

RCW 43.20B.430 Residential habilitation centers—Costs of services—Initial notice and finding of responsibility—Service—Adjudicative proceeding. In all cases where a determination is made that the estate of a resident of a residential habilitation center is able to pay all or any portion of the charges, an initial notice and finding of responsibility shall be served on the guardian of the resident's estate, or if no guardian has been appointed then to the resident, the resident's spouse, or other person acting in a representative capacity and having property in his or her possession belonging to a resident. The initial notice shall set forth the amount the department has determined that such estate is able to pay, not to exceed the charge as fixed in accordance with RCW 43.20B.420, and the responsibility for payment to the department shall commence twenty-eight days after service of such notice and finding of responsibility. Service of the initial notice shall be in the manner prescribed for the service of a summons in a civil action or may be served by certified mail, return receipt requested. The return receipt signed by addressee only is prima facie evidence of service. An application for an adjudicative proceeding from the determination of responsibility may be made to the secretary by the guardian of the resident's estate, or if no guardian has been appointed then by the resident, the resident's spouse, or other person acting in a representative capacity and having property in his or her possession belonging to a resident of a state school, within such twenty-eight day period. The application must be written and served on the secretary by registered or certified mail, or by personal service. If no application is filed, the notice and finding of responsibility shall become final. If an application is filed, the execution of notice and finding of responsibility shall be stayed pending the final adjudicative order. The hearing shall be conducted in a local department office or other location in Washington convenient to the appellant. The proceeding is governed by the Administrative Procedure Act, chapter 34.05 RCW. [2017 c 269 s 3; 1989 c 175 s 99; 1988 c 176 s 905; 1987 c 75 s 26; 1985 c 245 s 6; 1982 c 189 s 7; 1979 c 141 s 239; 1970 ex.s. c 75 s 1; 1967 c 141 s 5. Formerly RCW 72.33.670.]

Effective date—1989 c 175: See note following RCW 34.05.010.

Savings—1985 c 245: See note following RCW 43.20B.340.

Effective date—1982 c 189: See note following RCW 34.12.020.

Effective date—1967 c 141: See note following RCW 43.20B.410.