**Section 104.247 Cross-Examination**

a) Subject to the evidentiary requirements of this Part, a party may conduct cross-examination required for a full and fair disclosure of the facts.

b) If the presiding hearing officer determines that a witness is hostile or unresponsive, he may authorize the examination by the party calling such witness as if under cross-examination.

c) Any party may call any adverse party as a witness and proceed to examine such adverse party as if under cross-examination except that the vendor may only call as an adverse witness those representatives of the Department or other Departments (including the Illinois Department of Public Health) directly involved in the audit, investigation, or survey which served as the basis for the Department's action under this Part.

d) Any party calling a witness, upon a showing that he called the witness in good faith and is surprised by his testimony, may impeach that witness by evidence of prior inconsistent statements.

(Source: Amended at 13 Ill. Reg. 17013, effective October 16, 1989)