

**WAC 110-15-3800 Eligible provider capacity and payment. (1)**

DSHS may pay licensed and certified providers for authorized care up to the provider's licensed capacity as determined under WAC 170-297-5625, 170-295-0080, or 170-296A-5700, as appropriate.

(2) Licensed providers may not bill the state for more than the number of children they have in their licensed capacity and who are authorized to receive child care subsidies.

(3) A violation of subsection (2) of this section may:

(a) Result in the immediate suspension of the provider's subsidy payments; and

(b) Establish a provider overpayment as provided in WAC 170-290-0268.

(4) As used in this section, "capacity" has the same meaning as defined in WAC 170-297-0010, 170-295-0010, and 170-296A-0010.

[WSR 18-14-078, recodified as § 110-15-3800, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.215.060, 43.215.070, and chapter 43.215 RCW. WSR 16-09-059, § 170-290-3800, filed 4/15/16, effective 5/16/16; WSR 12-11-025, § 170-290-3800, filed 5/8/12, effective 6/8/12.]