

Impact of Agency Rules on Small Businesses Review

Pursuant to P.A. 99-370/HB 3887, please scrutinize your agency's rules, administrative regulations, and permitting processes as they pertain to small businesses in order to identify those rules, regulations, and processes that are unreasonable, unduly burdensome, duplicative, or onerous to small businesses. Please provide an analysis that meets one or more of the following: (1) Recommend changes that will lessen the reporting and paper work requirements on small business while still achieving the intent of the underlying statute; (2) Eliminate unnecessary or antiquated permit requirements; (3) Consolidate duplicative or overlapping permit requirements; (4) Simplify overly complex or lengthy application procedures; (5) Expedite time-consuming agency review and approval procedures.

* Small business means a corporation that is independently owned and operated, not dominant in its field, and employs fewer than 50 full-time employees or has gross annual sales of less than \$4,000,000.

** Please categorize on a scale of 1-5 the degree to which you think the rule is burdensome to small businesses: 1- Not particularly burdensome through 5- highly burdensome

<u>Agency</u>	<u>Agency Program</u>	<u>Agency Rule Summary</u>	<u>Statutory / Administrative Reference</u>	<u>Impact on Small Business *</u>	<u>Degree of Impact Ranking**</u>	<u>Recommendation</u>	<u>Legislation / JCAR Change Needed?</u>
DCFS	LICENSED DAY CARE FACILITIES -BACKGROUND CHECKS	Rules 385 - Applies to all licensed child care facilities, including all day care facility licenses	Child Care Community Block Grant (CCDBG)	The CCDBG requires DCFS to wait 45 days for the return of Out-of-State requests for history of abuse/neglect regarding any person who has resided outside the state of Illinois during the past 5 years. Most states do not respond to DCFS requests for history of abuse/neglect that may have occurred in each respective state. This results in: (i) a 45 day delay of background clearances for licensees, household members, volunteers and employees. In turn, this requires an applicant to wait an additional 45 days to be issued a	5	All states should be mandated to immediately respond to requests for a history of abuse/neglect and should be processed without the need for fees, notaries, and applicant signatures.	Yes, statutory change needed
DCFS	LICENSED DAY CARE FACILITIES - Renewal of Licensure and Office of State Fire Marshall Inspections	Day Care Homes -Rules 406.5 g); Day Care Centers-Rules 407.55; and Group Day Care Homes - Rules 408.15 g)	CHILD CARE ACT: Sec. 5.7 (b): For child care facilities licensed under this Act, the Office of the State Fire Marshal (OSFM) shall provide the necessary fire inspection to comply with licensing requirements. 225 ILCS 10/2.09) (from Ch. 23, par. 2212.09	A Day Care License is good for 3 years. Licensees are often unaware of changes that have occurred in OSFM related statute and rules during this period of time. Newly added elements to the inspection take time, money and may include making changes to the physical plant, e.g. construction.	5	At the time of renewal of a child care facility license, the facility shall be given up to 6 months to come into compliance with any new requirements related to an OSFM inspection.	Yes, statutory change needed

