**Section 380.740 Surveys and Inspections**

a) Upon receipt of a completed application and verification of the facility's compliance with the Act and this Part, and a licensure fee of $5,700, and the completion of an initial survey as described in subsection (b), the Department will issue a provisional license for one or more of the four levels of service identified in the Act and in Section 380.100 of this Part (definition for facility), as requested by the licensee in the application.

b) Prior to the issuance of the initial provisional license, and then at least annually, *the Department shall conduct surveys of licensed facilities and their certified programs and services. The Department shall review the records or premises, or both, as it deems appropriate for the purpose of determining compliance with* the *Act and* this Part*. The Department shall have access to and may reproduce or photocopy any books, records, and other documents maintained by the facility to the extent necessary to carry out* the *Act and* this Part. In addition, the Department will:

1) Conduct staff interviews;

2) Conduct consumer interviews;

3) Review evidence-based program outcomes; and

4) Confirm that the posters required by Section 380.140(m) are conspicuously posted in the facility.

c) *Any holder of a license or applicant for a license shall be deemed to have given consent to any authorized officer, employee, or agent of the Department to enter and inspect the facility in accordance with* the Act. *Refusal to permit entry or inspection shall constitute grounds for denial, suspension, or revocation of a license under* the *Act*. (Section 4-108 of the Act) The Department's access to the facility's books, records and any other documents maintained by the facility includes, but is not limited to:

1) Verifying whether the facility complies with all of the requirements for authorization and review of treatment appropriateness for each consumer, based on the service level or levels for which the facility is licensed. The facility shall ensure that State-designated authorization agents and other authorized State personnel are provided with timely and unfettered access to consumers, records, facility staff and consultants who are part of the facility's treatment team; and

2) Verifying whether, for all programs except for triage centers, the facility has admitted any consumer prior to completing the required authorization. The Department may revoke a facility's license for admission of consumers into crisis stabilization units, transitional living units, or recovery and rehabilitation supports units without pre-authorization for that program. Admission of a consumer without pre-authorization violates this Part and the Department of Healthcare and Family Services' rate requirements. Facilities will not receive retroactive payment for services provided prior to pre-authorization through the required authorization.

(Source: Amended at 44 Ill. Reg. 18403, effective October 29, 2020)