

(I) BE SERVED ON THE PROVIDER BY CERTIFIED MAIL; AND

(II) STATE:

1. EACH PENALTY IMPOSED;
2. THE REGULATION OR PROVISION VIOLATED;
3. THE AMOUNT OF THE PENALTY;
4. THE PROVIDER'S RIGHT TO REQUEST A REDUCTION OF
5. HOW TO FILE AN ADMINISTRATIVE APPEAL OF THE

THE PENALTY; AND

PENALTY.

(F) REQUEST FOR REDUCTION.

(1) A PROVIDER OF CONGREGATE HOUSING SERVICES MAY REQUEST A REDUCTION OF A CIVIL MONEY PENALTY.

(2) A REQUEST FOR A REDUCTION SHALL:

(I) BE MADE IN WRITING WITHIN 10 DAYS AFTER THE PROVIDER RECEIVES THE NOTICE OF THE CIVIL MONEY PENALTY; AND

(II) STATE THE REASONS FOR THE REQUEST.

(3) A REQUEST FOR A REDUCTION OF A CIVIL MONEY PENALTY DOES NOT AFFECT THE ACCRUAL OF THE PENALTIES UNDER SUBSECTION (D) OF THIS SECTION.

(4) WITHIN 14 DAYS AFTER RECEIVING THE REQUEST FOR REDUCTION, THE DEPARTMENT SHALL HOLD AN INFORMAL CONFERENCE WITH THE PROVIDER ON THE ISSUE OF WHETHER TO REDUCE THE CIVIL MONEY PENALTY.

(5) IN DECIDING WHETHER TO REDUCE THE PENALTY, THE SECRETARY SHALL CONSIDER:

(I) THE PROVIDER'S HISTORY OF VIOLATIONS;

(II) THE PROVIDER'S CURRENT AND PAST DILIGENCE IN CORRECTING VIOLATIONS; AND

(III) OTHER FACTORS THAT THE SECRETARY CONSIDERS APPROPRIATE.

(6) THE SECRETARY SHALL ISSUE A WRITTEN DETERMINATION GRANTING OR DENYING THE REQUEST FOR A REDUCTION OF A CIVIL MONEY PENALTY THAT STATES THE REASONS FOR THE DETERMINATION.

(7) AS A CONDITION OF REDUCING A PENALTY, THE SECRETARY SHALL REQUIRE CORRECTION OF ALL VIOLATIONS.

(G) APPEAL.