

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
OFFICE OF PROFESSIONAL STANDARDS

In the Matter of WIC Benefits )  
of: )  
)  
)  
)  
Respondent. )  
\_\_\_\_\_ )

Docket No. 98-06-C-1054WC

FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND FINAL ORDER

Health Law Judge \_\_\_\_\_, Presiding Officer, Department of Health,  
having reviewed the Fair Hearing Request submitted by \_\_\_\_\_ Respondent,  
and a Withdrawal of Fair Hearing Request received by the Adjudicative Clerk Office on  
June 26, 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 \_\_\_\_\_ submitted a Fair Hearing Request, on behalf of her family, to  
the Department of Health, Adjudicative Clerk Office.

1.3 A Notice of Fair Hearing was sent to the Respondent and the Program  
setting the hearing for July 1, 1998, in Tacoma, Washington.

1.4 On June 26, 1998, \_\_\_\_\_, Manager, Nutrition, Training and Local  
Program Operations Section, submitted a Withdrawal of Fair Hearing Request for  
(Withdrawal of Fair Hearing Request).

1.5 In the Withdrawal of Fair Hearing Request, \_\_\_\_\_ stated that  
\_\_\_\_\_ has been placed back on the WIC Program as a breastfeeding client on  
June 19, 1998. On June 25, 1998, \_\_\_\_\_ from the WIC office spoke with  
\_\_\_\_\_ on the telephone about her request for a fair hearing. \_\_\_\_\_ stated that  
she no longer desires to have a Fair Hearing.

## 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

Based upon the Findings of Fact and Conclusions of Law above, Health Law Judge , Presiding Officer, hereby orders the above captioned case **DISMISSED**.

THE PARTIES ARE FURTHER ADVISED, pursuant to RCW 34.05.461 and RCW 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 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 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 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 2nd DAY OF JULY, 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 JULY, 1998.

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

cc: BETTY CLEMEN

**FOR INTERNAL USE ONLY:** (Internal tracking numbers)  
OPS No. 98-06-29-348 WIC