**Section 1130.1020 Initiation of a Contested Case (Pleadings)**

a) In contested cases, in which HFSRB is required to serve respondent a notice of opportunity for an administrative hearing, that notice shall contain:

1) *a statement of the nature of the* action;

2) *a statement of the legal authority and jurisdiction under which the* action *is being* initiated;

3) *a reference to the particular Sections of the statutes and/or rules involved;*

4) allegations of noncompliance;

5) a statement of the procedure for requesting an administrative hearing, including a date by which the request must be received by HFSRB, which must be set at least 10 days after the notice is mailed or personally served;

6) *except where a more detailed statement is otherwise provided for by law, a short and plain statement of the matters asserted, the consequences of a failure to respond, and the official file or reference number.*  [5 ILCS 100/10-25]

b) A person who receives a Notice of an Opportunity for an Administrative Hearing shall submit a written request for a hearing to HFSRB. The request shall be sent to HFSRB at the address stated in the notice and shall be received by the date set forth in the notice. Failure to comply with this Section shall constitute a waiver of the person's right to an administrative hearing.

c) Upon receiving a timely request for hearing, HFSRB shall issue a notice of hearing or prehearing conference. *The notice of hearing or prehearing conference shall contain:*

1) *a statement of the nature of the hearing;*

2) *a statement of the time and place* that *the hearing or* prehearing conference will be held;

3) *a statement of the legal authority and jurisdiction under which the hearing is to be held;* and

4) *the names and mailing addresses of the administrative law judge, all parties, and all other persons to whom the agency gives notice of the hearing, unless otherwise confidential by law*.  [5 ILCS 100/10-25]

d) Amendments to the pleadings may be allowed upon proper motion at any time during the pendency of the proceedings on such terms as shall be just and reasonable.

e) All written documents provided for under this Section shall be liberally construed with a view toward doing substantial justice between the parties.

f) Venue shall be the location designated in the Notice of Administrative Hearing. Venue may be moved to another location upon stipulation by all parties or upon a showing to and a finding by the administrative law judge that exceptional circumstances, including but not limited to age, infirmity or inability to travel, exist that make it desirable, in the interest of justice, to allow a change of venue.

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