

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Community Health Center Expansion
- 2) Code Citation: 77 Ill. Adm. Code 975
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
975.100	Amendment
975.105	New
975.110	Amendment
975.210	Amendment
975.220	Amendment
975.221	New
975.222	New
975.223	New
975.250	Amendment
975.251	New
975.252	New
975.260	Amendment
- 4) Statutory Authority: Community Health Center Expansion Act [410 ILCS 66]
- 5) Effective Date of Rulemaking: August 4, 2011
- 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 amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposed Amendments Published in Illinois Register: April 22, 2011; 35 Ill. Reg. 6901
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: No comments were received during the first notice or public comment period.

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The following changes were made in response to comments and suggestions of JCAR:  
In Section 975.222(c)(5), the words "at least" were added after the word "be".

In addition, 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 Rulemaking: New sections were adopted to describe application standards, integrate requirements from the Grant Funds Recovery Act and enhance reporting requirements. In addition, the requirements of Public Act 96-1064 were incorporated into this Part. Specifically, grantees (whose grants equal or exceed \$250,000 or capital construction costs or professional services) are now required to provide certifications that the grantee will comply with the Business Enterprise Program practices for minority-owned businesses, female-owned businesses and businesses owned by persons with disabilities as stipulated in the Business Enterprise for Minorities, Females and Persons with Disabilities Act. Further, grantees will need to certify that they comply with Section 2-105 of the Illinois Human Rights Act regarding equal employment opportunities and affirmative action policies.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Susan Meister  
Division of Legal Services  
Department of Public Health  
535 West Jefferson, 5<sup>th</sup> Floor  
Springfield, Illinois 62761

217/782-2043  
e-mail: [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)

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

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## TITLE 77: PUBLIC HEALTH

## CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

## SUBCHAPTER u: MISCELLANEOUS PROGRAMS AND SERVICES

## PART 975

## COMMUNITY HEALTH CENTER EXPANSION

## SUBPART A: GENERAL PROVISIONS

## Section

975.100

Definitions

[975.105](#)[Administrative Hearings](#)

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Incorporated and Referenced Materials

## SUBPART B: GRANTS TO EXPAND

## FEDERALLY QUALIFIED HEALTH CENTER PROGRAMS

## Section

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Grants

975.210

Sustainability Funding

975.220

Eligibility for Grant

[975.221](#)[Notification](#)[975.222](#)[Legal Notice](#)[975.223](#)[Grant Application](#)

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Program Requirements

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Application Evaluation Process

[975.251](#)[Grant Awards, Terms and Conditions](#)[975.252](#)[Grant Funds Recovery](#)

975.260

Reporting

975.270

Public Comment

AUTHORITY: Implementing and authorized by the Community Health Center Expansion Act [410 ILCS 66].

SOURCE: Adopted at 33 Ill. Reg. 14152, effective September 25, 2009; amended at 35 Ill. Reg. 14202, effective August 4, 2011.

## SUBPART A: GENERAL PROVISIONS

## DEPARTMENT OF PUBLIC HEALTH

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**Section 975.100 Definitions**

"Act" means the Community Health Center Expansion Act [410 ILCS 66].

*"Acquire a new physical location"* means acquisition through leasing arrangements or construction of existing or new space *for the purpose of delivering primary health care services*. The purchase of land is excluded. (Section 20(2) of the Act)

"Administrative cost" means costs to control and direct an organization but not directly identifiable with financing or operations. These costs relate to the entire organization as opposed to specific departments or units.

"Administrative law judge" shall have the meaning ascribed in the Department's Practice and Procedure in Administrative Hearings.

"Authorized representative" means a person who has authority to act on behalf of the legal entity or person that is an applicant or grantee. Authorized representatives are: for a corporation, any of its officers or members of its board of directors; for a limited liability company, any of its managers or members; for a partnership, any of its general partners; and for a sole proprietor, the individual who is the sole proprietor.

"Benefits" means compensation that is in addition to direct wages or salary, including paid time off, pension, social security and insurance.

"Business day" means Monday through Friday. It does not include a federal or State government declared holiday, Saturday or Sunday.

"Calendar day" means all days in a month or prescribed time frame. It includes weekends and federal or State government declared holidays.

"Center" means the Center for Rural Health of the Illinois Department of Public Health.

"Certified mail" means mail for which proof of delivery is obtained.

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"Community health center" or "CHC" means a migrant health center or community health center or health care program for the homeless or for residents of public housing supported under section 330 of the federal Public Health Service Act, and Federally Qualified Health Centers, including FQHC Look-Alikes, as designated by the Secretary of the United States Department of Health and Human Services, that operate at least one federally designated primary health care delivery site in the State of Illinois.

*"Community health center site" means a new physical site where a community health center will provide primary health care services either to a medically underserved population or area or to the uninsured population of this State. (Section 5 of the Act)*

*"Community provider" means a Federally Qualified Health Center or FQHC Look-Alike (community health center or health center), designated as such by the Secretary of the United States Department of Health and Human Services, that operates at least one federally designated primary health care delivery site in the State of Illinois. (Section 5 of the Act)*

"Construction costs" or "modernization costs" means expenses from a construction contract.

"Data Universal Numbering System" or "DUNS" is a system that assigns a unique numeric identifier, referred to as a DUNS number, to a single business entity.

*"Department" means the Illinois Department of Public Health. (Section 5 of the Act)*

"Director" means the Director of the Illinois Department of Public Health.

"Due diligence" means action taken toward the completion of a project with the diligence and foresight that persons of ordinary prudence and care would exercise under similar circumstances.

"Eligible applicant" means a Federally Qualified Health Center or an FQHC Look-Alike.

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"Equipment cost" means the cost of movable equipment, including movable medical equipment, and the cost of making this equipment operational (e.g., installation costs).

"Federal Employer Identification Number" or "FEIN" means a unique nine-digit number assigned by the Internal Revenue Service to business entities operating in the United States.

"Federally Qualified Health Center" or "FQHC" means a health center funded under section 330 of the Public Health Service Act (42 USC 254b).

"Fiscal year" means the financial operating year of Illinois State government. It begins on July 1 and ends on June 30 of the next calendar year.

"FQHC Look-Alike" means an organization that meets the requirements for receiving a grant under section 330 of the Public Health Service Act, but does not receive federal grants under that authority.

"Funding period" means the time frame during which grant funds are to be expended by a grantee (usually corresponding with the Department's fiscal year).

"Grant" refers to funds awarded to a Community Health Center under the Act *for the purpose of establishing new community health center sites to provide primary health care services to medically underserved populations or areas or provide primary health care services to the uninsured* (Section 10(a) of the Act) or to provide *sustaining funds to grantees that have met the initial proposed project objectives and can demonstrate continued financial need.* (Section 10.5 of the Act).

"Grantor agency" means any agency of State government which dispenses grant funds. (Section 2(a) of the Illinois Grant Funds Recovery Act)

"Grant agreement" means the agreement entered into between the Department and any person or entity for obligation, capital expenditure or use for a specific purpose.

"Grantee" means a person or entity which may use grant funds. (Section 2(c) of the Illinois Grant Funds Recovery Act)~~refers to a community health center that is the recipient of an expansion grant or sustainability grant award.~~

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"Grant funds" means public funds dispensed by the Department to any person or entity for obligation, expenditure or use for a specific purpose. (Section 2(b) of the Illinois Grant Funds Recovery Act)

"Historic resource" shall have the meaning ascribed in Section 3(c) of the Illinois State Agency Historic Resources Preservation Act [20 ILCS 3420].

"Initial proposed project objectives" refers to objectives included in the application that was approved and funded under a Community Health Center Expansion Act ~~grant~~Grant.

"Legal holiday" means a holiday set by statute, during which government and business working hours are suspended.

"Local health department" means a county, multi-county, municipal or district public health agency certified by the Department.

*"Medically underserved area" or "MUA" means an urban or rural area designated by the Secretary of the United States Department of Health and Human Services as an area with a shortage of personal health services. (Section 5 of the Act)*

*"Medically underserved population" or "MUP" means the population of an urban or rural area designated by the Secretary of the United States Department of Health and Human Services as an area with a shortage of personal health services or a population group designated by the Secretary as having a shortage of those services. (Section 5 of the Act)*

"Metropolitan statistical area" or "MSA" means one or more adjacent counties that have at least one urban core area of at least 50,000 in population, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties.

"Newspaper of general circulation" means newspapers other than those intended to serve a particular defined population, including the publications of professional and trade associations (see Section 30(b) of the Act).

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"Not-for-profit" means a corporation or entity described in the General Not-for-Profit Corporation Act of 1986.

"Obligation" or "Obligated" means a requirement for a grantee to make future payments from grant funds that result from financial transactions that have occurred.

"Personal services" means costs associated with wages and salaries for individuals employed by the grantee.

*"Primary health care services" means the following:*

*Basic health services consisting of the following:*

*Health services related to family medicine, internal medicine, pediatrics, obstetrics, or gynecology that are furnished by physicians and, if appropriate, physician assistants, nurse practitioners, and nurse midwives.*

*Diagnostic laboratory and radiologic services.*

*Preventive health services, including the following:*

*Prenatal and perinatal services.*

*Screenings for breast, ovarian, and cervical cancer.*

*Well-child services.*

*Immunizations against vaccine-preventable diseases.*

*Screenings for elevated blood lead levels, communicable diseases, and cholesterol.*

*Pediatric eye, ear, and dental screenings to determine the need for vision and hearing correction and dental care.*

*Voluntary family planning services.*



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*Preventive dental services.*

*Emergency medical services.*

*Pharmaceutical services as appropriate for particular health centers.*

*Referrals to providers of medical services and other health related services (including substance abuse and mental health services).*

*Patient case management services (including counseling, referral, and follow-up services) and other services designed to assist health center patients in establishing eligibility for and gaining access to federal, State, and local programs that provide or financially support the provision of medical, social, educational, or other related services.*

*Services that enable individuals to use the services of the health center (including outreach and transportation services and, if a substantial number of the individuals in the population are of limited English-speaking ability, the services of appropriate personnel fluent in the language spoken by a predominant number of those individuals).*

*Education of patients and the general population served by the health center regarding the availability and proper use of health services.*

*Additional health services consisting of services that are appropriate to meet the health needs of the population served by the health center involved and that may include the following:*

*Environmental health services, including the following:*

*Detection and alleviation of unhealthful conditions associated with water supply.*

*Sewage treatment.*

*Solid waste disposal.*

*Detection and alleviation of rodent and parasite infestation.*

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*Field sanitation.*

*Housing.*

*Other environmental factors related to health.*

*Special occupation-related health services for migratory and seasonal agricultural workers, including the following:*

*Screening for and control of infectious diseases, including parasitic diseases.*

*Injury prevention programs, which may include prevention of exposure to unsafe levels of agricultural chemicals, including pesticides. (Section 5 of the Act)*

"Project completion" means that the project has been brought to a conclusion based on the objectives in the grant agreement.

"Project service area" means the geographic area to be served by the grantee.

"Proof of publication" means documentation provided by a newspaper verifying that a legal notice was published.

"Recipient" refers to a community provider that is or will become a community health center and meets the application requirements outlined in Section 975.220.

"Rural" means any geographic area not located in a U.S. Bureau of the Census Metropolitan Statistical Area; or a county located within a Metropolitan Statistical Area but having a population of 60,000 or less; or a community located within a Metropolitan Statistical Area but having a population of 2,500 or less.

"Service area" is the geographic area composed of the Medically Underserved Area or Medically Underserved Population.

"Supplies" means general purpose consumable items that have a shorter life span than equipment and that are stocked for recurring use.

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"Sustainability funding" means an additional three years of funding by the Department after the initial three-year expansion grant period. These funds shall be in an amount up to 50% of a grantee's third-year grant fundings~~shall be in an amount up to 50% of a grantee's third-year grant funding~~ for each of three additional years. (Section 10.5 of the Act)

"Travel" means the cost incurred by a grantee's employees to travel to fulfill specific job requirements. These costs could include, but are not limited to, air travel, local transportation, per diem, mileage allowance and lodging.

*"Uninsured population" means persons who do not own private health care insurance, are not part of a group insurance plan, and are not eligible for any State or federal government-sponsored health care program. (Section 5 of the Act)*

"Urban" means any geographic area that does not meet the designated as a definition of "rural" area in this Section.

(Source: Amended at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.105 Administrative Hearings**

Administrative hearings conducted concerning the provisions of this Part shall be governed by the Department's Practice and Procedure in Administrative Hearings.

(Source: Added at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.110 Incorporated and Referenced Materials**

The following materials are incorporated and referenced in this Part:

- a) The following Illinois statutes and rules are referenced in this Part:
  - 1) Community Health Center Expansion Act [410 ILCS 66]
  - 2) Illinois Grant Funds Recovery Act [30 ILCS 705]~~Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)~~
  - 3) General Not-for-Profit Corporation Act of 1986 [805 ILCS 105]

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4) [Business Enterprise for Minorities, Females and Persons with Disabilities Act \[30 ILCS 575\]](#)

5) [Illinois Human Rights Act \[775 ILCS 5\]](#)

6) [Illinois Administrative Procedure Act \[5 ILCS 100\]](#)

7) [Department of Public Health: Practice and Procedure in Administrative Hearings \(77 Ill. Adm. Code 100\)](#)

8) [Department of Natural Resources: Construction in Floodways of Rivers, Lakes and Streams \(17 Ill. Adm. Code 3700\)](#)

9) [State Finance Act \[30 ILCS 105\]](#)

b) [The following Illinois Executive Order is referenced in this Part:](#)

[Executive Order #5 \(2006\): Construction Activities in Special Flood Hazard Areas](#)

~~c)b)~~ The following federal statute is referenced in this Part:

Public Health Service Act (42 USC 201 et seq.)

~~d)e)~~ The following federal guidelines are incorporated in this Part:

1) "Defining Scope of Project and Policy for Requesting Changes" (Policy Information Notice (PIN number 2008-010), December 31, 2007, U.S. Department of Health and Human Services, Health Resources and Services Administration, Bureau of Primary Health Care Policy, Office of Grants Management, 4350 East West Highway, Bethesda, Maryland 20814

2) "Federally Qualified Health Center Look-Alike Guidelines and Application" (PIN) number 2003-21), August 26, 2003, U.S. Department of Health and Human Services, Health Resources and Services Administration, Bureau of Primary Health Care Policy, Office of Grants Management, 4350 East West Highway, Bethesda, Maryland 20814

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~~e)~~ The following federal regulation is incorporated in this Part:

Grants for Community Health Services (42 CFR 51c, October 1, 2007)

~~f)~~ All incorporations by reference of federal regulations and guidelines refer to materials on the date specified and do not include any subsequent amendments or editions.

(Source: Amended at 35 Ill. Reg. 14202, effective August 4, 2011)

SUBPART B: GRANTS TO EXPAND  
FEDERALLY QUALIFIED HEALTH CENTER PROGRAMS

**Section 975.210 Sustainability Funding**

- a) *Sustaining funds shall be available to grantees under Section 10 of the Act that have met the initial proposed project objectives and can demonstrate continued financial need. These funds shall be provided by the Department for a 3-year period, subject to appropriation. Funds granted each year under this Section shall be in an amount up to 50% of a grantee's third-year-grant funding under Section 975.200. (Section 10.5 of the Act)*
- b) Sustaining grant funding will be awarded to grantees meeting the following requirements:
- 1) Be a prior recipient of a Community Health Center Expansion Act ~~grant~~Grant;
  - 2) Be able to document successful accomplishment of goals and objectives from the originally funded project; and
  - 3) Be able to document the need for additional funding from the Community Health Center Expansion Act ~~Grant~~ for the continuation of the goals and objectives presented in the original application.
- c) Grantees shall be limited to three years of initial funding and three years of sustainability funding. (See Sections 10(b) and 10.5 of the Act.)

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(Source: Amended at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.220 Eligibility for Grant**

*To be eligible for a grant under the Act and this Part, a recipient must be a community provider as defined in Section 975.100. (Section 15 of the Act)*

- a) Applicants shall [also](#) meet the following requirements:
  - 1) Be an FQHC or FQHC Look-Alike as defined in Section 975.100;
  - 2) Serve, in whole or in part, a designated MUA or MUP as defined in Section 975.100;
  - 3) Meet requirements for FQHC grantees and [FQHC](#) Look-Alikes under section 330 of the Public Health Service Act; and
  - 4) Offer primary health care services as defined in Section 975.100.
- b) Applicants may not apply for funding that would allow a community health center site to receive two or more [Community Health Center Expansion Act](#) grants at the same time.
- c) ~~Letter of intent~~  
~~The applicant shall send a letter of intent (LOI) and an application to apply for grant funds to the Department that include the following:~~
  - 1) ~~The proposed grant project description, location and applicant.~~
  - 2) ~~The proposed users of the primary health care services and project service area, including identification of any MUA or MUP designations.~~
  - 3) ~~Issues creating a high need for primary health care services, including any significant or unique barriers to care.~~
  - 4) ~~Other providers of care in the project service area, including any other FQHCs under section 330 of the Public Health Service Act.~~

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- 5) ~~All primary health care services to be provided, including mental health, substance abuse, and oral health care services, as well as the mechanism for providing each service (e.g., direct service, referral).~~
- 6) ~~Project stage of development and the ability of the applicant to meet the requirements of this Part for program compliance.~~
- 7) ~~The readiness to receive funding, including the ability of the facility and providers at the new access point or expanded facility to be operational within 120 days after the warrant for payment of the grant award is issued by the Office of the Comptroller.~~
- d) ~~Application~~  
~~The application format shall include, but not be limited to:~~
  - 1) ~~A summary of the applicant's plan of action to address the goals of either:~~
    - A) ~~Establishing a new community health center (CHC) site to provide primary health care services to medically underserved populations or areas or to provide primary health care services to the uninsured population of Illinois; or~~
    - B) ~~Expanding the services of an existing CHC site to provide primary health care services to medically underserved populations or areas or primary health care services to the uninsured population of Illinois. (Section 10(a) of the Act)~~
  - 2) ~~A project narrative that shall include the following information:~~
    - A) ~~Proposed service area and applicant description;~~
    - B) ~~Statement of need for the project;~~
    - C) ~~Project objectives;~~
    - D) ~~Plan of operation;~~
    - E) ~~Project evaluation; and~~

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~~F) Budget.~~~~e) Notification process~~

~~As soon as the decision to apply is made, the prospective applicant shall send a copy of the "Notification of Application for State Funding of Community Health Center Expansion" to each of the following entities in the geographic area of the FQHC for their input. The application packet submitted to the Department shall include a copy of the completed notification form, as well as the names and addresses of individuals to whom the forms were sent, the organizations that the individuals represent, and the date of the notification.~~

- ~~1) Local health department administrator;~~
- ~~2) Local hospital administrators;~~
- ~~3) Illinois State Medical Society;~~
- ~~4) Illinois Primary Health Care Association;~~
- ~~5) Other FQHCs and FQHC Look-Alikes in the service area;~~
- ~~6) Illinois State Dental Society;~~
- ~~7) Illinois Public Health Association; and~~
- ~~8) At least one newspaper of general circulation in the geographic area of the FQHC.~~

(Source: Amended at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.221 Notification**

- ~~a) Prior to submitting a grant application, an applicant shall submit a "Notification of Application for State Funding of Community Health Center Expansion" to the Department. Copies of the notification form are available from the Department.~~
  - ~~1) The notification shall be submitted to the Department with enough time so that it can be reviewed and deemed complete at least 45 calendar days prior to the submission of a grant application.~~



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- 2) The notification shall contain the following information:
- A) The legal name of the applicant;
  - B) The applicant's mailing address;
  - C) The site of the proposed project, including its legal address;
  - D) A description of the project, including its estimated cost;
  - E) A description of the project's service area, including the boundaries of the service area and the target population to be served;
  - F) Identification of any MUA or MUP designations in the project's service area;
  - G) The users of the primary health care services proposed in the project;
  - H) A description of the issues creating a high need for primary health care services, including any significant or unique barriers to care;
  - I) A list of other providers of care in the project service area, including FQHCs, FQHC Look-Alikes, local health departments and hospitals. This list shall include the name of the facility and its address and phone number;
  - J) A list of all primary health care services to be provided, including mental health, substance abuse, and oral health care services, as well as the mechanism for providing each service (e.g., direct service, referral);
  - K) The project's stage of development and the ability of the applicant to meet the requirements of this Part for program compliance; and
  - L) The readiness to receive funding, including the ability of the facility and providers at the new access point or expanded facility to be operational within 120 calendar days after the warrant for

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payment of the grant award is issued by the Illinois Office of the Comptroller.

- b) In addition to providing notice to the Department, the applicant shall also provide the notification to entities referenced in this subsection. The notification shall be sent to the entities at least 45 calendar days prior to submitting a grant application to the Department.
- 1) The applicant shall send (via certified mail) the notification to the following entities in the project service area for their input. When the notification is received, the contacted entities may submit responses to both the applicant and the Department.
    - A) Local health department administrators;
    - B) Local hospital administrators; and
    - C) Other FQHCs and FQHC Look-Alikes.
  - 2) The applicant shall also send (via certified mail) the notification to the following entities for their input. When the notification is received, the contacted entities may submit responses to both the applicant and the Department.
    - A) Illinois State Medical Society;
    - B) Illinois Primary Health Care Association;
    - C) Illinois State Dental Society;
    - D) Illinois Academy of Family Physicians; and
    - E) Illinois Public Health Association.
  - 3) The application packet submitted to the Department shall include a copy of the completed notification form and documentation that the notification was sent by certified mail, as well as the names and addresses of individuals to whom the notification was sent, the organizations that the individuals represent, and the date of the notification.

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- c) The Department will review the notification to ensure that all required elements in subsections (a) and (b) are included. If all required elements are not included, the Department will contact the applicant and request a revised notification. The revised notification shall be sent to both the Department and the entities listed in subsection (b). Once the Department receives the revised notification and determines that all required elements are included, the 45 calendar day period (see subsection (a)(1)) will commence.
- d) A notification is valid for 90 calendar days after receipt by the Department, provided that it meets the requirements of subsections (a) through (c).
- e) The Department will not review a grant application until the notification requirements of this Section are fulfilled.

(Source: Added at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.222 Legal Notice**

Notification of a 30-day general public comment period shall be given to the community into which a grant applicant proposes to expand by publication in at least one newspaper of general circulation in that community. (Section 30(b) of the Act)

- a) At least 45 calendar days prior to submitting an application, the applicant shall publish a legal notice that provides an opportunity for written comments from the public. The notice shall be published in a newspaper of general circulation in the community where the project is proposed (see definition of newspaper of general circulation in Section 975.100). If the proposed project will be located in a community that does not have a newspaper of general circulation, the notice shall be published in another community in a newspaper of general circulation that covers news and events that occur in the community where the project is proposed.
- b) The applicant shall provide the Department with copies of the legal notice and the newspaper's proof of publication at least 30 calendar days prior to submitting the application.
- c) The legal notice shall contain the following:

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- 1) Identification of the proposed project, including the name of the applicant, the address of the proposed project, a brief description of the project and the project's estimated cost;
  - 2) Information regarding where the public may view a copy of the application and how copies of the application may be obtained;
  - 3) A statement that any person has the right to submit written comments on the proposed project;
  - 4) Instructions that written comments shall be submitted to the:  
  
Illinois Department of Public Health  
Center for Rural Health  
535 West Jefferson Street, Ground Floor  
Springfield, Illinois 62761-0001  
217-782-2547 (fax)  
e-mail: DPH.CRH@illinois.gov
  - 5) The date (which shall be at least 20 calendar days from the date of publication of the notice) by which the Department shall receive written comments;
  - 6) Written comments shall contain the name and address of the person submitting the comments; and
  - 7) Written comments shall be on paper and not exceed 8½" by 11".
- d) If the Department determines that the notice does not fulfill the requirements of subsection (c), the Department will contact the applicant and require that a new notice be published. The revised notice shall meet the information requirements of subsection (c) and the time frame requirements of subsections (a) and (b). The Department will not evaluate an application (see Section 975.200) until a legal notice that meets the requirements of this Section is published.
- e) If the applicant submits a grant application without first submitting the required legal notice and proof of publication, the grant application will be deemed incomplete (see Section 975.223(c)(2)).

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- f) The Department shall not begin the application evaluation process (per Section 975.250) until the public comment time frame is concluded.
- g) *The Department shall consider the contents of written comments only as part of the overall grant review process. (Section 30(c) of the Act)*
- h) Notice to all persons shall be deemed to have been provided by publication of the notice in a newspaper of general circulation.
- i) *At the conclusion of the 30-day comment period, the Department shall no longer accept written comments. (Section 30(b) of the Act)* Comments received after this time frame will be returned to the individual who submitted the comments.
- j) The Department will include written comments addressed and submitted as described in this Section as part of the application, provided that the comments were received within the prescribed time frame and in accordance with the requirements of this Section.
- k) Persons submitting comments are responsible for assuring that the Department receives the comments within the prescribed time frame.

(Source: Added at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.223 Grant Application**

- a) Once the applicant fulfills the requirements of Sections 975.221 and 975.222, a grant application can be submitted. The application shall include the following:
  - 1) The legal name of the applicant;
  - 2) The name and title of the applicant's chief officers and key managers;
  - 3) The applicant's address;
  - 4) A general description of the applicant, including its business and business experience;
  - 5) The applicant's telephone number and fax number;

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- 6) The applicant's FEIN;
- 7) The applicant's Illinois Department of Human Rights number;
- 8) The applicant's DUNS number;
- 9) The project director's name and e-mail address;
- 10) A detailed description of the project for which grant funding is requested. This will include a summary of the applicant's plan of action to address the goals of either:
  - A) Establishing a new CHC site to provide primary health care services to medically underserved populations or areas or to provide primary health care services to the uninsured population of Illinois; or
  - B) Expanding the services of an existing CHC site to provide primary health care services to medically underserved populations or areas or primary health care services to the uninsured population of Illinois. (Section 10(a) of the Act)
- 11) A project narrative that includes the following:
  - A) The proposed service area, including a map depicting the boundaries of the service area and the identification of other FQHCs, FQHC Look-Alikes, local health departments and hospitals within the service area;
  - B) A statement of need for the project, including a brief description of the project and its needs and expected accomplishments. The narrative shall also provide a brief description of the financial and facility resources for the project;
  - C) The project objectives, documenting the measurable objectives that the project will accomplish, including appropriate measuring metrics;

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- D) A plan of operation describing the implementation plan for the objectives and a timetable for their achievement;
- E) A plan describing how the project will be evaluated to ascertain if the objectives have been achieved, including documenting the project's progress in meeting the particular needs of the project's service area; and
- F) A budget listing the total dollar amount needed for the project, including the amount to be provided by the applicant and other funding sources and the amount of funding requested through the grant. The applicant shall identify all revenue sources and amounts and provide budget estimates, including expenditures for the duration of the project. The project's budget shall include the following costs (if applicable):
  - i) Personal services, including salaries and hourly compensation for officers, directors, and key employees;
  - ii) Benefits;
  - iii) Travel;
  - iv) Commodities/supplies;
  - v) Equipment;
  - vi) Facility construction/renovation;
  - vii) Contractual;
  - viii) Printing;
  - ix) Telecommunications;
  - x) Patient/client care; and
  - xi) Administrative costs.

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- b) Flood Plain and Historic Preservation Requirements. For construction or modernization projects, the applicant must document:
- 1) Whether the project is or is not in a flood plain and that the location of the project complies with Executive Order #5 (2006): Construction Activities in Special Flood Hazard Areas and the requirements of the Illinois Department of Natural Resources regarding construction in floodways (Construction in Floodways of Rivers, Lakes and Streams; and
  - 2) That the Illinois Historic Preservation Agency has determined that the project does not affect historic resources. Information on preservation requirements is at: [www.illinoishistory.gov/ps/index.htm](http://www.illinoishistory.gov/ps/index.htm).
- c) When the Department receives a grant application, the following process will occur:
- 1) The Department will determine whether the applicant is eligible to apply in accordance with the requirements of the Act and Section 975.220. If the applicant is ineligible to apply, the Department will contact the applicant in writing with the determination.
  - 2) If the applicant is eligible to apply, the Department will determine whether the application is complete. A review will determine whether all applicable criteria have been addressed and whether all required materials and documentation have been submitted. The Department will also determine whether the applicant has fulfilled the requirements of Sections 975.221 and 975.222.
    - A) If the application is deemed complete, the Department will proceed with the application evaluation process (see Section 975.250).
    - B) If the application is deemed incomplete, the Department will notify the applicant via certified mail. An applicant has 30 calendar days from the date of receipt of the certified letter to address the issues that the Department has identified and submit a revised application. If the applicant does not respond to the Department's determination within the prescribed time frame or if a revised application fails to address the issues identified by the Department, the application will be deemed null and void.



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(Source: Added at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.250 Application Evaluation Process**

- a) Once the Department determines that applications are complete and that the public comment period has concluded, grant proposals will be forwarded to the Department's grant review committee for consideration.
- b) Applicants shall be allowed to amend the application or provide additional supporting documentation during the evaluation process if requested by the Department's grant review committee.
- c) Upon completion of the grant review committee's evaluation, the Department will award grants to the applicants that meet all of the applicable requirements of the Act and this Part.

~~The Department will review applications for completeness and eligibility. Applications meeting all requirements will be forwarded to a review committee. Those applications that are determined to be ineligible or incomplete will be returned to the applicant and will not be eligible for review.~~

- a) ~~The review committee will consist of volunteers who have worked with uninsured populations or MUA or MUP and, when possible, have prior grant review experience and who represent different geographic areas in the State.~~
- b) ~~The review committee will review the grant applications. Applications are assigned a point score based on the following criteria:~~
  - 1) ~~Documented need for the project (0-25 Points)~~
  - 2) ~~Increased access to health care for service area residents (0-20 Points)~~
  - 3) ~~Ability to implement the proposed plan (0-20 Points)~~
  - 4) ~~Description of project expectations to be accomplished (0-20 Points)~~
  - 5) ~~Realistic budget for the development of the project (0-15 Points)~~

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- e) ~~Upon completion of the review committee's evaluation, the Department will assign bonus points to applications based on the following criteria:~~
- 1) ~~Applicants who have never been a grantee of the Community Health Center Expansion Grant program (0-10 points).~~
  - 2) ~~Applicants who are not currently receiving grant funds under the Community Health Center Expansion Grant program (0-5 points).~~

(Source: Amended at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.251 Grant Awards, Terms and Conditions**

To issue a grant award, the Department and grantee will enter into a grant agreement. This agreement will describe the requirements the grantee must fulfill, based on the goals and objectives in the application, and how the grantee will ensure compliance with all applicable stipulations and conditions.

- a) The grant agreement will contain, at a minimum, the following:
- 1) Identifying information of the grantee, including name, mailing address, phone number, fax number, and e-mail address;
  - 2) A description of the grant's purpose;
  - 3) Information on how payments to the grantee will be made;
  - 4) Details on what constitutes permissible expenditure of grant funds;
  - 5) Reporting requirements applicable to the grant, including the filing of quarterly reports, at a minimum (for grants exceeding \$25,000), that describe the project's progress and a detailed report of funds expended;
  - 6) The time period of the grant; and
  - 7) Certification that the grantee will comply with all applicable provisions of the Illinois Grant Funds Recovery Act.

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- b) Grant funds that the grantee does not expend or obligate by the end of the grant agreement shall be returned to the Department within 45 calendar days. (see Section 4(b)(5) of the Illinois Grant Funds Recovery Act). The 45 calendar day time frame begins the day after the grant agreement expires. Returned funds will be deposited into the fund from which the original grant disbursement to the grantee was made.
- c) Grantees are required to keep proper, complete and accurate accounting records of all grant funds received from the Department.
- d) If a grantee dispenses part or all of the grant funds to another person or entity for obligation or expenditure, those dispensed funds shall be viewed and treated as grant funds. (Section 12 of the Illinois Grant Funds Recovery Act) Thus, the person or entity that receives the grant funds from the grantee will be subject to all applicable Sections of this Part.
- e) Each award by grant of State funds of \$250,000 or more for capital construction costs or professional services is conditioned upon the recipient's written certification that the recipient will comply with the business enterprise program practices for minority-owned businesses, female-owned businesses, and businesses owned by persons with disabilities of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act and the equal employment practices of Section 2-105 of the Illinois Human Rights Act. (Section 45 of the State Finance Act)

(Source: Added at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.252 Grant Funds Recovery**

- a) If a grantee fails to comply with this Part or the terms of the grant agreement, the Department, after notice and opportunity for hearing, shall suspend or revoke the grant or recover any grant funds previously disbursed to the grantee.
- b) If the Department believes that a grant should be suspended, revoked, or recovered because of a grantee's failure to comply with this Part or the terms of the grant agreement, the grantee shall have the opportunity for at least one informal hearing before the Department or the Department's designee to determine the facts and issues and to resolve any conflicts as amicably as possible

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before any formal recovery action is taken. (Section 7 of the Illinois Grant Funds Recovery Act)

- c) If, based on the outcome of the informal hearing, the Department believes that a grant should be suspended, revoked or recovered because of a grantee's failure to comply with this Part or the terms of the grant agreement, written notice of the proposed action shall be given to the grantee identifying the action to be taken and specific facts that permit the action. The grantee shall have 35 calendar days after the receipt of the notice to request a formal hearing (see 77 Ill. Adm. Code 100) to show why recovery is not justified or proper.
- d) If a grantee requests a hearing pursuant to subsection (c), the Department shall hold a hearing at which the grantee or the grantee's attorney is permitted to present evidence and witnesses to show why the action should not be taken.
- e) After the conclusion of the hearing, the Department shall issue a written final order setting forth its findings of fact and decision. A copy of the order shall be sent to the grantee.
- f) The Department may suspend payment of grants at any time for failure to comply with Section 975.260 or in any situation that constitutes a threat to the public health, safety, or welfare. Notice of opportunity for hearing will be provided with the notice of suspension. If a grantee requests a hearing pursuant to subsection (c), the Department may not take any action of recovery until at least 35 calendar days after the Department has issued a final recovery order pursuant to subsection (e). If a grantee does not request a hearing, the Department may proceed with recovery of the grant funds identified in the notice at any time after the expiration of the 35 calendar day request period established in subsection (c).
- g) Any notice or mailing required or permitted by this Part shall be deemed received five business days after the notice or mailing is deposited in the U.S. mail, properly addressed with the grantee's current business address and with sufficient U.S. postage affixed.

(Source: Added at 35 Ill. Reg. 14202, effective August 4, 2011)

**Section 975.260 Reporting**

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The reporting requirements of this Section apply to a grantee that has either an initial or sustainability grant. Failure of a grantee to comply with the requirements of this Section shall result in the Department's withholding future grant funds to the grantee (see Section 4.1 of the Illinois Grant Funds Recovery Act).

- a) Quarterly Progress Report. For grants that exceed \$25,000, each grantee shall submit (at a minimum) written progress reports to the Department every three months. The reports are due within 10 calendar days after the quarterly reporting period has expired (see Section 4(b)(2) of the Illinois Grant Funds Recovery Act).
- b)a) Annual Report.  
*Within 60 days after the first and second years of a grant under the Act and this Part, the grant recipient must submit a progress report to the Department. The Department may assist each grant recipient in meeting the goals and objectives stated in the original grant proposal submitted by the recipient, and may assist the grant recipient in ensuring that grant moneys are being used for appropriate purposes, and that residents of the community are being served by the new community health center sites established with grant moneys. (Section 25 of the Act)*
- c) Both the quarterly progress reports and annual reports shall include the following information:
  - 1) Current status of the project;
  - 2) Project components finished and project components yet to be finished;
  - 3) Costs incurred to date and an itemized listing of the total current estimated project costs compared to the approved amounts; and
  - 4) Signature of an authorized official of the grantee stating that this is a true and complete report on the project's status.
- d)b) Final Report.  
Grantees shall submit a final report within 60 calendar days after the conclusion of year three of the initial grant and after year three of the sustainability grant. The degree to which each objective in the grant proposal has been met shall be fully addressed in this report. The final report shall contain the following information:

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- 1) A brief narrative summarizing project accomplishments;
  - 2) Data on the number of unduplicated recipients served and the number of recipients that were new users of the health center;
  - 3) A description of any new activities or modifications made to the project as presented in the original grant application, including the causes for change, implementation timetable and expected outcomes;
  - 4) A description of problems that developed and how they were addressed;
  - 5) A listing of all project costs and sources of funds for the current grant year as well as a cumulative total for the entire grant period;
  - 6) A certification, in the form of a notarized statement signed by an authorized representative of the grantee, attesting that:
    - A) All funds attributed to the grant have been expended;
    - B) The costs reported are the final costs required to complete the project and there are no additional or associated costs; and
    - C) Funds used for the project were approved by the Department;
  - 7) A grantee's failure to comply with the requirements of this Section will be considered a material breach of the performance required by the grant agreement and shall be the basis to initiate proceedings to recover all grant funds disbursed to the grantee.
- e) ~~Grantees receiving sustainability funding shall submit a progress report 60 days after the conclusion of each year of funding.~~
- d) ~~Grantees shall annually provide progress and fiscal reports.~~
- e) ~~Grantees shall be limited to three years of initial funding and three years of sustainability funding.~~

(Source: Amended at 35 Ill. Reg. 14202, effective August 4, 2011)