

481—10.26(10A,17A,272C) Board hearings. In scheduling hearings, boards should consult with the division to determine the availability of an ALJ. The board shall determine the time and place of hearing. At the request of the board, an ALJ shall assist in the conduct of a contested case.

10.26(1) The ALJ may rule on preliminary matters, including motions, and conduct prehearing conferences referred by the board.

10.26(2) The ALJ may conduct the hearing for the board, and may, when delegated by the board, perform duties including, but not limited to, the following:

- a.* Open the record and receive appearances;
- b.* Administer oaths and issue subpoenas;
- c.* Enter the notice of hearing into the record;
- d.* Enter the statement of charges into the record;
- e.* Receive testimony and exhibits presented by the parties;
- f.* Rule on objections and motions;
- g.* Close the hearing; and
- h.* Prepare findings of fact, conclusions of law and decision and order.

This rule is intended to implement Iowa Code sections 10A.202, 17A.11 and 272C.6.