**Section 200.150 Burden of Proof**

a) The burden of proof shall be on the Agency, unless the matter at issue is the denial of an application for licensure or accreditation, or an application for reinstatement of licensure or accreditation that has been previously revoked, suspended, or otherwise terminated. In such cases, the burden of proof shall be on the Respondent.

b) In the case of any new matter introduced in connection with any affirmative defense, the burden of proof shall be upon the party that alleges the new matter.

c) The standard of proof with respect to all hearings conducted pursuant to this Part shall be a preponderance of the evidence.

(Source: Amended at 33 Ill. Reg. 14137, effective September 28, 2009)