- WAC 388-02-0475 What evidence does an ALJ consider? (1) The ALJ may only consider admitted evidence to decide the case.
- (2) Admission of evidence is based upon the reasonable person standard. This standard means evidence that a reasonable person would rely on in making a decision.
- (3) The ALJ may admit and consider hearsay evidence. Hearsay is a statement made outside of the hearing used to prove the truth of what is in the statement. The ALJ may only base a finding on hearsay evidence if the ALJ finds that the parties had the opportunity to question or contradict it.
 - (4) The ALJ may reject evidence, if it:
 - (a) Is not relevant;
 - (b) Repeats evidence already admitted; or
 - (c) Is from a privileged communication protected by law.
 - (5) The ALJ must reject evidence if required by law.
 - (6) The ALJ decides:
 - (a) What evidence is more credible if evidence conflicts; and
 - (b) The weight given to the evidence.

[Statutory Authority: RCW 34.05.020. WSR 00-18-059, \$ 388-02-0475, filed 9/1/00, effective 10/2/00.]