

WAC 388-02-0005 What is the purpose and scope of this chapter?

This chapter describes the general procedures that apply to the resolution of disputes between you and the various programs within the department of social and health services (DSHS). The rules of this chapter are intended to supplement for DSHS both the Administrative Procedure Act (APA), chapter 34.05 RCW, and the model rules, chapter 10-08 WAC, adopted by the office of administrative hearings (OAH).

(1) This chapter:

(a) Establishes rules encouraging informal dispute resolution between DSHS and persons or entities who disagree with its actions;

(b) Regulates all hearings involving DSHS; and

(c) Consolidates most DSHS hearing procedural rules into one chapter.

(2) Nothing in this chapter is intended to affect the constitutional rights of any person or to limit or change additional requirements imposed by statute or other rule. Other laws or rules determine if you have a hearing right, including the APA and DSHS program rules or laws.

(3) Specific DSHS program hearing rules prevail over the rules in this chapter.

(4) Rules encouraging informal dispute resolution between the health care authority and persons or entities who disagree with its actions, and regulating hearings for the medical services programs established under chapter 74.09 RCW are governed by chapter 182-526 WAC.

[Statutory Authority: RCW 34.05.020. WSR 13-05-028, § 388-02-0005, filed 2/12/13, effective 3/15/13. Statutory Authority: RCW 74.09.741 and 34.05.020. WSR 12-05-043, § 388-02-0005, filed 2/10/12, effective 2/25/12. Statutory Authority: RCW 34.05.020. WSR 00-18-059, § 388-02-0005, filed 9/1/00, effective 10/2/00.]