

**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.