

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Heartsaver AED Grant Code
- 2) Code Citation: 77 Ill. Adm. Code 530
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
530.100	Amendment
530.300	Amendment
530.400	Amendment
530.500	Amendment
530.600	Amendment
530.700	Amendment
- 4) Statutory Authority: Section 2310-371.5 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-371.5].
- 5) A Complete Description of the Subjects and Issues Involved: The rulemaking implements P.A. 99-0246 and P.A. 99-0501 which added sheriff's offices, municipal police departments and public libraries to the entities eligible to apply for a matching Heartsaver AED Fund grant. This rulemaking also seeks to update the Part with respect to the current Illinois Department of Public Health grant process to provide that applications should be submitted electronically rather than via a written form.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after publication of the Notice in the *Illinois Register*.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking. None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State Mandate.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the publication of this issue of the *Illinois Register* to:

Elizabeth Paton
Assistant General Counsel
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th floor
Springfield, Illinois 62761

(271) 782-2043
dph.rules@illinois.gov

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: The proposed amendments will have a positive effect on sheriff's offices and municipal police departments as it will offset the cost of an AED.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: January 2016

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

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

PART 530
HEARTSAVER AED GRANT CODE

Section	
530.100	Definitions
530.200	Referenced Materials
530.300	Eligibility for Grants
530.400	Grant Requirements
530.500	Application Requirements
530.600	Review of Applications
530.700	Use of Grant Funds
530.800	Termination
530.900	Denial, Suspension or Revocation
530.1000	Grant Funds Recovery
530.1100	Hearings

AUTHORITY: Implementing and authorized by Section 2310-371.5 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois [20 ILCS 2310/2310-371.5].

SOURCE: Adopted at 30 Ill. Reg. 12288, effective June 28, 2006; amended at 34 Ill. Reg. 3622, effective March 2, 2010; amended at 35 Ill. Reg. 19211, effective November 1, 2011; amended at 41 Ill. Reg. _____, effective _____.

Section 530.100 Definitions

Act – the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois [20 ILCS 2310].

Applicant – an Illinois *school, public park district, forest preserve district, conservation district, sheriff's office, municipal police department, municipal recreation department, public library, college, or university* that is applying for a grant under this Part. (Section 2310-371.5 of the Act)

Automated External Defibrillator or (AED) – a medical device heart monitor and defibrillator that:

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

has received approval of its pre-market notification, filed pursuant to 21 USC 360(k), from the United States Food and Drug Administration;

is capable of recognizing the presence or absence of ventricular fibrillation and rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed;

upon determining that defibrillation should be performed, either automatically charges and delivers an electrical impulse to an individual or charges and delivers an electrical impulse at the command of the operator; and

in the case of a defibrillator that may be operated in either an automatic or manual mode, is set to operate in the automatic mode. (Section 10 of the Automated External Defibrillator Act)

Department – the Illinois Department of Public Health.

Director – the Director of the Illinois Department of Public Health.

Fund – the Heartsaver AED Fund in the State Treasury.

Grant Recipient – an Illinois *school, public park district, forest preserve district, conservation district, sheriff's office, municipal police department, municipal recreation department, public library, college, or university that receives a grant under this Part. (Section 2310-371.5 of the Act)*

(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 530.300 Eligibility for Grants

To be eligible to receive a grant from the Fund, the applicant shall meet all of the following criteria:

- a) Be an Illinois *school, public park district, forest preserve district, conservation district, sheriff's office, municipal police department, municipal recreation department, public library, college, or university (Section 2310-371.5 of the Act);*

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- b) *Demonstrate that they have the funds to pay 50% of the cost of the AEDs for which matching grant moneys are sought as that cost is determined by the State Master Contract or by the Department (Section 2310-371.5 of the Act); and*
- c) Place the AED into public service within eight weeks after receipt of grant funds.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 530.400 Grant Requirements

- a) Grant recipients shall comply with all applicable provisions of the Automated External Defibrillator Act and the Automated External Defibrillator Code.
- b) Grant recipients shall match the grant award received and shall spend the grant award on the purchase of an AED to be used by the grant recipient.
- c) Grant recipients shall complete and return documentation as prescribed by the Department (e.g., Reimbursement Certification Form or Internal Revenue Service W-9 Form).
- d) Grant recipients shall agree to enter into a Grant Agreement prescribed by the Department.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 530.500 Application Requirements

- a) The application form may be obtained by downloading the application from the Department's website: <https://idphgrants.com/user/login.aspx>. Upon request, the Department will provide application instructions to potential applicants. Applications shall be submitted to the Department through the website established for this purpose or at the following address:

~~Heartsaver AED Grants
Illinois Department of Public Health
Division of Emergency Medical Systems & Highway Safety
422 South 5th Street, 3rd Floor
Springfield IL 62701~~

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- b) Completed applications shall be submitted to the Department electronically through the Department's electronic grant administrative and management system. Faxed and e-mailed applications will not be accepted.
- c) Applications ~~shall be submitted on the form prescribed by the Department and~~ shall include, at a minimum, the following:
 - 1) The names, address, chief officers and general description of the applicant, including theThe name, address, e-mail address and phone number of the primary contact and the secondary contact designated by the applicant to be responsible for administering the grant funds;
 - 2) The Federal Employer Identification Number (FEIN) for the applicant; and
 - 3) An agreement by the applicant that, if awarded a grant, the grant will be matched by the grant recipient.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 530.600 Review of Applications

- a) The grant cycle runs from July 1-June 30 of the State's fiscal year~~each year~~.
- b) The Department will review applications for compliance with the requirements of this Part. During the course of its review, the Department may contact the applicant for additional information if the information provided is incomplete, inconsistent or unclear.
- c) Applicants whom the Department determines not to be eligible for grant funds will be notified by e-mail~~in writing of this decision~~.
- d) Distribution of grants is dependent on available funding. Available grant funds will be distributed on a "first come, first served" basis, based on when the Department received the completed application. If the Department receives several completed applications on the same date and time and funds are not available to award each of these applicants, a random selection of applications will be used to determine grant recipients.

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- e) Applicants shall submit a new application each State fiscal year to be considered for funding. Applications are only applicable to the State fiscal year in which the applications are received.

(Source: Amended at 41 Ill. Reg. _____, effective _____)

Section 530.700 Use of Grant Funds

- a) The entire amount of the grant award, plus matching funds from the facility, shall be used to purchase an AED. AEDs shall be used at facilities owned or controlled by the grant recipient or at events authorized by the grant recipient that are held at facilities owned or controlled by the grant recipient.
- b) *Any school, public park district, forest preserve district, conservation district, sheriff's office, municipal police department, municipal recreation department, public library, college or university applying for the grant shall not receive more than one grant from the Heartsaver AED Fund each fiscal year (Section 2310-317.5 of the Act).*

(Source: Amended at 41 Ill. Reg. _____, effective _____)