



Scope of Duty

OAH Training for Suitable Representatives

Orientation to OAH forms
Authorization Forms
Notice of Hearing
Prehearing Conferences
Orders / Petition for Review
Notice of Withdrawal

Scope of Duty

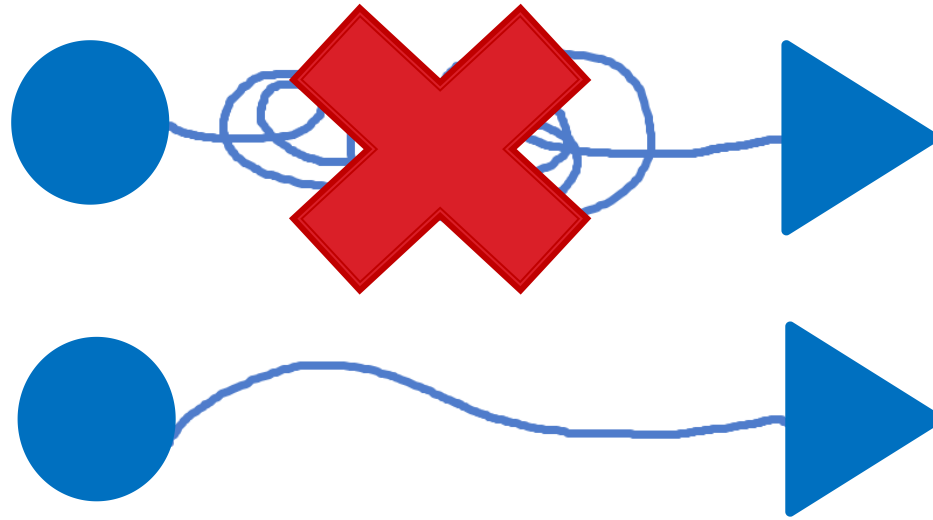
- Limits
- Request another appointment
- Request an expansion of duties



Limits

- Docket number in appointment letter
- Duties include
 - Prepare for hearing
 - Participate in hearing
 - Review the order
 - Petition for review form
- Also see [Roles and Responsibilities](#)

Do I have a duty?



- Simplest way to understand:
 - In the docket number listed in your letter?
 - Yes – in scope of duty
 - No – out of scope of duty

Explain Limits

- Client may not understand your limits
- You cannot
 - Help with this case at the next level of appeal
 - Help on another open case
 - Fill out a new request for hearing
 - Help or advise with other civil or criminal matters
- Only hearings at OAH
 - [WAC 10-24-010](#)
- Request an accommodation for each case

Legal Protection

- Any representative could be sued
- Entitled to state defense
 - Within scope of duties
- If ever unsure about scope of duties, ask the ADA Coordinator

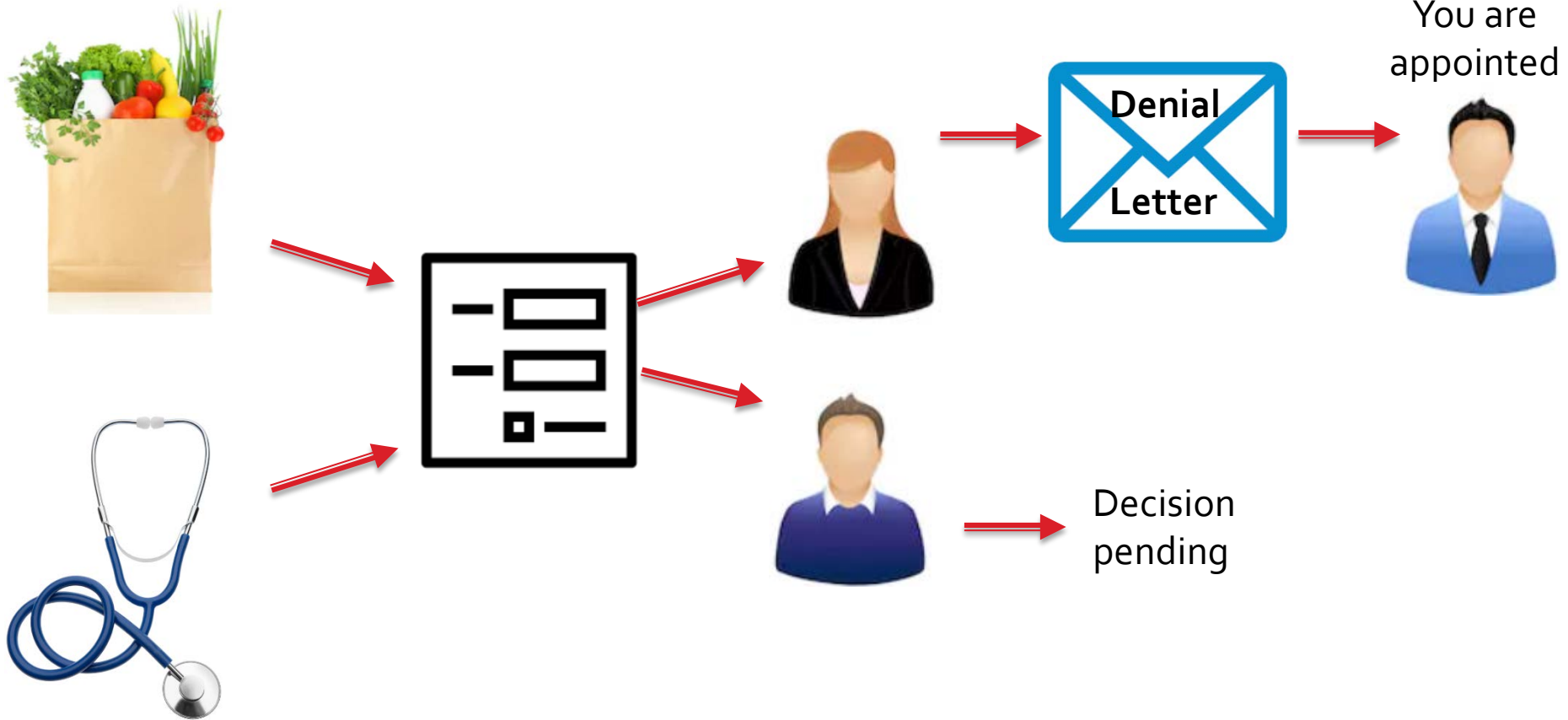
New Action vs. Expansion

- New action by the referring agency
 - Does the client need to file a new appeal?
- Work with the ADA Coordinator
 - Another appointment
 - Expansion of your scope of duties

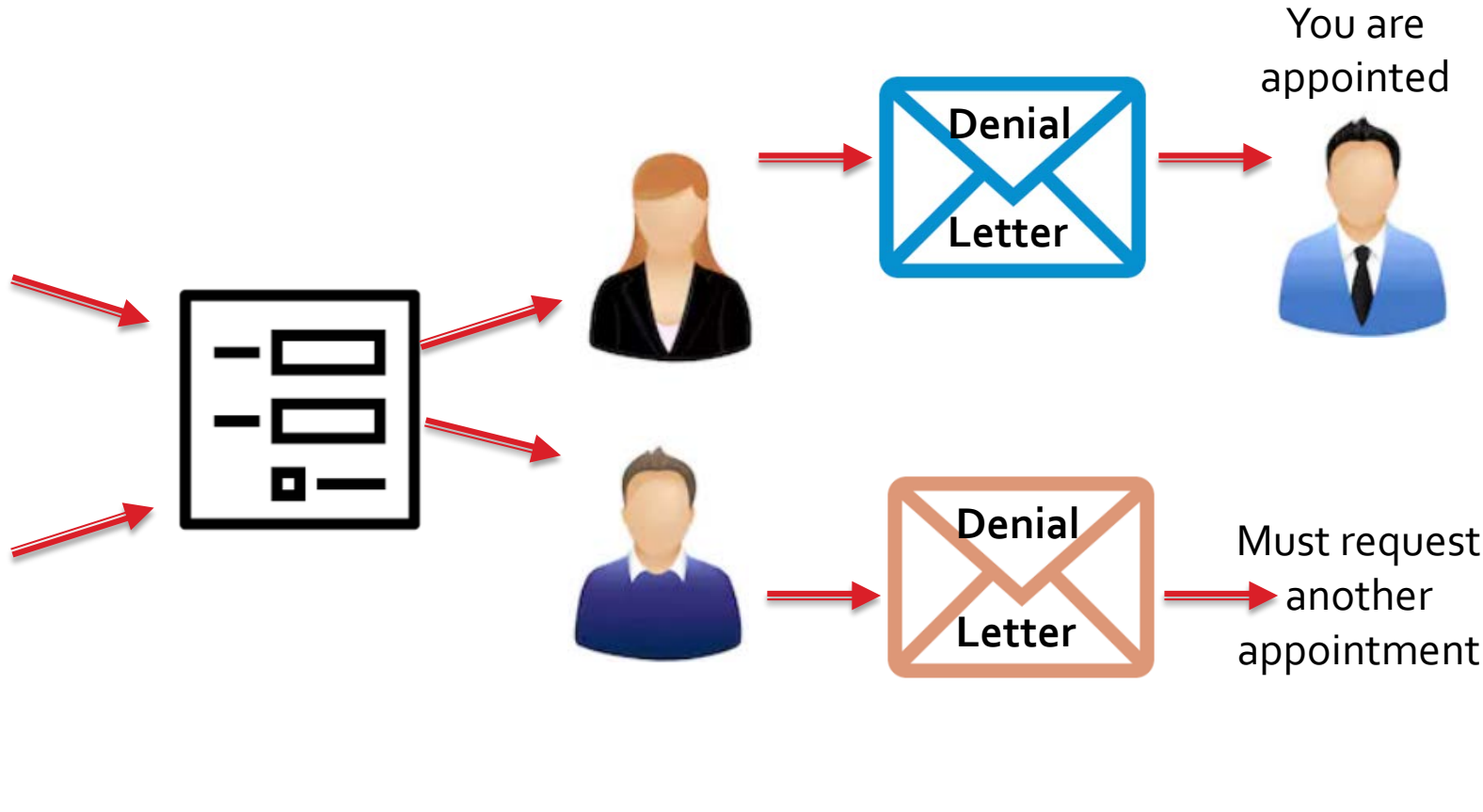
Reason for Processes

- Structured process to protect you
 - Focus time on topic in appointment letter
 - Authority of OAH
 - Remove guesswork

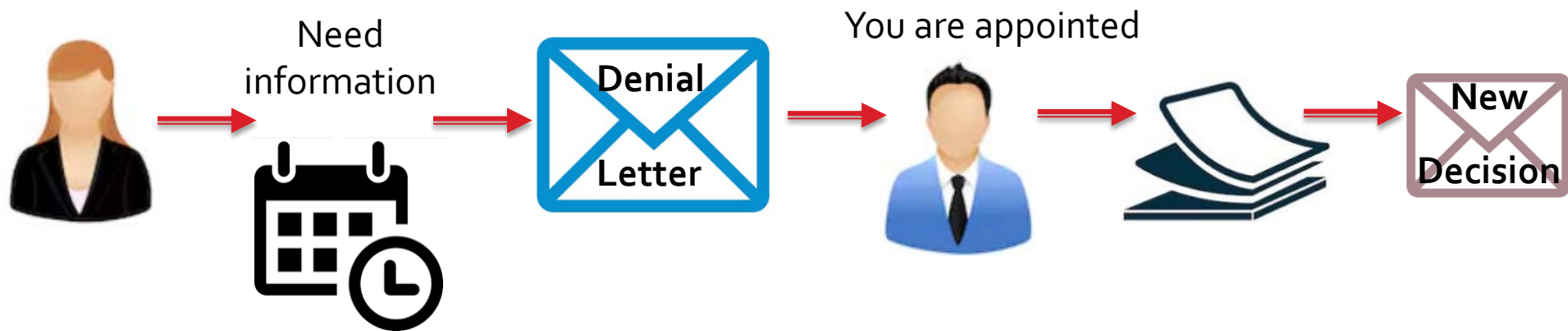
Example – Single Application



Example – Single Application

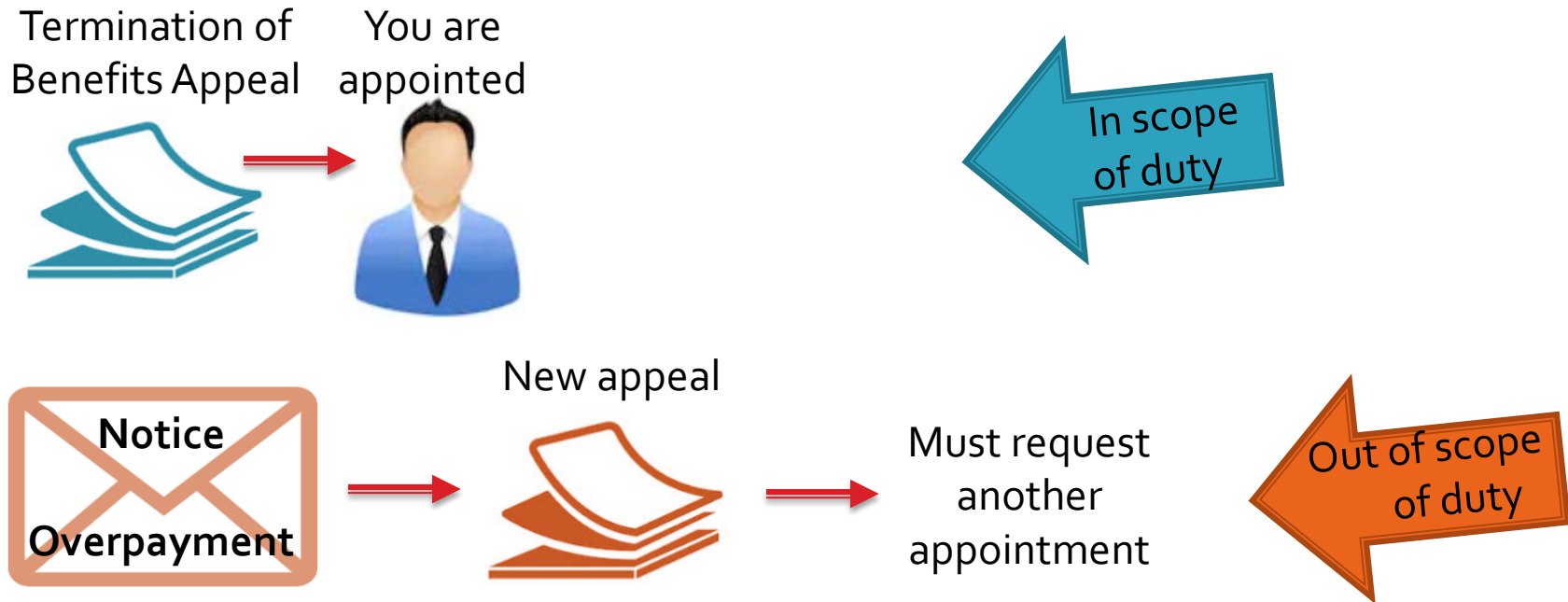


Example – Similar Issue



- Denial
 - No new docket number
- Approval - ask your client if they accept
 - Yes - help your client withdraw
 - No – it is a new case
 - Your client must ask for an accommodation again
 - Appealing the *amount* of benefits awarded
 - You are currently only appointed to help with the denial of benefits

Example – Multiple Decisions



- The new appeal will be outside your scope of duties even if you are still working on the termination of benefits case.

Example – Medical Issues



- Financially eligible?
- Medical needs decided after financial eligibility established
- Appointed to appeal about financial eligibility
 - Future appeals for medical needs
 - Outside scope of duty

Example – Different Agencies

- Your client might have multiple cases at OAH
- You are only appointed to the case in your appointment letter
- Appeals may involve different
 - agency representatives
 - agencies
 - schedules
 - OAH offices

Example – Different Agencies

Unemployed
claimant



Denials involving job
separations from more
than one employer



Commissioner
approved training

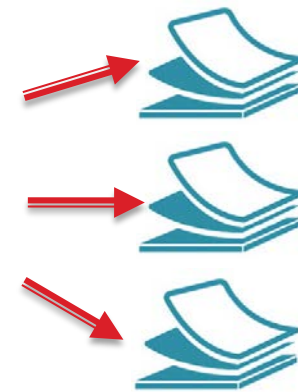


Example – Different Agencies

Parent with children from more than one relationship



Child support issues with each parent



Hearing in Feb

Hearing in April

Hearing in July

Example – Different Agencies

Medicaid
claimant



Prescription medication



Wheel chair replacement



Dental work



Example – Different Agencies

Claimant



Food Assistance
(DSHS)



Unpaid Wages
(L&I)

Petition for Review

- Appointment ends when review deadline passes

Superior Court Review: You also have the right to appeal this Final Order to superior court within thirty (30) calendar days of the mailing date of the Final Order. RCW 34.05.542(3) and WAC 388-02-0645. You do not need to file a request for reconsideration before requesting review in superior court. DSHS cannot request superior court review. Please refer to WAC 388-02-0650 for information about how to serve your request for superior court review.

- Duties end after helping file a petition

Higher Authority Review

- Representing at next level of review
- OAH has limited authority
 - Only in our hearings
- Client must ask for accommodations at next level
- Outside scope of duty to represent at the next level

Feedback?

- Send feedback about this training
 - Email OAH_ADACoordinator@oah.wa.gov

See you in the next video!