

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
OFFICE OF PROFESSIONAL STANDARDS

In the Matter of WIC Benefits of:)	
)	Docket No. 01-06-C-1008WC
)	
)	FINDINGS OF FACT,
Respondent.)	CONCLUSIONS OF LAW,
)	AND FINAL ORDER
)	

Senior Health Law Judge _____ Presiding Officer for the Department of Health, having reviewed a fair hearing request submitted by _____ (the Respondent), hereby issues the following:

I. FINDINGS OF FACT

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

1.2 On May 17, 2001, the WIC Program informed the Respondent she was liable to the WIC Program for \$47.96 for reimbursement of a WIC check that had been reported lost and then cashed.

1.3 On June 2, 2001, the Respondent submitted a Fair Hearing Request to the Office of Professional Standards, challenging the request for reimbursement.

1.4 A Notice of Fair Hearing was served on the Respondent by mail on June 6, 2001. The Notice scheduled the fair hearing for 10:00 a.m. on June 19, 2001, at the Department of Health offices, 20435 - 72nd Avenue South, Suite 200, Kent, Washington.

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1.5 The Presiding Officer and representatives of the WIC program were present at the scheduled time and location for the fair hearing, but the Respondent was not present. The Respondent did not contact the Presiding Officer about her attendance or about a re-scheduling of the fair hearing. The WIC program representatives contacted the Respondent by telephone, and were told the Respondent would pay the reimbursement.

1.6 On July 2, 2001, _____ of the WIC program informed the Presiding Officer that the Respondent had paid the requested reimbursement.

II. CONCLUSIONS OF LAW

2.1 The Presiding Officer has jurisdiction over the Respondent's request for a fair hearing in this matter.

2.2 The Respondent did not appear for the fair hearing she requested and subsequently paid the requested reimbursement. These actions constitute grounds for dismissal of the fair hearing.

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 is 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 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 20 days of the date of its filing, the Adjudicative Clerk Office 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(19).

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 12 DAY OF JULY, 2001.

_____/s/_____
_____, Senior Health Law Judge
Presiding Officer