

40-10-6.7 Administrative procedures.

- (1)
 - (a) Informal adjudicative proceedings shall be conducted by the division under this chapter and shall be referred to as conferences or informal conferences.
 - (b) The conduct of conferences shall be governed by rules adopted by the board which are in accordance with Title 63G, Chapter 4, Administrative Procedures Act.
- (2)
 - (a)
 - (i) Formal adjudicative proceedings shall be conducted by the division or board under this chapter and shall be referred to as hearings or public hearings.
 - (ii) The conduct of hearings shall be governed by rules adopted by the board which are in accordance with Title 63G, Chapter 4, Administrative Procedures Act.
 - (b) Hearings under this chapter shall be conducted in a manner which guarantees the parties' due process rights. This includes:
 - (i) the right to examine any evidence presented to the board;
 - (ii) the right to cross-examine any witness; and
 - (iii) a prohibition of ex parte communication between any party and a member of the board.
 - (c) A verbatim record of each public hearing required by this chapter shall be made, and a transcript made available on the motion of any party or by order of the board.

Amended by Chapter 382, 2008 General Session