**Section 1400.116 Examination − Violations**

At any time any person reports to the Board information indicating that any person has violated the confidentiality provisions of Section 1400.110, the Board Chair shall appoint an investigator, who may be the Executive Director, a Board employee or any other person not a Board member, for the purpose of conducting a complete and thorough investigation. At the conclusion of the investigation, the investigator shall report to the Board, in writing, his or her conclusions with regard to the report of violation. If the investigator finds there is reason to believe a violation has taken place, or if the Board believes the investigator's report raises substantial issues that should be considered by the Board, the Executive Director shall notify the person charged. The person charged may, within 20 days after the date of the notice from the Executive Director, request a hearing before the Board under the provisions of Section 1400.80(b) to contest the charges. Such a hearing shall be conducted in accordance with the provisions of Section 1400.80. The Executive Director or his or her designee shall present the position of the investigator, and shall be required to prove a violation by a preponderance of the evidence. Failure of the person charged to file an appeal under Section 1400.80(b) shall result in presentation of charges and issues to the Board, and may result in findings by the Board, including but not limited to a finding that the person charged violated the confidentiality agreement, and imposition of penalties as provided in Section 1400.117.

(Source: Amended at 40 Ill. Reg. 9963, effective July 7, 2016)