



1.4 On January 23, 1997, the Petitioner withdrew its Request for Adjudicative Proceeding by letter to the Office of Professional Standards.

## **II. CONCLUSIONS OF LAW**

2.1 The Department of Health, through the Senior Health Law Judge, has jurisdiction over the Petitioner's request for an adjudicative proceeding in this matter.

2.2 The Petitioner withdrew its request for an adjudicative proceeding. This withdrawal constitutes grounds for dismissal of this proceeding. Given the Petitioner's withdrawal, the Senior Health Law Judge declines to rule on the Applicant's Motion to Deny Request for Adjudicative Proceeding.

## **III. FINAL ORDER**

3.1 Based upon the Findings of Fact and Conclusions of Law above, Senior Health Law Judge Eric B. Schmidt hereby orders this proceeding DISMISSED. The Applicant's Motion to Deny Request for Adjudicative Proceeding is DENIED AS MOOT.

THE PARTIES ARE FURTHER ADVISED, pursuant to RCW 34.05.461 and 34.05.470, that within ten (10) days of service of this Order you may file a petition for reconsideration with the Office of Professional Standards, Department of Health, P.O. Box 47872, Olympia, Washington 98504-7872. 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 Office of Professional Standards. 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 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 \_\_\_\_ DAY OF JANUARY, 1997.

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ERIC B. SCHMIDT, Senior Health Law Judge  
Presiding Officer

DECLARATION OF SERVICE BY MAIL

I declare that today I served a copy of this document upon the following parties of record: DONNA WOODKEY (CASCADE MED CTR), DOUGLAS FERGUSON, JOAN NORMAN (CENTRAL WA HOSPITAL), STEPHEN PENTZ, JAMES BRUSSELBACK by mailing a copy properly addressed with postage prepaid.

DATED AT OLYMPIA, WASHINGTON THIS \_\_\_\_ DAY OF JANUARY, 1997.

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Office of Professional Standards

cc: JANIS SIGMAN