DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Health Care Professional Credentials Data Collection Code

2) Code Citation: 77 Ill. Adm. Code 965

3) Section Number: Adopted Action:
   965.130 Amendment

4) Statutory Authority: Health Care Professionals Data Collection Act [410 ILCS 517]

5) Effective Date of Rulemaking: February 27, 2008

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

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the Department's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: March 9, 2007; 31 Ill. Reg. 3971

10) Has JCAR issued a Statement of Objection to this rulemaking? No

11) Differences between proposal and final version: None

   Various typographical, grammatical and form changes were made in response to the comments from JCAR.

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

13) Will this rulemaking replace any emergency rulemaking currently in effect? No

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

15) Summary and Purpose of the Rulemaking: Part 965 regulates the process for credentialing health care professionals, including credentialing forms, complaints, violations, fines, and waivers. The amendments to Section 965.130 (Use of Uniform Credentialing Forms) clarify that nothing in the Health Care Professional Credentials Data Collection Act [410 ILCS 517] or Part 965 prohibits hospitals from granting disaster
privileges under the appropriate conditions. The amendment implements Public Act 93-829, which established procedures for handling an emergency or disaster.

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

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois  62761

217/782-2043
e-mail:  dph.rules@illinois.gov

The full text of the Adopted Amendment begins on the next page:
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER u: MISCELLANEOUS PROGRAMS AND SERVICES

PART 965
HEALTH CARE PROFESSIONAL CREDENTIALS DATA COLLECTION CODE

SUBPART A: GENERAL

Section
965.110 Definitions
965.120 Referenced Materials
965.130 Use of Uniform Credentialing Forms
965.140 Required Policies and Procedures

SUBPART B: ENFORCEMENT ACTION

Section
965.210 Complaints
965.220 Notice of Violation
965.230 Adverse Action
965.240 Fines and Penalties
965.250 Hearings
965.300 Single Credentialing Cycle
965.310 Waiver from Single Credentialing Cycle

965.APPENDIX A Health Care Professional Credentialing and Business Data Gathering Form
965.APPENDIX B Health Care Professional Recredentialing and Business Data Gathering Form
965.APPENDIX C Health Care Professional Update Data Gathering Form

AUTHORITY: Implementing and authorized by the Health Care Professionals Data Collection Act [410 ILCS 517].

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENT
SUBPART A: GENERAL

Section 965.130 Use of Uniform Credentialing Forms

a) The Department shall establish uniform forms for the purpose of credentialing, recredentialing, and information updates as required in Section 15 of the Act. The forms shall be coordinated to avoid the need for duplication of effort and information in submission.

b) Hard copies and/or electronic copies of the forms shall be provided by the credentialing entity to applicants and current providers for use in their process. Copies may be obtained through the Department electronically via the website at www.idph.state.il.us or in hard copy upon request. No health care entity, health care plan, or hospital may require submission of the form in a specific format, either paper or electronic, until a date has been established under this Part whereby electronic submission can be required.

c) Beginning January 1, 2002, all health care entities, health care plans, and hospitals that credential health care professionals shall only require the submission of the following forms, as specified in Section 15 of the Act:

1) For credentialing, the Uniform Health Care Credentials Form (Appendix A).

2) For recredentialing, the Uniform Health Care Recredentials Form (Appendix B).

3) For updating credentials information, the Uniform Updating Form (Appendix C).

4) Any additional credentials data requested.

d) Credentialing and recredentialing applications and forms distributed before January 1, 2002 may continue to be accepted, but only through June 30, 2002. Health care plans, health care entities, and hospitals need not require that the forms adopted in this Part be filed for a health care professional whose credentialing is already in process prior to January 1, 2002.

e) This Section does not prohibit or restrict the right of a health care entity, health
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

care plan or hospital to request additional information necessary for credentialing or recredentialing. (Section 15(i) of the Act) Nothing in this Part prohibits a pre-application process from being in place at a health care entity, health care plan, or hospital. Individual attestation and release forms may be unique to each health care plan, hospital, or health care entity as a part of the credentialing or recredentialing process.

f) The forms adopted in this Part cannot be altered in structure. Nothing prohibits the use of pre-populated or double-sided forms as long as the structure of each page remains as adopted and as appearing on the Department website at www.idph.state.il.us.

g) Nothing in the Act or this Part requires a health care entity, health care plan, or hospital to seek all of the credentials data that may be provided in the mandated credentials data gathering forms. The extent to which a health care entity, health care plan, or hospital requires a health care professional to complete the applicable sections of the forms is within the discretion of the health care entity, health care plan, or hospital. However, no health care entity, plan, or hospital may reject or deny a form that includes more information than the requirements of the individual entity, plan, or hospital.

h) Keeping current and making changes in information, corrections, updates, and modifications to a health care professional's credentials data on file with health care entities, health care plans, and hospitals is the responsibility of the health care professional. Data and information changes shall be submitted by the health care professional in accordance with the following time frames:

1) Within 5 business days for state health care professional license revocation, federal drug enforcement agency license revocation, Medicare or Medicaid sanctions, revocation of hospital privileges, any lapse in professional liability coverage required by a health care entity, health care plan or hospital, or conviction of a felony.

2) Within 45 days for any other change in the information from the date the health care professional knew of the change. (Section 15(g) of the Act)

i) All updates shall be made on the updating forms in Appendix C of this Part. (Section 15(g) of the Act) Updated information will be based on the information submitted to a health care plan, health care entity or hospital in the form in
j) Collection of the information contained in the forms under this Part does not require health care entities, health care plans or hospitals to use all of the data and fields in the credentialing process. Nothing in the Act or this Part mandates whether or how credentials data must be verified or assessed as part of the credentialing process. All decisions about whether and how to verify and assess any or all of the credentials data submitted to a health care entity, health care plan or hospital by a health care professional is exclusively within the lawful discretion of the health care entity, health care plan, or hospital that is credentialing that health care professional.

k) Nothing in the Act or this Part prohibits a hospital from granting disaster privileges pursuant to the provisions of Section 10.4 of the Hospital Licensing Act. When a hospital grants disaster privileges pursuant to Section 10.4 of the Hospital Licensing Act, that hospital is not required to collect credentials data pursuant to the Act. (Section 15(m) of the Act)

(Source: Amended at 32 Ill. Reg. 4040, effective February 27, 2008)