

# THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY  
JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

VOLUME 50

ISSUE 23

June 5, 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

### FAMILY PLANNING PROGRAM

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES proposed amendments to Medical Assistance Programs (89 IAC 120; 50 Ill Reg 7614) and Medical Payment (89 IAC 140; 50 Ill Reg 7641) implementing Public Act 102-665, which establishes a Family Planning Program to provides targeted medical assistance coverage for persons of childbearing age who may not qualify for regular Medicaid/Medical Assistance.

#### Program Eligibility

The Part 120 rulemaking establishes Family Planning Program eligibility for Illinois residents who are not pregnant at the time of enrollment, are not enrolled in or do not otherwise qualify for Medical Assistance under the Public Aid Code, and whose income is at or below 208% of the Federal Poverty Level, with all applicable disregards, for a household of 1 or 2 persons. For purposes of eligibility

determination, only the income of the applicant is considered and no household members beyond 2 are counted. Coverage continues until the individual no longer qualifies for the Family Planning Program or qualifies for full Medicaid/Medical Assistance coverage. Family Planning Presumptive Eligibility (FPPE) providers may immediately grant

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presumptive eligibility and provide covered services to individuals whom they determine meet eligibility criteria. Presumptive eligibility continues until HFS processes the individual's complete application, or if the individual does not file an application, until the last day of the following month. Entities eligible to become FPPE providers include healthcare providers already enrolled in Medicaid; Federally Qualified Health Centers; Community Based

Health Clinics; local public health departments; and entities authorized to determine eligibility for the Women, Infants and Children (WIC) program.

#### Covered Services

The Part 140 rulemaking authorizes Family Planning Program coverage for physical exams, including annual preventive examinations; screenings for sexually transmitted disease, HIV, and cervical cancer; lab tests; contraceptive counseling and education; contraceptive devices, supplies, and prescriptions; surgical sterilization procedures; and fertility preservation services. Fertility preservation coverage requires prior approval and is limited to medically necessary office visits, pelvic ultrasounds, sperm and oocyte freezing and storage, medications/injectables, and lab testing. Family planning related serv-

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**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

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ices covered as part of, or as follow-up to, family planning visits include: treatment of unintended medical consequences from insertion or removal of a medical device (e.g., an IUD); follow-up testing, lab work or treatment for abnormal or incidental findings made during an examination; vaccines for preventable reproductive health related conditions (e.g., HPV); breast mammograms/tomography and, if necessary, BRCA genetic counseling and testing; abortion care; removal of STD lesions discovered during an exam; prescription-only prenatal vitamins and folic acid; expedited partner drug treatment for STDs; prescriptions for HIV pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP); and transportation services when needed for family planning and family planning related visits. Treatment for chronic conditions such as HIV/AIDS and hepatitis is not covered under this program.

## Other Medical Assistance

Amendments to Part 120 also extend general medical assistance eligibility to pregnant individuals with countable monthly income at or below 213% (currently 200%) of the Federal Poverty Level, and extend the duration of coverage to 12 months (currently 60 days) after the last day of the pregnancy, regardless of how the pregnancy ends or whether an adoption agreement is signed. A review of case eligibility will be conducted before the 12<sup>th</sup> month of the extended postpartum period (currently, in the second month of the 60-day postpartum coverage) to determine whether the individual continues to qualify for medical assistance. Children under age 19 will qualify for medical assistance with countable monthly household income at or below 318% (currently 313%) of FPL.

*Questions/requests for copies/comments through 7/20/26: Chris Gange, HFS, 201 S. Grand Ave. East, 3rd Floor, Springfield IL 62763-0002, 217-782-1233, [HFS.Rules@illinois.gov](mailto:HFS.Rules@illinois.gov)*

## INSURANCE

The DEPARTMENT OF INSURANCE proposed an amendment to the Part titled Farm Mutual Limitations of Risk Requirements (50 IAC 3503; 50 Ill Reg 7682) clarifying a reinsurance coverage requirement in the Illinois Insurance Code. The amendment clarifies that "aggregate reinsurance coverage in an amount no less than that required for a 250-year event" means an aggregate policy designed to cover multiple claims over a given coverage period, rather than a catastrophe reinsurance policy intended to cover loss from a single catastrophic event. Holders of farm mutual insurance may be affected.

*Questions/requests for copies/comments through 7/20/26: Laura Kotelman, DOI, 115 S. LaSalle St., 13<sup>th</sup> Fl., Chicago IL 60603, 312-814-8214, [laura.kotelman@illinois.gov](mailto:laura.kotelman@illinois.gov), or Susan Anders, DOI, 320 W. Washington St., 4<sup>th</sup> Fl., Springfield IL 62767, 217-558-0957, [sue.anders@illinois.gov](mailto:sue.anders@illinois.gov)*

# Adopted Rules

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## HOSPITALS

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES adopted an amendment to Hospital Services (89 IAC 148; proposed at 50 Ill Reg 584) effective 5/20/26 at 50 Ill Reg 7685, implementing Public Acts 102-16 and 103-102. These PAs and this rulemaking establish annual funding pools of \$3.5 million for publicly owned Critical Access Hospitals and \$10 million for non-publicly-owned Critical Access Hospitals, to support obstetrical, gynecological, perinatal, behavioral, telehealth and other specialty services. Each hospital's quarterly payment will be based on its percentage of the total adjusted outpatient claims among all qualifying hospitals, up to a maximum of 10%. For qualifying hospitals that are designated as perinatal hospitals by the Department of Public Health, their outpatient claim numbers will be multiplied by 1.5. Funds remaining in either category after a payment quarter may be redistributed to

hospitals that have not reached the 10% maximum.

*Questions/requests for copies: Chris Gange, HFS, 201 S. Grand Ave. East, 3<sup>rd</sup> Floor, Springfield IL 62763-0002, 217-782-1233, [HFS.Rules@illinois.gov](mailto:HFS.Rules@illinois.gov)*

## STATE RETIREMENT

The STATE EMPLOYEES' RETIREMENT SYSTEM adopted amendments to The Administration and Operation of the State Employees' Retirement System of Illinois (80 IAC 1540; proposed at 50 Ill Reg 1911) effective 5/20/26 at 50 Ill Reg 7700, that amend or clarify various policies. This rulemaking codifies the system's policy that a member does not qualify for occupational disability benefits if the cause of disability related to an award or settlement under the Workers' Compensation Act or the Workers' Occupational Diseases Act is disputed. It also clarifies that if a member who received a buyout payment returns to service and subsequently retires

again, the buyout payment shall not be adjusted for the subsequent service credit. Other provisions establish that a member employed by SERS is not eligible to serve as a contributing member trustee, and that an alternative formula member (i.e., certain public safety, law enforcement and investigative employees) who chooses the "estimated payment" option, has elected an accelerated pension benefit based on automatic annual increases, and has a Qualified Illinois Domestic Relations Order (QILDRO) in place must provide the required supplemental order before the member can receive the estimated payment option.

*Questions/requests for copies: Jeff Houch, SERS, 2101 S. Veterans Pkwy., PO Box 19255, Springfield IL 62794-9255, 217-524-8105, fax 217-557-3943, [jeff.houch@srs.illinois.gov](mailto:jeff.houch@srs.illinois.gov)*

# Second Notices

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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. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR at [jcar@ilga.gov](mailto:jcar@ilga.gov).

### DEPT OF CHILDREN AND FAMILY SERVICES

Placement and Visitation Services (89 IAC 301; 49 Ill Reg 10476) proposed 8/22/25

Foster Parent Code (89 IAC 340; 49 Ill Reg 10491) proposed 8/22/25

### ILLINOIS COMMUNITY COLLEGE BOARD

Administration of the Illinois Public Community College Act (23 IAC 1501; 50 Ill Reg 556) proposed 1/16/26

**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

Kim Schultz, Executive Director ■ Kevin Kulavic, Deputy Director

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