

21 NCAC 17 .0509 INFORMAL PROCEDURES

(a) Before issuing a notice of hearing, the Board may designate one or more of its members, but in all cases less than a majority of the currently serving members of the Board, to meet informally via one or more conferences with the party or parties and attempt to reach an informal resolution of the dispute or any other matters as may aid in the disposition of the dispute. The designated Board member or members may direct one or more of the following dispositions:

- (1) Submission to the Board with a recommendation to dismiss with no action;
- (2) Submission to the Board with a recommendation that Board staff provide informal, non-disciplinary guidance to resolve the dispute;
- (3) Submission to the Board with a recommendation to resolve the dispute or to expedite the hearing by consent order; or
- (4) Scheduling, with appropriate notice, for contested case hearing.

The majority of the Board must approve all recommendations under Subparagraph (1), (2), and (3) of this Paragraph. Each Board member who is designated to serve in this capacity with regard to a party or parties' matter, whether the Board member actually meets with the individual or not, may participate in Board discussions concerning any recommendations made but may not vote upon the recommendation. The Board member or members who participated in the informal conferences shall be disqualified from hearing any contested case when the matter designated for informal resolution is any part of the subject matter of the contested case.

(b) The Board and the party or parties may agree to simplify the hearing by stipulation, or any other method provided by G.S. 150B-41(c).

*History Note: Authority G.S. 90-356; 150B-41;
 Eff. January 1, 2023.*