**Section 168.315 Proposal for Decision**

a) After the hearing is concluded, the Hearing Officer or designated Agency employee who has read the record shall file with the Director or the Director's designee and serve upon the parties a proposal for decision based exclusively on:

1) Evidence and arguments presented during the course of the hearing and made a part of the record;

2) The Agency's experience, technical competence and specialized knowledge shall be utilized in the evaluation of the evidence if presented during the course of the hearing and made part of the record, and the Hearing Officer determines that such evidence is relevant, however, it must be stated in the proposal for decision where in relation to the evidence this has been used;

3) Stipulations of fact; and

4) Matters officially noticed.

b) The Proposal for Decision shall be final in form and dispositive of all issues in the case.

c) The Proposal for decision shall contain:

1) A short statement of the nature of the proceedings;

2) Complete references to the specific statutes or regulations at issue;

3) A list of exhibits admitted in evidence;

4) Specific findings of fact;

5) Specific conclusions of law based upon the findings of fact and applicable constitutional principles, statutes, and rules or regulations;

6) An appropriate recommendation for the disposition of the entire contested case including a statement of reasons based upon the findings of fact and conclusions of law;

7) No substantive finding of fact or conclusion of law nor any recommendation in the proposal for decision shall be binding upon the Director.