§ 32.13 Investigations and inspections.

The commissioner shall have the power to conduct investigations into the operations of providers of services which are required by this article to have operating certificates and to make inspections and examine records, including, but not limited to, clinical and medical service and financial records of facilities to determine whether such providers of services are complying with the provisions of this chapter and applicable laws, rules, and regulations. Inspections shall be made as frequently as the commissioner may deem necessary, but in any event such inspections shall be made on at least two occasions during each calendar year, one of which shall be without prior notice, for providers of services which have been issued operating certificates of one year's duration or longer; and at least once during the term of the operating certificate for providers of services which have been issued operating certificates of less than a year's duration; and provided, further, that where, in the discretion of the commissioner, an operating certificate of more than one year's duration has been issued to a provider of services with a history of compliance and a record of providing a high quality of care, the periodic inspection and visitation required by this section shall be made at least once during each calendar year, provided such visits shall be without prior notice.