

481—506.5(17A) Statement of charges and notice of hearing.

506.5(1) *Legal review.* Every statement of charges and notice of hearing prepared by the board will be reviewed by the office of the attorney general prior to filing.

506.5(2) *Service.* Service of the statement of charges and notice of hearing constitutes the commencement of the contested case proceeding. Service may be executed by:

- a. Personal service as provided in the Iowa Rules of Civil Procedure; or
- b. Restricted certified mail, return receipt requested; or
- c. Signed acknowledgment accepting service; or
- d. Publication, as provided in the Iowa Rules of Civil Procedure, when service cannot be accomplished using the above methods.

506.5(3) *Contents.* The statement of charges and notice of hearing will contain the following information:

- a. A statement of probable cause to file the statement of charges;
- b. A statement of the time, place, and nature of the hearing;
- c. A statement of the legal authority and jurisdiction under which the hearing is to be held;
- d. A reference to the particular sections of the statutes and rules involved;
- e. A short and plain statement of the matters asserted containing sufficient detail to give the respondent fair notice of the allegations so that the respondent may adequately respond to the charges, and to give the public notice of the matters at issue;
- f. Identification of all parties including the name, address and telephone number of the assistant attorney general designated as prosecutor for the state and the parties' counsel, if known;
- g. Reference to the procedural rules governing conduct of the contested case proceeding;
- h. Reference to the procedural rules governing settlement;
- i. Identification of the presiding officer;
- j. Notification of the time period in which a party may request, when applicable, and pursuant to Iowa Code section 17A.11 that the presiding officer be an administrative law judge;
- k. Notification of the time period in which the respondent may file an answer; and
- l. Notification of the respondent's right to request a closed hearing, if applicable.

506.5(4) *Public record.* A statement of charges and notice of hearing is a public record and open for inspection under Iowa Code chapter 22. Notwithstanding, investigative information included in the statement of charges and notice of hearing as set forth in subparagraph 506.5(3) "e" is confidential pursuant to Iowa Code section 272C.6(4) "a" and should not be included in the public record. Such confidential information should be redacted from the public record or set forth in a separate document that is not included with the public record.

[ARC 9106C, IAB 4/16/25, effective 3/28/25]