

**BEFORE THE OKLAHOMA STATE DEPARTMENT OF HEALTH
OFFICE OF ADMINISTRATIVE HEARINGS**

STANDING ORDER NO. 5

ANSWER REQUIRED

Any party served with a Petition¹, an application for an administrative fine or an administrative order initiating an administrative proceeding before the Office of Administrative Hearings shall file an Answer (written response) within twenty (20) days of receipt of the Petition, application or order initiating an administrative proceeding pursuant to 310 OAC, Sections 2-3-6 c(8) and 2-21-6.

The original of the response must be filed with the Hearing Clerk of the Office of Administrative Hearings and a copy must be delivered or mailed to all other parties by 5:00 p.m. **on the 20th day**. Delivery may be made in person, by process server, or may be sent by certified mail, return receipt requested, restricted delivery. If the party is represented by counsel, then service may be made by regular mail to the attorney. Compliance with Standing Order No. 7 (Filing by Facsimile or Electronic Transmission) is compliance with this requirement.

Every defense, in law or fact, to a claim for relief in any Petition, application or administrative order initiating an administrative proceeding shall be asserted in the responsive pleading.

Answers filed and signed by an attorney shall comply in all cases with the Pleading Code as applicable to District Court. An answer filed by a non-attorney must contain a certificate of delivery and the following statement:

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

Date and Place of Service: _____

Signature: _____

The signed statement under penalty of perjury shall constitute a legally binding assertion that the contents of the statement to which it refers are true (12 O.S. Sec. 426).

Dated: June 1, 2015.

/s/Suzanne Nichols
ADMINISTRATIVE LAW JUDGE

/s/Michael Mitchelson
ADMINISTRATIVE LAW JUDGE

/s/Kim Heaton
ADMINISTRATIVE LAW JUDGE

/s/Jan Preslar
ADMINISTRATIVE LAW JUDGE

/s/Mary Womack
ADMINISTRATIVE LAW JUDGE

Office of Administrative Hearings
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Oklahoma City, OK 73117
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¹ A written response or answer shall not be required for a petition filed seeking a finding of abuse, neglect or misappropriation against a certified nurse aide, for revocation of a nurse aide certification or for administrative citations issued to impose an administrative fine.
Amended, eff. 06/01/2015