

WAC 388-71-01240 How does an alleged perpetrator request an administrative hearing to challenge a substantiated initial finding of abandonment, abuse, financial exploitation or neglect? (1) To request an administrative hearing the alleged perpetrator must send, deliver, or fax a written request to the office of administrative hearings (OAH). OAH must receive the written request no later than 5:00 p.m. on the thirtieth calendar day from the mailing date on the department's letter of notice or no later than 5:00 p.m. on the thirtieth calendar day from the date the department's letter of notice was personally served upon the alleged perpetrator, whichever occurs first, as required by WAC 388-02-0035(2). If the alleged perpetrator requests a hearing by fax, the alleged perpetrator must also mail a copy of the request to OAH on the same day.

(2) The alleged perpetrator must complete and submit the form to request an administrative hearing provided by APS or submit a written request for a hearing that includes:

(a) The full legal name, current address and phone number of the alleged perpetrator;

(b) A brief explanation of why the alleged perpetrator disagrees with the substantiated initial finding;

(c) A description of any assistance needed in the administrative appeal process by the alleged perpetrator, including a foreign or sign language interpreter or any accommodation for a disability;

(d) The alleged perpetrator should keep a copy of the request.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 16-05-022, § 388-71-01240, 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, § 388-71-01240, filed 9/21/04, effective 10/22/04.]