

761—2506.4(17A) Submission of request for informal settlement or hearing.

2506.4(1) A person who is aggrieved by an action of the department and who is entitled to a contested case hearing may:

- a.* Unless prohibited by statute, request an informal settlement.
- b.* Initiate a contested case by submitting a request for a contested case hearing.
- c.* Use both procedures.

2506.4(2) A request for an informal settlement or a contested case hearing shall be submitted in writing to the director of the bureau or division of the department that administers the matter at issue.

2506.4(3) The request shall include complete names, mailing addresses to be used for communications with the department, and telephone numbers for all persons involved and any attorneys representing them.

2506.4(4) A statute or rule may provide for submission of requests within a specified time period. A request shall be considered timely submitted if it is postmarked or delivered to the appropriate bureau or division of the department within the time period specified. Timely submission of a request shall be jurisdictional.

2506.4(5) An informal settlement may be handled by telephone.

2506.4(6) If an informal settlement cannot be reached within a reasonable period of time, the department will notify the person in writing that there has been a failure to reach an informal settlement, that the department's action or decision is sustained, and that the person may request a contested case hearing.

2506.4(7) The department may initiate a contested case proceeding. Prior to initiating the contested case proceeding, the department, unless disallowed by statute, may attempt to settle the matter informally.

[ARC 0338D, IAB 6/10/26, effective 6/30/26]