

WAC 110-85-0170 Guardian's right to an administrative hearing.

(1) Guardians have the right to an administrative hearing, per chapter 110-03 WAC, to contest the following department actions:

(a) Failure to respond with reasonable promptness to a written application for modification or request for services;

(b) Denial of a written request to modify the GAP cash payment or preauthorized services in the GAP agreement;

(c) Delay of more than 30 calendar days when responding to a written request for modification of the GAP agreement;

(d) Denial of a request for nonrecurring guardianship expenses;

(e) Suspension of GAP subsidy; and

(f) Termination of GAP subsidy.

(2) To request an administrative hearing, guardians must submit a request to the OAH within 90 calendar days of receipt of any of the department's decisions listed in subsection (1) of this section.

(3) The OAH must apply the rules in this chapter.

[Statutory Authority: RCW 74.13.062, 13.36.090, and 42 U.S.C. 673. WSR 24-11-074, § 110-85-0170, filed 5/15/24, effective 6/15/24.]