

**5215.5210 REVIEW BY BOARD.**

Subpart 1. **Limited review.** The board is limited in its review of an administrative law judge's decision and order to the matters preserved in the record. The board may affirm, in whole or part, or reverse, in whole or in part, the decision and order or remand it to the administrative law judge for further proceedings.

Subp. 2. **Standard of review.** The board may revise or reverse the administrative law judge's decisions and orders if substantial rights of the petitioner or petitioners may have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- A. in violation of constitutional provisions;
- B. in excess of the statutory authority or jurisdiction of the agency;
- C. made upon unlawful procedure;
- D. affected by other error of law;
- E. unsupported by substantial evidence in view of the entire record as submitted;

or

- F. arbitrary or capricious.

**Statutory Authority:** *MS s 14.06; 175.171; 182.651; 182.661; 182.664*

**History:** *20 SR 2428*

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