

House Research Act Summary

CHAPTER: 16

SESSION: 2005 Regular Session

TOPIC: Office of Administrative Hearings

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Overview

Makes various changes in laws governing the operations of the Office of Administrative Hearings (OAH).

Section

- 1** **Distribution of rules compilation.** Requires the Revisor of Statutes to provide OAH, without charge, three copies of the compilation of Minnesota Rules.
- 2** **Reports.** In the statute dealing with reports issued by an administrative law judge, strikes reference to the judge commenting on the degree to which the agency has fulfilled substantive requirements.
- 3** **Procedural rules.** Authorizes the chief administrative law judge to adopt rules to govern the procedural conduct of other hearings conducted by OAH, in addition to the specific types of hearings already referenced in law. Clarifies that the office's subpoena authority applies on any matter being heard by the office.
- 4** **Costs assessed.** Under current law, agencies are assessed for the cost of OAH services. This section amends the current law by requiring consultation with the commissioner of finance (instead of administration) in setting these costs, and by recognizing that specific other laws may provide exceptions.
- 5** **Decisions.** Under current law, the report of the administrative law judge is the final decision in a contested case unless the agency modifies or rejects the report within 90 days after the record of the proceeding closes. This section provides that when the agency does not act within 90 days on a licensing case, the agency must return the record to the administrative law judge for consideration of disciplinary action.