

21 NCAC 68 .0703 REQUEST FOR HEARING

(a) Any applicant for certification or certified individual who believes his or her rights, duties or privileges have been affected by the Board's administrative action but who has not received notice of a right to an administrative hearing, may file a formal request for a hearing to determine certification or recertification.

(b) Before an applicant or certified individual may file a request, he or she shall first exhaust all reasonable efforts to resolve the issue informally with the Board.

(c) The chairperson of the Ethics Committee or his or her designee may meet with the person accused of an ethical violation, if the accused so chooses, prior to requesting additional information from the complainant.

(d) Subsequent to such informal action, if still dissatisfied, the person affected shall submit a written request to the Board in an envelope bearing the notation "REQUEST FOR ADMINISTRATIVE HEARING." That request shall contain the following information:

- (1) Name and address of the applicant or certified individual;
- (2) Concise statement of the action taken by the Board which is challenged;
- (3) Concise statement of the way in which the applicant or certified individual has been aggrieved; and
- (4) A clear and specific statement of request for a hearing.

(e) A request for a hearing shall be acknowledged promptly and, if deemed appropriate, a hearing shall be scheduled.

History Note: *Authority G.S. 90-113.30; 90-113.39; 90-113.40;*
 Eff. August 1, 1996.