

10A NCAC 26E .0123 ORDER TO SHOW CAUSE

(a) If, upon examination of the application for registration from any applicant and other information gathered by the director regarding the applicant, the director is unable to make the determinations required by the applicable provisions of G.S. 90-102 to register the applicant, the Commission shall serve upon the applicant an order to show cause why the registration should not be denied.

(b) If, upon information gathered by the Commission regarding any registrant, the director determines that the registration of such registrant is subject to suspension or revocation pursuant to G.S. 90-103, the Commission shall serve upon the registrant an order to show cause why the registration should not be revoked or suspended.

(c) The order to show cause shall call upon the applicant or registrant to appear before the director at a time and place stated in the order which shall not be less than 30 days after the date of receipt of the order. The order to show cause shall also contain a statement of the legal basis for such hearing and for the denial, revocation or suspension of registration and a summary of the matters of fact and law asserted.

(d) When authorized by the Commission, any agent of the Department of Health and Human Services may serve the order to show cause.

(e) All show cause hearings shall be conducted according to the Administrative Procedure Act, G.S. 150B, Article 3.

*History Note: Authority G.S. 90-100; 90-103; 143B-147(a)(5);
Eff. June 30, 1978;
Amended Eff. May 1, 1990; May 15, 1979;
Recodified from 10A NCAC 26E .0121 Eff. February 1, 2005;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.*