

Effective 5/10/2016

31A-44-603 Examinations.

- (1) The department may conduct periodic on-site examinations of a provider.
- (2) In conducting an examination, the department or the department's staff:
 - (a) shall have full and free access to all the provider's records; and
 - (b) may summon and qualify as a witness, under oath, and examine, any director, officer, member, agent, or employee of the provider, and any other person, concerning the condition and affairs of the provider or a facility.
- (3) The provider shall pay the reasonable costs of an examination under this section.
- (4) The department may conduct an on-site examination in conjunction with an examination performed by a representative of an agency of another state.
- (5)
 - (a) The department, in lieu of an on-site examination, may accept the examination report of an agency of another state that has regulatory oversight of the provider, or a report prepared by an independent accounting firm.
 - (b) A report accepted under Subsection (5)(a) is considered for all purposes an official report of the department.
- (6) Upon reasonable cause, the department may conduct an on-site examination of an unlicensed person to determine whether a violation of this chapter has occurred.

Enacted by Chapter 270, 2016 General Session