

## SECOND NOTICE OF PROPOSED RULEMAKING

- 1) Agency: Department on Aging
- 2) Title and Ill. Adm. Code Citation of Proposed Rulemaking: Community Care Program, 89 Ill. Adm. Code 240.120, 240.160, 240.235, 240.1399, 240.1505, 240.1541, 240.1542, 240.1650, and 240.1955.
- 3) Date, Issue, and page number of the Illinois Register in which the First Notice was published: April 24, 2009, 33 Ill. Reg. 5948
- 4) Text and Location of any Changes Made to the Proposed Rulemaking During the First Notice Period: None
- 5) Final Regulatory Flexibility Analysis:
  - A. Summary of the issues raised by affected small businesses during the First Notice Period: None
  - B. Description of actions taken on any alternatives to the proposed rule suggested by small businesses during the First Notice Period, including reasons for rejecting alternatives not utilized: None
- 6) Analysis of the Economic and Budgetary Effects of the Proposed Rulemaking: See attachment.
- 7) Response to Recommendations Made by the Administrative Code Division for Changes in the Rule to Make It Comply With the Codification Scheme: All changes requested by the Administrative Code Division have been made.
- 8) Evaluation of the comments received by the agency from interested persons during the First Notice Period (but not including any questions raised by the Joint Committee in a preliminary review) including:
  - A. Date of any public hearing held during the First Notice Period. Name of the person or group requesting a hearing: None
  - B. The names and addresses of all individuals or groups making comments or requesting the opportunity to make comments: None
  - C. A list of all specific criticisms and suggestions raised in the comments: None
  - D. The agency's evaluation of each of the specific criticisms and suggestions: None

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- E. A statement that the agency has considered all comments received during the First Notice Period: No comments were received during the First Notice Period.
- 9) An analysis of the expected effects of the proposed rulemaking, including:
- A. Impact on the public: This proposal adds emergency home response service (EHRS) as a core service under the Community Care Program (CCP).
  - B. Changes in the agency's programs or structure resulting from implementation of the rulemaking: None
  - C. Impact of proposed rule on small businesses. Methods used by Agency to comply with 5 ILCS 100/5-30, including reasons for rejecting any methods not utilized: None
- 10) A justification and rationale for the proposed rulemaking, including:
- A. Any changes in statutory language requiring the proposed rulemaking: Public Act 95-565
  - B. Any changes in agency policy, procedures, or structure requiring the proposed rulemaking: None
  - C. Relationship to other rulemaking activities of the agency including anticipated rulemaking activities: The Department has completed two prior rulemaking projects to implement other aspects of Public Act 95-565.
  - D. Relationship to any relevant federal rules, regulations, or funding requirements: The CCP is operated under the terms of a federal Title XIX Section 1915(c) waiver and the state must comply with its requirements to secure federal matching funds which are essential to support the program. The waiver is currently being reviewed for renewal by the federal Centers for Medicare and Medicaid Services.
  - E. Court orders or rulings which related to the rulemaking: None
- 11) Does this rulemaking include an incorporation by reference pursuant to Section 5-75 of the Illinois Administrative Procedure Act? Yes

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Agency Personnel Who Will Respond to Joint Committee Questions Regarding the Proposed Rulemaking:

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