**Section 270.474 Final Administrative Decision**

a) The final administrative decision will include a written order setting out the factual and legal reasons for the final decision. All findings of fact will be based exclusively on the record. The order will state it is a final administrative decision and will fully advise the parties of any right to judicial review.

b) The final administrative decision will be served on all parties within 40 calendar days after the record has closed.

c) When the ALJ issues a recommendation for final administrative decision:

1) The recommendation shall be in writing and set forth proposed findings of fact and recommended conclusions of law for review by the Director.

2) The recommendation shall be provided to the Director within 20 calendar days after the close of the record.

3) The Director shall consider the recommendation in issuing a final administrative decision.

4) The Director shall issue a decision accepting, rejecting or modifying the recommendation of the Department/other entity within 20 calendar days after receipt of the recommendation.

5) To the extent the Director does not accept the recommendation, the decision shall set out in writing the rationale.

6) The Department/other entity shall then serve all parties with the final administrative decision.

d) All parties or their designees shall take appropriate action and comply with all terms and conditions set forth in the final administrative decision. All parties are responsible for ensuring the appropriate action is undertaken in the designated timeframe.

e) Absent notice of judicial appeal, the Department will place the caregiver's identity on the Registry within 45 calendar days after the final administrative decision.

f) The final administration decision is confidential and not open to the public pursuant to Section 7.5(y) of the Freedom of Information Act.

g) The final administrative decision under this Subpart is not subject to the Illinois Administrative Review Law [735 ILCS 5/Art. III].

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