**Changes to Part 1130**

**Effective 7/1/25**

1130.110(b) - Rules in effect on the date an application is filed apply to all aspects of the review process, including fees.

1130.140

New definitions: Business day, Calendar day, Completion or Project Completion, Exemption Holder, Financial Commitment Date, Initiation of a Category of Service, Permit Holder, Post-permit or Post-permit Period, Stay or Stayed, and Vice Chairman.

Revised definitions: Capital Expenditure, Capital Expenditure Minimum, Category of Service, Change of Ownership Among Related Persons, Charity Care, Financial Commitment, Major Medical Equipment, Newspaper of Limited Circulation, Non-clinical Service Area, Out-of-State Facility, Person, and State Board Staff Report, were revised to state they have the meaning ascribed in the Act. Thus, if the Act is amended and the definition changes we do not need to do rulemaking to update the definition.

Per JCAR’s request, “Interdependent Components” was changed to “Interdependence” and the term “Notification of HFSRB Action” was deleted.

“Site” was changed to state it has the meaning in 77 Ill. Adm. Code 1100.220.

1130.150 – Revised to include the: Birth Center Licensing Act, Emergency Medical Services Systems Act, Uniform Commercial Code, Uniform Electronic Transactions Act, and Court of Claims Act.

1130.225 – A new Section was created for technical assistance. This language is identical to the technical assistance language that was in 1130.620(a). The language in 1130.620(a) was deleted.

1130.230 – Previously, fees were listed in 1130.230 and in the various sections (alterations, renewals, etc.). Rules were revised to place the fee language in 1130.230 and provide a cross-reference in the other sections. If fees are updated in the future, we only need to revise the language in 1130.230.

The following fees were updated:

 Exemption Applications

1130.230(h)(1)(A) – exemptions, other than an exemption for a change of ownership, will be assessed a fee of $5,000.

1130.230(h)(1)(B) – exemption for a change of ownership between related persons will be assessed a fee of $5,000.

1130.230(h)(1)(C) – an exemption for a change of ownership will be assessed a fee of the greater of $5,000 or .22% of the fair market value of the transaction.

1130.230(h)(1)(D) – for exemptions in (h)(1)(C), fee shall not exceed $150,000.

 CON Applications

1130.230(h)(2)(A) – initial fee of $5,000 must accompany the application (except projects that are not subject to a fee).

1130.230(h)(2)(B) – after the determination of total project costs, fees are calculated as follows:

1130.230(h)(2)(B)(i) – projects with a cost that is less than $2,250,000, fee is $5,000;

1130.230(h)(2)(B)(ii) – projects with a cost that is at or above $2,250,000, fee is .22% of the total project cost.

1130.230(h)(2)(C) – the application fee shall not exceed $150,000.

1130.230(h)(2)(E) – once an application is deemed complete, notice for any additional fee can be sent to the applicant via dph.hfsrb@illinois.gov An applicant will have 30 days (from the date of notification) to pay the fee. An application may be null and void if the fee has not been paid within this 30-day period.

1130.230(h)(3)(A) – If an application is modified and the modification results in an increase in the total project cost, the application fee will be recalculated based on the revised cost. If the recalculation results in an additional fee, the applicant will be notified via dph.hfrsb@illinois.gov The applicant will have 30 days (from the date of notification) to pay the additional fee. If the fee is not received within the 30-day timeframe, the application may be null and void.

1130.230(h)(3)(B) – If the modification results in another notification of opportunity for public hearing, an additional fee of $4,000 will be assessed.

 Extension of Financial Commitment

1130.230(h)(4)(A) – a request for extension shall be submitted at least 45 days prior to the financial commitment date and assessed a fee of $1,000.

1130.230(h)(4)(B) – a request that is received less than 45 days prior to the financial commitment date shall be assessed an additional fee of $500.

 Permit Renewal

1130.230(h)(5)(A) – a renewal shall be submitted at least 45 days prior to the project completion date and assessed a fee of $1,000.

1130.230(h)(5)(B) – a renewal that is received less than 45 days prior to the project completion date will be assessed an additional fee of $500.

 Permit Alteration

1130.230(h)(6)(A) – Alteration request shall be submitted at least 45 days prior to the project completion date. An alteration that does not increase the total project cost, the fee will be $1,000. An alteration that increases the total project cost, the fee will be the greater of $1,000 or .22% of the increase in the total project cost. This fee, however, shall not exceed $50,000.

1130.230(h)(6)(B) – If an alteration request is received less than 45 days prior to the project completion date, a $500 late fee will be assessed.

1130.550 – Processing an Exemption Application

1130.550(b) – If an application is incomplete, the applicant can be notified via dph.hfsrb@illinois.gov

1130.550(c) – If Chairman is unavailable, the application will be sent to the Vice Chairman.

1130.620 – Processing a CON Application

1130.620(b)(1) – Application can be submitted electronically at dph.hfsrb@illinois.gov

1130.620(b)(2) – If an application is submitted electronically, the electronic signature of the authorized representative fulfills the signature and certification requirement of 1130.140.

1130.620(b)(3)(H) – When determining if an application is complete, staff will ensure that information or data from the annual hospital or ltc questionnaire, cancer registry, and adverse pregnancy outcomes reporting system have been received and are complete.

1130.620(b)(7) – Staff can notify an applicant if an application is completion or incomplete electronically at dph.hfsrb@illinois.gov

1130.730 Extension of the Financial Commitment Period – rules on how an extension is processed have not changed. However, the large paragraphs that described the process were broken down into smaller components. An extension request can be submitted electronically at dph.hfsrb@illinois.gov

1130.740 Permit Renewal – rules on how a renewal is processed have not changed. However, the large paragraphs that described the process were broken down into smaller components. A renewal can be submitted electronically at dph.hfsrb@illinois.gov

1130.750 - Permit Alteration

 1130.750(a)(1) – Any change to a permit may constitute an alteration.

1130.750(a)(2) – A permit holder must report any alteration to HFSRB prior to commencement of the alteration.

1130.750(b)(1) – Alteration that does not require HFSRB approval must be submitted at least 10 business days prior to commencement of the alteration. Administrator will determine (within 10 business days) whether the alteration requires review and approval from HFSRB.

1130.750(b)(2) – Alterations requiring HFSRB approval must be submitted at least 45 days prior to the project completion date.

1130.750(c) – The cumulative effect on alterations cannot exceed:

 1130.750(c)(3) – any increase in the square footage up to 10%.

 1130.750(c)(4) – any decrease in the square footage greater than 10%.

 1130.750(c)(5) – any increase in the project cost not to exceed 10%.

1130.930 – Public Hearings

1130.930(c) – If a person requested a public hearing rescinds the request and no other person requested a public hearing, HFSRB shall conduct the public hearing.

1130.930(d) – If a person requests a public hearing after an application has been submitted, but before it is deemed complete or after a modification that requires an opportunity for a public hearing is received, HFSRB shall not provide a Notice of Review and Opportunity for Public Hearing. Rather, at the time the application is deemed complete, or the modification is received, HFSRB shall schedule a public hearing, and publish a Notice of Public Hearing.