

## **95011 Prehearing Provisions**

### **(a)**

The hospital and the Department will be notified of the hearing date and time at least 30 calendar days in advance.

### **(b)**

The hospital and the Department shall provide copies of all proposed exhibits to the hearing officer and to the other party no later than 10 calendar days prior to the hearing date.

### **(c)**

Request to Change Hearing Date. Either party may request a change of hearing date, if necessary. Requests for rescheduling must be submitted to the hearing officer at least 10 business days before the scheduled hearing. Requests for rescheduling must be based upon good cause, as determined by the hearing officer, and will only be granted if the change would not prejudice the other party.

### **(d)**

Request to Change Hearing Method. All hearings will be held in Sacramento at the business location of the Department; however, the hearing officer may schedule a hearing to be conducted by telephone or other electronic means. If so, either party may object; upon receipt of such an objection, the hearing officer will schedule an in-person hearing in Sacramento. If the hearing officer does not initially plan to conduct a hearing by telephone or other electronic means, either

party may so request; if the hospital and the Office consent, the hearing officer may, but is not required to, conduct the hearing by telephone or other electronic means. The hospital and the Department will be notified of the hearing officer's decision.

**(e)**

Request for Consolidation. The hearing officer may, on their own determination or upon written request of one of the parties, consolidate for hearing or decision any number of appeals when the facts and circumstances are similar and no substantial right of any party will be prejudiced. The hearing officer shall notify both the hospital and the Department if consolidation is occurring. Within five days of receiving the notice of hearing, either party may request consolidation by filing a request with the hearing officer containing the following information: (1) Identification of the appeals to be consolidated. (2) A statement of the basis for consolidation.

**(1)**

Identification of the appeals to be consolidated.

**(2)**

A statement of the basis for consolidation.

**(f)**

Request for Interpreter. If a party or a witness of a party does not speak English proficiently, that party may request language assistance and the Department will provide an interpreter. Such a request must be received by the hearing officer at least 10 business days before the hearing.

**(g)**

Request for Court Reporter. Hearings will be recorded electronically; however, either party may provide a court reporter at that party's expense. If a party

chooses to provide a court reporter, that party shall notify the hearing officer in advance and make all necessary arrangements. The original of the transcript shall be provided directly to the Department. The non-appearance of a court reporter will not be considered adequate grounds for cancelling or rescheduling a hearing.