**Section 139.610 FSP and SFSP Provider Appeals**

For appeals regarding participation as a provider in the FSP and the SFSP, the following shall apply:

a) The HFS rules for Medical Vendor Hearings (89 Ill. Adm. Code 104.Subpart C) shall apply to all appeals under this Section except that Sections 104.204, 104.205, 104.206, 104.207, 104.208, 104.210, 104.211, 104.213, 104.216, 104.217, 104.249, 104.260, 104.272, 104.273 and 104.274 shall not apply.

b) A facility participating or seeking to participate as a provider in the FSP or SFSP may appeal the following:

1) Denial or termination of participation in the FSP as a provider of residential treatment services (see Section 139.400); or

2) Denial or termination of participation in the SFSP as a provider of transition bed services (see Section 139.405).

c) The facility may appeal the Department's action by filing a written request for appeal with the HFS Medical Vendor Hearing Section within 10 days after the date of the notification of the denial or termination of participation as a provider in the program.

d) The burden of proof in hearings conducted pursuant to this Section shall be on the appealing facility.