

**RULES
OF
COMPOSITE STATE BOARD OF MEDICAL EXAMINERS**

**CHAPTER 360-24
HEARINGS**

TABLE OF CONTENTS

360-24-.01 Notice of Hearing
360-24-.02 Conduct of the Hearing

360-24-.03 Hearing Officers

360-24-.01 Notice of Hearing. The agency shall notify all parties of the date, time and place of the hearing.

Authority O.C.G.A. Secs. 43-1-3, 43-34-24(c). History. Original Rule entitled "Notice of Hearing" adopted. F. Oct. 26, 1999; eff. Nov. 15, 1999.

360-24-.02 Conduct of the Hearing.

(1) Presiding Officer. The hearing shall be conducted by the presiding officer, who shall be a duly appointed hearing officer, the chairman or president of the agency, or a member of the agency appointed by the agency or the chairman or president thereof to conduct the hearing.

(2) Duties of the Presiding Officer. The presiding officer shall have the authority to do the following: to administer oaths and affirmations; rule upon offers of proofs; regulate the course of the hearing; set the time and place for continued hearings; fix the time for filing briefs and memoranda; dispose of motions; and reprimand or exclude from the hearing any person for any indecorous or improper conduct committed in the presence of the presiding officer.

(3) Sworn Testimony. All testimony given at the hearing shall be under oath administered by the presiding officer or any person designated by him.

(4) Order of Presentation. The State, or in a proper case a moving or complaining party, shall present its evidence or testimony first. Where there is more than one moving or complaining party, the order of presentation shall be at the discretion of the presiding officer. After all of the evidence and testimony of the State, or the moving or complaining party, has been received, all other parties shall be allowed to present their evidence or testimony. All parties, other

than the party introducing the testimony, shall be allowed to cross-examine any witness immediately after his testimony has been received. The State, or the moving or complaining party, shall be allowed to present rebuttal testimony or evidence if it so desires.

Authority O.C.G.A. Secs. 43-1-3, 43-34-24(c). History. Original Rule entitled "Conduct of the Hearing" adopted. F. Oct. 26, 1999; eff. Nov. 15, 1999.

360-24-.03 Hearing Officers. The agency or the Chairman or president of the agency may appoint a hearing officer to act as the presiding officer in the proceeding.

Authority O.C.G.A. Secs. 43-1-3, 43-34-24(c). History. Original Rule entitled "Hearing Officers" adopted. F. Oct. 26, 1999; eff. Nov. 15, 1999.