**Section 350.276 Notice of Violation**

a) *Each notice of violation shall be prepared in writing and shall* contain the following information:

1) A description of *the nature of the violation.*

2) A citation of the specific *statutory provision or rule* *alleged* by the Department *to have been violated*. (Section 3-301 of the Act)

3) A statement of the Type of the violation as determined pursuant to Section 350.274.

4) One of the following requirements for corrective action:

A) *The situation, condition or practice constituting a Type "AA" violation or a Type "A" violation shall be abated or eliminated immediately unless a fixed period of time, not exceeding 15 days, as determined by the Department and specified in the notice of violation, is required for correction.* In setting this period, the Department will consider whether harm to residents of the facility is imminent, whether necessary precautions can be taken to protect residents before the corrective action is completed, and whether delay would pose additional risks to the residents.

B) *At the time of issuance of a notice of a Type "B" violation, the Department shall request a plan of correction which is subject to the Department's approval. The facility shall have 10 days after receipt of notice of violation in which to prepare and submit a plan of correction*. (Section 3-303 of the Act)

5) A statement that the Department may take additional action under the Act, including assessment of penalties or licensure action.

6) A description of the licensee's right to appeal the notice and its right to a hearing.

b) For each notice of violation, *the Director shall serve a notice of violation upon the licensee within 10 days* after the Director determines that issuance of a notice of violation is warranted under Section 350.272. (Section 3-301 of the Act)

c) *Residents and their guardians or other resident representatives, if any, shall be notified of any violation of* the *Act or* this Part *pursuant to Section 2-217 of* the *Act, or of violations of the requirements of Titles XVIII or XIX of the Social Security Act or* federal regulations*, with respect to the health, safety, or welfare of the resident*. (Section 2-115 of the Act)

(Source: Amended at 46 Ill. Reg. 10519, effective June 2, 2022)