**Section 299.655 Program Unit Hearing Officer Procedures**

a) The Program Unit Hearing Officer shall be either security or clinical staff designated by the Program Director to hear allegations of minor rule violations that do not result in reassignment of management status. Any person who initiated the allegations that serve as the basis for the incident report, or who conducted a formal investigation into those allegations, or who witnessed the incident, or who is otherwise not impartial shall not conduct a hearing on that report.

b) The hearing shall be convened, but need not be concluded, within 14 days after the commission of the rule violation or its discovery, whenever possible, unless the resident is unable to participate in the hearing.

c) The resident shall receive a 24-hour written notice of the allegations and violations being presented against him/her prior to the hearing.

d) The hearing may be continued to obtain additional information or upon the resident's written request based on good cause shown.

e) The resident shall have the right to appear before and address the Program Unit Hearing Officer.

f) The Program Unit Hearing Officer may interview witnesses and review any information relevant to the violation.

g) The Program Unit Hearing Officer may return the report to the Program Director with a recommendation for a hearing before the Behavior Committee.

h) The Program Unit Hearing Officer may decide upon any of the actions authorized in Section 299.665(c)(3), except that he/she may not change the resident's management status.

i) A recommended decision shall be signed by the Program Unit Hearing Officer that contains a summary of oral and written statements and other evidence presented, the decision, and the behavior action implemented. The Program Director shall review the recommendation and render a final decision.

(Source: Added at 44 Ill. Reg. 8246, effective April 28, 2020)