**Section 240.1661 Provider and Care Coordination Unit Right to Appeal**

The provider and CCU have the right to appeal any finding and/or contract action (see Section 240.1665) resulting from a performance review (see Sections 240.1660 and 240.1720).

a) Upon receipt of the Provider or CCU Performance Review report of non-performance findings and the written notification of contract actions to be taken, a provider or CCU wanting to appeal must do so in such a manner that the appeal is received at the Department's Springfield Office on or before the 15th work day from the date of the notice. If the appeal is not received before the close of business on the 15th work day, the appeal shall be disregarded.

b) Appeals shall be submitted in the manner and form specified by the Department and shall be addressed to the General Counsel and delivered or mailed to the Department's main office (see Section 240.150):

c) General Counsel, with appropriate Department staff, will review the appeal and make a recommendation to the Director for final decision.

1) If the finding and/or contract action is determined by the Director to be valid, the finding/action shall be upheld/implemented.

2) If the finding and/or contract action is determined by the Director to be invalid, the appeal shall be upheld and the finding/action shall be modified or expunged, in whole or in part, with evidence placed in the provider or CCU file.

d) The Director may determine that the circumstances causing the contract actions warrant a hearing that shall be conducted at a location designated by the Department.

1) The provider or CCU may bring appropriate representation and written appeal data to the hearing.

2) Appropriate Department staff shall be in attendance at the hearing.

e) All hearings shall be conducted in accordance with Department hearing rules (89 Ill. Adm. Code 220.500 through 220.520).

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