

24 NCAC 03 .0704 EX PARTE COMMUNICATION

(a) There shall be no ex parte communication, with respect to the merits of any case not concluded, between the Board, including any member, officer, employee, or agent of the Board who is employed in the decisional process, and any of the parties or intervenors.

(b) In the event such ex parte communication occurs, the Board or the hearing examiner may make such orders to take such action as fairness requires. Upon notice and hearing, the Board may take such disciplinary action as is appropriate in the circumstances against any person who knowingly and willfully make or solicits the making of a prohibited ex parte communication.

*History Note: Authority G.S. 95-135;
Temporary Rule Eff. October 2, 1991 For a Period of 180 Days to Expire on March 30, 1992;
Eff. February 3, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 16, 2014.*