

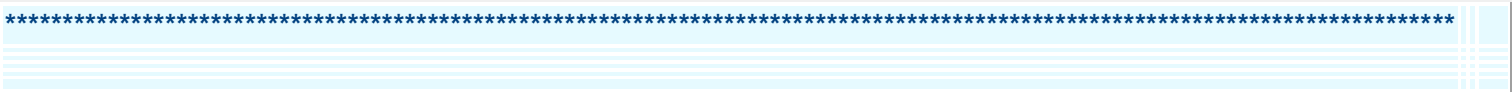
Department of Social and Health Services
Olympia, Washington
EAZ Manual

Revision # 1229
Category Hearing Requests
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Summary

Updated clarifying information under the [Hearing Requests](#) section to align with the current process. Also made minor cosmetic changes (e.g., correcting numbers and spacing).

Updated May 22, 2023
See below for edited text:



Hearing Requests

Revised ~~November 13, 2015~~ May 22, 2023

DSHS Hearing Rules are found in chapter 388-02 WAC.

Clarifying Information:

1. ~~Either the~~The client or their representative may request an administrative hearing. ~~The request must should~~ be made within in 90 days of the date of the notice of the department decision. After 90 days, you~~a~~ hearing request may only be accepted after an ALJ determines ~~you had there was~~ good cause for not requesting your~~the~~ hearing within 90 days.
 2. ~~The Administrative Law Judge (ALJ) is responsible for determining whether hearing requests are filed timely.~~
 3. ~~1. Hearing requests must be forwarded to the Office of Administrative Hearings (OAH) for scheduling regardless of the date of the hearing request. See RCW 74.08.080~~
 2. ~~The hearing request does not~~Hearing requests don't need to be in any particular form and can be made to any department employee or the Office of Administrative Hearings OAH.~~verbally or in writing to the department or in writing to OAH.~~ Note: Provider hearing requests must be made in writing and submitted to the Office of Financial Recovery (OFR).
 3. Hearing requests can be made by: one of the following:
 - a. Calling the Department of Social and Health Services (DSHS) at (877) 501-2233 or the OAH Call Center at (800) 583-8271;
 - b. Writing to:
 - ~~The~~Office of Administrative Hearings
 - PO Box 42489
 - Olympia, WA 98504-2489;
 - c. Requesting online at the OAH Website, <https://oah.wa.gov>, then click the ~~h~~How do I Request a hearing link to get started;
 - d. Faxing your request to OAH at (360) 664-8721; or
 - ~~a-e.~~Visiting any DSHS office and make an oral request, or complete a Request for Hearing form, or provide any other written statement for a hearing.
 4. ~~The hearing request can be made to any department employee.~~
 5. ~~4.~~The hearing~~Hearing~~ requests should include the department decision being appealed, the date the client was notified of the department decision, and why the client is dissatisfied with the department decision.
 5. Any communication with the department indicating dissatisfaction with a department decision should be treated as a hearing request.
- ~~Hearing requests must be forwarded to the Office of Administrative Hearings (OAH) for scheduling regardless of the date of the hearing request. See RCW 74.08.080~~
- 6.
 7. ~~Hearing requests can be sent to the OAH by DSHS staff through interoffice mail to MS 42489.~~
- ~~Hearing requests can be mailed directly by the client/representative to OAH at PO Box 42489, Olympia, WA 98504-2489.~~

Financial Service Specialist (FSS)/Case Manager Public Benefit Specialist/Case Manager Responsibilities:

1. Respond to the client and document in the ACES narrative when a client contacts the department regarding an adverse department decision.
2. Explain the reasons for the department decision.
3. Describe what rules apply to the department decision.
4. Try to resolve the issue(s) with the client, but, if unable to resolve the issue(s) offer the client a supervisor conference, if appropriate.
5. Inform the client of their right to an administrative hearing.
6. ~~Give or mail the client~~ Offer the pamphlet, *How to Request a Hearing, DSHS 22-092(X)* and a Request for Hearing, *DSHS 5-013(X)* ~~or take request over the phone-~~
7. Offer to complete an electronic Fair-Administrative Hearing Request form ~~through BarCode~~ for the customer or provide the paper Request for Hearing form *DSHS 5-013(X)*, if the ~~the~~ client prefers. Document the client's decision in ACES.
8. ~~Forward the paper hearing request via Hotmail to the Document Management System (DMS).~~

Administrative Hearing Coordinator (AHC) Responsibilities:

1. Maintain record of all hearing requests until scheduled.
2. Contact client to clarify the hearing request, if necessary.
3. Forward all hearing requests to the OAH for scheduling.
 - o If the client is Equal Access, include a copy of Accommodation plan with the hearing request.
 - o If the client is Limited English Proficiency, include primary language information with the hearing request.
4. Document the receipt of a hearing request in ACES narrative.
5. ~~Follow up with the OAH if the hearing date is not received from OAH within 10 days.~~