

WAC 388-827-0400 What is a state supplementary payment overpayment? (1) An overpayment occurs if you or your representative payee receive state supplementary payment funds and at the time the developmental disabilities administration (DDA) paid the funds:

(a) You were not eligible to receive the funds under WAC 388-827-0105; or

(b) The sum DDA paid exceeds the sum you were eligible to receive under WAC 388-827-0145.

(2) You are liable to DDA for the amount of the overpayment if:

(a) You received the overpayment directly; or

(b) Your representative payee received the overpayment in good faith and spent the money on your behalf.

(3) Your representative payee is liable to DDA for the amount of the overpayment if the representative payee:

(a) Has not spent the state supplementary payment funds on your behalf; or

(b) Received the state supplementary payment in bad faith.

(4) A representative payee received a state supplementary payment in bad faith if the representative payee knew you were not entitled to some or all of that payment.

[Statutory Authority: RCW 71A.12.030 and 2015 3rd sp.s. c 4 § 205. WSR 17-13-022, § 388-827-0400, filed 6/12/17, effective 7/13/17. Statutory Authority: RCW 71A.12.030, 71A.10.020, 2002 c 371. WSR 04-02-015, § 388-827-0400, filed 12/29/03, effective 1/29/04.]