**Section 240.410 When the Appeal May Be Filed**

a) The request for an appeal must be on a Notice of Appeal form and must be filed within 60 calendar days after the date the notice of the action being appealed was sent to the participant.

b) If a Notice of Appeal form is filed after the 60 calendar day time period, the appeal will be automatically denied.

c) The 60 calendar day time limitation does not apply when a CCU or the Department fails to send the required written notification of the action taken that is being appealed.

d) CCP services shall be continued at the level in effect prior to the notice of adverse action until the final decision in the appeal is reached, except for instances involving automatic, non-discretionary changes in eligibility, rates or benefits required by federal or State statute or regulation. In addition, if the Department determines that the health, safety or welfare of the provider/direct service worker will be jeopardized if service is continued (see Section 240.355), the participant's right to continued service may be denied until the appeal decision is reached.

e) Services shall not be continued during the appeal process for a participant receiving interim services. Those participants receiving interim services have not received full eligibility for the CCP and are only presumed eligible until a full determination of eligibility has been completed.

(Source: Amended at 48 Ill. Reg. 11053, effective July 16, 2024)