**Section 2915.10 Notice of Non-Compliance**

a) The Insurance Compliance Division of the Illinois Department of Insurance (“Department”) shall issue a Notice of Non-Compliance (“Notice”) to any employer that the Department believes has failed to comply with the provisions of the Workers’ Compensation Act [820 ILCS 305] only when the Department has obtained information indicating that the employer has been non-compliant for more than 30 days, that the non-compliance may be willful, or that a worker was injured during a time when the employer was non-compliant. The notice will be served on the employer at the employer's last known address or to the employer's representative. The notice will be accompanied by a certificate of service on the employer, setting forth the time and manner of service.

b) The Notice of Non-Compliance will be a written statement setting forth, but not limited to, the following information:

1) the name and address of the employer;

2) a statement of the Section of the statute alleged to be violated, the periods of alleged non-compliance and the penalty that may be imposed;

3) a statement that the employer must submit evidence of compliance or otherwise respond within 30 days after the date of receipt of the notice. Examples of evidence of compliance are:

A) a copy of the policy information page required to be filed under 50 Ill. Adm. Code 9100.20 that indicates coverage for the periods of alleged non-compliance;

B) a self-insurance certificate of approval covering the periods of alleged non-compliance;

C) a copy of a pooling agreement showing membership in a licensed group workers' compensation pool authorized by the Department during the alleged periods of non-compliance; and

4) a statement that failure to respond to the Notice of Non-Compliance within the prescribed time period shall cause the Workers’ Compensation Commission to set this matter for hearing in accordance with 50 Ill. Adm. Code 9100.90(c).

c) Informal Conference

1) When a Notice of Non-Compliance has been sent, the Department shall, at the request of the employer or its attorney, or may on its own initiative, schedule the matter for an informal conference at which a designated representative of the Department shall meet with the employer in an attempt to resolve the matter.

2) A request by the employer or its attorney for an informal conference must be received by the Department within 15 days after the receipt of the Notice of Non-Compliance.

3) The Department shall send written notice to the employer or its attorney at least 7 days prior to the scheduled conference.

4) The conference shall be held at a site designated by the Department.

5) If the matter cannot be resolved at the conference, the Workers’ Compensation Commission will set the matter for hearing in accordance with 50 Ill. Adm. Code 9100.90(c).