

1 **10A NCAC 27I .0608 IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

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3 **10A NCAC 27I .0608 PANEL HEARING OFFICER DECISION FINDINGS AND DECISION**

4 (a) The ~~panel~~ Hearing Officer's findings and decisions are based on the record and any new evidence that would be  
5 material to the issues on appeal.

6 (b) The standard of review for the ~~panel~~ Hearing Officer is whether the decision of the LME-MCO, area authority  
7 or county program is supported by evidence presented.

8 ~~The panel shall vote on each specific item being appealed.~~ The Hearing Officer shall consider all issues under  
9 appeal.

10 ~~(d) Findings and decisions of the panel shall be by majority vote. Repealed.~~

11 (e) Any decision may be rescheduled for a subsequent meeting if the ~~panel~~ Hearing Officer determines that ~~it~~ he or  
12 she lacks sufficient information to render a decision at the initial hearing.

13 (f) ~~All panel~~ The Hearing Officer's findings and decisions shall be reached and sent in writing to the client or the  
14 client's legally responsible person, and to the LME-MCO, area authority or county program Director within 60  
15 calendar days of the written request for ~~appeal to the client, the area authority or county program and the Director.~~  
16 an appeal.

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18 *History Note: Authority G.S. 143B-147;*

19 *Eff. October 1, 2006;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 24,*  
21 *2017-2017;*

22 *Amended Eff. May 1, 2024.*