

WAC 388-71-01255 How does the administrative law judge make a decision regarding the substantiated initial finding? (1) If the ALJ determines that a preponderance of the evidence in the hearing record supports the substantiated initial finding that the alleged perpetrator abandoned, abused, financially exploited or neglected a vulnerable adult, the ALJ shall uphold the substantiated initial finding.

(2) If the ALJ determines that the substantiated initial finding is not supported by a preponderance of the evidence in the hearing record, the ALJ shall remand the matter to the department to modify the finding consistent with the initial decision of the ALJ.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 16-05-022, § 388-71-01255, filed 2/8/16, effective 4/1/16. Statutory Authority: RCW 34.05.020, 74.08.090, 74.39A.050, chapter 74.34 RCW. WSR 04-19-136, § 388-71-01255, filed 9/21/04, effective 10/22/04.]