**Section 5430.80 Examination**

a) The Director or his or her designee may examine any applicant for registration or any registrant upon receipt of information that the applicant or registrant may be in violation of this Part, or any applicable provision of the Code, when he or she receives a complaint or when the applicant has a history of violations of the Code.

b) Any independent review organization being examined shall provide to the Director or his or her designee convenient and free access, during reasonable hours at the organization's offices, to all books, records, documents and other papers relating to the independent review organization's business affairs. The Director or designee shall not have access to beneficiary medical records protected under Sections 8-2101 through 8-2105 of the Code of Civil Procedure titled "Medical Studies" [735 ILCS 5/8-2101 through 8-2105].

c) The Director or designee may administer oaths and thereafter examine any individual about the business of the independent review organization.

d) The expenses of examination under this Section shall be assessed against the independent review organization being examined in accordance with Section 408(3) of the Code.

e) The examiner designated by the Director shall make a written report if he or she alleges a violation of this Part, any applicable provisions of the Code or any other applicable Part of Title 50 of the Illinois Administrative Code. The report shall be verified by the examiner. The report must be made to the Director within 45 days after the conclusion of the examination.

f) The Director shall deliver a duplicate of the report to the independent review organization being examined using the address specified in the Department's records. In that event, the IRO may request a hearing before the Director or designee within 30 days after receipt of the duplicate examination report. The request shall be in writing and include the IRO's objections to the report. The hearing shall be conducted in accordance with Sections 402 and 403 of the Code and 50 Ill. Adm. Code 2402. The IRO's right to hearing is waived if the delivery of the report is refused, or the IRO does not timely request a hearing. After hearing, or upon expiration of the time period during which an IRO may request a hearing and the IRO has not done so, the Director, upon finding noncompliance with the laws of this State or previous Order of the Director, may require the IRO to take corrective action. Any such Order shall be issued within 90 days after the report is filed, or, if there is a hearing, within 90 days after the conclusion of the hearing. The Order shall be a final administrative decision of the Department subject to review under the Administrative Review Law [735 ILCS 5/Art. III].