

Department of Health and Human Services

DEPARTMENTAL APPEALS BOARD

Civil Remedies Division

_____)	
In the Case of:)	
)	
<i>In re</i> CMS LCD COMPLAINT:,)	
External Infusion Pumps)	Date: April 14, 2008
(L5044))	
)	
)	Docket No. C-08-315
_____)	Decision No. CR1768

DECISION DISMISSING COMPLAINT

By letter dated March 30, 2008, the aggrieved party withdrew his complaint. Pursuant to 42 C.F.R. §§ 426.423(c) and 426.444(b)(7), I must dismiss a complaint concerning an LCD provision by a decision when the aggrieved party withdraws the complaint. Accordingly, I order that this complaint be dismissed. The complainant may not file another complaint regarding the same coverage determination for 6 months from the date of this decision.

/s/
Steven T. Kessel
Administrative Law Judge