

**645—11.5(17A) Statement of charges and notice of hearing.**

**11.5(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.

**11.5(2) *Delivery.*** Delivery of the statement of charges and notice of hearing constitutes the commencement of the contested case proceeding. Delivery 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.* Publication, as provided in the Iowa Rules of Civil Procedure.

**11.5(3) *Contents.*** The statement of charges and notice of hearing will contain the following information:

- a.* A statement by the board showing that there is 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 informal settlement;
- i.* Identification of the board as the presiding officer; and
- j.* Notification of the time period in which a party may request, when applicable, and pursuant to Iowa Code section 17A.11 and rules 645—11.8(17A,272C) and 645—11.9(17A,272C), that the presiding officer be an administrative law judge.

[ARC 8080C, IAB 6/26/24, effective 7/31/24]