



Washington State Office of Administrative Hearings

We independently resolve administrative disputes through accessible, fair, prompt processes and issue sound decisions.

Hearing Rights Summary

What Happens When You Request a WA Cares Hearing?

A party may request a hearing when their benefits or provider registration have been denied or ended by the Department of Social and Health Services (DSHS). The hearing is held by an independent and impartial judge with the Office of Administrative Hearings (OAH).

OAH may initially hold a prehearing conference and will mail you a Notice of Prehearing Conference with the date, time, and location of your prehearing conference if one is scheduled. On average, prehearing conferences last between 30 to 60 minutes.

Tell OAH immediately if your address or phone number changes.

How to Prepare

You may represent yourself. You may also have another person represent you (such as a friend or a family member) or choose to hire an attorney. The person who represents you may not be a DSHS employee. You are responsible for any fees charged by your attorney.

DSHS may be represented by an appeals coordinator. The appeals coordinator will mail you a hearing packet which includes documents provided by you and DSHS. Carefully read the hearing packet and have it with you at the time of the hearing.

Submitting Documents (Exhibits): If you have documents you want the judge to see that relate to the appeal, immediately send them to OAH and DSHS. You can mail or fax documents to OAH and DSHS. You can also upload documents to the Participant Portal. You can find information on how to access the Participant Portal on OAH's website, [Manage My Case | Washington State Office of Administrative Hearings](#), or by calling (800) 583-8271. If you have questions about how to submit your documents, contact OAH at the number listed above.

Your prehearing conference or hearing may be:

- Over the phone or
- By video conference

The Notice of Prehearing Conference or Notice of Hearing explains how to participate.

Examples of documents you may want the judge to see:

- The notice or letter that DSHS sent you that caused you to request a hearing.
- Documents that show your claims are correct.
- Proof of any special or financial circumstances that you want considered.
- Documents DSHS has told you that you need to show the judge.
- OAH cannot accept any mailed or emailed documents that are 2.0 gigabytes (GB) in size or greater. OAH will reject any documents that are 2.0 GB or greater.
- Documents uploaded to the Participant Portal must be less than 1.0 GB.
- OAH can only accept video exhibits in the following formats: .mp4, .avi, .mpg, .mpeg. OAH will reject video exhibits submitted in any other format.
- OAH can only accept audio exhibits in the following format: .mp3. OAH will reject audio exhibits submitted in any other format.

If you need an interpreter, OAH will provide one for you at no cost. If you have a disability, you may request an accommodation to help you participate in the hearing. You may request an interpreter or accommodation by calling the OAH office on your Notice of Prehearing Conference or Hearing.

If you need to request a change to the time or the date of your hearing, contact the appeals coordinator at DSHS and OAH as soon as possible. Only the judge can grant a change to your scheduled hearing time. Before a decision is made, the judge will want to know if DSHS agrees or disagrees with your request.

- The judge will deny your request if you do not have a good reason.
- If the judge changes the hearing time, keep the hearing packet to use during the rescheduled hearing.

If you are interested in doing legal research to prepare, more information is available at www.oah.wa.gov and www.washingtonlawhelp.org.

Watch a video of a sample OAH hearing on
www.oah.wa.gov
(Available in English and Spanish)

Here are options for reduced-cost legal assistance:

Resource Name	Phone Number	Website
CLEAR: In King County	Dial 211	www.wa211.org/region/king-county/
CLEAR: Outside King County	888-201-1014	
Veteran's Project	855-657-8387	http://nwjustice.org/veterans
WA State Bar Association		https://www.wsba.org/for-the-public/find-legal-help

You may contact the DSHS appeals coordinator if you would like to try to settle your case before the prehearing conference or hearing, or if you have questions about the rules. The appeals coordinator cannot give you legal advice.

Contact the DSHS appeals coordinator if you would like to cancel your hearing.

How to Participate in Your Prehearing Conference

Prehearing conference by phone: Follow the instructions in the Notice of Prehearing Conference listed above. If you do not appear and participate, you may lose your right to a hearing.

- The Notice may instruct you to provide the telephone number where you can be reached. The Notice may provide you with call-in codes unique to your case.
- You must have good phone reception.
- Please note that you must be able to receive calls from a blocked caller ID.

The judge will record the prehearing conference. The judge and the parties will discuss the issue(s) for hearing, how to submit documents for the hearing, deadlines for submitting documents. The judge will not take testimony or hear arguments during the prehearing conference.

How to Participate in Your Hearing

Hearing by phone: OAH will send a Notice of Hearing to the parties with the date and time for the hearing. Follow the instructions in your Notice of Hearing. If you do not appear and participate, you may lose your right to a hearing.

- The Notice may instruct you to provide the telephone number where you can be reached. The Notice may provide you with call-in codes unique to your case.

- You must have good phone reception.
- Please note that you must be able to receive calls from a blocked caller ID.
- Have your and the Department's documents with you at the hearing.

If you plan to use a witness, they will testify during your scheduled hearing time. Tell your witness the time and date of the hearing and how to participate.

- The witness will follow the same instructions in the Notice (providing a telephone number where they may be reached, using a call-in code, or going to a hearing location).
- If they participate by phone, tell the witness their phone must have good reception and their phone must be able to receive calls from a blocked caller ID. Have the number available where your witness can be reached.

The judge will record the hearing. The judge will begin by confirming the issue(s) for hearing with the parties and describe what will happen during the hearing. The DSHS appeals coordinator will identify their documents for the record. The judge will identify the appellant's documents for the record. The judge decides what documents will be admitted into the record.

A DSHS appeals coordinator usually presents the DSHS's case first. Each party may call their own witnesses and question the witnesses called by the other parties. Witnesses testify under oath or affirmation. The judge may also ask questions.

After the hearing the judge will make a decision that will be mailed to you approximately 30 days after the close of the hearing record. If you disagree with the decision, instructions to appeal the decision will be at the end of the judge's order.