

Sec. 31-272-17. Reconsideration

(a) The Board, on its own motion, or an authorized agent may, within thirty days after the issuance of the final decision, file a petition for reconsideration of the decision on the ground that: (1) an error of fact or law should be corrected; (2) new evidence has been discovered which materially affects the merits of the case and which for good cause was not presented in the earlier proceeding; or (3) other good cause for reconsideration exists. Within twenty-five days of the filing of the petition, the Board shall determine whether the ends of justice require reconsideration. If the Board does not grant the petition within twenty-five days of such filing, it shall be considered a denial of the petition. If the Board determines that reconsideration is required, the Board shall proceed to conduct such additional proceedings as may be necessary to render a decision modifying, affirming or reversing the final decision of the Board.

(b) At any time upon a showing of substantially changed conditions, the Board may reverse or modify any final decision to revoke or suspend an authorized agent's registration with the Appeals Division at the request of the authorized agent or on the Board's own motion. The authorized agent and complainant shall receive notice of the Board's intent to modify or reverse its prior decision and may, within ten days of the mailing of the notice, request an opportunity to be heard. The request shall state the reason the person requests the opportunity to be heard, a description of any evidence, testimony or argument that the person desires to introduce, and an explanation of the importance of such evidence, testimony or argument. If the Board determines that the ends of justice so require, the Board may order that a further hearing be scheduled before the Board or hearing officer, as the Board may direct.

(c) The Board may, without further proceedings, modify a final decision to correct any clerical error.

(Effective July 1, 1992)