

WAC 388-825-150 When may the department proceed to take action during my appeal? The department will proceed to take action during your appeal if:

(1) It is an eligibility denial and you are not currently an eligible client.

(2) Your DDA eligibility under chapter 388-823 WAC has expired.

(3) There is no longer funding for the state-only funded service you have been receiving.

(4) Your current services are terminated or transferred to comply with state law.

(5) The state-only funded service no longer exists, or the medic-aid state plan, the HCBS waiver, or any other agreement with the federal Centers for Medicare and Medicaid Services has been amended or terminated.

(6) The administrative law judge or review judge rules that you have caused unreasonable delay in the proceedings.

(7) Your health, safety, or wellbeing is in imminent jeopardy.

(8) Your provider is no longer qualified to provide services due to:

(a) A lack of a contract;

(b) Decertification;

(c) Failure to complete training or certification requirements;

(d) Revocation or suspension of a license; or

(e) Lack of required registration, certification, or licensure.

(9) If you are under the age of 18 and your parent or legal representative approves the department's decision.

(10) You did not file your request for an administrative hearing within the applicable notice period.

(11) You or your legal representative tell us in writing that you do not want continued benefits.

[Statutory Authority: RCW 71A.12.020, 71A.12.030, 71A.12.040, 71A.12.050, 71A.12.110, 71A.12.161, 43.20A.710, and 43.43.837. WSR 23-07-130, § 388-825-150, filed 3/22/23, effective 4/22/23. Statutory Authority: RCW 71A.10.015, 71A.18.020, 71A.12.030, and Title 71A RCW. WSR 15-17-094, § 388-825-150, filed 8/18/15, effective 9/18/15. Statutory Authority: RCW 71A.12.030 and Title 71A RCW. WSR 07-06-055, § 388-825-150, filed 3/5/07, effective 4/5/07. Statutory Authority: RCW 71A.12.030, 71A.12.120. WSR 05-17-135, § 388-825-150, filed 8/19/05, effective 9/19/05.]