**Section 102.81 Continuation of Assistance Pending Appeal**

a) If an appeal is initiated by the date a reduction or discontinuance will occur or within ten (10) calendar days of the date of the adequate notice, assistance shall be continued at the level in effect prior to the proposed action, pending the results of the fair hearing process, unless the individual specifically request that his/her assistance benefits not be continued. If the date the reduction or discontinuance will occur or the 10th calendar day is a Saturday, Sunday or a holiday, the client has until the end of the next work day to file his/her appeal.

b) If a food stamp household files an appeal as the result of normal expiration of the certification period, or as a result of action taken on the initial or subsequent application, benefits shall not be continued at the previous level.

c) If a food stamp household timely appeals a suspension from program participation for failure to file a Monthly Report by the date the suspended benefits would have been issued or within ten (10) days from the date of notice of adverse action, whichever is later, (See 89 Ill. Adm. Code 121.91(i)) and the household admits that it did not submit the Monthly Report, the household is not entitled to continuation of benefits.

d) If an individual appeals the Department's decision to initiate a protective payment plan by the date initiation of the plan will occur, the protective payment plan shall not be initiated pending the results of the fair hearing process.

(Source: Amended at 15 Ill. Reg. 7202, effective April 30, 1991)