California Code Of Regulations
|->
Title 22@ Social Security
|->
Division 3@ Health Care Services
|->
Subdivision 1@ California Medical Assistance Program
|->
Chapter 4@ Prepaid Health Plans
|->
Article 7@ Emergency Services Claims Disputes
|->
Section 53634@ Defaults

## 53634 Defaults

## (a)

Failure to file a timely Notice of Defense and to serve a copy on the provider or failure to appear at a hearing shall be deemed a default and a waiver of the defaulting party's right to a hearing unless, prior to decision in the matter: (1) The party shows good cause for the failure. (2) All parties have stipulated in writing that the failure shall not be deemed a default.

**(1)** 

The party shows good cause for the failure.

**(2)** 

All parties have stipulated in writing that the failure shall not be deemed a default.

## (b)

The hearing officer may, following a default:(1) Render a decision based upon the defaulting party's express admissions, or upon other evidence. (2) Receive affidavits as evidence without notice to the defaulting party. (3) Render a decision against the defaulting party without receiving evidence or argument if the burden of proof is on the defaulting party.

**(1)** 

Render a decision based upon the defaulting party's express admissions, or upon other evidence.

(2)

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Receive affidavits as evidence without notice to the defaulting party.

(3)

Render a decision against the defaulting party without receiving evidence or argument if the burden of proof is on the defaulting party.