**Section 508.50 Notice and Initiation of an Administrative Hearing**

a) When the Department serves a Notice of Opportunity for an Administrative Hearing it 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 rules involved*;

4) allegations of noncompliance specifying the basis for the Department's action (e.g., audit findings, investigative reports, the rule being violated, etc);

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

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 the Department. The request shall be delivered or mailed to the Department at the address stated in the Notice and, if mailed, shall be postmarked no later than 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 receipt of a timely request for hearing, the Department shall issue a Notice of Administrative Hearing or Prehearing Conference. The Notice of Administrative 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 Department 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) 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 exist, including but not limited to age, infirmity or inability to travel that make it desirable, in the interest of justice, to allow a change of venue.

f) Computation of Time. The time within which any act under this Section is to be done shall be computed by excluding the first day and including the last day.