**Section 380.611 Board of Certification**

a) Within 30 days after the conclusion of a hearing, the Hearing Officer shall provide a copy of the following to the Board of Certification:

1) the hearing transcript;

2) hearing exhibits; and

3) instructions on how the Board of Certification can file a recommendation, including the name and mailing address of the Docket Clerk and any person who must be sent a copy of the Board of Certification's recommendation.

b) The Board of Certification may make a recommendation on the basis of the hearing transcript whether a sanction is appropriate and, if a sanction is appropriate, the suspension or revocation period. Any recommendation of the Board of Certification must be in writing.

c) The rules of evidence specified in 35 Ill. Adm. Code 168.270 shall not apply to the Board of Certification's recommendation.

d) The Board of Certification's recommendation shall be submitted in writing to the Docket Clerk within 30 days after receipt of transcripts and shall include a statement of reasons for the Board of Certification's recommendation.

e) If the Board of Certification makes a recommendation, the Board of Certification shall send a copy of the recommendation to the Hearing Officer, the Agency and the operator.

f) The Agency may issue a decision without the Board of Certification's recommendation if the Board of Certification fails to submit its recommendation within 30 days after its receipt of the hearing transcript.

g) The Board of Certification's recommendation is not binding on the Agency.

h) The Agency or the operator may file a response to the Board of Certification's recommendation within 15 days after the day the Board of Certification files its recommendation with the Docket Clerk.

(Source: Added at 43 Ill. Reg. 5203, effective July 1, 2019)