

WAC 388-103-0100 How does an alleged perpetrator request an administrative hearing to challenge an initial substantiated finding?

(1) To request an administrative hearing, the alleged perpetrator must send, deliver, or fax a written request to the office of administrative hearings (OAH).

(a) OAH must receive the written request no later than the earlier of:

(i) 5:00 p.m. on the thirtieth calendar day after the mailing date on adult protective services' (APS's) letter of notice; or

(ii) 5:00 p.m. on the thirtieth calendar day after the date APS's letter of notice was personally served upon the alleged perpetrator.

(b) Days are counted as described under WAC 388-02-0035.

(c) OAH mailing addresses, fax numbers, and telephone numbers are in WAC 388-02-0025.

(2) The minimum information required to make a request is given by:

(a) Completing the adult protective services administrative hearing request form (DSHS 27-178); or

(b) A written request that includes:

(i) The full legal name, current address, and phone number of the alleged perpetrator;

(ii) A brief explanation of why the alleged perpetrator disagrees with the initial substantiated finding; and

(iii) A description of assistance needed in the administrative appeal process, if any, by the alleged perpetrator, such as a foreign or sign language interpreter, or accommodation for a disability.

(3) Good cause, as described under WAC 388-02-0020, does not apply to the requirements of this section.

[Statutory Authority: RCW 74.34.068, 74.34.165; 42 U.S.C. Sec. 1396r (g)(1)(D), 42 U.S.C. Sec. 1395i3 (g)(1)(D). WSR 21-11-108, § 388-103-0100, filed 5/19/21, effective 7/1/21.]