

5217.0700 DISQUALIFICATION OF BOARD OR PANEL MEMBER.

Any member of the board or panel shall voluntarily disqualify himself or herself and withdraw from any case in which the member cannot accord a fair and impartial hearing or consideration. At least ten days before the hearing, at which the board or panel votes to render a final decision, any party may request the disqualification of any board or panel member by filing an affidavit which states with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded. The affidavit shall be filed with the executive secretary of the board or panel. If a party requests that a member be disqualified, the disqualification issue shall be determined by majority vote of the other members present even if the other members do not constitute a quorum.

Statutory Authority: *MS s 176.102; 176.103*

History: *15 SR 1877*

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