**Section 102.80 Right to Appeal**

a) Any individual who applies for or receives financial or medical assistance, social services or food stamps benefits shall have the right to appeal any of the following:

1) Refusal to accept an application or reapplication;

2) Failure to act on an application within the mandated time period;

3) A decision to deny an application;

4) A decision to reduce, suspend, terminate or in any way change the amount of assistance/food stamps or manner in which it is provided;

5) Failure to make a decision or take appropriate action on any request which the client makes;

6) A decision affecting the basis of issuance of food stamps with which the client disagrees;

7) A decision to deny the payment for a medical service or item that requires prior approval;

8) A decision granting prior approval request for a lesser or different medical service or item than was originally requested;

9) An issue of Department policy, if the client is aggrieved by its application;

10) The determination of the amount of a premium that may be charged to a client under any medical assistance program. The Department's determination of the amount of a premium shall remain in force during the appeal process;

11) Imposition of a penalty period under 89 Ill. Adm. Code 120.387 or 120.388; or

12) A denial of a request for a hardship waiver under 89 Ill. Adm. Code 120.379(i), 120.385(c)(3) or 120.388(r).

b) The appeal may be filed by the client or the client's authorized representative. For food stamp clients, the request for a hearing may be made orally or in writing, and the appeal process is initiated effective with the date of the request.

(Source: Amended at 35 Ill. Reg. 14486, effective August 12, 2011)