

PROCEDURE

Cancels: 10.2.7.T Assessing Civil Monetary Penalties (Fines)

See also: POL 10.2.7; RCW 43.216; 110-300; 110-305

Approved by:



PRO 10.2.7 ASSESSING CIVIL MONETARY PENALTIES (FINES)

Action by:

Action:

Licensors

1. **Determines** fine from non-compliance or unlicensed care may be necessary and **consults** with Supervisor.

Supervisors will consider licensing history, type of concern(s), degree of violation(s) and number of violations during a visit to determine if a civil penalty is required.

*First time violations for short term and long term shall not be cited if that violation is the first time the provider was found in violation.

Supervisor

2. **Approves** or **disapproves** use of fine.

2a. If legal advice needed, **consults** with Assistant Attorney General (AAG) and notifies Area Administrator (AA) on outcome.

2b. If not approved, **develops** alternate plan with Licensors.

2c. If fine is \$1,000.00 or more, **consults** with AA.

2d. If approved under \$1,000.00, **skips** to **step 4**.

Area
Administrator
(AA)

3. **Approves** or **disapproves** use of fine and **notifies** Supervisor.

3a. If not approved, **develops** alternate plan with Supervisor and Licensors.

AA or
Supervisor

- 3b. If legal advice needed, **consults** with Assistant Attorney General (AAG).

Supervisor

4. **Notifies** licensors of decision or action to be taken.

Licenser or
Supervisor

5. **Drafts** letter *DCYF09-188 Notice of Imposition of Civil Penalties on Licensed Child Care* or *DCYF09-189 Notice of Imposition of Civil Penalties on Unlicensed Child Care*.

Supervisor

5a. If legal advice needed, **consults** with AAG and notifies RA on outcome.

6. **Reviews, prints, and signs** letter for delivery to early learning provider. **Documents** decision in WA Compass.

Licensing Staff

7. **Delivers** letter by certified mail or proof of receipt to the early learning provider and **documents** in WA Compass within 10 business days.

8. **Sends** letter to distribution list noted on the legal document.

8a. For licensed early learning programs, once proof of receipt is received, **sends** letter with receipt to Office of Financial Recovery (OFR) with SSPS provider number.

8b. For unlicensed early learning programs, once proof of receipt is received, sends letter to OFR with proof of receipt.

9. **Receives** early learning program request for a hearing.

9a. If no hearing requested, **skips to step 12**.

Supervisor or
Licenser

10. **Notifies** OFR of appeal and **documents** in WA Compass.

11. **Notifies** OFR of outcome of decision and **documents** in WA Compass.

Support Staff

12. **Checks** Vendor Accounts Receivable (VAR) for payment status at Annual Compliance. **Skips** this step if already completed.

12a. If payment plan created by OFR, **ensures** payments are on schedule.

12b. If payment received, **notifies** Supervisor, Licenser and **documents** in WA Compass.

12c. If payment not received, **notifies** Licensor and Supervisor.

Supervisor

13. **Determines** if further action is needed. Follows 10.1.14 Maintaining Child Care Non-Expiring Licenses (Annual Compliance)