

WAC 388-458-0040 What happens if I ask for an administrative hearing before the change happens? (1) If you ask for an administrative hearing within the 10-day notice period, you may keep getting the amount of benefits you were getting before the change. This is called continued benefits.

(2) If the 10th day falls on a weekend or holiday, you have until the next business day to ask for an administrative hearing and still be able to get continued benefits.

(3) If the 10th day happens before the end of the month, you have until the end of the month to ask for an administrative hearing and still be able to get continued benefits.

(4) For food assistance, you cannot get continued benefits if your certification period is ending.

(5) For diaper related payments, you can get continued benefits if you meet the conditions of WAC 388-494-0010(3).

(6) If you get continued benefits, you keep getting them through the end of the month the administrative hearing decision is mailed unless:

(a) You:

(i) Tell us in writing that you do not want continued benefits;

(ii) Withdraw your administrative hearing request in writing; or

(iii) Do not follow through with the administrative hearing process.

(b) An administrative law judge (ALJ) tells us in writing to stop your continued benefits before the hearing.

(c) For food assistance, your certification period ends.

(7) After the administrative hearing, you have to pay back continued benefits you get, as described in chapter 388-410 WAC, if the ALJ agrees with our decision.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 2022 c 100. WSR 23-17-166, § 388-458-0040, filed 8/23/23, effective 11/1/23. Statutory Authority: RCW 74.08.090 and 74.04.510. WSR 01-16-087, § 388-458-0040, filed 7/25/01, effective 9/1/01.]