**Section 1285.230 Summary Suspension**

a) Upon receipt by the Division of a certified copy of any order of judgment that a person licensed under this Act is in need of mental treatment, the Director shall issue an order suspending the license. The order shall:

1) Set forth the statutory section of the Act upon which it is based;

2) Incorporate a certified copy of the judicial order or judgment that the person is in need of mental treatment;

3) Notify the licensee that the suspension order takes effect on the date signed by the Director; and

4) Notify the licensee that he or she has 20 days in which to file a written motion to modify the summary suspension order.

b) Summary suspension of a license based upon an immediate danger to the public posed by a person's continuation in practice, pursuant to Section 25 or Section 37 of the Act, or upon failure to comply with terms, conditions or restrictions or to complete a required program of care, counseling or treatment pursuant to Section 22 of the Act, shall be as follows:

1) A petition for summary suspension shall:

A) State the statutory basis for the action petitioned;

B) Allege facts, supported by evidence or affidavit sufficient for summary action;

C) State that the Medical Coordinator or the Deputy Medical Coordinator has been consulted;

D) Be signed by the Chief of Medical Prosecutions; and

E) Be presented to the Director either in person or by telephone and in the presence of a court reporter.

2) An order for summary suspension shall:

A) Contain findings of fact sufficient to support imposition of a summary suspension;

B) Recite the statutory basis for the action;

C) Appoint a hearing officer;

D) Demand immediate surrender of the license; and

E) Be signed by the Director.

3) A notice of summary suspension shall accompany the order and shall:

A) Set a hearing date within 15 days of the date on which the order takes effect;

B) Name the hearing officer who shall conduct the hearing; and

C) Include a copy of the Division's Practice in Administrative Hearings (68 Ill. Adm. Code 1110).

(Source: Amended at 29 Ill. Reg. 18823, effective November 4, 2005)