**Section 240.436 Dismissing an Appeal**

a) The Department may dismiss an appeal at any time during the appeal process for any of the following reasons:

1) Appellant's death;

2) Appellant never received a notice of adverse action from the Department;

3) Appellant is not a CCP participant;

4) Appellant moves out of State;

5) Appellant's appeal is upheld by the Department;

6) The Department does not have jurisdiction;

7) Appeal is not related to any CCP services; and/or

8) Appeal is filed by an unauthorized representative.

b) The Department shall advise the appellant/authorized representative that the appeal is dismissed by mail or email (if consented to) and shall include the reason why the appeal was dismissed and the right to request reconsideration.

c) If the appellant/authorized representative does not agree with the reason for dismissal, the appellant/authorized representative may request reconsideration of the dismissal. The request must be in writing and submitted within ten calendar days after receipt of the dismissal. The request should include any documentation that disproves the Department's finding.

d) The Department shall review the request for reconsideration and determine if the appeal should be reinstated. Department may reinstate the appeal and continue the appeal process.

e) The Department shall furnish copies of the dismissal to all interested parties to the appeal.

(Source: Amended at 48 Ill. Reg. 11053, effective July 16, 2024)