

10A NCAC 63E .0403 REQUEST FOR CONTESTED CASE HEARING

- (a) If the results of the conference are unsatisfactory, the consumer shall be informed by the designated agency representative of his or her right to a contested case hearing.
- (b) All petitions for review of agency decisions (G.S. 150B) shall be heard by the Office of Administrative Hearings. The agency shall notify the consumer in writing that he has the right to petition the Office of Administrative Hearings and request a contested case hearing. The consumer shall be instructed to contact OAH and request the specific forms to be completed.
- (c) In this same written notice the consumer shall be instructed that he or she has 60 calendar days from the date of receipt of the agency notice to request a contested case hearing through OAH. Any request for a contested case hearing must be returned by the consumer directly to the Office of Administrative Hearings.
- (d) The Office of Administrative Hearings issues, as appropriate, either a final decision or a recommended decision which will be sent to the Director of the Division of Services for the Blind. The agency shall provide the consumer a written copy of the final decision. A copy shall also be placed in the consumer's file.

*History Note: Authority G.S. 143B-157; 150B-3;
Eff. December 1, 1990;
Amended Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.*