**Section 100.10 Service**

a) Notices under Section 100.7(a) shall be served either personally, by certified mail or by electronic mail upon all parties (including complainants under the NHCA, the MC/DD Act, the SMHRF Act, and the ID/DD Act when applicable) or their agents appointed to receive service of process unless the applicable licensing statute requires a different form of service, in which case service shall conform to the statute.

b) Service to the last official electronic mail or mailing address of a party or agent provided to the Department by a party shall be considered in compliance with this Section. Notices and citations sent by certified mail to the last known mailing address of a party or agent which are returned to the Department as unclaimed or refused by the addressee shall be considered served. For purposes of this Section, the "last official electronic or mailing address" shall be: the electronic mail and/or mailing address listed on the most recent application submitted to the Department, unless the Department has been subsequently notified in writing of a change of address. For certified nursing assistants and habilitation aides, the "most recent application" shall be the information submitted by the training program or testing entity that qualified the individual to be entered on the registry.

c) Service of pleadings or motions under this Section, unless otherwise provided for in this Section, shall be made by any manner consistent with the provisions of Section 10-75 of the Illinois Administrative Procedure Act. When any party or parties have appeared by attorney, service upon the attorney shall be deemed service upon the party or parties. All pleading or motions under this Section shall also be served upon the administrative law judge.

d) Proof of service under subsection (b) shall be by either:

1) certificate of attorney; or

2) affidavit or verification by certification.

(Source: Amended at 46 Ill. Reg. 8158, effective May 5, 2022)