**Section 2908.100 Administrative Fines**

a) *The Department shall impose an administrative fine if it determines that a payer has failed to comply with the electronic claims acceptance and response process* required by this Part or by the Act. *The amount of the administrative fine shall be no greater than $1,000 per violation and shall not exceed $10,000 for identical violations during a calendar year.* [820 ILCS 305/8.2a(a)(7)]

b) The amount of the fine assessed for each violation by the payer or payer agent shall be as follows:

1) For the first violation of an applicable requirement within a calendar year, $300;

2) For a second, identical violation within the same year, $700; and

3) For each additional, identical violation within the same year, $1,000.

c) For purposes of calculating fines, a payer or payer agent's violation of an applicable requirement of this Part or Section 8.2a of the Act occurs only once per medical bill. A given medical bill includes all duplicates, but a corrected medical bill counts as a new, original bill.

d) Identical violations are violations of the same requirement of this Part or Section 8.2a of the Act that occur in relation to different medical bills. Violations of different requirements are not identical violations even if they occur in relation to the same medical bill. Each nonidentical violation carries its own fine determined under subsection (b). It is possible for a payer or payer agent to commit multiple, nonidentical violations in relation to the same medical bill.

e) If a late payment violation causes a payer or payer agent to accrue an interest penalty provided in this Part or Section 8.2(d)(3) of the Act, a fine will not be assessed for that violation unless one month of interest has accrued.

(Source: Added at 43 Ill. Reg. 9237, effective August 19, 2019)