

**WAC 182-502A-0901 Administrative hearing (formal appeal) right.**

(1) An entity has a right to an administrative hearing (formal appeal), and any resulting appeals process under RCW 41.05A.170 and chapter 182-526 WAC, if the agency assesses an overpayment against the entity.

(2) An entity does not have an administrative hearing right for the denial of payment of a claim.

(3) At the administrative hearing and on appeal, the entity bears the burden of proving by a preponderance of the evidence that it has complied with applicable laws, rules, regulations, and agreements.

(4) The administrative hearing process is governed by chapter 34.05 RCW and chapter 182-526 WAC.

(5) The medicaid agency does not recoup overpayments until a decision in the administrative hearing is issued and all appeals, if any, have been exhausted.

(6) Interest on overpayments continues to accrue, but it is not collected until a decision in the administrative hearing is issued and all appeals, if any, have been exhausted. See RCW 74.09.220.

[Statutory Authority: RCW 41.05.021, 41.05.160, and C.F.R. Sections 438.608 through 438.610. WSR 20-02-100, § 182-502A-0901, filed 12/31/19, effective 1/31/20. Statutory Authority: RCW 41.05.021, 41.05.160, 2017 c 242. WSR 18-07-050, § 182-502A-0901, filed 3/14/18, effective 4/14/18. Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 15-01-129, § 182-502A-0901, filed 12/19/14, effective 1/19/15.]