**Section 100.110 Amendment and Withdrawal**

a) An Administrative Decision of the Secretary or Director may be withdrawn without prejudice or amended at any time, except in the course of the Formal Hearing, without leave or approval of the Administrative Law Judge. If an amended Administrative Decision is filed during the course of the Formal Hearing, it shall also be presented to the ALJ. A continuance shall be granted whenever the amendment materially alters the Administrative Decision and when the Petitioner demonstrates that they would otherwise be unable to properly prepare an Answer to the amended Administrative Decision or prepare the Petitioner's case.

b) A Petition for Hearing may be withdrawn at any time prior to the Formal Hearing by the Party who initiated it and the Administrative Decision of the Department will become final. After a Hearing has begun, a Petition may be withdrawn only with leave of the ALJ.