



State of West Virginia  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
Office of Inspector General  
Board of Review  
4190 West Washington Street  
Charleston, West Virginia 25313

Joe Manchin III  
Governor

Martha Yeager Walker  
Secretary

May 16, 2005

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\_\_\_\_\_  
\_\_\_\_\_  
Case Name: \_\_\_\_\_

Dear Mr. \_\_\_\_\_:

Attached is a copy of the findings of fact and conclusions of law on the hearing held March 30, 2005. Your hearing request was based on the Department of Health and Human Resources' proposal to close your Aged and Disabled Waiver Services Case.

In arriving at a decision, the State Hearings Officer is governed by the Public Welfare Laws of West Virginia and the rules and regulations established by the Department of Health and Human Resources. These same laws and regulations are used in all cases to assure that all persons are treated alike.

Eligibility and benefit levels for Aged and Disabled Waiver Services are determined based on current regulations. One of these regulations states:

One of the reasons for the discontinuation of a client's Aged and Disabled Waiver Services is: No services have been provided for 100 days; for example, extended placement in long term care or rehabilitation facility." (WV Provider Manual Chapter 590.3 *DISCONTINUATION OF SERVICES*).

The information submitted at the hearing revealed: You have not received Aged and Disabled Waiver Services for 142 days.

It is the decision of the State Hearing Officer to UPHOLD the proposal of the Department, to discontinue Aged and Disabled Waiver Services Aged and Disabled Waiver Services for Ms. \_\_\_\_\_.

Sincerely,

Ray B. Woods, Jr., M.L.S.  
State Hearings Officer  
Member, State Board of Review

Cc: Erika H. Young, Chairman, Board of Review  
Linda Wright, RN – Bureau of Senior Services  
[REDACTED] Case Manager – Central West Virginia Aging Services, Inc.  
Oretta Keeney, RN – West Virginia Medical Institute