**Section 926.40 Complaint Handling Procedure**

a) Notification and Response Requirements

When the Department receives a complaint against an entity or individual identified in Section 926.20 (respondent), and the Department determines that the complaint falls under its authority to investigate, the Department will notify the respondent of the complaint. The Department will, in its notification, specify the date when a report is to be received from the respondent, which, in most instances, will be 21 calendar days after notification is sent to the respondent.

b) Contents of Response or Report or Both

1) Each respondent shall supply adequate documentation that explains all actions taken or not taken and that were the basis for the complaint;

2) Documents necessary to support the respondent's position, or information requested by the Department, shall be furnished with the respondent's reply; and

3) The Department will respect the confidentiality of medical reports and other documents that, by law, are confidential. Any other information furnished by a respondent shall be marked "confidential" if the respondent does not wish it to be released to the complainant.

c) Follow-up or Conclusion

Upon receipt of the respondent's report, the Department will evaluate the material submitted and advise the complainant of the action taken. Possible actions include but are not limited to the following:

1) Close the complaint file;

2) Pursue further investigation with the respondent or complainant; or

3) Refer the complaint file to the appropriate Division within the Department for further regulatory action.

d) The Department deems complaint files to be confidential records and will not release them to persons other than the complainant and the respondent.

(Source: Amended at 47 Ill. Reg. 2294, effective February 1, 2023)