

## **96051.35 Conduct of Hearing**

### **(a)**

The hearing shall be conducted by one of the following, as determined by the Department: (1) An employee of the Department appointed by the Director to serve as hearing officer. (2) An administrative law judge employed by the California Office of Administrative Hearings serving as hearing officer.

#### **(1)**

An employee of the Department appointed by the Director to serve as hearing officer.

#### **(2)**

An administrative law judge employed by the California Office of Administrative Hearings serving as hearing officer.

### **(b)**

The hearing shall not be conducted according to technical rules relating to evidence and witnesses. Any evidence shall be admitted unless it is irrelevant, immaterial, unduly repetitious, or otherwise unreliable or of little probative value.

### **(c)**

All testimony at the hearing shall be taken under oath or affirmation.

### **(d)**

The hearing shall be recorded by electronic means unless one party has chosen to provide a court reporter at their own expense as specified in section 96051.34(i).

### **(e)**

The hearing shall be open to the public, unless a party shows good cause as to why it should be closed.

**(f)**

All exhibits, documents, and information related to an appeal under this chapter are deemed confidential due to financial and medical information contained therein, except for the proposed decision and final decision.