

481—571.7(153) Contested case hearings—fees and costs. The board may request reimbursement of certain costs associated with contested case hearings.

571.7(1) Hearing fee. The board may charge a fee not to exceed \$75 for conducting a contested case hearing that results in action being taken against the licensee or registrant.

571.7(2) Procedure and personnel costs. The board may recover from the licensee or registrant costs for the following:

- a. Court reporter and transcript.
- b. Witness fees and expenses. The parties in a contested case shall be responsible for any witness fees and expenses incurred by witnesses appearing at the contested case hearing and may also include witness fees and expenses incurred by witnesses called to testify on behalf of the state of Iowa.
- c. Depositions. Deposition costs, for the purposes of allocating costs against a licensee, include only those deposition costs incurred by the state of Iowa. The licensee or registrant is directly responsible for the payment of deposition costs incurred by the licensee or registrant.
- d. Medical examination fees incurred relating to a person licensed under Iowa Code chapter 147. All costs of physical or mental examinations, substance abuse evaluations or drug screening, or clinical competency evaluations ordered by the board pursuant to Iowa Code section 272C.9(1) as part of an investigation or pending complaint or as a sanction following a contested case shall be paid directly by the licensee or registrant.

571.7(3) Certification of reimbursable costs. The executive director or designee shall calculate and certify any reimbursable costs incurred by the board.

571.7(4) Assessment of fees and costs. A final decision of the board imposing action against a licensee or registrant shall include the amount of any contested case hearing fee assessed pursuant to 481—Chapter 11. If the board also assesses reimbursable costs against the licensee or registrant, the board shall file a certification of reimbursable costs that includes a statement of costs delineating each category of costs and the amount assessed. Fees and costs that cannot be calculated at the time of the issuance of the board's final order may be invoiced at a later time, provided the board's final order states that the fees and costs will be invoiced at a later date. The board order will specify the time period in which the fees and costs must be paid.

571.7(5) Failure to pay assessed fees, costs. Failure of a licensee or registrant to pay the fees and costs assessed herein within the time period specified in the board's final order shall constitute a violation of an order of the board and may be grounds for disciplinary action.

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