WAC 388-825-120 When can I appeal department decisions through an administrative hearing process? (1) Administrative hearings are governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 71A.10.050, the rules in this chapter and by chapters 388-02 and 182-526 WAC. If any provision in this chapter conflicts with chapters 388-02 or 182-526 WAC or WAC 388-440-0001(3), the provision in this chapter shall prevail.

(2) A client, former client, or applicant acting on the applicant's own behalf or through an authorized representative has the right to an administrative hearing.

(3) You have the right to an administrative hearing to dispute the following department actions:
   (a) Authorization, denial, reduction, or termination of services;
   (b) Reduction or termination of a service that was initially approved through an exception to rule;
   (c) Authorization, denial, or termination of eligibility;
   (d) Authorization, denial, reduction, or termination of payment of SSP authorized by DDA set forth in chapter 388-827 WAC;
   (e) Admission or readmission to, or discharge from, a residential habilitation center set forth in WAC 388-825-155;
   (f) Refusal to abide by your request that we not send notices to any other person;
   (g) Refusal to comply with your request to consult only with you;
   (h) A decision to move you to a different type of residential service;
   (i) Denial or termination of the provider of your choice or the denial of payment for any reason listed in WAC 388-825-375 through 388-825-395;
   (j) An unreasonable delay to act on an application for eligibility or service;
   (k) A claim the client, former client, or applicant owes an overpayment debt.

(4) If you are not enrolled in a waiver and your request to be enrolled in a waiver is denied, your appeal rights are limited to those identified in WAC 388-845-4005.

(5) If you are enrolled in a waiver and your request to be enrolled in a different waiver is denied, your appeal rights are limited to those identified in WAC 388-845-4005.