

**WAC 192-120-030 Will I be told if my eligibility for benefits is questioned?** Whenever we have a question regarding whether you (the claimant) are eligible for benefits, we will give you adequate notice before making a decision. "Adequate notice" means we will tell you:

- (1) Why we question your eligibility for benefits;
- (2) That you have the right to a fact-finding interview about your eligibility for benefits and that the interview will be conducted by telephone except:
  - (a) When you specifically ask to be interviewed in person; or
  - (b) In unusual circumstances where we decide an in-person interview is necessary.
- (3) That you can have someone, including an attorney, assist you at the interview;
- (4) That you can have witnesses on your behalf, provide evidence, and cross-examine other witnesses or parties;
- (5) That, prior to the interview, you may ask for copies of any records or documents we have that we will consider in making a decision about your eligibility for benefits;
- (6) The date by which you must reply to the notice (which will be no earlier than five working days plus reasonable mailing time, if any); and
- (7) That if you do not respond to the notice by the date shown, your benefits may be denied and you may have to repay any benefits already paid to you.

[Statutory Authority: RCW 50.12.010 and 50.12.040. WSR 17-04-090, § 192-120-030, filed 1/31/17, effective 3/3/17; WSR 16-21-013, § 192-120-030, filed 10/7/16, effective 11/14/16. Statutory Authority: RCW 50.20.010 and 50.12.040. WSR 99-08-073, § 192-120-030, filed 4/5/99, effective 5/6/99.]