

21 NCAC 23 .0206 CONDUCT OF HEARING

(a) Hearings in contested cases shall be conducted by a majority of the Board or referred to the Office of Administrative Hearings pursuant to G.S. 150B-40(e).

(b) Disqualification. An affidavit seeking disqualification of any Board member, if timely filed in good faith, shall be ruled on by the remaining members of the Board. An affidavit is considered timely if it is filed:

(1) Prior to the hearing; or

(2) As soon after the commencement of the hearing as the affiant becomes aware of facts which give rise to his or her belief that a Board member should be disqualified.

(c) Evidence. The admission of evidence in a hearing in a contested case shall be as prescribed in G.S. 150B-41.

*History Note: Authority G.S. 89G-5; 150B-38; 150B-40; 150B-41;
Eff. July 1, 2011;
Amended Eff. April 1, 2015;
Readopted Eff. January 1, 2016.*