



CHW Certification Public Comment Review Session

Hosted by IPHA CHW Section and *HelpGuideThrive* Operations HUB
Questions: chwsupport@ipha.com

Agenda



Welcome & Introductions



Rule Comment 101- Conny Moody



Key Rule Concepts to Review- Tracey Smith and Greg Scott



High-level Summary- Tracey Smith and Greg Scott



Q & A and Next Steps



Administrative Rulemaking 101

CHW Section Meeting

November 5, 2025

Conny Moody, MBA

Associate Executive Director – Government Relations & Compliance

Illinois Public Health Association

cmoody@ipha.com

217.522.5687



Law (Regulations) v. Rules

- There are two main groups in the government.
 - One group makes the laws (the legislative branch)
 - One group puts laws into action (the executive branch, which includes various government departments and agencies).
- The idea is simple - lawmakers determine what should be done and the executive branch does it, using the money the lawmakers provide.
- Laws are general the “what” and rules are the “how”

LAW =
WHAT

RULES =
HOW

Administrative Rules



- Through the Illinois Administrative Procedure Act (IAPA) [5 ILCS 100] also called the IAPA, the General Assembly delegates to executive branch State agencies authority to implement statutory law (Public Acts) via administrative law (rules/regulations).
- When State agencies wish to adopt or change rules that affect anyone outside the agency itself, they must follow certain rulemaking procedures outlined in the IAPA.
- For example, a statute may establish a grant program and place it under the authority of a State agency. The agency will then propose administrative rules addressing details such as the application process and eligibility criteria.



Joint Commission on Administrative Rules



Joint Committee on Administrative Rules

Senator Bill Cunningham, Co-Chair
Senator Cristina Castro
Senator Donald DeWitte
Senator Dale Fowler
Senator Napoleon Harris, III
Senator Sally Turner

Representative Ryan Spain, Co-Chair
Representative Eva-Dina Delgado
Representative Jackie Haas
Representative Steven Reick
Representative Curtis Tarver, II
Representative Dave Vella

Kim Schultz, Executive Director ■ Kevin Kulavic, Deputy Director
700 Stratton Office Building, Springfield IL 62706
217-785-2254 ■ jcar@ilga.gov

Joint Committee on Administrative Rules



- Bipartisan legislative oversight committee created by the General Assembly in 1977.
- Composed of 12 legislators who are appointed by the legislative leadership. Membership is balanced equally between the two houses and the two political parties.
- Co-chaired by 2 members representing each party and each legislative house.
- JCAR publishes a weekly newsletter called *The Flinn Report* and maintains the State's database for the *Illinois Administrative Code* and *Illinois Register*.

Joint Committee on Administrative Rules



- JCAR exercises oversight of the rulemaking process on behalf of the entire General Assembly to ensure that agency rules meet the requirements of the IAPA and do not exceed the authority that the GA has granted to the agency in statute.
- The IAPA also requires any agency that implements discretion in administering a program to include in its rules the standards by which the agency shall exercise this power.
- If an agency is given, in statute, discretion to determine who shall receive a benefit (e.g., public assistance, a license or permit, a grant, a scholarship, a State contract) or a penalty (e.g., a fine, revocation of a license or permit, denial or termination of assistance), its rules must clearly spell out the standards that the agency will use to make these determinations.



Types of Rules and where to find them

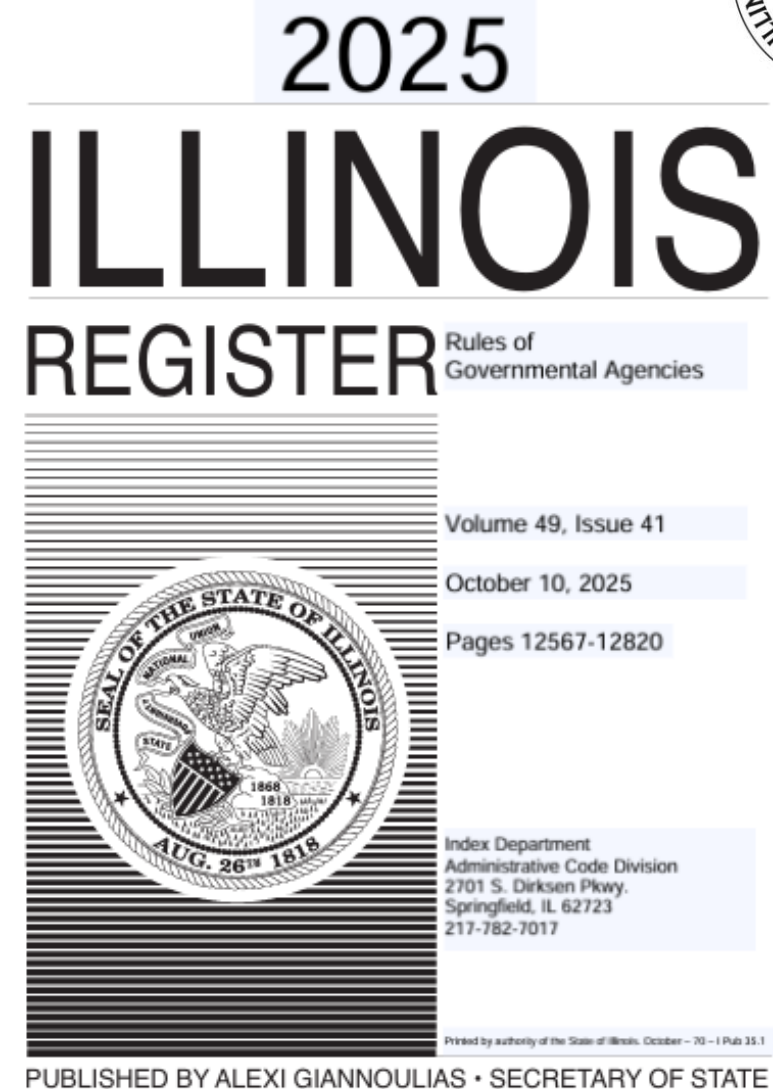


Types of Administrative Rules

- **Proposed Rules** – New rules and rule amendments that must undergo public comment and JCAR review prior to adoption. This process can take from 90 days to a year to complete. Most State agency rules fall into this category.
- **Emergency rules** – Temporary rules that take effect immediately or up to 10 days after filing with the Secretary of State but remain in effect for no more than 150 days.
- **Peremptory Rules** – Rules implementing federal regulations, collective bargaining agreements or court orders; i.e., measures that specify exactly how they must be enforced and do not allow the 1 agency any discretion. Peremptory rules must be filed within 30 days after the action they implement and take effect immediately. They do not require public comment since they are dictated by an outside authority and cannot be changed.
- **Required/Internal Rules** – Rules that establish the organizational structure of an agency, set forth procedures for meetings, or establish procedures for responding to requests for information under the Freedom of Information Act.

Tracking rulemakings

- All rulemakings are published in their entirety in **the Illinois Register**, a weekly publication of the Secretary of State.
- The Register is published on Friday, or if Friday is a State holiday, on the next State business day.
- Generally, rulemakings appear in the Register 10 to 14 days after they are filed with the Secretary of State.



Tracking rulemakings



- Summaries of all rulemakings that appear in each week's Register can be found in **The Flinn Report**, JCAR's online newsletter
- www.ilga.gov (Illinois General Assembly website – Legislative Support Services – JCAR – Flinn Report).

THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY
JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

VOLUME 49

ISSUE 41

October 10, 2025

The Flinn Report is a weekly summary of regulatory actions of State agencies published in the *Illinois Register* and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules (JCAR). The Flinn Report honors founding JCAR member Representative Monroe Flinn, and is designed to inform and involve the public in changes taking place in agency administration.



Rulemaking Process in Illinois

Administrative Rules Process in Illinois



There are **three main parts** to the rulemaking process:

- **First Notice period** for public comment and agency submission
- **Second Notice period** for Joint Committee on Administrative Rules (JCAR) review
- **Filing the final rule** with the Secretary of State to become effective.

The administrative rules process in Illinois is governed by the Illinois Administrative Procedure Act (IAPA)



First Notice Period

- **Agency Action:** The relevant agency develops a proposed rule.
- **Public Comment:** The agency publishes the proposed rule in the [Illinois Register](#), allowing for public comment and input from interested parties.
- **Public Input:** During this period, the public can record their position on the proposed rule, and agencies may consult with interest groups. A public hearing may be called.

* A proposed rulemaking is identified by its Title and Part number, followed by the volume and page number of its First Notice Register publication; for example, 68 Ill. Adm. Code 1245; 39 Ill. Reg. 14775 refers to a Department of Financial and Professional Regulation rulemaking (Title 68, Part 1245) with First Notice appearing in Vol. 39 of the Register on page 14775 (Nov. 13, 2015).



Rulemaking Considerations

- **Regulatory Flexibility** - The IAPA requires agencies to take particular notice of the impact a proposed rulemaking has on small businesses, small municipalities, and non-profit organizations and to attempt to minimize the economic burden the rulemaking may impose on these entities.
- **Public Hearings** - Agencies are required to hold public hearings if requested by JCAR, the Governor, an affected local government, 25 interested individuals, or an association representing at least 100 interested individuals.
 - Requests for public hearings on a proposed rulemaking must be submitted to the agency within 14 days after the proposed rulemaking is published in the Register.
 - An agency may decide on its own to hold hearings on a proposed rulemaking. Notices of public hearings are published in the Register and appear in the Flinn Report.



Second Notice Period

- **JCAR Review:** After the public comment period, the agency submits the compiled public comments, any changes to the rulemaking and copies of all comments to JCAR for its review.
- **Agency & Commission Action:** JCAR evaluates the rule against substantive standards and considers the comments received. The agency provides the text of the rule to the Commission, if any, for review and consideration.

Once Second Notice has begun, no further changes may be made to a proposed rulemaking unless agreed to by both JCAR and the agency.



JCAR Actions on Rules



JCAR Actions on Rulemaking

- **No Objection** - JCAR finds no grounds for action against the rulemaking; it does not necessarily imply approval of the content of the rule. A rulemaking that receives a Certification of No Objection may be adopted by the agency at any time after the agency receives this Certificate, so long as it is within one year after its proposal date in the Register.
- **Recommendation** - JCAR has concerns that the agency should address, such as clarification through further rulemaking, a change in rule text, more timely rules proposal, etc. If an agency receives a Recommendation, it is required by JCAR rule to respond within 90 days, but it is still free to adopt the rulemaking after receipt of the Certificate of No Objection.

JCAR Actions on Rulemaking - Objection



- JCAR determines the proposed rulemaking is not consistent with statute, has an adverse economic impact on small businesses, small municipalities, and non-profit organizations, or fails to meet some other standard established by the IAPA, or that the rulemaking process failed to meet the requirements of the IAPA.
- Agency must respond within 90 days and cannot adopt the rulemaking until JCAR has received the response.
- If the agency fails to respond within 90 days, the rulemaking dies and cannot be adopted.
- Notices of Objection are published in the Register.

JCAR Actions on Rulemaking – Filing Prohibition



- In conjunction with an Objection, prohibits the agency from adopting the rulemaking because JCAR believes the rulemaking constitutes a threat to the public interest, safety or welfare.
- An agency generally must agree to make modifications to the rulemaking before JCAR will withdraw a Filing Prohibition and allow the rule to be adopted.
- A Filing Prohibition may remain in effect up to 180 days; if it is not withdrawn by that time, it becomes permanent and precludes the rulemaking from being adopted.
- Notices of Filing Prohibition are published in the Register.

Filing and Publication



- Once an agency receives a Certificate of No Objection, or duly responds to an Objection within 90 days, it may adopt the rulemaking with any Second Notice changes to which the agency and JCAR have agreed during the review process (if any changes were requested or necessary) and any modifications the agency makes in response to a JCAR Objection.
- Notices of adopted rulemakings appear in the Register. The Notice Page for an adopted rulemaking includes the effective date of the rulemaking, the Register citation where the rulemaking was proposed, and any changes since First Notice.
- The rule becomes effective after it has been filed with the Secretary of State.

Emergency Rules



- **Purpose:** Agencies can adopt emergency rules when a "threat to the public interest, safety or welfare" requires immediate action.
- **Effect:** These temporary rules can take effect very quickly but are only in effect for a maximum of 150 days.
- **Requirement:** If the agency wishes to make the policy permanent, a separate companion proposed rule must be adopted through the regular rulemaking process.

JCAR sets a high standard for emergency rulemaking.



Commenting on Administrative Rules



Step 1: Find the rule and comment period

- **Locate the rule** - Look for proposed rule changes in the Illinois Register. This is where you'll find the official notice and the start of the public comment period.
- **Identify the agency:** - Determine which state agency is proposing the rule (e.g., Illinois Department of Healthcare and Family Services, Illinois State Board of Education).
- **Find the comment deadline** - The First Notice period is at least 45 days from the publication date in the Illinois Register. Some agencies might have specific deadlines or an extension request process.

Step 2: Preparing written comments



- **Get the details.** The *Illinois Register* notice will provide specific instructions for how and where to submit comments for that particular rule. It will also identify the responsible agency contact person and their address.
- **Review the text.** When reviewing the rule, pay close attention to the formatting. Text to be added is underlined, while text to be deleted is stricken.
- **Provide clear, well-reasoned comments.** An effective public comment is a high-quality, substantive submission that provides the agency with new, specific, and actionable information. It is not a vote, and a single, well-reasoned comment can have more influence than many form letters.

Step 2: Preparing written comments (Read text)



"Routine Inspection" means an inspection conducted by the Department to determine compliance with the Act and this Part.

"Sanitize" means adequate treatment of surfaces by a process that is effective in destroying vegetative cells of pathogenic bacteria and in substantially reducing other micro-organisms. This treatment shall not adversely affect the product and shall be safe for the consumer.

"Shared Kitchen" or "Commissary Kitchen" or "Rental Kitchen" means a permitted food processing plant or food storage facility that allows additional operations by owning or leasing space. Food processing plants or food storage facilities operating in shared kitchens shall obtain separate permits from the permit issued to the shared kitchen.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 730.1005 Incorporated and Referenced Materials

- a) The following federal guidelines and regulations are incorporated by reference:
 - 1) 21 CFR 123: Fish and Fishery Products (April 1, ~~2012~~2024);
<https://www.govinfo.gov/content/pkg/CFR-2024-title21-vol2/pdf/CFR-2024-title21-vol2-part123.pdf>, ~~<https://www.gpo.gov/fdsys/pkg/CFR-2012-title21-vol2/pdf/CFR-2012-title21-vol2-part123.pdf>~~



Comments: Be knowledgeable and specific

- **Reference the rule:** Clearly identify the specific section or subsection number you are addressing. Cite the page number from the *Illinois Register* to ensure the agency knows exactly what you are referring to.
- **Show your understanding:** Demonstrate that you have read and comprehended the purpose and content of the proposed rule.
- **Answer agency questions:** Look for specific questions or data requests within the proposed rule. Responding directly to these prompts is an excellent way to provide the agency with the information it needs most.



Comments: Provide high-quality information

- **Offer evidence:** Back up your claims and arguments with data, scientific research, economic impact estimates, or expert opinions. Providing sources makes your comment more credible.
- **Share relevant personal experience:** Describe the specific, real-world impact the proposed rule would have on you, your family, your business, or your community. A personal story can provide a valuable perspective that agency staff may not have considered.
- **Identify errors or unintended consequences:** Point out factual errors, legal or policy considerations, or potential negative consequences that the agency may have overlooked.

Comments: Follow Submission Guidelines



- **Submit on time:** Adhere to the public comment deadlines specified in the *Illinois Register* notice. Comments received after the deadline will not be considered.
- **Include required information:** Provide any information requested in the official notice, such as your name, contact details, or review number.
- **Adhere to submission method:** Follow the agency's instructions for submitting comments (e.g., mail, email) to ensure your comment is properly received and considered.



Comments: Be concrete and specific

- Use a formal business letter approach
- Focus on how the rule would personally affect an individual or group, argue that a specific part of the rule is inconsistent with the underlying statute.
- Offer concrete, alternative suggestions supported by data. For example, ***"This proposed change will harm my business due to its cost, but if the rule were modified to only apply to new equipment instead of existing ones, the economic impact would be manageable"***.

Comments: Be concrete and specific

- Avoid generic submissions



- One well researched, evidence-based comment is better than 100 letters offering the same message of support or opposition.
- If your organization represents multiple organizations, i.e., Illinois Association of Public Health Administrators, consider a combined submission on behalf of members



IDPH Rulemakings on First Notice

IDPH Rulemakings – Proposed (First Notice)



Community Health Worker Certification Program

This new Part will implement the Community Health Worker Certification and Reimbursement Act [410 ILCS 67]. The New Part will include but is not limited to establishing definitions. The New Part will also set out explanations, processes, and requirements regarding the community health worker (CHW) program application, certification and renewal; field experience supervision and standards of practice; training program application and approval; training program curricula and instructor requirements; and training program monitoring.

Publication: 49 Ill Reg. 12385; October 3, 2025

First Notice Expires: End of day on Monday, November 17, 2025



Commenting on the IDPH Rules

Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their written comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. Written comments suggesting amendments to the rulemaking must provide the reason for the suggested amendment. An edited version of the rulemaking is acceptable if submitted with the written comments and supporting reasons. Send written comments to:

Department of Public Health
Attention: Tracey Trigillo, Rules Coordinator
Lincoln Plaza
524 South 2nd Street, 6th Floor
Springfield, IL 62701

(217) 782-1159
dph.rules@illinois.gov



Your unique contribution can help agencies create effective policies that also accomplish important public health goals.

Key Points CHW Certification

Background: Public Act 102-0004 and
CHW Certification & Reimbursement Act

Current status: Once public comment
completed- will move to JCAR

Administered by: CHW Review Board +
Illinois Department of Public Health

Certification: voluntary, but required for
Medicaid reimbursement

What to Review:

Key Rule Themes

Purpose & Scope

Eligibility & Pathways

Training & Core Competencies

Certification Process & Renewal

Workforce & Equity

Training Program Approval

Definitions & Scope of Practice

Purpose & Scope

Questions to ask:

Is certification voluntary or mandatory?

Do the rules address individuals, employers, and/or training programs?

What role will the CHW Review Board play?

Are goals of certification (equity, recognition, reimbursement) clear and achievable?

Public Comment Focus:

Should certification remain voluntary for most CHWs?

Does the rule clearly protect the identity and role of CHWs?

Suggested comment prompt: “I support/oppose the proposed scope because...”

Eligibility & Pathways

Questions to ask:

What are the proposed education or experience requirements?

How will the grandparenting process work for current CHWs?

Are the requirements equitable and realistic for diverse CHWs statewide?

Are their multiple pathways including experience offered?

Public Comment Focus:

Do these requirements support inclusion or create barriers?

Are existing HWs adequately recognized for their experience?

Suggest comment prompt: “The eligibility should/should not include...”

Training & Core Competencies

Questions to ask:

What competencies are listed?

How much training is required including practicum?

Are cultural humility, lived experience, and community trust emphasized?

Are multiple training formats allowed and can they be adapted for accessibility?

Public Comment Focus:

Are the core competencies comprehensive and culturally grounded?

Is the required training length realistic?

Suggested Comment Prompt: “The competencies should include/add...”

Certification Process & Renewal

Questions to ask:

How will CHWs apply, what documentation is needed?

Will there be an application fee?

How often must renewal occur?

Is there a fair appeals process for denials?

Public Comment Focus:

Are the application steps transparent and accessible?

Are the renewal training or continuing education requirements appropriate?

Suggested Comment Prompt: “The renewal cycle should be...”

Workforce & Equity

Questions to ask:

Does the rules ensure inclusivity for CHWs from underserved areas/marginalized communities?

Will requirements (education, cost, training) limit access?

How will diversity and community representation be preserved?

Public Comment Focus:

Are there equity safeguards built into certification?

How will the state ensure no displacement of current CHWs?

Suggested Comment Prompt: “To promote equity, the rule should....”

Training Program Approval

Questions to ask:

How will training programs be evaluated and certified?

What are minimum standards for instructors?

How often will programs need to renew approval?

Public Comment Focus:

Does the rule support accessible and quality CHW training statewide?

Are the rules flexible enough to support community-based training organizations while also supporting community college-based programs?

Suggest Comment Prompt: “Training programs should be required to...”

Definitions & Scope of Practice

Questions to ask:

- How does the rule define “CHW?”
- Are roles and boundaries clearly described?
- Is there consistency with the APHA CHW definition?
- What duties are permitted and what are not?

Public Comment Focus:

- Does the definition and scope reflect real world CHW work in Illinois?
- Should additional functions be explicitly included?

Suggested Comment Prompt: “Definition should include/clarify...”

High-level Summary Review

[Illinois Register Issue 40](#) page 12385



Next Steps and Questions

Read – Reflect- Comment- Submit

Read the rules in detail

Submit your comments by the deadline: Nov 17,
2025

Questions: Contact chwsupport@ipha.com

Thank you so much for joining us today- if you are not a member of the IPHA CHW Section and would like to be please join by going to IPHA's website [IPHA | Special Interests](#)

