**Section 527.1000 Violations**

a) A person violates the Act by:

1) failing to comply with the Act;

2) failing to adopt or implement a proper medical emergency plan;

3) failing to have the requisite number of AEDs on the premises; or

4) failing to have appropriate numbers of trained AED users and applicable supervisors on staff and to avoid lapses in compliance with this Code.

b) Upon receipt of a written administrative warning to a facility for an initial violation of the Act, the facility has 10 business days to respond with written comments concerning the facility's remedial response. In the entity's comments to the administrative warning, it may state, for the Department's consideration, the reasons for disagreeing with the Department's determination. The facility may waive the right to submit a written response. Whether or not the facility waives the right to respond, the facility shall immediately remediate the circumstances to cure the violation.

c) Upon receipt of notice of a subsequent violation of the Act, the facility has 10 business days either to pay any assigned civil monetary penalty or to request an administrative hearing. If the facility fails to pay the civil monetary penalty or to submit a request for a hearing within 10 days after receipt of the notice, then the Department will issue a final order closing the case and will refer the matter to the Attorney General for collection of any monetary penalty.

d) The Department may assess a civil monetary penalty for a second or subsequent violation based on factors including, but not limited to, compliance history, nature of the offense or severity of the injury resulting from the offenses.

e) The civil monetary penalty for a second violation of the Act is $1,500, and the penalty for a third or subsequent violation of the Act is $2,000. The Department may assess only a total $1,500 penalty for a second violation irrespective of the number of deficiencies found. For a third or subsequent violation, however, the Department may assess a separate $2,000 monetary penalty for each deficiency if more than one violation of the Act is found at a facility during the third or subsequent inspection.

f) Written comments to an administrative warning, requests for hearings, or fines shall be submitted to the following address:

Illinois Department of Public Health

Division of EMS & Highway Safety

422 S. 5th St. – 3rd Floor

Springfield IL 62701

(Source: Amended at 37 Ill. Reg. 1247, effective January 18, 2013)