

WA Cares Fund: Draft for Informal Review 7/2025

WAC 388-116-5000 Notice of department actions.

- (1) The department will provide written notice when a determination is made by the department.
- (2) Written notice will include:
 - (a) The date of the notice;
 - (b) The effective date of the determination;
 - (c) The determination that has been made by the department;
 - (d) The reason(s) for the determination;
 - (e) The specific regulation(s) on which the determination is based;
 - (f) Contact information for a department representative;
 - (g) Administrative hearing rights, if applicable; and
 - (h) Other information required by state or federal law.
- (3) Except as described in subsection (4) of this section, the department will send notice of a determination that terminates benefits or discontinues provider registration at least ten calendar days before the effective date of the determination. The ten-day notice period starts on the day after the date of the notice.
- (4) The department may send notice to a long-term services and supports provider fewer than ten days before the effective date if:
 - (a) The provider requests the determination;
 - (b) The provider violates registration requirements or operational standards; or
 - (c) The provider dies.
- (5) The department will electronically notify long-term services and supports providers and provider applicants of department determinations.
- (6) The department will electronically notify applicants and eligible beneficiaries of department determinations. If the determination denies a beneficiary application or terminates beneficiary benefits, the department will also send a copy of the notice via US Mail.

WAC 388-116-5010 Eligible beneficiary administrative hearing rights.

- (1) A person applying to be an eligible beneficiary may request an administrative hearing to dispute a department determination under [RCW 50B.04.120](#).
- (2) An eligible beneficiary may request an administrative hearing to dispute a denial of reimbursement or termination of their benefits under [RCW 50B.04.120](#).

WA Cares Fund: Draft for Informal Review 7/2025

WAC 388-116-5020 Provider administrative hearing rights.

- (1) A provider applicant applying to be registered as a long-term services and supports provider may request an administrative hearing to dispute a department determination under [RCW 50B.04.120](#).
- (2) A long-term services and supports provider may request an administrative hearing to dispute a discontinuation of their registration under [RCW 50B.04.120](#).

WAC 388-116-5030 Administrative hearing requests.

- (1) A request for an administrative hearing must be received by the department no later than 5:00 p.m. on the 30th day from the date the notice was sent. Days are counted as described under [WAC 388-02-0035](#).
- (2) An administrative hearing request may be made by:
 - (a) Submitting an electronic request to the department ;
 - (b) Calling 844-CARE4WA (844-227-3492);
 - (c) Mailing a request to the department at P.O. BOX 45612, Olympia WA 98504-5612;
 - (d) Notifying a program employee in-person at any of the department's regional office locations, or at an Area Agency on Aging office; or
 - (e) Submitting an online request to the Office of Administrative Hearings (OAH) or contacting OAH in writing, in person, or by telephone at a location specified in [WAC 388-02-0025](#).
- (3) To ask for assistance in requesting an administrative hearing, contact:
 - (a) One of the department's regional offices;
 - (b) An Area Agency on Aging; or
 - (c) The department at 844-CARE4WA (844-227-3492).
- (4) To be complete, an administrative hearing request must contain:
 - (a) Enough information to identify the person filing the request;
 - (b) The department determination being disputed; and
 - (c) The contact information of the requestor.
- (5) If a party disagrees with an initial order and wants it changed, the party must request review by a review judge as provided in WAC 388-02-0560 through 388-02-0595. If a party requests review of the initial order by a review judge, the initial order will not be effected.
- (6) Appeals will be resolved through adjudicative proceedings governed by this chapter and:
 - (a) [Chapter 34.05 RCW](#);
 - (b) [Chapter 50B.04 RCW](#);
 - (c) [Chapter 388-02 WAC](#); and
 - (d) [Chapter 10-08 WAC](#).

WA Cares Fund: Draft for Informal Review 7/2025

- (7) If there is a conflict between this chapter and [chapter 388-02 WAC](#) or [chapter 10-08 WAC](#), this chapter prevails; and if there is a conflict between [chapter 388-02 WAC](#) and [chapter 10-08 WAC](#), [chapter 388-02 WAC](#) prevails.

DRAFT