

761—13.3 (17A) Initiation of contested case.

13.3(1) The department may initiate a contested case proceeding to determine the legal rights, duties or privileges of a person as required by the constitution or a statute. Prior to initiating the contested case proceeding, the department, unless prohibited by statute, may attempt to settle the matter informally.

13.3(2) A person who is aggrieved by an action of the department and who is entitled to an evidentiary (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.

13.3(3) A person may also request that the department resolve a controversy in accordance with rule 761—13.20(17A).