

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Physical Fitness Facility Medical Emergency Preparedness Code
- 2) Code Citation: 77 Ill. Adm. Code 527
- 3) Section Number: 527.300 Adopted Action: Amended
- 4) Statutory Authority: Physical Fitness Facility Medical Emergency Preparedness Act [210 ILCS 74]
- 5) Effective Date of Amendment:
- 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 agency's principal office and is available for public inspection.
- 9) Notice of Proposed Amendment Published in Illinois Register: October 18, 2013; 37 Ill. Reg. 16304
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The amendment includes public or private secondary schools as an outdoor physical fitness facility pursuant to the Physical Fitness Facility Medical Emergency Preparedness Act [210 ILCS 74/5.25(a)(1.5)]. This statutory language was inadvertently omitted from a previous rulemaking.
- 16) Information and questions regarding these adopted amendments shall be directed to:

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The full text of the adopted amendment begins on the next page:

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TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

PART 527

PHYSICAL FITNESS FACILITY MEDICAL EMERGENCY PREPAREDNESS CODE

Section

527.100	Definitions
527.200	Incorporated and Referenced Materials
527.300	Physical Fitness Facility
527.400	Medical Emergency Plan
527.500	Coordination with Local Emergency Medical Services Systems
527.600	Automated External Defibrillators Required
527.700	Maintenance and Testing of Automated External Defibrillators
527.800	Training
527.900	Complaints and Inspections
527.1000	Violations
527.1100	Hearings

AUTHORITY: Implementing and authorized by the Physical Fitness Facility Medical Emergency Preparedness Act [210 ILCS 74].

SOURCE: Adopted at 29 Ill. Reg. 13855, effective August 23, 2005; amended at 34 Ill. Reg. 11419, effective July 21, 2010; amended at 35 Ill. Reg. 7708, effective April 27, 2011; amended at 37 Ill. Reg. 1247, effective January 18, 2013; amended at 38 Ill. Reg. _____, effective _____.

Section 527.300 Physical Fitness Facility

- a) For the purposes of this Part, the term "physical fitness facility" or "facility" includes any indoor establishment that meets all of the following requirements:
 - 1) *In whole or in part, is owned or operated by a park district, municipality, or other unit of local government, including a home rule unit, or by a public or private elementary or secondary school, college, university, or technical or trade school.*
 - 2) *Is supervised by one or more persons, other than maintenance or security personnel, employed by the unit of local government, school, college, or*

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university for the purpose of directly supervising the physical fitness activities taking place at any of the facilities listed in subsection (a)(3). (Section 5.25 of the Act)

- 3) Includes, but is not limited to, the following indoor facilities: *a swimming pool; stadium; athletic field; football stadium; soccer field; baseball diamond; track and field facility; tennis court; basketball court; volleyball court; aerobics studio; dance studio; boxing gym; martial-arts or self-defense studio; wrestling gym; weight-lifting facility; treadmill or stationary bicycle facility; velodrome; racquetball court; gymnastics facility; or any other indoor establishment focusing primarily on cardiovascular exertion where participants engage in relatively continuous active physical exercise that uses large muscle groups and that substantially increases the heart rate. (Section 5.25 of the Act)*
- b) For the purposes of this Part, "physical fitness facility" or "facility" includes *any of the following outdoor facilities that is:*
 - 1) *Owned by a municipality, township or other unit of local government, including a home rule unit, or by a public or private elementary school or secondary school, college, university, or technical or trade school; and*
 - 2) *Is supervised by one or more persons, other than maintenance or security personnel, employed by the unit of local government, school, college, or university for the purpose of directly supervising the physical fitness activities taking place at any of these facilities: a swimming pool; athletic field; football stadium; soccer field; baseball diamond; track and field facility; tennis court; basketball court; volleyball court; golf course; or any other outdoor establishment focusing primarily on cardiovascular exertion where participants engage in relatively continuous active physical exercise that uses large muscle groups and that substantially increases the heart rate. (Section 5.25 of the Act)*
- c) Except as provided in subsection (d) of this Section, a physical fitness facility also includes *any other indoor or outdoor establishment, whether public or private, that provides services or facilities focusing on cardiovascular exertion or gaming. (Section 5.25 of the Act)*
- d) For the purposes of this Part, the term "physical fitness facility" or "facility" does not include:

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- 1) A facility that serves fewer than 100 individual participants over the course of a calendar year. *For purposes of the Act and this Part, "individuals" includes only those persons actively engaged in physical exercise that uses large muscle groups and that substantially increases the heart rate.* (Section 5.25 of the Act) A facility relying on this subsection (d)(1) shall maintain adequate documentation for every year that the facility relies on this subsection. Such documentation shall be preserved by the facility for not less than three years and be provided to the Department upon request;
- 2) *Any outdoor facility owned or operated by a park district organized under the Park District Code, the Chicago Park District Act, or the Metro-East Park and Recreation District Act;*
- 3) *Any facility owned or operated by a forest preserve district organized under the Downstate Forest Preserve District Act or the Cook County Forest Preserve District Act or a conservation district organized under the Conservation District Act;*
- 4) *A facility located in a hospital or in a hotel or motel;*
- 5) *Any facility that does not employ any persons to provide instruction, training, coaching, refereeing, judging, or assistance for persons using the facility* (Section 5.25 of the Act);
- 6) Yoga studios; driving ranges; bowling lanes; putting greens; batting cages; or other facilities where and when participants do not focus primarily on cardiovascular exertion by engaging in active physical exercise that uses large muscle groups and that substantially increases the heart rate;
- 7) *Any facility during any activity or program organized by a private or not-for-profit organization and organized and supervised by a person or persons other than the employees of the unit of local government, school, college, or university.* (Section 5.25 of the Act)

(Source: Amended at 38 Ill. Reg. _____, effective _____)