

10A NCAC 67A .0203 GOOD CAUSE FOR DELAYED HEARINGS

(a) A local appeal hearing under G.S. 108A-79 shall be delayed as provided in G.S. 108A-79(e) for good cause.

(b) A State appeal hearing under G.S. 108A-79 shall be delayed when there is good cause. The postponement shall not exceed 30 calendar days.

(c) For the purpose of this Rule, good cause exists when:

- (1) There is a death in the appellant's family. For the purpose of this Rule, family is defined as a spouse, parent, sibling, child, stepchild, grandparent, grandchild, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, or nephew.
- (2) The appellant or someone in his or her family is ill;
- (3) The appellant is unable to obtain representation;
- (4) The appellant's representative has a conflict with the scheduled date;
- (5) The appellant receives a notice of action proposing a reduction or termination of assistance after the 10 work day notice expires;
- (6) The appellant is unable to obtain transportation; or
- (7) The hearing officer determines that the hearing should be delayed for some other reason in the interests of justice.

*History Note: Authority G.S. 108A-79; 143B-153;
Eff. October 1, 1981;
Amended Eff. February 1, 1986;
Readopted Eff. September 1, 2019.*