**Section 976.140 Grant Funds Recovery**

a) If the grantee fails to comply with this Part or the terms of the grant agreement or upon the Department's determination that grant funds have been misused or misspent, the grantee immediately shall repay to the Department all monies disbursed to the grantee under the Hospital Capital Investment program.

b) A breach of the grant agreement shall include, but not be limited to, the following:

1) Failure to complete the project as approved (see Section 976.150(d));

2) Failure to obligate the project (see Sections 976.150(c) and 976.160);

3) The assignment or transfer of the grant agreement to another entity (see Section 976.150(e));

4) Material misstatement in reporting information to the Department;

5) Material misrepresentation to the Department for the purpose of obtaining a grant.

c) Misused or misspent grant funds shall include, but not be limited to, the following:

1) Expending funds on a project component or activity that was not approved in the grant agreement;

2) Expending funds on a component or activity that was not part of the project and that was not approved in the grant agreement.

d) If the grantee does not repay all funds owed to the Department, the Department shall refer the matter to the Illinois Attorney General for resolution.

e) A grantee may seek judicial review of the Department's determination under the provisions of the Administrative Review Law [735 ILCS 5/Art. III].