

## **274-1-.05 Assignment of Hearings; Review of Initial Administrative Appeal and Intervention Requests.**

(1) In the event an appeal is requested, the Chairperson of the Appeal Panel shall appoint a hearing officer for each such hearing within thirty (30) days after the date the appeal is received. The Chairperson shall immediately deliver the appeal request and any other related documentation to the assigned hearing officer.

(2) The hearing officer shall review the request to determine whether it was timely filed and whether Appellant has standing. If the request is timely and the Appellant has standing, an initial administrative appeal hearing shall be granted; provided, however; the hearing officer shall be entitled to consider all pre-hearing motions and arguments and may dispose of the case before conducting a hearing. The hearing officer shall have the authority to and shall make such rulings as may be required for the conduct of the hearing. If the request is not timely or the Appellant lacks standing, the hearing officer shall deny the request.

Authority O.C.G.A. Secs. 31-5A, 31-6, 31-6-44. **History.** Original Rule entitled “Review of Request by Chairman” adopted as ER. 274-1-0.1-.05. F. July 21, 1983; eff. July 20, 1983, the date of adoption.

**Amended:** Permanent Rule of same title adopted. F. Nov. 8, 1983; eff. Nov. 28, 1983. **Repealed:** New Rule entitled “Scheduling and Notice of Initial Administrative Appeal Hearing” adopted. F. Dec. 19, 1994; eff. Jan. 8, 1995. **Amended:** F. Aug. 15, 2002; eff. Sept. 4, 2002. **Repealed:** New Rule of same title adopted. F. Dec. 16, 2004; eff. Jan. 5, 2005. **Repealed:** New Rule entitled “Assignment of Hearings; Review of Initial Administrative Appeal and Intervention Requests” adopted. F. Sept. 25, 2008; eff. Oct. 15, 2008.