

201—12.19(17A) Review of proposed decision—procedures and requirements.

12.19(1) A party dissatisfied with a proposed decision may request the director to review or modify the decision. The department may request review if it is dissatisfied with the proposed decision. The request for review is begun by serving on the director, either in person or by certified mail, a notice of the request for review within ten days after the service of the proposed decision or order on the appealing party.

12.19(2) Within ten days after serving notice of appeal, the requesting party shall serve copies of the exceptions, if any, together with any brief and arguments on the department and all other parties, if any. Other parties shall have ten days after service of exceptions and briefs on the director to file a responsive brief and argument. Except for the request for review, the above time requirements will be extended by stipulation of the parties and may be extended upon application approved by the director.

12.19(3) Oral argument of the request for review is discretionary but may be required by the director upon the director's own motion. At the times designated for filing briefs and arguments, either party may request oral argument. If a request for oral argument is granted or required, the director shall notify all parties of the date, time and place for an oral presentation, if any.

12.19(4) The record on appeal shall be the entire record made before the administrative law judge. The director is not bound by any proposed findings of fact, conclusions of law or order but is free to accept, affirm, modify or reject such proposed findings, conclusions or order. The director may consider other evidence or information, with notice to all parties, which was not originally presented at the hearing. The director may give such new evidence or information whatever value or weight the director desires.