



July 7, 2010

Janet Elizabeth Despot, M.D.  
5220 River Ridge Circle  
Sylvania, OH 43560

Dear Dr. Despot:

Re: OI File Number 7-05-40142-9

As described in the Office of Inspector General's (OIG) notice of exclusion to you dated February 27, 2009, your exclusion under section 1128(a)(1) of the Social Security Act (Act) became effective 20 days from the date of that letter, i.e., on March 19, 2009, for the minimum statutory period of five years; that exclusion remains in effect.

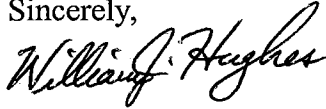
By letters dated September 3, 2009 and June 22, June 24 and July 2, 2010, Doug Porter, Assistant Secretary, Washington Department of Social and Health Services, requested a waiver of your exclusion. Since this request meets the criteria set forth in 42 CFR 1001.1801(b) and section 1128(c)(3)(B) of the Act, we are granting Mr. Porter's request for a waiver of your exclusion for services you provide under the Medicare, Medicaid and all Federal health care programs as defined in section 1128(h) of the Act in Buckley and Shelton, Washington and at Enumclaw Regional Hospital in Enumclaw, Washington for allergy, asthma-related, immunology and pulmonary care services.

Approval of the waiver request means that, **effective with the date of this notice**, you may submit claims for payment of covered allergy, asthma-related, immunology and pulmonary care items or services furnished, ordered, or prescribed by you to program beneficiaries in Buckley and Shelton, Washington and at Enumclaw Regional Hospital in Enumclaw, Washington. **This waiver is not retroactive** and does not authorize you to claim program payment for services that you have already rendered to program beneficiaries.

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**This waiver affects only allergy, asthma-related, immunology and pulmonary care items and services you provide in Buckley and Shelton, Washington and at Enumclaw Regional Hospital in Enumclaw, Washington for as long as the Washington Department of Social and Health Services determines that such need exists.** Your exclusion remains in effect for all items and services you furnish, order or prescribe elsewhere in Washington and in all other States. This waiver does not otherwise change your exclusion; it remains in effect and, as explained in your exclusion notice, you will have to apply for reinstatement at the end of the exclusion period.

Sincerely,



William J. Hughes  
Reviewing Official  
Health Care Program Exclusions  
Office of Counsel to the Inspector General

cc: Special Agent in Charge, Regions VII, IX  
Doug Porter, Assistant Secretary  
Carol Sue Janes, Esq.