

WAC 296-19A-264 What potential corrective actions or sanctions may the department order or direct, and who is responsible for administering the sanction(s)? (1) Corrective actions or sanctions can include, but are not limited to:

- (a) Reprimand;
- (b) Remedial education courses and/or other educational or training programs;
- (c) Temporary supervision when meeting with a client; and/or
- (d) Probation;
- (e) Inability to receive payment or recoupment of payments, plus interest, made to the provider;
- (f) Assessment of penalties;
- (g) Denial or rejection of a request for payment;
- (h) Temporary placement of a provider on prepayment review, requiring submission of supporting documents prior to payment;
- (i) Rejection of a provider's application to provide vocational rehabilitation services;
- (j) Permanent restrictions such as supervision when meeting with a client or placement on prepayment review; or
- (k) Permanent revocation of the unique identifier for the vocational rehabilitation counselor or intern (VRC ID). Permanent revocation means the provider cannot obtain a provider number, bill, or receive referrals for services from the department or a self-insured employer. Termination of credentials by a credentialing body for any reason will result in immediate revocation of the VRC ID number.

(2) The department may consider its prior actions in determining the appropriate corrective actions or sanctions.

(3) The department shall communicate temporary corrective actions or sanctions against an individual vocational provider or intern by notice to the vocational firm and to the individual. The notice shall include how to request reconsideration from the department or appeal the decision to the board of industrial insurance appeals.

(4) The firm is responsible for developing an oversight plan to be provided to the department within thirty days of the notice.

(a) The department will notify the firm of its acceptance of the plan within fifteen days of receipt.

(b) If the plan is unacceptable, the department will alter the plan and submit it to the firm owner or manager for signature and implementation within thirty days.

(5) Until temporary corrective actions or sanctions are completed, the department will report them to another hiring firm when the new firm requests a provider number for the vocational provider to whom the action/sanction applies. The new firm will be responsible for completing the oversight that was originally agreed to by the department.

(6) If temporary actions/sanctions apply to a firm or to a sole proprietor, the department will develop an oversight plan and communicate it to the firm owner or manager.

(7) Permanent vocational provider sanctions or restrictions, including revocation of the VRC ID number, shall be effective fifteen days after notice is issued to the vocational provider and to the firm employing the provider. The notice shall include all of the following:

- (a) The basis for the action;
- (b) How to request reconsideration from the department or appeal the decision to the board of industrial insurance appeals; and
- (c) How the provider and/or firm can submit a response or additional information for the department's consideration.

(8) Records of corrective actions and sanctions are available for five years to any party by submitting a request to the department's public records unit.

(9) The department may report corrective actions or sanctions to the appropriate credentialing body or bodies.

[Statutory Authority: RCW 51.04.020, 51.04.030, 51.32.095, 51.36.100, and 51.36.110. WSR 19-21-149, § 296-19A-264, filed 10/22/19, effective 1/1/20.]