

**10A NCAC 05E .0116    SANCTIONS**

If a party fails to comply with an order or request of the Hearing Officer, the Hearing Officer may:

- (1) find that the allegations of or the issues set out in the petition or other pleading may be taken as true or deemed proved without further evidence;
- (2) dismiss or grant the motion or petition;
- (3) suppress a claim or defense;
- (4) exclude evidence; or
- (5) impose some combination of these sanctions or other appropriate sanction.

*History Note:*    *Authority G.S. 143B-10; 143B-138; 143B-181.1; 42 U.S.C., Sec. 3027(a)(5);  
45 C.F.R., Part 1321; 45 C.F.R., Part 74, Appendix G;  
Eff. October 1, 1988;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.*