



Illinois Emergency Management Agency

Jonathon E. Monken, Director

IL Criminal Justice Information Authority
Attn: Idetta Phillips
Authority Research Analyst
300 W. Adams St., Suite 200
Chicago, IL 60606

Re: Employment Restrictions Report required by 20 ILCS 5000/15

Dear Ms. Phillips:

This letter is in response to the request for a report on Employment Restrictions at the Illinois Emergency Management Agency. The Illinois Emergency Management Agency follows the employment requirements of Central Management Services and does not have any Agency-specific restrictions for employment. All candidates must meet the position's qualifications and pass a criminal background check due to the fact our Agency personnel deal with matters of Homeland Security and handle radioactive material. There are 3 attorneys who must also possess a current valid Illinois law license and be in good standing with the Illinois Attorney Registration and Disciplinary Commission.

The attached report provides more information regarding the Agency's licensing programs.

If you have any additional questions, please contact Louise Conway, Staff Attorney, at 217-785-9876.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Monken", is written over the typed name and title.

Jonathon E. Monken
Director



I. The following information is required per Section 5000/15(c).

The following descriptions of the Illinois Emergency Management Agency's (Agency) licensing programs provide the information required in Section 5000/15(c). For each license and accreditation (license) that the Agency issues, there are standards for qualifications. The standards may include, but not be limited to, education and training pertinent to each individual license. All licenses are authorized by either the Radiation Protection Act of 1990 [420 ILCS 40] or the Radon Industry Licensing Act [420 ILCS 44]. The Agency may directly impact employment opportunities through restriction of rights to practice and become licensed in the State. The Agency's regulations governing the licensing programs are there to protect the public health and safety from the harmful effects of ionizing radiation.

A) Radon Measurement Professional/Technician and Radon Mitigation Professional/Technician Licenses

Pursuant to Section 5 of the Radon Industry Licensing Act (RILA) [420 ILCS 44/5], the General Assembly determined that public concerns over the dangers from radon and radon progeny may give rise to unscrupulous practices that exploit those concerns but do not mitigate the dangers from radon and radon progeny. It was declared to be the public policy of the State that in order to safeguard the health, property, and public welfare of its citizens, persons engaged in the business of measuring the presence of radon or radon progeny in dwellings and reducing the presence of radon and radon progeny in the indoor atmosphere shall be regulated by IEMA through licensing requirements.

The Agency is charged with determining who is qualified to enter into the private homes of Illinois citizens to perform radon measurements and mitigations. The Agency evaluates all qualifications for licensure as radon measurement or mitigation professionals and technicians including criminal history. Since radon licensees enter the homes of Illinois citizens, the Agency is very conscientious about the review of criminal history for these occupations. Section 45 of RILA authorizes the Agency to refuse to issue or to renew, or may revoke, suspend, or take other disciplinary action as the Agency may deem proper for the following causes:

- (b) Conviction of a crime under the laws of any United States jurisdiction that is a felony or of any crime that directly relates to the practice of detecting or reducing the presence of radon or radon progeny;
- (h) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;
- (j) Discipline by another United States jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section; and

(m) Conviction by a court of competent jurisdiction, either within or outside of this State, of a violation of a law governing the practice of detecting or reducing the presence of radon or radon progeny if the Agency determines after investigation that the person has not been sufficiently rehabilitated to warrant the public trust.

Furthermore, pursuant to 32 Ill. Adm. Code 422.120(a)(3) of the Agency's regulations, the Agency may act to suspend or revoke a person's license for having been convicted in any state of a crime that is a felony under the laws of this State or having been convicted of a felony in a federal court, unless such individual demonstrates to the Agency that he/she has been sufficiently rehabilitated to warrant the public trust.

The Agency is aware of the possibility for rehabilitation of an individual and takes that into consideration when evaluating the criminal history of an applicant. The conviction of a crime is only one consideration in the licensing process. The Agency does not retry a case or speculate on the reasons or causes for the criminal history. Instead the Agency focuses on the nature of the offense and the applicant's progress toward rehabilitation to warrant the public trust. A demonstration by the applicant of no further criminal history since the initial conviction and they are pursuing change and stability in their life gives a strong indication of rehabilitation. Time lapsed does not necessarily mean rehabilitation, it is upon the applicant to demonstrate that they no longer engage in conduct detrimental to themselves and others and that they have the ability to follow the regulations and standards established by the Agency for the licensed activity for which they are trying to pursue. The Agency does not grant licensure to anyone still on parole/probation as rehabilitation to warrant the public trust cannot be established while still under supervision of the courts.

All applicants are required to check on the Agency application whether they have ever been convicted of a felony. See Attachment A. In addition, the Agency is currently using Westlaw's Clear to search each applicant's profile to determine whether an applicant has a conviction that was not revealed on the application.

If an applicant indicates they were convicted of a felony or if a search of Clear shows a conviction, the applicant is asked to provide further information concerning the conviction. If the applicant failed to reveal the conviction on the application, the applicant will be denied licensure for causing a material misstatement or misrepresentation to be made in the application for a license since such misstatement or misrepresentation impaired the Agency's ability to assess and evaluate the applicant's qualifications for a license. Once further information is obtained from the applicant, the information provided by the applicant and any further information independently by the Agency is reviewed by the Agency's legal office to determine whether the applicant has been sufficiently rehabilitated to warrant the public trust.

Upon determination that the applicant does not meet the standard for licensure, the Agency sends a denial letter. See Attachment B. The letter provides information regarding the basis for the denial and provides the opportunity for an administrative hearing. The Agency's administrative hearing

process is governed by 32 Ill. Adm. Code 200. See Attachment C. The applicant must provide a request for hearing within 30 days of the date of the denial letter.

B) Medical Radiation Technologist Accreditation

The Agency is authorized to issue accreditation to those individuals that apply ionizing radiation to human beings for diagnostic, therapeutic or human research purposes in this State or who otherwise engage in the practice of medical radiation technology. This category of occupations includes x-ray, mammography, and nuclear medicine technicians as well as radiation therapists. All these occupations apply radiation to the public. Failure to apply radiation properly could result in overexposure of radiation to a patient.

The Agency must take into consideration who they are accrediting to work with the public and whether these individuals can follow Agency regulations. Pursuant to 32 Ill. Adm. Code 405.120(a)(5) of the Agency's regulations, the Agency may act to suspend or revoke an individual's certification or refuse to issue or renew certification for having been convicted of a crime which is a felony under the laws of this State or conviction of a felony in a federal court, unless the individual demonstrates to the Agency that he/she has been sufficiently rehabilitated to warrant the public trust.

The Agency is aware of the possibility for rehabilitation of an individual and takes that into consideration when evaluating the criminal history of an applicant pursuant to 32 Ill. Adm. Code 405.120(a)(5). The conviction of a crime is only one consideration in the accreditation process. The Agency does not retry a case or speculate on the reasons or causes for the criminal history. Instead the Agency focuses on the nature of the offense and the applicant's progress toward rehabilitation to warrant the public trust. A demonstration by the applicant of no further criminal history since the initial conviction and they are pursuing change and stability in their life gives a strong indication of rehabilitation. Time lapsed does not necessarily mean rehabilitation, it is upon the applicant to demonstrate that they no longer engage in conduct detrimental to themselves and others and that they have the ability to follow the regulations and standards established by the Agency for the licensed activity for which they are trying to pursue. The Agency does not grant accreditation to anyone still on parole/probation as rehabilitation to warrant the public trust cannot be established while still under supervision of the courts.

All applicants are required to check on the Agency application whether they have ever been convicted of a felony. See Attachment D. If an applicant indicates they were convicted of a felony, the applicant is asked to provide further information concerning the conviction. If the applicant failed to reveal the conviction on the application, the applicant will be denied accreditation for causing a material misstatement or misrepresentation to be made in the

application for accreditation since such misstatement or misrepresentation impaired the Agency's ability to assess and evaluate the applicant's qualifications for a license. Once further information is obtained from the applicant, the information provided by the applicant and any further information independently by the Agency is reviewed by the Agency's legal office to determine whether the applicant has been sufficiently rehabilitated to warrant the public trust.

Upon determination that the applicant does not meet the standard for accreditation, the Agency sends a denial letter. See Attachment E. The letter provides information regarding the basis for the denial and provides the opportunity for an administrative hearing. The Agency's administrative hearing process is governed by 32 Ill. Adm. Code 200. See Attachment C. The applicant must provide a request for hearing within 30 days of the date of the denial letter.

C) Industrial Radiographer Certification

Industrial radiography is the use of ionizing radiation to view objects in a way that cannot be seen otherwise. It is a method of inspecting materials for hidden flaws by using the ability of X-rays and gamma rays to penetrate various materials. The Agency issues certifications to individuals (i.e., radiographers) for the use of x-ray machines or radioactive materials for industrial radiography. This occupation is the most dangerous of all occupations the Agency is charged with licensing. Failure to follow Agency regulations for use of the devices in industrial radiography may cause extreme radiation exposure to not only the radiographer but to the public.

It is imperative in this occupation that the Agency is aware of who possesses and uses radioactive material. With increased security concerns regarding radioactive material, the Agency must ensure that individuals authorized to possess radioactive material are trustworthy. Pursuant to 32 Ill. Adm. Code 405.140(a)(7) of the Agency's regulations, the Agency may act to suspend or revoke an individual's certification or refuse to issue or renew certification for having been convicted of a crime which is a felony under the laws of this State or conviction of a felony in a federal court, unless the individual demonstrates to the Agency that he/she has been sufficiently rehabilitated to warrant the public trust.

In addition, the employer (who is actually a radioactive material licensee of the Agency) must determine whether their employees are trustworthy and reliable in order to allow the individual to perform industrial radiography. This process involves a background check and fingerprinting. See Section D of this document for further information on this process. The Agency is not involved in this process except during an inspection of the employer to ensure that the determination was made prior to giving the individual access to radioactive material. If the employer failed to make the determination, the employer may be issued a Notice of Violation and civil penalty.

The Agency is aware of the possibility for rehabilitation of an individual and takes that into consideration when evaluating the criminal history of an applicant pursuant to 32 Ill. Adm. Code 405.140(a)(7). The conviction of a crime is only one consideration in the certification process. The Agency does not retry a case or speculate on the reasons or causes for the criminal history. Instead the Agency focuses on the nature of the offense and the applicant's progress toward rehabilitation to warrant the public trust. A demonstration by the applicant of no further criminal history since the initial conviction and they are pursuing change and stability in their life gives a strong indication of rehabilitation. Time lapsed does not necessarily mean rehabilitation, it is upon the applicant to demonstrate that they no longer engage in conduct detrimental to themselves and others and that they have the ability to follow the regulations and standards established by the Agency for the licensed activity for which they are trying to pursue. The Agency does not grant certification to anyone still on parole/probation as rehabilitation to warrant the public trust cannot be established while still under supervision of the courts.

All applicants are required to check on the Agency application whether they have ever been convicted of a felony. See Attachment F. In addition, the Agency is currently using Westlaw's Clear to search each applicant's profile to determine whether an applicant has a conviction that was not revealed on the application.

If an applicant indicates they were convicted of a felony or if a search of Clear shows a conviction, the applicant is asked to provide further information concerning the conviction. If the applicant failed to reveal the conviction on the application, the applicant will be denied certification for causing a material misstatement or misrepresentation to be made in the application for certification since such misstatement or misrepresentation impaired the Agency's ability to assess and evaluate the applicant's qualifications for a license. Once further information is obtained from the applicant, the information provided by the applicant and any further information independently by the Agency is reviewed by the Agency's legal office to determine whether the applicant has been sufficiently rehabilitated to warrant the public trust.

Upon determination that the applicant does not meet the standard for certification, the Agency sends a denial letter. See Attachment G. The letter provides information regarding the basis for the denial and provides the opportunity for an administrative hearing. The Agency's administrative hearing process is governed by 32 Ill. Adm. Code 200. See Attachment C. The applicant must provide a request for hearing within 30 days of the date of the denial letter.

D) Radioactive material licensees

The Agency is authorized to license those persons that possess radioactive material. No person shall receive, possess, use, manufacture, distribute, transfer, own or acquire radioactive material or devices or equipment utilizing or producing such materials except as authorized in a specific or general license issued by the Agency pursuant to 32 Ill. Adm. Code 330. The license

can be issued to either a facility or an individual depending on the circumstances. For each radioactive material license issued by the Agency, the Agency must ensure that the facility/individual is trustworthy to possess radioactive material.

The Agency uses a system of background checks which can be considered security checks to ensure the applicant for a radioactive material license is trustworthy to possess the material. The Agency does not want an individual to obtain a license to possess radioactive material that may use that material for unsavory purposes. The Agency requires all applicants to provide security related information during the application process. See Attachment H. If the Agency is not familiar with an applicant, the Agency will conduct a Due Diligence investigation. See Attachment I. This investigation may include a background check and criminal activity may be reviewed to determine whether public health and safety may be affected. This is done on a case by case basis and issuance of a license will only be given to those facilities/individuals that do not pose a risk to security or pose a risk for theft per 32 Ill. Adm. Code 330.300.

In addition, pursuant to a U.S. Nuclear Regulatory Commission order and license conditions placed on Agency licensees per 32 Ill. Adm. Code 330, the licensee must conduct background checks on employees (e.g., industrial radiographers). The licensee employers must determine that the employee is "trustworthy and reliable" to handle radioactive material which includes a criminal history check and fingerprinting. See Attachment J. As the regulatory agency, it is the Agency's responsibility to ensure during inspections of the licensee that these checks are being performed. If the employer fails to make the determination, the employer may be issued a Notice of Violation and civil penalty.

II. The following information is required per Section 5000/15(d).

- 1) The total number of people currently employed in the occupation whose licensure required criminal history disclosure, background checks, or restrictions:

Medical Radiation Technologist 14, 117

Industrial Radiographer 1,300

Radon 382

- 2) The number and percentage who underwent criminal history background check: 0% -- until recently (not within the time frame of this requirement) the Agency did not do specific background checks but relied on the disclosure of the individual
- 3) The number and percentage of individuals who were merely required to disclose their criminal history without a criminal history background check: 100% (see numbers in #1 above)

- 4) The number and percentage of individuals who were found disqualified based on based on criminal history disclosure by the applicant:

Estimated 2-3 for industrial radiographers, 0 for medical radiation technologists, and 1 for radon

- 5) The number and percentage of individual who were found disqualified based on a criminal history background check: 0 (see #2 above for explanation)

- 6) The number of individuals who sought an exemption or waiver from the disqualification: N/A

- 7) The number and percentage of individuals who sought an exemption or waiver who were subsequently granted at first level of review: N/A

- 8) The number and percentage of individuals who sought an exemption or waiver who were subsequently granted at higher level of review: N/A

- 9) The number and percentage of individuals who were denied an exemption or waiver at the final level of review: N/A

- 10) The number and percentage of individuals who were denied an exemption or waiver at the final level of agency review and sought administrative appeal: N/A

- 11) The number and percentage of individuals who were found disqualified where no waiver or exemption process is available: estimated 3-4

- 12) The number and percentage of individuals who were found disqualified where no waiver or exemption process is available and who sought administrative review and found qualified: estimated 1

- 13) Provide the total number of employees in occupations subject to criminal history restrictions:
See #1 above

Illinois Emergency Management Agency
Division of Nuclear Safety
Official Use Only – Sensitive - Security Related Information

Checklist to Provide a Basis for Confidence That Radioactive Materials Will Be Used As
Specified on the License

Applicant Information:

Name:	Type and Date of Request: New, Renewal, Amendment, Termination or Other
Location:	License Number:

Complete all items that apply:

- ☐ Adding a new IC source or a new site w/ICs to existing license that already requires ICs– Notify IEMA Supervisor of Inspection and Enforcement (I & E) to update the National Source Tracking System (NSTS).
- ☐ New license or existing licenses that now require ICs due to this amendment to add an IC site or IC source to a renewal – send IC packet dated March 27, 2008 “Fingerprinting and Criminal History Checks for Unescorted Access to Certain Radioactive Material in Quantities of Concern” to licensee/applicant.
- ☐ SGI/IC already applies. No changes due to this amendment or renewal.
- ☐ SGI/IC already applies. License terminated, site deleted, and/or sources removed or change in RSO: notify Supervisor of I & E to update NSTS.

STEP 1, ITEM A – INITIAL SCREENING:

Instructions for Step 1. Complete Step 1.A. for all applications. If Step 1, Items A and B are “YES” then do not proceed any further (i.e., do not complete Step 2) unless you are changing the ownership or adding a new RSO, user, etc. then complete Steps 2 Items B, C, D, E, P, Q and Summary sections. Sign and date the completed form and file as Sensitive and Non-Publicly Available. If a “NO” response is indicated for Item A or Item B complete Step 2 (Additional Screening) and sign and date the completed form and file as Sensitive and Non-Publicly Available. If the type of use is subject to a Security Order for SGI or if the additional requirements for increased controls will be applied or voided complete Step 3, Item A and/or Item B, without delay.	YES or NO
A. The applicant is a known entity or a licensee transferring control to a known entity. This determination has been made using the screening criteria in Worksheet A. below.	

Illinois Emergency Management Agency

Division of Nuclear Safety

Official Use Only – Sensitive - Security Related Information

WORKSHEET A

STEP 1, ITEM A

<p>Instructions for Worksheet A:, Step 1, Item A: Answer each of the questions below by placing a “yes” or “no” response in the column on the right. Best practices for a reviewer are provided after each of the questions. If the answer to any of the questions is “yes” then indicate “yes” in Step 1, Item A. above.</p> <p>NOTE – If the reviewer has personal knowledge of the applicant’s veracity, this can be taken into account in responding to any of the questions. (e.g., if the applicant’s management and/or RSO have been associated with a current or previous NRC or Agreement State (AS) license, then the applicant may be considered as a known entity.</p>	<p>YES Or NO</p>
<p>1. Does the applicant have a current Agreement State (AS) or NRC license? The reviewer should 1) confirm that a valid license/registration/authorization exists for the applicant; 2) compare the current license to the application to verify that the application represents a reasonable expansion of the licensee’s operation (e.g., medical facility adding a gamma knife or an AS licensee obtaining an NRC license in order to work in NRC jurisdiction without filing reciprocity); and 3) contact the licensee’s corporate office to confirm that it has knowledge of and approves of the new application.</p> <p>Describe:</p>	
<p>2. Does the applicant have a current State or Federal Govt. license/registration/authorization/etc. for other operations within the scope of its proposed licensed activities? (e.g., a company authorized by a State for mining that is now requesting authorization to use fixed gauges) The reviewer should contact the appropriate government office to verify that the license/registration/authorization, etc. is valid, and to determine how long it has been in place and whether the established location of use is the same as that now being proposed for the license. The reviewer should take into account how long the license/registration has been in place. The reviewer should also contact the applicant’s corporate office to verify that it has knowledge of and approves of the new application to possess radioactive materials.</p> <p>Describe:</p>	
<p>3. Is the applicant a local, State or Federal Govt. Agency? The reviewer should contact the local, State or Federal Govt. to confirm that the applicant is a govt. entity.</p> <p>Describe:</p>	
<p>4. Does the application only involve the relocation of an existing licensee, or its mailing address, to another state? This includes new licenses created from existing licenses listing locations in multiple States, in preparation for transfer of licenses to States that will shortly sign an Agreement with the NRC.</p>	
<p>5. Is the application only the result of a licensee failing to submit a renewal application in a timely manner?</p> <p>Describe:</p>	

Illinois Emergency Management Agency

Division of Nuclear Safety

Official Use Only – Sensitive - Security Related Information

STEP 1, ITEM B – IDENTIFICATION OF RISK SIGNIFICANT RADIOACTIVE MATERIAL (RSRM):

Instructions for Step 1, Item B: Complete Step 1 for all applications. Answer each of the questions below by placing a "yes" or "no" response in the column on the right. If Step 1, Items A and B are "YES" then proceed to signature block and close out security review. Do not proceed any further (i.e., do not complete Step 2 unless you are changing the ownership or adding a new RSO, user, etc. then complete Steps 2 B, C, D, E, P, Q and Summary sections). Sign and date the completed form and file it as Sensitive and Non-Publicly Available. If a "NO" response is indicated for Item A or Item B complete Step 2 (Additional Screening) and add the completed form to the file as Sensitive and Non-Publicly Available. If the type of use is subject to a Security Order for SGI or if the additional requirements for increased controls will be applied or voided, complete Step 3, Item A and/or Item B, without delay.	YES or NO
1. The applicant is requesting certain radionuclides and quantities that are less than the Risk Significant Quantity (TBq) values in Worksheet B below or is currently subject to a security order or additional requirements for increased controls.	
2. If IC quantities apply, are the quantities of radioactive material collocated? If not, IC are not applicable, so mark this item "yes."	
3. Is the licensee currently subject to IC/SGI requirements and requesting to terminate the license, delete an IC site or reduce possession limits to less than quantities of the RSRM table below? If yes, notify the Supervisor of I & E to update NSTS.	

Worksheet B – Risk Significant Radioactive Material (RSRM)

(Category 2 Quantities, IAEA Safety Guide No. RS-G-1.9, Categorization of Radioactive Sources, August 2005)

Radionuclide	Risk Significant Quantity (TBq ¹)	Risk Significant Quantity (Ci ¹)	Radionuclide	Risk Significant Quantity (TBq ¹)	Risk Significant Quantity (Ci ¹)
Am-241	0.6	16	Pm-147	400	11,000
Am-241/Be	0.6	16	Pu-238	0.6	16
Cf-252	0.2	5.4	Pu-239/Be	0.6	16
Cm-244	0.5	14	Ra-226	0.4	11
Co-60	0.3	8.1	Se-75	2	54
Cs-137	1	27	Sr-90 (Y-90)	10	270
Gd-153	10	270	Tm-170	200	5,400
Ir-192	0.8	22	Yb-169	3	81

¹The primary values are TBq. The curie (Ci) values are for informational purposes only.

Calculations of the total activity or the Unity Rule (See Attachment 2) were completed. NOTE – If an amendment of an existing license is being requested, the calculations must include the previously authorized quantities for the radionuclides in addition to the newly requested limits.	
Total Activity – multiple activities are requested for a single radionuclide and the sum of the activities is less than the Risk Significant Quantity (TBq) for the RSRM radionuclide.	
Unity Rule – multiple radionuclides are requested and the sum of the ratios is less than "one," e.g., [(total activity for radionuclide A) ÷ (risk significant quantity for radionuclide A)] + [(total activity for radionuclide B) ÷ (risk significant quantity for radionuclide B) + etc. ÷ etc.] < 1.0.	

Signature and Date for Step 1:

1. Step 1A and 1B are "yes" – check here and sign. If you are changing the ownership or adding a new RSO, user, etc. then complete Steps 2 B, C, D, E, P, Q and Summary sections. (If either Step 1A or 1B is "no" – proceed to Step 2.

Reviewer Signature

Date

Revised March 13, 2009

Illinois Emergency Management Agency

Division of Nuclear Safety

Official Use Only – Sensitive - Security Related Information

STEP 2 – ADDITIONAL SCREENING AND PRE-LICENSING VISIT:

Applicant/Licensee: _____ License No.: _____

Instructions for Step 2: Complete Step 2 for any application that yielded a "NO" response in Step 1, Item A (an unknown entity) or Item B (less than RSRM or already IC) or if you are changing the ownership or adding a new RSO, user, etc. then complete Steps 2 B, C, D, E, P, Q and Summary sections. See Attachment 2 for each criterion below. Use safety information in the application as well as sources of information that are outside of the application. Document the review of each applicable item below. Do not leave the last column blank for any item. If a particular item is "not applicable" for the review of a particular application, indicate "NA" in the last column. If an item was not completed because the reviewer has a basis for confidence that other items indicated that the applicant will use radioactive materials as specified in a license, provide a brief justification under "Reviewer Notes" for not completing the item and indicate "NA" in the last column. Otherwise, write "YES" or "NO" in the last column as a preliminary indicator as to whether an additional evaluation may be needed to provide a basis for confidence that the requested materials will be used as specified in a license. Summarize the review at the bottom of the table and sign, date and place the completed form and file as Sensitive and Non-Publicly Available.

Refer to Attachment 2, for each criterion, below	Reviewer Notes	Additional Evaluation necessary – Indicate YES, NO or NA
A. Request for Materials		
B. Former Licensee or Authorized User		
C. Ownership/Senior Management		
D. Radiation Safety Officer/RSC Chair		
E. Authorized User (prof. lic. PE, MD, MP, ABR, etc.)		
F. Fee Payment		
G. Financial Assurance		
H. Deficiency Correspondence – warning of prelic. visit and bkg checks		
I. Contacts to the Applicant		
J. Public Web Sites – SOS, BPR, Google, Mapquest, Choicepoint, etc.		
K. Additional Check of Applicant Information.		
L. Pre-Licensing Site Visit – REQUIRED FOR ALL STEP 2 EVALUATIONS (except if only adding new RSO, user, etc.) (refer to Attachment 3 & 4) or if reviewer is confident due to indiv. known, site visit may not be required. DO NOT PERFORM SITE VISIT IF SUSPICIOUS ABOUT SUBMITTAL (e.g., FEEL YOUR SAFETY IS AT RISK, ETC. SEE ATTACHMENT 5. GO DIRECTLY TO STEP 3).		

Revised March 13, 2009

Illinois Emergency Management Agency

Division of Nuclear Safety Official Use Only – Sensitive - Security Related Information

M. Local Law Enforcement		
N. Security – if not satisfied w/sec. complete Step 3 w/o delay.		
O. Add Condition to new licenses (per procedures) for Manufacturer's to verify license with IEMA prior to shipment of RAM		
P. Background Check for Applicant/Entity Unknown to Agency (owner, CEO, RSO, user) Authorized users with access to IC RAM should be checked if certifying official/Agency unknown.		
Q. Check NRC Enforcement Site: http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/individuals/c.html/		
Summary	Within the context of the entire set of screening criteria, the reviewer was not provided a basis for confidence that the requested radioactive materials will be used as intended and an additional evaluation of a potential security risk is needed. [NOTE – If "NO" is indicated in Item N, then complete Step 3, Item C, without delay.]	
Supporting rationale for an additional evaluation.		

Signatures and Dates for Step 2:

Reviewer	Date
Supervisor	Date

ILLINOIS EMERGENCY MANAGEMENT AGENCY
DIVISION OF NUCLEAR SAFETY
1035 OUTER PARK DRIVE
SPRINGFIELD, ILLINOIS 62704

ATTACHMENT I

RELEASE AND AUTHORIZATION
FULL DUE DILIGENCE INVESTIGATION

Disclosure: A consumer Report may be procured for licensing purposes.

In accordance with the Fair Credit Reporting Act, a consumer report or investigative consumer report including information about you or your company's credit, general reputation or business operations may be obtained. I understand if my application for license is granted, further information may be obtained through subsequent investigations so as to update, renew or extend my license status. Please be aware that a release and background questionnaire must be submitted for each owner/manager, authorized user and Radiation Safety Officer having control of radioactive materials.

RELEASE AND AUTHORIZATION

I voluntarily and knowingly authorize for the purpose of possessing a radioactive materials license only, any present or past employer or supervisor, university or institution of learning, vendor, administrator, law enforcement agency, state agency, Federal agency, credit bureau, private business, military branch or the National Personnel Records Center, personal reference, and/or other persons to give records or information they may have concerning my and/or my company's criminal history, civil litigation history, motor vehicle history and employment records, credit history, worker's compensation claims, general reputation, character, or any other information requested by Illinois Emergency Management Agency and/or its agents or representatives or agent screening services. I voluntarily and knowingly unconditionally release any named or unnamed informant from any and all liability resulting from the furnishing of this information. A photographic or faxed copy of the authorization shall be as valid as the original. In compliance with the 1990 Americans with Disabilities Act, a worker compensation search may only be requested when a conditional job offer exists.

Please note: At the date of this Disclosure and Release, background investigation is conducted by Illinois Emergency Management Agency and/or by other designated agency representing Illinois Emergency Management Agency and engaged by Illinois Emergency Management Agency acting on behalf of Illinois Emergency Management Agency.

Applicant Signature _____
Date

Applicant Full Name (Printed) _____
Date

Street and Physical Address

City, State and Zip Code

Company/Entity Name:

☐ Principal ☐ Owner ☐ Officer ☐ Other: _____

Social Security Number

Date of Birth

Driver's License Number

State of Issue

**Illinois Emergency Management Agency
Division of Nuclear Safety
Background Questionnaire**

PERSONAL HISTORY

Name _____
Last First Middle (Full) Maiden (if any)

Aliases _____
(any names previously used, including all marital names)

Permanent Address _____
Number and Street City/State/Zip Home Phone No.

Date of Birth _____ Place of Birth _____
City, State, County/Parish

Height _____ Weight _____ Sex _____ Color Hair _____ Color Eyes _____

*Driver's License No. _____ State of Issue _____ Expires _____

* Copy of current driver's license required

Social Security No. _____ U.S. Citizen? Yes () No ()

If naturalized, give certificate number, native country, and date, place and court of naturalization:

If alien, give registration number, country of passport issue, and date and port of entry into U.S.:

EDUCATION (List high school, college, technical, trade or specific job related schools, in ascending order, below)

Name of School (Full name – do not abbreviate)	Address/City/State	Dates Attended (from-to) (mm/yy)	Did you graduate? (Yes/No)	Type of Degree*

* (e.g. Associate Degree, B.S./B.A., M.S./M.A., Ph.D.)

REFERENCES: (List FOUR persons who are NOT RELATED to you, are currently NOT living in your household, and are available for immediate contact. If more than one person at the same address and phone number can be used as a reference, list both names in the same box adjacent to the phone number and address. (Please list 2 personal and 2 professional references.)

Name	Personal/ Professional	Phone Number	Address, City, State	Years Known

PROFESSIONAL AFFILIATIONS and/or Memberships (please indicate state and license numbers for professional licenses)

CREDIT HISTORY (list ONE creditor. If you don't have credit, list a bank in which you have an account.)

Name of Creditor	City/State

RESIDENCES FOR THE PAST SEVEN YEARS: (List most recent residences first)

Date From	Date To	Address/City/State/Zip	Apt. #

EMPLOYMENT/UNEMPLOYMENT (List ALL periods of employment/unemployment for the past FIVE years. List current employment first. List reference [non-relative] for self-employment or a former employer that you know is no longer in business. List a reference for unemployment periods of 30 days or more.) DO NOT LIST A UNION LOCAL AS YOUR EMPLOYER UNLESS YOU ARE A BUSINESS AGENT (B.A.)

Employer's Name:	Address/City/State/Zip	Telephone Number ()
Dates employed/unemployed (mm/dd/yy)	Supervisor/Reference	Your Position Title
From: To:		
Job Site: Location/City/State		
Reason for leaving: [check one of the following] Quit () Fired () Laid Off ()		
If unemployed, state reason: [Include name/phone # of person who can verify]		

Employer's Name:	Address/City/State/Zip	Telephone Number ()
Dates employed/unemployed (mm/dd/yy) From: To:	Supervisor/Reference	Your Position Title
Job Site: Location/City/State		
Reason for leaving: [check one of the following] Quit () Fired () Laid Off ()		
If unemployed, state reason: [Include name/phone # of person who can verify]		

Employer's Name:	Address/City/State/Zip	Telephone Number ()
Dates employed/unemployed (mm/dd/yy) From: To:	Supervisor/Reference	Your Position Title
Job Site: Location/City/State		
Reason for leaving: [check one of the following] Quit () Fired () Laid Off ()		
If unemployed, state reason: [Include name/phone # of person who can verify]		

I certify that all information provided on this questionnaire is correct. I understand that any misstatement, misrepresentation, or omission may cause for denial of licensure by the Illinois Emergency Management Agency – Division of Nuclear Safety.

_____ Signature	_____ Date
--------------------	---------------

March 26, 2013

[REDACTED]
[REDACTED]
[REDACTED]

Subject: Denial of Radon Mitigation Technician License
Application Number RNMT [REDACTED]

Dear [REDACTED],

On February 26, 2008, the Illinois Emergency Management Agency (IEMA) received your application for a Radon Mitigation Technician License in Illinois. On March 13, 2008, IEMA requested information regarding your felony convictions. On May 8, 2008, you provided information regarding DeKalb County case no. [REDACTED]. The Agency obtained further information from DeKalb County regarding case no. [REDACTED], in which you were convicted of armed robbery.

The purpose of this letter is to notify you that IEMA is denying your application for a Radon Mitigation Technician License pursuant to Sections 45(b) and (c) of the Radon Industry Licensing Act [420 ILCS 44/45]. Pursuant to Section 45, IEMA may refuse to issue any license for any one or combination of the following causes:

- (b) Conviction of a crime under the laws of any United States jurisdiction that is a felony...; and
- (c) Making a misrepresentation for the purpose of obtaining a license.

Not only were you convicted of a felony, but you did not provide information for all of your felony convictions when requested by IEMA. By providing information for one felony conviction but not the other, you made a misrepresentation to IEMA that you had only one felony conviction.


DATE

Page 2 of 2

Since you do not have a valid mitigation license from IEMA, you can not provide radon mitigation services in Illinois. Performing such procedures without a valid license from IEMA will subject you to civil penalties. Any and all license fees paid to IEMA are non-refundable.

You may appeal the above action. In order to exercise your right to appeal, you must submit a request for a hearing within thirty (30) days of the date of this letter pursuant to 32 Illinois Administrative Code 200.70(a). Procedures for requesting a hearing are contained in the Agency's rules entitled "Administrative Hearings" [32 Illinois Administrative Code 200]. For a copy of these rules, please contact Louise Michels, Staff Attorney, at (217) 524-0770.

Contact the Radon Program at (217) 782-1325 if you have any questions regarding this correspondence.

Cordially,

Patrick I. Daniels
Radon Program

cc: Application file
Legal Office

ATTACHMENT A


ILLINOIS EMERGENCY MANAGEMENT AGENCY
DIVISION OF NUCLEAR SAFETY

 RDNREG
 0430

FEE RECEIVED _____
Check # _____

Application for Radon Professional License

This state agency is requesting disclosure of information that is necessary to establish compliance with 32 Illinois Administrative Code 422. Disclosure of this information is REQUIRED. Failure to provide any information may result in denial of a radon professional license.

License Application Type: ☐ Measurement Professional
☐ Mitigation Professional

Applicant Name: _____
 Business Name: _____
 Business Address: _____
 City, State, Zip: _____
 Social Security #: _____

Home Address Information:

Addr: _____
 City: _____
 State, Zip: _____
 Phone: _____
 Cell: _____
 Date of Birth: _____

Business Information:

FEIN: _____
 Phone: _____
 Fax: _____
 E-mail: _____
 web addr: _____

Service Counties: (Please provide-attach list if necessary)

If you answer yes to any of the following questions, please provide a complete explanation on a separate sheet.

- | | | |
|--|------------------------------|-----------------------------|
| 1. Have you ever been convicted of a felony? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Have you ever had a radon measurement or mitigation listing, license or registration denied or revoked? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Have you been informed of a formal complaint against you related to your measurement or mitigation business? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Have you ever failed to file a return or to pay the tax, penalty, or interest as shown in a filed return or as required by a tax Act administered by the Department of Revenue? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. Do you have a drug or alcohol problem that would impair your ability to perform licensed activities? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 6. Have you defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

INCLUSIONS

Review your application material to ensure that it is complete in accordance with 32 Ill. Adm. Code 422.60. The following items must be included in your renewal application package.

Appropriate Fee of \$125.00 in accordance with 32 Ill. Adm. Code 422.100

Copy of your Quality Assurance Program

Provide the location where your records will be maintained in accordance with 32 Ill. Adm. Code 422.50

Address: _____
 City, State, Zip: _____

CERTIFICATION / AGREEMENT

I certify, under penalty of perjury, that I am not more than 30 days delinquent in complying with a child support order. Failure to certify may result in a denial of the application and making a false statement may subject you to contempt of court. (5 ILCS 100/10-65)

I also agree to abide by all the rules and regulations of the Illinois Emergency Management Agency, and to permit the Agency, or its duly authorized representative, at all reasonable times, to inspect my measurement or mitigation records and mitigation installations.

Applicant Signature _____ Date _____

BEFORE YOU MAIL YOUR APPLICATION

1. Have all questions on the application been answered?
2. Is your application signed?
3. Have you included the appropriate fee?

SEND TO: Illinois Emergency Management Agency
 Division of Nuclear Safety - Fee Compliance
 1035 Outer Park Drive
 Springfield, IL 62704

Omission of any one of the required documents or incomplete information may result in a delay of your license.

If you have any questions please call: (217) 782-1325
 Website Address - URL: <http://www.radon.illinois.gov>

ATTACHMENT A


ILLINOIS EMERGENCY MANAGEMENT AGENCY
DIVISION OF NUCLEAR SAFETY

 RDNREG
 0430

FEE RECEIVED _____

Check # _____

Application for Radon Technician License

This state agency is requesting disclosure of information that is necessary to establish compliance with 32 Illinois Administrative Code 422. Disclosure of this information is REQUIRED. Failure to provide any information may result in denial of a radon professional license.

License Application Type: ☐ Measurement Technician
☐ Mitigation Technician

Applicant Name: _____

Business Name: _____

Business Address: _____

City, State, Zip: _____

Social Security #: _____

Home Address Information:

Addr: _____

City: _____

State, Zip: _____

Phone: _____

Cell: _____

Date of Birth: _____

Business Information:

FEIN: _____

Phone: _____

Fax: _____

E-mail: _____

web addr: _____

Service Counties: (Please provide-attach list if necessary)

If you answer yes to any of the following questions, please provide a complete explanation on a separate sheet.

- | | | |
|--|------------------------------|-----------------------------|
| 1. Have you ever been convicted of a felony? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Have you ever had a radon measurement or mitigation listing, license or registration denied or revoked? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Have you been informed of a formal complaint against you related to your measurement or mitigation business? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Have you ever failed to file a return or to pay the tax, penalty, or interest as shown in a filed return or as required by a tax Act administered by the Department of Revenue? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. Do you have a drug or alcohol problem that would impair your ability to perform licensed activities? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 6. Have you defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

INCLUSIONS

Review your application material to ensure that it is complete in accordance with 32 Ill. Adm. Code 422.60. The following items must be included in your initial application package.

Appropriate Fee of \$125.00 in accordance with 32 Ill. Adm. Code 422.100

Professional Statement of Responsibility

I will provide general supervision and personally review all measurements or mitigations performed by this applicant. In addition, I will ensure the applicant abides by all the rules and regulations of the Illinois Emergency Management Agency and performs in accordance with my IEMA approved Quality Assurance Program.

Professionals Printed Name _____ License Number _____

Professionals Signature _____ Date _____

CERTIFICATION / AGREEMENT

I certify, under penalty of perjury, that I am not more than 30 days delinquent in complying with a child support order. Failure to certify may result in a denial of the application and making a false statement may subject you to contempt of court. (5 ILCS 100/10-65)

I also agree to abide by all the rules and regulations of the Illinois Emergency Management Agency, and to permit the Agency, or its duly authorized representative, at all reasonable times, to inspect my measurement or mitigation records and mitigation installations.

Applicant Signature _____ Date _____

BEFORE YOU MAIL YOUR APPLICATION

1. Have all questions on the application been answered?
2. Is your application signed?
3. Have you included the appropriate fee?

SEND TO:

Illinois Emergency Management Agency
 Division of Nuclear Safety - Fee Compliance
 1035 Outer Park Drive
 Springfield, IL 62704

Omission of any one of the required documents or incomplete information may result in a delay of your license.

If you have any questions please call:
 Website Address - URL:

(217) 782-1325
<http://www.radon.illinois.gov>



ILLINOIS EMERGENCY MANAGEMENT AGENCY -
APPLICATION FOR EXAMINATION OR CERTIFICATION
IN INDUSTRIAL RADIOGRAPHY

1. The application must be complete and legible. Print or type all information.
2. A separate application is required for each certification or examination requested.
3. Make funds payable to the Illinois Emergency Management Agency.
4. Application fees are not refundable.
5. If you have any questions, please call us at 217-785-9913.

<p>I. Social Security Number - - -</p> <p>Name Last First MI</p> <p>Address _____ Number & Street or P.O. Box</p> <p>City State Zip</p>	<p>II. Sex: <input type="checkbox"/> M <input type="checkbox"/> F Birthdate / /</p> <p>Business Telephone # () -</p> <p>Home Telephone # () -</p> <p>Email _____</p>																																						
<p>III. Type of Industrial Radiography for which Exam/Certification desired</p> <p><input type="checkbox"/> Radioactive Materials <input type="checkbox"/> X-Ray <input type="checkbox"/> Both</p>																																							
<p>Do not apply for certification and exam at the same time. Complete either Section IV or V below.</p>																																							
<p>IV. Application for Examination in Industrial Radiography (must be received 40 calendar days prior to selected test date)</p> <p><input type="checkbox"/> Initial Examination Exam Date Requested / / * For exam dates & location go : www.iema.illinois.gov/radiation/radexam.</p> <p><input type="checkbox"/> Re-Examination Location : <input type="checkbox"/> Springfield <input type="checkbox"/> Chicago Area^{asp}</p> <p style="text-align: center;">Enclose Fee of \$100</p>																																							
<p>V. Application for Certification in Industrial Radiography</p> <p><input type="checkbox"/> Initial Certification - complete Section VI below (for Initial certification only) <input type="checkbox"/> Certification as Industrial Radiographer Trainee (copy of letter or certificate verifying completion of training attached)</p> <p><input type="checkbox"/> Certification By Reciprocity (copy of current certification card attached) <input type="checkbox"/> Re-Certification</p> <p style="text-align: center;">Enclose Fee of \$100</p>																																							
<p>VI. Work/Experience History</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">From</th> <th style="width: 10%;">To</th> <th style="width: 40%;">Hours of Active Participation by Type of Radiography</th> <th style="width: 40%;">Employer</th> </tr> <tr> <th>Mo. Yr.</th> <th>Mo. Yr.</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td rowspan="2" style="text-align: center;">/</td> <td rowspan="2" style="text-align: center;">/</td> <td>X-Ray hrs</td> <td>Name: _____</td> </tr> <tr> <td>Materials hrs</td> <td>Address: _____</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>City/State: /</td> </tr> <tr> <td rowspan="2" style="text-align: center;">/</td> <td rowspan="2" style="text-align: center;">/</td> <td>X-Ray hrs</td> <td>Name: _____</td> </tr> <tr> <td>Materials hrs</td> <td>Address: _____</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>City/State: /</td> </tr> <tr> <td rowspan="2" style="text-align: center;">/</td> <td rowspan="2" style="text-align: center;">/</td> <td>X-Ray hrs</td> <td>Name: _____</td> </tr> <tr> <td>Materials hrs</td> <td>Address: _____</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>City/State: /</td> </tr> </tbody> </table>		From	To	Hours of Active Participation by Type of Radiography	Employer	Mo. Yr.	Mo. Yr.			/	/	X-Ray hrs	Name: _____	Materials hrs	Address: _____				City/State: /	/	/	X-Ray hrs	Name: _____	Materials hrs	Address: _____				City/State: /	/	/	X-Ray hrs	Name: _____	Materials hrs	Address: _____				City/State: /
From	To	Hours of Active Participation by Type of Radiography	Employer																																				
Mo. Yr.	Mo. Yr.																																						
/	/	X-Ray hrs	Name: _____																																				
		Materials hrs	Address: _____																																				
			City/State: /																																				
/	/	X-Ray hrs	Name: _____																																				
		Materials hrs	Address: _____																																				
			City/State: /																																				
/	/	X-Ray hrs	Name: _____																																				
		Materials hrs	Address: _____																																				
			City/State: /																																				
<p>FOR OFFICE USE ONLY CHECK# FEE RECEIVED</p>																																							

VII. CURRENT INDUSTRIAL RADIOGRAPHY EMPLOYMENT (if applicable)	
<input type="checkbox"/> Currently Employed.....	Employer's Name _____
<input type="checkbox"/> Unemployed	Street Address _____
<input type="checkbox"/> N/A	City _____ State _____ Zip _____
VIII. If you answer yes to any of the following questions, please provide an explanation on a separate sheet.	
1. Have you been convicted of a felony?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you been denied or had a license/certification revoked?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been formally notified of any complaint against you relative to performing Industrial Radiography?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Do you have a drug or alcohol abuse problem?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Do you have a mental or physical disability that, through the practice of your duties, may be dangerous to the public or your co-workers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Have you defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission?	<input type="checkbox"/> Yes <input type="checkbox"/> No
IX. AGREEMENT	
I hereby agree to abide by all the rules and regulations of the Illinois Emergency Management Agency, and to permit the Agency, or its duly authorized representative, at all reasonable times, to inspect my certification.	
I also declare that all the data appearing is accurate and true to the best of my knowledge. I hereby authorize release of any or all educational information concerning the applicant to the Illinois Emergency Management Agency.	
X. CERTIFICATION	
I certify, under penalty of perjury, that I am not more than 30 days delinquent in complying with a child support order. Failure to certify may result in a denial of the renewal and making a false statement may subject you to contempt of court. (5 ILCS 100/10-65)	
Signature of Applicant _____	Date Application Signed _____
XI. VIOLATIONS	
Any person who practices in Industrial Radiography without the appropriate certification or who otherwise violates any provision of the Radiation Protection Act of 1990 is guilty of a Class A misdemeanor, as prescribed by 420 ILCS 40/39.	
Section 39 of the Radiation Protection act of 1990 (Act), 420 ILCS 40/1 <u>et seq.</u> , was amended effective July 30, 1997, to provide criminal penalties for certain violations.	
<u>Section 39 makes the following a criminal offense:</u> <ul style="list-style-type: none"> • Any person who knowingly makes a false material statement to a Agency employee during the course of official Agency business or in an application for accreditation, certification, registration, or licensure under the Act. • Any person who knowingly alters a credential, certificate, registration or license issued by the Agency for the purpose of evading a requirement of the Act. • A person who violates any part of this statutory section is guilty of a Class A misdemeanor for the first offense and is guilty of a Class 4 felony for a second or subsequent offense. 420 ILCS 40/39(b)(1)-(2). 	
FOR OFFICE USE ONLY	REVIEWED BY

BEFORE YOU MAIL YOUR APPLICATION:

1. Have all applicable questions on the application been answered?
2. Is your application signed? Have you enclosed the correct fee?
3. If applying for certification as an Industrial Radiographer Trainee, enclose proof of completion of an approved program per Section 405.70.
4. If applying for certification by reciprocity enclose a copy of the certificate issued by another state or jurisdiction along with the \$100 application fee.

Omission of any one of the required documents or incomplete information may result in a delay of your certification or examination.

SEND TO:

Illinois Emergency Management Agency -
 Industrial Radiography Certification Program
 1035 Outer Park Drive
 Springfield, Illinois 62704
 217-785-9913
 TDD: 217-782-6133
 Web Site URL: <http://www.state.il.us/idns>
 (Radiation Safety Link)

ILLINOIS EMERGENCY MANAGEMENT AGENCY

APPLICATION FOR ACCREDITATION IN MEDICAL RADIATION TECHNOLOGY



1. The application must be complete and legible. Print or type all information.
2. A separate application is required for each accreditation requested.
3. If applying for temporary accreditation, enclose proof of graduation.
4. Make funds payable to the Illinois Emergency Management Agency or IEMA.
5. Application fees are not refundable.
6. If you have any questions, please call 217-785-9913.

Social Security Number _____ - _____ - _____		Sex: <input type="checkbox"/> M <input type="checkbox"/> F Birthdate ____ / ____ / ____	
Name _____ <div style="display: flex; justify-content: space-between; width: 100%;"> Last First MI </div>		Business Telephone # () _____ - _____	
Address _____ <div style="display: flex; justify-content: space-between; width: 100%;"> Number & Street </div>		Home Telephone# () _____ - _____	
_____ <div style="display: flex; justify-content: space-between; width: 100%;"> City State Zip </div>		Email _____	

This Application is for <input type="checkbox"/> 1 Initial Accreditation <input type="checkbox"/> 2 Renewal	Check Appropriate Box and Enclose Fee
Application is for the Category of <input type="checkbox"/> 1 Radiography <input type="checkbox"/> 2 Nuclear Medicine Technology <input type="checkbox"/> 3 Radiation Therapy Technology <input type="checkbox"/> 4 Chiropractic Radiography <input type="checkbox"/> 5 Limited Radiography <input type="checkbox"/> 6 Radiologist Assistant	<input type="checkbox"/> 1 Active Accreditation.....\$120.00 <input type="checkbox"/> 2 Temporary Accreditation.....\$120.00 <input type="checkbox"/> 4 Conditional Accreditation.....\$120.00 <input type="checkbox"/> Limited (check the categories that apply) \$120.00 <div style="margin-left: 20px;"> <input type="checkbox"/> 5 Chest <input type="checkbox"/> 6 Extremity <input type="checkbox"/> 7 Skull/Sinus <input type="checkbox"/> 8 Spine </div>

RADIOLOGIC TECHNOLOGY EDUCATION		
Name of School	Location (City)	State
Dates Attended <small>from: mo yr to: mo yr</small> ____ / ____ / ____	Type of Diploma	Date (to be) awarded <small>mo yr</small> ____ / ____

PROFESSIONAL REGISTRY OR CERTIFICATION			
<input type="checkbox"/> ARRT	<input type="checkbox"/> Radiography	<input type="checkbox"/> Nuclear Medicine	<input type="checkbox"/> Therapy
<input type="checkbox"/> NMTCB	<input type="checkbox"/> ACRRT	<input type="checkbox"/> CBRPA	<input type="checkbox"/> Not certified/registered

Certificate No. _____	Submit copy of certificate/card (for Initial application only)
-----------------------	--

FOR OFFICE USE ONLY	CHECK#	FEE RECEIVED
----------------------------	---------------	---------------------

CURRENT MEDICAL RADIATION TECHNOLOGY EMPLOYMENT (if applicable)

Employer's Name _____

Street Address _____

City _____ State _____ Zip _____

If you answer yes to any of the following questions, please provide a complete explanation on a separate sheet.

- | | |
|---|--|
| 1. Have you been convicted of a felony? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Have you been denied or had a license/certification revoked? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Do you have a drug or alcohol problem that would impair your ability to perform professional duties? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Do you have a mental or physical disability that would impair your ability to perform professional duties? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. Have you defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

RENEWAL ONLY

I do hereby attest that I have taken the required continuing education needed for renewal of accreditation, pursuant to 32 Ill. Adm. Code 401.140, and that I have documentation proving such in my possession. ☐ Yes ☐ No

AGREEMENT

I do hereby agree to abide by all the rules and regulations of the Illinois Emergency Management Agency, and to permit the Agency, or its duly authorized representative, at all reasonable times, to inspect my accreditation.

I also declare that all the data appearing on this application is accurate and true to the best of my knowledge and authorize release of any or all educational information concerning the applicant to the Illinois Emergency Management Agency.

CERTIFICATION

I certify, under penalty of perjury, that I am not more than 30 days delinquent in complying with a child support order. Failure to certify may result in a denial of the renewal and making a false statement may subject you to contempt of court. (5 ILCS 100/10-65)

Signature of Applicant _____

Date Application Signed _____

VIOLATIONS

Any person who practices in Medical Radiation Technology without the appropriate accreditation or who otherwise violates any provision of the Radiation Protection Act of 1990 is guilty of a Class A misdemeanor.

Section 39 of the Radiation Protection Act of 1990 (Act), 420 ILCS 40/1 et seq., was amended effective July 30, 1997, to provide criminal penalties for certain violations. Section 39 makes the following a criminal offense:

- Any person who knowingly makes a false material statement to an Agency employee during the course of official Agency business or in an application for accreditation, certification, registration, or licensure under the Act.
- Any person who knowingly alters a credential, certificate, registration or license issued by the Agency for the purpose of evading a requirement of the Act.
- A person who violates any part of this statutory section is guilty of a Class A misdemeanor for the first offense and is guilty of a Class 4 felony for a second or subsequent offense. 420 ILCS 40/39(b)(1)-(2).

Page 2 of 2**BEFORE YOU MAIL YOUR APPLICATION:**

1. Have all questions on the application been answered?
2. Is your application signed?
3. Have you enclosed your accreditation fee?
4. If applying for active accreditation, have you enclosed proof of registry?
5. If applying for temporary accreditation, have you enclosed proof of graduation from an approved training program?

Omission of any one of the required documents or incomplete information may result in a delay of your accreditation.

SEND TO:

Illinois Emergency Management Agency
Technology Accreditation Program
1035 Outer Park Drive
Springfield, Illinois 62704
217-785-9913
TDD: 217-782-6133
Web Site URL: <http://www.iema.illinois.gov>



**ILLINOIS EMERGENCY MANAGEMENT AGENCY
DIVISION OF NUCLEAR SAFETY**
**Application for Renewal of Accreditation in
Medical Radiation Technology**

Read entire form before proceeding. Provide any necessary changes to name, address, phone numbers or employer. Return with appropriate fee in the envelope provided, or renew on-line.

MEDTEC 0442

M

FEE RECEIVED _____

Check # _____

Accreditation Number **500507249**

*** On-line Renewal
Now Available
(\$1 Convenience Fee)**

Masarat Fauma

621 N Michigan St

Elmhurst, IL 60126-1935

Employment Information:

Heart Care Center

621 N Michigan St

Elmhurst, IL 60126

Telephone Numbers:

Business: **(30) 440-2304**

Home: **(30) 440-2304**

E-Mail: **GO GREEN - Please provide on-line or
below**

COPY

Your Active accreditation in Nuclear Medicine expired on 10/31/2011. The nonrefundable renewal fee is \$120.

If you answer yes to any of the following questions, please provide a complete explanation on a separate sheet.

1. Have you been convicted of a felony?
2. Have you been denied or had a license/certification revoked?
3. Do you have a drug or alcohol problem that would impair your ability to perform professional duties?
4. Do you have a mental or physical disability that would impair your ability to perform professional duties?
5. Have you defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

ATTESTATION / AGREEMENT / CERTIFICATION

I do hereby attest that I have taken the required continuing education needed for renewal of accreditation, pursuant to 32 Ill. Adm. Code 401.140, and that I have documentation proving such in my possession.

☐ Yes ☐ No

I do hereby agree to abide by all the regulations of the Illinois Emergency Management Agency, and to permit the Agency, or its duly authorized representative, at all reasonable times, to inspect my accreditation.

I also declare that all the data appearing on this application is accurate and true to the best of my knowledge.

I hereby authorize release of any or all educational information concerning the applicant to the Illinois Emergency Management Agency.

I certify, under penalty of perjury, that I am not more than 30 days delinquent in complying with a child support order. Failure to certify may result in disciplinary action and making a false statement may subject you to contempt of court. (5 ILCS 100/10-65)

Signature of Applicant

Date Applicant Signed

For Office Use Only

VIOLATIONS

Any person who practices in Medical Radiation Technology without the appropriate accreditation or who otherwise violates any provision of the Radiation Protection Act of 1990 is guilty of a Class A misdemeanor.

Section 39 of the Radiation Protection Act of 1990 (Act), 420 ILCS 40/1 et seq., was amended effective July 30, 1997, to provide criminal penalties for certain violations. Section 39 makes the following a criminal offense:

Any person who knowingly makes a false material statement to a Agency employee during the course of official Agency business or in an application for accreditation, certification, registration, or licensure under the Act.

Any person who knowingly alters a credential, certificate, registration or license issued by the Agency for the purpose of evading a requirement of the Act.

A person who violates any part of this statutory section is guilty of a Class A misdemeanor for the first offense and guilty of a Class 4 felony for a second or subsequent offense. 420 ILCS 40/39(b)(1)-(2).

BEFORE YOU MAIL YOUR APPLICATION:

1. Have all questions on the application been answered?
2. Is your application signed?
3. Have you enclosed your accreditation fee payable to IEMA?
4. Have you included a change of name/address if necessary?

Omission of any one of the required documents or incomplete information may result in a delay of your accreditation.

Send To: Illinois Emergency Management Agency
Division of Nuclear Safety - Tech Accreditation
1035 Outer Park Drive
Springfield, Illinois 62704

If you have any questions please call: 217/785-9913

*** Internet renewal: iema.illinois.gov/radiation/radtech/radtechlogin.asp**



355-54-2946

10/02/2012

98729352

Illinois Emergency Management Agency
Division of Nuclear Safety

COPY

Application for Renewal of Radiography Accreditation for Emily Falkowski

Accreditation Number: 500482270

Type: Active

Expiration Date: 09/30/2012

Renewal Fee: \$120.00

If your employer information indicated in the upper right of your renewal application is not correct, please indicate changes below.

Unemployed ☐

Employer:

Address:

City:

Telephone: 735645115

State: Zip:

(no spaces or punctuation)

1. Have you been convicted of a felony?
2. Have you been denied or had a license/certification revoked?
3. Do you have a drug or alcohol problem that would impair your ability to perform professional duties
4. Do you have a mental or physical disability that would impair your ability to perform professional duties
5. Have you defaulted on an educational loan guaranteed by the Illinois Student Assistance Commission?

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

ATTESTATION / AGREEMENT / CERTIFICATION

I do hereby attest that I have taken the required continuing education needed for renewal of accreditation, pursuant to 32 Ill. Adm. Code 401.140, and that I have documentation proving such in my possession.

Yes ☒ No ☐

I do hereby agree to abide by all regulations of the Illinois Emergency Management Agency, and to permit the Agency, or its duly authorized representative, at all reasonable times, to inspect my accreditation.

I also declare that all the data appearing on this application is accurate and true to the best of my knowledge.

I hereby authorize release of any or all educational information concerning the applicant to the Illinois Emergency Management Agency.

Yes ☒ No ☐

I certify, under penalty of perjury, that I am not more than 30 days delinquent in complying with a child support order. Failure to certify may result in a denial of the renewal and making a false statement may subject you to contempt of court. (5 ILCS 100/10-65)

Yes ☒ No ☐

IEMA

32 ILLINOIS ADMINISTRATIVE CODE 200

SUBCHAPTER a

TITLE 32: ENERGY
CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER a: ADMINISTRATIVE HEARING RULES

PART 200
ADMINISTRATIVE HEARINGS

Section	
200.10	Scope and Nature of Rules
200.20	Appearance – Right to Counsel
200.30	Parties
200.40	Form of Papers
200.50	Notice, Service and Proof of Service
200.60	Preliminary Order and Notice of Opportunity for Hearing
200.70	Right to Hearing
200.80	Motions
200.90	Continuances
200.100	Hearing Officer
200.110	Ex Parte Consultation
200.120	Informal Conferences
200.130	Conduct of Hearing
200.140	Amendments
200.150	Burden of Proof
200.160	Witnesses at Hearings
200.170	Evidence at Hearings
200.180	Cross Examination
200.190	Official Notice
200.200	Default
200.210	Hearing Record
200.220	Hearing Officer's Report
200.230	Final Decision of the Director

AUTHORITY: Implementing Sections 8.2, 9 and 11 and authorized by Section 6 of the Radiation Protection Act [420 ILCS 40/8.2, 9 and 11].

SOURCE: Filed April 20, 1974 by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; amended at 7 Ill. Reg. 9306, effective July 22, 1983; codified at 7 Ill. Reg. 16404; amended at 10 Ill. Reg. 17200, effective September 25, 1986; amended at 26 Ill. Reg. 17739, effective December 2, 2002; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 33 Ill. Reg. 14137, effective September 28, 2009.

Section 200.10 Scope and Nature of Rules

- a) Authority and Scope
 - 1) Authority. This Part is promulgated pursuant to Section 5-10(a) of the Illinois Administrative Procedure Act (IAPA) [5 ILCS 100/5-10].
 - 2) Scope. This Part shall govern the proceedings of any adjudicatory administrative hearing of the Illinois Emergency Management Agency (Agency), except as otherwise specifically provided by statute or regulation.
- b) Communications to the Agency. All communications to the Agency concerning administrative hearings shall be addressed to the Director at Illinois Emergency Management Agency, 2200 S. Dirksen Parkway, Springfield, Illinois 62703, unless otherwise directed.
- c) Construction of Rules. This Part shall not be construed to abrogate, modify, or limit any rights, privileges, or immunities granted or protected by the Constitution or laws of the United States or the State of Illinois. In case of any conflict between this Part and the IAPA or a licensing statute, the procedures of the IAPA or licensing statute shall control.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.20 Appearance – Right to Counsel

- a) *The Agency shall allow only attorneys licensed and registered to practice in this State to appear before it in administrative hearings, except that a natural person may appear on his or her own behalf. [420 ILCS 40/18]*
- b) Each party to a proceeding before the Agency shall inform the Agency in writing of the name and address to which any notice or other document should be served. Attorneys representing a party must enter an appearance prior to the hearing.
- c) All persons appearing in proceedings before the Agency shall conform to the standards of conduct of attorneys before the courts of the State of Illinois (RPC Rule 3.3). If a person fails to conform to these standards, and the failure delays or disrupts the proceeding, the Agency or the hearing officer shall have the authority to prohibit that person from appearing in the proceeding.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.30 Parties

- a) The parties to administrative hearings before the Agency are the Agency and the Respondent.
- b) A Respondent is a person or entity against whom a Preliminary Order and Notice of Opportunity for Hearing or a denial of licensure is issued by the Agency.
- c) Misnomer of a party is not a ground for dismissal. The name of any party may be corrected at any time.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.40 Form of Papers

- a) Written pleadings, motions or other documents filed in any proceeding shall be typewritten. Copy shall be on one side of the paper and shall be double spaced, except that quotations may be single spaced and indented. Reproductions of any documents to be incorporated into the record may be made by any process that produces legible black on white copies.
- b) Written pleadings, motions or other documents filed in any proceeding shall be cut or folded to a width of 8½ inches and a length of 11½ inches and shall have inside margins of no less than one inch width.
- c) Written pleadings, motions, or other documents shall be signed in ink with the name and address of the party filing the paper and, if represented by an attorney, the name and address of the attorney.
- d) Written pleadings, motions, affidavits, and other documents shall be filed with the Agency and one copy shall be served on each party to the proceeding.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.50 Notice, Service and Proof of Service

- a) The hearing officer and all parties to the proceedings shall be served all pleadings, motions, notices and other documents filed by any party. Proof of such service on all parties shall be filed with the hearing officer.
- b) Any Order or Notice issued by the Agency shall either be served personally or by registered or certified mail on the Respondent.
- c) All other pleadings and other documents shall be served personally or by first

class United States mail properly addressed, with postage prepaid, to each party to the proceeding.

- d) When any party or parties have appeared by attorney, service upon the attorney shall be deemed service upon the party or parties.
- e) Proof of service of any paper shall be by certificate of attorney, affidavit or acknowledgement, or certified or registered mail receipt.
- f) Wherever notice or notification is indicated or required, it shall be effective upon the date of mailing to the party's business address, residence or last address on file with the Agency.
- g) In addition to the methods provided for in this Part, a Respondent may be served in any manner permitted by law.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.60 Preliminary Order and Notice of Opportunity for Hearing

- a) In the event that a person has violated or is alleged to have violated the statutes, regulations or terms of licensure or accreditation, the Agency shall commence administrative proceedings by the service of a Preliminary Order and Notice of Opportunity for Hearing upon the Respondent.
- b) The Preliminary Order and Notice of Opportunity for Hearing shall contain:
 - 1) A statement of the legal authority and jurisdiction under which a hearing would be held;
 - 2) A reference to the provisions of the statutes, regulations or terms of licensure or accreditation involved;
 - 3) A short and plain statement of the matters asserted, including dates, location, events, nature, extent, and duration, to advise the Respondent of the extent and nature of the alleged violations;
 - 4) A statement of the right to request a hearing and the date that a request for a hearing is to be submitted to the Agency, which shall be at least 10 days from the date of the Preliminary Order;
 - 5) The time, date and location when the hearing will be held, if one is requested; and

- 6) A statement of the actions that will be taken by the Agency in the event that a hearing is not requested by the Respondent.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.70 Right to Hearing

- a) In the event that the Respondent seeks a hearing pursuant to matters raised in a Preliminary Order issued in accordance with Section 200.60, the Respondent must submit a request for a hearing by the date specified in the Preliminary Order. In the event that a person seeks a hearing pursuant to the denial of an application for licensure or accreditation or the denial of reinstatement of licensure or accreditation by the Agency, the person must submit a request for a hearing within 30 days after the denial.
- b) This request must be in writing and must contain a brief statement of the basis upon which the Agency's Preliminary Order or denial of licensure or accreditation is being challenged.
- c) If the request is not submitted by the date required in accordance with subsection (a), or if the request is submitted but later withdrawn, the actions proposed by the Agency in the Preliminary Order or denial of licensure or accreditation shall be a final and binding administrative determination subject to the Administrative Review Law.
- d) Upon notice from the Agency that a Respondent is required to have an attorney pursuant to 420 ILCS 40/18, the Respondent's attorney shall have 30 days to enter an appearance with the Agency. If no such appearance is filed, the hearing request will be considered withdrawn and the Preliminary Order or denial of licensure shall be a final and binding administrative determination subject to the Administrative Review Law.
- e) No final decision shall be made or action taken by the Agency until the Respondent has had an opportunity to request a hearing and, if requested, a hearing has been held, except that, in cases in which there is an immediate threat to public health or safety, the Agency may take action to immediately enjoin the threat pending a hearing. The hearing shall be held within 30 days after the Agency's action [420 ILCS 40/38(a)].

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.80 Motions

A hearing officer may allow oral motions and responses on emergency or purely procedural questions or for good cause shown. Emergency and procedural motions will be ruled upon when made. Other motions, such as motions to dismiss, etc., will not be ruled upon by the hearing officer but will be considered by the hearing officer in preparation of the written report and will be submitted to the Director for a decision.

(Source: Former Section 200.80 repealed, new Section 200.80 adopted at 10 Ill. Reg. 17200, effective September 25, 1986)

Section 200.90 Continuances

A party shall be granted one continuance of up to 14 days on request or as agreed to by all parties. Any other requests for a continuance will be granted only for good cause shown. In determining good cause, factors that the hearing officer may consider shall include the inability to produce a material witness or evidence, surprise, required attendance of legal counsel elsewhere, illness or death of a party or witness, and substitution of an attorney.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.100 Hearing Officer

- a) When a Preliminary Order and Notice of Opportunity for Hearing is issued and a hearing is requested, the Director of the Agency shall designate a hearing officer to preside at the formal administrative hearing.
- b) The appointed hearing officer shall not have direct involvement with the case or have an interest in the decision to be reached. Mere familiarity with the facts shall not disqualify a hearing officer.
- c) The hearing officer shall have the duty to conduct a fair hearing, to maintain order, to ensure development of a clear and complete record, and to submit a written report to the Director for the Director's decision.
- d) In addition to other authority provided in this Part, the hearing officer shall have the authority to:
 - 1) Direct the parties to meet in an informal conference in accordance with Section 200.120;
 - 2) Administer oaths;
 - 3) Receive evidence and rule upon the admissibility of oral testimony and

other evidence;

- 4) Examine witnesses for the purpose of clarifying the record;
- 5) Consider and rule upon motions in accordance with Section 200.80.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.110 Ex Parte Consultation

Ex parte communications and consultation between and among parties shall be limited to that which is in accordance with the Illinois Administrative Procedure Act.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.120 Informal Conferences

- a) Upon request of any party or on the hearing officer's own motion, the hearing officer shall have the authority to direct the parties to appear at a specified time and place for a conference, prior to or during the course of the hearing, for the purpose of:
 - 1) simplifying the issues;
 - 2) amending the pleadings for clarification, amplification, or limitation;
 - 3) making admissions of fact or stipulating to the admissibility of evidence;
 - 4) limiting the number of witnesses;
 - 5) exchanging witness lists and prepared testimony and exhibits;
 - 6) aiding in the simplification of the evidence and disposition of the proceedings; or
 - 7) stipulation and settlement concerning matters relating to confidential information, e.g. privileged medical records and commercial trade secrets or financial information the disclosure of which could cause competitive harm.
- b) The record of the hearing shall reflect any orders or other decisions which are made as a result of such a conference.

(Source: Former Section 200.120 repealed, new Section 200.120 renumbered from former Section 200.90 and amended at 10 Ill. Reg. 17200, effective 17200, effective September 25, 1986)

Section 200.130 Conduct of Hearings

- a) Unless closing the hearing is necessary to preserve the confidentiality of medical records, or the confidentiality of trade secrets or financial information the disclosure of which could cause competitive harm, hearings shall be open to the public. If matters of confidentiality are involved, the hearing officer shall have the authority to close all or a portion of the hearing to the public.
- b) The hearing officer shall direct all parties to enter their appearances on the record. All witnesses shall be sworn.
- c) The hearing officer shall inquire fully into the matters at issue and shall receive testimony of witnesses and any other evidence that is relevant and material to the issues presented. The following shall be the usual order of administrative hearings, unless the hearing officer decides otherwise:
 - 1) presentation, argument, and disposition of preliminary motions in accordance with Section 200.80;
 - 2) presentation of opening statements;
 - 3) Agency's case in chief;
 - 4) Respondent's case in chief;
 - 5) Agency's case in rebuttal;
 - 6) Respondent's case in rebuttal;
 - 7) presentation of closing arguments, including legal arguments.
- d) Parties may by stipulation agree upon any facts involved in the proceeding. The facts stipulated shall be considered as evidence in the proceeding. Disposition may be made of any case by stipulation, agreed settlement, consent order or default.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.140 Amendments

At any time prior to the hearing or before completion of the hearing, amendments shall be allowed for good cause shown to introduce any party who ought to have been joined, to dismiss any party, or to delete, modify or add allegations or defenses. In the event of a change in parties or a substantive amendment to the allegations or defenses immediately preceding or during the hearing, any remaining party may request that the hearing be suspended. Upon a request, the hearing officer shall suspend the hearing for up to 14 days or as agreed to by all parties to provide an opportunity for the parties to respond to the changes in parties or substantive amendments that are introduced immediately preceding or during the hearing.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.150 Burden of Proof

- a) The burden of proof shall be on the Agency, unless the matter at issue is the denial of an application for licensure or accreditation, or an application for reinstatement of licensure or accreditation that has been previously revoked, suspended, or otherwise terminated. In such cases, the burden of proof shall be on the Respondent.
- b) In the case of any new matter introduced in connection with any affirmative defense, the burden of proof shall be upon the party that alleges the new matter.
- c) The standard of proof with respect to all hearings conducted pursuant to this Part shall be a preponderance of the evidence.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.160 Witnesses at Hearings

- a) The hearing officer or the official reporter may administer oaths to witnesses.
- b) Both the hearing officer and the parties or their representatives may examine witnesses.
- c) A party may conduct examination and cross-examination that is shown to be necessary to a full and fair disclosure of facts bearing upon matters in issue, provided that the examination or cross-examination does not abuse or harass a witness.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.170 Evidence at Hearings

- a) When the hearing results from the denial of an application for licensure or accreditation, or denial of an application for reinstatement of licensure or accreditation, the Respondent shall have the right to introduce evidence at the hearing that was not made available to the Agency at the time the application was denied. If the hearing officer determines that the additional evidence could have affected the Agency's decision to deny the application, the hearing officer shall suspend the hearing to enable appropriate representatives of the Agency to consider this additional evidence and to decide whether the decision to deny the application should be modified or reversed.
- b) Irrelevant, immaterial or unduly repetitious evidence shall be excluded. The rules of evidence and privilege as applied in civil cases in the Circuit Courts of this State shall be followed. However, evidence not admissible under those rules of evidence may be admitted (except where precluded by statute) if it is of the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. When the admissibility of evidence is in dispute and depends upon fairly arguable interpretations of law, the evidence shall be admitted. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, any part of the evidence may be received in written form. Any party may submit evidence in rebuttal.
- c) Accurate summaries of voluminous documents may be admitted into evidence. The document summarized need not itself be admitted into evidence. Copies of the document need not be provided so long as all parties are accorded a reasonable opportunity to inspect the document summarized.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.180 Cross-Examination

- a) Subject to the evidentiary requirements, a party may conduct cross-examination required for a full and fair disclosure of the facts.
- b) If the hearing officer determines that a witness is hostile or unresponsive, the hearing officer shall authorize the examination by the party calling the witness as if under cross-examination.
- c) Any party may call any adverse party as a witness and proceed to examine that adverse party as if under cross-examination except that, if the Respondent wants to call a representative of the Agency as an adverse witness, he/she may do so only if the representative was directly involved in the determinations that served

as the basis for the Agency's Preliminary Order under this Part.

- d) Any party calling a witness, upon a showing that he/she called the witness in good faith and is surprised by the testimony of the witness, may impeach that witness by evidence of prior inconsistent statements.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.190 Official Notice

- a) Official notice may be taken of:
 - 1) Matters of which the Circuit Courts of this State may take judicial notice; and
 - 2) Generally recognized technical or scientific facts within the Agency's specialized knowledge.
- b) Parties shall be notified before or during a hearing, or by reference in preliminary reports, or otherwise, of the material noticed, including any staff memoranda or data to be offered as evidentiary matter during the course of the hearing, and the parties shall be afforded an opportunity to contest the material so noticed. The Agency's experience, technical competence and specialized knowledge may be utilized in the evaluation of the evidence.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.200 Default

Except for good cause shown, the failure of a party to appear on the date set for hearing or failure to proceed as ordered by the hearing officer or Director shall constitute a default. The Director shall thereafter enter such order as appropriate, in accordance with the Preliminary Order, pleadings and the evidence introduced at the hearing, if any.

(Source: Former Section 200.200 renumbered to new Section 200.230, new Section 200.200 renumbered from former Section 200.170 and amended at 10 Ill. Reg. 17200, effective September 25, 1986)

Section 200.210 Hearing Record

- a) The Agency shall designate an official reporter to make and transcribe a stenographic record of the adjudicatory proceedings.

- b) A complete record of the hearing shall include:
 - 1) all pleadings (including all notices, responses, motions, and rulings);
 - 2) evidence received;
 - 3) a statement of matters officially noticed;
 - 4) offers of proof, objections and rulings on objections;
 - 5) proposed findings and exceptions;
 - 6) any recommended decision, opinion or report by the hearing officer;
 - 7) staff memoranda or data submitted to the hearing officer or the Agency in connection with the consideration of the case; and
 - 8) any ex-parte communication as defined by the Illinois Administrative Procedure Act. The communication shall not form the basis for any finding of fact.
- c) A copy of the record will be reproduced at the request of any party involved. The requesting party shall bear the cost.
- d) The Agency shall be the official custodian of the records of administrative hearings held before the Agency.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.220 Hearing Officer's Report

- a) As soon as practicable after the close of a hearing, the hearing officer shall prepare a written report of the case, which shall be based upon the evidence adduced at the hearing or otherwise included in the record. The written report shall contain findings of fact, a recommended decision and the reasons for the decision.
- b) This report shall be submitted to the Director. The hearing officer shall also send a copy of the report to the Respondent or his/her counsel and to the Agency's counsel. Both the Respondent and the Agency's counsel may file written exceptions with the Director within 10 days.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

Section 200.230 Final Decision of the Director

- a) The Director shall reach a final decision in each proceeding that shall be specified in a written order including findings of fact and conclusions of law separately stated. Findings of fact, if set forth in statute language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings.
- b) A copy of the Final Decision of the Director shall be served personally or by certified or registered mail upon all parties to the proceeding.
- c) The decision of the Director shall be considered a final and binding administrative order subject to the Administrative Review Law.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)

July 22, 2008

INDIVIDUAL
ADDRESS
CITY/STATE/ZIP

Accreditation No. XXXXXXXX

RE: Notice of Accreditation Denied

Dear INDIVIDUAL:

The Illinois Emergency Management Agency, Division of Nuclear Safety, (Agency) received your application for renewal of accreditation in medical radiation technology. You indicated on the application that you had recently been convicted of a felony. Pursuant to 32 Illinois Administrative Code 401.120(a)(5), the Agency may refuse to renew accreditation for an individual having been convicted of a crime which is a felony under the laws of the State of Illinois unless the individual demonstrates to the Agency that he has been sufficiently rehabilitated to warrant the public trust.

After review of your application and the supplemental documents provided with the application, the Agency has determined you have not demonstrated that you have been sufficiently rehabilitated to warrant the public trust. Therefore, in accordance with 32 Ill. Adm. Code 401.120(a)(5), your request for renewal of accreditation is denied.

The Radiation Protection Act requires accreditation of all nurses, technicians and other assistants who, at the direction of a person licensed under the Medical Practice Act of 1987, apply ionizing radiation to humans. Since your previous accreditation has expired, and has not been renewed, you shall not perform medical radiation procedures in the State of Illinois. Performing such procedures will subject you, and your employer, to civil penalties.

You may appeal the above action. In order to exercise your right to appeal, you must submit a written request for hearing within thirty (30) days of the date of this letter. Procedures for requesting a hearing are contained in the Agency's rules entitled "Administrative Hearing" (32 Ill. Adm. Code 200). For a copy of these rules, please contact the Agency Legal Office at (217)524-0770.

Sincerely,

Steven C. Collins
Registration and Certification