**Section 160.12 Administrative Accountability Process**

a) A recipient of or an applicant for child support enforcement services may request an explanation of any decision, not appealable and/or not subject to other review, denying or terminating services or concerning the Department's or its contractor's alleged failure to provide services or the provision of services in an amount or manner that is considered inadequate.

b) A request for explanation through the Administrative Accountability Analysis process may be made by the recipient or applicant in person, by mail, e-mail, by telephone, or any other appropriate method provided for by law and technology for similar proceedings in Illinois. If the recipient or applicant requests an explanation by telephone, the request for an explanation form will be sent to the recipient or applicant.

c) The request for an explanation must be in writing, signed by the recipient or applicant or his or her authorized representative and:

1) specify the decision, alleged failure to act or deficient action that is the basis for the request; and

2) be submitted to the Department within 60 days after the action or alleged failure to act.

d) A recipient or applicant who is represented by another person must identify that person as his or her representative in writing.

e) If a request must be processed by another unit, such as the Account Review Unit, the inquiry shall be referred to the unit and the recipient or applicant shall be notified in writing of the referral.

f) At the option of the applicant or recipient, the Department's explanation shall be provided orally in an interview, in writing, or both orally and in writing.

g) The Department shall respond with its explanation to a timely written request for an explanation within 30 days from the date of the request.

h) A recipient of or an applicant for child support enforcement services may request a conference if the Department fails to respond with an explanation to a request for an explanation or fails to respond in a manner satisfactory to the recipient or applicant within 30 days from the date of the request for an explanation.

i) A request for a conference must be in writing, signed by the recipient or applicant or his or her authorized representative and:

1) if applicable, state why the Department's explanation was not satisfactory;

2) indicate whether the recipient or applicant wants the conference to be conducted in person, by telephone, by videoconference (e.g., WebEx), or any other appropriate method provided for by law and technology that may exist for similar proceedings in Illinois: and

3) be submitted to the Department within 60 days after the explanation was provided by the Department, or within 60 days after the time for providing an explanation expired.

j) If the recipient or applicant requests a conference by telephone, by videoconference (e.g., WebEx), or any other appropriate method provided for by law, the request for conference form will be sent to the recipient or applicant.

k) If a timely request for a conference is received by the Department, the office of the administrator of the child support enforcement program shall provide a conference.

l) A recipient or applicant who has requested a conference may:

1) review the Department's record pertaining to the explanation before or at the conference;

2) be represented in the conference by a person of his or her own choosing; and

3) present relevant matters at the conference in support of his or her position.

m) No part of the Department's cost for providing a conference shall be borne by the recipient or applicant.

n) A conference shall be conducted by a representative of the Department's child support enforcement program who did not participate in the alleged action or inaction which is the subject of the conference.

o) A conference shall be conducted and written results of the conference provided to all interested parties within 60 days from the date of submittal of the written request for a conference, unless there is delay in the conduct of the conference occasioned by the recipient or applicant or his or her representative.

(Source: Amended at 46 Ill. Reg. 5268, effective March 11, 2022)