

21 NCAC 46 .2008 INFORMAL PROCEDURES

(a) Before issuing a notice of hearing, the Board may conduct one or more conferences in which a member of the Board and the party or parties meet to consider the possibility of resolving the dispute or any other matter as may aid in the disposition of the dispute. The member of the Board may direct one or more of the following dispositions:

- (1) Submission to the Board with a recommendation to dismiss with no action;
- (2) Submission to the Board with a recommendation that Board staff provide informal guidance to resolve the dispute;
- (3) Submission to the Board with a recommendation to resolve the dispute or to expedite the hearing by consent order; or
- (4) Scheduling, with appropriate notice, for contested case hearing.

The Board must approve all recommendations under Subparagraphs (1), (2) and (3) of this Paragraph. The Board member who participated in the conference may participate in Board discussions concerning any recommendation made but may not vote upon the recommendation. The Board member who participated in the conference shall disqualify himself or herself in accordance with Rule .2011 of this Section from participation in any hearing or decision in the matter discussed in the conference if the matter results in a contested case hearing before the Board.

(b) The Board and the party or parties may agree to simplify the hearing by stipulation or any other method provided by G.S. 150B-41(c).

*History Note: Authority G.S. 90-85.6; 150B-38; 150B-39; 150B-40; 150B-41; 150B-42;
Eff. July 1, 1988;
Amended Eff. April 1, 2001; September 1, 1995; October 1, 1990; May 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017;
Amended Eff. August 1, 2020.*