

## WSR 26-06-049

## PERMANENT RULES

## HEALTH CARE AUTHORITY

[Filed February 25, 2026, 1:21 p.m., effective March 28, 2026]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The health care authority (HCA) amended its administrative hearing rules to clarify the role of HCA presiding officers and to clarify contact information for, and the role of, the office of administrative hearings.

Citation of Rules Affected by this Order: Amending WAC 182-526-0025, 182-526-0110, 182-526-0290, and 182-526-0575.

Statutory Authority for Adoption: RCW 41.05.021 and 41.05.160.

Adopted under notice filed as WSR 26-03-020 on January 12, 2026.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 4, Repealed 0.

Date Adopted: February 25, 2026.

Wendy Barcus  
Rules Coordinator

**RDS-6858.1**

AMENDATORY SECTION (Amending WSR 17-05-066, filed 2/13/17, effective 3/16/17)

**WAC 182-526-0025 Use and location of the office of administrative hearings.** (1) The health care authority (HCA) may use administrative law judges employed by the office of administrative hearings (OAH) to conduct administrative hearings and issue initial orders in accordance with RCW 34.05.425 (1) (c).

(2) In some situations, HCA may use presiding officers employed by HCA to conduct administrative hearings and issue final orders in accordance with RCW 34.05.425 (1) (a) and (b). When HCA uses HCA-employed presiding officers to conduct administrative hearings, HCA's presiding officer has all the duties and responsibilities set forth in this chapter relating to administrative law judges and the office of administrative hearings. The notice of hearing will identify whether the case is to be heard by OAH or an HCA-employed presiding officer.

(3) ~~((a))~~ OAH headquarters location is:

Office of Administrative Hearings  
2420 Bristol Court S.W.

P.O. Box 42488  
 Olympia, WA 98504-2488  
 ((~~360-664-8717~~)) 360-407-2700 or 800-583-8271  
 fax: 360-664-8721

~~((b) The headquarters office is open from 8:00 a.m. to 5:00 p.m. Monday through Friday, except legal holidays.))~~

(4) OAH field offices are at the following locations:

**Olympia**

Office of Administrative Hearings  
 2420 Bristol Court S.W.  
 P.O. Box 42489  
 Olympia, WA 98504-2489  
 360-407-2700  
 1-800-583-8271  
 fax: 360-586-6563

~~((Seattle~~

~~Office of Administrative Hearings  
 One Union Square  
 600 University Street, Suite 1500  
 Mailstop: TS-07  
 Seattle, WA 98101-1129  
 206-389-3400  
 1-800-845-8830  
 fax: 206-587-5135))~~

**Tacoma**

Office of Administrative Hearings  
 ((~~949 Market Street, Suite 500~~)) 4301 S. Pine Street, Suite 200  
 Tacoma, WA ((~~98402~~)) 98409  
 253-476-6888  
 fax: 253-593-2200

**Spokane**

Office of Administrative Hearings  
 16201 E. Indiana Avenue, Suite ((~~5600~~)) 3000  
 Spokane Valley, WA 99216  
 ((~~509-456-3975~~)) 509-742-5747  
 ((~~1-800-366-0955~~))  
 fax: ((~~509-456-3997~~)) 509-456-3980

(5) All OAH facilities are closed to the public. Access is by appointment only. Contact OAH at the telephone numbers listed in subsection (4) of this section or by visiting OAH's website: [oah.wa.gov/contact-us/offices-appointment-only](http://oah.wa.gov/contact-us/offices-appointment-only).

(6) Contact the Olympia field office, under subsection ((~~2~~)) (3) of this section, if unable to identify the correct field office.

((~~6~~)) (7) Further hearing information can be obtained at the OAH website: ((~~www.oah.wa.gov~~)) [oah.wa.gov](http://oah.wa.gov).

AMENDATORY SECTION (Amending WSR 17-05-066, filed 2/13/17, effective 3/16/17)

**WAC 182-526-0110 Process after a hearing is requested.** (1) After a hearing is requested, in accordance with WAC 182-526-0025, the

office of administrative hearings (OAH) must send a copy of the hearing request to the health care authority (HCA) or HCA's authorized agent who made the decision on HCA's behalf, unless OAH received the hearing request from HCA or HCA's authorized agent.

(2) OAH sends the hearing request to HCA or HCA's authorized agent within four business days of OAH receiving the request.

(3) OAH must serve all parties with a notice of hearing, which advises the parties of the hearing date, time, and location. This document is called the notice of hearing. In appropriate cases, OAH also serves a written notice of a prehearing conference.

(4) If HCA, in its sole discretion, chooses to use presiding officers employed by HCA to conduct the administrative hearing and issue the final order in a particular case, the notice of hearing will identify that the case is to be heard by an HCA-employed presiding officer and advise the parties of the hearing date and time.

(5) Before the hearing or prehearing conference is held by OAH or by an HCA-employed presiding officer:

(a) The HCA hearing representative may contact any other party to try to resolve the dispute or gather information; and

(b) The party who requested the hearing may contact the HCA hearing representative to try to resolve the dispute or gather information.

AMENDATORY SECTION (Amending WSR 17-24-103, filed 12/5/17, effective 1/5/18)

**WAC 182-526-0290 Reinstating a hearing after an order of default or an order of dismissal.** (1) If an order of default was entered under WAC 182-526-0284, or an order of dismissal was entered under WAC 182-526-0285, the appellant may file a petition (request) to vacate (set aside) the order.

(a) If the order was issued by the office of administrative hearings (OAH), the petition to vacate must be filed with ((the office of administrative hearings (OAH) or the board of appeals (BOA) for nursing home rates cases)) OAH.

(b) ((BOA forwards any)) If the order was issued by the health care authority (HCA), the petition to vacate ((to OAH except for nursing home rates cases)) must be filed with HCA or the board of appeals (BOA).

(c) The appellant must specify in the petition to vacate the reason why the order should be vacated.

(2) The petition to vacate must be filed within ((twenty-one)) 21 calendar days of service (mailing) of the order to the parties. If the petition to vacate is not filed by the deadline, the order of default or order of dismissal becomes a final order by operation of law.

(3) If OAH or HCA receives a petition to vacate, ((or if the BOA receives a petition to vacate in a nursing home rates case,)) OAH or ((BOA)) HCA schedules a prehearing conference and serves all parties with a notice of a prehearing conference under WAC 182-526-0250.

(4) If the appellant fails to appear at the scheduled prehearing conference to address the petition to vacate:

(a) The order of default or order of dismissal becomes a final order by operation of law;

(b) OAH ((, or BOA in a nursing home rates case,)) or HCA will issue an order disposing of the appellant's hearing request, stating

that the order of default or order of dismissal became a final order by operation of law under RCW 34.05.440 (2) and (3) because the appellant failed to appear at the prehearing conference to address the petition to vacate, and including information about judicial review under WAC 182-526-0640;

(c) The appellant may seek judicial review of the final order of default or final order of dismissal to the superior court under WAC 182-526-0640.

(5) If the appellant appears for the scheduled prehearing conference:

(a) The ALJ or review judge will receive evidence and argument from the parties regarding whether:

(i) The petition to vacate was timely filed; and

(ii) The appellant has established good cause to excuse any default or dismissal and to reinstate the matter for hearing.

(b) If the petition to vacate was not filed timely, the ALJ or the review judge will issue an order disposing of the appellant's hearing request, stating that the order of default or order of dismissal became a final order by operation of law under RCW 34.05.440(1) because the appellant failed to timely file the petition to vacate, and including information about judicial review under WAC 182-526-0640. The appellant may seek judicial review of the final order of default or final order of dismissal to the superior court under WAC 182-526-0640.

(c) If the petition to vacate was timely filed, but the appellant does not establish good cause to excuse any default or dismissal, the ALJ must issue an initial order, including information about how to petition for review to the BOA, or the review judge must issue a final order dismissing the appeal.

(d) If the petition to vacate was timely filed and the appellant establishes good cause to excuse any default or dismissal, the ALJ or review judge vacates the order of default or order of dismissal and the matter may proceed to hearing on the issues identified in the original request for hearing. The hearing may occur:

(i) Immediately following the prehearing conference if the parties agree; or

(ii) At a hearing date scheduled by OAH or BOA under WAC 182-526-0250 if the ALJ or review judge continues the hearing to a later date.

AMENDATORY SECTION (Amending WSR 17-05-066, filed 2/13/17, effective 3/16/17)

**WAC 182-526-0575 How to request review of an initial order.** (1)

A party must make the request for review of an initial order in writing and file the request with the board of appeals (BOA) at the address given in WAC 182-526-0030 and within the deadlines set forth in WAC 182-526-0580.

(2) The request for review should identify the parts of the initial order with which the party disagrees and should identify the evidence in the hearing record supporting the party's position.

(3) The party seeking review should also send a copy of the review request to the other parties.

(4) After receiving a request for review of an initial order, BOA serves a copy on the other parties((r)) and their representatives((r

~~and the office of administrative hearings)~~). The other parties and their representatives may respond as described in WAC 182-526-0590.