



her doctor as to the medical necessity of the items considered by the Board in those fair hearings.

However, the January 4 note from her doctor simply lists the items previously requested. It provides no new information or evidence not previously considered by the Board in its December 2004 decision.<sup>1</sup>

ORDER

The petitioner's appeal is dismissed in that it raises no factual or legal issue not fully considered by the Board in its decision in Fair Hearing Nos. 19,283 and 19,331, dated December 13, 2004.

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<sup>1</sup> Part of the confusion in this regard appears to stem from the fact that the petitioner also has a pending appeal for disability-based Medicaid. (See Fair Hearing No. 17,897.) The petitioner has legal representation in that matter, and it is currently pending decision.