

**STATE OF WASHINGTON
DEPARTMENT OF HEALTH
OFFICE OF PROFESSIONAL STANDARDS**

In the Matter of WIC Benefits of:)

) Docket No. 01-06-C-1077WC

Respondent.)

) FINDINGS OF FACT,
) 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 (the WIC Program), which is administered by the Department of Health.

1.2 In June 2001, the WIC Program informed the Respondent that her gross wages had risen above the WIC eligibility level.

1.3 On June 22, 2001, the Respondent submitted a Fair Hearing Request to the Office of Professional Standards, challenging the WIC Program's calculation of her income.

1.4 A Notice of Fair Hearing was served on the Respondent by mail on June 27, 2001. The Notice scheduled the fair hearing for 9:00 a.m. on July 9, 2001, at

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the Department of Health offices, 20435 - 72nd Avenue South, Suite 200, Kent, Washington.

1.5 On July 3, 2001, [redacted] of the WIC Program informed the Presiding Officer that the WIC Program and the Respondent had agreed to cancel the fair hearing because the WIC Program had corrected its calculation of the Respondent's income and had found her eligible for continued WIC participation.

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 WIC Program and the Respondent agreed to cancel the fair hearing because the Respondent has been found eligible for continued WIC participation. This action constitutes 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 twenty (20) days of

