**Section 270.466 Grounds for Dismissal**

a) The Department/other entity may dismiss a matter on its own motion or on the motion of any party when:

1) A final administrative decision on the issue already exists as a result of a previous matter;

2) A court of competent jurisdiction has made a judicial finding or decision resolving the issue pending before the Department/other entity;

3) The pleading was not filed with the Department/other entity within the applicable timeframe;

4) The matter has been withdrawn pursuant to Section 270.468;

5) The matter has been abandoned by a party, or the party fails to appear for the hearing or refuses to proceed;

6) The issue is not within the jurisdiction of the Department as set forth by the Act; or

7) A party failed to notify the Department/other entity of a change of address and a notice of the administrative hearing, sent to the party's last known address, was returned as "undeliverable", "unclaimed", "refused", "moved", or "no forwarding address" or any other type of returned mail, via postal or electronic method.

b) The parties will be informed of the dismissal by written notice.

c) If the caregiver does not appeal within the requisite timeframe, or if an appeal is dismissed, the Department will place the caregiver's identity on the Registry as soon as is practicable and notify the caregiver's employer of this action.

(Source: Added at 42 Ill. Reg. 9226, effective July 1, 2018)