**Section 592.140 Terms of Performance**

a) If the Grant Agreement is breached, repayment shall be made as agreed to by the grantee and the Department in the Grant Agreement and in accordance with the applicable provisions of this Section.

b) A breach of the Grant Agreement shall include, but not be limited to:

1) Making any material misstatement in reporting information to the Department;

2) Making any material misrepresentation to the Department for the purpose of obtaining a grant;

3) Failure for any reason to complete dental school; and

4) Failure to become a licensed dentist in Illinois.

c) When the Department has determined that a breach of the Grant Agreement has occurred, it shall notify the recipient and schedule an administrative hearing. The administrative hearing will identify the item or items breached in the Grant Agreement, propose a resolution to address the agreement's breach, and propose a repayment process to the Department.

d) When the administrative hearing process determines that the Grant Agreement has not been fulfilled, the Department and grantee shall enter into a contract for the repayment of the obligation.

e) To fulfill the repayment requirements of this Section, the grantee shall have 30 calendar days after the conclusion of the administrative hearing to enter into a repayment contract with the Department.

f) Any dispute about the terms of performance or repayment shall be governed by the administrative hearing process. The administrative law judge will make the final recommendation to the Director. The Director shall make the final decision to approve or deny the administrative law judge's recommendation. Decision notices will be sent to all parties.

g) If the grantee does not repay all funds owed to the Department within the required time period, the Department may use all collection methods available, including referral to the Illinois Attorney General or a collection agency.

(Source: Added at 38 Ill. Reg. 23080, effective November 21, 2014)