**Section 132.55 Appeal of Certification Decisions**

a) An applicant or Provider may appeal the following to the Certifying State Agency:

1) Refusal to issue certification;

2) Refusal to issue recertification;

3) Suspension of certification; or

4) Revocation of certification.

b) Certification Appeal Criteria and Process

1) If the Certifying State Agency determines that certification or recertification shall not be issued, that certification shall be suspended, or that certification shall be revoked, the Certifying State Agency shall send written notice to the applicant or the Provider within 30 days after the determination. The notice shall contain the specific requirements with which the applicant or Provider has not complied, the Certifying State Agency's proposed action, and the applicant or Provider rights as follows:

A) If the applicant or Provider chooses to appeal the Certifying State Agency's decision, the applicant or Provider shall submit a written request for a hearing to the Certifying State Agency within 20 days after the dated receipt of the notice.

B) If an appeal is initiated by a Provider, services shall be continued pending a final administrative decision.

C) The request for a hearing shall be addressed to the appropriate Certifying State Agency as follows:

 Illinois Department of Human Services

 Bureau of Administrative Hearings

 100 South Grand Avenue East, 3rd Floor

 Springfield IL 62762-0001

 or

 Illinois Department of Children and Family Services

 Office of Medicaid Certification

 406 East Monroe

 Springfield IL 62701-1498

2) If the applicant or Provider does not submit a request for a hearing, as provided in this Section, or if, after conducting the hearing, the Certifying State Agency determines that the certification or recertification shall not be issued or that the certification shall be revoked, the Certifying State Agency shall issue an order to that effect. If the order is to revoke the certification, it shall specify that the order takes effect upon receipt by the Provider and that the Provider shall not provide Medicaid community mental health services during the pendency of any proceeding for judicial review of the Certifying State Agency's decision, except by court order.

(Source: Amended at 38 Ill. Reg. 15550, effective July 1, 2014)