**Section 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension, Exclusion or Barring**

a) A vendor that has been terminated, suspended or excluded from the Medical Assistance Program may not apply to participate for at least one year after the date of the final administrative decision terminating, suspending or excluding eligibility, except that, if a vendor has been terminated, suspended or excluded based on a conviction of a violation of Article VIIIA of the Public Aid Code or a conviction of a felony based on fraud or a willful misrepresentation related to subsection (a)(1), (2) or (3), the vendor shall be barred from participation for five years or for the length of the vendor's sentence for that conviction, whichever is longer.

1) The Medical Assistance Program under Article V of the Public Aid Code;

2) A federal or another state's medical assistance or health care program; or

3) The provision of health care services.

b) After one year, a vendor who has been terminated, suspended or excluded for any reason, other than for the reasons in subsections (a)(1) through (3), may apply for reinstatement to the Medical Assistance Program. If a vendor's application for reinstatement is denied by the Department, he or she shall be barred from again applying for reinstatement for one year after the date of the final administrative decision denying his or her application for reinstatement.

c) A vendor whose termination, suspension or exclusion from participation in the Illinois Medical Assistance Program under Article V was based solely on an action by a governmental entity other than the Department may, upon reinstatement by that governmental entity or upon reversal of the termination, suspension or exclusion from participation in the Medical Assistance Program. Upon proper application for rescission, the vendor may be deemed eligible by the Director if the vendor meets the requirements for eligibility under the Public Aid Code.

d) At the end of a period of suspension, a vendor that has been suspended from the Medical Assistance Program shall be reinstated upon completion of the necessary enrollment forms and execution of a new vendor agreement unless it is determined that such vendor has not corrected the deficiencies upon which the suspension was based. If the deficiencies have not been corrected, the vendor shall, after notice and hearing, be terminated. The notice in any termination action based on this Section shall notify the vendor of the deficiencies not corrected.

e) An individual barred pursuant to Section 140.18 can apply to participate in the Medical Assistance Program. If an individual's application is denied by the Department or if he or she is denied special permission under Section 140.32, he or she shall be barred from again applying for one year after the date of the final administrative decision denying his or her application or special permission.

f) If a vendor has been terminated, suspended or excluded and reinstated to the Medical Assistance Program and the vendor is terminated, suspended or excluded a second or subsequent time from the Medical Assistance Program, the vendor shall be barred from participation for at least two years, except that, if a vendor has been terminated, suspended or excluded a second time based on a conviction of a violation of Article VIIIA of the Public Aid Code or a conviction of a felony based on fraud or a willful misrepresentation related to subsection (a)(1), (2) or (3), the vendor shall be barred from participation for life.

g) At the end of two years, a vendor who has been terminated, suspended or excluded for any reason, other than for the reasons in subsections (a)(1) through (3), may apply for reinstatement to the Medical Assistance Program. If a vendor's application for reinstatement is denied by the Department, he or she shall be barred from again applying for reinstatement for two years after the date of the final administrative decision denying his or her application for reinstatement.

(Source: Amended at 37 Ill. Reg. 10282, effective June 27, 2013)