

**BEFORE THE OKLAHOMA STATE DEPARTMENT OF HEALTH
STATE OF OKLAHOMA**

**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 must be made in person, by process server, or may be sent by certified mail, return receipt requested, restricted delivery.

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.

The response must contain a certificate of delivery containing 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)

Adopted: March 12, 2008

/s/Gary E. Payne _____
CHIEF ADMINISTRATIVE LAW JUDGE

Office of Administrative Hearings
Oklahoma State Department of Health
1000 N.E. 10th Street
Oklahoma City, OK 73117-1209
Office: (405) 271-1269; Fax: (405) 271-5604

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 or for administrative citations issued to impose an administrative fine.

NOTICE: Under Oklahoma law, any party to a proceeding who is not an individual is prohibited from representing itself before this Court.