**Section 100.1 Authority and Applicability**

a) This Part governing practice and procedure for administrative hearings is promulgated pursuant to Section 5-10(a)(i) of the Illinois Administrative Procedure Act (IAPA). Subpart B provides rules for Department hearings. Subpart C provides rules for hearings under the Smoke Free Illinois Act.

b) This Part governs all contested cases in the Department of Public Health, State of Illinois, except as noted in subsection (d) of this Section. When a licensing statute prescribes certain procedures or requirements for licensure hearings, those procedures or requirements will be followed as though they were set forth in this Part. If there is a conflict between the licensing statute and this Part, the licensing statute shall prevail.

c) This Part also applies to contested cases resulting from the Department's administration of any program on behalf of the United States government. If there is a conflict between federal regulations and this Part, federal regulations shall prevail.

d) This Part does not govern informal administrative procedures established by the Department to resolve licensing issues or conflicts prior to initiating any action requiring a formal hearing.

(Source: Amended at 46 Ill. Reg. 8158, effective May 5, 2022)