**Section 240.430 Informal Review Findings**

a) Within 60 calendar days after the date of receipt of the Notice of Appeal to Department on Aging form, the Department shall conduct an informal review and issue an Appeal Findings Notice that may be delayed pending an extension of time caused by the appellant.

b) The Appeal Findings Notice shall clearly state the facts determined and decision of the Department based upon the informal review. Copies shall be sent to all parties to the appeal.

1) If the appeal is upheld, based upon the Department decision resulting from the informal review, the appeal file shall be closed.

2) If the original action is modified, based upon the Department decision resulting from the informal review, the appeal shall automatically proceed to hearing unless the appellant/authorized representative withdraws the hearing request in writing.

3) If the appeal is denied, based upon the Department decision resulting from the informal review, the appeal shall automatically proceed to hearing unless the appellant/authorized representative withdraws the hearing request in writing.

c) CCUs are to provide a copy of any notice of adverse action to a participant's authorized representative, if the participant has earned 10 points on the Mini-Mental State Examination (MMSE). If the authorized representative is a family member residing with the participant, the single notice to the participant will suffice.

(Source: Amended at 42 Ill. Reg. 20653, effective January 1, 2019)