

WAC 208-08-055 Authority of administrative law judge. (1) In addition to the authority provided under chapter 10-08 WAC, the administrative law judge has the following authority:

- (a) To make negative inferences based upon discovery violations;
- (b) To schedule hearings on temporary orders to cease and desist within fourteen days of receipt of such request by the department;
- (c) To determine whether the applicable statutes or rules authorize the imposition of punitive or remedial sanctions by the director; and
- (d) To determine whether the applicable statutes or rules authorize the imposition of fines, costs, fees, or any combination thereof, by the director.

(2) The administrative law judge does not have the authority to:

- (a) Modify punitive or remedial sanctions intended to be ordered by the director in accordance with and authorized by statute or rule;
- (b) Modify fines, costs, fees, or any combination thereof, intended to be ordered by the director in accordance with and authorized by statute or rule; and
- (c) Schedule hearings on motions for summary judgment to be heard within thirty days of the hearing on the merits of the department's action.

[Statutory Authority: RCW 34.05.250. WSR 17-16-056, § 208-08-055, filed 7/25/17, effective 10/1/17.]