**Section 2830.335 Decision**

a) A decision shall be made in writing, shall separately state findings of fact and conclusions of law, and shall be mailed to the parties.

b) A decision to allow or deny a claim for reissuance of payment under this Subpart shall be based on the testimony and evidence in the record and not solely on an analysis of the claimant's handwriting. The formal rules of evidence shall not, however, apply in these matters.

c) No decision shall be based solely on unobjected to hearsay testimony when the claimant has testified to the contrary under oath unless the Department employee assigned to the matter finds that the claimant's testimony is incredible, inconsistent or inherently improbable.

d) No decision shall be based on evidence that the claimant has not had an opportunity to review and rebut. The claimant shall be deemed to have waived his or her right to review and rebut when he or she fails to appear at the scheduled hearing.

(Source: Amended at 43 Ill. Reg. 1610, effective January 15, 2019)