

**621—9.1(17A,20) Final decisions.**

**9.1(1)** *By board majority.* When a majority of the board presides at the reception of the evidence in a contested case, the decision of the board is a final decision of the agency.

**9.1(2)** *By presiding officer.* When a majority of the board does not preside at the reception of the evidence in a contested case, the presiding officer shall make a proposed decision that becomes the final decision of the agency without further proceedings unless:

*a.* There is an appeal to the board or a petition for its review filed within 20 days of the filing of the proposed decision, or

*b.* The board, within 20 days of the filing of the proposed decision, determines to review the decision on its own motion.

[ARC 2916C, IAB 1/18/17, effective 2/22/17]