

**21 NCAC 08C .0110      DETERMINATION OF DISQUALIFICATION**

(a) The members of the Board not challenged in an affidavit of disqualification shall determine whether the challenged Board member should be disqualified from participating in the hearing of a contested case. In making this determination, those Board members may:

- (1) call upon the challenged Board member to furnish relevant information; and
- (2) appoint a member of the Board or a member of the staff to investigate the allegations of the affidavit and report their findings and recommendations to the Board.

(b) The Board will maintain a record of the proceedings on disqualification and a written summary of its conclusions as part of the record of the contested case.

*History Note: Authority G.S. 93-12; 150B-40;*

*Eff. May 1, 1989;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 28, 2014.*