

NEW SECTION

WAC 192-140-096 What happens if the department suspects my claim is fraudulent? (1) Starting with the week ending May 16, 2020, if the department discovers it has reason to suspect that your claim has been fraudulently filed, the department will:

(a) Send you a request for information about the suspected fraud; and

(b) For the week in which the department discovered it had reason to suspect your claim has been fraudulently filed, suspend payment of your weekly benefit until the end of the week following the discovery. If you have asked to backdate your claim, and the department has not yet paid the weekly benefit for those backdated weeks, the department will also suspend payment of the weekly benefits for those backdated weeks until the end of the week following the discovery.

(2) If you do not respond to the request for information about the suspected fraud:

(a) The department will presume you are either not eligible or disqualified from receiving benefits and will deny benefits; and

(b) This denial will last for an indefinite period of time; and

(c) Once you provide the requested information, the department will issue a redetermination under RCW 50.20.160 allowing benefits if you provide enough information to establish your claim was not fraudulently filed and you are otherwise eligible and qualified to receive benefits. If the information provided is insufficient to show the claim was not fraudulently filed, the department will not issue a redetermination under RCW 50.20.160.

(3) If the department has suspended payment of your weekly benefits pursuant to subsection (1)(b) of this section and the department has issued a determination denying benefits prior to the end of the following week, then the department will not pay the suspended weekly benefits.

(4) If the department has suspended payment of your weekly benefits pursuant to subsection (1)(b) of this section and the department has not issued a determination denying benefits prior to the end of the following week, the department will pay the suspended weekly benefits by a payment method of the department's choosing.

(5) An individual in whose name a claim is fraudulently filed by an imposter is not responsible to repay sums improperly paid on the claim and the fraudulent claim does not affect the individual's eligibility for benefits. A claim is fraudulently filed by an imposter when someone else files a claim using another individual's personal and employment information without the individual's knowledge or consent.