

## 350.20 Hearing Officers

### The hearing officer

The hearing officer at the agency level shall be impartial, shall not have been directly involved in the initial determination of the action being contested, and shall not have a personal stake in the decision. It would be helpful for the hearing officer to have knowledge of the Iowa WIC Program and its regulations.

The duties of a hearing officer include:

- Schedule the time, place and date of the hearing as expeditiously as possible,
- Conduct the hearing in accordance with federal regulations found at 7 CFR 246.23 and 7 CFR 246.9.
- Record all hearings,
- Administering the oath of affirmation, as required by the State of Iowa,
- Ensuring that all relevant issues are considered,
- Regulating the conduct and course of the hearing, consistent with due process, to ensure an orderly hearing,
- Requesting and receiving all evidence necessary to decide the issues being raised,
- Making the evidence part of the hearing record,
- Ordering, where relevant and necessary, an independent assessment or professional evaluation from a source satisfactory to both the appellant and the state,
- Rendering a decision which will resolve the dispute, and
- Act as custodian of the hearing record for five years in accordance with WIC policy 300.30 Document Retention.

### Suggested hearing officers

State-level hearing officers are appointed by the Department of Inspections and Appeals.

Suggested hearing officers at the agency level are:

- Agency directors
- Non-agency health professionals, or
- Department of Human Services hearing officers.