

42 C.F.R. § 426.476

Board review of an ALJ's decision.

(a) *Review steps.* If the Board determines that an appeal is acceptable, the Board—

- (1) Permits the party that did not file the appeal an opportunity to respond to the appeal;
- (2) Hears oral argument (which may be held by telephone) if the Board determines that oral argument would be helpful to the Board's review of the ALJ decision;
- (3) Reviews the LCD review record and the parties' arguments; and

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