



TANNING
3416

Pat Quinn, Governor

Damon T. Arnold, M.D., M.P.H., Director

525-535 West Jefferson Street • Springfield, Illinois 62761-0001 • www.idph.state.il.us

July 09, 2009

Tracking#05280263

Stephen Laker
Public Health Administrator
Vermilion County Health Department
200 South College
Danville, IL 61832

Dear Mr. Laker:

The Illinois Department of Public Health, hereinafter referred to as the Department, and Vermilion County Health Department, hereinafter referred to as the Local Health Department, hereby agree to the following guidelines

Services provided by the Local Health Department for Tanning Facility Permits:

The Local Health Department will provide the following services and agrees to act in compliance with all state and federal statutes and administrative rules applicable to the provision of services pursuant to this agreement.

1. Act as the agent of the Department for the purpose of making inspections and investigations under the authority of the Tanning Facility Permit Act (210 ILCS 145/1) and the Tanning Facilities Code (77 Ill. Adm. Code 795), hereinafter referred to as "the Act and the Code."
2. Provide qualified personnel to perform inspections, investigation, surveillance, enforcement and administrative activities for the performance of this agreement.
3. Notify the Department within thirty days of the date the Local Health Department becomes aware of any change of address, ownership, or other change of information originally submitted by a tanning facility on its application for a permit.
4. Inspect in accordance with the Act and the Code, at least once a year, all tanning facilities in the Local Health Department's jurisdiction which have not otherwise been retained for inspection by the Department.
5. Use the most recent inspection report form specified by the Department, and document all inspection remarks in accordance with the Department's specified format.
6. Provide the tanning facility with the designated (yellow) copy of the inspection report at the time of inspection. The Local Health Department shall retain a photocopy of the inspection report for its facility file and send the complete original inspection form (white copy) to the Department's central office within fourteen (14) days of completion of an inspection. The Local Health Department shall follow the program policies which may be established by the Department.

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7. Work with the Department to ensure that all tanning facilities which are not in compliance with the requirements of the Act and the Code at the time of inspection (including tanning facilities operating without a permit) are brought into compliance.
8. Notify the owner of the tanning facility of violations of the Act and the Code and specify a uniform time for correction via the fully completed inspection report.
9. Conduct a reinspection of the tanning facility to ensure that all violations have been corrected at or within thirty days of the documented violation.
10. Provide the tanning facility with the designated (yellow) copy of the reinspection report at the time of reinspection. The Local Health Department shall retain a photocopy of the reinspection form in its facility file and forward the complete original reinspection form (white copy) to the Department's central office within fourteen (14) days of completion of the reinspection. Such reinspection may be a joint inspection by both agencies at the option of the Department.
11. Ensure that tanning facilities that are not brought into compliance with the Act and the Code within the time allotted by the Local Health Department as verified by reinspection are referred to the Department for appropriate enforcement action.
12. Make available to the Department all necessary elements for enforcement which may include, but are not limited to, personnel to serve as witnesses.
13. Receive requests for and disseminate permit applications on forms provided by the Department.
14. Instruct applicant to send fully completed applications, including all required attachments along with a nonrefundable \$250 permit fee, to the Illinois Department of Public Health, Division of Food, Drugs and Dairies, 525 West Jefferson Street, Springfield, IL 62761-0001.
15. Investigate all complaints pertaining to a tanning facility within fourteen (14) days of receipt.
16. Complete a tanning facilities inspection report at the time of investigation. The Local Health Department shall leave the designated (yellow) copy of the inspection report with the tanning facility. The Local Health Department shall retain a photocopy of the original (white) copy of the completed inspection report in its facility file. The original (white) copy of the inspection report shall be forwarded to the Department's central office within fourteen (14) days of the investigation.
17. Inform the Department's central office of any individuals who have operated a tanning facility within its jurisdiction without a permit, or without having made application for a permit, in violation of the Act.
18. Ensure that no employee conducts tanning facility inspections until completion of basic inspector training provided by the Department.
19. Maintain tanning facility inspection records which include, but are not limited to: Applications for a permit to operate a tanning facility with any attachments as provided by the facility, inspection forms, complaint reports and investigational findings, correspondence to and from tanning facilities, copies of permits issued by the Department, and enforcement records.

Services provided by the Department:

In connection with the services previously described provided by the Local Health Department, the Department will:

1. Maintain data processing systems to store data related to the issuance of tanning facility permits, tanning facility equipment, inspections, embargoes, reinsertions, enforcement activities and issue permits to tanning facilities.
2. Initiate legal enforcement action, when necessary, after the Local Health Department has issued a completed inspection report to the tanning facility and, as necessary, conduct a reinspection within the guidelines provided by the Department.
3. Conduct hearings, assess fines, file requests for action by the office of the State's Attorney or Attorney General, and provide the Local Health Department with assistance, consultation, and training, including copies of applicable laws, rules, policies, informational brochures, warning posters, inspection forms and other data forms, etc.
4. Evaluate the Local Health Department program as it relates to the Act and the Code, including the conduct of spot checks of tanning facilities operating in the geographic or contractual jurisdiction of the Local Health Department.
5. Provide Reimbursement Certification forms for quarterly submission by the Local Health Department.
6. Process payments quarterly in October, January, April and July of each year, based upon the number of initial/change of ownership permit and annual/renewal inspections conducted during the previous quarter, the first payment due after the Local Health Department has performed in accordance with this agreement for three consecutive months.

Compensation:

The amount is estimated to be **\$1,500.00**

Any and all obligations of the Department will cease immediately without penalty of further payment or any other penalty if the Illinois General Assembly or federal funding source fails to appropriate or otherwise make available sufficient funds for this grant agreement. Upon the Department's official notification of funding failure, the Local Health Department shall be promptly notified to cease program work.

The Department will compensate the Local Health Department on the following basis:

1. Initial and change-of-ownership facility inspection(s): \$150.00 each.
2. Annual/renewal facility inspection(s): \$100.00 each.
3. All fines and penalties assessed, upheld and collected against tanning facilities will be compensated at the rate of 50%. This payment will be a total for the entire period of the agreement and will be made at the end of the agreement period in a single installment
4. The Local Health Department shall bill the Department quarterly on a Reimbursement Certification form provided by the Department. **All invoices for services performed under this agreement shall be submitted to the Department no later than July 15, 2010.**

The period of this agreement is July 1, 2009 through June 30, 2010; however, it may be terminated at any time during this period by either party upon written notice to the other party thirty (30) calendar days prior to the actual termination date. Upon termination, the Local Health Department shall be paid for work satisfactorily completed prior to the date of termination.

For the Local Health Department:

 7/21/09
Signature/Date Signed

Stephen Laker
Typed Name

Public Health Administrator
Title

For the Department:

Recommended by

Melissa Estes
Program Coordinator

Execution Date