

(2) An agency, by regulation, may delegate to the Office of Administrative Hearings the authority to issue the final administrative decision of the agency in a contested case.】

(A) (1) A BOARD, COMMISSION, OR AGENCY HEAD AUTHORIZED TO CONDUCT A CONTESTED CASE HEARING SHALL:

(I) CONDUCT THE HEARING; OR

(II) DELEGATE THE AUTHORITY TO CONDUCT THE CONTESTED CASE HEARING TO:

1. THE OFFICE; OR

2. WITH THE PRIOR WRITTEN APPROVAL OF THE CHIEF ADMINISTRATIVE LAW JUDGE, A PERSON NOT EMPLOYED BY THE OFFICE.

(2) WITH THE WRITTEN APPROVAL OF THE CHIEF ADMINISTRATIVE LAW JUDGE, A CLASS OF CONTESTED CASE HEARINGS MAY BE DELEGATED AS PROVIDED IN PARAGRAPH (1)(II)2 OF THIS SUBSECTION.

(3) THIS SUBSECTION IS NOT INTENDED TO RESTRICT THE RIGHT OF AN INDIVIDUAL, EXPRESSLY AUTHORIZED BY A STATUTE IN EFFECT ON OCTOBER 1, 1993, TO CONDUCT A CONTESTED CASE HEARING.

(B) AN AGENCY MAY DELEGATE TO THE OFFICE THE AUTHORITY TO ISSUE:

(1) PROPOSED OR FINAL FINDINGS OF FACT;

(2) PROPOSED OR FINAL CONCLUSIONS OF LAW;

(3) PROPOSED OR FINAL FINDINGS OF FACT AND CONCLUSIONS OF LAW;

(4) PROPOSED OR FINAL ORDERS OR ORDERS UNDER ARTICLE 49B OF THE CODE; OR

(5) THE FINAL ADMINISTRATIVE DECISION OF AN AGENCY IN A CONTESTED CASE.

(C) PROMPTLY AFTER RECEIPT OF A REQUEST FOR A CONTESTED CASE HEARING, AN AGENCY SHALL:

(1) NOTIFY THE PARTIES THAT THE AUTHORIZED AGENCY HEAD, BOARD, OR COMMISSION SHALL CONDUCT THE HEARING;

(2) TRANSMIT THE REQUEST TO THE OFFICE SO THAT THE OFFICE SHALL CONDUCT THE HEARING IN ACCORDANCE WITH THE AGENCY'S DELEGATION; OR

(3) REQUEST WRITTEN APPROVAL FROM THE CHIEF ADMINISTRATIVE LAW JUDGE TO APPOINT A PERSON NOT EMPLOYED BY THE OFFICE TO CONDUCT THE HEARING.