**Section 434.8 Records Maintenance and Availability for Audit**

All records specified in the Department's rules on Service Delivery (89 Ill. Adm. Code 300-313), Fiscal Administration (89 Ill. Adm. Code 351-362), and Licensing Standards (89 Ill. Adm. Code 377-410, as appropriate for the facility type), and any documents that support financial transactions or billing statements, or that should be included in a case or personnel file must be or maintained by the provider for a period of five years. Department requests for review of records shall be subject to the following guidelines:

a) entities shall be issued a written request to provide required records by properly authorized Department staff or designees at the commencement of desk review, limited review, preliminary review, limited scope audit, full scope audit or receipt of a questionable business paper;

b) if the records (requested in writing) are not provided within 15 business days after the date of the request, the Department's Director or authorized designee shall issue a subpoena for the requested records;

c) continued failure to provide the requested records shall, with the Director's approval, result in termination of the Department's contract with the entity and forfeiture or withholding of payment.

(Source: Amended at 27 Ill. Reg. 7971, effective April 30, 2003)