

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

In the Matter of the Certificate of Need )	Docket No. 97-06-C-1068CN
Application of: )	
MULTICARE HEALTH SYSTEM )	FINDINGS OF FACT,
d/b/a TACOMA GENERAL )	CONCLUSIONS OF LAW,
HOSPITAL, )	AND FINAL ORDER
Applicant. )	
_____ )	

Eric B. Schmidt, Senior Health Law Judge for the Department of Health, having reviewed the record in this proceeding, hereby issues the following:

**I. FINDINGS OF FACT**

1.1 On November 7, 1996, the Office of Health Services Development of the Department of Health denied an application by Multicare Health System, d/b/a Tacoma General Hospital (the Applicant), for a certificate of need to establish a hospital-based skilled nursing facility.

1.2 On November 27, 1996, the Applicant filed a Request for Adjudicative Proceeding with the Office of Professional Standards of the Department of Health.

1.3 Prehearing orders were issued on May 19, 1997, May 30, 1997, July 1, 1997, November 21, 1997, and March 2, 1998.

1.4 On June 10, 1998, the Applicant withdrew its Request for Adjudicative Proceeding by letter to the Office of Professional Standards.

**II. CONCLUSIONS OF LAW**

2.1 The Department of Health, through the Senior Health Law Judge, has jurisdiction over the Applicant's request for an adjudicative proceeding in this matter.

2.2 The Applicant has withdrawn its request for an adjudicative proceeding. This withdrawal constitutes grounds for dismissal of this proceeding.

### **III. FINAL ORDER**

3.1 Based upon the Findings of Fact and Conclusions of Law above, Senior Health Law Judge Eric B. Schmidt hereby orders this proceeding DISMISSED.

“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).

As provided in RCW 34.05.461(3), 34.05.470, and WAC 246-10-704, either party may file a petition for reconsideration. The petition must be filed within ten (10) days of service of this Order with the Adjudicative Clerk Office, 2413 Pacific Avenue, PO Box 47879, Olympia, WA 98504-7879. The petition must state the specific grounds upon which reconsideration is requested and the relief requested. The petition for reconsideration shall not stay the effectiveness of this Order. The petition for reconsideration is deemed to have been denied twenty (20) days after the petition is filed if the Office of Professional Standards has not acted on the petition or served written notice of the date by which action will be taken on the petition.

Proceedings for judicial review may be instituted by filing a petition in superior court in accordance with the procedures specified in chapter 34.05 RCW, Part V,

Judicial Review and Civil Enforcement. The petition for judicial review must be filed within 30 days after service of this Order, as provided in RCW 34.05.542.

DATED THIS 26th DAY OF JUNE, 1998.

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*/s/*  
ERIC B. SCHMIDT, Senior Health Law Judge  
Presiding Officer

DECLARATION OF SERVICE BY MAIL  
I declare that today I served a copy of this document upon the following parties of record:  
**SALLY WATKINS, STEPHEN PENTZ, RICHARD MCCARTAN AAG**, by mailing a copy properly addressed with postage prepaid.

DATED AT OLYMPIA, WASHINGTON THIS \_\_\_\_\_ DAY OF JUNE, 1998.

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

cc: **JANIS SIGMAN**

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