

**21 NCAC 16N .0503 GRANTING OR DENYING HEARING REQUEST**

(a) Upon receipt of a request for a hearing submitted in accordance with Rule .0502 of this Section, the Board will decide whether to grant the request. Whenever the Board finds good cause exists to deny a request for a hearing, the Board may deny the request. For purposes of this Rule, good cause for denial of a hearing request exists when:

- (1) the petitioner has not demonstrated a right to an administrative hearing pursuant to Rule .0501 of this Section;
- (2) the request does not satisfy all the requirements set out in Rule .0502 of this Section; or
- (3) the Board determines that the request should be denied for some other reason consistent with the Board's prior decisions, the Board's rules, and applicable laws including those found in Chapter 90 of the General Statutes.

(b) The denial of a request for a hearing will be issued in writing upon decision, no later than 60 days after the submission of the request. The denial shall state the reasons leading the Board to deny the request.

(c) Approval of a request for a hearing will be signified by the Board issuing a notice of hearing in accordance with G.S. 150B-38 and Rule .0504 of this Section.

*History Note: Authority G.S. 90-28; 90-48; 150B-38;  
Eff. August 25, 1977;  
Amended Eff. May 1, 1989; April 1, 1988; October 1, 1986; November 20, 1980;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;  
Amended Eff. August 1, 2024.*