

**WAC 192-100-070 Conditional payments.** (1) A conditional payment is:

(a) Payment issued to you after you have already received benefits but during a period in which the department questions your continued eligibility for benefits; or

(b) Payment issued when you have provided reasonable evidence of authorization to work in the United States but the department is paying benefits pending verification by the federal government.

(2) Your right to retain such payment is conditioned on the department's finding that you were eligible for benefits during the week(s) in question.

(3) Conditional payments under subsection (1)(a) of this section:

(a) Begin:

(i) The first week in which the department detects an eligibility issue; and

(ii) When the department has provided the claimant with adequate notice that benefits are being paid conditionally.

(b) End when the department makes a determination of eligibility for benefits; and

(c) May be paid for the entire length of time necessary for the department to make an eligibility determination.

(4) If you have not claimed benefits (had a break in claim) for four weeks or longer, the department will not conditionally pay you under subsection (1)(a) of this section.

(5) A conditional payment is not considered a "determination of allowance" as provided in RCW 50.20.160(3).

(6) Conditional payments will not be made under the conditions described in WAC 192-140-200 and 192-140-210.

[Statutory Authority: RCW 50.12.010, 50.12.040, and 50.20.170. WSR 24-01-017, § 192-100-070, filed 12/7/23, effective 1/7/24. Statutory Authority: RCW 50.12.010 and 50.12.040. WSR 16-21-013, § 192-100-070, filed 10/7/16, effective 11/14/16. Statutory Authority: RCW 50.12.010, 50.12.040, and 50.20.010. WSR 10-11-046, § 192-100-070, filed 5/12/10, effective 6/12/10.]