**Section 390.271 Presentation of Findings**

a) If it is probable findings will be presented that could be issued as violations of regulations that represent a direct threat to the health, safety, or welfare of residents, Department surveyors shall notify the administrator or designee during the course of the survey of possible findings.

b) The Department will conduct an exit conference with the administrator or other facility designee at the conclusion of each on-site inspection at the facility, whether or not the investigation has been completed. If the investigation has been completed, findings will be presented during the exit conference. If the investigation has not been completed at the time of the facility exit, the Department will inform the facility administrator or designee that the investigation is not complete and that findings will be presented to the facility at a later date. Presentation of any additional findings may be conducted at the facility, at the Department's regional office, or by telephone.

c) With the assistance of the administrator, surveyors will schedule a time and place for the exit conference to be held at the conclusion of the survey.

d) At the exit conference, surveyors will present their findings and resident identity key, and identify regulations related to the findings. The facility administrator or designee shall have an opportunity at the exit conference to discuss and provide additional documentation related to the findings. The Department's surveyors conducting the exit conference may, at their discretion, modify or eliminate all preliminary findings in accordance with any facts presented by the facility to the Department during the exit conference.

e) Additional comments or documentation may be submitted by the facility to the Department during a 10-day comment period as allowed by the Act.

f) If the Department determines, after review of the comments submitted pursuant to subsection (d), that the facility may have committed violations of the Act or this Part different than or in addition to those presented at the exit conference and the violations may be cited as either Type AA, Type A, or repeat Type B violations, the Department shall inform the facility in writing. The facility shall then have an opportunity to submit additional comments addressing the different or additional Sections of the Act or this Part. The surveyors will be advised of any code changes made after their recommendations are submitted.

g) The facility shall have five working days from receipt of the notice required by this subsection to submit its additional comments to the Department. The Department will consider the additional comments in determining the existence and level of violation of the Act and this Part in the same manner as the Department considers the facility's original comments.

h) If desired by the facility, an audio-taped recording may be made of the exit conference provided that a copy of the recording is provided, at facility expense, to the surveyors at the conclusion of the exit conference. Video-taped recordings shall not be allowed.

i) Surveyors shall not conduct an exit conference for the following reasons:

1) The facility administrator or designee requests that an exit conference not be held;

2) During a scheduled exit conference, facility staff or their guests create an environment that is not conducive to a meaningful exchange of information.

(Source: Amended at 43 Ill. Reg. 3564, effective February 26, 2019)