**Section 240.2040 Minimum Direct Service Worker Costs for In-home Service**

a) Providers are required to expend a minimum of 77% of the total revenues due from the Department (see Section 240.2020(b)) to include the participant incurred expense that may have been applicable for direct service worker costs prior to July 1, 2010, as enumerated in Section 240.2050, during a reporting year.

1) This percentage is to be adhered to on a statewide basis.

2) The remaining 23% of the total revenues may be spent by the provider agencies, at their discretion, on administrative or program support costs, also delineated in Section 240.2050.

b) Failure of the provider to meet the requirements in subsection (a) may result in the following:

1) The provider will be required to submit and observe a Department-approved corrective action plan that shall include provider payments to current direct service workers in an amount that will, in total, bring the provider into compliance with the requirements of subsection (a).

2) Failure by the provider to submit and/or observe a corrective action plan may result in the following Department sanctions:

A) closure of intake (all or some contracts) for a period of time provided by written notice to the provider; or

B) termination (all or some contracts).

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