

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
OFFICE OF PROFESSIONAL STANDARDS

In the Matter of WIC Benefits) OPS No. 96-06-03-386 WIC
of:)
)
on behalf of her) FINDINGS OF FACT,
) CONCLUSIONS OF LAW,
) AND FINAL ORDER
Respondent.)
_____)

, Health Law Judge for the Department of Health, having reviewed the record in this case 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 through the Kennewick WIC Program.

1.2 On June 3, 1996, submitted a Fair Hearing Request, on behalf of her child, to the Department of Health, Office of Professional Standards.

1.3 On June 6, 1996, OPS served a Notice of Fair Hearing on and Program Manager for WIC. The hearing was scheduled to be held on June 20, 1996 at 11:00 a.m., at the Department of Social and Health Services, Pasco Community Services Office B11-1, 800 West Court Street, Pasco, Washington.

1.4 On June 19, 1996, filed a request to appear at the hearing by telephone.

1.5 On June 20, 1996, filed a Withdrawal of Fair Hearing Request for in which she stated:
reached by telephone late 6/19/96 to discuss her request for a Fair Hearing. explained there was another agency which could serve her child if she was willing to go there. agreed to this alternative and requested that the Fair Hearing

be withdrawn. is in class all day today and requested that we write the withdrawal request. A WIC appointment has been made for at Washington State Migrant Council clinic in Pasco.

II. CONCLUSIONS OF LAW

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

2.2 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, Health Law Judge, hereby orders the case DISMISSED.

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).

