

WAC 192-140-098 What happens if the department suspects a claim is impacted by imposter fraud? (1) Imposter fraud occurs when someone files a claim using another individual's name or Social Security number without the individual's knowledge or consent.

(2) If the department discovers it has reason to suspect your claim is impacted by imposter fraud, the department will:

(a) Send you a request for information about the suspected imposter fraud; and

(b) If the claim is a continuing claim as defined in WAC 192-100-020, the department will:

(i) Pause determining your weekly eligibility and qualification for benefits, including any requested backdated weeks, until it resolves the suspected imposter fraud; and

(ii) Not make conditional payments, including for any requested backdated weeks, beginning the week in which the department discovered it had reason to suspect imposter fraud and until the department either issues a determination on the imposter fraud issue or until the end of the week following the week in which the discovery was made, whichever is sooner.

(c) If the claim is not a continuing claim, the department will not make any payments until it issues a determination on the imposter fraud issue. This determination will be made as soon as administratively feasible. If the claim is backdated, this pause will also apply to the backdated weeks.

(3) If you do not respond to the request for information about the suspected imposter fraud, or the information provided is insufficient to show the claim did not involve imposter fraud:

(a) The department will determine you are not eligible for receiving benefits and will deny benefits for an indefinite period of time; and

(b) An overpayment may be assessed for any previous benefits paid.

(4) If you provide the requested information and the department determines that imposter fraud has not occurred, the department will:

(a) If the claim is a continuing claim, resume determining weekly eligibility and qualification for benefits and pay benefits owed, if any.

(b) If the claim is not a continuing claim, determine if you are otherwise eligible and qualified to receive benefits.

(5) If the department has paused payment of your weekly benefits pursuant to subsection (2)(b) of this section and the department has not issued a determination denying benefits within the time frame specified in subsection (2)(b)(ii) of this section, the department will conditionally pay the paused weekly benefits by a payment method of the department's choosing.

(6) If an imposter files a claim using another individual's name or Social Security number without that individual's knowledge or consent:

(a) That individual is not responsible to repay sums improperly paid on the claim, unless the individual actually received the benefit payments; and

(b) The imposter fraud does not affect the individual's eligibility or qualification for benefits.

[Statutory Authority: RCW 50.12.010, 50.12.040, 50.04.030, 50.20.010, 50.20.010 (1)(a), (1)(e) and (1)(c), 50.20.050 (1)(b)(ii) and (2)(b)(ii), and (3), 50.20.240, 50.20.044, 50.22.155 (2)(d),

(2) (b) (iv), (2) (b) (i) and (ii), 50.12.220(6), 50.60.030, 50.29.021
(3) (a) (iii), and (5), 50.20.160, 50.20.170, 50.20.190, and 50.20.100.
WSR 22-13-007, § 192-140-098, filed 6/2/22, effective 7/3/22.]