

21 NCAC 21 .0502 REPRIMAND

(a) If evidence of a violation is found, but it is determined that a disciplinary hearing is not warranted, the Board may issue a reprimand to the accused party. A record of such reprimand shall be mailed to the accused party, and within 15 days after receipt of the reprimand the accused party may refuse the reprimand and request that a hearing be held pursuant to G.S. 150B. Such refusal and request shall be addressed to the Board and filed with the Executive Director of the Board.

(b) Upon timely filing of a notice refusing the reprimand and requesting a hearing, the Board shall determine whether the Board shall conduct the evidentiary hearing or whether it shall refer the matter to the Office of Administrative Hearings for designation of an administrative law judge to conduct the hearing. If the Board elects to conduct the hearing, the legal counsel for the Board shall prepare and file a Notice of Hearing.

(c) If the Letter of Reprimand is accepted, a copy of the reprimand shall be maintained in the office of the Board. If a party receiving a reprimand wishes to file a letter rebutting his or her reprimand, he or she may in writing waive his or her right to hearing and submit a letter of rebuttal to be placed in his or her file.

*History Note: Authority G.S. 89E-5; 89E-19; 89E-20;
Eff. February 1, 1986;
Amended Eff April 1, 1989;
Temporary Amendment Eff. November 24, 1999;
Amended Eff. April 1, 2003; August 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 16, 2014;
Amended Eff. June 1, 2017.*