**Section 508.140 Proposal for Decision**

a) When the decision-maker *has not heard the administrative hearing or read the record and his or her final decision would be adverse to any party other than the Department, a proposal for decision shall be served upon all parties to the proceedings. The proposal for decision shall contain:*

1) *A statement of the reasons for the proposed decision;*

2) *A statement of each issue of fact or law necessary to the proposed decision.*

b) *The proposed decision shall be prepared by the persons who conducted the hearing or one who has read the record*.

c) *Any party adversely affected by the proposed decision* shall have 20 days from the receipt of the proposal for decision in which to *file written exceptions and a brief.* [5 ILCS 100/10-45] Failure to file written exceptions and a brief in the time provided for in the proposal for decision shall be deemed a waiver of the right to file exceptions and a brief. The Department shall have 10 days to respond to the exceptions or brief.

d) The proposal for decision shall be served on all parties personally or by certified mail.

e) The decision-maker in his or her discretion may provide for oral arguments on the proposal for decision. If oral arguments are allowed, they shall be scheduled as convenient to the decision-maker.

(Source: Amended at 28 Ill. Reg. 1122, effective December 31, 2003)