

THE ISSUES INVOLVED. THEREAFTER UPON APPLICATION A MORE DEFINITE AND DETAILED STATEMENT SHALL BE FURNISHED.

251A.

IN CONTESTED CASES:

(A) AN AGENCY MAY PROVIDE BY REGULATION FOR PREHEARING CONFERENCES OR OTHER APPROPRIATE PREHEARING PROCEDURES.

(B) IN ADDITION TO ANY OTHER HEARING AUTHORITY OR PROCEDURE AUTHORIZED BY LAW:

(1) ANY AGENCY HEAD, OFFICIAL, OR EMPLOYEE AUTHORIZED BY LAW TO HEAR AND DECIDE A CONTESTED CASE MAY, ON AN AD HOC BASIS, DELEGATE ITS HEARING AUTHORITY TO A HEARING OFFICER WHO SHALL CONDUCT A HEARING AND SHALL SUBMIT WRITTEN FINDINGS OF FACT AND PROPOSED CONCLUSIONS OF LAW TO THE AGENCY HEAD, OFFICIAL, OR EMPLOYEE. ~~ANY PARTY TO A CONTESTED CASE MAY, BY TIMELY AND ADEQUATELY EXCEPTING TO ANY OF THE HEARING OFFICER'S FINDINGS OF FACT OR PROPOSED CONCLUSIONS OF LAW, COMPEL A DE NOVO HEARING BY THE AGENCY HEAD, OFFICIAL, OR EMPLOYEE WHO DELEGATED THE AUTHORITY.~~

~~(2) ANY AGENCY HEAD, OFFICIAL, OR EMPLOYEE AUTHORIZED BY LAW TO HEAR AND DECIDE A CONTESTED CASE MAY, BY RULE AND REGULATION, DELEGATE ITS HEARING AUTHORITY TO A HEARING OFFICER. IN SUCH CASES, THE HEARING OFFICER SHALL HEAR AND DECIDE THE CASE AND HIS DECISION SHALL BE THE FINAL DECISION OF THE AGENCY DELEGATING AUTHORITY.~~

(C) DISPOSITION MAY BE MADE OF ANY CASE BY STIPULATION, AGREED SETTLEMENT, CONSENT ORDER, OR DEFAULT, UNLESS OTHERWISE PRECLUDED BY LAW.

(D) EACH AGENCY SHALL ADOPT RULES OF PROCEDURE FOR HEARINGS IN CONTESTED CASES.

252.

In contested cases:

(a) Agencies may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonable and prudent men in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. They may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

(b) All evidence, including records and documents in the possession of the agency, of which it desires to avail itself, shall be offered and made a part of the record in the case, and no other factual information or evidence shall be considered in the determination of the case. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.