

**3525.4420 DECISIONS OF HEARING OFFICER.**

The hearing officer must issue a written decision or order after the hearing and serve the decision or order on all parties. This order must include information detailing the right to appeal the decision and the time in which to do so. The hearing officer must maintain the hearing record until the date of the final decision or order and send it to the department within one week of the issuance of the final decision or order. The record must include all pleadings, motions and orders; evidence offered or considered; offers of proof, objections, and rulings thereon; the hearing officer's final decision or order; all memoranda or data submitted by any party in connection with the case; and the transcripts of all proceedings. The hearing officer's decision is final on the date the decision is issued.

A decision must:

- A. be in writing;
- B. state the controlling and material facts to which the law is applied;
- C. state the conclusions of law applied to the facts; and

D. be based on local standards, state statute, the rules of the department, and federal law. A summary disposition based upon stipulation, settlement, or withdrawal of a hearing request need not contain extensive findings or conclusions. An order, to be treated as a consent decree approved by the hearing officer, must expressly state it is a consent order.

**Statutory Authority:** *L 2003 1Sp9 art 3 s 19*

**History:** *28 SR 1292*

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