

in those states that have not adopted a process under the Order or do not select the Department's program or activity;

(4) Responding pursuant to §17.10 of this part if the Secretary receives a recommendation from a designated areawide agency transmitted by a single point of contact, in cases in which the review, coordination, and communication with the Department have been delegated.

(b) The Secretary uses the procedures in §17.10 if a state process provides a state process recommendation to the Department through a single point of contact.

**§ 17.12 How may a state simplify, consolidate, or substitute federally required state plans?**

(a) As used in this section:

(1) *Simplify* means that a state may develop its own format, choose its own submission date, and select the planning period for a state plan.

(2) *Consolidate* means that a state may meet statutory and regulatory requirements by combining two or more plans into one document and that the state can select the format, submission date, and planning period for the consolidated plan.

(3) *Substitute* means that a state may use a plan or other document that it has developed for its own purposes to meet Federal requirements.

(b) If not consistent with law, a state may decide to try to simplify, consolidate, or substitute federally required state plans without prior approval by the Secretary.

(c) The Secretary reviews each state plan that a state has simplified, consolidated, or substituted and accepts the plan only if its contents meet Federal requirements.

**§ 17.13 May the Secretary waive any provision of these regulations?**

In an emergency, the Secretary may waive any provision of these regulations.

**PART 18—RULES OF PRACTICE AND PROCEDURE FOR ADMINISTRATIVE HEARINGS BEFORE THE OFFICE OF ADMINISTRATIVE LAW JUDGES**

**Subpart A—General**

GENERAL PROVISIONS

Sec.

- 18.10 Scope and purpose.
- 18.11 Definitions.
- 18.12 Proceedings before administrative law judge.
- 18.13 Settlement judge procedure.
- 18.14 Ex parte communication.
- 18.15 Substitution of administrative law judge.
- 18.16 Disqualification.
- 18.17 Legal assistance.

PARTIES AND REPRESENTATIVES

- 18.20 Parties to a proceeding.
- 18.21 Party appearance and participation.
- 18.22 Representatives.
- 18.23 Disqualification of representatives.
- 18.24 Briefs from amicus curiae.

SERVICE, FORMAT, AND TIMING OF FILINGS AND OTHER PAPERS

- 18.30 Service and filing.
- 18.31 Privacy protection for filings and exhibits.
- 18.32 Computing and extending time.
- 18.33 Motions and other papers.
- 18.34 Format of papers filed.
- 18.35 Signing motions and other papers; representations to the judge; sanctions.
- 18.36 Amendments after referral to the Office of Administrative Law Judges.

PREHEARING PROCEDURE

- 18.40 Notice of hearing.
- 18.41 Continuances and changes in place of hearing.
- 18.42 Expedited proceedings.
- 18.43 Consolidation; separate hearings.
- 18.44 Prehearing conference.

DISCLOSURE AND DISCOVERY

- 18.50 General provisions governing disclosure and discovery.
- 18.51 Discovery scope and limits.
- 18.52 Protective orders.
- 18.53 Supplementing disclosures and responses.
- 18.54 Stipulations about discovery procedure.
- 18.55 Using depositions at hearings.
- 18.56 Subpoena.
- 18.57 Failure to make disclosures or to cooperate in discovery; sanctions.