**Section 1130.590 Revocation of an Exemption**

a) HFSRB shall revoke an exemption upon a determination that an exemption holder has failed to comply with the requirements of the Act and this Part. The determination may be based upon, but not limited by, any of the following reasons:

1) The project for which the exemption was granted has been altered without the required notice and approval of HFSRB;

2) The exemption holder has failed to complete the project on or before the completion date;

3) The exemption holder or applicant materially changed information or details submitted in the exemption application or in any written materials submitted to HFSRB;

4) The permit holder or applicant submitted false information in the Application for Exemption or in any written materials submitted to HFSRB;

5) The permit holder or applicant misrepresented information presented at an HFSRB meeting, at an HFSRB public hearing, or in response to HFSRB or HFSRB staff inquiries;

6) The exemption holder or applicant has been convicted of any of the following crimes during the previous five years. The convictions shall be verified by a certified copy of the court of conviction.

A) A felony;

B) Two or more misdemeanors involving moral turpitude;

7) The exemption holder, applicant, or health care facility representative has refused to allow an inspection or survey of the health care facility by HFSRB representatives (i.e., IDPH surveyors);

8) The facility has insufficient financial or other resources to operate the facility in accordance with the exemption application or with any other information submitted to HFSRB;

9) The facility's license has been revoked by IDPH.

b) If HFSRB intends to revoke an exemption, the exemption holder shall be provided with written notification of the intent to revoke and notice of allegations. The exemption holder shall be afforded an opportunity for a hearing before an administrative law judge. HFSRB may also impose other sanctions or penalties mandated in the Act (see 20 ILCS 3960/14.1) and Section 1130.790, including fines, in addition to the revocation determination.

(Source: Amended at 40 Ill. Reg. 14647, effective October 14, 2016)