**Section 1230.100 Protection of the Rights of the Subject**

In order to protect the rights of the subject, the following minimum procedures must be performed:

a) Notice to Subject. Each prospective subject shall be required to sign a notification, prior to the beginning of an examination, containing the following information:

1) The prohibitions contained in Section 14.1 of the Act; and

2) The subject has the right to request a copy of the results of his or her examination under Section 3 of the Act.

3) The name of the examiner, the firm name and the address.

b) All instruments used in an examination must be kept accurate by being calibrated on a regular basis, as specified in the manufacturer's instructions. The Division has the right to inspect these machines at any time during regular business hours, without notice.

c) When an examination is being administered, no third party shall be present in the examination room without the subject's knowledge and prior written consent as to the identity and the reason for the presence of that person.

d) An examination in progress may be observed or listened to by examiners or trainees from outside the examination room, but no other person may do so without the subject's knowledge and prior written consent. The statement of consent shall include the identity of any person permitted to observe or listen, the means used for observing or listening, and the reasons for observing or listening.

e) Immediately upon request of the subject, an examiner shall terminate an examination.

f) A test shall not continue for more than 4 minutes while the arm pressure cuff is being utilized, nor more than 5 minutes while the wrist cuff is being utilized.

g) During the examination the examiner shall utilize both relevant issue questions and questions to be used for comparison purposes.

h) An examiner, when administering an examination, shall not attempt to determine truth or deception on matters or issues not discussed with the subject at the pre-test interview or not reasonably related to the matters or issues previously discussed with the subject.

i) An examiner shall not initiate an accusatory interrogation for the purpose of eliciting a confession or admission against interest from the subject until after the examiner has conducted two tests on the issues submitted for determination.

(Source: Amended at 29 Ill. Reg. 16416, effective October 13, 2005)