

**WAC 371-08-390 Presiding officer—Powers and duties.** It shall be the duty of the presiding officer to conduct conferences or hearings in cases assigned in an impartial and orderly manner. The presiding officer shall have the authority, subject to the other provisions of these rules:

- (1) To administer oaths and affirmations;
- (2) To issue subpoenas and enter protective orders as provided in the Administrative Procedure Act;
- (3) To rule on all procedural matters, objections and motions;
- (4) To rule on all offers of proof and receive relevant evidence;
- (5) To question witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the appeal;
- (6) To secure and present in an impartial manner such evidence, in addition to that presented by the parties, as deemed necessary to fairly and equitably decide the appeal;
- (7) To take appropriate disciplinary action with respect to representatives of parties appearing before the board;
- (8) To issue orders joining other parties, on motion of any party or in the judgment of the presiding officer, when it appears that such other parties may have an interest in, or may be affected by, the proceedings;
- (9) To consolidate appeals for hearing when such consolidation will expedite disposition of the appeals and avoid duplication of testimony and when the rights of the parties will not be prejudiced thereby;
- (10) To hold prehearing conferences;
- (11) To permit and regulate the taking of discovery;
- (12) To regulate the course of the hearing;
- (13) To dismiss an appeal or take other appropriate actions if a party or representative fails to appear at a prehearing conference, hearing or at any other stage of the appeal proceeding;
- (14) To take any other action necessary and authorized by these rules and the law.

[Statutory Authority: RCW 43.21B.170. WSR 23-11-076, § 371-08-390, filed 5/17/23, effective 6/16/23; WSR 96-15-003, § 371-08-390, filed 7/3/96, effective 8/3/96.]