

WAC 16-08-148 Brief adjudicative proceedings—Administrative review. (1) Any party may request orally or in writing a review of the initial order issued under WAC 16-08-145. A petition for review of an initial order shall contain a written explanation of the party's view of the matter and a statement of reasons why the initial order is incorrect. Oral requests must be placed in writing.

(a) Petitions for review may be filed with the department by personal delivery, commercial delivery, fax, or first-class, registered or certified mail. A petition for review may be filed by electronic mail (email) only when instructions for email filings have been provided by the department. Petitions for review must be received by the department at the address designated in the initial order within twenty-one days of service of the initial order.

(b) Petitions for review shall be served on all parties, and evidence of such service filed at the address designated in the initial order.

(2) A party may file a response to a petition for a review.

(a) The response shall be filed at the address designated in the initial order within ten days of the date of service of the petition for review.

(b) Copies of the response shall be served on all other parties at the time the response is filed.

(3) (a) The department reviewing officer, upon his or her own motion, may petition for administrative review of an initial order.

(b) The reviewing officer shall provide notice to the parties of his or her determination to review the initial order within twenty-one days of service of the initial order. The notice to the parties shall state the date by which a decision shall be made. The reviewing officer shall not take any action on review that is less favorable than the initial order without giving all parties notice and an opportunity to explain his or her view of the matter.

(4) The reviewing officer shall enter a final order disposing of the proceeding. A final order shall be in writing and shall:

(a) Include a brief statement of the reasons for the decision;

(b) Be entered within twenty-one days after the date of the initial order or of the petition for review, whichever is later.

(5) If the reviewing officer deems it necessary, he or she may remand a matter for further proceedings.

[Statutory Authority: RCW 43.17.060 and chapter 34.05 RCW. WSR 17-13-125, § 16-08-148, filed 6/21/17, effective 7/22/17.]