

**655—20.6 (17A,272C) Notice of hearing.**

**20.6(1) *Delivery.*** Delivery of the 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.* Certified restricted mail, return receipt requested; or
- c.* Signed acknowledgment accepting service; or
- d.* When service cannot be accomplished using the above methods:

- (1) An affidavit shall be prepared outlining the measures taken to attempt service; and
- (2) Notice of hearing shall be published once each week for three consecutive weeks in a newspaper of general circulation, published or circulated in the county of last-known residence of the respondent. The first notice of hearing shall be published at least 30 days prior to the scheduled hearing.

**20.6(2) *Contents.*** The notice of hearing shall contain the following information:

- a.* A statement of the time, place, and nature of the hearing;
- b.* A statement of the legal authority and jurisdiction under which the hearing is to be held;
- c.* A reference to the particular sections of the statutes and rules involved;
- d.* A short and plain statement of the matters asserted;
- e.* Identification of all parties, including the name, address and telephone number of the assistant attorney general representing the state;
- f.* Reference to the procedural rules governing conduct of the contested case proceeding;
- g.* Reference to the procedural rules governing settlement;
- h.* Identification of the presiding officer;
- i.* Notification of the time period in which a party may request, pursuant to Iowa Code section 17A.11, that the presiding officer be an administrative law judge;
- j.* Notification of the time period in which the respondent may file an answer; and
- k.* Notification of the respondent's right to request a closed hearing, if applicable.

**20.6(3) *Public record.*** Notices of hearing are permanent public records open for inspection under Iowa Code chapter 22.