

2013 Budgeting for Results Commission Mandate Recommendations

Agency	Mandate Title	Description	Repeal or Modify	Reason	Cost
Aging	Family Caregiver Act (320 ILCS 65/20 and 62/25)	Requires the Department to adopt rules and standards necessary to administer the Family Caregiver Act.	Repeal	The Department currently satisfies this requirement through the federal Respite Program Act, which is funded with money from the federal government under the Older Americans Act. No General Revenue Funds have been appropriated for the establishment of a state-funded respite program.	None.
CCB	Biannual Report (110 ILCS 805/2-10)	Requires the Board to prepare and submit a biannual report to the Illinois General Assembly by March 1st of every odd-numbered year.	Allow Report to be Posted Online	According to the Board, most of the information required to be included in the report is already posted on its website. Allowing the report to be posted online would reduce printing costs; however, staff time would still be required to compile the report.	\$100 annually. (Based on printing costs.)
CMS	Manpower Studies (20 ILCS 415/9(11))	Requires CMS to conduct manpower studies regarding the personnel needs of all offices, including the Lieutenant Governor, Secretary of State, State Treasurer, State Comptroller, State Superintendent of Education, and Attorney General, and of all departments, agencies, boards, and commissions of the Executive Branch.	Repeal	The Department neither has the staff nor the specific expertise to determine appropriate staffing levels for agencies under the Governor and the Constitutional Officers. Agencies and Constitutional Officers are generally autonomous and have their own governing statutes. Agency directors, with consultation by the Governor's Office of Management and Budget, should make staffing determinations independently.	\$500,000 annually.
DCEO	Community Economic Development Project (30 ILCS 750/9-4.5)	Requires the Department to select five communities through a competitive process and provide technical assistance in developing a comprehensive economic development project.	Repeal	According to the Department, funding has never been provided for this mandate. It is duplicative of other Departmental programs, such as the Regional Economic Development Team.	\$155,000 annually. (Based on annual cost of one full-time employee with benefits.)
DCEO	Waste Reduction Materials (20 ILCS 1105/3(d))	Requires the Department prepare materials on waste reduction and recycling for grades three through five and to distribute these materials to schools in Illinois.	Repeal	The Department lacks the staff and funding necessary to create such a program. Additionally, the Department provides this information to the public on its website.	\$26,000 annually. (Based on distributing material to 2,600 public elementary schools.)

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DES	Defense Contract Employment Discrimination Act (775 ILCS 20)	Requires the Department to administer the Defense Contract Employment Discrimination Act (DCEDA), which prohibits race discrimination in the defense industry.	Repeal	Comprehensive state and federal legislation to prohibit various forms of discrimination have rendered the DCEDA obsolete. The Department received an immaterial finding in the FY02-03 Compliance Audit for this mandate. Additionally, it is a potential future audit finding, as the Department is not administering the Act.	None.
DNR	Liquor Control Commission Notice (235 ILCS 5/6-15)	Requires the Department to file consent to the issuance of a license to sell alcoholic liquors in buildings with the Liquor Control Commission in order for alcoholic liquors to be sold at retail in State Parks under the control of the Department.	Repeal	The Department has its own restrictions on who may sell alcohol and when alcohol may be sold in State parks. When any changes are made to these policies, the Department is required to seek the consent of the Liquor Control Commission. The Commission has informed the Department that letters soliciting its consent are no longer needed, as the Commission signs off on leases to sell alcohol and defers to the Department on how it handles the sale of alcohol in State parks.	\$100 annually.
DOI	Assessment Legal Reserve Life Companies (215 ILCS 5/254 et. al.)	Requires the Department to license Assessment Legal Reserve Companies.	Repeal	Pursuant to 215 ILCS 5/281.1, no new Assessment Legal Reserve Life Companies may be organized. Consequently, there are no Assessment Legal Reserve Life Companies in existence in Illinois.	None.
DOI	Illinois Insurance Exchange (215 ILCS 5/107.01 through 107.31)	Requires the State to establish the Illinois Insurance Exchange for the reinsurance and insurance of risks.	Repeal	This outdated Section of the Illinois Insurance Code may generate public confusion, due to the creation of the Federal Health Care Exchange ("Get Covered Illinois"). The Exchange was formed decades ago; it now ceases to exist. No business currently operates under the statute.	None.

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DOI	Mutual Benefit Associations (215 ILCS 5/316 et. al.)	Requires the Department to license Mutual Benefit Associations.	Repeal	Pursuant to 215 ILCS 5/318, no new Mutual Benefit Associations may be organized. There are no Mutual Benefit Associations in existence in Illinois.	None.
DOI	Reinsurance Agreement Certificates (215 ILCS 5/178)	Requires a certificate of fees and commission paid to be filed when a reinsurance agreement is submitted to the Director for approval.	Repeal	This outdated certificate provides no information of any value to determining whether the reinsurance agreement is acceptable or not. It proves inconvenient and time consuming for the parties involved to obtain the necessary original signatures and attestations, thus holding up the approval of the reinsurance agreement and the business of the company.	\$4,295 annually (Based on 60 staff hours and associated personnel costs.)
DOI	Small Employer Group Health Coverage (215 ILCS 5/351B-1)	Requires the Department to regulate small employer group health insurance coverage sold under the Article.	Repeal	With the enactment of HIPPA in 1997 and now the Affordable Care Act, there is no reason to keep this statute, as the Department does not permit carriers to file these types of policies any longer.	\$9,080 annually. (Based on 140 hours of staff time saved.)
DOI	Uniform Employee Health-Status Questionnaire and Committee (215 ILCS 5/359b)	Establishes a committee to create a uniform small employer group-health status questionnaire and individual health statement.	Repeal	Many carriers did not want to use the application as it was found to be very confusing to most consumers, and the application has been rendered obsolete by the Affordable Care Act. If the Act is not repealed, the committee will have to be reconvened, with potentially new members found, in order to approve changes so that the form meets ACA standards.	\$58,368 annually. (Based on 900 hours of staff time saved.)
DPH	Aging Veteran Task Force (20 ILCS 2310/2310-80)	Requires the Director to appoint an Aging Veterans Task Force to study the capability of the State to provide health care to veterans of the armed forces after the year 2000.	Repeal	The work of the Task Force has been completed. A report was due to the Department before January 1, 1999.	None.

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DPH	Asthma Lung Research Grants (20 ILCS 2310/2310-373)	Subject to appropriation, requires the Department to make grants from the Asthma and Lung Research Fund for the Asthma Clinical Research Program administered by the American Lung Association.	Repeal	Funding research is not a primary objective of the state health Department. The current fund balance in the Asthma and Lung Research Fund (713) is \$0.00. The Fund has been inactive since Fiscal Year 2009.	\$1,000,000 annually.
DPH	Atherosclerosis Advisory Committee (410 ILCS 3/10)	Requires the Director to appoint an Atherosclerosis Advisory Committee to establish guidelines and standards for the implementation of the Atherosclerosis Prevention Act (which requires the Department to establish a program for the prevention of atherosclerosis and the reduction of disability and death from the disease).	Repeal	According to the Department, no appropriation was ever made for this mandate. The Committee met without an appropriation until it became inactive in 2008.	\$150,000 annually. (Based on the costs of 1 full-time employee with benefits.)
DPH	Organ Donation Task Force (20 ILCS 2310/2310-396)	Requires the Department to establish an Organ Donation Task Force to study the various laws and rules regarding organ donation to determine whether consolidation or other changes in laws or rules are needed to facilitate organ donation in Illinois.	Repeal	The Organ Transplantation Program was moved to the Secretary of State's Office. Illinois continues to promote organ transplant and donation through the Life Goes On Program, implemented by the Secretary of State.	\$150,000 annually. (Based on the costs of 1 full-time employee with benefits.)
DPH	Post Organ Transplant Drug Payment Program (20 ILCS 2310/2310-260)	Requires the Department to establish and administer a program to pay recipients for drugs and other costs prescribed exclusively for post transplant maintenance and retention when those costs are not otherwise reimbursed.	Repeal	The Fund balance in the Post Transplant Maintenance and Retention Fund (712) is \$0.00. The Fund became inactive in Fiscal Year 2013.	\$300,800 annually. (\$50,800 per patient and \$250,000 annually for 2 full-time employees with benefits.)
DPH	Regional High Blood Pressure Registries (410 ILCS 425/1)	Requires the Department to establish a system of coordinated regional high blood pressure registries throughout the State.	Repeal	According to the Department, no appropriation was ever made for this mandate. With the activities related to electronic health records (EHR) at the state and federal levels, this type of a registry is no longer necessary.	Several millions of dollars annually.

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ISP	Assist Victims and Witnesses of Gang Crime (20 ILCS 2605/2605-420)	Requires the Department to assist victims and witnesses in gang crime prosecutions through the administration of funds appropriated from the Gang Violence Victims and Witnesses Fund to the Department.	Repeal	This mandate was originally a 2-year pilot program, and a new statute for the Program has been enacted. Specifically, the Governor signed House Bill 1139 (P.A. 98-0058), which requires ICJIA, in consultation with the Attorney General, to adopt rules for the implementation of the Gang Crime Witness Protection Program. Consequently, the mandate for the Department to administer the program is outdated, duplicative, and confusing.	None.
ISP	Diesel Powered Vehicle Emission Inspection Report (625 ILCS 5/13-102.1 and 13-109.1)	Requires the Department of Transportation and the Department of State Police to conduct an annual study concerned with the results of emission inspections for diesel powered vehicles registered for a gross weight of more than 16,000 pounds or having a gross vehicle weight rating of more than 16,000 pounds.	Repeal requirement for ISP	The Department lacks the staff and equipment necessary to properly conduct this study. Additionally, the 41 commercial vehicle troopers paid from MCSAP funds (a federal grant) are prohibited from conducting these inspections. For these reasons, the Department has failed to generate an annual report on emission inspections of diesel powered vehicles since the original report on June 29, 2001.	\$245,556 for equipment and staff training.
ISP	Recyclable Metal Forms (815 ILCS 325/6)	Requires the Department to prepare the forms provided for in the Recyclable Metal Registry (electronic record-keeping system) and to make an electronic copy of the form available to the public on its website.	Repeal	Pursuant to 835 ILCS 325/6, the Department must provide forms for use in the Recyclable Metal Registry (electronic record-keeping system). However, under 835 ILCS 325/3, the forms are not required to be used in the Registry. Detailed requirements for the information that must be included the Registry are found under 835 ILCS 325/3.	None.

NOTE: Cost represents the cost of the mandate if it were to be properly implemented by the State agency and does not necessarily represent actual cost savings for the State.