

WAC 388-835-0185 Does DSHS withhold payment for services when a contract is terminated? (1) Payment for services provided before a contract was terminated, equal to the amount determined in WAC 388-835-0180(3), may be withheld by DSHS until the provider files a properly completed final annual cost report and a final settlement has been calculated.

(2) Instead of withholding payments, DSHS may allow a provider to offer security equal to the determined and/or estimated overpayments even when the overpayments are being disputed in good faith. Types of security acceptable to DSHS are:

(a) A surety bond issued by a bonding company acceptable to DSHS;

(b) An assignment of funds to DSHS;

(c) Collateral acceptable to DSHS;

(d) A purchaser's assumption of liability for the provider's overpayment; or

(e) Any combination of (a) through (d) of this subsection.

(3) DSHS must release any payments withheld if a provider gives acceptable security equal to the determined and/or estimated overpayments.

[Statutory Authority: RCW 71A.20.140. WSR 01-10-013, § 388-835-0185, filed 4/20/01, effective 5/21/01.]