

10A NCAC 27I .0607 HEARING PROCEDURES

- (a) The Hearing Officer:
 - (1) shall convene the hearing at the prearranged time and place;
 - (2) may afford the opportunity for rebuttal and summary comments to either of the presenting parties; and
 - (3) shall conduct proceedings in an orderly manner.
- (b) The Hearing Officer:
 - (1) may limit the total number of persons presenting for the client and area authority or county program; and
 - (2) may impose time limits for presentations.
- (c) Either party may be represented by a person or attorney of their choice.
- (d) Prior to the hearing, the client, or the client's legally responsible person, and the area authority or county program shall:
 - (1) specify by name and position all individuals who will be present for the hearing;
 - (2) provide the Hearing Officer with requested information; and
 - (3) when applicable, ensure that representatives of the parties shall be present at the hearing.
- (e) The Hearing Officer may address questions to either party.
- (f) The Hearing Officer may obtain any form of technical assistance or consultation relevant to the appeal.
- (g) No transcript shall be made and no party shall be allowed to record the proceeding. The Hearing Officer may choose to record the proceeding for his or her own use. A tape so made shall be destroyed after the Hearing Officer issues the Hearing decision.
- (h) Witnesses shall not be sworn before testifying.

*History Note: Authority G.S. 143B-147;
Eff. October 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 24, 2017;
Amended Eff. May 1, 2024.*