

**WAC 4-30-140 Disciplinary authority and process.** (1) Investigations are responsive to formal complaints received or indications of a potential violation of the Public Accountancy Act, chapter 18.04 RCW and in all proceedings under RCW 18.04.295 or Administrative Procedure Act, chapter 34.05 RCW.

(2) The board has delegated authority and responsibility for processing complaints, initiating and directing investigations, resolving certain cases and issuing charging documents to the executive director of the board RCW 18.04.045(7).

(3) The board has established policies and administrative rules to define the responsibilities, process, and procedures for performing the disciplinary process.

(4) The board's investigative team reviews all complaints received to determine if the allegations are within the board's authority. If the complaint is not within the board's jurisdiction, then the executive director may close the complaint without action.

(5) If an investigation produces sufficient evidence for the executive director to conclude that a respondent has violated chapter 18.04 RCW, the executive director will work with a consulting board member (CBM) to review the case and recommend a resolution strategy.

(6) If at any time, the executive director and CBM determines there is not sufficient evidence of a violation, then the executive director may close the complaint without action.

(7) In most cases, the first step in the resolution strategy is to enter into a settlement negotiation. Settlement may be reached at any time.

(8) At any time, the executive director may issue a statement of charges which begins the formal disciplinary process. The executive director may also issue a temporary cease and desist order when deemed necessary to protect public safety and welfare.

(9) The respondent has the opportunity to answer the statement of charges and request administrative review. The board may hold a formal administrative hearing, in accordance with chapter 34.05 RCW. The board may impose a final order as a result of an administrative review.

(10) Any final order issued by the board may be appealed as described in chapter 34.05 RCW.

(11) The disciplinary process shall proceed in a timely manner in keeping with the circumstances of the individual case. There is no specific or absolute timeline for the disciplinary process of a case.

(12) The board has the power and authority to recover investigative and legal costs whether through consent order or final administrative order.

[Statutory Authority: RCW 18.04.055 and 2017 c 304. WSR 18-04-071, § 4-30-140, filed 2/2/18, effective 3/5/18. Statutory Authority: RCW 18.04.045 (7) and (8), 14.04.055 [18.04.055], 18.04.295, and 18.04.350(6). WSR 14-22-034, § 4-30-140, filed 10/28/14, effective 11/28/14; WSR 10-24-009, § 4-30-140, filed 11/18/10, effective 12/19/10.]