

**281—65.13 (279) Appeals from terminations.** Any awardee aggrieved by a unilateral termination of an award pursuant to rule 281—65.11(279) may appeal the decision to the director of the department in writing within 30 days of the decision to terminate.

**65.13(1) *Form of appeal.*** In the notice of appeal, the awardee shall give a short and plain statement of the reason for the appeal.

**65.13(2) *Appeal procedures.*** The hearing procedures found at 281—Chapter 6 shall be applicable to appeals of terminated awards. The director shall issue a decision within a reasonable time, not to exceed 120 days from the date of hearing.

**65.13(3) *Grounds for reversal.*** Termination of an award under this chapter shall be reversed only if the awardee proves the process was conducted outside of statutory authority; violated state or federal law, policy, or rule; did not provide adequate public notice; was altered without adequate public notice; or involved conflict of interest by staff or committee members.

**65.13(4) *Mandatory denial of appeal.*** In lieu of a decision on the merits of an appeal, the director of the department shall deny an appeal if the director finds any of the following:

- a.* The appeal is untimely;
- b.* The appellant lacks standing to appeal;
- c.* The appeal is not in the required form or is based upon frivolous grounds;
- d.* The appeal is moot because the issues raised in the notice of appeal or at the hearing have been settled by the parties; or
- e.* The termination of the award was beyond the control of the department due to lack of available funds.

These rules are intended to implement Iowa Code section 279.51.

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