

21 NCAC 29 .0604 REQUEST FOR HEARING

(a) Any time an individual believes his rights, duties, or privileges have been affected by the Board's administrative action, but has not received notice of a right to an administrative hearing pursuant to G.S. 150B-38(b), that individual may file a request for a hearing.

(b) Before an individual may file a request he must first exhaust all reasonable efforts to resolve the issue informally with the Board.

(c) Subsequent to such informal action, if still dissatisfied, the individual shall submit a request to the Board's office, with the request bearing the notation: REQUEST FOR ADMINISTRATIVE HEARING. The request shall contain the following information:

- (1) Name and address of the Petitioner;
- (2) A concise statement of the action taken by the Board that is challenged;
- (3) A concise statement of the way in which the Petitioner has been aggrieved; and
- (4) A specific statement of request for a hearing.

(d) A request for administrative hearing must be submitted to the Board's office within 60 days of receipt of notice of the action taken by the Board that is challenged. The request shall be acknowledged promptly and, if Petitioner is a person aggrieved, a hearing shall be scheduled.

*History Note: Authority G.S. 74F-6; 150B-38;
Temporary Adoption Eff. May 28, 2003;
Eff. March 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.*