

WAC 110-15-0271 Payment discrepancies—Consumer. (1) DSHS establishes overpayments for past or current consumers when the consumer:

(a) Received benefits in an amount greater than the consumer was eligible to receive;

(b) Received benefits or services based on the eligibility criteria of the consumer's participation in an approved activity, but the consumer did not participate in the activity;

(c) Failed to report information accurately under the requirements of this chapter, which resulted in an error in determining eligibility, amount of care authorized, or copayment;

(d) Received benefits for a child who was not eligible under WAC 110-15-0005, 110-15-0015, or 110-15-0020; or

(e) Failed to return, by the sixtieth day, the requested income verification of new employment as provided in WAC 110-15-0012.

(2) DCYF or DSHS may request documentation from a consumer when preparing to establish an overpayment. The consumer has fourteen consecutive calendar days to provide any requested documentation.

(3) Consumers must repay any benefits paid by DSHS that they were not eligible to receive.

(4) A consumer must repay any overpayment, even if the overpayment is a result of a DCYF or DSHS error in issuing payment the consumer was not eligible to receive.

(5) If a consumer is not eligible under WAC 110-15-0030 through 110-15-0032 and the provider has billed correctly, the consumer is responsible for the entire overpayment.

[Statutory Authority: RCW 43.216.055, 43.216.065 and 42 U.S.C. 9858, et seq. WSR 19-08-020, § 110-15-0271, filed 3/26/19, effective 4/26/19. WSR 18-14-078, recodified as § 110-15-0271, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.215.060, 43.215.070 and 2017 3rd sp.s. c 1 § 615. WSR 17-23-033, § 170-290-0271, filed 11/7/17, effective 12/8/17. Statutory Authority: RCW 43.215.070, chapter 43.215 RCW. WSR 16-19-107, § 170-290-0271, filed 9/21/16, effective 10/22/16. Statutory Authority: RCW 43.215.060, 43.215.070, and chapter 43.215 RCW. WSR 16-09-059, § 170-290-0271, filed 4/15/16, effective 5/16/16; WSR 12-11-025, § 170-290-0271, filed 5/8/12, effective 6/8/12. Statutory Authority: RCW 43.215.060, 43.215.070, 2006 c 265, and chapter 43.215 RCW. WSR 09-22-043, § 170-290-0271, filed 10/28/09, effective 12/1/09. WSR 08-08-047, recodified as § 170-290-0271, filed 3/27/08, effective 3/27/08. Statutory Authority: RCW 74.04.050, 74.12.340, and 74.13.085. WSR 05-22-078, § 388-290-0271, filed 10/31/05, effective 12/1/05. Statutory Authority: RCW 74.04.050, 74.12.340, 74.13.085, and 2003 1st sp.s. c 25. WSR 04-08-021 and 04-08-134, § 388-290-0271, filed 3/29/04 and 4/7/04, effective 5/28/04.]