**Section 300.260 Issuance of Conditional Licenses**

a) *The Director may issue a conditional license* *under Section 3-305* of the Act *to any facility if the Director finds that either a Type "A" or Type "B" violation exists in such facility. The issuance of a conditional license shall revoke any license held by the facility.* (Section 3-311 of the Act)

b) *Prior to the issuance of a conditional license, the Department shall review and approve a written plan of correction. The Department shall specify the violations which prevent full licensure and shall establish a time schedule for correction of the deficiencies. Retention of the license shall be conditional* *on* *the* *timely* *correction of the deficiencies in accordance with the plan of correction.* (Section 3-312 of the Act)

c) *Written notice of the decision to issue a conditional license shall be sent to the applicant or licensee together with the specification of all violations of* the Act and this Part *which prevent full licensure and which form the basis for the Department's decision to issue a conditional license and the required plan of correction. The notice shall inform the applicant or licensee of its right to a full hearing under Section 3-315* of the Act *to contest the issuance of the conditional license*. (Section 3-313 of the Act)

d) *If the applicant or licensee desires to* *contest* *the basis for issuance of a conditional license, or the terms of the plan of correction, the applicant or licensee shall send a written request for hearing to the Department within* ten (10) *days after receipt by the applicant or licensee of the Department's notice and decision to issue a conditional license. The Department shall hold the hearing as provided under* *Section 3-703 of the Act*. The terms of the conditional license shall be stayed pending the issuance of the Final Order at the conclusion of the hearing, and the facility may operate in the same manner as with an unrestricted license. (Section 3-315 of the Act)

e) *A conditional license shall be issued for a period specified by the Department, but in no event for more than one year.* The effective date of the conditional license shall not begin until such time as the applicant or licensee has had the opportunity to request a hearing pursuant to subsection (d) of this Section, and if a hearing is requested in a timely manner, then the terms of the conditional license shall be stayed as provided for in subsection (d) of this Section. *The Department shall periodically inspect any facility operating under a conditional license. If the Department finds substantial failure by the facility to* *timely* *correct the violations which prevented full licensure and formed the basis for the Department's decision to issue a conditional license in accordance with the required plan of correction, the conditional license may be revoked as provided under* *Section 3-119 of the Act*. (Section 3-316 of the Act)

(Source: Amended at 17 Ill. Reg. 15106, effective September 3, 1993)