

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
OFFICE OF PROFESSIONAL STANDARDS

In the Matter of WIC Benefits of:	)	
	)	Docket No. 98-09-C-1038WC
	)	
	)	FINDINGS OF FACT,
Respondent.	)	CONCLUSIONS OF LAW,
	)	AND FINAL ORDER
	)	

\_\_\_\_\_ Health Law Judge, Presiding Officer, Department of Health,  
having reviewed the Fair Hearing Request filed by \_\_\_\_\_ Respondent, dated  
September 8, 1998, filed with the Adjudicative Clerk Office on September 16, 1998,  
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 On September 16, 1998, \_\_\_\_\_ filed a Fair Hearing Request, on behalf of her family, to the Department of Health, Adjudicative Clerk Office. The request was signed by the Respondent and dated September 8, 1998.

1.3 A Notice of Fair Hearing was sent to the Respondent and the Program set the hearing for September 29, 1998 in Pasco, Washington.

1.4 On September 21, 1998, \_\_\_\_\_, WIC Program, filed a memo stating that she had spoken with \_\_\_\_\_ on the telephone with the aid of an interpreter. \_\_\_\_\_ stated that she talked with her about the reasons her was taken off the WIC Program at the Benton-Franklin Health District, but also informed her about another WIC agency that could serve her child if she would go there.

\_\_\_\_\_ then informed Ms. Pickering that she is no longer requesting a Fair

Hearing. On \_\_\_\_\_ behalf, \_\_\_\_\_ sent this memo to withdraw the request for a Fair Hearing.

## II. CONCLUSIONS OF LAW

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

2.2 \_\_\_\_\_ withdrew her request for a fair hearing for the reason stated above in the Findings of Fact, paragraph 1.4.

## III. FINAL ORDER

Based upon the Findings of Fact and Conclusions of Law above, the Health Law Judge hereby ORDERS that the above-captioned case is 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 Adjudicative Clerk Office, 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 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(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 30th DAY OF SEPTEMBER, 1998.

\_\_\_\_\_/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, 1998.

\_\_\_\_\_  
Adjudicative Clerk Office

cc: \_\_\_\_\_

FOR INTERNAL USE ONLY: (Internal tracking numbers)  
OPS No. 98-09-25-496 WIC