

10A NCAC 89B .0209 RESPONSE TO ADMINISTRATIVE REVIEW DECISION

(a) If the applicant or client is satisfied with the decision resulting from the administrative review, the individual shall sign the form described in Rule .0208(b)(3) of this Section and submit it to the regional director within five days of receipt of the decision. The regional director shall inform the Chief of Operations of the request to cancel the appeals hearing immediately and forward the form to the Chief of Operations who shall submit it to the hearing officer.

(b) If the hearing officer does not receive a written request from the applicant or client that the hearing be cancelled, the hearing shall be conducted as scheduled unless negotiations produce a settlement that is satisfactory to both parties prior to the hearing.

(c) If the hearing is cancelled, the hearing officer shall send the applicant or client and the Division written notice of the cancellation in the same manner as required for notice of the hearing in Rule .0207(e) of this Section. A copy of the notice of cancellation shall be sent to the Client Assistance Program if CAP is involved.

History Note: *Authority G.S. 143-546.1; 150B-1; 34 C.F.R. 361.57; P.L. 105-220, s. 102(c);
Eff. February 1, 1976;
Amended Eff. July 1, 2000; April 1, 1997; September 1, 1989;
Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1,
2016.*