Department of Health and Human Services

DEPARTMENTAL APPEALS BOARD

Civil Remedies Division

In re CMS LCD COMPLAINT:
Immunosuppressive Drugs
(LCD No. L33824)

Docket No. C-16-603

Decision No. CR4656

Date: July 11, 2016

DECISION DISMISSING CASE

Felicè Gammella, the sole aggrieved party, submitted correspondence to me dated July 8, 2016, requesting to withdraw his LCD in accord with the requirements of 42 C.F.R. § 426.423(a)-(c)(1). Pursuant to 42 C.F.R. § 426.400(b)(7), I must dismiss a LCD complaint if the aggrieved party withdraws it. Accordingly, I dismiss the complaint. The aggrieved party may not file another complaint with respect to the same coverage determination for six months.

/s/
Steven T. Kessel
Administrative Law Judge