

**Chapter 192-630 WAC
CLAIM DETERMINATIONS**

NEW SECTION

WAC 192-630-005 What happens if there is a question regarding whether an employee is qualified for benefits? (1) The department will send interested parties a notice when the department has a question of whether an employee is qualified for benefits prior to making a determination on the claim. The notice will include:

(a) The department's questions regarding the employee's qualification for benefits; and

(b) The date by which the interested parties must respond. This date will be no earlier than ten calendar days from the date the notice is sent. Reasonable mailing time will be added when the notice is sent via postal service.

(2) The employee has a right to respond to the department on qualification issues.

NEW SECTION

WAC 192-630-010 What happens if an interested party does not respond to the department's request for information? (1) If an interested party fails to respond by the due date on the notice provided under WAC 192-630-005, the department will make a determination based on available information.

(2) Subject to RCW 50A.04.510, if benefits are denied because the employee did not respond to a request for information, the denial will remain in effect until the employee provides sufficient information to establish that the employee is qualified for paid family or medical leave.

NEW SECTION

WAC 192-630-015 How will a determination be made about an employee's eligibility for benefits? (1) When the department has issued a notice under WAC 192-630-005 the department will not make a determination on whether an employee qualifies for paid family or medical leave until all interested parties have had an opportunity to provide information about the question of eligibility by the due date indicated on the notice.

(2) If new facts are discovered before the determination is made, the department will provide interested parties with an opportunity to respond to the new information.

(3) After the department makes a determination, all interested parties will be provided with a copy of that determination.

- (4) If the department receives new and relevant information after a determination is made:
- (a) The information will be considered by the department;
 - (b) Interested parties will be given an opportunity to respond, if necessary; and
 - (c) The department may make a new determination based on the newly provided information.