**Section 955.275 Rehabilitation Waiver**

a) The Department may consider the results of a fingerprint-based criminal history records check for a rehabilitation waiver, if sufficient time has passed since the last disqualifying conviction. A rehabilitation waiver may be granted without a waiver application being submitted by the individual.

b) For an individual to be considered for a rehabilitation waiver, the Department must have received from him or her a criminal history records check that meets the requirements of Sections 955.115 and 955.165 of this Part.

c) A waiver without a waiver application shall not be granted unless the individual has met the following time frames:

1) Single disqualifying misdemeanor conviction – five years after conviction date;

2) Two disqualifying misdemeanor convictions – seven years after conviction date;

3) Three or more disqualifying misdemeanor convictions – nine years after conviction date;

4) Single disqualifying felony conviction – seven years after conviction date;

5) Two disqualifying felony convictions – nine years after conviction date; and

6) Three or more felony convictions shall not be considered for a rehabilitation waiver.

d) A waiver without a waiver application may be granted to an individual who has been convicted of committing or attempting to commit one or more of the offenses listed in Appendix B, if the time frames listed in subsection (c) have been met.

e) Upon receipt of the results of a criminal history records check that meets the requirements set forth in Sections 955.115 and 955.165, the Department will review the convictions reported to determine whether the convictions are disqualifying in accordance with Section 25 of the Act and Section 955.160 of this Part and whether the circumstances of the convictions meet the criteria set forth in this Section. The Department will grant a rehabilitation waiver to the individual if: the criteria of this Section are met and no additional information is needed to verify completion of parole (i.e., probation or mandatory supervised release) or payment of fines or restitutions; the Health Care Worker Registry does not show any administrative findings of abuse, neglect or misappropriation of property; and the individual has no other disqualifying convictions.

f) In cases in which a rehabilitation waiver is granted, a letter will be sent to the individual notifying the individual that he or she has received a rehabilitation waiver. The waiver will be recorded in the Health Care Worker Registry. If a rehabilitation waiver is not granted, the individual may apply for a waiver by submitting a completed waiver application pursuant to Section 955.260.

(Source: Amended at 44 Ill. Reg. 18422, effective October 29, 2020)