

EXECUTIVE ORDER 77-08

**DESIGNATING THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
AS THE STATE AGENCY RECOGNIZED UNDER SECTION 1122 IN TITLE XI
OF THE SOCIAL SECURITY ACT, AS THE PLANNING AGENCY
OF THE STATE OF WASHINGTON**

WHEREAS, Section 1122 in Title XI of the Social Security Act, together with implementing regulations in 42 CFR part 100, create a federal health planning program hereafter referred to as the 1122 program; and

WHEREAS, the Governor of the State of Washington, by letter dated May 24, 1974, to the Secretary of the Department of Health, Education and Welfare, designated the Washington Department of Social and Health Services as designated planning agency to administer the 1122 program; and

WHEREAS, Section 1122(b) (3) in Title XI of the Social Security Act requires the Governors of participating states to designate an agency to conduct the administrative hearings which arise out of the 1122 program; and

WHEREAS, 42 CFR 100.106(c) (2) requires that the hearing agency be independent from or other than the designated planning agency; and

WHEREAS, the Governor of the State of Washington, by the letter dated May 24, 1974, to the Secretary of the Department of Health, Education and Welfare, designated the Washington State Attorney General's office as the hearing agency; and

WHEREAS, it has proven unsatisfactory and unworkable for the Washington Attorney General's office to serve as hearing agency and whereas the Attorney General's office is unable to any longer perform this function;

NOW, THEREFORE, as Governor of the State of Washington and by the powers vested in me by RCW 43.06.010(1), I do hereby order and direct the Office of Hearings in the Washington Department of Social and Health Services to serve as hearing agency for the 1122 program and I do further order and direct that in carrying out this function, the Office of Hearings shall operate independently from and free from the direction and control of the Washington Department of Social and Health Services and of its Secretary, and the Office of Hearings shall constitute the final authority for making all hearing determinations arising out of the 1122 program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 19th day of September A.D., Nineteen hundred and seventy-seven.

Dixy Lee Ray

Governor of Washington

BY THE GOVERNOR:

Secretary of State
