

Sec. 20-280-16. Complaints, adjudication procedure

(a) **Purpose.** This section shall govern the procedure of the board in all hearings conducted under the authority of section 20-280b of the Connecticut General Statutes involving a violation or alleged violation of chapter 389 of the Connecticut General Statutes and the regulations promulgated thereunder, by any person, but these rules shall not be construed to be a limitation or repeal of the board's authority as provided by legislative act.

(b) **Complaints.** Information or personal knowledge of any person, including any board member, which if true would indicate a possible violation of chapter 389 of the Connecticut General Statutes or the regulations of the board may be presented to the board in the form of a complaint in accordance with section 20-280c of the Connecticut General Statutes. Upon receipt of such complaint, the board shall review its particulars.

(c) **Action on complaint.** Upon completion of the review the board shall:

(1) If the complaint in its opinion has no foundation in law or fact, transmit to the person providing the information the determination as to the insufficiency of the complaint or of the evidence, or

(2) In all other cases cause to have prepared on its own motion, formal charges which shall be signed, caused to be served and prosecuted in accordance with Sections 4-177, 4-178 and 20-280c of the Connecticut General Statutes by the secretary or by a board member designated by the chairman.

(d) **Conduct of hearings.** Hearings shall be conducted by two or more members of the board.

The hearing shall be:

(1) Presided over by a presiding officer, who shall be the chairman if present for the hearing; otherwise, the chairman shall designate a board member as presiding officer;

(2) Recorded; and

(3) Continued or adjourned for reasonable cause shown.

(e) **Evidence.** Evidentiary questions shall be ruled upon by the presiding officer. After all parties rest their cases, the board shall evaluate all testimony and other evidence and shall issue an appropriate order with findings of fact and conclusions. The commissioner or board member prosecuting the complaint shall not participate in any deliberations or voting on the findings of fact, conclusions or order.

(f) **Record.** After adopting findings of fact and conclusions of law, the board shall issue an order dismissing the action, or providing the sanction under section 20-280b of the Connecticut General Statutes it deems warranted. The order shall include as a part thereof the findings of fact and conclusions of law of the board.

(g) **Return of Certificate, Registration or Permit.** Any licensee whose certificate, registration or permit issued by the board is subsequently suspended or revoked shall promptly return such certificate, registration or permit to the board.

(Effective May 25, 1988; Amended November 19, 2015; Amended February 11, 2019; Amended June 30, 2021)