**Section 240.415 What May be Appealed**

The following actions of CCUs, providers or the Department may be appealed:

a) Refusal to accept a referral for CCP services.

b) Failure to act upon a referral form within the mandated time period, unless delayed in any manner by the participant/authorized representative in the determination of eligibility process.

c) A decision to deny CCP services.

d) Failure to advise prescreened participants/authorized representatives that they have a choice of:

1) nursing facility care, if eligible;

2) supported living program provider care, if eligible;

3) receiving in-home or community-based services, if eligible; or

4) declining any of these options.

e) A decision to reduce, terminate or in any way change CCP services or how those services are provided. If the decision to reduce, terminate or in any way change CCP services is based on automatic, non-discretionary changes in eligibility, rates or benefits required by federal or State statute or regulation, which adversely affects some or all participants, the appeal will be automatically denied and the participant affected will not be afforded a hearing.

f) A decision to deny a request for redetermination.

g) Failure to make a decision or take appropriate action on any request made by a participant within 15 calendar days after the date of the request.

h) A decision by a CCU to uphold a provider decision with which the participant/authorized representative does not agree.

i) Failure to advise the participant/authorized representative of his/her right to choose a Department authorized provider in the service area of the participant to provide the services required by the person-centered plan of care.

j) Failure of a CCU to advise a participant/authorized representative of any of his/her rights under CCP.

k) Failure of a CCU or provider to comply with CCP rules in this Part and 89 Ill. Adm. Code 220.

(Source: Amended at 42 Ill. Reg. 20653, effective January 1, 2019)