**Section 250.140 Hearings**

a) Denial, suspension or revocation of a permit

An application for a permit may be denied, or a previously issued permit may be suspended or revoked, if the Director finds that the applicant for a permit has failed to comply with Section 6.(a) of the Act and/or the regulations promulgated and published in Subpart A of these regulations.

b) Denial, suspension or revocation of a license

An application for a license may be denied, or previously issued license may be suspended or revoked for the following reasons:

1) The institution, place, building, or agency is determined not to be a "hospital" within the meaning of the Act.

2) The institution, place, building, or agency is one specifically excluded from the provisions of the Act.

3) There has been a substantial or continued failure to comply with regulations.

c) Notice of denial, suspension, or revocation; opportunity for hearing

1) Prior to any action to deny, suspend, or revoke a permit or a license, the Department shall offer every reasonable assistance and consultation. Meetings and discussions between the applicant or licensee and the Department for this purpose shall be encouraged and shall not constitute hearings.

2) Whenever an action is proposed to be taken to deny, suspend, or revoke a permit or a license, the Department shall:

A) Present the matter to the Hospital Licensing Board for review and recommendations.

B) Serve the applicant or licensee notice by registered mail or personal service, stating the reasons for the proposed action and providing opportunity for hearing not less than 15 days from the date of notice. The date of notice shall be the date mailed or personally served.

C) On the basis of such hearing, or upon default of the applicant or licensee, a decision regarding the proposed action shall be made. In case of a denial to an applicant of a permit to establish a hospital, such determination shall specify the subsection of Section 6 under which the permit was denied and shall contain findings of fact forming the basis of such denial.

D) A copy of the decision shall be sent by registered mail to or be served personally on the applicant or licensee and shall become final 35 days thereafter unless there is a petition for administrative review under the provisions of the Administrative Review Act.

E) The detailed provisions regarding hearings as set forth in Section 7 of the Act shall be followed.

d) Judicial Review

All final administrative decisions of the Department regarding the denial, suspension or revocation of a permit or license shall be subject to review in accordance with the provisions of the Administrative Review Law (Ill. Rev. Stat. 1983, ch. 110, pars. 3-101 et seq.).