

WAC 110-85-0150 Suspension of GAP agreement subsidy. (1) The department may suspend a guardian's GAP agreement subsidy if:

(a) They cannot establish that the:

(i) Guardian is legally responsible for the support of the child or youth; or

(ii) Child or youth is receiving any support from the guardians.

(b) They have provided notice to the guardian of the department's determination under (a)(i) or (ii) of this subsection and of their intent to suspend the GAP subsidy payment in 30 calendar days and the guardian does not provide documentation within that time frame to refute the department's determination; and

(c) The guardian fails to provide satisfactory documentation that the guardian is legally responsible for the support of the child or youth or that they are providing support to the child or youth.

(2) If the guardian:

(a) Provides the department with satisfactory documentation of continued legal responsibility or financial support for the child or youth, the subsidy will not be suspended.

(b) Fails to provide the department satisfactory documentation, the department must send a notice stating the date the subsidy will be suspended. When this occurs, the guardian has a right to request an administrative hearing to challenge the suspension and the department must provide notice of that right, per chapter 110-03 WAC.

[Statutory Authority: RCW 74.13.062, 13.36.090, and 42 U.S.C. 673. WSR 24-11-074, § 110-85-0150, filed 5/15/24, effective 6/15/24.]