

WAC 110-06-0110 Limitations on challenges to disqualifications.

Administrative hearings requested to challenge background check disqualifications may not be used to adjudicate the basis for disqualification, including:

- (1) Pending criminal charges or criminal convictions;
- (2) Findings of child abuse or neglect as defined in chapter 26.44 RCW, or findings of abandonment, abuse, neglect, exploitation, or financial exploitation of a vulnerable adult as defined in chapter 74.34 RCW, if the subject individuals:
 - (a) Failed to request a hearing to contest the finding after receiving notice of the finding from DCYF; or
 - (b) Were notified of the finding and requested a hearing to contest the finding, but the finding was upheld by final administrative order or superior court order;
- (3) Court orders finding subject individuals' children to be dependent as defined in chapter 13.34 RCW; or
- (4) Negative actions, if the subject individuals were previously given the right of review or hearing right and final decisions or findings have been issued.

[Statutory Authority: RCW 43.43.832(2), 43.216.065, and 43.216.271. WSR 22-10-022, § 110-06-0110, filed 4/25/22, effective 5/26/22. Statutory Authority: RCW 43.216.055, 43.216.065, chapter 43.216 RCW and 42 U.S.C. 9858 et seq.; 45 C.F.R. Part 98. WSR 19-01-111, § 110-06-0110, filed 12/18/18, effective 1/18/19. WSR 18-14-078, recodified as § 110-06-0110, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.215.200, 43.215.205, 43.215.215 through 43.215.218, 43.43.830, 43.43.832, chapter 43.215 and 43.43 RCW, and 2011 c 295. WSR 12-12-040, § 170-06-0110, filed 5/30/12, effective 7/1/12. Statutory Authority: Chapter 43.215 RCW, RCW 43.43.832, 2006 c 265 and 2007 c 387. WSR 08-10-041, § 170-06-0110, filed 4/30/08, effective 5/31/08.]