



STATE OF NEW YORK  
DEPARTMENT OF HEALTH  
P.O. Box 11729  
Albany, NY 12211

## **NOTICE OF DISMISSAL – TELEPHONE WITHDRAWAL**

Notice Date: July 05, 2016

NY State of Health Account ID: [REDACTED]  
Appeal Identification Number: AP000000006886

[REDACTED]

Dear [REDACTED],

On June 1, 2015, NY State of Health (NYSOH) filed a system defect because you and your spouse were being prevented by the system from selecting a health plan. On September 30, 2015, NYSOH resolved the defect and your spouse was enrolled in a qualified health plan as of October 1, 2015. On or about February 5, 2016, you filed an appeal because of potential exposure to an IRS tax penalty for not having health insurance in 2015.

On June 29, 2016, a Hearing Officer from the Appeals Unit of NY State of Health called you and placed you and your spouse under oath.

While under oath, you identified yourself and stated that you were no longer interested in pursuing your appeal because your son, who claims you and your spouse on his 2015 federal tax return, was not assessed a tax penalty by the IRS such that the issue was moot.

You therefore withdrew your appeal on the record. Accordingly, we are dismissing your appeal, pursuant to 45 Code of Federal Regulations (CFR) § 155.530(a)(1).

### **How does this Dismissal Affect Your Eligibility?**

The Appeals Unit of NY State of Health will not be reviewing this matter at this time.

If you need this information in a language other than English or you need assistance reading this notice, we can help you. Call 1-855-355-5777 (TTY – English: 1-800-662-1220) (TTY – Spanish: 1-877-662-4886).

## **If You Think Your Appeal Should Not Be Dismissed**

If you think your appeal should not be dismissed, you can ask us to vacate, or cancel, this dismissal. You must ask us in writing within 30 days after the date on this notice.

NYSOH's Appeals Unit will review your request. If your request is approved, another hearing will be scheduled for you. If your request is denied, NYSOH will tell you in writing.

If you do not respond to this notice within 30 days, your appeal will remain dismissed, and NYSOH will take no further action on your appeal.

## **Appeal Identification Number**

When communicating with NYSOH about this appeal, please reference Appeal Identification Number at the top of this notice.

## **How to Contact NYSOH**

You can contact us in any of the following ways:

- By calling the Customer Service Center at 1-855-355-5777
- By mail at:  
NY State of Health Appeals  
P.O. Box 11729  
Albany, NY 12211
- By fax: 1-855-900-5557

## **Legal Authority**

We are sending you this notice in accordance with 45 CFR § 155.530.

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**A Copy of this Notice of Dismissal Has Been Provided To**



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