**Section 1235.250 Application for Exception – State Board Review**

a) The State Board shall approve or deny an application for exception within 90 days from the date on which the application was deemed complete. Failure to act on an application within the 90 day review period, *shall mean that no alternative is practical based upon the facts set forth in the completed* application and shall constitute approval of the application. [225 ILCS 47/20(b)]

b) During the course of review, the State Board may request supplemental information from the health care worker. The State Board may, within the 90 day review period, defer action on the application until the supplemental information has been received.

c) Action taken by the State Board on an application for exception shall constitute a final administrative decision subject to the provisions of the Administrative Review Law [735 ILCS 5/Art. III].

d) Pursuant to an approved application for exception, a health care worker may invest in, and refer patients to, the specific entity identified in the application, whether or not the health care worker provides direct services within that entity, based upon his or her having demonstrated community need for the entity and the unavailability of alternative financing.

(Source: Amended at 41 Ill. Reg. 15310, effective December 5, 2017)