**Section 204.90 Proceedings for Hearings Involving Action by Organization Licensees**

a) The burden of proof will at all times be on the organization licensee. The organization licensee shall have the responsibility of establishing just cause for its actions by a preponderance of the evidence.

b) The Board shall designate a hearing officer to preside at any hearing regarding actions by organization licensees. Pursuant to a subsequent hearing, the Board will determine the propriety of the actions of the organization licensee. The Board's role in all hearings conducted pursuant to this Section is limited to an adjudication of the propriety of the organization licensee's actions. The Board shall not otherwise be a party to any proceedings arising under this Section.

c) For all hearings conducted pursuant to this Section, the organization licensee and the petitioner shall equally share the entire cost of the hearing officer's fees.

d) For all hearings conducted pursuant to this Section, the organization licensee and the petitioner shall arrange for a court reporter to transcribe the entire proceedings. The parties shall arrange for a copy of the transcript, together with any exhibits admitted into evidence, to be forwarded to the Board. The organization licensee and the petitioner shall equally share the entire cost of the court reporter and transcript.

e) Requests for hearings pursuant to this Section shall conform with the requirements described in Section 204.20.

f) Discovery for hearings pursuant to this Section shall conform with the parameters described in Section 204.65.

g) Hearings pursuant to this Section shall otherwise conform with the requirements and parameters of Sections 204.85, 204.100, 204.110, 204.120, and 204.130.

(Source: Added at 26 Ill. Reg. 10806, effective July 1, 2002)