Ohio Revised Code

Section 4729.171 Designation of hearing examiners.

Effective: April 6, 2017

Legislation: Senate Bill 319 - 131st General Assembly

(A)(1)(a) The state board of pharmacy may designate one or more attorneys at law who have been admitted to the practice of law, and who are classified as either administrative law attorney examiners or as administrative law attorney examiner administrators under the state job classification plan adopted under section 124.14 of the Revised Code, as hearing examiners, subject to Chapter 119. of the Revised Code, to conduct any hearing the board is empowered to hold or undertake pursuant to Chapter 119. of the Revised Code.

(b) Notwithstanding the requirement of division (A)(1)(a) of this section that the board designate as a hearing examiner an attorney who is classified as either an administrative law attorney examiner or an administrative law attorney examiner administrator, the board may, subject to section 127.16 of the Revised Code, enter into a personal service contract with an attorney admitted to the practice of law in this state to serve as a hearing examiner.

(2) The hearing examiner shall hear and consider the oral and documented evidence introduced by the parties and issue in writing proposed findings of fact and conclusions of law to the board for their consideration within thirty days following the close of the hearing.

(B) The board shall be given copies of the transcript of the hearing record and all exhibits and documents presented by the parties at the hearing.

(C) The board shall render a decision and take action within ninety days following the receipt of the hearing examiner's proposed findings of fact and conclusions of law.

(D) The final decision of the board in any hearing shall be in writing and contain findings of fact and conclusions of law. Copies of the decision shall be delivered to the parties personally or by certified mail. The decision is final on delivery or mailing, but may be appealed as provided by Chapter 119. of the Revised Code.