

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
OFFICE OF PROFESSIONAL STANDARDS

In the Matter of WIC Benefits)
of:) Docket No. 97-08-C-1051WC
)
)
) FINDINGS OF FACT,
) CONCLUSIONS OF LAW, AND
Respondent.) FINAL ORDER
_____)

Health Law Judge Presiding Officer for the Department
of Health, having reviewed the letter submitted by _____ Respondent,
received by the Office of Professional Standards (OPS) on August 21, 1997, hereby
issues the following:

I. FINDINGS OF FACT

1.1 _____ was a participant in the Women Infants and Children
Supplemental Food Program (WIC) which is administered by the Department of Health.

1.2 The Respondent submitted a Fair Hearing Request, on behalf of her
family, to the Department of Health, Office of Professional Standards.

1.3 An Amended Notice of Hearing was sent to the Respondent and the
Program setting the hearing for August 29, 1997 in Spokane, Washington.

1.4 OPS received from the Program a notification that the Respondent
decided to cancel her Fair Hearing Request. On August 21, 1997, the Respondent
submitted a letter to the Presiding Officer stating that she would like to cancel the Fair
Hearing regarding a charge for a WIC check that did not clear the bank. The
Respondent stated that she was paying the amount in full to _____ on
August 22, 1997.

II. CONCLUSIONS OF LAW

2.1 The Department of Health has jurisdiction over the Respondent's request for a hearing in this matter.

2.2 The Respondent withdrew her request for a hearing. This withdrawal constitutes grounds for dismissal of the case.

III. FINAL ORDER

3.1 Based upon the Findings of Fact and Conclusions of Law above, the Presiding Officer hereby orders the above referenced case DISMISSED.

THE PARTIES ARE FURTHER ADVISED, pursuant to RCW 34.05.461 and .470, that within ten (10) days of service of this Order you may file a petition for reconsideration with the Adjudicative Clerk Office, Department of Health, P.O. Box 47879, Olympia, Washington 98504-7879. The petition shall state the specific grounds upon which relief is requested. The petition for reconsideration shall not stay the effectiveness of this Final Order. The petition is deemed to have been denied if, within twenty (20) days of the date of its filing, the Department has not disposed of your petition or has not served you with written notice specifying the date by which action will be taken on your petition.

"Filing" means actual receipt of the document by the Adjudicative Clerk Office. RCW 34.05.010(6). This Order was "served" upon you on the day it was deposited in the United States mail. RCW 34.05.010(18).

Proceedings for judicial review may be instituted by filing a petition in the Superior Court in accord with the procedures specified in Title 34 RCW, Part V, Judicial

Review and Civil Enforcement. The petition for judicial review must be filed within thirty (30) days after you have been served with this Final Order, as provided by RCW 34.05.542.

DATED THIS 17th DAY OF SEPTEMBER, 1997.

_____/S/_____
Presiding Officer Health Law Judge

DECLARATION OF SERVICE BY MAIL

I declare that today I served a copy of this document upon the following parties of record:

by mailing a copy properly addressed with postage prepaid.

DATED AT OLYMPIA, WASHINGTON THIS _____ DAY OF SEPTEMBER, 1997.

Adjudicative Clerk Office