

1 10A NCAC 21A .0302 is proposed for readoption without substantive changes as follows:

2

3 **10A NCAC 21A .0302 GOOD CAUSE FOR DELAYED HEARINGS**

4 (a) A local appeal hearing under G.S. 108A-79 shall be delayed for good cause as provided in G.S. 108A-79(e).

5 (b) A ~~State~~ state appeal hearing under G.S. 108A-79 may be delayed for as much as 30 calendar days when there is
6 good cause. ~~The postponement may not exceed 30 calendar days.~~

7 (c) Good cause exists when:

8 (1) ~~the~~There is a death in the appellant's family;

9 (2) ~~the~~The appellant or someone in his or her family is ill;

10 (3) ~~the~~The appellant is unable to obtain representation;

11 (4) ~~the~~The appellant's representative has a conflict with the scheduled date;

12 (5) ~~the~~The appellant receives a notice of action proposing a reduction or termination of assistance after
13 the ten business work day notice expires;

14 (6) ~~the~~The appellant is unable to obtain transportation; or

15 (7) ~~the~~The hearing officer determines that the hearing should be delayed for some other reason in the
16 interests of justice or to promote judicial economy. ~~other circumstances satisfactory to the hearing~~
17 ~~officer.~~

18

19 *History Note: Authority G.S. 108A-54; 108A-54.1B; 108A-79;*

20 *Eff. September 1, 1984;*

21 *Amended Eff. August 1, 1990; ~~1990~~.*

22 *Readopted Eff. May 1, 2018.*

23

24