

(Effective January 1, 2027)

WAC 182-40-1500 Appeal of notice of noncompliance. (1) A contractor or hospital may appeal a written notice of noncompliance by timely filing an appeal, and the authority will schedule an administrative hearing.

(2) To file an appeal, the contractor or hospital must send a written request to the authority.

(a) The authority must receive the written request within 28 calendar days of the date the contractor or hospital received the notice of noncompliance.

(b) The written request to appeal must be sent to the address listed on the notice in a manner that provides proof of receipt.

(c) The written request to appeal must provide a copy of the notice of noncompliance being disputed.

(3) The authority conducts hearings and appeals under the Administrative Procedure Act, chapter 34.05 RCW, and the administrative hearing rules in chapter 182-526 WAC.

(4) Under WAC 182-526-0025, the authority, in its sole discretion, may conduct the administrative hearing or may transfer the hearing to the office of administrative hearings (OAH).

(a) If the authority conducts the administrative hearing, it issues the final agency decision.

(b) If OAH conducts the administrative hearing, it issues an initial order with instructions on how either party can request review with the authority's board of appeals.

(5) If the final order upholds the notice of noncompliance, the contractor or hospital must pay the fine within 28 calendar days of the issuance date of the final order.

[Statutory Authority: RCW 41.05.021, 41.05.160, and 41.05.028. WSR 25-24-066, s 182-40-1500, filed 12/1/25, effective 1/1/27.]