**Section 518.1165 Complaints**

a) The Department shall investigate an applicant or licensee whenever the Department receives a complaint alleging a violation of the Act or this Part that, if valid, would constitute violations or other sanctions under Section 518.1200 or 518.1250 of this Part.

b) A person who believes that the Act or this Part has been violated may submit a complaint in writing, by mail, by telephone, by fax or in person to the Department.

c) The complaint shall include the following:

1) Complainant's name, address and telephone number (unless the complainant requests anonymity);

2) Facility's name and address; and

3) A detailed description of the problem, including the date and the patient's name.

d) The Department will not disclose the name of the complainant unless the complainant consents in writing to the disclosure.

e) The Department will acknowledge receipt of the complaint to the complainant in writing within 10 working days after receiving the complaint.

f) The Department will investigate each complaint as quickly as possible based on available personnel and resources. If the complaint involves an immediate and serious threat to patient health and safety, the Department shall investigate within two days after receipt of the complaint.

g) Complaint investigations will be unannounced.

h) Based on the information provided by the complainant and the results of the investigation conducted in accordance with subsection (f) of this Section, the Department will determine whether the Act or this Part has been or is being violated. The Department will review and consider any information submitted by the applicant or licensee in response to an investigation. Based on the results of the investigation and information provided by the complainant and/or the applicant or licensee, complaints shall be classified as "valid", "invalid", or "undetermined".

i) The Department will inform the complainant and the licensee of the results (i.e., whether the complaint was found to be valid, invalid or undetermined) of the complaint within 45 days after the conclusion of its investigation.

j) A complainant or licensee who is dissatisfied with the results of a complaint investigation may request a hearing in accordance with Section 518.1250 of this Part.

(Source: Added at 33 Ill. Reg. 8317, effective June 4, 2009)