

WAC 246-11-010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adjudicative clerk's office" means the unit with responsibility for: Docketing; service of orders; and maintaining custody of the adjudicative proceeding record, whose address is:

Department of Health
Adjudicative Clerk's Office
P.O. Box 47879
Olympia, WA 98504-7879

(2) "Adjudicative proceeding" or "hearing" means a proceeding required by statute or constitutional right and conducted under the rules of this chapter, which provides an opportunity to be heard by the board prior to the entry of a final order under this chapter.

(3) "Board" means a board or commission disciplining authority under RCW 18.130.040 (2) (b).

(4) "Brief adjudicative proceeding" means an adjudicative proceeding or hearing, the scope or conduct of which is limited as provided in this chapter.

(5) "Department" means the Washington state department of health and, where appropriate, the secretary of the Washington state department of health or the secretary's designee.

(6) "Docket" or "docketing" means the list or calendar of causes set to be heard at a specified time, prepared by the adjudicative clerk's office for the use of the department.

(7) "Filing" means receipt by the adjudicative clerk's office.

(8) "Initiating document" means a written agency document which initiates action and which creates the right to an adjudicative proceeding. Initiating documents may be a statement of charges, notice of intent to deny, or any other document indicating the action or proposed action to be taken.

(9) "License" has the same meaning as defined in RCW 34.05.010 and includes license to practice the profession for which the board is the disciplining authority and any approval of school or curriculum required by law or rule to be obtained from the board.

(10) "Presiding officer" means the person who is assigned to conduct an adjudicative proceeding and who may either be a member of the board, an individual appointed pursuant to RCW 18.130.095(3), or an administrative law judge employed by the office of administrative hearings.

(11) "Presiding officer for brief adjudicative proceedings" means an employee of the department authorized by the board to conduct brief adjudicative proceedings.

(12) "Program" means the administrative unit within the department responsible for implementation of that chapter of Title 18 RCW establishing the board or its powers and responsibilities.

(13) "Protective order" means an order issued under this chapter which limits the use of, access to, or disclosure of information or evidence.

(14) "Respondent" means a license holder or applicant for license under the jurisdiction of the board who is named in an initiating document.

(15) "Secretary" means the secretary of the department of health or his or her designee.

(16) "Show cause hearing" means a hearing authorized under RCW 18.130.135 and WAC 246-11-340 for the limited purpose of determining

whether a summary action taken by the disciplining authority shall remain in effect pending a full administrative hearing.

(17) "Summary action" means an agency action to address an immediate threat to the public health, safety, or welfare and includes, but is not limited to, an order of summary suspension, and an order of summary restriction of a license.

[Statutory Authority: RCW 43.70.040, 34.05.220, 34.05.410, 18.130.050, and 34.05.413 through 34.05.476. WSR 18-18-050, § 246-11-010, filed 8/29/18, effective 9/29/18. Statutory Authority: RCW 18.130.135 and 43.70.040. WSR 09-03-089, § 246-11-010, filed 1/20/09, effective 2/20/09. Statutory Authority: RCW 18.155.040. WSR 97-13-015, § 246-11-010, filed 6/6/97, effective 7/7/97. Statutory Authority: RCW 18.130.050(1) and 18.130.060(3). WSR 94-04-078, § 246-11-010, filed 1/31/94, effective 3/3/94. Statutory Authority: RCW 18.130.050(1) and 34.05.220. WSR 93-08-003 (Order 347), § 246-11-010, filed 3/24/93, effective 4/24/93.]