**Section 508.170 Miscellaneous**

a) Ex Parte Consultation. *Except in the disposition of matters that the Department is authorized by law to entertain or dispose of on an ex parte basis, the administrative law judge or Secretary shall not, after notice of hearing, communicate directly or indirectly, in connection with any other issue of fact, with any person or party, his or her representative, or any person interested in the outcome of the proceeding, except upon notice and opportunity for all parties to participate. However, a Department member may communicate with other members of the Department or the administrative law judge may have the aid and advice of one or more personal assistants.*

1) *An ex parte communication received by any Department employee or the administrative law judge shall be made a part of the record of the pending matter, including all written communications, all written responses to the communications, and a memorandum stating the substance of all oral communications and all responses made and the identity of each person from whom the ex parte communication was received.*

2) *Communications regarding matters of procedure and practice, such as the format of pleadings, number of copies required, manner of service, and status of proceedings, are not considered ex parte communications* under this Part. [5 ILCS 100/10-60]

b) Construction of Rules. In case of any conflict between this Part and the IAPA [5 ILCS 100] or a specific licensing statute, the terms of the latter shall control.

c) Conflict of Authority. If the hearing is being conducted pursuant to federal law and there is a conflict between this Part and federal procedural or evidentiary requirements, then the federal requirements shall control.

d) Waiver. *Compliance with any or all of the provisions of* this Part or with any or all provisions of *the IAPA regarding a contested case may be waived by written stipulation of all parties.* [5 ILCS 100/10-70]