's  
 Commercial College and became part of the Brown's Business  
 College chain in 1913; and  
 Whereas, Brown's Business College has remained in existence

citizenry;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1989 as CHIROPRACTIC HEALTH CARE MONTH in Illinois.

Issued by the Governor September 19, 1989.

Filed with the Secretary of State September 25, 1989.

#### 89-436

#### GRANDPARENTS DAY

Whereas, grandparents strengthen family bonds through their affection, guidance, and understanding; and

Whereas, grandparents are a vital part of our lives, and we wish to recognize the love, special wisdom, experience, and judgment they have shared with us since childhood; and

Whereas, contact with our grandparents through generational communication cultivates a better understanding and appreciation of the importance of each generation; and

Whereas, Grandparents' Day is one way of initiating or reinforcing communication between grandchildren and their grandparents;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim September 10, 1989, as GRANDPARENTS DAY in Illinois. I encourage all Illinoisans to honor their grandparents and other older persons who have become a significant and meaningful part of their lives.

Issued by the Governor September 19, 1989.

Filed with the Secretary of State September 25, 1989.

#### 89-437

#### MENTAL ILLNESS AWARENESS WEEK

Whereas, severe mental illness affects hundreds of thousands of citizens of Illinois; and

Whereas, the deterioration of a community begins with deterioration of the mental status of its residents; and

Whereas, mental illness is still feared and misunderstood by the general public; however, the quality of life of the chronically mentally ill can be improved with family and community support; and

Whereas, the incidence of suicide among teenagers and the elderly is increasing, and between 30 and 40 percent of the homeless suffer from serious chronic forms of mental illness; and

Whereas, mental illness is increasingly a treatable disability with excellent prospects for amelioration and recovery when properly recognized; and

Whereas, greater support for scientific research will continue to yield breakthroughs which will enhance prognosis for recovery of severe mental illness;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1-7, 1989, as MENTAL ILLNESS AWARENESS

WEEK and urge all citizens to be cognizant of the events arranged for this time.

Issued by the Governor September 19, 1989.

Filed with the Secretary of State September 25, 1989.

#### 89-438

#### ARLINGTON READS MONTH

Whereas, the report of the Commission on Reading states, "The single most important activity for building the knowledge required for eventual success in reading is reading aloud to children."; and

Whereas, residents of the community of Arlington Heights have demonstrated their support of family reading, as endorsed by the Barbara Bush Foundation for Family Literacy; and

Whereas, November has been set aside for special attention to reading for pleasure in Arlington Heights' schools and homes; and

Whereas, activities to promote enjoyment of books as a family activity are planned by the Memorial Library for the month of November; and

Whereas, 1989 is designated "Year of the Young Reader" by the Library of Congress and the State of Illinois; and

Whereas, time invested in family reading brings closeness of family members, new ideas, and life-long personal gains;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim November 1989 as ARLINGTON READS MONTH in Illinois and urge all residents to join us in celebrating the joys of reading.

Issued by the Governor September 21, 1989.

Filed with the Secretary of State September 25, 1989.

#### 89-439

#### LEARNING DISABILITIES MONTH

Whereas, learning disabilities threaten one of our most precious rights -- the right to learn; and

Whereas, learning disabilities usually stem from delayed or distorted development of the central nervous system. Such disabilities can prevent normal learning behavior, even in those with average or above-average intelligence and can keep youngsters from reaching their full potential; and

Whereas, the Illinois Association for Citizens with Learning Disabilities believes an individual approach is beneficial to these youngsters when dealing with their educational, psychological and medical needs. Early diagnosis of their disabilities and proper remediation allow them to become productive citizens in our society;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1989 as LEARNING DISABILITIES MONTH in Illinois, and I urge our citizens to participate in the special

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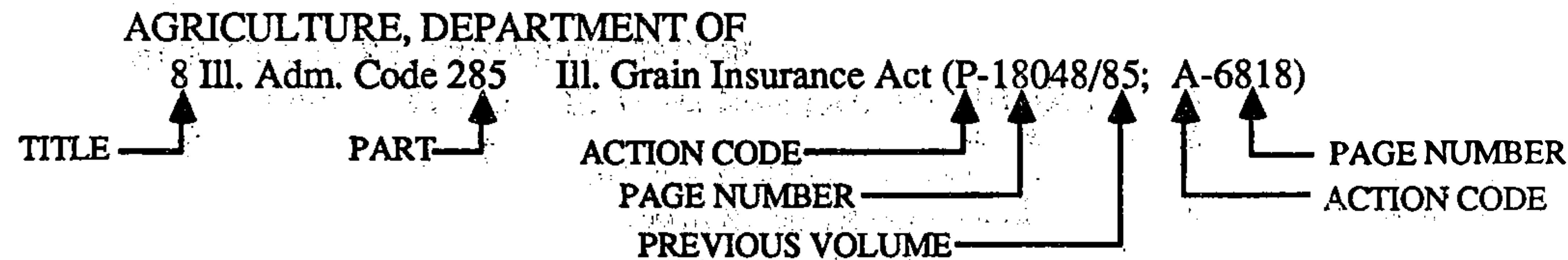
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**ACTION CODES**

JCAR - Joint Committee on Administrative Rules

- |   |   |
|---|---|
| <i>A</i> - Adopted Rule                         | <i>P</i> - Proposed Rule                      |
| <i>AR</i> - Adopted Repealer                    | <i>PF</i> - Prohibited Filing Ordered by JCAR |
| <i>C</i> - Notice of Corrections                | <i>PP</i> - Peremptory or Court ordered Rules |
| <i>CC</i> - Codification Changes                | <i>PR</i> - Proposed Repealer                 |
| <i>E</i> - Emergency Rule                       | <i>R</i> - Refusal to meet JCAR objection     |
| <i>ER</i> - Emergency Repealer                  | <i>RC</i> - Statement of Recommendation       |
| <i>M</i> - Modification to meet JCAR objections | <i>S</i> - Suspension ordered by JCAR         |
| <i>O</i> - JCAR Statement of Objections         | <i>W</i> - Withdrawal to meet JCAR objections |

**EXAMPLE:**



**ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.**

**AGING, DEPARTMENT ON**

- 89 Ill. Adm. Code 240 Community Care Program (P-685) (P-10821/88; O-9594; R-11956; A-11193) (P-13353) (E-13638)
- 89 Ill. Adm. Code 230 Older Americans Act Programs (P-14777/88; A-2015) (P-12137/88; A-3054) (P-13119) (P-14499)

**AGRICULTURE, DEPARTMENT OF**

- 8 Ill. Adm. Code 255 Agrichemical Facilities (P-2571; A-13532)
- 8 Ill. Adm. Code 110 Animal Diagnostic Laboratory Act (P-19153/88; A-3617)
- 8 Ill. Adm. Code 25 Animal Welfare Act (P-19164/88; A-3628)
- 8 Ill. Adm. Code 75 Bovine Brucellosis (P-19172/88; A-3636)
- 8 Ill. Adm. Code 20 Definitions (P-19178/88; W-2166)
- 8 Ill. Adm. Code 85 Diseased Animals (P-19185/88; A-3642)
- 8 Ill. Adm. Code 700 Farmland Preservation Act (P-14786/88; A-285) (P-2598; A-10489) (P-17139/88; A-3653)
- 68 Ill. Adm. Code 600 Grain Dealers (P-19795/88; A-3665)
- 8 Ill. Adm. Code 80 Ill. Bovine Tuberculosis Eradication Act (P-19196/88; A-3676)
- 8 Ill. Adm. Code 90 Ill. Dead Animal Disposal Act (P-19201/88; A-3681)
- 8 Ill. Adm. Code 115 Ill. Pseudorabies Control Act (P-19218/88; A-3685)
- 8 Ill. Adm. Code 230 Ill. Seed Law (P-3511; A-10499) (E-4015)
- 68 Ill. Adm. Code 610 Livestock Dealer Licensing (P-19205/88; A-3690)
- 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-228) (PP-2160) (P-19211/88; A-3696) (PP-15853)
- 2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-5066)
- 8 Ill. Adm. Code 505 Public Grain Warehouse & Warehouse Receipts Act (P-19806/88; A-3703)
- 8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (P-20309/88; A-3715)

**ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF**

- 77 Ill. Adm. Code 2056 Driving Under the Influence Programs (P-22265/88; A-7274)

**ATTORNEY GENERAL**

- 14 Ill. Adm. Code 200 Franchise Disclosure Act (P-20937/88; A-15365)
- 14 Ill. Adm. Code 470 Retail Advertising (P-15239/88; A-11441)

**AUDITOR GENERAL**

- 74 Ill. Adm. Code 420 Code Regulations (P-11983)

**BANKS AND TRUST COMPANIES, COMMISSIONER OF**

- 38 Ill. Adm. Code 350 Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings (P-12163)
- 38 Ill. Adm. Code 320 Powers Incidental & Germane to Carrying on a General Banking Business (P-8737)
- 38 Ill. Adm. Code 303 Use of a State Bank's Corporate Name in Identification & Communication (P-2889)

**CAPITAL DEVELOPMENT BOARD**

- 44 Ill. Adm. Code 910 Procurement Practices (P-1917; A-8403)
- 71 Ill. Adm. Code 40 Standards for Award of Grants Elementary & Secondary Schools Capital Assistance Program (P-1283; A-6973)

**CARNIVAL-AMUSEMENT SAFETY BOARD**

- 56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-7845) (E-8025) (P-13993)

**CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF**

- 89 Ill. Adm. Code 1300 Day Care (P-19223/88; A-4644)
- 80 Ill. Adm. Code 302 Merit & Fitness (P-1639; A-12970) (P-15813/88; A-3722) (P-10569/88; A-10820)
- 80 Ill. Adm. Code 310 Pay Plan (P-20584/88; RC-1254) (P-1296; A-8849) (P-2892; A-11451) (PP-8080) (PP-8970) (P-10725; C-12647) (E-10967; O-14136) (P-11117) (E-11854) (PP-12887) (P-15141)
- 80 Ill. Adm. Code 2150 Service-Connected Days Benefit Administration (P-10285/88; A-2402) (P-6853)
- 80 Ill. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (P-6871/88; O-1256; R-3411; A-3330)
- 80 Ill. Adm. Code 2110 State of Ill. Dependent Care Assistance Plan (P-1; A-9259) (E-214)
- 44 Ill. Adm. Code 5040 State Vehicles & Garage (P-4071; A-13829)

**CHILDREN AND FAMILY SERVICES, DEPARTMENT OF**

- 89 Ill. Adm. Code 334 Administration & Funding of Community-Based Services to Youth (P-11915/88; A-6986)
- 89 Ill. Adm. Code 385 Background Checks (P-13744/88; A-5917)
- 89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Department (P-11922/88; O-22457/88; R-2532; A-2407)
- 89 Ill. Adm. Code 310 Delivery of Youth Services Funded by the Department of Children & Family Services (P-11935/88; O-3412; RC-3414; R-7483; A-7308)
- 89 Ill. Adm. Code 437 Department of Children & Family Services Employee Conflict of Interest (P-13752/88; A-3339)
- 89 Ill. Adm. Code 408 Licensing Standards for Group Day Care Homes (P-13757/88; O-13277; R-15123; A-14828)
- 89 Ill. Adm. Code 357 Purchase of Service (P-13807/88; A-3344)
- 89 Ill. Adm. Code 300 Reports of Child Abuse & Neglect (P-11953/88; O-22472/88; R-2535; A-2419)
- 89 Ill. Adm. Code 432 Research Involving Children & Families (P-5225)
- 89 Ill. Adm. Code 302 Services Delivered by the Department (P-7847) (P-13814/88; W-8115) (P-14508)

**CIVIL SERVICE SYSTEM, STATE UNIVERSITIES**

- 80 Ill. Adm. Code 250 State Universities Civil Service System (P-1921; O-15879) (P-17569/88; A-7324)

**COLLEGES AND UNIVERSITIES, BOARD OF GOVERNORS OF STATE**

- 44 Ill. Adm. Code 530 Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding (P-2648)
- 2 Ill. Adm. Code 5025 Public Information, Rulemaking & Organization (AR-3742) (A-3747)

ADMINISTRATION OF THE ILL. PUBLIC COMMUNITY COLLEGE ACT (P-16313/88; A-1182) (P-3517; A-14904) (P-4087; A-14904) (P-4394; A-14904)

COMPTROLLER

PUBLIC RADIO & TELEVISION STATION GRANTS (P-19259/88; A-4664) (P-5314; C-15128) (P-19259/88; A-14038)

CONSERVATION, DEPARTMENT OF

AQUACULTURE, TRANSPORTATION, STOCKING, IMPORTATION &/OR POSSESSION OF AQUATIC LIFE (P-3213; A-10503)
CAPACITY PLANS STANDARDS ON VARIOUS WATERCRAFT (P-12169)
COCK PHEASANT, HUNGARIAN PARTRIDGE, BOBWHITE QUAIL, RABBIT & CROW HUNTING (P-4399; A-12796) (P-12925) (E-12985)
DESIGNATION OF RESTRICTED WATERS IN THE STATE OF ILL. (P-13820/88; A-20472/88; CC-967) (E-2878) (P-4417; A-12814)
DOG TRAINING ON NON-DEPARTMENT OR -MANAGED LANDS (P-7515; A-14921)
DOVE HUNTING (P-2609; A-10513)
DUCK, GOOSE & COOT HUNTING (P-3221; A-10525) (E-22244/88; O-3462) (P-8189; A-14925) (P-12171) (P-15509)

17 Ill. Adm. Code 1590

17 Ill. Adm. Code 930

17 Ill. Adm. Code 870

17 Ill. Adm. Code 1560

17 Ill. Adm. Code 1530

17 Ill. Adm. Code 510

17 Ill. Adm. Code 1010

17 Ill. Adm. Code 1050

17 Ill. Adm. Code 570

MUSKRAE, MINK, RACCOON, STRIPED SKUNK, WEASEL, RED FOX, COYOTE, BEAVER & WOODCHUCK (GROUNDHOG) TRAPPING (P-2632; A-10589) (P-5087/88; A-12034/88; O-3468)

17 Ill. Adm. Code 220

17 Ill. Adm. Code 230

17 Ill. Adm. Code 970

17 Ill. Adm. Code 1070

POSSESSION OF SPECIMENS OR PRODUCTS OF ENDANGERED OR THREATENED SPECIES (P-8741; A-14934)

17 Ill. Adm. Code 110

17 Ill. Adm. Code 550

17 Ill. Adm. Code 810

RACCOON, OPOSSUM, STRIPED SKUNK, RED FOX, COYOTE & WOODCHUCK (GROUNDHOG) HUNTING (P-3273; A-10598)

17 Ill. Adm. Code 690

17 Ill. Adm. Code 720

17 Ill. Adm. Code 715

17 Ill. Adm. Code 710

17 Ill. Adm. Code 1535

TIMBER HARVEST FEES (P-12931)

17 Ill. Adm. Code 650

17 Ill. Adm. Code 670

17 Ill. Adm. Code 740

WOODCOCK, SNIPES, RAIL & TEAL HUNTING (P-4458; A-12869)

20 Ill. Adm. Code 701

20 Ill. Adm. Code 720

20 Ill. Adm. Code 107

20 Ill. Adm. Code 106

RECORDS OF COMMITTED PERSONS (P-979; A-6992)

RESEARCH & EVALUATION (P-13365)

CORRECTIONS, DEPARTMENT OF

COUNTY JAIL STANDARDS (P-10737)

MUNICIPAL JAIL & LOCKUP STANDARDS (P-10747)

PUBLIC INFORMATION, RULEMAKING & ORGANIZATION (A-1510)

RECORDS OF COMMITTED PERSONS (P-979; A-6992)

CORRIDORS OF OPPORTUNITY PROGRAM (P-4987/88; A-4164)

ECONOMIC DEVELOPMENT AREA TAX INCREMENT ALLOCATION FINANCING (P-13356) (E-13649)

ECONOMIC DISLOCATION & WORKER ADJUSTMENT ASSISTANCE (P-3513; A-13830) (E-4019)

EMERGENCY SHELTER GRANTS PROGRAM (P-9271/88; A-2024)

ENTERPRISE ZONE PROGRAM (P-4985)

III. LARGE BUSINESS DEVELOPMENT PROGRAM (P-15249/88; A-2028)

III. SMALL BUSINESS DEVELOPMENT PROGRAM (P-20714/87; A-58)

INDUSTRIAL TRAINING PROGRAM (A-15386)

LABOR-MANAGEMENT PROGRAM (P-14797/88; A-1758)

SERVICE DELIVERY SYSTEM & STATE RESPONSIBILITIES (P-3515; A-13839) (E-4028) (P-4331)

SMALL BUSINESS IMPACT ANALYSIS PROCEDURES (P-8511/88; A-8407)

STANDARD GRANT ADMINISTRATIVE REQUIREMENTS (P-5002)

STATE ADMINISTRATION OF THE FEDERAL COMMUNITY SERVICES BLOCK GRANT PROGRAM (P-8521/88; A-779) (P-1311; A-13562) (P-4075; A-14026)

STATE ADMINISTRATION OF THE FEDERAL LOW-INCOME HOME ENERGY ASSISTANCE BLOCK GRANT PROGRAM (P-1930; A-10827) (P-4358; A-13568)

TRAINING SERVICES FOR THE DISADVANTAGED (P-4366; O-13282; R-15125; A-14875) (P-5017)

14 Ill. Adm. Code 630

14 Ill. Adm. Code 525

56 Ill. Adm. Code 2625

47 Ill. Adm. Code 160

14 Ill. Adm. Code 520

14 Ill. Adm. Code 590

14 Ill. Adm. Code 570

56 Ill. Adm. Code 2650

14 Ill. Adm. Code 620

56 Ill. Adm. Code 2600

1 Ill. Adm. Code 300

47 Ill. Adm. Code 1

47 Ill. Adm. Code 120

47 Ill. Adm. Code 100

56 Ill. Adm. Code 2610

COMMERCE COMMISSION, ILLINOIS

AGENTS FOR SERVICE OF PROCESS (P-15150)

CARRIER IDENTIFICATION (P-15154)

CELLULAR RADIO EXCLUSION (P-13358)

CHARITABLE CONTRIBUTIONS (P-18021/88; AR-4648)

DESIGNATION OF AGENT (P-18026/88; A-4650)

ELECTRIC UTILITY FORECLOSING (G.O.215) (PR-3; AR-8417)

ENERGY ASSISTANCE (P-1647; A-10841)

FEES & TAXES (P-1665; O-9597; R-11957; A-11460)

HAZARDOUS MATERIALS (P-12673)

IMPOSITION OF SANCTIONS INCLUDING THE SUSPENSION OR REVOCATION OF LICENSES &/OR THE ASSESSMENT OF CIVIL PENALTIES (G.O. 3(R)) (P-9061)

INVESTIGATION & SUSPENSION OF RATES (P-1671; A-11466)

JOINT RULES OF THE ILL. COMMERCE COMMISSION & THE DEPT. OF ENERGY & NATURAL RESOURCES: RESIDENTIAL CONSERVATION PLAN (PR-12680)

LEAST-COST PLANNING FOR ELECTRIC UTILITIES (P-3162/88; A-296)

LEAST-COST PLANNING FOR NATURAL GAS UTILITIES (P-9314/88; A-7331) (P-12676)

MINIMUM RATE (PR-14147)

MINIMUM SAFETY STANDARDS FOR TRANSPORTATION OF GAS & FOR GAS PIPELINE FACILITIES (P-9067)

MOTOR CARRIER OF PROPERTY FITNESS STANDARDS (P-13381/89; A-4654)

PRACTICE BEFORE THE INDEPENDENT REVIEW BOARD (P-17045/88; A-4658)

PUBLICATION, POSTING & FILING OF TARIFFS, CONTRACTS, SCHEDULES & RELATED DOCUMENTS (P-1676; A-11471)

PURCHASE & SALE OF ELECTRIC ENERGY FROM QUALIFIED SOLID WASTE ENERGY FACILITIES (P-13129)

RAIL CARRIER CONTRACT RATES (PR-20978/88; AR-7564) (P-20974/88; A-7566)

RELOCATION TOWING (P-10)

REPORTS OF ACCIDENTS OR INCIDENTS BY PERSONS ENGAGED IN THE TRANSPORTATION OF GAS, OR WHO OWN OR OPERATE GAS PIPELINE FACILITIES (P-16309/88; A-2036)

SANCTIONS INCLUDING SUSPENSION OR REVOCATION OF OPERATING AUTHORITIES &/OR THE ASSESSMENT OF CIVIL PENALTIES (G.O. 54(MC)) (P-9070)

STANDARD FILING REQUIREMENTS FOR ELECTRIC, GAS, TELEPHONE, WATER & SEWER UTILITIES IN FILING FOR AN INCREASE IN RATES (G.O. 210) (P-5229)

TELECOMMUNICATIONS ACCESS FOR THE DEAF (P-15157)

TELEPHONE ASSISTANCE PROGRAM (P-14799/88; A-14366)

UNIFORM SYSTEM OF ACCOUNTS FOR GAS UTILITIES (P-1686; A-10858) (P-13361)

UNIFORM SYSTEM OF ACCOUNTS FOR TELECOMMUNICATIONS CARRIERS (P-19563/88; A-7570) (P-9076)



**CORRECTIONS, DEPARTMENT OF (CONT'D)**

- 20 Ill. Adm. Code 502 Safety, Maintenance & Sanitation (P-3528; A-13577)  
20 Ill. Adm. Code 501 Security (P-7181)

**CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS**

- 20 Ill. Adm. Code 1520 Operating Procedures for the Administration of Federal Funds (P-1317; A-5926) (E-1605)

**EDUCATION, BOARD OF HIGHER**

- 23 Ill. Adm. Code 1025 Engineering Grant Program (P-14516)  
23 Ill. Adm. Code 1020 Health Services Education Grants Act (P-14521)  
23 Ill. Adm. Code 1000 Ill. Financial Assistance Act for Nonpublic Institutions of Higher Learning (P-14531)

**EDUCATION, STATE BOARD OF**

- 23 Ill. Adm. Code 25 Certification (P-8756)  
23 Ill. Adm. Code 202 Disadvantaged Students Funds Plan -- Districts Over 50,000 ADA (PR-13367) (P-13369) (E-13664) (ER-13657)  
  
23 Ill. Adm. Code 500 Educational Service Centers (P-1730; A-11481)  
23 Ill. Adm. Code 227 Gifted Education (P-4097; A-14957)  
23 Ill. Adm. Code 210 Learning Assessment & School Improvement Plans (P-8766)  
23 Ill. Adm. Code 451 Private Business & Vocational Schools (PR-9082) (P-9133)  
23 Ill. Adm. Code 110 Program Accounting Manual (P-12625/88; A-7610)  
23 Ill. Adm. Code 275 Pupil Transportation (P-12745/88; A-1532)  
23 Ill. Adm. Code 120 Pupil Transportation Reimbursement (P-19266/88; O-3416; R-7815; A-7731)  
23 Ill. Adm. Code 200 Sex Equity (P-19279/88; A-11491)  
23 Ill. Adm. Code 226 Special Education (P-17151/88; A-15388)  
23 Ill. Adm. Code 230 Summer School for Gifted & Remedial Education (P-12747/88; A-1535)  
23 Ill. Adm. Code 254 Vocational Education (P-8777/88; A-8459)

**EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS**

- 23 Ill. Adm. Code 2310 Functions & Planning Program (P-1319; A-7898)  
2 Ill. Adm. Code 5200 Public Information, Rulemaking & Organization (A-7902)

**ELECTIONS, STATE BOARD OF**

- 26 Ill. Adm. Code 208 Constitutional Amendments & Statewide Questions of Public Policy (P-5317)  
26 Ill. Adm. Code 201 Established Political Party & Independent Candidate Nominating Petitions (P-5322)  
26 Ill. Adm. Code 100 General Rules & Regs. under the Campaign Financing Act (P-14539)  
26 Ill. Adm. Code 207 Miscellaneous (P-5327) (P-14549)  
26 Ill. Adm. Code 202 New Political Party Nominating Petitions (P-5339)  
26 Ill. Adm. Code 125 Practice & Procedure (P-14556)

**EMERGENCY SERVICES AND DISASTER AGENCY**

- 29 Ill. Adm. Code 430 Emergency & Written Notification of an Incident or Accident Involving a Reportable Hazardous Substance (P-17575/88; A-2040)  
29 Ill. Adm. Code 430 Telephone Notification of Hazardous Incidents (PR-17585/88; AR-2049)

**EMPLOYMENT SECURITY, DEPARTMENT OF**

- 56 Ill. Adm. Code 2725 Administrative Hearings & Appeals (P-5344; W-11959) (P-11120) (E-11872)  
56 Ill. Adm. Code 2905 Alien Status (P-2229; A-11502)  
56 Ill. Adm. Code 2720 Claims, Adjudication, Appeals & Hearings (P-5362; W-11960) (P-11139) (E-11890)  
56 Ill. Adm. Code 2770 Determination of Unemployment Contributions (P-743; A-11507) (P-15543)  
56 Ill. Adm. Code 2920 Disqualifying Income & Reduced Benefits (P-17592/88; A-1773) (P-22295/88; A-5936) (P-11153) (E-11899)  
  
56 Ill. Adm. Code 2815 Employees' General Rights & Duties (P-13141) (E-13268)  
56 Ill. Adm. Code 2732 Employment (P-1945; A-8864) (P-12748)  
56 Ill. Adm. Code 2712 General Applications (P-15257/88; O-22482/88; R-965; A-795)  
56 Ill. Adm. Code 2960 General Provisions (P-17; A-5940)

**EMPLOYMENT SECURITY, DEPARTMENT OF (CONT'D)**

- 56 Ill. Adm. Code 2765 Payment of Unemployment Contributions, Interest & Penalties (P-752) (P-5375; W-11961) (P-11155) (E-11911)

**ENERGY AND NATURAL RESOURCES, DEPARTMENT OF**

- 83 Ill. Adm. Code 1000 Joint Rules of the Ill. Commerce Commission & the Dept. of Energy & Natural Resources: Residential Conservation Plan (PR-12756)

**ENVIRONMENTAL PROTECTION AGENCY**

- 2 Ill. Adm. Code 1826 Access to Information of the Ill. Environmental Protection Agency (CC-9497) (A-12041)  
35 Ill. Adm. Code 691 Annual Testing Fees for Analytical Services (P-15164)  
35 Ill. Adm. Code 378 Effluent Disinfection Exemptions (P-12753/88; A-1190)  
35 Ill. Adm. Code 661 General Conditions of Grants for the Financing & Construction of Public Water Supply Facilities (P-1738)  
  
35 Ill. Adm. Code 283 General Procedures for Stock Testing (PR-16365/8; AR-9501)  
35 Ill. Adm. Code 183 Joint Rules of the Environmental Protection Agency & the Department of Public Health: Certification & Operation of Environmental Laboratories (P-7522)  
  
35 Ill. Adm. Code 855 Operation of the Hazardous Waste Fee System (P-19834/88; A-13206)  
35 Ill. Adm. Code 690 Permit Fees for Installing or Extending Water Main (P-15174)  
35 Ill. Adm. Code 260 Policy for Granting Permission to Operate During Periods of Excess Emissions (PR-16336/88; AR-9503)  
  
35 Ill. Adm. Code 251 Procedures for Collection of Air Pollution Site Fees (E-955) (P-19825/88; A-8867)  
35 Ill. Adm. Code 856 Procedures for Collection of Permit & Inspection Fees (P-21000/88; A-13212)  
2 Ill. Adm. Code 1827 Procedures for Determining and Protecting Confidential Information (CC-9509) (A-12048) (CC-13906)  
  
35 Ill. Adm. Code 161 Procedures for Determining and Protecting Confidential Information (P-16343/88; A-9505)  
35 Ill. Adm. Code 365 Procedures for Issuing Loans from the Water Pollution Control Revolving Fund (P-18030/88; RC-5798; A-7351)  
  
35 Ill. Adm. Code 277 Procedures for Measuring Emissions of Carbon Monoxide from Stationary Sources (PR-16346/88; AR-9513)  
  
35 Ill. Adm. Code 263 Procedures for Measuring Emissions of Particulate Matter from Stationary Sources (PR-16352/88; AR-9515)  
  
35 Ill. Adm. Code 858 Procedures for Operation of the Non-Hazardous Solid Waste Fee System (A-5945)  
35 Ill. Adm. Code 285 Self-Monitoring & Reporting by Sources of Air Pollution (PR-16365/88; AR-9517)

**EXPERIMENTAL ORGAN TRANSPLANTATION PROCEDURES BOARD**

- 77 Ill. Adm. Code 2800 Transplantation Program (P-6856)

**FARM DEVELOPMENT AUTHORITY, ILLINOIS**

- 8 Ill. Adm. Code 1400 Ill. Farm Development Authority (P-5545/88; A-2440) (P-13832/88; A-14376)

**FINANCIAL INSTITUTIONS, DEPARTMENT OF**

- 38 Ill. Adm. Code 190 Ill. Credit Union Act (P-14097/88; O-22489/88; R-966; A-3793) (P-4107)

**FIRE MARSHAL, OFFICE OF THE STATE**

- 41 Ill. Adm. Code 100 Fire Prevention & Safety (E-582) (P-1323; A-12547)  
41 Ill. Adm. Code 180 Storage, Transportation, Sale & Use of Gasoline & Volatile Oils (P-1754; A-14978) (E-1875; O-5807)  
  
41 Ill. Adm. Code 170 Storage, Transportation, Sale & Use of Petroleum & Other Regulated Substances (P-1756; O-13288; R-15126; A-14992) (E-1886) (A-5669; O-13305) (A-7744; O-13305) (A-8515) (A-8875; O-13305)

**HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS**

- 77 Ill. Adm. Code 2510 Data Collection (P-13894/88; A-334) (P-8198)

**HOUSING DEVELOPMENT AUTHORITY, ILLINOIS**

- 47 Ill. Adm. Code 350 Low Income Housing Tax Credit Allocation (P-15265/88; A-5947)

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## POLLUTION CONTROL BOARD

- 35 Ill. Adm. Code 243 Air Quality Standards (P-19290/88; W-2536)  
 35 Ill. Adm. Code 211 Definitions & General Provisions (P-19296/88; W-2537) (P-15294/88; A-10862) (P-13143)  
 35 Ill. Adm. Code 304 Effluent Standards (P-11669/88; A-851) (P-11397/88; A-2060) (P-15815/88; A-5976)  
 (P-18092/88; A-7754) (P-14509/88; A-8880) (P-9204) (P-9421) (P-9656)  
 35 Ill. Adm. Code 615 Existing Activities In A Setback Zone or Regulated Recharge Area (P-14589)  
 35 Ill. Adm. Code 604 Finished Water & Raw Water Quality & Quantity (P-255)  
 35 Ill. Adm. Code 101 General Rules (P-14822/88; O-8135; R-12147; A-12055) (PR-14853/88; AR-12092)  
 35 Ill. Adm. Code 231 Hazardous Air Pollutants (PR-9212)  
 35 Ill. Adm. Code 720 Hazardous Waste Management System: General (P-15327/88; A-362) (P-9661)  
 35 Ill. Adm. Code 106 Hearings Pursuant to Specific Rules (P-14865/88; A-12094) (P-14634)  
 35 Ill. Adm. Code 721 Identification & Listing of Hazardous Waste (P-15347/88; A-382) (P-9683)  
 35 Ill. Adm. Code 725 Interim Status Standards for Owners & Operators of Hazardous Waste Treatment, Storage &  
 Disposal Facilities (P-15402/88; A-437) (P-9737)  
 35 Ill. Adm. Code 301 Introduction (P-15823/88; A-5984) (P-14152)  
 35 Ill. Adm. Code 601 Introduction (P-262) (P-14641)  
 35 Ill. Adm. Code 728 Land Disposal Restrictions (P-9786)  
 35 Ill. Adm. Code 849 Management of Scrap Tires (P-15828/88; A-7949)  
 35 Ill. Adm. Code 305 Monitoring & Reporting (P-15835/88; A-5989) (P-14159)  
 35 Ill. Adm. Code 616 New Activities In A Setback Zone or Regulated Recharge Area (P-14647)  
 35 Ill. Adm. Code 230 New Source Performance Standards (PR-9223)  
 35 Ill. Adm. Code 215 Organic Material Emission Standards & Limitations (P-15412/88; A-10893) (P-12384)  
 (P-15249) (P-15551)  
 35 Ill. Adm. Code 306 Performance Criteria (P-13173)  
 35 Ill. Adm. Code 309 Permits (P-15839/88; A-5993) (P-14164)  
 35 Ill. Adm. Code 201 Permits & General Provisions (P-5154/88; O-20221/88; R-1624; A-2066) (P-8782)  
 35 Ill. Adm. Code 310 Pretreatment Programs (P-16384/88; A-2463) (P-9426)  
 35 Ill. Adm. Code 702 RCRA & UIC Permit Programs (P-9835)  
 35 Ill. Adm. Code 703 RCRA Permit Program (P-15444/88; A-447) (P-9860)  
 35 Ill. Adm. Code 617 Regulated Recharge Areas (P-14693)  
 35 Ill. Adm. Code 102 Regulatory & Informational Hearings & Proceedings (P-14696)  
 35 Ill. Adm. Code 102 Regulatory & Other Nonadjudicative Hearings & Proceedings (PR-14727)  
 35 Ill. Adm. Code 605 Sampling & Monitoring (P-269; C-2539)  
 35 Ill. Adm. Code 107 Sanctions (PR-14933/88; AR-12116)  
 35 Ill. Adm. Code 307 Sewer Discharge Criteria (P-16396/88; A-1794) (P-7530) (P-9471)  
 35 Ill. Adm. Code 808 Special Waste Classifications (P-13468)  
 35 Ill. Adm. Code 722 Standards Applicable to Generators of Hazardous Waste (P-15449/88; A-452) (P-9905)  
 35 Ill. Adm. Code 724 Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal  
 Facilities (P-15455/88; A-458) (P-9909)  
 35 Ill. Adm. Code 726 Standards for the Management of Specific Hazardous Waste & Specific Types of Hazardous  
 Waste Management Facilities (P-9988)  
 35 Ill. Adm. Code 704 UIC Permit Program (P-17167/88; A-478)  
 35 Ill. Adm. Code 731 Underground Storage Tanks (P-2650; A-9519) (P-6861; A-15010)  
 35 Ill. Adm. Code 809 Waste Hauling (P-13699)  
 35 Ill. Adm. Code 302 Water Quality Standards (P-15844/88; A-5998) (P-14172)  
 35 Ill. Adm. Code 303 Water Use Designations & Site-Specific Water Quality Standards (P-7863; A-15649)  
 (P-14211)

## PRISONER REVIEW BOARD

- 20 Ill. Adm. Code 1610 Prisoner Review Board (P-4774/88; A-3063)

## PROFESSIONAL REGULATION, DEPARTMENT OF

- 68 Ill. Adm. Code 1175 Barber, Cosmetology & Esthetics Act of 1985, The (E-6810) (P-7185; A-15034)  
 68 Ill. Adm. Code 1200 Certified Shorthand Reporters Act (P-11993; C-12648)  
 68 Ill. Adm. Code 1400 Clinical Psychologist Licensing Act (E-2519)  
 68 Ill. Adm. Code 1470 Clinical Social Work & Social Work Practice Act (E-5771) (P-5426; A-13867)  
 68 Ill. Adm. Code 1220 Dental Practice Act (P-5867/88; O-3444; RC-3447; R-4306; A-4191) (P-5398; A-15043)

## PROFESSIONAL REGULATION, DEPARTMENT OF (CONT'D)

- 68 Ill. Adm. Code 1250 Funeral Directors & Embalmers Act (P-3535; A-14061)  
 68 Ill. Adm. Code 1150 Ill. Architecture Act (P-14216)  
 68 Ill. Adm. Code 1300 Ill. Nursing Act, The (P-14236)  
 68 Ill. Adm. Code 1465 Ill. Speech-Language Pathology & Audiology Practice Act, The (P-1388; A-13882) (E-1616)  
 68 Ill. Adm. Code 1480 Ill. Structural Engineering Act, The (P-5424; A-13891) (E-5781; O-9605)  
 68 Ill. Adm. Code 1290 Medical Disciplinary Board (PR-15854/88; AR-10923)  
 68 Ill. Adm. Code 1285 Medical Practice Act of 1987 (P-274; O-9601; R-10712; A-10613) (P-8571/88; A-483)  
 (E-651; O-3475) (P-15880/88; A-10925)  
 68 Ill. Adm. Code 1280 Medical Practice Act of 1987 (PR-8536/88; AR-513)  
 68 Ill. Adm. Code 1310 Nursing Home Administrators Licensing Act, The (P-14938/88; O-14120)  
 68 Ill. Adm. Code 1310 Nursing Home Administrators Licensing & Disciplinary Act (P-14938/88; O-14120;  
 R-15874; A-15653)  
 68 Ill. Adm. Code 1320 Optometric Practice Act of 1987 (P-8606/88; A-6994)  
 68 Ill. Adm. Code 1360 Podiatry Act, The (P-14963/88; O-3450; RC-3452)  
 68 Ill. Adm. Code 1360 Podiatric Medical Practice Act of 1987 (P-14963/88; O-3450; RC-3452; R-4308; A-3234)  
 (P-14004)  
 68 Ill. Adm. Code 1400 Psychologist Registration Act (P-2913)  
 68 Ill. Adm. Code 1470 Social Workers Registration Act (P-5426)  
 68 Ill. Adm. Code 1500 Veterinary Medicine & Surgery Practice Act (P-18100/88; A-3826)

## PROPERTY TAX APPEAL BOARD

- 86 Ill. Adm. Code 1910 Procedures (P-8790; O-14125; RC-14130)

## PUBLIC AID, DEPARTMENT OF

- 89 Ill. Adm. Code 130 Administration of Social Service Programs (P-20649/88; A-3831) (P-4469)  
 89 Ill. Adm. Code 112 Aid to Families with Dependent Children (P-15905/88; A-70) (P-1948) (P-2236; A-8567)  
 (P-4116) (P-20661/88; A-6017) (P-22308/88; A-6017) (P-8246) (P-14741)  
 89 Ill. Adm. Code 113 Aid to the Aged, Blind or Disabled (P-15898/88; A-63) (E-3402) (P-4481; A-12553)  
 (P-5440; A-13609) (P-20654/88; A-6007) (P-22299/88; A-6007) (P-14263) (E-14467)  
 89 Ill. Adm. Code 110 Application Process (P-2931; A-10628) (P-20670/88; A-3836)  
 89 Ill. Adm. Code 111 Assistance Standards (P-15920/88; A-85) (P-20674/88; A-3840)  
 89 Ill. Adm. Code 160 Child Support Enforcement (P-1396; A-7761) (P-20677/88; A-4268) (P-21039/88; A-4268)  
 (P-7867; A-14385) (P-8255)  
 89 Ill. Adm. Code 165 Collections & Recoveries (P-20679/88; A-3843) (P-5450)  
 89 Ill. Adm. Code 116 Crisis Assistance (P-20683/88; A-3847)  
 89 Ill. Adm. Code 170 Demonstration Programs (P-4490; A-14067)  
 89 Ill. Adm. Code 144 Developmental Disabilities Service (P-11999)  
 89 Ill. Adm. Code 141 Drug Manual (P-15483/88; A-516) (P-20370/88; A-3850) (P-7873; A-15672) (E-8036)  
 (P-9992) (E-10700)  
 89 Ill. Adm. Code 121 Food Stamps (P-3541; A-13619) (P-20686/88; A-3890) (P-13503) (P-14756) (PP-15859)  
 2 Ill. Adm. Code 1101 Freedom of Information (A-8885)  
 89 Ill. Adm. Code 101 General Administrative Provisions (P-20694/88; A-3897)  
 89 Ill. Adm. Code 114 General Assistance (P-14996/88; A-89) (P-15924/88; A-89) (P-17621/88; A-1546) (P-1959;  
 A-8580) (P-20697/88; A-3900) (P-5456) (P-14764)  
 89 Ill. Adm. Code 148 Hospital Services (CC-9572) (A-12118) (P-13729)  
 89 Ill. Adm. Code 149 Ill. Competitive Access & Reimbursement Equity (ICARE) Program (P-13917/88; A-554)  
 (P-3553; A-15070)  
 89 Ill. Adm. Code 120 Medical Assistance Programs (P-15938/88; A-116) (P-17633/88; A-2081) (P-3281)  
 (P-20705/88; A-3908) (P-9250; A-15404) (P-9996) (P-10753) (E-11929; O-15895)  
 (E-12137; O-15897) (P-14778) (P-15582)

PUBLIC HEALTH, DEPARTMENT OF (CONT'D)

77 III. Adm. Code 906	Private Sewage Mound Code (P-19332/88; A-12608)
77 III. Adm. Code 630	Program Content & Guidelines for Maternal & Child Health Services (P-10060)
77 III. Adm. Code 635	Program Content & Guidelines for Title X Family Planning Services (P-5505)
77 III. Adm. Code 615	Program Standards for Local Health Departments (P-10137)
77 III. Adm. Code 640	Regionalized Perinatal Care (PR-12413)
77 III. Adm. Code 640	Regionalized Perinatal Health Care Code (P-12433)
77 III. Adm. Code 700	Renal Diseases Program for Care and Treatment Code (P-12777/88; A-10634)
77 III. Adm. Code 380	Residential Rehabilitation Facilities Code (P-987; W-8123)
77 III. Adm. Code 760	Retail Food Store Sanitation Code (P-14115/88; A-1830) (P-6964)
77 III. Adm. Code 725	Salvage Warehouses & Stores for Foods, Alcoholic Liquors, Drugs, & Cosmetics (PR-7265/88; AR-2517)
77 III. Adm. Code 725	Salvage Warehouses & Stores for Foods, Alcoholic Liquors, Drugs, Medical Devices & Cosmetics (P-7272/88; A-2502) (P-14306)
77 III. Adm. Code 330	Sheltered Care Facilities Code (P-21893/88; A-6562) (P-8336)
77 III. Adm. Code 300	Skilled Nursing & Intermediate Care Facilities Code (P-21333/88; A-4684) (P-13581/88; A-5134) (P-8347)
77 III. Adm. Code 830	Structural Pest Control Code (P-3325/88; A-2090)
77 III. Adm. Code 542	Trauma Nurse Specialist Course Code (P-4544/88; A-3086)
<b>PUBLIC HEALTH, DEPARTMENT OF/HEALTH FACILITIES PLANNING BOARD</b>	
77 III. Adm. Code 1150	Certificate of Need for Health Maintenance Organizations (PR-5580)
77 III. Adm. Code 1100	Narrative & Planning Policies (P-5596)
77 III. Adm. Code 1110	Processing, Classification Policies & Review Criteria (P-5619)
<b>RACING BOARD, ILLINOIS</b>	
11 III. Adm. Code 422	Approval of Racing Officials (P-13922/88; A-1558)
11 III. Adm. Code 208	Charitable Funds (P-13926/88; O-20234/88; M-1250; A-1232)
11 III. Adm. Code 437	County Fair Regs. (P-1099; O-5802; R-7484; A-7435)
11 III. Adm. Code 439	Double Trifecta Wagering Pool (P-13519)
11 III. Adm. Code 502	Licensing (P-17755/88; A-1562) (P-18105/88; A-4931)
11 III. Adm. Code 509	Medication Rules (P-10171)
11 III. Adm. Code 1409	Ownership, Partnership & Stable Name (P-17761/88; O-1266; R-1906; A-1841)
11 III. Adm. Code 438	Pick N Wagering Pool (P-13525)
11 III. Adm. Code 417	Pick Six Rules (B-1899; O-5811) (P-1979)
11 III. Adm. Code 404	Race Track Improvement Fund (P-13936/88; A-7440)
11 III. Adm. Code 1308	Racing, Farm, Corporate or Stable Name (P-17766/88; O-1268; R-2167; A-2156)
11 III. Adm. Code 1410	Trainers & Owners (P-4345; A-1846)
<b>RECORDS COMMISSION, STATE</b>	
44 III. Adm. Code 4400	State Records Commission (P-44; A-7444)
<b>REGENTS, BOARD OF</b>	
44 III. Adm. Code 525	Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding (P-2709)
44 III. Adm. Code 526	Procurement from Minority & Female Owned Business Enterprises (P-2746; O-14117)
<b>REHABILITATION SERVICES, DEPARTMENT OF</b>	
2 III. Adm. Code 1176	Access to Public Records (A-15763)
89 III. Adm. Code 510	Administrative Reviews & Hearings (PR-3020; AR-15767)
89 III. Adm. Code 870	Applicant Assistance Unit, The (P-8379)
89 III. Adm. Code 557	Application (P-5914)
89 III. Adm. Code 510	Appeals & Hearings (P-3036; O-13297; RC-13300; M-15876; A-15769)
89 III. Adm. Code 520	Authorization (P-6911/88; A-5149)
89 III. Adm. Code 562	Client Financial Participation (P-4685/88; A-2866) (P-14313)

PUBLIC AID, DEPARTMENT OF (CONT'D)

89 III. Adm. Code 140	Medical Payment (P-11995/88; A-125; CC-2543) (P-16421/88; O-1259; M-3195; A-3069)
89 III. Adm. Code 147	Reimbursement for Nursing Costs for Geriatric Facilities (P-10627/88; O-20231/88; R-677; A-559) (P-3562) (P-17201/88; O-5800; R-7148; A-7043) (P-10763) (B-10999; O-15899)
89 III. Adm. Code 117	Related Program Provisions (P-20739/88; A-3936) (P-5487) (P-14008)
89 III. Adm. Code 102	Rights & Responsibilities (P-20743/88; A-3940)
89 III. Adm. Code 104	Rules of Practice in Administrative Hearings (P-2958) (P-20747/88; A-3944)
89 III. Adm. Code 118	Special Eligibility Groups (P-20753/88; A-3950)
89 III. Adm. Code 103	Support Responsibility of Relatives (P-17667/88; A-2496) (P-20757/88; A-3954)
<b>PUBLIC HEALTH, DEPARTMENT OF</b>	
77 III. Adm. Code 697	Aids Confidentiality & Testing Code (P-21043/88; A-11544)
77 III. Adm. Code 200	Alcoholism & Intoxication Treatment Programs (PR-17673/88; AR-4681)
77 III. Adm. Code 855	Asbestos Abatement for Public & Private Schools in Ill. (P-6564/88; A-2768) (P-8824)
77 III. Adm. Code 665	Child Health Examination (P-8840) (P-19984/88; A-11565)
77 III. Adm. Code 450	Clinical Laboratories & Blood Banks (P-2249) (P-19327/88; A-4285)
77 III. Adm. Code 694	College Immunization Code (P-5491; O-15888; RC-15892)
77 III. Adm. Code 900	Drinking Water Systems Code (P-17206/88; A-12578)
77 III. Adm. Code 535	Emergency Medical Services (P-4126; A-15414) (P-4500; A-15716)
77 III. Adm. Code 910	Field Sanitation Rules (P-8282)
77 III. Adm. Code 750	Food Service Sanitation Code (P-14113/88; A-1819) (P-6888)
77 III. Adm. Code 250	Hospital Licensing Requirements (P-7875) (P-19892/88; A-13232)
77 III. Adm. Code 710	Alzheimer's Disease & Related Disorders Assistance Code (P-6913)
77 III. Adm. Code 490	Blood Bank Code (P-2974; A-14409)
77 III. Adm. Code 450	Clinical Laboratories Code (P-2249; A-11573) (B-13678) (P-14280)
77 III. Adm. Code 790	Formula for the Drug Product Selection Program, The (P-12991/88; A-856)
77 III. Adm. Code 840	Health & Hazardous Substances Registry (P-15284)
77 III. Adm. Code 890	Plumbing Code (P-4543)
77 III. Adm. Code 540	Trauma Center Code (P-4616; A-15441)
77 III. Adm. Code 920	Well Construction Code (P-17233/88; A-11796) (P-15338)
77 III. Adm. Code 925	Well Pump Installation Code (P-17252/88; A-11816)
77 III. Adm. Code 350	Intermediate Care for the Developmentally Disabled Facilities Code (P-21621/88; A-6040)
35 III. Adm. Code 190	Joint Rules of the Environmental Protection Agency and the Department of Public Health: (P-8293)
77 III. Adm. Code 240	Minimum Health Care Standards for Health Maintenance Organizations (P-10028)
77 III. Adm. Code 600	Minimum Qualifications for Public Health Personnel Employed by Full-Time Local Health Departments (P-10035)
77 III. Adm. Code 820	Minimum Sanitary Requirements for the Design & Operation of Swimming Pools & Bathing Beaches (P-12395)
77 III. Adm. Code 661	Newborn Metabolic Screening & Treatment Code (P-3599; A-15079)
77 III. Adm. Code 698	Petussis Vaccine Pamphlet Code (P-7194)
68 III. Adm. Code 750	Plumbers (PR-6934)
68 III. Adm. Code 750	Plumbers Licensing Code (P-6949)

## REHABILITATION SERVICES, DEPARTMENT OF (CONT'D)

- 89 Ill. Adm. Code 530 Criteria for the Evaluation of Programs of Services in Rehabilitation Facilities (P-3565/88; A-141)
- 89 Ill. Adm. Code 825 Definition of Terms (P-13941/88; A-7958)
- 89 Ill. Adm. Code 843 Disability Case Development Process (P-15015/88; A-4298)
- 89 Ill. Adm. Code 693 Disposition of Application (P-8384)
- 89 Ill. Adm. Code 552 Eligibility (P-52; W-4309) (P-277; A-9576) (P-11177)
- 89 Ill. Adm. Code 765 Establishment & Administration of Special Education, The (P-13948/88; A-5154)
- 89 Ill. Adm. Code 525 Grants & Contracts (P-14117/88; A-9580)
- 89 Ill. Adm. Code 712 Homemaker Contracts (P-10377/88; A-10643) (P-10377/88; A-10643)
- 89 Ill. Adm. Code 602 Maintenance (P-14797)
- 89 Ill. Adm. Code 850 Medical Improvement Review Standard for Continuing Disability (P-8910/88; A-22454/88; CC-3196)
- 89 Ill. Adm. Code 587 Medical, Psychological & Related Services (P-2192/88; A-1850) (P-10765; W-13276)
- 89 Ill. Adm. Code 685 Non-Financial Eligibility Criteria (P-15023/88; A-5158) (P-12538)
- 89 Ill. Adm. Code 714 Non-Homemaker Service Provider Requirements (P-4152; A-15091) (P-13952/88; A-8911) (P-12947)
- 89 Ill. Adm. Code 607 Other Services (P-56; A-9586) (E-225; O-3478)
- 89 Ill. Adm. Code 622 Post-Employment Services (P-8387)
- 89 Ill. Adm. Code 675 Program Description (P-13956/88; A-6768) (P-14319)
- 2 Ill. Adm. Code 1175 Public Information, Rulemaking, Department Organization (A-8604)
- 89 Ill. Adm. Code 760 Responsibility for Special Education (P-20431/88; A-9329)
- 89 Ill. Adm. Code 700 Service Plan Development (P-10409/88; A-3101) (E-13684) (P-14331)
- 89 Ill. Adm. Code 845 Sequential Evaluation Process for the Determination of Disability (P-4641)
- 89 Ill. Adm. Code 829 Sex Equity (P-5990/88; A-5755)
- 89 Ill. Adm. Code 567 Similar Benefits (P-281; A-9590) (P-10175)
- 89 Ill. Adm. Code 810 Special Education Personnel (P-13739)
- 89 Ill. Adm. Code 597 Tools, Equipment, Supplies & Initial Stock (P-2197/88; A-1568) (P-7212)
- 89 Ill. Adm. Code 895 Total Life Planning Program (P-3310; O-13302; R-15127; A-15793)
- 89 Ill. Adm. Code 592 Training Services (P-2092/88; A-1573) (P-14338)
- 89 Ill. Adm. Code 650 Vending Stand Program for the Blind (P-15520/89; A-7465) (P-12758) (E-15849)
- 89 Ill. Adm. Code 645 Worker's Compensation (P-12763)

## RETIREMENT SYSTEM OF ILLINOIS, STATE EMPLOYEES

- 80 Ill. Adm. Code 1570 Administration & Operation of the State Employees' Retirement System of Ill.-Social Security Unit, The (P-14122/88; O-22492/88; R-1626; A-1577)

## RETIREMENT SYSTEM, STATE UNIVERSITIES

- 80 Ill. Adm. Code 1600 Universities Retirement (P-10769)

## REVENUE, DEPARTMENT OF

- 86 Ill. Adm. Code 425 Alcoholic Liquor - - Hearings (PR-19976/88; AR-6780)
- 86 Ill. Adm. Code 180 Automobile Renting Occupation Tax (P-11056/88; A-9332)
- 86 Ill. Adm. Code 210 Board of Appeals (P-11060/88; A-6782)
- 86 Ill. Adm. Code 440 Cigarette Tax Act (P-11063/88; A-10678) (P-12954)
- 86 Ill. Adm. Code 445 Cigarette Tax Act - - Hearings (PR-19981/88; AR-6785)
- 86 Ill. Adm. Code 450 Cigarette Use Tax Act (P-11071/88; A-10687) (P-12964)
- 86 Ill. Adm. Code 455 Cigarette Use Tax Act - - Hearings (PR-19987/88; AR-6787)
- 86 Ill. Adm. Code 600 County Supplementary Retailers' Occupation Tax (P-1448; A-9336)
- 86 Ill. Adm. Code 600 County Supplementary Retailers' Occupation Tax Regs. (P-1448)
- 86 Ill. Adm. Code 610 County Supplementary Service Occupation Tax (P-1460; A-9348)
- 86 Ill. Adm. Code 610 County Supplementary Service Occupation Tax Regs. (P-1460)
- 86 Ill. Adm. Code 620 County Supplementary Use Tax (P-1468; A-9357)
- 86 Ill. Adm. Code 620 County Supplementary Use Tax Regs. (P-1468)
- 86 Ill. Adm. Code 630 County Water Commission Retailers' Occupation Tax (P-1473; A-9362)
- 86 Ill. Adm. Code 630 County Water Commission Retailers' Occupation Tax Regs. (P-1473)
- 86 Ill. Adm. Code 640 County Water Commission Service Occupation Tax (P-1485; A-9374)

## REVENUE, DEPARTMENT OF (CONT'D)

- 86 Ill. Adm. Code 640 County Water Commission Service Occupation Tax Regs. (P-1485)
- 86 Ill. Adm. Code 650 County Water Commission Use Tax (P-1493; A-9383)
- 86 Ill. Adm. Code 650 County Water Commission Use Tax Regs. (P-1493)
- 86 Ill. Adm. Code 480 Hotel Operator's Occupation Tax Act (P-11077/88; A-10693)
- 86 Ill. Adm. Code 100 Income Tax (P-10772) (P-2383; A-10952)
- 86 Ill. Adm. Code 100 Income Tax Regs. (P-768; A-8917) (P-2383)
- 86 Ill. Adm. Code 500 Motor Fuel Tax (E-13271)
- 86 Ill. Adm. Code 500 Motor Fuel Tax Regs. (P-13201)
- 86 Ill. Adm. Code 200 Practice & Procedure for Hearings Before the Ill. Department of Revenue (P-19993/88; A-6789)
- 86 Ill. Adm. Code 110 Property Tax/Revenue Act of 1939 (P-20007/88; A-6803) (P-22373/88; A-7469)
- 86 Ill. Adm. Code 432 Pull Tabs & Jar Games Act (P-15027/88; A-191)
- 86 Ill. Adm. Code 200 Retailers' Occupation Tax Hearings (PR-20012/88; AR-6808)
- 86 Ill. Adm. Code 130 Retailers' Occupation Tax (P-11084/88; A-11824) (P-14800)
- 86 Ill. Adm. Code 130 Retailers' Occupation Tax Regs. (P-8391)
- 86 Ill. Adm. Code 530 Senior Citizens & Disabled Persons Property Tax Relief & Pharmaceutical Assistance Act (P-11104/88; A-1589)
- 86 Ill. Adm. Code 140 Service Occupation Tax (P-11108/88; A-9388) (P-10179)
- 86 Ill. Adm. Code 160 Service Use Tax (P-11119/88; A-9399)
- 86 Ill. Adm. Code 525 Tax Increment Allocation Financing (E-5788; O-9607) (P-11184)
- 86 Ill. Adm. Code 150 Use Tax Regs. (P-7215)
- 86 Ill. Adm. Code 151 Vehicle Use Tax (P-1498; A-14080)
- 86 Ill. Adm. Code 151 Vehicle Use Tax Regs. (P-1498)

## SAVINGS AND LOAN ASSOCIATIONS, COMMISSIONER OF

- 38 Ill. Adm. Code 400 Ill. Savings & Loan Act of 1985 (P-1985; A-8927)
- 38 Ill. Adm. Code 450 Residential Mortgage License Act of 1987 (P-12766)

## SCHOLARSHIP COMMISSION, STATE

- 23 Ill. Adm. Code 1700 General Provisions (P-18110/88; A-8626)
- 23 Ill. Adm. Code 1720 Guaranteed Loan Programs (P-15047/88; A-2872) (P-18114/88; RC-5805; A-8630)
- 23 Ill. Adm. Code 1762 Paul Douglas Teacher Scholarship Program (P-18134/88; A-8650)
- 23 Ill. Adm. Code 1760 State Scholar Program (P-18138/88; A-8654)

## SECRETARY OF STATE

- 92 Ill. Adm. Code 1040 Cancellation, Revocation or Suspension of Licenses or Permits (P-15947/88; A-1593) (P-17259/88; A-5162) (P-19636/88; A-7802) (P-20760/88; A-8659) (P-9490) (P-10216) (P-14014) (P-14810) (P-15351) (P-15635)
- 92 Ill. Adm. Code 1010 Certificates of Title, Registration of Vehicles (P-1103; A-7965) (P-16432/88; A-1598) (P-19642/88; A-5173) (P-5655; A-15102) (P-15357)
- 92 Ill. Adm. Code 1003 Collection of Fees (P-20019/88; O-3454; RC-3458; R-7150; A-7048)
- 14 Ill. Adm. Code 177 Credit Services Organizations (P-20434/88; A-4937)
- 92 Ill. Adm. Code 1020 Dealers, Wreckers, Transporters & Rebuilders (P-5665) (P-14818)
- 92 Ill. Adm. Code 1000 General Rules, Definitions (P-3316; A-11844) (P-17269/88; A-5185)
- 23 Ill. Adm. Code 3030 Ill. Library System Act, The (P-12180/88; A-1244)
- 92 Ill. Adm. Code 1030 Issuance of Licenses (P-2395; A-12978) (P-2753; A-12880) (P-3324; A-13898) (P-3611; A-15112) (P-17275/88; A-5192) (P-20768/88; A-7808) (P-7892) (P-14019) (P-14344)
- 50 Ill. Adm. Code 8010 Mandatory Vehicle Liability Insurance (P-14349)
- 14 Ill. Adm. Code 176 Notary Public Records (P-17770/89; A-5197)
- 92 Ill. Adm. Code 1001 Procedures & Standards (P-7229; A-15803)
- 14 Ill. Adm. Code 130 Regs. Under Ill. Securities Law of 1953 (E-11017) (P-13742)
- 92 Ill. Adm. Code 1019 Remittance Agents (P-19652/88; A-4944)
- 14 Ill. Adm. Code 170 Revised Uniform Limited Partnership Act (P-14824)
- 71 Ill. Adm. Code 2005 Use of the Capitol Complex Facilities, The (P-15640)

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PUBLIC INFORMATION (CONT'D)**POLLUTION CONTROL BOARD**

Environmental Protection Act 11096

**RACING BOARD, ILLINOIS**

11 Ill. Adm. Code Race Track Improvement Fund 7818

**REVENUE, DEPARTMENT OF**

Index of Letter Rulings (Fourth Quarter of 1988) (ROT) 2170  
 Index of Letter Rulings (Fourth Quarter of 1988) (Income Tax) 3481  
 Index of Letter Rulings (First Quarter of 1989) (Income Tax) 8146  
 Index of Letter Rulings (First Quarter of 1989) (ROT) 8674  
 Index of Letter Rulings (Second Quarter of 1989) (Income Tax) 13090  
 Index of Letter Rulings (Second Quarter of 1989) (ROT) 13908

REGULATORY AGENDA**AGING, DEPARTMENT ON**

89 Ill. Adm. Code 230 Older Americans Act Programs 3197

**PUBLIC HEALTH, DEPARTMENT OF**

77 Ill. Adm. Code 697 AIDS Confidentiality & Testing Code 13929  
 77 Ill. Adm. Code 205 Ambulatory Surgical Treatment Center Licensing Requirements 13931  
 77 Ill. Adm. Code 855 Asbestos Abatement for Public & Private Schools in Ill. 13932  
 77 Ill. Adm. Code 535 Emergency Medical Services 13934  
 77 Ill. Adm. Code 1230 Financial & Economic Feasibility Review & Evaluation Plan 13936  
 77 Ill. Adm. Code 1240 Financial & Economic Feasibility Review & Evaluation Plan (For All Long-Term Care & Chronic Disease Facilities) 13937  
 77 Ill. Adm. Code 1120 Financial & Economic Feasibility Review Criteria 13939  
 2 Ill. Adm. Code 1126 Freedom of Information 13941  
 77 Ill. Adm. Code 682 Hearing Aid Consumer Protection Code 13942  
 77 Ill. Adm. Code 250 Hospital Licensing Requirements 13944  
 77 Ill. Adm. Code 840 Ill. Health & Hazardous Substances Registry 13946  
 77 Ill. Adm. Code 870 Ill. Mobile Home Tiedown Act 13948  
 77 Ill. Adm. Code 890 Ill. Plumbing Code 13950  
 77 Ill. Adm. Code 920 Ill. Water Well Construction Code 13951  
 77 Ill. Adm. Code 396 Life Care Facilities Contract Code 13953  
 77 Ill. Adm. Code 880 Manufactured Housing & Mobile Structures 13955  
 77 Ill. Adm. Code 860 Mobile Home & Mobile Home Parks 13957  
 77 Ill. Adm. Code 1100 Narrative & Planning Policies 13959  
 77 Ill. Adm. Code 661 Newborn Metabolic Screening & Treatment Code 13960  
 77 Ill. Adm. Code 1190 Permit Application Fees 13962  
 77 Ill. Adm. Code 1180 Practice & Procedure in Administrative Hearings 13963  
 77 Ill. Adm. Code 1220 Practice & Procedures in Reconsideration Hearings 13965  
 77 Ill. Adm. Code 905 Private Sewage Disposal Code 13966  
 77 Ill. Adm. Code 1130 Procedural Rules 13968  
 77 Ill. Adm. Code 1160 Processing an Application for Permit & Validity of Permits 13970  
 77 Ill. Adm. Code 1110 Processing, Classification Policies & Review Criteria 13971  
 2 Ill. Adm. Code 1125 Public Information, Rulemaking & Organization 13972  
 77 Ill. Adm. Code 1200 Public Notice of Opportunity for Public Hearing & Public Hearing Procedures 13973  
 77 Ill. Adm. Code 800 Recreational Area Code 13974  
 77 Ill. Adm. Code 725 Salvage Warehouses & Stores for Foods, Alcoholic Liquors, Drugs & Cosmetics 13976  
 77 Ill. Adm. Code 510 Testing of Breath, Blood & Urine for Alcohol &/or Other Drugs 13977  
 77 Ill. Adm. Code 848 Toxic Art Supplies Code 13979

REGULATORY AGENDA (CONT'D)**PUBLIC HEALTH, DEPARTMENT OF (CONT'D)**

77 Ill. Adm. Code 500 Vital Records Act, The 13981

**REHABILITATION SERVICES, DEPARTMENT OF**

89 Ill. Adm. Code 515 Advisory Councils 7497  
 89 Ill. Adm. Code 540 Auxiliary Aids 7498  
 89 Ill. Adm. Code 885 Centers for Independent Living 7499  
 89 Ill. Adm. Code 730 Ill. Visually Handicapped Institute 7500  
 89 Ill. Adm. Code 685 Non-Financial Eligibility Criteria 7501  
 89 Ill. Adm. Code 700 Service Plan Development 7502  
 89 Ill. Adm. Code 650 Vending Facility Program for the Blind 7503

EXECUTIVE ORDERS AND PROCLAMATIONSEXECUTIVE ORDERS

89-1 Rescinding Executive Order 85-2 & Establishing the Ill. Planning Council on Developmental Disabilities 2212  
 89-2 Executive Order Creating A Science & Technology Advisor to the Governor 4960  
 89-3 An Executive Order Amending Executive Order 87.4 12912  
 89.4 An Executive Order Establishing Within the Ill. Emergency & Disaster Agency the Division of Training & Education Administration & Management 12913

PROCLAMATIONS

89-001 James R. Wolfe's Memorial Award Day 669  
 89-002 Chicago Opera Theater Week 670  
 89-003 American History Month 671  
 89-004 Congratulates Frank R. Adams 672  
 89-005 Vocational Education Week 673  
 89-006 Volunteer Connection Day 674  
 89-007 Cerebral Palsy Month 675  
 89-008 Four Chaplains Sunday 676  
 89-009 Homemakers Extension Association Week 677  
 89-010 Ill. Trail Appreciation Month 678  
 89-010 Ill. Trail Appreciation Month (Revised) 1277  
 89-011 School Social Work Week 679  
 89-012 American Savings & Loan/100th Anniversary 680  
 89-013 Center For Children's Services Day 681  
 89-014 Child Find Month 682  
 89-015 Jaycee Week 683  
 89-016 Commissioned Corps of the United States Public Health Service Day 684  
 89-017 Ill. Salutes India Month 971  
 89-018 Junior Achievement Week 972  
 89-019 Kiwanis Week 973  
 89-020 Land Surveyors' Month 974  
 89-021 Smiles for Little City Days 975  
 89-022 Chicago Advertising Woman of the Year Week 976  
 89-023 Dr. Martin Luther King Day 977  
 89-024 Declares the Counties of Edwards, Wabash, Wayne & White to be Disaster Areas 978  
 89-025 ROTC Week 1278  
 89-026 Seed Month 1279  
 89-027 Amateur Athletic Union Physique Day 1280  
 89-028 Nutrition Month 1281  
 89-029 American Homeless Awareness Day 1629  
 89-030 Community Action Day 1630

PROCLAMATIONS (CONT'D)

89-031	Orchid Week	1631
89-032	Sales & Marketing Month	1632
89-033	Poison Prevention Week	1633
89-034	Ukrainian Independence Day	1634
89-035	Free Enterprise Week	1635
89-036	Snowmobile Safety Week	1636
89-037	Women in Sports Day	1637
89-038	Burn Awareness Week	1909
89-039	Earth Day	1910
89-040	Ill. Jaycee Week	1911
89-041	Ill. Lumber & Material Dealers Days	1912
89-042	Consumers Week	1913
89-043	African-American History Month	1914
89-044	Lions of Ill. Eye Bank Day	1915
89-045	Black History Month	2219
89-046	Employ the Older Worker Week	2220
89-047	Future Business Leaders of America-Phi Beta Lambda Month	2221
89-048	Lithuanian Independence Day	2222
89-049	United States Power Squadrons Day	2223
89-050	Cardiac Rehabilitation Week	2224
89-051	Future Farmers of America Week	2225
89-052	Labor-Management Cooperation Week	2226
89-053	STC's International Technical Communication Week	2227
89-054	Engineers Week	2228
89-055	DuPage County Sequicentennial	2568
89-056	Tornado Preparedness Week	2569
89-057	Legislators' Fitness Day	2570
89-058	Rehabilitation Facilities Week	2887
89-059	Recognizes John G. Gilbert	2888
89-060	Grammy Awards Celebration Day	3205
89-061	Listening Awareness Day	3206
89-062	RP Awareness Day	3207
89-063	St. David's Day	3208
89-064	Women's History Month	3209
89-065	Casimir Pulaski Day	3210
89-066	Ill. State Quarter Convention Week	3211
89-067	Youth Art Month	3212
89-068	Viet Nam Veterans Day	3503
89-069	International Demolay Week	3504
89-070	Agriculture Week	3505
89-071	Herman Bryant Day	3506
89-072	Four Seasons Hotel Chicago Opening Day	3507
89-073	City of Belleville Year	3508
89-074	Shamrocks Against Dystrophy Days in Ill.	3509
89-075	Technical Education Week	3510
89-076	Pharmacy Day	4057
89-077	Arts Education Week	4058
89-078	Biomomedical Equipment Technology Week	4059
89-079	U. S. Savings Bond Month	4060
89-080	Congratulates Top Ladies of Distinction	4061
89-081	Earthquake Awareness Week	4062
89-082	Home Center Week	4063
89-083	Junior League of Springfield Appreciation Week	4064
89-084	Licensed Practical Nurse Week	4065
89-084	Licensed Practical Nurse Week (Revised)	7821
89-085	POW-MIA Day	4066

PROCLAMATIONS (CONT'D)

89-086	Professional Social Work Month	1631
89-087	Rochelle Lee Fund Day	1632
89-088	School Psychology Week	1633
89-089	Call Before You Dig Month	1634
89-090	Ill. Veterans Affairs Day	1635
89-091	Marine Night Fighter Association Days	1636
89-092	Recognizes Clarence Darrow Community Center/Honors George Kalindonis	1637
89-093	Surgical Technologist Week	1909
89-094	Auctioneers Week	1910
89-095	Ill. Clean & Beautiful & Tree City USA Appreciation Month	1911
89-096	Volunteer Week	1912
89-097	Belarusian/Beyelorusian Day	1913
89-098	Breakfasting Promotion Month	1914
89-099	High Blood Pressure Month	1915
89-100	Jesse White Day	2219
89-100	Jesse White Day (Revised)	2220
89-101	Library Week	2221
89-101	Library Week (Revised)	2222
89-102	Professional Secretaries Week/Professional Secretaries Day	2223
89-103	School Library Day	2224
89-104	Veterinary Medical Education Week	2225
89-105	American Vintage Wristwatch Day	2226
89-106	Gamma Phi Circus Week	2227
89-107	Ill. Employee Fitness Day	2228
89-108	Parks & Recreation Month	2568
89-109	Building Safety Week	2569
89-110	Groundwater Protection Month	2570
89-111	Ill. Cooperative Extension Day	2887
89-112	Ill. Industry Appreciation Day	2888
89-113	Post Anesthesia Nurse Awareness Week	3205
89-114	Recycling Week	3206
89-115	Public Health Professionals: Peers & Partners Week	3207
89-116	Business Opportunity Days	3208
89-117	Drinking Water Week	3209
89-118	Ill. Science Day	3210
89-119	Irv Kupcinet Day	3211
89-120	Keep America Beautiful Month	3212
89-121	Lioness Caramel Corn Day	3503
89-122	Medical Laboratory Week	3504
89-123	State Horseradish Festival Day	3505
89-123	State Horseradish Festival Day (Revised)	3506
89-124	Stroke Club Day	3507
89-125	United Insurance Company of America Day	3508
89-126	Youth Temperance Education Week	3509
89-127	His Eminence Archbishop Iakovos/30th Anniversary	3510
89-128	Rainbow House/Arco Ins Day	4057
89-129	Days of Remembrance	4058
89-130	Deputy Chief Gerald B. Creed Day	4059
89-131	Lake & Watershed Management Month	4060
89-132	Student Athlete Day	4061
89-133	Cortu-Tasy Gyros, Inc. Day	4062
89-134	Recognizes the 35th Anniversary of the Nu Jota Chapter of Alpha Omicron Pi	4063
89-135	Ted Liss Day	4064
89-136	New Homes Month	4065
89-137	Queen Isabella Day	7821
89-138	Coin Week	4066



**PROCLAMATIONS (CONT'D)**

89-139	Hyde Park Art Center Day	5829
89-140	Job's Daughters Week	5830
89-141	Medical Assistants' Week	5831
89-142	Rural Electric Youth Day	5832
89-143	Special Olympics Week	5833
89-144	Ill. Historical Library Month	5834
89-145	Victim Rights Week	5835
89-146	Welcome Home Chuck Marshall Day	5836
89-147	James & Sybil Stockdale Day	5837
89-148	Design-Drafting Week	6824
89-149	Bielarussian Independence Day	6835
89-150	Child Abuse Prevention Month	6836
89-151	Earth Week	6837
89-152	Grade Crossing Safety Week	6838
89-153	Music Week	6839
89-154	Small Business Week	6840
89-155	Adopt-A-Cat Month	6841
89-156	Child Support Awareness Day	6842
89-157	Croatian Independence Day	6843
89-158	Displaced Homemakers' Week	6844
89-159	Food & Beverage Packaging Week	6845
89-159	Food & Beverage Packaging Week (Revised)	7167
89-160	Motorcycle Awareness Month	6846
89-161	Older Americans Month	6847
89-162	Public Service Recognition Week	6848
89-163	Space Development Week	6849
89-164	CMM7 - Converting Machinery/Materials Day	6850
89-165	Community Mental Health Services Week	6851
89-166	Entrepreneur Achievement Week	6852
89-167	Goodwill Industries Week	6853
89-168	Nursing: The Heartbeat of Health Care Days In Chicago Day	6854
89-169	Pan American Week	6855
89-170	Credit Education Week	6856
89-171	Dr. Jack L. Greider Day	6857
89-172	Commemorates Warsaw Ghetto Uprising	6858
89-173	Day of Prayer	6859
89-174	Municipal Clerks Week	6860
89-175	Subcontractors Month	6861
89-176	Music in Our Schools Month	7168
89-177	Centenarians Day	7169
89-178	Student Council Leadership Week	7170
89-179	Teacher Appreciation Week	7171
89-180	The Year of Recognition for the Institute of Business Designers	7172
89-181	Just Say No Day	7173
89-182	Moscow-Chicago Theatre Exchange Week	7174
89-183	Nursing Home Week	7175
89-184	Enterostomal Therapy Nurses Day	7176
89-185	Nurses' Week	7177
89-186	Bird Appreciation Week	7178
89-187	Stamp Collecting Week	7179
89-188	Stephen A. Forbes Biological Station Day	7180
89-189	Youth Workout Day	7506
89-190	Disabled American Veterans' Days	7507
89-191	Plant a Living Legacy, a Continuing Dedication	7508
89-192	All Presidents Day	7509
89-193	Better Hearing & Speech Month	7510

**PROCLAMATIONS (CONT'D)**

89-194	Manufactured Housing Week	
89-195	Asian American Heritage Month	
89-196	City of Hope Day	
89-197	Korean War Veteran Day	
89-198	Medical Research Days	
89-199	Police Memorial Day/National Police Week/National Police Memorial Day	
89-200	Exceptional Children's Week	
89-201	Foster Parent Month	
89-202	Maritime Day	
89-203	Mother's Day	
89-204	Senior Citizens' Center of Oak Park & River Forest Day	
89-205	Adopt-A-Cop Month	
89-206	Insurance Agents Week	
89-207	Nurses Week at Edward Hines, Jr. VA Hospital	
89-208	Take Your Hats Off to Transit Day	
89-209	Unclaimed Property Week	
89-210	Correctional Officer Week	
89-211	Productivity & Quality Improvement Month	
89-212	Week of the High Risk Child	
89-213	De La Salle Day	
89-214	Salvation Army Week	
89-215	American G.I. Forum Days	
89-216	Carol Fowler Day	
89-217	Estate Planning Day	
89-218	International Museum Day	
89-219	Organ & Tissue Donor Awareness Week	
89-220	Children's Memorial Institute of Education & Research Day	
89-221	James J. McCarthy Day	
89-222	Retired Teachers Week	
89-223	Student Service Corporation Vocational Education Day	
89-224	Buckle-Up America Week	
89-225	Hospital Day	
89-226	Ill. Bell Operator Day	
89-227	Ill. - USA Karate Federation Day	
89-228	Students Against Driving Drunk Month	
89-229	Heitis & Colitis Awareness Week	
89-230	Mental Health Month	
89-231	Victor Vasarely Week	
89-232	National Association of Insurance Women's Week	
89-233	Neurofibromatosis Awareness Week	
89-234	Firefighter Memorial Day	
89-235	Hull House Week	
89-236	Barrier Awareness Week	
89-237	Catholic Heritage Week	
89-238	Fishing Week	
89-239	Ill. Rivers Appreciation Month	
89-240	Transportation Week	
89-241	Water Quality Week	
89-242	A.H. Entertainers, Inc./50th Anniversary	
89-243	Congratulates Dr. Morton Goldberg	
89-244	Cornelia de Lange Awareness Day	
89-245	Gateway Day	
89-246	Golden Trumpets Day	
89-247	John H. Johnson Day	
89-248	Pharmaceutical Manufacturers Day	
89-249	React Month	

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ILLINOIS REGISTER

VOL. 13, ISSUE #40

1989 CUMULATIVE INDEX

OCTOBER 6, 1989

PROCLAMATIONS (CONT'D)

89-357	Kiwanis Week	13690
89-358	Recognizes Joe Sterle/Outstanding Ill. Citizen	13691
89-359	Chamber Of Commerce Week	13692
89-360	National Communications Forum Week	13693
89-361	U.S. Coast Guard's 200th Anniversary Year	13694
89-362	Angeline Tufano Day	13695
89-363	Bud Billiken Day	13696
89-364	El Dia Del Festival Hispano De Waukegan	13697
89-365	Automotive Parts & Accessories Association Week	13985
89-366	Buffalo Grove High School Adult Fitness Center Grand Opening Day	13986
89-367	Chemistry Week	13987
89-368	Metropolitan Chicago Coalition On Aging Month/Metropolitan Chicago Coalition On Aging Day	13988
89-369	School's Open Safety Week	13989
89-370	Women's Equality Day	13990
89-371	Oxfam Fact For A World Harvest Day	13991
89-372	Palmier House Day	13992
89-373	Car Care Month	14141
89-374	Drive For Life Day	14142
89-375	International Visitors Month	14143
89-375	International Visitors Month (Revised)	15132
89-376	Lupus Awareness Month	14144
89-377	The Week Of The Day Care Home Provider	14145
89-378	Alcohol & Drug Treatment Month	14487
89-379	Columbus Day	14488
89-380	Iron Overload Diseases Awareness Week	14489
89-381	Labor Day	14490
89-382	The Wright Connection & Message/Goodwill Ambassadors	14491
89-383	Union Label Week	14492
89-384	Village of Arenzville Sesquicentennial Days	14493
89-385	Down's Syndrome Awareness Month	14494
89-386	Richard M. Johnson Day	14495
89-387	Y-Indian Guide Programs Month	14496
89-388	Commends Bob Hardin/Fluorspar Museum	14497
89-389	Willie B. Elliot Day	14498
89-390	Food Service Employees Week	15132
89-391	Joseph Cardinal Glemp Day	15133
89-392	Lyric Opera Month	15133
89-393	Osteopathic Medicine Week	15133
89-394	Vegetarian Day	15134
89-395	Emergency Medical Services Week	15134
89-396	Eunice W. Johnson Day	15135
89-397	George Mitchell Day	15135
89-398	Maynard I. Wishner Day	15136
89-399	Safety Town Week	15136
89-400	Talk About Prescriptions Month	15137
89-401	Certified Professional Secretaries Month	15137
89-402	Respect Life Week	15138
89-403	Women in Construction Week	15138
89-404	Toastmasters Month	15497
89-405	Chicago Chamber Orchestra Day	15497
89-406	Edward J. Derwinski Day	15498
89-407	Federal Employee Of The Year Day	15498
89-408	Riding For The Handicapped Days	15499
89-409	Adult Day Care Week	15499
89-410	Free Sons Of Israel Week	15500

ILLINOIS REGISTER

VOL. 13, ISSUE #40

1989 CUMULATIVE INDEX

OCTOBER 6, 1989

PROCLAMATIONS (CONT'D)

89-411	Jack C. Leah Day	15500
89-412	Notary Public Day	15501
89-413	Read America Day	15501
89-414	American Business Women's Day	15502
89-415	Hunter Education Week	15502
89-416	Medical Records Week	15503
89-417	Citizenship Day/Constitution Week	15503
89-418	Mexican Independence Celebration Week	15504
89-419	Ukrainian Heritage Week	15504
89-420	Child Care Worker Week	15504
89-421	Midwest Hispanic Aids Coalition Awareness Week	15505
89-422	Quality Month	15505
89-423	Vista Volunteer Recognition Day	15506
89-424	World Food Day	15506
89-425	Family Health Month	15507
89-426	Ill. Association For Counseling And Development Day	15507
89-427	American Indian History Month	15903
89-428	Family Week	15903
89-429	Health Care Materials Management Week	15903
89-430	International Year Of Bible Reading	15904
89-431	Spinal Health Care Month	15904
89-432	St. Louis Community Leadership Awards Day	15905
89-433	Brown's Business College Day	15905
89-434	Certified Public Accountant Week	15906
89-435	Chiropractic Health Care Month	15906
89-436	Grandparents Day	15907
89-437	Mental Illness Awareness Week	15907
89-438	Arlington Reads Month	15908
89-439	Learning Disabilities Month	15908

The Sections Affected Index lists, by Title, each Section of a codified Part on which rulemaking activity has occurred in this volume of the Register and is divided into two parts: the first lists the Sections on which rulemaking activity occurred in the previous issues of this volume year; the second lists the Sections on which rulemaking activity occurred in this issue of the Register. (The headings at the top of each page indicate the two parts: the first part shows the previous issue numbers inclusively and the date of the last published issue; the second lists the current issue number and date.) The columns in both parts indicate the type of rulemaking activity and the action taken along with the page number on which the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume (calendar year) of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. I Ill. Adm. Code 100.280 was proposed last year and adopted this year. The action entry reads: P-8577/86; A-724)) The codes for both columns are listed below. For a complete listing of the Titles of the Illinois Administrative Code, please refer to I Ill. Adm. Code 100.140 or contact the Administrative Code Division.

TYPE OF RULEMAKING	
am	= amendment to existing Section
cc	= codification changes
n	= new Section
r	= repeal of existing Section
rc	= reclassified
#	= renumbered

ACTION CODES	
A	= Adopted rule
C	= Correction
CC	= Codification Changes
E	= Emergency rule
F	= Failure to Remedy
Obj	= Objections
M	= Modification
W	= Withdrawal of Proposed rule
O	= JCAR Objection
P	= Proposed rule
PF	= Prohibited Filing
PP	= Peremptory rule
R	= Refusal to Modify or Withdraw
RC	= JCAR Recommendation
S	= Suspended rule

**TITLE 1**

300.100	n	(P-8511/88; A-8407)
300.200	n	(P-8511/88; A-8407)
300.300	n	(P-8511/88; A-8407)
300.400	n	(P-8511/88; A-8407)
300.Ap. A	n	(P-8511/88; A-8407)

**TITLE 2 (CONTD.)**

161.202	re	(A-9509)
161.203	re	(A-9509)
161.204	re	(A-9509)
161.205	re	(A-9509)
161.301	re	(A-9509)
161.302	re	(A-9509)
161.303	re	(A-9509)
161.304	re	(A-9509)
161.401	re	(A-9509)
161.402	re	(A-9509)
161.403	re	(A-9509)
161.501	re	(A-9509)
161.502	re	(A-9509)
161.503	re	(A-9509)
161.504	re	(A-9509)
161.601	re	(A-9509)
161.602	re	(A-9509)
161.603	re	(A-9509)
161.604	re	(A-9509)
161.Ap. A	re	(A-9509)
700.Ap. D	am	(A-5066)
850.15	n	(A-1510)
850.20	am	(A-1510)
850.30	am	(A-1510)
850.110	am	(A-1510)
850.120	am	(A-1510)
850.130	am	(A-1510)
850.205	n	(A-1510)
850.210	am	(A-1510)
850.220	am	(A-1510)
850.230	am	(A-1510)
850.240	am	(A-1510)

**TITLE 2**

160.101	re	(A-9497)
160.102	re	(A-9497)
160.201	re	(A-9497)
160.202	re	(A-9497)
160.203	re	(A-9497)
160.301	re	(A-9497)
160.302	re	(A-9497)
160.303	re	(A-9497)
160.304	re	(A-9497)
160.305	re	(A-9497)
160.401	re	(A-9497)
160.402	re	(A-9497)
160.403	re	(A-9497)
160.404	re	(A-9497)
160.405	re	(A-9497)
160.406	re	(A-9497)
160.407	re	(A-9497)
160.501	re	(A-9497)
160.502	re	(A-9497)
160.503	re	(A-9497)
160.Ap. A	re	(A-9497)
160.Ap. B	re	(A-9497)
161.101	re	(A-9509)
161.102	re	(A-9509)
161.201	re	(A-9509)

**TITLE 2 (CONTD.)**

850.Tb. A	am	(A-1510)
850.Tb. B	am	(A-1510)
850.Tb. C	am	(A-1510)
850.Tb. D	am	(A-1510)
850.Tb. E	am	(A-1510)
850.Tb. G	am	(A-1510)
850.Tb. H	am	(A-1510)
1076.110	am	(A-7940)
1076.200	am	(A-7940)
1076.210	am	(A-7940)
1076.300	am	(A-7940)
1076.310	am	(A-7940)
1076.410	am	(A-7940)
1076.Ap. A	r	(A-7940)
1076.Ap. B	am	(A-7940)
1101.500	am	(A-8885)
1101.Tb. B	am	(A-8885)
1175.100	am	(A-8604)
1175.200	am	(A-8604)
1175.210	am	(A-8604)
1175.220	am	(A-8604)
1175.230	am	(A-8604)
1175.240	am	(A-8604)
1175.250	am	(A-8604)
1175.270	am	(A-8604)
1175.280	am	(A-8604)
1175.II. A	am	(A-8604)
1175.II. B	am	(A-8604)
.Tb. A	am	(A-8604)
.Tb. B	am	(A-8604)
.Tb. C	am	(A-8604)
.Tb. D	am	(A-8604)
.Tb. E	am	(A-8604)
1826.101	re	(A-9497)
1826.102	re	(A-9497)
1826.201	re	(A-9497)
1826.202	re	(A-9497)
1826.203	re	(A-9497)
1826.301	re	(A-9497)
1826.302	re	(A-9497)
1826.303	re	(A-9497)
1826.304	re	(A-9497)
1826.305	re	(A-9497)
1826.503	am	(A-12041)
1826.Ap. A	am	(A-12041)
1827.101	re	(A-9509)
1827.102	re	(A-9509)
1827.201	re	(A-9509)
1827.202	re	(A-9509)
1827.203	re	(A-9509)
1827.204	re	(A-9509)
1827.205	re	(A-9509)
1827.301	re	(A-9509)
1827.302	re	(A-9509)

**TITLE 2 (CONTD.)**

1827.303	re	(A-9509)
1827.304	re	(A-9509)
1827.401	re	(A-9509)
1827.401	am	(A-12048)
1827.402	re	(A-9509)
1827.403	re	(A-9509)
1827.501	re	(A-9509)
1827.502	re	(A-9509)
1827.503	re	(A-9509)
1827.504	re	(A-9509)
1827.601	re	(A-9509)
1827.602	re	(A-9509)
1827.603	re	(A-9509)
1827.Ap. A	re	(A-9509)
5025.10	r	(A-3742)
5025.110	n	(A-3747)
5025.120	n	(A-3747)
5025.130	n	(A-3747)
5025.140	n	(A-3747)
5025.150	n	(A-3747)
5025.160	n	(A-3747)
5025.170	n	(A-3747)
5025.180	n	(A-3747)
5025.210	n	(A-3747)
5025.220	r	(A-3742)
5025.230	r	(A-3742)
5025.310	n	(A-3747)
5025.320	n	(A-3747)
5025.Ap. A	r	(A-3742)
5200.10	am	(A-7902)

**TITLE 8**

20.1	am	(P-19178/88; W-2166)
25.20	am	(P-19164/88; A-3628)
25.30	am	(P-19164/88; A-3628)
25.50	am	(P-19164/88; A-3628)
25.130	am	(P-19164/88; A-3628)
75.5	am	(P-19172/88; A-3636)
75.190	am	(P-19172/88; A-3636)
80.10	am	(P-19196/88; A-3676)
80.20	am	(P-19196/88; A-3676)
80.110	am	(P-19196/88; A-3676)
85.5	am	(P-19185/88; A-3642)
85.10	am	(P-19185/88; A-3642)
85.15	am	(P-19185/88; A-3642)
85.50	am	(P-19185/88; A-3642)
85.75	am	(P-19185/88; A-3642)
90.10	am	(P-19201/88; A-3681)
90.110	am	(P-19201/88; A-3681)
105.5	am	(P-20309/88; A-3715)
105.10	am	(P-20309/88; A-3715)
105.30	am	(P-20309/88; A-3715)
110.50	am	(P-19153/88; A-3617)
110.80	am	(P-19153/88; A-3617)

**TITLE 8 (CONT'D)**

110.90 am (P-19153/88; A-3617)  
 110.110 am (P-19153/88; A-3617)  
 110.120 am (P-19153/88; A-3617)  
 115.10 am (P-19218/88; A-3685)  
 115.20 am (P-19218/88; A-3685)  
 125.10 am (PP-228)  
 125.60 am (P-19211/88; A-3696)  
 125.80 am (P-19211/88; A-3696)  
 125.260 am (PP-228)  
 125.270 am (PP-228)  
 125.305 am (PP-2160)  
 230.20 am (P-3511; A-10499) (E-4015)  
 255.10 n (P-2571; A-13532)  
 255.20 n (P-2571; A-13532)  
 255.30 n (P-2571; A-13532)  
 255.40 n (P-2571; A-13532)  
 255.50 n (P-2571; A-13532)  
 255.60 n (P-2571; A-13532)  
 255.70 n (P-2571; A-13532)  
 255.80 n (P-2571; A-13532)  
 255.90 n (P-2571; A-13532)  
 255.100 n (P-2571; A-13532)  
 255.110 n (P-2571; A-13532)  
 255.120 n (P-2571; A-13532)  
 255.130 n (P-2571; A-13532)  
 255.140 n (P-2571; A-13532)  
 255.150 n (P-2571; A-13532)  
 255.160 n (P-2571; A-13532)  
 255.170 n (P-2571; A-13532)  
 505.10 am (P-19806/88; A-3703)  
 505.20 am (P-19806/88; A-3703)  
 505.25 am (P-19806/88; A-3703)  
 505.240 am (P-19806/88; A-3703)  
 505.280 am (P-19806/88; A-3703)  
 505.310 am (P-19806/88; A-3703)  
 700.Ap. F am (P-2598; A-10489)  
 700.Ap. G am (P-17139/88; A-3653)  
 700.Ap. I am (P-14786/88; A-285)  
 1400.10 am (P-13832/88; A-14376)  
 1400.140 am (P-13832/88; A-14376)  
 1400.147 am (P-5545/88; A-2440)  
 1400.149 am (P-5545/88; A-2440)

**TITLE 11**

208.10 n (P-13926/88; O-20234/88; R-1250; M-1250; A-1232)  
 208.20 n (P-13926/88; O-20234/88; R-1250; A-1232)  
 208.30 n (P-13926/88; O-20234/88; R-1250; A-1232)  
 208.40 n (P-13926/88; O-20234/88; R-1250; A-1232)  
 208.100 n (P-13926/88; O-20234/88; R-1250; A-1232)  
 208.110 n (P-13926/88; O-20234/88; R-1250; A-1232)

**TITLE 11 (CONT'D)**

208.120 n (P-13926/88; O-20234/88; R-1250; A-1232)  
 404.20 am (P-13936/88; A-7440)  
 404.200 am (P-13936/88; A-7440)  
 417.30 am (E-1899; O-5811) (P-1979)  
 417.35 n (E-1899; O-5811) (P-1979)  
 417.100 n (E-1899; O-5811) (P-1979)  
 422.20 n (P-13922/88; A-1558)  
 437.10 n (P-1099; O-5802; R-7484; A-7435)  
 437.20 n (P-1099; O-5802; R-7484; A-7435)  
 437.30 n (P-1099; O-5802; R-7484; A-7435)  
 437.40 n (P-1099; O-5802; R-7484; A-7435)  
 438.10 n (P-13525)  
 438.20 n (P-13525)  
 438.30 n (P-13525)  
 438.40 n (P-13525)  
 438.50 n (P-13525)  
 438.60 n (P-13525)  
 438.70 n (P-13525)  
 438.80 n (P-13525)  
 438.90 n (P-13525)  
 438.100 n (P-13525)  
 438.110 n (P-13525)  
 439.10 n (P-13519)  
 439.20 n (P-13519)  
 439.30 n (P-13519)  
 439.40 n (P-13519)  
 439.50 n (P-13519)  
 439.60 n (P-13519)  
 439.70 n (P-13519)  
 439.80 n (P-13519)  
 439.90 n (P-13519)  
 439.100 n (P-13519)  
 439.110 n (P-13519)  
 439.120 n (P-13519)  
 439.130 n (P-13519)  
 502.40 am (P-18105/88; A-4931)  
 502.120 am (P-17755/88; A-1562)  
 502.600 am (P-17755/88; A-1562)  
 509.40 am (P-10171)  
 1308.20 am (P-17766/88; O-1268; R-2167; A-2156)  
 1308.30 n (P-17766/88; O-1268; R-2167; A-2156)  
 1308.40 n (P-17766/88; O-1268; R-2167; A-2156)  
 1409.120 am (P-17761/88; O-1266; R-1906; A-1841)  
 1409.130 am (P-17761/88; O-1266; R-1906; A-1841)  
 1409.132 r (P-17761/88; A-1841)  
 1410.10 am (P-4345/88; A-1846)  
 1410.15 r (P-4345/88; A-1846)  
 1770.10 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.10 r (P-10331/88; A-7906)

**TITLE 11 (CONT'D)**

1770.20 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.20 r (P-10331/88; A-7906)  
 1770.30 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.30 r (P-10331/88; A-7906)  
 1770.40 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.40 r (P-10331/88; A-7906)  
 1770.50 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.50 r (P-10331/88; A-7906)  
 1770.60 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.60 r (P-10331/88; A-7906)  
 1770.70 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.70 r (P-10331/88; A-7906)  
 1770.80 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.80 r (P-10331/88; A-7906)  
 1770.90 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.90 r (P-10331/88; A-7906)  
 1770.100 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.100 r (P-10331/88; A-7906)  
 1770.110 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.110 r (P-10331/88; A-7906)  
 1770.120 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.120 r (P-10331/88; A-7906)  
 1770.130 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.130 r (P-10331/88; A-7906)  
 1770.140 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.140 r (P-10331/88; A-7906)  
 1770.150 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.150 r (P-10331/88; A-7906)  
 1770.160 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.160 r (P-10331/88; A-7906)  
 1770.170 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.170 r (P-10331/88; A-7906)  
 1770.180 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.180 r (P-10331/88; A-7906)  
 1770.190 n (P-10298/88; O-3419; R-8116; A-7908)  
 1770.190 r (P-10331/88; A-7906)  
 1770.200 n (P-10298/88; O-3419; R-8116; A-7908)

**TITLE 11 (CONT'D)**

1770.200 r (P-10331/88; A-7906)  
 1770.210 r (P-10331/88; A-7906)  
 1770.220 r (P-10331/88; A-7906)

**TITLE 14**

130.110 am (E-11017) (P-13742)  
 130.120 am (E-11017) (P-13742)  
 130.130 am (E-11017) (P-13742)  
 130.200 am (E-11017) (P-13742)  
 130.246 am (E-11017) (P-13742)  
 130.270 n (E-11017) (P-13742)  
 130.280 am (E-11017) (P-13742)  
 130.436 n (E-11017) (P-13742)  
 130.510 am (E-11017) (P-13742)  
 130.530 n (E-11017) (P-13742)  
 130.550 n (E-11017) (P-13742)  
 130.610 am (E-11017) (P-13742)  
 130.630 n (E-11017) (P-13742)  
 130.650 n (E-11017) (P-13742)  
 130.710 am (E-11017) (P-13742)  
 130.715 n (E-11017) (P-13742)  
 130.730 n (E-11017) (P-13742)  
 130.750 n (E-11017) (P-13742)  
 130.810 am (E-11017) (P-13742)  
 130.820 n (E-11017) (P-13742)  
 130.821 am (E-11017) (P-13742)  
 130.826 am (E-11017) (P-13742)  
 130.840 am (E-11017) (P-13742)  
 130.841 am (E-11017) (P-13742)  
 130.846 n (E-11017) (P-13742)  
 130.847 n (E-11017) (P-13742)  
 130.860 n (E-11017) (P-13742)  
 170.20 n (P-14824)  
 176.11 am (P-17770/88; A-5197)  
 177.10 n (P-20434/88; A-4937)  
 177.20 n (P-20434/88; A-4937)  
 177.30 n (P-20434/88; A-4937)  
 177.II. A n (P-20434/88; A-4937)  
 177.II. B n (P-20434/88; A-4937)  
 200.114 n (P-20937/88; A-15365)  
 200.201 am (P-20937/88; A-15365)  
 200.Ap.A am (P-20937/88; A-15365)  
 II. L am (P-20937/88; A-15365)  
 470.110 n (P-15239/88; A-11441)  
 470.120 n (P-15239/88; A-11441)  
 470.210 n (P-15239/88; A-11441)  
 470.220 n (P-15239/88; A-11441)  
 470.230 n (P-15239/88; A-11441)  
 470.240 n (P-15239/88; A-11441)  
 470.250 n (P-15239/88; A-11441)  
 470.260 n (P-15239/88; A-11441)  
 470.270 n (P-15239/88; A-11441)  
 470.280 n (P-15239/88; A-11441)  
 470.290 n (P-15239/88; A-11441)  
 470.310 n (P-15239/88; A-11441)  
 520.700 am (P-4985)

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**TITLE 23 (CONT'D)**

110.Tb. D am (P-12625/88; A-7610)  
120.10 am (P-19266/88; A-7731)  
120.60 am (P-19266/88; A-7731)  
120.110 am (P-19266/88; A-7731)  
120.130 n (P-19266/88; O-3416; R-7815;  
A-7731)  
120.200 am (P-19266/88; A-7731)  
120.210 am (P-19266/88; A-7731)  
120.235 n (P-19266/88; A-7731)  
200.10 am (P-19279/88; A-11491)  
200.30 am (P-19279/88; A-11491)  
200.40 am (P-19279/88; A-11491)  
200.80 am (P-19279/88; A-11491)  
200.100 am (P-19279/88; A-11491)  
202.10 r (P-13367; E-13657)  
202.10 n (P-13369; E-13664)  
202.20 r (P-13367; E-13657)  
202.20 n (P-13369; E-13664)  
202.30 r (P-13367; E-13657)  
202.30 n (P-13369; E-13664)  
202.40 r (P-13367; E-13657)  
202.40 n (P-13369; E-13664)  
202.50 r (P-13367; E-13657)  
202.50 n (P-13369; E-13664)  
202.60 r (P-13367; E-13657)  
202.60 n (P-13369; E-13664)  
202.70 r (P-13367; E-13657)  
210.10 am (P-8766)  
210.100 am (P-8766)  
210.110 am (P-8766)  
210.120 am (P-8766)  
210.130 am (P-8766)  
210.140 am (P-8766)  
210.150 am (P-8766)  
210.210 am (P-8766)  
210.220 am (P-8766)  
226.544 n (P-17151/88; A-15388)  
226.570 am (P-17151/88; A-15388)  
226.572 r (P-17151/88; A-15388)  
226.605 am (P-17151/88; A-15388)  
227.10 am (P-4097; A-14957)  
227.12 n (P-4097; A-14957)  
227.14 n (P-4097; A-14957)  
227.16 n (P-4097; A-14957)  
227.18 n (P-4097; A-14957)  
227.30 am (P-4097; A-14957)  
227.40 am (P-4097; A-14957)  
230.10 am (P-12747/88; A-1535)  
230.30 am (P-12747/88; A-1535)  
230.60 am (P-12747/88; A-1535)  
254.310 am (A-8459)  
254.340 am (P-8777/88; A-8459)  
254.370 am (P-8777/88; A-8459)  
254.390 am (P-8777/88; A-8459)  
254.610 am (P-8777/88; A-8459)  
254.620 r (P-8777/88; A-8459)

**TITLE 23 (CONT'D)**

254.2130 am (P-8777/88; A-8459)  
254.2230 am (P-8777/88; A-8459)  
254.2235 n (P-8777/88; A-8459)  
254.2245 n (P-8777/88; A-8459)  
254.2255 n (P-8777/88; A-8459)  
254.2310 am (P-8777/88; A-8459)  
254.2320 am (P-8777/88; A-8459)  
254.2330 am (P-8777/88; A-8459)  
254.2340 am (P-8777/88; A-8459)  
254.2350 am (P-8777/88; A-8459)  
275.90 am (P-12745/88; A-1532)  
451.10 r (P-9082)  
451.10 n (P-9133)  
451.20 r (P-9082)  
451.20 n (P-9133)  
451.30 r (P-9082)  
451.30 n (P-9133)  
451.40 n (P-9133)  
451.50 n (P-9133)  
451.60 n (P-9133)  
451.70 n (P-9133)  
451.80 n (P-9133)  
451.90 n (P-9133)  
451.100 n (P-9133)  
451.110 r (P-9082)  
451.110 n (P-9133)  
451.120 r (P-9082)  
451.120 n (P-9133)  
451.130 r (P-9082)  
451.140 r (P-9082)  
451.150 r (P-9082)  
451.155 r (P-9082)  
451.160 r (P-9082)  
451.165 r (P-9082)  
451.170 r (P-9082)  
451.175 r (P-9082)  
451.180 r (P-9082)  
451.185 r (P-9082)  
451.190 r (P-9082)  
451.195 r (P-9082)  
451.200 n (P-9133)  
451.210 r (P-9082)  
451.210 n (P-9133)  
451.220 r (P-9082)  
451.220 n (P-9133)  
451.230 r (P-9082)  
451.230 n (P-9133)  
451.235 n (P-9133)  
451.240 r (P-9082)  
451.240 n (P-9133)  
451.250 r (P-9082)  
451.250 n (P-9133)  
451.260 r (P-9082)  
451.260 n (P-9133)  
451.270 r (P-9082)  
451.270 n (P-9133)

**TITLE 23 (CONT'D)**

451.280 n (P-9133)  
451.290 n (P-9133)  
451.300 n (P-9133)  
451.310 r (P-9082)  
451.320 r (P-9082)  
451.330 r (P-9082)  
451.340 r (P-9082)  
451.350 r (P-9082)  
451.360 r (P-9082)  
451.370 r (P-9082)  
451.380 r (P-9082)  
451.390 r (P-9082)  
451.400 n (P-9133)  
451.410 n (P-9133)  
451.410 r (P-9082)  
451.420 r (P-9082)  
451.420 n (P-9133)  
451.430 r (P-9082)  
451.430 n (P-9133)  
451.440 r (P-9082)  
451.450 r (P-9082)  
451.460 r (P-9082)  
451.470 r (P-9082)  
451.480 r (P-9082)  
451.490 r (P-9082)  
451.495 r (P-9082)  
451.500 n (P-9133)  
451.510 n (P-9133)  
451.520 n (P-9133)  
451.530 n (P-9133)  
451.540 n (P-9133)  
451.550 n (P-9133)  
451.555 n (P-9133)  
451.560 n (P-9133)  
451.570 n (P-9133)  
451.580 n (P-9133)  
451.590 n (P-9133)  
451.Ap. A r (P-9082)  
500.20 am (P-1730; A-11481)  
500.50 am (P-1730; A-11481)  
500.120 n (P-1730; A-11481)  
1000.10 am (P-14531)  
1000.30 am (P-14531)  
1000.40 am (P-14531)  
1000.60 am (P-14531)  
1020.10 am (P-14521)  
1020.30 am (P-14521)  
1020.40 am (P-14521)  
1020.50 am (P-14521)  
1020.60 am (P-14521)  
1020.80 am (P-14521)  
1025.20 am (P-14516)  
1025.50 am (P-14516)  
1501.307 am (P-4087; A-14904)  
1501.309 am (P-4087; A-14904)  
1501.501 am (P-3517; A-14904)

**TITLE 23 (CONT'D)**

1501.503 am (P-3517; A-14904)  
1501.508 am (P-3517; A-14904)  
1501.509 am (P-16313/88; A-1182)  
1501.517 n (P-4394; A-14904)  
1700.20 am (P-18110/88; A-8626)  
1720.6 am (P-18114/88; A-8630)  
1720.10 am (P-18114/88; A-8630)  
1720.20 am (P-18114/88; A-8630)  
1720.30 am (P-18114/88; A-8630)  
1720.40 am (P-18114/88; RC-5805; A-8630)  
1720.50 am (P-18114/88; A-8630)  
1720.60 am (P-18114/88; RC-5805; A-8630)  
1720.70 am (P-18114/88; A-8630)  
1720.75 r (P-18114/88; RC-5805; A-8630)  
1720.120 am (P-18114/88; A-8630)  
1720.140 r (P-15047/88; A-2872)  
1720.Ap. B r (P-15047/88; A-2872)  
1760.30 am (P-18138/88; A-8654)  
1762.40 am (P-18134/88; A-8650)  
2310.80 am (P-1319; A-7898)  
3030.60 r (P-12180/88; A-1244)  
3030.105 am (P-12180/88; A-1244)  
3300.10 n (P-14809/88; O-3440; R-4957;  
A-4672)  
3300.20 n (P-14809/88; O-3440; R-4957;  
A-4672)  
3300.30 n (P-14809/88; O-3440; R-4957;  
A-4672)  
3300.40 n (P-14809/88; O-3440; R-4957;  
A-4672)  
3300.50 n (P-14809/88; O-3440; R-4957;  
A-4672)  
3300.60 n (P-14809/88; O-3440; R-4957;  
A-4672)  
3300.70 n (P-14809/88; O-3440; R-4957;  
A-4672)  
3300.80 n (P-14809/88; O-3440; R-4957;  
A-4672)

**TITLE 26**

100.20 am (P-14539)  
100.30 am (P-14539)  
100.40 am (P-14539)  
100.60 am (P-14539)  
100.70 am (P-14539)  
100.80 am (P-14539)  
100.100 am (P-14539)  
125.5 am (P-14556)  
125.90 am (P-14556)  
125.95 am (P-14556)  
125.170 am (P-14556)  
125.190 am (P-14556)  
125.195 am (P-14556)  
125.199 am (P-14556)  
125.245 am (P-14556)  
125.250 r (P-14556)





TITLE 35 (CONT'D)

102.161 n (P-14696)  
102.161 r (P-14727)  
102.162 n (P-14696)  
102.162 r (P-14727)  
102.163 n (P-14696)  
102.163 r (P-14727)  
102.164 r (P-14727)  
102.180 n (P-14696)  
102.180 r (P-14727)  
102.181 n (P-14696)  
102.181 r (P-14727)  
102.182 n (P-14696)  
102.183 n (P-14696)  
102.200 n (P-14696)  
102.200 r (P-14727)  
102.201 n (P-14696)  
102.201 r (P-14727)  
102.202 n (P-14696)  
102.202 r (P-14727)  
102.220 n (P-14696)  
102.220 r (P-14727)  
102.221 n (P-14696)  
102.222 n (P-14696)  
102.240 n (P-14696)  
102.241 n (P-14696)  
102.242 n (P-14696)  
102.260 n (P-14696)  
102.261 n (P-14696)  
102.262 n (P-14696)  
102.280 n (P-14696)  
102.281 n (P-14696)  
102.282 n (P-14696)  
102.283 n (P-14696)  
102.284 n (P-14696)  
102.285 n (P-14696)  
102.300 n (P-14696)  
102.301 n (P-14696)  
102.320 n (P-14696)  
102.340 n (P-14696)  
102.341 n (P-14696)  
102.342 n (P-14696)  
102.343 n (P-14696)  
102.344 n (P-14696)  
102.345 n (P-14696)  
102.346 n (P-14696)  
102.347 n (P-14696)  
102.348 n (P-14696)  
102.360 n (P-14696)  
102.361 n (P-14696)  
102.362 n (P-14696)  
102.363 n (P-14696)  
102.Ap.A r (P-14727)  
106.415 am (P-14634)  
106.506 am (P-14634)  
106.602 am (P-14634)  
106.604 am (P-14634)

TITLE 35 (CONT'D)

106.701 n (P-14865/88; A-12094)  
106.702 n (P-14865/88; A-12094)  
106.703 n (P-14865/88; A-12094)  
106.704 n (P-14865/88; A-12094)  
106.705 n (P-14865/88; A-12094)  
106.706 n (P-14865/88; A-12094)  
106.707 n (P-14865/88; A-12094)  
106.708 n (P-14865/88; A-12094)  
106.709 n (P-14865/88; A-12094)  
106.710 n (P-14865/88; A-12094)  
106.711 n (P-14865/88; A-12094)  
106.712 n (P-14865/88; A-12094)  
106.713 n (P-14865/88; A-12094)  
106.714 n (P-14865/88; A-12094)  
106.715 n (P-14865/88; A-12094)  
106.801 n (P-14865/88; A-12094)  
106.802 n (P-14865/88; A-12094)  
106.803 n (P-14865/88; A-12094)  
106.804 n (P-14865/88; A-12094)  
106.805 n (P-14865/88; A-12094)  
106.806 n (P-14865/88; A-12094)  
106.807 n (P-14865/88; A-12094)  
106.808 n (P-14865/88; A-12094)  
106.901 n (P-14865/88; A-12094)  
106.902 n (P-14865/88; A-12094)  
106.903 n (P-14865/88; A-12094)  
106.904 n (P-14865/88; A-12094)  
106.905 n (P-14865/88; A-12094)  
106.906 n (P-14865/88; A-12094)  
106.907 n (P-14865/88; A-12094)  
107.100 r (P-14933/88; A-12116)  
107.101 r (P-14933/88; A-12116)  
107.Ap. r (P-14933/88; A-12116)  
161.202 r (P-16343/88; A-9505)  
183.Ap. A am (P-7522)  
190.Ap. A am (P-7561)  
201.281 am (P-5154/88; O-29221/88; R-1624; A-2066)  
201.401 n (P-5154/88; O-29221/88; R-1624; A-2066)  
201.402 n (P-5154/88; O-29221/88; R-1624; A-2066)  
201.403 n (P-5154/88; O-29221/88; R-1624; A-2066)  
201.404 n (P-5154/88; O-29221/88; R-1624; A-2066)  
201.405 n (P-5154/88; O-29221/88; R-1624; A-2066)  
201.405 am (P-8782)  
201.406 n (P-5154/88; O-29221/88; R-1624; A-2066)  
201.407 n (P-5154/88; O-29221/88; R-1624; A-2066)  
201.408 n (P-5154/88; O-29221/88; R-1624; A-2066)  
211.101 am (P-19296/88; W-2537)

TITLE 35 (CONT'D)

211.102 am (P-19296/88; W-2537)  
211.122 am (P-15294/88; A-10862) (P-13143)  
215.104 am (P-15412/88; A-10893) (P-15249)  
215.105 am (P-15412/88; A-10893) (P-15249)  
215.206 am (P-12384)  
215.420 am (P-15412/88; A-10893)  
215.430 am (P-15412/88; A-10893)  
215.432 am (P-15412/88; A-10893)  
215.435 am (P-15412/88; A-10893)  
215.437 am (P-15412/88; A-10893)  
215.438 # (P-15412/88; A-10893)  
215.438 n (P-15412/88; A-10893)  
215.439 # (P-15412/88; A-10893)  
215.439 am (P-15412/88; A-10893)  
215.585 n (P-15249)  
215.Ap.D am (P-15412/88; A-10893)  
230.110 r (P-9223)  
230.140 r (P-9223)  
230.141 : (P-9223)  
230.142 : (P-9223)  
230.150 : (P-9223)  
230.160 : (P-9223)  
230.170 r (P-9223)  
230.180 : (P-9223)  
230.190 : (P-9223)  
230.200 : (P-9223)  
230.210 : (P-9223)  
230.211 : (P-9223)  
230.212 : (P-9223)  
230.220 : (P-9223)  
230.230 : (P-9223)  
230.240 : (P-9223)  
230.241 : (P-9223)  
230.250 : (P-9223)  
230.260 : (P-9223)  
230.270 : (P-9223)  
230.280 r (P-9223)  
230.290 : (P-9223)  
230.300 r (P-9223)  
230.310 : (P-9223)  
230.320 r (P-9223)  
230.330 : (P-9223)  
230.340 r (P-9223)  
230.350 : (P-9223)  
230.360 r (P-9223)  
230.370 : (P-9223)  
230.371 r (P-9223)  
230.380 : (P-9223)  
230.390 : (P-9223)  
230.400 r (P-9223)  
230.410 : (P-9223)  
230.430 r (P-9223)  
230.440 : (P-9223)  
230.470 r (P-9223)  
230.480 : (P-9223)  
230.490 : (P-9223)

TITLE 35 (CONT'D)

230.500 r (P-9223)  
230.520 r (P-9223)  
230.530 r (P-9223)  
230.540 r (P-9223)  
230.550 : (P-9223)  
230.560 r (P-9223)  
230.570 r (P-9223)  
230.580 r (P-9223)  
230.590 r (P-9223)  
230.600 r (P-9223)  
230.680 r (P-9223)  
230.690 r (P-9223)  
230.700 r (P-9223)  
230.720 r (P-9223)  
230.730 : (P-9223)  
230.740 r (P-9223)  
230.770 : (P-9223)  
230.780 r (P-9223)  
230.Tb. A r (P-9223)  
230.Tb. B r (P-9223)  
230.Ap. A r (P-9223)  
230.Ap. B r (P-9223)  
230.Ap. C r (P-9223)  
230.Ap. F r (P-9223)  
231.110 r (P-9212)  
231.120 : (P-9212)  
231.122 : (P-9212)  
231.130 : (P-9212)  
231.140 : (P-9212)  
231.150 : (P-9212)  
231.160 : (P-9212)  
231.180 : (P-9212)  
231.190 : (P-9212)  
231.200 : (P-9212)  
231.210 : (P-9212)  
231.230 : (P-9212)  
231.240 r (P-9212)  
231.250 : (P-9212)  
231.260 : (P-9212)  
231.320 r (P-9212)  
231.330 r (P-9212)  
231.Tb. A r (P-9212)  
231.Ap. A r (P-9212)  
231.Ap. B r (P-9212)  
231.Ap. C r (P-9212)  
243.108 am (P-19290/88; W-2536)  
243.120 n (P-19290/88; W-2536)  
251.103 am (E-955) (P-19825/88; A-8867)  
251.201 am (E-955) (P-19825/88; A-8867)  
251.202 n (E-955) (P-19825/88; A-8867)  
251.203 am (E-955) (P-19825/88; A-8867)  
251.208 am (E-955) (P-19825/88; A-8867)  
251.210 am (E-955) (P-19825/88; A-8867)  
251.212 r (E-955) (P-19825/88; A-8867)  
251.215 am (E-955) (P-19825/88; A-8867)  
251.301 am (E-955) (P-19825/88; A-8867)

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## TITLE 35 (CONT'D)

365.706	n	(P-18030/88; A-7351)
365.707	n	(P-18030/88; A-7351)
365.801	n	(P-18030/88; A-7351)
365.802	n	(P-18030/88; A-7351)
365.901	n	(P-18030/88; A-7351)
365.902	n	(P-18030/88; A-7351)
365.903	n	(P-18030/88; A-7351)
365.904	n	(P-18030/88; A-7351)
365.905	n	(P-18030/88; A-7351)
365.1001	n	(P-18030/88; A-7351)
365.1002	n	(P-18030/88; A-7351)
365.1003	n	(P-18030/88; A-7351)
365.1101	n	(P-18030/88; A-7351)
365.1102	n	(P-18030/88; A-7351)
365.Ap. A	n	(P-18030/88; A-7351)
Ex. A	n	(P-18030/88; A-7351)
Ex. B	n	(P-18030/88; A-7351)
Ex. C	n	(P-18030/88; A-7351)
378.101	n	(P-12753/88; A-1190)
378.102	n	(P-12753/88; A-1190)
378.103	n	(P-12753/88; A-1190)
378.201	n	(P-12753/88; A-1190)
378.202	n	(P-12753/88; A-1190)
378.203	n	(P-12753/88; A-1190)
378.204	n	(P-12753/88; A-1190)
378.301	n	(P-12753/88; A-1190)
378.302	n	(P-12753/88; A-1190)
378.Ap. A	n	(P-12753/88; A-1190)
378.Ap. B	n	(P-12753/88; A-1190)
378.Ap. C	n	(P-12753/88; A-1190)
378.Ap. D	n	(P-12753/88; A-1190)
378.Ap. E	n	(P-12753/88; A-1190)
601.105	am	(P-262) (P-14641)
604.203	am	(P-255)
605.104	am	(P-269; C-2539)
615.101	n	(P-14589)
615.102	n	(P-14589)
615.103	n	(P-14589)
615.104	n	(P-14589)
615.105	n	(P-14589)
615.201	n	(P-14589)
615.202	n	(P-14589)
615.203	n	(P-14589)
615.204	n	(P-14589)
615.205	n	(P-14589)
615.206	n	(P-14589)
615.207	n	(P-14589)
615.208	n	(P-14589)
615.209	n	(P-14589)
615.210	n	(P-14589)
615.211	n	(P-14589)
615.301	n	(P-14589)
615.302	n	(P-14589)
615.303	n	(P-14589)
615.304	n	(P-14589)
615.305	n	(P-14589)

## TITLE 35 (CONT'D)

615.306	n	(P-14589)
615.307	n	(P-14589)
615.401	n	(P-14589)
615.402	n	(P-14589)
615.403	n	(P-14589)
615.404	n	(P-14589)
615.405	n	(P-14589)
615.406	n	(P-14589)
615.407	n	(P-14589)
615.421	n	(P-14589)
615.422	n	(P-14589)
615.423	n	(P-14589)
615.424	n	(P-14589)
615.441	n	(P-14589)
615.442	n	(P-14589)
615.443	n	(P-14589)
615.444	n	(P-14589)
615.445	n	(P-14589)
615.446	n	(P-14589)
615.447	n	(P-14589)
615.461	n	(P-14589)
615.462	n	(P-14589)
615.463	n	(P-14589)
615.501	n	(P-14589)
615.502	n	(P-14589)
615.601	n	(P-14589)
615.602	n	(P-14589)
615.603	n	(P-14589)
615.604	n	(P-14589)
615.621	n	(P-14589)
615.622	n	(P-14589)
615.623	n	(P-14589)
615.624	n	(P-14589)
615.701	n	(P-14589)
615.702	n	(P-14589)
615.703	n	(P-14589)
615.704	n	(P-14589)
615.705	n	(P-14589)
615.721	n	(P-14589)
615.722	n	(P-14589)
615.723	n	(P-14589)
615.724	n	(P-14589)
616.101	n	(P-14647)
616.102	n	(P-14647)
616.103	n	(P-14647)
616.104	n	(P-14647)
616.105	n	(P-14647)
616.201	n	(P-14647)
616.202	n	(P-14647)
616.203	n	(P-14647)
616.204	n	(P-14647)
616.205	n	(P-14647)
616.206	n	(P-14647)
616.207	n	(P-14647)
616.208	n	(P-14647)
616.209	n	(P-14647)

## TITLE 35 (CONT'D)

616.210	n	(P-14647)
616.211	n	(P-14647)
616.301	n	(P-14647)
616.302	n	(P-14647)
616.303	n	(P-14647)
616.304	n	(P-14647)
616.305	n	(P-14647)
616.306	n	(P-14647)
616.307	n	(P-14647)
616.401	n	(P-14647)
616.402	n	(P-14647)
616.403	n	(P-14647)
616.404	n	(P-14647)
616.405	n	(P-14647)
616.406	n	(P-14647)
616.407	n	(P-14647)
616.408	n	(P-14647)
616.421	n	(P-14647)
616.422	n	(P-14647)
616.423	n	(P-14647)
616.424	n	(P-14647)
616.425	n	(P-14647)
616.441	n	(P-14647)
616.442	n	(P-14647)
616.443	n	(P-14647)
616.444	n	(P-14647)
616.445	n	(P-14647)
616.446	n	(P-14647)
616.447	n	(P-14647)
616.461	n	(P-14647)
616.462	n	(P-14647)
616.463	n	(P-14647)
616.464	n	(P-14647)
616.501	n	(P-14647)
616.502	n	(P-14647)
616.601	n	(P-14647)
616.602	n	(P-14647)
616.603	n	(P-14647)
616.604	n	(P-14647)
616.605	n	(P-14647)
616.621	n	(P-14647)
616.622	n	(P-14647)
616.623	n	(P-14647)
616.624	n	(P-14647)
616.625	n	(P-14647)
616.701	n	(P-14647)
616.702	n	(P-14647)
616.703	n	(P-14647)
616.704	n	(P-14647)
616.705	n	(P-14647)
616.721	n	(P-14647)
616.722	n	(P-14647)
616.723	n	(P-14647)
616.724	n	(P-14647)
616.725	n	(P-14647)
617.101	n	(P-14693)

## TITLE 35 (CONT'D)

617.102	n	(P-14693)
661.302	am	(P-1738)
690.101	n	(P-15174)
690.102	n	(P-15174)
690.103	n	(P-15174)
690.104	n	(P-15174)
690.105	n	(P-15174)
690.201	n	(P-15174)
690.202	n	(P-15174)
690.203	n	(P-15174)
690.204	n	(P-15174)
690.205	n	(P-15174)
690.301	n	(P-15174)
690.302	n	(P-15174)
691.101	n	(P-15164)
691.102	n	(P-15164)
691.103	n	(P-15164)
691.104	n	(P-15164)
691.105	n	(P-15164)
691.106	n	(P-15164)
691.107	n	(P-15164)
691.201	n	(P-15164)
691.202	n	(P-15164)
691.203	n	(P-15164)
691.301	n	(P-15164)
691.302	n	(P-15164)
691.303	n	(P-15164)
691.304	n	(P-15164)
691.305	n	(P-15164)
691.306	n	(P-15164)
691.Ap.A	n	(P-15164)
702.104	am	(P-9835)
702.110	am	(P-9835)
702.152	am	(P-9835)
702.160	am	(P-9835)
702.181	am	(P-9835)
702.182	am	(P-9835)
702.183	am	(P-9835)
702.184	am	(P-9835)
702.185	am	(P-9835)
702.186	am	(P-9835)
702.187	am	(P-9835)
703.123	am	(P-15444/88; A-447)
703.183	am	(P-9860)
703.184	am	(P-9860)
703.209	n	(P-9860)
703.222	am	(P-9860)
703.223	am	(P-9860)
703.230	am	(P-9860)
703.247	n	(P-9860)
703.260	n	(P-9860)
703.270	n	(P-9860)
703.271	n	(P-9860)
703.272	n	(P-9860)
703.273	n	(P-9860)
703.280	n	(P-9860)

808.413	n	(P-13468)
808.420	n	(P-13468)
808.430	n	(P-13468)
808.431	n	(P-13468)
808.501	n	(P-13468)
808.502	n	(P-13468)
808.503	n	(P-13468)
808.520	n	(P-13468)
808.521	n	(P-13468)
808.522	n	(P-13468)
808.541	n	(P-13468)
808.542	n	(P-13468)
808.543	n	(P-13468)
808.544	n	(P-13468)
808.545	n	(P-13468)
808.600	n	(P-13468)
808.ApA	n	(P-13468)
808.ApB	n	(P-13468)
808.ApC	n	(P-13468)
808.ApD	n	(P-13468)
809.101	am	(P-13699)
809.102	am	(P-13699)
809.103	am	(P-13699)
809.201	am	(P-13699)
809.202	am	(P-13699)
809.203	am	(P-13699)
809.204	am	(P-13699)
809.205	am	(P-13699)
809.206	am	(P-13699)
809.207	am	(P-13699)
809.208	am	(P-13699)
809.209	am	(P-13699)
809.210	r	(P-13699)
809.211	n	(P-13699)
809.212	n	(P-13699)
809.222	n	(P-13699)
809.223	n	(P-13699)
809.224	n	(P-13699)
809.225	n	(P-13699)
809.226	n	(P-13699)
809.227	n	(P-13699)
809.301	r	(P-13699)
809.302	n	(P-13699)
809.320	n	(P-13699)
809.324	n	(P-13699)
809.351	n	(P-13699)
809.354	n	(P-13699)
809.401	am	(P-13699)
809.402	am	(P-13699)
809.501	am	(P-13699)
809.502	n	(P-13699)
809.521	n	(P-13699)
809.601	am	(P-13699)
809.701	am	(P-13699)
809.801	r	(P-13699)
809.802	r	(P-13699)

TITLE 35 (CONT'D)

731.164	n	(P-2650; A-9519)
731.165	n	(P-2650; A-9519)
731.166	n	(P-2650; A-9519)
731.167	n	(P-2650; A-9519)
731.170	n	(P-2650; A-9519)
731.171	n	(P-2650; A-9519)
731.172	n	(P-2650; A-9519)
731.173	n	(P-2650; A-9519)
731.174	n	(P-2650; A-9519)
731.190	n	(P-6861; A-15010)
731.191	n	(P-6861; A-15010)
731.192	n	(P-6861; A-15010)
731.193	n	(P-6861; A-15010)
731.194	n	(P-6861; A-15010)
731.195	n	(P-6861; A-15010)
731.196	n	(P-6861; A-15010)
731.197	n	(P-6861; A-15010)
731.198	n	(P-6861; A-15010)
731.199	n	(P-6861; A-15010)
731.202	n	(P-6861; A-15010)
731.203	n	(P-6861; A-15010)
731.204	n	(P-6861; A-15010)
731.205	n	(P-6861; A-15010)
731.206	n	(P-6861; A-15010)
731.207	n	(P-6861; A-15010)
731.208	n	(P-6861; A-15010)
731.209	n	(P-6861; A-15010)
731.210	n	(P-6861; A-15010)
731.211	n	(P-6861; A-15010)
731.900	r	(P-2650)
731.901	r	(P-6861)
731.901	r	(P-2650)
808.100	n	(P-13468)
808.101	n	(P-13468)
808.110	n	(P-13468)
808.111	n	(P-13468)
808.121	n	(P-13468)
808.122	n	(P-13468)
808.123	n	(P-13468)
808.240	n	(P-13468)
808.241	n	(P-13468)
808.242	n	(P-13468)
808.243	n	(P-13468)
808.244	n	(P-13468)
808.245	n	(P-13468)
808.246	n	(P-13468)
808.300	n	(P-13468)
808.301	n	(P-13468)
808.302	n	(P-13468)
808.400	n	(P-13468)
808.401	n	(P-13468)
808.402	n	(P-13468)
808.410	n	(P-13468)
808.411	n	(P-13468)
808.412	n	(P-13468)

TITLE 35 (CONT'D)

725.293	am	(P-9737)
725.296	am	(P-9737)
725.301	am	(P-9860)
726.120	am	(P-9988)
728.101	am	(P-9786)
728.104	am	(P-9786)
728.105	am	(P-9786)
728.106	am	(P-9786)
728.107	am	(P-9786)
728.108	n	(P-9786)
728.130	am	(P-9786)
728.131	am	(P-9786)
728.132	am	(P-9786)
728.133	n	(P-9786)
728.140	am	(P-9786)
728.142	am	(P-9786)
728.143	n	(P-9786)
728.150	am	(P-9786)
728.150A	am	(P-9786)
728.150B	n	(P-9786)
728.ApA	am	(P-9786)
728.ApB	am	(P-9786)
731.101	r	(P-2650)
731.101A	r	(P-2650)
731.102	r	(P-2650)
731.102A	r	(P-2650)
731.103	r	(P-2650)
731.103A	r	(P-2650)
731.110	n	(P-2650; A-9519)
731.111	n	(P-2650; A-9519)
731.112	n	(P-2650; A-9519)
731.113	n	(P-2650; A-9519)
731.114	n	(P-2650; A-9519)
731.120	n	(P-2650; A-9519)
731.121	n	(P-2650; A-9519)
731.122	n	(P-2650; A-9519)
731.130	n	(P-2650; A-9519)
731.131	n	(P-2650; A-9519)
731.132	n	(P-2650; A-9519)
731.133	n	(P-2650; A-9519)
731.134	n	(P-2650; A-9519)
731.140	n	(P-2650; A-9519)
731.141	n	(P-2650; A-9519)
731.142	n	(P-2650; A-9519)
731.143	n	(P-2650; A-9519)
731.144	n	(P-2650; A-9519)
731.145	n	(P-2650; A-9519)
731.150	n	(P-2650; A-9519)
731.151	n	(P-2650; A-9519)
731.152	n	(P-2650; A-9519)
731.153	n	(P-2650; A-9519)
731.160	n	(P-2650; A-9519)
731.161	n	(P-2650; A-9519)
731.162	n	(P-2650; A-9519)
731.163	n	(P-2650; A-9519)

TITLE 35 (CONT'D)

703.281	n	(P-9860)
703.283	n	(P-9860)
703.ApA	n	(P-9860)
704.143	am	(P-17167/88; A-478)
720.110	am	(P-15327/88; A-362) (P-9661)
720.111	am	(P-15327/88; A-362) (P-9661)
721.104	am	(P-15347/88; A-382) (P-9683)
721.105	am	(P-15347/88; A-382)
721.132	am	(P-9683)
721.133	am	(P-15347/88; A-382) (P-9683)
721.ApG	am	(P-9683)
721.ApH	am	(P-15347/88; A-382) (P-9683)
722.110	am	(P-15449/88; A-452)
722.151	am	(P-15449/88; A-452)
722.ApA	am	(P-9905)
724.101	am	(P-15455/88; A-458)
724.110	am	(P-9909)
724.113	am	(P-9909)
724.115	am	(P-9909)
724.118	am	(P-9909)
724.154	am	(P-9909)
724.173	am	(P-9909)
724.190	am	(P-9909)
724.191	am	(P-9909)
724.192	am	(P-9909)
724.197	am	(P-9909)
724.198	am	(P-9909)
724.199	am	(P-9909)
724.211	am	(P-9909)
724.212	am	(P-9909)
724.214	am	(P-9909)
724.217	am	(P-9909)
724.218	am	(P-9909)
724.241	am	(P-9909)
724.242	am	(P-9909)
724.244	am	(P-9909)
724.247	am	(P-9909)
724.251	am	(P-9909)
724.290	am	(P-9909)
724.293	am	(P-9909)
724.296	am	(P-9909)
724.700	n	(P-9909)
724.701	n	(P-9909)
724.702	n	(P-9909)
724.703	n	(P-9909)
724.Ap. I	am	(P-15455/88; A-458)
725.101	am	(P-15402/88; A-437)
725.113	am	(P-9737)
725.173	am	(P-9737)
725.212	am	(P-9737)
725.214	am	(P-9737)
725.218	am	(P-9737)
725.241	am	(P-9737)
725.247	am	(P-9737)
725.290	am	(P-9737)

TITLE 35 (CONT'D)

**TITLE 35 (CONT'D)**

809.901 r (P-13699)  
809.902 r (P-13699)  
809.903 r (P-13699)  
809.904 r (P-13699)  
809.905 r (P-13699)  
809.906 r (P-13699)  
809.Ap.A r (P-13699)  
849.101 n (P-15828/88; A-7949)  
849.102 n (P-15828/88; A-7949)  
849.103 n (P-15828/88; A-7949)  
849.104 n (P-15828/88; A-7949)  
849.105 n (P-15828/88; A-7949)  
849.106 n (P-15828/88; A-7949)  
855.103 am (P-19834/88; A-13206)  
855.203 am (P-19834/88; A-13206)  
855.204 am (P-19834/88; A-13206)  
855.205 am (P-19834/88; A-13206)  
855.207 am (P-19834/88; A-13206)  
856.101 am (P-21000/88; A-13212)  
856.102 am (P-21000/88; A-13212)  
856.201 am (P-21000/88; A-13212)  
856.202 am (P-21000/88; A-13212)  
856.204 am (P-21000/88; A-13212)  
858.204 re (A-5945)  
858.205 re (A-5945)  
858.207 re (A-5945)  
858.208 re (A-5945)  
858.304 re (A-5945)  
858.305 re (A-5945)  
858.306 re (A-5945)  
858.308 re (A-5945)  
858.309 re (A-5945)  
858.310 re (A-5945)

**TITLE 38**

190.10 am (P-14097/88; O-22489/88; R-966; A-3793)  
190.50 am (P-14097/88; O-22489/88; R-966; A-3793)  
190.70 am (P-4107)  
190.140 am (P-14097/88; O-22489/88; R-966; A-3793)  
190.160 am (P-14097/88; O-22489/88; R-966; A-3793)  
190.165 n (P-4107)  
190.180 am (P-14097/88; O-22489/88; R-966; A-3793) (P-4107)  
303.10 n (P-2889)  
303.20 n (P-2889)  
320.10 n (P-8737)  
320.20 n (P-8737)  
320.30 n (P-8737)  
320.40 n (P-8737)  
350.10 n (P-12163)  
350.20 n (P-12163)  
350.30 n (P-12163)

**TITLE 38 (CONT'D)**

350.40 n (P-12163)  
350.50 n (P-12163)  
400.110 am (P-1985; A-8927)  
400.120 am (P-1985; A-8927)  
400.130 am (P-1985; A-8927)  
400.140 r (P-1985; A-8927)  
400.141 am (P-1985; A-8927)  
400.142 am (P-1985; A-8927)  
400.150 am (P-1985; A-8927)  
400.440 am (P-1985; A-8927)  
400.510 am (P-1985; A-8927)  
400.615 am (P-1985; A-8927)  
400.665 am (P-1985; A-8927)  
400.675 r (P-1985; A-8927)  
400.710 am (P-1985; A-8927)  
400.1020 am (P-1985; A-8927)  
400.1030 am (P-1985; A-8927)  
400.1060 am (P-1985; A-8927)  
400.1110 am (P-1985; A-8927)  
400.1120 am (P-1985; A-8927)  
400.1140 r (P-1985; A-8927)  
400.1530 am (P-1985; A-8927)  
400.1550 am (P-1985; A-8927)  
400.2010 am (P-1985; A-8927)  
400.2055 n (P-1985; A-8927)  
400.2500 am (P-1985; A-8927)  
400.2510 am (P-1985; A-8927)  
400.2520 am (P-1985; A-8927)  
400.2700 n (P-1985; A-8927)  
400.2710 n (P-1985; A-8927)  
450.110 am (P-12766)  
450.115 am (P-12766)  
450.120 am (P-12766)  
450.140 am (P-12766)  
450.190 n (P-12766)  
450.230 am (P-12766)  
450.250 am (P-12766)  
450.270 am (P-12766)  
450.290 am (P-12766)  
450.340 am (P-12766)  
450.350 am (P-12766)  
450.410 am (P-12766)  
450.420 r (P-12766)  
450.430 am (P-12766)  
450.460 am (P-12766)  
450.470 am (P-12766)  
450.475 n (P-12766)  
450.480 am (P-12766)  
450.630 am (P-12766)  
450.640 am (P-12766)  
450.740 am (P-12766)  
450.750 am (P-12766)  
450.810 am (P-12766)  
450.820 am (P-12766)  
450.860 am (P-12766)  
450.920 am (P-12766)

**TITLE 38 (CONT'D)**

450.930 am (P-12766)  
450.1010 am (P-12766)  
450.1020 am (P-12766)  
450.1110 am (P-12766)  
450.1140 am (P-12766)  
450.1305 am (P-12766)  
450.1320 am (P-12766)  
450.1335 am (P-12766)  
450.1340 am (P-12766)  
450.1360 am (P-12766)

**TITLE 41**

100.110 n (E-582) (P-1323; A-12547)  
170.10 am (P-1756; O-13288; R-15126; A-14992) (E-1886)  
170.71 n (P-1756; O-13288 R-15126; A-14992) (E-1886)  
170.72 n (P-1756; A-14992) (E-1886)  
170.73 n (P-1756) (E-1886)  
170.75 am (P-1756) (E-1886)  
170.75 # (A-5669)  
170.106 n (P-1756; A-14992) (E-1886)  
170.107 n (P-1756; A-14992) (E-1886)  
170.108 n (P-1756; A-14992) (E-1886)  
170.400 n (A-5669; O-13305)  
170.410 n (A-5669)  
170.420 n (A-5669)  
170.430 n (A-5669; O-13305)  
170.440 n (A-5669)  
170.450 n (A-5669)  
170.460 n (A-5669; O-13305)  
170.470 n (A-5669)  
170.480 n (A-5669; O-13305)  
170.490 n (A-5669)  
170.500 n (A-5669)  
170.510 n (A-5669)  
170.520 n (A-5669)  
170.530 n (A-5669)  
170.530 am (A-7744; O-13305)  
170.540 n (A-5669)  
170.550 n (A-5669)  
170.560 n (A-5669)  
170.570 n (A-5669)  
170.580 n (A-5669)  
170.590 n (A-5669)  
170.600 n (A-5669)  
170.610 n (A-5669; O-13305) (A-8875)  
170.620 n (A-5669; O-13305)  
170.630 n (A-5669)  
170.640 n (A-5669)  
170.650 n (A-5669)  
170.660 n (A-5669)  
170.670 # (A-5669)  
170.670 am (A-5669)  
170.700 n (A-8515)  
170.Tb. A n (A-5669)

**TITLE 41 (CONT'D)**

170.Tb. B n (A-5669)  
180.10 am (E-1875; O-5807) (P-1754; A-14978)  
180.20 am (E-1875; O-5807) (P-1754; A-14978)  
180.25 n (E-1875; O-5807) (P-1754; A-14978)

**TITLE 44**

525.5 r (P-2709)  
525.10 am (P-2709)  
525.20 am (P-2709)  
525.50 n (P-2709)  
525.60 n (P-2709)  
525.70 # (P-2709)  
525.70 am (P-2709)  
525.100 am (P-2709)  
525.110 am (P-2709)  
525.200 # (P-2709)  
525.300 am (P-2709)  
525.310 r (P-2709)  
525.320 am (P-2709)  
525.330 am (P-2709)  
525.340 am (P-2709)  
525.350 am (P-2709)  
525.400 am (P-2709)  
525.410 am (P-2709)  
525.500 am (P-2709)  
525.510 am (P-2709)  
525.520 am (P-2709)  
525.530 am (P-2709)  
525.540 n (P-2709)  
525.600 am (P-2709)  
525.610 am (P-2709)  
525.620 am (P-2709)  
525.630 am (P-2709)  
525.640 am (P-2709)  
525.650 am (P-2709)  
525.660 am (P-2709)  
525.670 am (P-2709)  
525.700 am (P-2709)  
525.710 am (P-2709)  
525.720 am (P-2709)  
526.10 n (P-2746; O-14117)  
526.20 n (P-2746; O-14117)  
526.30 n (P-2746; O-14117)  
526.40 n (P-2746; O-14117)  
526.50 n (P-2746; O-14117)  
526.60 n (P-2746; O-14117)  
526.70 n (P-2746; O-14117)  
530.5 r (P-2648)  
530.10 am (P-2648)  
530.20 am (P-2648)  
530.50 n (P-2648)  
530.60 n (P-2648)  
530.70 # (P-2648)

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**TITLE 50 (CONT'D)**

3113.60 am (P-12935)  
 6301.Ex. A am (P-14502/88; A-1780)  
 6302.40 am (P-15269/88; A-3801)  
 6701.10 n (P-17617/88; A-5951)  
 6701.20 n (P-17617/88; A-5951)  
 6701.30 n (P-17617/88; A-5951)  
 6701.Ex. A n (P-17617/88; A-5951)  
 8010.10 n (P-14349)  
 8010.20 n (P-14349)  
 8010.30 n (P-14349)  
 8010.40 n (P-14349)  
 8010.50 n (P-14349)  
 8010.60 n (P-14349)  
 8010.70 n (P-14349)

**TITLE 56**

350.20 am (P-15272/88; W-6819) (P-5839)  
 350.280 am (P-15272/88; W-6819) (P-5839)  
 350.300 n (P-15272/88; W-6819) (P-5839)  
 350.310 n (P-15272/88; W-6819) (P-5839)  
 350.320 n (P-15272/88; W-6819) (P-5839)  
 350.330 n (P-15272/88; W-6819) (P-5839)  
 350.340 n (P-15272/88; W-6819) (P-5839)  
 350.350 n (P-15272/88; W-6819) (P-5839)  
 350.360 n (P-15272/88; W-6819) (P-5839)  
 350.370 n (P-15272/88; W-6819) (P-5839)  
 350.380 n (P-15272/88; W-6819) (P-5839)  
 350.400 n (P-15272/88; W-6819) (P-5839)  
 350.410 n (P-15272/88; W-6819) (P-5839)  
 350.420 n (P-15272/88; W-6819) (P-5839)  
 350.430 n (P-15272/88; W-6819) (P-5839)  
 350.440 n (P-15272/88; W-6819) (P-5839)  
 350.450 n (P-5839)  
 2090.105 am (P-17)  
 2600.20 am (P-3515; A-13839) (E-4028)  
 (P-4331)  
 2600.30 am (P-3515; A-13839) (E-4028)  
 2610.60 am (P-5017)  
 2610.100 am (P-4366; O-13282; R-15125;  
 A-14875)  
 2610.130 am (P-4366; A-14875)  
 2610.Ap. A n (P-5017)  
 2625.20 n (P-3513; A-13830) (E-4019)  
 2625.30 n (P-3513; A-13830) (E-4019)  
 2625.40 n (P-3513; A-13830) (E-4019)  
 2625.50 n (P-3513; A-13830) (E-4019)  
 2650.10 re (A-15386)  
 2650.20 re (A-15386)  
 2650.30 re (A-15386)  
 2650.40 re (A-15386)  
 2650.50 re (A-15386)  
 2650.60 re (A-15386)  
 2650.70 re (A-15386)  
 2650.80 re (A-15386)  
 2650.90 re (A-15386)  
 2650.100 re (A-15386)

**TITLE 56 (CONT'D)**

2650.110 re (A-15386)  
 2650.120 re (A-15386)  
 2650.130 re (A-15386)  
 2650.140 re (A-15386)  
 2712.201 n (P-15257/88; O-22482/88; R-965;  
 A-795)  
 2712.202 n (P-15257/88; O-22482/88; R-965;  
 A-795)  
 2712.203 n (P-15257/88; O-22482/88; R-965;  
 A-795)  
 2712.205 n (P-15257/88; O-22482/88; R-965;  
 A-795)  
 2712.207 n (P-15257/88; O-22482/88; R-965;  
 A-795)  
 2712.210 n (P-15257/88; O-22482/88; R-965;  
 A-795)  
 2720.1 am (P-5362; W-11960) (P-11139)  
 2720.130 am (P-5362; W-11960) (P-11139)  
 (E-11890)  
 2720.132 n (P-5362; W-11960) (P-11139)  
 (E-11890)  
 2725.20 am (P-5344; W-11959) (P-11120)  
 (E-11872)  
 2725.100 am (P-5344; W-11959) (P-11120)  
 (E-11872)  
 2725.105 am (P-5344; W-11959) (P-11120)  
 (E-11872)  
 2725.120 am (P-5344; W-11959) (P-11120)  
 (E-11872)  
 2725.250 am (P-5344; W-11959) (P-11120)  
 2725.270 am (P-5344; W-11959) (P-11120)  
 (E-11872)  
 2732.200 n (P-12748)  
 2732.210 n (P-1945; A-8864)  
 2765.205 n (P-752)  
 2765.325 n (P-5375; W-11961) (P-11155)  
 (E-11911)  
 2765.326 n (P-11155) (E-11911)  
 2765.328 n (P-5375; W-11961) (P-11155)  
 2765.330 n (P-5375; W-11961) (P-11155)  
 2765.332 n (P-5375; W-11961) (P-11155)  
 (E-11911)  
 2765.333 n (P-5375; W-11961) (P-11155)  
 (E-11911)  
 2765.334 n (P-5375; W-11961) (P-11155)  
 (E-11911)  
 2765.335 n (P-5375; W-11961) (P-11155)  
 (E-11911)  
 2770.105 am (P-743; A-11507)  
 2815.105 am (P-13141) (E-13268)  
 2905.1 am (P-2229; A-11502)  
 2905.15 am (P-2229; A-11502)  
 2905.25 r (P-2229; A-11502)  
 2905.40 n (P-2229; A-11502)  
 2920.5 am (P-11153) (E-11899)  
 2920.65 r (P-11153) (E-11899)

**TITLE 56 (CONT'D)**

2920.68 n (P-22295/88; A-5936)  
 2920.70 r (P-11153) (E-11899)  
 2920.75 r (P-11153) (E-11899)  
 2920.80 r (P-11153) (E-11899)  
 2960.105 am (P-17; A-5940)  
 6000.10 am (P-7845) (E-8025)  
 6000.80 am (P-13993)  
 6000.280 am (P-7845) (E-8025)  
 6000.310 n (P-7845) (E-8025)  
 6000.320 n (P-7845) (E-8025)

**TITLE 59**

106.15 am (P-18087/88; A-3821)  
 112.10 n (P-8208)  
 112.20 n (P-8208)  
 112.30 n (P-8208)  
 115.100 n (P-15183)  
 115.110 n (P-15183)  
 115.120 n (P-15183)  
 115.200 n (P-15183)  
 115.210 n (P-15183)  
 115.220 n (P-15183)  
 115.230 n (P-15183)  
 115.240 n (P-15183)  
 115.250 n (P-15183)  
 115.300 n (P-15183)  
 115.310 n (P-15183)  
 115.320 n (P-15183)  
 115.400 n (P-15183)  
 115.410 n (P-15183)  
 115.420 n (P-15183)  
 115.430 n (P-15183)  
 115.440 n (P-15183)  
 115.450 n (P-15183)  
 115.460 n (P-15183)  
 115.470 n (P-15183)  
 119.100 n (P-13377)  
 119.105 n (P-13377)  
 119.115 n (P-13377)  
 119.120 n (P-13377)  
 119.125 n (P-13377)  
 119.130 n (P-13377)  
 119.135 n (P-13377)  
 119.140 n (P-13377)  
 119.200 n (P-13377)  
 119.205 n (P-13377)  
 119.210 n (P-13377)  
 119.215 n (P-13377)  
 119.220 n (P-13377)  
 119.225 n (P-13377)  
 119.230 n (P-13377)  
 119.235 n (P-13377)  
 119.300 n (P-13377)  
 119.305 n (P-13377)  
 119.310 n (P-13377)  
 119.315 n (P-13377)

**TITLE 59 (CONT'D)**

119.320 n (P-13377)  
 119.325 n (P-13377)  
 119.330 n (P-13377)  
 119.335 n (P-13377)  
 119.340 n (P-13377)  
 119.345 n (P-13377)  
 119.350 n (P-13377)  
 119.355 n (P-13377)  
 119.360 n (P-13377)  
 119.365 n (P-13377)  
 119.370 n (P-13377)  
 119.375 n (P-13377)  
 119.380 n (P-13377)  
 119.385 n (P-13377)  
 119.390 n (P-13377)  
 119.395 n (P-13377)  
 119.500 n (P-13377)  
 119.700 n (P-13377)  
 119.705 n (P-13377)  
 119.710 n (P-13377)  
 119.715 n (P-13377)  
 119.800 n (P-13377)  
 119.900 n (P-13377)  
 119.905 n (P-13377)  
 119.910 n (P-13377)  
 119.1000 n (P-13377)  
 119.1005 n (P-13377)  
 119.1100 n (P-13377)  
 119.1105 n (P-13377)

**TITLE 62**

220.10 am (P-23; A-5955)  
 220.80 am (P-23; A-5955)  
 220.160 am (P-756; A-13220)  
 240.10 am (P-15226)  
 240.20 r (P-15226)  
 240.30 r (P-15226)  
 240.40 r (P-15226)  
 240.50 r (P-15226)  
 240.60 r (P-15226)  
 240.70 (P-15226)  
 240.80 (P-15226)  
 240.90 (P-15226)  
 240.100 (P-15226)  
 240.110 (P-15226)  
 240.120 r (P-15226)  
 240.140 n (P-15226)  
 240.150 n (P-15226)  
 240.160 n (P-15226)  
 240.170 n (P-15226)  
 240.180 n (P-15226)  
 240.190 n (P-15226)  
 240.195 n (P-15226)  
 240.230 am (P-15226)  
 1700.11 am (P-12217)  
 1701.Ap. A am (P-12222)





**TITLE 68 (CONT'D)**

1300.42 am (P-14236)  
1300.45 am (P-14236)  
1300.48 am (P-14236)  
1300.60 n (P-14236)  
1300.70 n (P-14236)  
1310.20 am (P-14938/88; O-14120)  
1310.30 am (P-14938/88; O-14120)  
1310.60 am (P-14938/88; O-14120)  
1310.85 am (P-14938/88; O-14120)  
1320.20 am (P-8606/88; A-6994)  
1320.30 am (P-8606/88; A-6994)  
1320.40 am (P-8606/88; A-6994)  
1320.50 am (P-8606/88; A-6994)  
1320.55 am (P-8606/88; A-6994)  
1320.60 am (P-8606/88; A-6994)  
1320.70 am (P-8606/88; A-6994)  
1320.80 am (P-8606/88; A-6994)  
1320.90 am (P-8606/88; A-6994)  
1320.95 n (P-8606/88; A-6994)  
1320.100 am (P-8606/88; A-6994)  
1320.110 am (P-8606/88; A-6994)  
1320.250 n (P-8606/88; A-6994)  
1320.310 n (P-8606/88; A-6994)  
1360.10 r (P-14963/88; A-4234)  
1360.20 am (P-14963/88; A-4234)  
1360.30 am (P-14963/88; A-4234) (P-14004)  
1360.40 am (P-14963/88; A-4234)  
1360.45 n (P-14963/88; A-4234)  
1360.50 am (P-14963/88; A-4234)  
1360.55 am (P-14963/88; A-4234)  
1360.60 am (P-14963/88; A-4234)  
1360.65 n (P-14963/88; A-4234)  
1360.70 am (P-14963/88; O-3450; RC-3452; R-4308; A-4234)  
1360.75 n (P-14963/88; RC-3452; A-4234)  
1360.80 r (P-14963/88; A-4234)  
1360.85 am (P-14963/88; A-4234)  
1360.90 am (P-14963/88; A-4234)  
1360.Ap. A r (P-14963/88; A-4234)  
1360.Ap. B r (P-14963/88; A-4234)  
1400.10 r (P-2913)  
1400.20 am (P-2913)  
1400.20 am (E-2519)  
1400.30 am (E-2519)  
1400.30 am (P-2913)  
1400.40 am (P-2913)  
1400.40 am (E-2519)  
1400.50 am (P-2913)  
1400.50 am (E-2519)  
1400.60 am (P-2913)  
1400.65 am (P-2913)  
1400.70 am (P-2913)  
1400.80 am (P-2913)  
1400.90 am (P-2913)  
1465.10 n (P-1388; A-13882) (E-1616)  
1465.20 n (P-1388; A-13882) (E-1616)

**TITLE 68 (CONT'D)**

1465.30 n (P-1388; A-13882) (E-1616)  
1465.40 n (P-1388; A-13882) (E-1616)  
1465.50 n (P-1388; A-13882) (E-1616)  
1465.60 n (P-1388; A-13882) (E-1616)  
1465.70 n (P-1388; A-13882)  
1465.90 n (P-1388; A-13882)  
1470.5 n (P-5426; A-13867) (E-5771)  
1470.7 n (P-5426; A-13867) (E-5771)  
1470.10 am (E-5771)  
1470.10 r (P-5426; A-13867)  
1470.10 n (P-5426; A-13867)  
1470.20 r (E-5771)  
1470.20 n (E-5771)  
1470.20 am (P-5426; A-13867)  
1470.30 am (E-5771) (P-5426; A-13867)  
1470.40 r (P-5426; A-13867)  
1470.50 r (P-5426; A-13867)  
1470.60 r (P-5426; A-13867)  
1470.60 n (P-5426; A-13867)  
1470.70 am (P-5426; A-13867) (E-5771)  
1470.80 am (P-5426; A-13867)  
1470.90 am (P-5426; A-13867)  
1470.100 am (P-5426; A-13867)  
1480.20 am (E-5781; O-9605) (P-5424; A-13891)  
1500.10 am (P-18100/88; A-3826)  
1500.11 am (P-18100/88; A-3826)

**TITLE 71**

40.130 am (P-1283; A-6973)  
1000.10 re (A-13866)  
1000.20 re (A-13866)  
1000.30 re (A-13866)  
1000.40 re (A-13866)  
1000.50 re (A-13866)  
1000.60 re (A-13866)  
1000.70 re (A-13866)  
1000.80 re (A-13866)  
1000.90 re (A-13866)  
1500.10 re (A-13866)  
1500.20 re (A-13866)  
1500.30 re (A-13866)  
1500.40 re (A-13866)  
1500.50 re (A-13866)  
1500.60 re (A-13866)  
1500.70 re (A-13866)  
1500.80 re (A-13866)  
1500.90 re (A-13866)  
1510.100 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.110 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.120 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.130 n (P-14813/88; O-3442; R-5210; A-5098)

**TITLE 71 (CONT'D)**

1510.140 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.150 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.200 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.210 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.220 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.300 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.310 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.320 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.330 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.340 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.350 n (P-14813/88; O-3442; R-5210; A-5098)  
1510.Ap. A n (P-14813/88; O-3442; R-5210; A-5098)  
1510.Ap. B n (P-14813/88; O-3442; R-5210; A-5098)

**TITLE 74**

280.10 am (P-19259/88; A-4664)  
280.20 am (P-5314) (P-19259/88; A-14038)  
280.30 am (P-19259/88; A-4664)  
280.Ap.A n (P-19259/88; A-4664)  
280.Ap.B n (P-19259/88; A-4664)  
420.630 am (P-11983)  
420.640 am (P-11983)

**TITLE 77**

200.100 r (P-17673/88; A-4681)  
200.101 r (P-17673/88; A-4681)  
200.150 r (P-17673/88; A-4681)  
200.201 r (P-17673/88; A-4681)  
200.202 r (P-17673/88; A-4681)  
200.203 r (P-17673/88; A-4681)  
200.204 r (P-17673/88; A-4681)  
200.205 r (P-17673/88; A-4681)  
200.206 r (P-17673/88; A-4681)  
200.207 r (P-17673/88; A-4681)  
200.208 r (P-17673/88; A-4681)  
200.209 r (P-17673/88; A-4681)  
200.210 r (P-17673/88; A-4681)  
200.301 r (P-17673/88; A-4681)  
200.302 r (P-17673/88; A-4681)  
200.303 r (P-17673/88; A-4681)  
200.401 r (P-17673/88; A-4681)  
200.402 r (P-17673/88; A-4681)  
200.403 r (P-17673/88; A-4681)

**TITLE 77 (CONT'D)**

200.404 r (P-17673/88; A-4681)  
200.405 r (P-17673/88; A-4681)  
200.406 r (P-17673/88; A-4681)  
200.501 r (P-17673/88; A-4681)  
200.502 r (P-17673/88; A-4681)  
200.503 r (P-17673/88; A-4681)  
200.504 r (P-17673/88; A-4681)  
200.601 r (P-17673/88; A-4681)  
200.602 r (P-17673/88; A-4681)  
200.603 r (P-17673/88; A-4681)  
200.604 r (P-17673/88; A-4681)  
200.605 r (P-17673/88; A-4681)  
200.701 r (P-17673/88; A-4681)  
200.702 r (P-17673/88; A-4681)  
200.703 r (P-17673/88; A-4681)  
200.704 r (P-17673/88; A-4681)  
200.705 r (P-17673/88; A-4681)  
200.706 r (P-17673/88; A-4681)  
200.707 r (P-17673/88; A-4681)  
200.708 r (P-17673/88; A-4681)  
200.801 r (P-17673/88; A-4681)  
200.802 r (P-17673/88; A-4681)  
200.803 r (P-17673/88; A-4681)  
200.804 r (P-17673/88; A-4681)  
200.805 r (P-17673/88; A-4681)  
200.806 r (P-17673/88; A-4681)  
200.807 r (P-17673/88; A-4681)  
200.808 r (P-17673/88; A-4681)  
200.809 r (P-17673/88; A-4681)  
200.810 r (P-17673/88; A-4681)  
200.811 r (P-17673/88; A-4681)  
200.812 r (P-17673/88; A-4681)  
200.813 r (P-17673/88; A-4681)  
200.814 r (P-17673/88; A-4681)  
200.815 r (P-17673/88; A-4681)  
200.816 r (P-17673/88; A-4681)  
200.817 r (P-17673/88; A-4681)  
200.818 r (P-17673/88; A-4681)  
200.819 r (P-17673/88; A-4681)  
200.820 r (P-17673/88; A-4681)  
200.821 r (P-17673/88; A-4681)  
200.822 r (P-17673/88; A-4681)  
200.823 r (P-17673/88; A-4681)  
200.824 r (P-17673/88; A-4681)  
200.825 r (P-17673/88; A-4681)  
200.826 r (P-17673/88; A-4681)  
200.901 r (P-17673/88; A-4681)  
200.902 r (P-17673/88; A-4681)  
200.903 r (P-17673/88; A-4681)  
200.904 r (P-17673/88; A-4681)  
200.905 r (P-17673/88; A-4681)  
200.906 r (P-17673/88; A-4681)  
200.907 r (P-17673/88; A-4681)  
200.908 r (P-17673/88; A-4681)  
200.909 r (P-17673/88; A-4681)  
200.910 r (P-17673/88; A-4681)

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TITLE 77 (CONT'D)

390.1320 am (P-21064/88; A-6301)  
390.1330 am (P-21064/88; A-6301)  
390.1410 am (P-21064/88; A-6301)  
390.1420 am (P-21064/88; A-6301)  
390.1430 am (P-21064/88; A-6301)  
390.1440 am (P-21064/88; A-6301)  
390.1450 am (P-21064/88; A-6301)  
390.1610 am (P-21064/88; A-6301)  
390.1620 am (P-21064/88; A-6301)  
390.1630 am (P-21064/88; A-6301)  
390.1640 am (P-21064/88; A-6301)  
390.1650 am (P-21064/88; A-6301)  
390.1660 am (P-21064/88; A-6301)  
390.1670 am (P-21064/88; A-6301)  
390.1680 am (P-21064/88; A-6301)  
390.1690 am (P-21064/88; A-6301)  
390.1810 am (P-21064/88; A-6301)  
390.1820 am (P-21064/88; A-6301)  
390.1830 am (P-21064/88; A-6301)  
390.1840 am (P-21064/88; A-6301)  
390.1850 am (P-21064/88; A-6301)  
390.1860 am (P-21064/88; A-6301)  
390.1870 am (P-21064/88; A-6301)  
390.1880 am (P-21064/88; A-6301)  
390.1890 am (P-21064/88; A-6301)  
390.1900 am (P-21064/88; A-6301)  
390.1910 am (P-21064/88; A-6301)  
390.1920 am (P-21064/88; A-6301)  
390.2010 am (P-21064/88; A-6301)  
390.2020 am (P-21064/88; A-6301)  
390.2030 am (P-21064/88; A-6301)  
390.2210 am (P-21064/88; A-6301)  
390.2220 am (P-21064/88; A-6301)  
390.2230 am (P-21064/88; A-6301)  
390.2410 am (P-21064/88; A-6301)  
390.2420 am (P-21064/88; A-6301)  
390.2430 am (P-21064/88; A-6301)  
390.2440 am (P-21064/88; A-6301)  
390.2610 am (P-21064/88; A-6301)  
390.2620 am (P-21064/88; A-6301)  
390.2630 am (P-21064/88; A-6301)  
390.2640 am (P-21064/88; A-6301)  
390.2650 am (P-21064/88; A-6301)  
390.2660 am (P-21064/88; A-6301)  
390.2670 am (P-21064/88; A-6301)  
390.2680 am (P-21064/88; A-6301)  
390.2690 am (P-21064/88; A-6301)  
390.2700 am (P-21064/88; A-6301)  
390.2710 am (P-21064/88; A-6301)  
390.2720 am (P-21064/88; A-6301)  
390.2730 am (P-21064/88; A-6301)  
390.2740 am (P-21064/88; A-6301)  
390.2910 am (P-21064/88; A-6301)  
390.2920 am (P-21064/88; A-6301)  
390.2930 am (P-21064/88; A-6301)  
390.2940 am (P-21064/88; A-6301)

TITLE 77 (CONT'D)

390.2950 am (P-21064/88; A-6301)  
390.2960 am (P-21064/88; A-6301)  
390.2970 am (P-21064/88; A-6301)  
390.2980 am (P-21064/88; A-6301)  
390.2990 am (P-21064/88; A-6301)  
390.3000 am (P-21064/88; A-6301)  
390.3010 am (P-21064/88; A-6301)  
390.3020 am (P-21064/88; A-6301)  
390.3030 am (P-21064/88; A-6301)  
390.3040 am (P-21064/88; A-6301)  
390.3210 am (P-21064/88; A-6301)  
390.3220 am (P-21064/88; A-6301)  
390.3230 am (P-21064/88; A-6301)  
390.3240 am (P-21064/88; A-6301)  
390.3250 am (P-21064/88; A-6301)  
390.3260 am (P-21064/88; A-6301)  
390.3270 am (P-21064/88; A-6301)  
390.3280 am (P-21064/88; A-6301)  
390.3290 am (P-21064/88; A-6301)  
390.3300 am (P-21064/88; A-6301)  
390.3310 am (P-21064/88; A-6301)  
390.3320 am (P-21064/88; A-6301)  
390.3330 am (P-21064/88; A-6301)  
390.3510 am (P-21064/88; A-6301)  
390.Ap.A am (P-21064/88; A-6301)  
450.5 n (P-2249; A-11573)  
450.10 am (P-2249; A-11573)  
450.20 am (P-2249; A-11573) (E-13678)  
(P-14280)  
450.30 am (P-2249; A-11573)  
450.35 n (P-2249; A-11573)  
450.40 n (P-2249; A-11573)  
450.50 n (P-2249; A-11573)  
450.60 n (P-2249; A-11573)  
450.210 am (P-2249; A-11573)  
450.220 am (P-2249; A-11573)  
450.230 am (P-2249; A-11573)  
450.310 am (P-2249; A-11573)  
450.320 am (P-2249; A-11573)  
450.330 am (P-2249; A-11573)  
450.410 am (P-2249; A-11573)  
450.420 am (P-2249; A-11573)  
450.430 am (P-2249; A-11573)  
450.440 am (P-2249; A-11573)  
450.440 n (P-19327/88; A-4285)  
450.450 am (P-2249; A-11573)  
450.450 n (P-19327/88; A-4285)  
450.510 am (P-2249; A-11573)  
450.520 am (P-2249; A-11573)  
450.530 r (P-2249; A-11573)  
450.540 r (P-2249; A-11573)  
450.550 r (P-2249; A-11573)  
450.560 r (P-2249; A-11573)  
450.570 r (P-2249; A-11573)  
450.610 am (P-2249; A-11573)  
450.710 am (P-2249; A-11573)

TITLE 77 (CONT'D)

450.720 am (P-2249; A-11573)  
450.730 am (P-2249; A-11573)  
450.810 r (P-2249; A-11573)  
450.820 r (P-2249; A-11573)  
450.830 r (P-2249; A-11573)  
450.835 r (P-2249; A-11573)  
450.840 r (P-2249; A-11573)  
450.845 r (P-2249; A-11573)  
450.848 r (P-2249; A-11573)  
450.850 r (P-2249; A-11573)  
450.860 r (P-2249; A-11573)  
450.870 r (P-2249; A-11573)  
450.920 am (P-2249; A-11573)  
450.930 am (P-2249; A-11573)  
450.940 am (P-2249; A-11573)  
450.950 am (P-2249; A-11573)  
450.1010 am (P-2249; A-11573)  
450.1110 am (P-2249; A-11573)  
450.1120 am (P-2249; A-11573)  
450.1130 am (P-2249; A-11573)  
450.1140 am (P-2249; A-11573)  
450.1150 am (P-2249; A-11573)  
450.1155 am (P-2249; A-11573)  
450.1200 am (P-2249; A-11573)  
450.1300 am (P-2249; A-11573)  
450.1300 n (P-19327/88; A-4285)  
450.1310 am (P-2249; A-11573)  
450.1310 n (P-19327/88; A-4285)  
450.1320 am (P-2249; A-11573)  
450.1320 n (P-19327/88; A-4285)  
450.1330 am (P-2249; A-11573)  
450.1330 n (P-19327/88; A-4285)  
450.Ap.A n (P-2249; A-11573)  
Ap. A am (P-14280)  
450.Ap.B n (P-2249; A-11573)  
Ap. B am (P-14280)  
450.Ap.C n (A-11573)  
490.10 n (P-2974; A-14409)  
490.20 n (P-2974; A-14409)  
490.30 n (P-2974; A-14409)  
490.40 n (P-2974; A-14409)  
490.210 n (P-2974; A-14409)  
490.220 n (P-2974; A-14409)  
490.230 n (P-2974; A-14409)  
490.310 n (P-2974; A-14409)  
490.320 n (P-2974; A-14409)  
490.330 n (P-2974; A-14409)  
490.410 n (P-2974; A-14409)  
490.420 n (P-2974; A-14409)  
490.430 n (P-2974; A-14409)  
490.440 n (P-2974; A-14409)  
490.510 n (P-2974; A-14409)  
490.520 n (P-2974; A-14409)  
490.610 n (P-2974; A-14409)  
490.620 n (P-2974; A-14409)  
490.710 n (P-2974; A-14409)

TITLE 77 (CONT'D)

490.720 n (P-2974; A-14409)  
490.730 n (P-2974; A-14409)  
490.740 n (P-2974; A-14409)  
490.750 n (P-2974; A-14409)  
490.760 n (P-2974; A-14409)  
490.770 n (P-2974; A-14409)  
490.780 n (P-2974; A-14409)  
490.810 n (P-2974; A-14409)  
490.820 n (P-2974; A-14409)  
490.830 n (P-2974; A-14409)  
490.840 n (P-2974; A-14409)  
490.910 n (P-2974; A-14409)  
490.Ap.A n (A-14409)  
Ex.A n (A-14409)  
Ex.B n (A-14409)  
535.10 am (P-4500)  
  
535.20 am (P-4126; A-15414) (P-4500)  
535.150 am (P-4126; A-15414)  
535.200 am (P-4126; A-15414)  
535.240 am (P-4126; A-15414)  
535.400 am (P-4126; A-15414)  
535.410 am (P-4126; A-15414)  
535.420 am (P-4126; A-15414)  
535.430 am (P-4126; A-15414)  
535.800 n (P-4126; A-15414)  
535.810 n (P-4126; A-15414)  
535.820 n (P-4126; A-15414)  
535.830 n (P-4126; A-15414)  
535.840 n (P-4126; A-15414)  
535.850 n (P-4126; A-15414)  
535.860 n (P-4126; A-15414)  
535.870 n (P-4126; A-15414)  
535.900 n (P-4500)  
535.910 n (P-4500)  
535.920 n (P-4500)  
535.930 n (P-4500)  
535.931 n (P-4500)  
535.932 n (P-4500)  
535.933 n (P-4500)  
535.934 n (P-4500)  
535.935 n (P-4500)  
535.936 n (P-4500)  
535.940 n (P-4500)  
535.941 n (P-4500)  
535.942 n (P-4500)  
535.943 n (P-4500)  
535.950 n (P-4500)  
535.951 n (P-4500)  
535.952 n (P-4500)  
535.953 n (P-4500)  
540.10 am (P-4616; A-15441)  
540.30 am (P-4616; A-15441)  
540.40 am (P-4616; A-15441)  
540.50 am (P-4616; A-15441)

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**TITLE 77 (CONT'D)**

750.1810 n (P-6888)  
750.1815 n (P-6888)  
750.1820 n (P-6888)  
750.1830 n (P-6888)  
750.1835 n (P-6888)  
750.1836 n (P-6888)  
750.1837 n (P-6888)  
750.1838 n (P-6888)  
750.1840 n (P-6888)  
750.1850 n (P-6888)  
750.1860 n (P-6888)  
750.1861 n (P-6888)  
750.1862 n (P-6888)  
750.1865 n (P-6888)  
750.1868 n (P-6888)  
750.1870 n (P-6888)  
750.1876 n (P-6888)  
750.1880 n (P-6888)  
750.1890 n (P-6888)  
750.1895 n (P-6888)  
750.Ap. A n (P-6888)  
750.Ap. B n (P-6888)  
750.Ap. C n (P-6888)  
750.Ap. D n (P-6888)  
760.20 am (P-14115/88; A-1830)  
760.30 n (P-6964)  
760.150 am (P-14115/88; A-1830)  
760.Ap. A n (P-6964)  
790.20 am (P-20411/88; A-8890)  
790.40 am (P-20411/88; A-8890)  
790.320 n (P-20411/88; A-8890)  
790.420 am (P-3015; A-11717) (E-3108)  
790.460 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.480 am (P-12942) (E-12990)  
790.500 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.540 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.548 am (P-12942) (E-12990)  
790.580 am (P-16425/88; A-856) (P-12942) (E-12990)  
790.600 am (P-16425/88; A-856)  
790.620 am (P-3015; A-11717) (E-3108)  
790.630 am (P-12991/88; A-856)  
790.721 am (P-12942) (E-12990)  
790.799 n (P-12991/88; A-856)  
790.799 am (P-16425/88; A-856)  
790.860 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.900 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.905 am (P-16425/88; A-856) (P-12942) (E-12990)

**TITLE 77 (CONT'D)**

790.910 am (P-12991/88; A-856) (P-12942) (E-12990)  
790.940 am (P-12991/88; A-856) (P-12942) (E-12990)  
790.974 am (P-16425/88; A-856)  
790.980 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.1060 am (P-12991/88; A-856) (P-12942) (E-12990)  
790.1100 r (P-16425/88; A-856)  
790.1125 n (P-16425/88; A-856)  
790.1125 am (P-3015; A-11717) (E-3108)  
790.1127 am (P-3015; A-11717) (E-3108)  
790.1127 (P-16425/88; A-856)  
790.1129 n (P-16425/88; A-856)  
790.1129 am (P-3015; A-11717) (E-3108)  
790.1131 n (P-16425/88; A-856)  
790.1131 am (P-3015; A-11717) (E-3108)  
790.1200 am (P-3015; A-11717) (E-3108)  
790.1300 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.1345 am (P-16425/88; A-856)  
790.1360 am (P-12942) (E-12990)  
790.1380 am (P-12942) (E-12990)  
790.1423 n (P-12942) (E-12990)  
790.1425 am (P-12942) (E-12990)  
790.1440 n (P-16425/88; A-856) (P-12942) (E-12990)  
790.1460 am (P-16425/88; A-856)  
790.1560 n (P-12991/88; P-16425/88; A-856)  
790.1570 n (P-16425/88; A-856)  
790.1570 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.1577 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.1620 am (P-12991/88; A-856)  
790.1660 am (P-16425/88; A-856)  
790.1685 am (P-12991/88; A-856) (P-3015; A-11717) (E-3108)  
790.1697 am (P-3015; A-11717) (E-3108)  
790.1700 am (P-3015; A-11717) (E-3108)  
790.1706 am (P-3015; A-11717) (E-3108)  
790.1708 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.1710 am (P-3015; A-11717) (E-3108)  
790.1721 am (P-16425/88; A-856)  
790.1740 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.1842 am (P-12942) (E-12990)  
790.1848 am (P-12942) (E-12990)  
790.1930 am (P-16425/88; A-856)  
790.1980 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2020 am (P-12942) (E-12990)  
790.2060 am (P-16425/88; A-856) (P-12942) (E-12990)

**TITLE 77 (CONT'D)**

790.2097 am (P-12991/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2140 am (P-12991/88; P-16425/88; A-856)  
790.2180 am (P-16425/88; A-856)  
790.2260 am (P-16425/88; A-856)  
790.2340 am (P-16425/88; A-856)  
790.2380 am (P-16425/88; A-856)  
790.2465 n (P-12942) (E-12990)  
790.2470 n (P-12942) (E-12990)  
790.2500 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2540 am (P-16425/88; A-856)  
790.2580 am (P-16425/88; A-856) (P-12942) (E-12990)  
790.2603 n (P-3015; A-11717) (E-3108)  
790.2605 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2613 am (P-16425/88; A-856) (P-12942) (E-12990)  
790.2614 am (P-12942) (E-12990)  
790.2617 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.2618 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2660 am (P-12942) (E-12990)  
790.2663 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2668 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2672 am (P-3015; A-11717) (E-3108)  
790.2700 am (P-3015; A-11717; C-12909) (E-3108)  
790.2780 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2800 n (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.2805 n (P-12942) (E-12990)  
790.2860 am (P-16425/88; A-856)  
790.2900 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.2904 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.2928 r (P-16425/88; A-856)  
790.2928 n (P-12991/88; A-856)  
790.2932 am (P-16425/88; A-856)  
790.2940 am (P-3015; A-11717) (E-3108)  
790.3020 am (P-16425/88; A-856)  
790.3023 am (P-3015; A-11717) (E-3108)  
790.3025 # (P-12942) (E-12990; CC-14477)  
790.3027 n (P-16425/88; A-856) (P-12942) (E-12990; CC-14477)  
790.3027 # (P-12942) (E-12990; CC-14477)

**TITLE 77 (CONT'D)**

790.3028 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.3032 am (P-12942) (E-12990)  
790.3048 am (P-12942) (E-12990)  
790.3054 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
780.3060 am (P-12942) (E-12990)  
790.3085 am (P-16425/88; A-856) (P-12942) (E-12990)  
790.3100 am (P-16425/88; A-856)  
790.3220 am (P-12942) (E-12990)  
790.3260 am (P-12942) (E-12990)  
790.3300 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.3315 am (P-3015; A-11717) (E-3108)  
790.3335 am (P-16425/88; A-856)  
790.3340 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.3420 am (P-12991/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.3425 am (P-16425/88; A-856)  
790.3437 am (P-12991/88; A-856) (P-3015; A-11717) (E-3108)  
790.3440 n (P-16425/88; A-856)  
790.3475 n (P-16425/88; A-856)  
790.3492 am (P-3015; A-11717) (E-3108)  
790.3500 am (P-16425/88; A-856)  
790.3540 am (P-16425/88; A-856)  
790.3620 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.3700 am (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.3720 n (P-16425/88; A-856)  
790.3730 am (P-12942) (E-12990)  
790.3740 am (P-12942) (E-12990)  
790.3900 am (P-16425/88; A-856)  
790.3907 am (P-12991/88; A-856) (P-12942) (E-12990)  
790.3910 n (P-12991/88; P-16425/88; A-856)  
790.3910 am (P-3015; A-11717) (E-3108)  
790.3940 am (P-3015; A-11717) (E-3108)  
790.3945 am (P-16425/88; A-856) (P-12942) (E-12990)  
790.4012 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108)  
790.4040 am (P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.4060 am (P-16425/88; A-856)  
790.4100 am (P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)  
790.4140 am (P-12942) (E-12990)





## TITLE 77 (CONT'D)

790.9180 am (P-12942) (E-12990)  
 790.9220 am (P-3015; A-11717) (E-3108)  
 790.9320 am (P-3015; A-11717) (E-3108)  
 (P-12942) (E-12990)  
 790.9420 am (P-12942) (E-12990)  
 790.9380 am (P-3015; A-11717) (E-3108)  
 790.9475 am (P-3015; A-11717) (E-3108)  
 790.9486 am (P-12991/88; P-16425/88; A-856)  
 (P-3015; A-11717) (E-3108)  
 (P-12942) (E-12990)  
 790.9500 am (P-12991/88; P-16425/88; A-856)  
 (P-12942) (E-12990)  
 790.9530 am (P-12991/88; P-16425/88; A-856)  
 820.210 am (P-12395)  
 830.10 am (P-3325/88; A-2090)  
 830.20 n (P-3325/88; A-2090)  
 830.100 am (P-3325/88; A-2090)  
 830.110 am (P-3325/88; A-2090)  
 830.120 am (P-3325/88; A-2090)  
 830.130 am (P-3325/88; A-2090)  
 830.140 am (P-3325/88; A-2090)  
 830.150 r (P-3325/88; A-2090)  
 830.160 r (P-3325/88; A-2090)  
 830.170 r (P-3325/88; A-2090)  
 830.180 am (P-3325/88; A-2090)  
 830.190 n (P-3325/88; A-2090)  
 830.200 am (P-3325/88; A-2090)  
 830.210 n (P-3325/88; A-2090)  
 830.220 n (P-3325/88; A-2090)  
 830.230 n (P-3325/88; A-2090)  
 830.240 n (P-3325/88; A-2090)  
 830.250 am (P-3325/88; A-2090)  
 830.260 am (P-3325/88; A-2090)  
 830.270 am (P-3325/88; A-2090)  
 830.280 r (P-3325/88; A-2090)  
 830.290 n (P-3325/88; A-2090)  
 830.300 n (P-3325/88; A-2090)  
 830.310 n (P-3325/88; A-2090)  
 830.315 r (P-3325/88; A-2090)  
 830.400 am (P-3325/88; A-2090)  
 830.410 am (P-3325/88; A-2090)  
 830.420 r (P-3325/88; A-2090)  
 830.430 am (P-3325/88; A-2090)  
 830.440 am (P-3325/88; A-2090)  
 830.450 am (P-3325/88; A-2090)  
 830.460 am (P-3325/88; A-2090)  
 830.500 am (P-3325/88; A-2090)  
 830.510 r (P-3325/88; A-2090)  
 830.520 am (P-3325/88; A-2090)  
 830.530 am (P-3325/88; A-2090)  
 830.540 am (P-3325/88; A-2090)  
 830.560 r (P-3325/88; A-2090)  
 830.570 r (P-3325/88; A-2090)  
 830.600 am (P-3325/88; A-2090)  
 830.610 r (P-3325/88; A-2090)  
 830.620 am (P-3325/88; A-2090)

## TITLE 77 (CONT'D)

830.630 am (P-3325/88; A-2090)  
 830.640 am (P-3325/88; A-2090)  
 830.650 am (P-3325/88; A-2090)  
 830.660 r (P-3325/88; A-2090)  
 830.670 r (P-3325/88; A-2090)  
 830.700 am (P-3325/88; A-2090)  
 830.800 n (P-3325/88; A-2090)  
 830.820 am (P-3325/88; A-2090)  
 830.830 n (P-3325/88; A-2090)  
 830.840 n (P-3325/88; A-2090)  
 830.850 n (P-3325/88; A-2090)  
 830.860 n (P-3325/88; A-2090)  
 830.870 n (P-3325/88; A-2090)  
 830.II.A n (P-3325/88; A-2090)  
 830.II.B n (P-3325/88; A-2090)  
 840.5 n (P-15284)  
 840.10 am (P-15284)  
 840.20 am (P-15284)  
 840.30 am (P-15284)  
 840.50 am (P-15284)  
 840.60 n (P-15284)  
 840.110 am (P-15284)  
 840.115 am (P-15284)  
 840.120 r (P-15284)  
 840.200 am (P-15284)  
 840.210 am (P-15284)  
 840.215 am (P-15284)  
 840.300 n (P-15284)  
 840.305 n (P-15284)  
 840.310 n (P-15284)  
 840.Ap.A n (P-15284)  
 840.Ap.B am (P-15284)  
 Ex.A am (P-15284)  
 II.A am (P-15284)  
 II.B n (P-15284)  
 840.Ap.C n (P-15284)  
 Ex.A n (P-15284)  
 Ex.B n (P-15284)  
 II.A n (P-15284)  
 II.B n (P-15284)  
 II.C n (P-15284)  
 855.10 am (P-6564/88; A-2768)  
 855.20 am (P-6564/88; A-2768)  
 855.50 am (P-6564/88; A-2768)  
 855.55 n (P-6564/88; A-2768)  
 855.60 am (P-6564/88; A-2768)  
 855.70 am (P-6564/88; A-2768)  
 855.80 am (P-6564/88; A-2768)  
 855.130 am (P-6564/88; A-2768)  
 855.140 am (P-6564/88; A-2768)  
 855.180 am (P-6564/88; A-2768)  
 855.220 am (P-6564/88; A-2768) (P-8824)  
 855.240 am (P-6564/88; A-2768)  
 855.260 am (P-6564/88; A-2768) (P-8824)  
 855.270 am (P-6564/88; A-2768) (P-8824)  
 855.275 n (P-6564/88; A-2768)

## TITLE 77 (CONT'D)

855.280 am (P-6564/88; A-2768)  
 855.290 am (P-6564/88; A-2768) (P-8824)  
 855.300 am (P-6564/88; A-2768)  
 855.330 n (P-6564/88; A-2768)  
 855.340 n (P-6564/88; A-2768)  
 855.345 n (P-6564/88; A-2768)  
 855.350 n (P-6564/88; A-2768)  
 855.355 n (P-6564/88; A-2768)  
 855.360 n (P-6564/88; A-2768)  
 855.Ap.A am (P-6564/88; A-2768)  
 II.B am (P-6564/88; A-2768)  
 855.Ap.B am (P-6564/88; A-2768)  
 II.A n (P-6564/88; A-2768)  
 II.B n (P-6564/88; A-2768)  
 II.C n (P-6564/88; A-2768)  
 II.D n (P-6564/88; A-2768)  
 II.E n (P-6564/88; A-2768)  
 II.F n (P-6564/88; A-2768)  
 II.G n (P-6564/88; A-2768)  
 855.Ap.C n (P-8824)  
 II.G n (P-8824)  
 II.H n (P-6564/88; A-2768)  
 II.I n (P-6564/88; A-2768)  
 855.Ap.C n (P-6564/88; A-2768)  
 II.A n (P-6564/88; A-2768)  
 II.B n (P-6564/88; A-2768)  
 II.C n (P-6564/88; A-2768)  
 II.D n (P-6564/88; A-2768)  
 II.E n (P-6564/88; A-2768)  
 II.F n (P-6564/88; A-2768)  
 890.120 am (P-4543)  
 890.620 am (P-4543)  
 890.630 am (P-4543)  
 890.640 am (P-4543)  
 890.730 am (P-4543)  
 890.820 am (P-4543)  
 890.830 am (P-4543)  
 890.920 am (P-4543)  
 890.1040 am (P-4543)  
 890.1070 am (P-4543)  
 890.1110 am (P-4543)  
 890.1210 am (P-4543)  
 890.1410 am (P-4543)  
 890.1460 am (P-4543)  
 890.1540 am (P-4543)  
 890.1550 am (P-4543)  
 890.1620 am (P-4543)  
 890.1640 am (P-4543)  
 890.1650 am (P-4543)  
 890.1720 am (P-4543)  
 890.1750 am (P-4543)  
 890.2000 am (P-4543)  
 890.2110 am (P-4543)  
 890.3010 n (P-4543)  
 890.3020 n (P-4543)  
 890.3030 n (P-4543)

## TITLE 77 (CONT'D)

890.3040 n (P-4543)  
 890.3050 n (P-4543)  
 890.3060 n (P-4543)  
 890.3070 n (P-4543)  
 890.3080 n (P-4543)  
 890.3090 n (P-4543)  
 890.4000 n (P-4543)  
 900.10 am (P-17206/88; A-12578)  
 900.15 n (P-17206/88; A-12578)  
 900.20 am (P-17206/88; A-12578)  
 900.30 am (P-17206/88; A-12578)  
 900.40 am (P-17206/88; A-12578)  
 900.50 am (P-17206/88; A-12578)  
 900.60 am (P-17206/88; A-12578)  
 900.65 n (P-17206/88; A-12578)  
 900.70 am (P-17206/88; A-12578)  
 900.80 am (P-17206/88; A-12578)  
 900.90 am (P-17206/88; A-12578)  
 900.100 am (P-17206/88; A-12578)  
 900.Tb.C am (P-17206/88; A-12578)  
 906.10 n (P-19332/88; A-12608)  
 906.20 n (P-19332/88; A-12608)  
 906.25 n (P-19332/88; A-12608)  
 906.30 n (P-19332/88; A-12608)  
 906.40 n (P-19332/88; A-12608)  
 906.50 n (P-19332/88; A-12608)  
 906.60 n (P-19332/88; A-12608)  
 906.70 n (P-19332/88; A-12608)  
 906.Ap.A n (P-19332/88; A-12608)  
 II.A n (P-19332/88; A-12608)  
 II.B n (P-19332/88; A-12608)  
 II.C n (P-19332/88; A-12608)  
 II.D n (P-19332/88; A-12608)  
 II.E n (P-19332/88; A-12608)  
 II.F n (P-19332/88; A-12608)  
 II.G n (P-19332/88; A-12608)  
 II.H n (P-19332/88; A-12608)  
 II.I n (P-19332/88; A-12608)  
 Ex.A n (P-19332/88; A-12608)  
 Ex.B n (P-19332/88; A-12608)  
 Ex.C n (P-19332/88; A-12608)  
 Ex.D n (P-19332/88; A-12608)  
 Ex.E n (P-19332/88; A-12608)  
 Ex.F n (P-19332/88; A-12608)  
 Ex.G n (P-19332/88; A-12608)  
 Ex.H n (P-19332/88; A-12608)  
 Ex.I n (P-19332/88; A-12608)  
 910.5 am (P-8282)  
 910.10 am (P-8282)  
 910.15 am (P-8282)  
 910.20 am (P-8282)  
 910.30 am (P-8282)  
 910.40 am (P-8282)  
 910.50 am (P-8282)  
 910.60 am (P-8282)  
 910.70 am (P-8282)

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TITLE 80 (CONT'D)

1600.50	am	(P-10769)
2110.30	am	(P-1; A-9259) (E-214)
2110.320	am	(P-1; A-9259) (E-214)
2110.330	am	(P-1; A-9259) (E-214)
2110.510	am	(P-1; A-9259) (E-214)
2110.530	am	(P-1; A-9259) (E-214)
2150.1	n	(P-10285/88; A-2402)
2150.1	am	(P-6853)
2150.2	n	(P-10285/88; A-2402)
2150.5	n	(P-10285/88; A-2402)
2650.1	n	(P-6871/88; O-1256; R-3411; A-3330)
2650.5	n	(P-6871/88; O-1256; R-3411; A-3330)
2650.10	n	(P-6871/88; O-1256; R-3411; A-3330)
2650.15	n	(P-6871/88; O-1256; R-3411; A-3330)
2650.20	n	(P-6871/88; O-1256; R-3411; A-3330)
2650.25	n	(P-6871/88; O-1256; R-3411; A-3330)
2650.30	n	(P-6871/88; O-1256; R-3411; A-3330)
2700.200	am	(P-253; A-9308) (E-629)
2700.440	am	(P-253; A-9308) (E-629)
2700.620	am	(P-253; A-9308) (E-629)
2700.630	am	(P-253; A-9308) (E-629)
2700.650	am	(P-253; A-9308) (E-629)
2700.700	am	(P-253; A-9308) (E-629)
2700.710	am	(P-253; A-9308) (E-629)
2700.720	am	(P-253; A-9308) (E-629)
2700.730	am	(P-253; A-9308) (E-629)
2700.735	n	(P-253; A-9308) (E-629)
2700.740	am	(P-253; A-9308) (E-629)
2700.750	am	(P-253; A-9308) (E-629)
2700.820	am	(P-253; A-9308) (E-629)
2700.920	am	(P-253; A-9308) (E-629)
2700.Ap. A	am	(P-253; A-9308) (E-629)
Ex. E	am	(P-253; A-9308) (E-629)
Ex. F	am	(P-253; A-9308) (E-629)

TITLE 83

215.10	am	(P-18026/88; A-4650)
215.30	am	(P-18026/88; A-4650)
281.30	am	(P-1647; A-10841)
281.90	am	(P-1647; A-10841)
281.100	am	(P-1647; A-10841)
281.Ex. D	am	(P-1647; A-10841)
281.Ex. E	am	(P-1647; A-10841)
285.110	am	(P-5229)
285.115	am	(P-5229)
285.130	am	(P-5229)
285.150	am	(P-5229)
285.160	am	(P-5229)
285.170	am	(P-5229)

TITLE 83 (CONT'D)

285.210	am	(P-5229)
285.310	am	(P-5229)
285.410	am	(P-5229)
285.420	am	(P-5229)
285.1000	n	(P-5229)
285.1005	n	(P-5229)
285.1010	n	(P-5229)
285.1015	n	(P-5229)
285.2000	n	(P-5229)
285.2005	n	(P-5229)
285.2010	n	(P-5229)
285.2015	n	(P-5229)
285.2020	n	(P-5229)
285.2025	n	(P-5229)
285.2030	n	(P-5229)
285.2035	n	(P-5229)
285.2040	n	(P-5229)
285.2045	n	(P-5229)
285.2050	n	(P-5229)
285.2055	n	(P-5229)
285.2060	n	(P-5229)
285.2065	n	(P-5229)
285.2070	n	(P-5229)
285.2075	n	(P-5229)
285.2080	n	(P-5229)
285.2085	n	(P-5229)
285.2090	n	(P-5229)
285.2095	n	(P-5229)
285.2100	n	(P-5229)
285.2105	n	(P-5229)
285.2110	n	(P-5229)
285.2115	n	(P-5229)
285.2120	n	(P-5229)
285.2125	n	(P-5229)
285.3000	n	(P-5229)
285.3005	n	(P-5229)
285.3010	n	(P-5229)
285.3015	n	(P-5229)
285.3020	n	(P-5229)
285.3025	n	(P-5229)
285.3030	n	(P-5229)
285.3035	n	(P-5229)
285.3040	n	(P-5229)
285.3045	n	(P-5229)
285.3050	n	(P-5229)
285.3055	n	(P-5229)
285.3060	n	(P-5229)
285.3061	n	(P-5229)
285.3065	n	(P-5229)
285.3070	n	(P-5229)
285.3075	n	(P-5229)
285.3080	n	(P-5229)
285.3081	n	(P-5229)
285.3090	n	(P-5229)
285.3095	n	(P-5229)
285.3100	n	(P-5229)

TITLE 83 (CONT'D)

285.3110	n	(P-5229)
285.3115	n	(P-5229)
285.3120	n	(P-5229)
285.3125	n	(P-5229)
285.3130	n	(P-5229)
285.4000	n	(P-5229)
285.4001	n	(P-5229)
285.4005	n	(P-5229)
285.4010	n	(P-5229)
285.4015	n	(P-5229)
285.4020	n	(P-5229)
285.4025	n	(P-5229)
285.5000	n	(P-5229)
285.5005	n	(P-5229)
285.5010	n	(P-5229)
285.5015	n	(P-5229)
285.5020	n	(P-5229)
285.5025	n	(P-5229)
285.Ex.A	r	(P-5229)
285.Ex.B	r	(P-5229)
285.Ex.C	r	(P-5229)
285.Ex.D	r	(P-5229)
285.Ex.E	r	(P-5229)
325.5	r	(P-18021/88; A-4648)
325.10	r	(P-18021/88; A-4648)
325.20	r	(P-18021/88; A-4648)
435.10	:	(P-3; A-8417)
435.20	:	(P-3; A-8417)
435.30	:	(P-3; A-8417)
435.40	r	(P-3; A-8417)
435.50	:	(P-3; A-8417)
435.60	r	(P-3; A-8417)
440.10	n	(P-3162/88; A-296)
440.100	n	(P-3162/88; A-296)
440.200	n	(P-3162/88; A-296)
440.210	n	(P-3162/88; A-296)
440.220	n	(P-3162/88; A-296)
440.240	n	(P-3162/88; A-296)
440.300	n	(P-3162/88; A-296)
440.310	n	(P-3162/88; A-296)
440.400	n	(P-3162/88; A-296)
440.410	n	(P-3162/88; A-296)
440.420	n	(P-3162/88; A-296)
440.430	n	(P-3162/88; A-296)
440.500	n	(P-3162/88; A-296)
440.510	n	(P-3162/88; A-296)
440.520	n	(P-3162/88; A-296)
440.600	n	(P-3162/88; A-296)
440.610	n	(P-3162/88; A-296)
440.620	n	(P-3162/88; A-296)
440.640	n	(P-3162/88; A-296)
440.650	n	(P-3162/88; A-296)
440.660	n	(P-3162/88; A-296)
440.700	n	(P-3162/88; A-296)
440.800	n	(P-3162/88; A-296)
440.810	n	(P-3162/88; A-296)

TITLE 83 (CONT'D)

440.900	n	(P-3162/88; A-296)
440.910	n	(P-3162/88; A-296)
445.10	n	(P-13129)
445.20	n	(P-13129)
445.30	n	(P-13129)
445.40	n	(P-13129)
445.50	n	(P-13129)
445.60	n	(P-13129)
445.70	n	(P-13129)
445.80	n	(P-13129)
505.10	am	(P-1686; A-10858) (P-13361)
535.10	n	(P-9314/88; A-7331)
535.15	n	(P-9314/88; A-7331)
535.100	n	(P-9314/88; A-7331) (P-12676)
535.110	n	(P-9314/88; A-7331)
535.115	n	(P-9314/88; A-7331)
535.120	n	(P-9314/88; A-7331)
535.200	n	(P-9314/88; A-7331)
535.205	n	(P-9314/88; A-7331)
535.210	n	(P-9314/88; A-7331)
535.220	n	(P-9314/88; A-7331)
535.300	n	(P-9314/88; A-7331)
535.305	n	(P-9314/88; A-7331)
535.310	n	(P-9314/88; A-7331)
535.320	n	(P-9314/88; A-7331)
535.330	n	(P-9314/88; A-7331)
535.340	n	(P-9314/88; A-7331)
535.350	n	(P-9314/88; A-7331)
535.360	n	(P-9314/88; A-7331)
535.400	n	(P-9314/88; A-7331)
535.410	n	(P-9314/88; A-7331)
535.500	n	(P-9314/88; A-7331)
535.510	n	(P-9314/88; A-7331)
590.10	am	(P-9067)
595.120	am	(P-16309/88; A-2036)
710.10	am	(P-9076)
710.100	n	(P-19563/88; A-7570)
710.105	n	(P-19563/88; A-7570)
710.110	n	(P-19563/88; A-7570)
710.115	n	(P-19563/88; A-7570)
710.120	n	(P-19563/88; A-7570)
710.125	n	(P-19563/88; A-7570)
710.130	n	(P-19563/88; A-7570)
710.135	n	(P-19563/88; A-7570)
710.140	n	(P-19563/88; A-7570)
710.145	n	(P-19563/88; A-7570)
710.150	n	(P-19563/88; A-7570)
710.155	n	(P-19563/88; A-7570)
710.160	n	(P-19563/88; A-7570)
710.165	n	(P-19563/88; A-7570)
710.170	n	(P-19563/88; A-7570)
710.175	n	(P-19563/88; A-7570)
710.180	n	(P-19563/88; A-7570)
710.185	n	(P-19563/88; A-7570)
710.190	n	(P-19563/88; A-7570)
710.200	n	(P-19563/88; A-7570)



**TITLE 86 (CONT'D)**

1910.50 # (P-8790)  
 1910.60 am (P-8790)  
 1910.63 n (P-8790)  
 1910.65 n (P-8790)  
 1910.67 # (P-8790; O-14125; RC-14130)  
 1910.67 am (P-8790; O-14125; RC-14130)  
 1910.68 n (P-8790)  
 1910.69 n (P-8790; O-14125; RC-14130)  
 1910.70 am (P-8790)  
 1910.75 n (P-8790)  
 1910.90 n (P-8790)  
 1910.95 n (P-8790)

**TITLE 89**

101.1 n (P-20694/88; A-3897)  
 102.1 n (P-20743/88; A-3940)  
 103.1 n (P-20757/88; A-3954)  
 103.20 am (P-17667/88; A-2496)  
 104.202 am (P-2958)  
 104.208 am (P-2958)  
 104.210 am (P-2958)  
 104.212 am (P-2958)  
 104.221 am (P-2958)  
 104.230 am (P-2958)  
 104.231 am (P-2958)  
 104.235 n (P-2958)  
 104.243 am (P-2958)  
 104.244 am (P-2958)  
 104.247 am (P-2958)  
 104.257 n (P-2958)  
 104.260 am (P-2958)  
 104.270 am (P-2958)  
 104.274 am (P-2958)  
 104.280 am (P-2958)  
 104.285 am (P-2958)  
 104.290 am (P-2958)  
 104.800 am (P-20747/88; A-3944)  
 110.1 n (P-20670/88; A-3836)  
 110.10 am (P-2931; A-10628)  
 111.1 n (P-20674/88; A-3840)  
 111.101 am (P-15920/88; A-85)  
 112.5 n (P-20661/88; A-6017)  
 112.40 am (P-1948)  
 112.78 am (P-22308/88; A-6017)  
 112.81 n (P-8246)  
 112.98 am (P-2236; A-8567)  
 112.252 am (P-15905/88; A-70) (P-14741)  
 112.253 am (P-15905/88; A-70) (P-14741)  
 112.254 am (P-15905/88; A-70) (P-14741)  
 112.318 n (P-4116)  
 113.5 n (P-20654/88; A-6007)  
 113.142 am (P-15898/88; A-63)  
 113.157 n (P-5440; A-13609)  
 113.253 am (E-3402) (P-15898/88; A-63)  
 (P-22299/88; A-6007)

**TITLE 89 (CONT'D)**

113.260 am (E-3402) (P-15898/88; A-63)  
 (P-22299/88; A-6007) (P-14263)  
 (E-14467)  
 113.302 am (P-4481; A-12553)  
 114.5 n (P-20967/88; A-3900)  
 114.127 am (P-14996/88; A-89) (P-1959;  
 A-8580)  
 114.128 am (P-17621/88; A-1546)  
 114.220 am (P-5456)  
 114.240 r (P-5456)  
 114.351 am (P-15924/88; A-89) (P-14764)  
 114.352 am (P-15924/88; A-89) (P-14764)  
 114.353 am (P-15924/88; A-89) (P-14764)  
 115.1 n (P-20735/88; A-3932)  
 115.10 am (P-2702; A-13631) (P-14790)  
 115.30 am (P-2702; A-13631)  
 116.10 n (P-20683/88; A-3847)  
 117.1 n (P-20739/88; A-3936)  
 117.20 am (P-5487)  
 117.50 am (P-14008)  
 117.51 am (P-14008)  
 117.53 am (P-14008)  
 118.300 n (P-20753/88; A-3950)  
 120.1 n (P-20705/88; A-3908)  
 120.10 am (E-11929)  
 120.20 am (P-14778)  
 120.30 am (P-14778)  
 120.31 am (P-9996)  
 120.40 am (P-17633/88; A-2081)  
 120.60 am (E-11929)  
 120.62 am (E-11929)  
 120.63 am (E-11929)  
 120.70 am (P-3281)  
 120.72 n (P-3281)  
 120.74 n (P-3281)  
 120.76 n (P-3281)  
 120.284 n (E-11929)  
 120.346 n (P-10753)  
 120.380 am (P-10753)  
 120.382 am (P-15938/88; A-116) (P-3281)  
 120.384 n (E-11929)  
 120.393 n (P-9250; A-15404) (E-12137)  
 121.19 am (P-13503)  
 121.27 am (P-13503)  
 121.31 am (P-13503)  
 121.50 am (P-14756)  
 121.58 am (P-3541; A-13619)  
 121.62 am (P-3541; A-13619)  
 121.70 am (P-13503)  
 121.72 am (P-13503)  
 121.135 n (P-20686/88; A-3890)  
 130.301 am (P-4469)  
 130.302 am (P-4469)  
 130.310 am (P-4469)  
 130.312 am (P-4469)  
 130.313 am (P-4469)

**TITLE 89 (CONT'D)**

130.314 am (P-4469)  
 130.321 am (P-4469)  
 130.500 n (P-20649/88; A-3831)  
 140.16 am (P-2937)  
 140.17 am (P-2937)  
 140.19 am (P-12976/88; A-3917)  
 140.20 am (P-20714/88; A-7786)  
 140.21 n (P-3295; A-14391)  
 140.43 n (P-19863/88; A-7025)  
 140.94 re (A-9572)  
 140.95 re (A-9572)  
 140.96 re (A-9572)  
 140.97 re (A-9572)  
 140.98 re (A-9572)  
 140.99 re (A-9572)  
 140.100 re (A-9572)  
 140.100 am (P-16421/88; O-1259; M-3195;  
 A-3069)  
 140.101 re (A-9572)  
 140.102 re (A-9572)  
 140.103 re (A-9572)  
 140.104 re (A-9572)  
 140.110 re (A-12118)  
 140.110 n (P-11701/88; A-12119; O-13295;  
 R-13688)  
 140.116 re (A-9572)  
 140.117 re (A-9572)  
 140.200 re (A-9572)  
 140.202 re (A-9572)  
 140.203 re (A-9572)  
 140.300 re (A-9572)  
 140.350 am (P-5958/88; A-3351)  
 140.350 re (A-9572)  
 140.360 re (A-9572)  
 140.361 re (A-9572)  
 140.362 re (A-9572)  
 140.362 am (P-5958/88; A-3351)  
 140.363 am (P-5958/88; A-3351)  
 140.363 re (A-9572)  
 140.364 re (A-9572)  
 140.364 r (P-5958/88; A-3351)  
 140.364 n (P-5958/88; A-3351)  
 140.365 re (A-9572)  
 140.366 re (A-9572)  
 140.367 re (A-9572)  
 140.367 am (P-5958/88; A-3351)  
 140.369 am (P-5958/88; A-3351)  
 140.369 re (A-9572)  
 140.370 re (A-9572)  
 140.370 am (P-5958/88; A-3351)  
 140.370 re (A-9572)  
 140.371 re (A-9572)  
 140.372 re (A-9572)  
 140.372 am (P-5958/88; A-3351)  
 140.373 r (P-5958/88; A-3351)  
 140.374 re (A-9572)  
 140.375 re (A-9572)

**TITLE 89 (CONT'D)**

140.376 r (P-5958/88; A-3351)  
 140.390 am (P-17643/88; A-5115)  
 140.390 re (A-9572)  
 140.391 re (A-9572)  
 140.392 re (A-9572)  
 140.392 am (P-17643/88; A-5115)  
 140.394 am (P-17643/88; A-5115)  
 140.394 re (A-9572)  
 140.396 re (A-9572)  
 140.398 re (A-9572)  
 140.400 am (P-17172/88; A-2475)  
 140.428 am (P-14265)  
 140.429 r (P-14265)  
 140.440 am (P-22329/88; A-12562)  
 140.441 am (P-17172/88; A-2475)  
 140.443 am (P-17172/88; A-2475)  
 140.445 am (P-17172/88; O-1263; R-2538;  
 A-2475)  
 140.447 am (P-17172/88; A-2475)  
 140.475 am (P-15281) (E-15473)  
 140.476 am (P-15281) (E-15473)  
 140.477 am (P-15281) (E-15473)  
 140.478 am (P-15281) (E-15473)  
 140.479 am (P-15281) (E-15473)  
 140.480 am (P-15281) (E-15473)  
 140.481 am (P-15281) (E-15473)  
 140.490 am (P-11157)  
 140.491 am (P-11157)  
 140.492 am (P-11157)  
 140.497 n (P-7546; A-14391)  
 140.512 am (P-11995/88; A-125)  
 140.525 am (P-17172/88; A-5718)  
 140.526 am (P-1420; A-11516)  
 140.543 am (P-13178)  
 140.560 am (P-13178)  
 140.561 am (P-13178)  
 140.562 am (P-13178)  
 140.569 am (P-5465; O-14134; W-14476)  
 (E-10977)  
 140.850 re (A-7040)  
 140.855 re (A-7040)  
 140.860 re (A-7040)  
 140.865 re (A-7040)  
 140.870 re (A-7040)  
 140.875 re (A-7040)  
 140.880 re (A-7040)  
 140.885 re (A-7040)  
 140.890 re (A-7040)  
 140.895 re (A-7040)  
 140.896 re (A-7040)  
 140.896 n (P-11701/88; A-5718)  
 141.100 am (P-7873) (E-8036)  
 141.200 am (P-20370/88; A-3850) (P-7873)  
 (E-8036)  
 141.360 am (P-7873) (E-8036)  
 141.400 am (P-15483/88; A-516) (P-7873)  
 (E-8036)

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TITLE 89 (CONT'D)

240.660 am (P-10821/88; A-11193)
240.710 am (P-10821/88; A-11193)
240.715 am (P-10821/88; A-11193)
240.720 am (P-10821/88; A-11193)
240.725 am (P-10821/88; A-11193)
240.730 am (P-10821/88; A-11193)
240.735 am (P-10821/88; A-11193)
240.740 am (P-10821/88; A-11193)
240.750 am (P-10821/88; A-11193)
240.755 am (P-10821/88; A-11193)
240.760 am (P-10821/88; A-11193)
240.800 am (P-10821/88; A-11193)
240.810 am (P-10821/88; A-11193)
240.815 am (P-10821/88; A-11193)
240.820 am (P-10821/88; A-11193)
240.825 am (P-10821/88; A-11193)
240.830 am (P-10821/88; A-11193)
240.835 am (P-10821/88; A-11193)
240.855 am (P-10821/88; A-11193)
240.860 am (P-10821/88; A-11193)
240.865 am (P-10821/88; A-11193)
240.870 am (P-10821/88; A-11193)
240.875 am (P-10821/88; A-11193)
240.905 am (P-10821/88; A-11193)
240.910 am (P-10821/88; A-11193)
240.915 am (P-10821/88; A-11193)
240.920 am (P-10821/88; A-11193)
240.925 # (P-10821/88; A-11193)
240.930 n (P-10821/88; A-11193)
240.935 n (P-10821/88; A-11193)
240.940 am (P-10821/88; A-11193)
240.945 am (P-10821/88; A-11193)
240.950 am (P-10821/88; A-11193)
240.1010 am (P-10821/88; A-11193)
240.1020 am (P-10821/88; A-11193)
240.1040 n (P-10821/88; A-11193)
240.1050 n (P-10821/88; A-11193)
240.1110 r (P-10821/88; A-11193)
240.1120 n (P-10821/88; A-11193)
240.1120 r (P-10821/88; A-11193)
240.1130 r (P-10821/88; A-11193)
240.1130 n (P-10821/88; A-11193)
240.1160 n (P-10821/88; A-11193)
240.1170 n (P-10821/88; A-11193)
240.1180 n (P-10821/88; A-11193)
240.1210 am (P-10821/88; A-11193)
240.1310 am (P-10821/88; O-9594; R-11956; A-11193)
240.1320 am (P-10821/88; A-11193)
240.1330 r (P-10821/88; A-11193)
240.1396 r (P-10821/88; A-11193)
240.1397 r (P-10821/88; A-11193)
240.1398 r (P-10821/88; A-11193)
240.1399 am (P-10821/88; A-11193)
240.1400 n (P-685)
240.1410 am (P-685)

TITLE 89 (CONT'D)

240.1420 am (P-685)
240.1430 n (P-685)
240.1440 n (P-685)
240.1450 n (P-685)
240.1510 am (P-10821/88; A-11193)
240.1520 am (P-10821/88; A-11193)
240.1530 am (P-10821/88; A-11193)
240.1535 am (P-10821/88; A-11193)
240.1540 am (P-10821/88; A-11193)
240.1545 am (P-10821/88; A-11193)
240.1550 am (P-10821/88; A-11193)
240.1555 am (P-10821/88; A-11193)
240.1560 am (P-10821/88; A-11193)
240.1565 n (P-10821/88; A-11193)
240.1570 n (P-10821/88; A-11193)
240.1575 n (P-10821/88; A-11193)
240.1580 n (P-10821/88; A-11193)
240.1590 n (P-10821/88; A-11193)
240.1600 n (P-10821/88; A-11193)
240.1605 n (P-10821/88; A-11193)
240.1610 n (P-10821/88; A-11193)
240.1620 n (P-10821/88; A-11193)
240.1625 n (P-10821/88; A-11193)
240.1630 n (P-10821/88; A-11193)
240.1635 n (P-10821/88; A-11193)
240.1640 n (P-10821/88; A-11193)
240.1645 n (P-10821/88; A-11193)
240.1650 n (P-10821/88; A-11193)
240.1655 n (P-10821/88; A-11193)
240.1660 n (P-10821/88; A-11193)
240.1665 n (P-10821/88; A-11193)
240.1700 n (P-685)
240.1705 n (P-685)
240.1710 n (P-685)
240.1715 n (P-685)
240.1718 n (P-685)
240.1720 n (P-685)
240.1722 n (P-685)
240.1725 n (P-685)
240.1730 n (P-685)
240.1735 n (P-685)
240.1737 n (P-685)
240.1738 n (P-685)
240.1739 n (P-685)
240.1800 n (P-10821/88; A-11193)
240.1850 n (P-10821/88; A-11193)
240.1910 n (P-10821/88; A-11193)
240.1920 n (P-10821/88; A-11193)
240.1930 n (P-10821/88; A-11193)
240.1940 n (P-10821/88; A-11193)
240.1950 n (P-10821/88; A-11193)
240.1960 n (P-685)
240.2020 n (P-10821/88; A-11193)
240.2030 n (P-10821/88; A-11193)
240.2040 n (P-10821/88; A-11193)
240.2050 n (P-10821/88; A-11193)

TITLE 89 (CONT'D)

300.20 am (P-11953/88; A-2419)
300.30 am (P-11953/88; A-2419)
300.90 am (P-11953/88; A-2419)
300.100 am (P-11953/88; A-2419)
300.110 am (P-11953/88; O-22472/88; R-2535; A-2419)
300.130 am (P-11953/88; A-2419)
300.140 am (P-11953/88; A-2419)
300.160 am (P-11953/88; A-2419)
302.310 am (P-13814/88; W-8115) (P-7847)
302.311 n (P-7847)
302.390 am (P-14508)
310.2 am (P-11935/88; A-7308)
310.12 am (P-11935/88; O-3412; R-7483; A-7308)
310.13 am (P-11935/88; A-7308)
310.14 am (P-11935/88; A-7308)
310.15 am (P-11935/88; A-7308)
310.16 am (P-11935/88; A-7308)
334.11 am (P-11915/88; A-6986)
334.12 am (P-11915/88; A-6986)
334.13 am (P-11915/88; A-6986)
357.2 am (P-13807/88; A-3344)
357.3 am (P-13807/88; A-3344)
357.11 am (P-13807/88; A-3344)
385.20 am (P-13744/88; A-5917)
385.30 am (P-13744/88; A-5917)
385.40 am (P-13744/88; A-5917)
408.1 n (P-13757/88; O-13277; R-15123; A-14818)
408.5 n (P-13757/88; O-13277; R-15123; A-14818)
408.10 n (P-13757/88; O-13277; R-15123; A-14818)
408.15 n (P-13757/88; O-13277; R-15123; A-14818)
408.20 n (P-13757/88; O-13277; R-15123; A-14818)
408.25 n (P-13757/88; O-13277; R-15123; A-14818)
408.30 n (P-13757/88; O-13277; R-15123; A-14818)
408.35 n (P-13757/88; O-13277; R-15123; A-14818)
408.40 n (P-13757/88; O-13277; R-15123; A-14818)
408.45 n (P-13757/88; O-13277; R-15123; A-14818)
408.50 n (P-13757/88; O-13277; R-15123; A-14818)
408.55 n (P-13757/88; O-13277; R-15123; A-14818)
408.60 n (P-13757/88; O-13277; R-15123; A-14818)
408.70 n (P-13757/88; O-13277; R-15123; A-14818)

TITLE 89 (CONT'D)

408.75 n (P-13757/88; O-13277; R-15123; A-14818)
408.80 n (P-13757/88; O-13277; R-15123; A-14818)
408.85 n (P-13757/88; O-13277; R-15123; A-14818)
408.90 n (P-13757/88; O-13277; R-15123; A-14818)
408.95 n (P-13757/88; O-13277; R-15123; A-14818)
408.100 n (P-13757/88; O-13277; R-15123; A-14818)
408.105 n (P-13757/88; O-13277; R-15123; A-14818)
408.115 n (P-13757/88; O-13277; R-15123; A-14818)
408.120 n (P-13757/88; O-13277; R-15123; A-14818)
408.125 n (P-13757/88; O-13277; R-15123; A-14818)
408.130 n (P-13757/88; O-13277; R-15123; A-14818)
408.135 n (P-13757/88; O-13277; R-15123; A-14818)
408.Ap. A n (P-13757/88; O-13277; R-15123; A-14818)
408.Ap. B n (P-13757/88; O-13277; R-15123; A-14818)
408.Ap. C n (P-13757/88; O-13277; R-15123; A-14818)
408.Ap. D n (P-13757/88; O-13277; R-15123; A-14818)
431.5 am (P-11922/88; O-22457/88; R-2532; A-2407)
431.6 am (P-11922/88; A-2407)
431.7 am (P-11922/88; A-2407)
431.11 n (P-11922/88; O-22457/88; R-2532; A-2407)
431.12 # (P-11922/88; A-2407)
432.8 # (P-5225)
432.8 n (P-5225)
432.9 # (P-5225)
437.4 am (P-13752/88; A-3339)
437.8 # (P-13752/88; A-3339)
437.8 n (P-13752/88; A-3339)
437.9 # (P-13752/88; A-3339)
437.9 am (P-13752/88; A-3339)
510.10 n (P-3036; O-13297; RC-13300)
510.10 r (P-3020)
510.20 n (P-3036; O-13297; RC-13300)
510.20 r (P-3020)
510.30 n (P-3036; O-13297; RC-13300)
510.30 r (P-3020)
510.40 n (P-3036; O-13297; RC-13300)
510.40 r (P-3020)
510.50 n (P-3036; O-13297; RC-13300)

