

486—3.5(10A) Disqualification of appeal board members.

3.5(1) No appeal board member shall participate in any hearing in which the member has an interest which might affect the ultimate decision.

3.5(2) A challenge to the interest of an appeal board member may be made in writing at any time prior to the date the appeal board's decision becomes final.

3.5(3) Such challenge shall be filed with the chairperson of the appeal board and will be heard by the unchallenged members of the appeal board. A tie vote shall result in dismissing the challenge.

3.5(4) In the event one or more members of the appeal board are absent or otherwise disqualified, the case will be reviewed by the remaining members. A tie vote will result in affirming the administrative law judge's decision by operation of law.