

# THE FLINN REPORT

## ILLINOIS GENERAL ASSEMBLY JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

VOLUME 50

ISSUE 21

May 22, 2026

The Flinn Report is a weekly summary of regulatory actions of State agencies published in the *Illinois Register* and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules (JCAR). The Flinn Report honors founding JCAR member Representative Monroe Flinn, and is designed to inform and involve the public in changes taking place in agency administration.

## Proposed Rulemakings

### HEALTH INSURANCE

The DEPARTMENT OF INSURANCE proposed amendments to Illinois Health Benefits Exchange (50 IAC 4500; 50 Ill Reg 7308) that establish an open enrollment period of 10/15 through 12/15/26 for the Illinois Health Benefits Exchange (Get Covered Illinois) for the 2027 plan year. (Current rule sets the enrollment period for each plan year from 11/1 of the previous year through at least 1/15 of the plan year.) DOI notes that federal Health and Human Services regulations now require all Exchanges to begin their 2027 open enrollment periods no later than 11/1, limit the open enrollment period to no more than 9 weeks, and end the enrollment period no later than 12/31. The rulemaking also requires DOI, for each plan year after 2027, to announce the start and end dates of the open enrollment period on its website at least 120 days before the first day of the period.

*Questions/requests for copies/comments through 7/6/26: Barbara Campbell, DOI, 115 S. LaSalle St., Fl. 13, Chicago IL 60603, 312-814-2420, [barbara.campbell@illinois.gov](mailto:barbara.campbell@illinois.gov), or Susan Anders, DOI, 320 W. Washington St., Fl. 4, Springfield IL 62767, 217-558-0957, [sue.anders@illinois.gov](mailto:sue.anders@illinois.gov)*

**Adopted Rules, Page 3  
Second Notices, Page 4**

### STUDENT ASSISTANCE

The ILLINOIS STUDENT ASSISTANCE COMMISSION proposed amendments to Illinois National Guard (ING) Grant Program (23 IAC 2730; 50 Ill Reg 7353), Illinois Veteran Grant (IVG) Program (23 IAC 2733; 50 Ill Reg 7365), Monetary Award Program (MAP), (23 IAC 2735; 50 Ill Reg 7379), and Golden Apple Scholars of Illinois Program (23 IAC 2764; 50 Ill Reg 7395). The Parts

2730 and 2733 rulemakings update the list of fees that a recipient is responsible for paying and require institutions to report benefit usage by semester hours regardless of whether appropriated funds are available to pay the institution. Amendments to Part 2735 add the Alternative Application for Illinois Financial Assistance, clarify how institutions determine MAP paid credit hours and MAP payment when a student withdraws from a class or reduces their credit hours before the tuition and fee refund period has expired, and add a Section on the MAP Refund Fund. The fund was established in statute in connection with a lawsuit against a for-profit institution that was found to have engaged in unfair and deceptive practices and must refund to ISAC all MAP funds paid on behalf of its students. The Part 2764 rulemaking updates cross references to the Teachers of Illinois Scholarship Pro-

(cont. page 2)

**ADOPTED RULES:** Rules adopted by agencies this week. **EMERGENCY RULES:** Temporary rules adopted for no more than 150 days. **PROPOSED RULEMAKINGS:** Rules proposed by agencies this week, commencing a First Notice public comment period of at least 45 days. **PEREMPTORY RULES:** Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.  
▪ - Designates rules of special interest to small businesses, small municipalities and/or non-profit organizations. Agencies must consider comments from these groups and attempt to minimize regulatory burdens on them.  
**QUESTIONS/COMMENTS:** Submit mail, e-mail or phone calls to the agency personnel listed below each summary.  
**RULE TEXT:** First Notice proposed text, emergency rule and peremptory rule text is available at the Secretary of State website (<https://www.ilsos.gov/departments/index/register/home.html>) or at the Illinois General Assembly website (<http://www.ilga.gov>) under "Illinois Register". Second Notice text for proposed rulemakings (original version with any changes made by the agency during First Notice included) is available at the JCAR website.

# Proposed Rulemakings

(cont. from page 1)

gram (formerly Minority Teachers of Illinois Scholarship Program) and other ISAC programs and clarifies and updates statutory provisions.

## ISAC ORGANIZATION

ISAC also proposed amendments to Public Information, Rulemaking and Organization (2 IAC 5375; 50 Ill Reg 7344) that remove ISAC's Chicago address and clarify that although Commission members serve without compensation, the student member of the Commission may receive a stipend set by ISAC.

*Questions/requests for copies/comments on the 5 ISAC rulemakings through 7/6/26: Sarah Dulay, ISAC, 1755 Lake Cook Road, Deerfield, IL 60015, 847-831-6757, [sarah.dulay@illinois.gov](mailto:sarah.dulay@illinois.gov)*

## HOUSING PROGRAMS

The ILLINOIS HOUSING DEVELOPMENT AUTHORITY proposed amendments to Illinois Affordable Housing Tax Credit Program (47 IAC 355; 50 Ill Reg 7278) and Rental Housing Support Program (47 IAC 380; 50 Ill Reg 7293). The Part 355 rulemaking updates the definition of an affordable housing project to include, for tax years beginning on or after 1/1/22, single-family homes for sale to moderate income households as well as low-income households.

Amendments to Part 380 align these rules with the Rental Housing Support Program Act by amending various definitions and expanding the sliding income-based scale for tenant rent contributions to include annual incomes up to \$70,000 (currently \$35,000).

## IHDA MEETINGS

IHDA also proposed amendments to Public Information, Rulemaking and Organization (2 IAC 1975; 50 Ill Reg 7262) that establish procedures for public comment at public meetings of the Authority. These amendments clarify for potential public commenters how they can reach IHDA via a monitored email inbox and limit commenters who address items not on the current agenda to speaking at no more than three consecutive meetings on non-agenda items. Commenters are also expected to conduct themselves in a professional manner, without personal attacks and without disruptions such as speaking beyond the time allotted, speaking louder than conversational level, and speaking from the audience without being a registered public commenter. Individuals who disrupt a meeting will be asked to cease disruptive activity and may be removed if they do not comply.

## ADA PROCEDURES

Finally, IHDA proposed amendments to Americans with Disabilities Act Grievance Procedure (4 IAC 700; 50 Ill Reg 7268) concerning its procedures for individuals to submit grievances if they believe IHDA violated their rights

to access or accommodation under the ADA. The rulemaking updates the current and future address of the Authority's Designated Disability Coordinator; defines a "Qualified Individual" as one who can submit a grievance for investigation; adds a Section on case-by-case resolution that evaluates each case on its own merits without establishing precedent; and adds a template for a standard Grievance Form document.

*Questions/requests for copies/comments on the 4 IHDA rulemakings through 7/6/26: Joon Park, IHDA, 111 E. Wacker Dr., Suite 1000, Chicago IL 60601, 312-836-5283, [JOPark@ihda.org](mailto:JOPark@ihda.org)*

## MEDICAL WASTE

The POLLUTION CONTROL BOARD proposed amendments to Design and Operation of Facilities (35 IAC 1422; 50 Ill Reg 7317) that add *Bacillus atrophaeus* as an indicator microorganism for testing the efficacy of low-pressure tissue digester systems in facilities that process potentially infectious medical waste (PIMW). The rulemaking also updates a scientific name and makes operating parameters for various tests consistent.

*Questions/requests for copies/comments through 7/6/26: Clerk's Office, PCB, 60 E. Van Buren St., Suite 630, Chicago IL 60605, 312-814-3461, [don.brown@illinois.gov](mailto:don.brown@illinois.gov). Please reference Docket R25-24. Comments may also be filed at PCB's website, <https://pcb.illinois.gov>.*

# Adopted Rules

## ▪ HIGH SCHOOL DIPLOMAS

The ILLINOIS COMMUNITY COLLEGE BOARD adopted a new Part titled High School Equivalency Testing Program (23 IAC 1507; proposed at 49 Ill Reg 7411) effective 5/8/26 at 50 Ill Reg 7407, implementing provisions of the School Code that authorize ICCB to establish standards for individuals pursuing a State of Illinois High School Diploma by high school equivalency (HSE) testing and/or transcript-based alternative methods of credentialing (AMOC). The new Part establishes ICCB's standards for HSE testing and approval of testing centers and also places ICCB in charge of high school equivalency operations for Cook County. ICCB is also implementing AMOC standards for candidates who have completed a significant portion of high school credits and are earning their diploma by additional coursework or taking portions of HSE exams. Those affected by this rulemaking include public and private high schools, Regional Offices of Education, and HSE testing vendors.

### HSE Testing

Individuals age 18 or older may take HSE tests without restrictions or conditions. Candidates who are age 17 must present a withdrawal letter from their former high school or documentation from their Regional Office of Education (ROE) stating that they are not currently enrolled, or required to be enrolled, in a high school in their area of residence. Homeschooled students who are 17 years of age must present similar documentation from their ROE, or if they were enrolled in an organized homeschool curriculum or program, documentation from the provider verifying that they have completed the program. Candidates may test at age 16 only if they are currently enrolled in the Illinois National

Guard's Lincoln's Challenge Academy, enrolled in a qualified alternative learning or safe schools program authorized by the State Board of Education, or as part of a court-ordered rehabilitation requirement. All candidates must present valid government-issued photo identification on all testing days. HSE testing vendors and testing centers must be approved by ICCB.

### Alternative Credentialing

AMOC is available to candidates who are at least 18½ years of age and whose high school class is in or beyond the 3<sup>rd</sup> quarter of their senior year, and to 17-year-olds whose high school class has graduated and who have a withdrawal letter from their former high school. The candidate must have attended a state-recognized public or private high school or postsecondary institution, or a recognized virtual or alternative school or foreign institution of higher education (homeschooled candidates cannot utilize AMOC), and have completed at least 13 of the 17 credits required for a high school diploma (4 years language arts; 3 years mathematics including one year algebra and one year geometry; 3 years social studies including 1 year of U.S. history; 2 years science; 1 year of elective courses in art, music, foreign language, consumer education or vocational education; one semester of health class; and 4 other elective courses in any subject). They must also have completed a U.S. and Illinois State Constitution study requirement and have been assessed at a minimum 9<sup>th</sup> grade reading level. Unfulfilled credit requirements may be attained through ICCB-funded adult education programs, post-secondary community college or college/university classes (a 3-semester hour class is equivalent to one year of high school credit), the i-Pathways online curriculum, or by

completing up to two subject areas of an HSE exam. HSE exam scores must be provided and verified by the applicable ROE. ICCB or an ROE may also conduct a transcript review to determine whether high school credit gaps have been fulfilled.

### Diplomas and Transcripts

State of Illinois High School Diplomas and transcripts will be issued by the ROE for candidates within their jurisdictions. ICCB will issue the diploma and transcript to residents of Cook County (which does not have an ROE) and to Department of Corrections residents. ICCB and ROEs may charge fees for issuing transcripts and diplomas, but these fees must be waived for candidates who are under age 25 and homeless. Fees can also be waived for hardship on a case by case basis. Transcripts or diplomas for a deceased candidate may be requested by the next of kin or the executor of the candidate's estate. Records for State of Illinois Diplomas earned prior to 1/1/14 are kept by the ROE for the county of the candidate's residence at the time of completion; for diplomas earned on or after 1/1/14, records are maintained by the ROE for the county in which testing was completed. All State of Illinois Diploma records for Cook County are maintained by ICCB.

*Questions/requests for copies: Matt Berry, ICCB, 401 E. Capitol Ave., Springfield IL 62701-1711, 217-785-7411, [Matt.Berry@illinois.gov](mailto:Matt.Berry@illinois.gov)*

## ▪ CHARITABLE GRANTS

The OFFICE OF THE TREASURER adopted amendments to Rules for Charitable Trust Stabilization Committee (74 IAC 650; proposed at 50 Ill Reg 1621) effective 5/7/26 at 50 Ill Reg 7425, that provide for grant

(cont. page 4)

# Adopted Rules

(cont. from page 3)

awards specifically to food pantries, soup kitchens, and other food assistance organizations providing free food or free meal programs. To be eligible for these grants, the applying organization must have the equivalent of at least one full time

paid employee or a "designated fiscal agent" who will manage the grant award and any related responsibilities such as reporting and post-award obligations. The rulemaking also updates the list of documents and forms to be completed by all grant applicants and requires all applications to be submitted electronically to the Treasurer's website. Since 1<sup>st</sup> Notice, the term

"Hunger Relief Program" has been removed. Non-profit charitable organizations are affected.

*Questions/requests for copies: Austin Stadelman, Office of the Treasurer, 555 W. Monroe St., 14<sup>th</sup> Floor, Chicago IL 60661, 312-814-0055, [AStadelman@illinoistreasurer.gov](mailto:AStadelman@illinoistreasurer.gov)*

## Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the June 16, 2026, meeting in Chicago. Further comments concerning these rulemakings should be addressed to JCAR at [jcar@ilga.gov](mailto:jcar@ilga.gov).

### STATE BOARD OF EDUCATION

Driver Education (23 IAC 252; 50 Ill Reg 1577) proposed 1/30/26

Standards for Endorsements in Elementary Education (23 IAC 20; 50 Ill Reg 1573) proposed 1/30/26

School District Reorganization Feasibility Study Grant Program (23 IAC 705; 50 Ill Reg 1586) proposed 1/30/26

### DEPT OF PUBLIC HEALTH

AIDS Drug Assistance Program (77 IAC 692; 50 Ill Reg 3843) proposed 3/6/26

Hospice Programs (77 IAC 280; 50 Ill Reg 4205) proposed 3/20/26

### POLLUTION CONTROL BOARD

Organic Material Emission Standards and Limitations for the Metro-East Area (35 IAC 219; 49 Ill Reg 8883) proposed 7/11/25

### SECRETARY OF STATE

Issuance of Licenses (92 IAC 1030; 50 Ill Reg 4643) proposed 3/27/26

### Next JCAR Meeting: Tuesday, June 16, 11 a.m.

Room C-600, Bilandic Bldg., 160 N. LaSalle St., Chicago

Meeting will be live streamed on the JCAR website

### Joint Committee on Administrative Rules

Senator Bill Cunningham, Co-Chair  
Senator Cristina Castro  
Senator Donald DeWitte  
Senator Dale Fowler  
Senator Napoleon Harris, III  
Senator Sally Turner

Representative Ryan Spain, Co-Chair  
Representative Eva-Dina Delgado  
Representative Jackie Haas  
Representative Steven Reick  
Representative Curtis Tarver, II  
Representative Dave Vella

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