

641—33.32(17A,272C) Application for rehearing.

33.32(1) Any party to a contested case proceeding may file an application for rehearing from a final order. The filing of an application for rehearing is not necessary to exhaust administrative remedies for purposes of judicial review.

33.32(2) The application for rehearing will state on whose behalf it is filed, the specific grounds for rehearing, the relief sought, whether the applicant desires reconsideration of all or part of the board decision on the existing record, and whether, on the basis of grounds enumerated in paragraph 33.30(2) “e” and rule 641—33.31(17A,272C), the applicant requests an opportunity to submit additional evidence.

33.32(3) The application shall be filed with the board within 20 days after issuance of the final decision.

33.32(4) A copy of the application shall be timely mailed by the applicant to all parties of record.

33.32(5) A request that additional evidence be considered on rehearing is governed by paragraph 33.30(2) “e.”

33.32(6) Any application for rehearing is deemed denied unless the board grants the application within 20 days after its filing.

33.32(7) Application for rehearing is the only procedure by which a party may request that the board reconsider a final board decision.

33.32(8) If the board grants an application for rehearing, the board may set the application for oral argument or for hearing if additional evidence will be received. If additional evidence will not be received, the board may issue a ruling without oral argument or hearing. The board may, on the request of a party or on its own motion, order or permit the parties to provide written argument on one or more designated issues. The board may be assisted by an administrative law judge in all proceedings related to an application for rehearing.

[ARC 7999C, IAB 5/15/24, effective 6/19/24]