

WAC 388-101-3090 The department must deny—Application. (1) The department must deny an application for initial certification or change of ownership if any person named in the application has:

(a) A disqualifying criminal conviction or pending criminal charge under chapter 388-113 WAC.

(b) Been convicted of a crime in any federal or state court, and the department determines that the conviction is equivalent to a disqualifying conviction under chapter 388-113 WAC.

(2) The department must also deny an application for initial certification or change of ownership if any person named in the application has a disqualifying negative action. The following are considered to be disqualifying negative actions:

(a) A court has issued a permanent restraining order or order of protection, either active or expired, against the person that was based upon abuse, neglect, financial exploitation, or mistreatment of a child or vulnerable adult;

(b) The person is a registered sex offender;

(c) The person is on a registry based upon a final finding of abuse, neglect or financial exploitation of a vulnerable adult, unless the finding was made by adult protective services prior to October 2003;

(d) A founded finding of abuse or neglect of a child was made against the person, unless the finding was made by child protective services prior to October 1, 1998;

(e) The individual was found in any dependency action to have sexually assaulted or exploited any child or to have physically abused any child;

(f) The individual was found by a court in a domestic relations proceeding under Title 26 RCW, or under any comparable state or federal law, to have sexually abused or exploited any child or to have physically abused any child;

(g) The person has had a contract or license denied, terminated, revoked, or suspended due to abuse, neglect, financial exploitation, or mistreatment of a child or vulnerable adult; or

(h) The person has relinquished a license or terminated a contract because an agency was taking an action against the individual related to alleged abuse, neglect, financial exploitation or mistreatment of a child or vulnerable adult.

[Statutory Authority: Chapter 71A.12 RCW. WSR 14-14-030, § 388-101-3090, filed 6/24/14, effective 7/25/14. Statutory Authority: RCW 71A.12.080. WSR 10-03-065, § 388-101-3090, filed 1/15/10, effective 2/15/10. Statutory Authority: Chapter 71A.12 RCW. WSR 08-02-022, § 388-101-3090, filed 12/21/07, effective 2/1/08.]