

Notice: This decision may be formally revised before it is published in the *District of Columbia Register*. Parties should promptly notify the Administrative Assistant of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)
)
DEBORAH HULL)
Employee)
)
)
v.)
)
DEPARTMENT OF HUMAN)
SERVICES)
Agency)
_____)

OEA Matter No. 1601-0201-97

Date of Issuance: **April 13, 2003**

OPINION AND ORDER
ON
PETITION FOR REVIEW

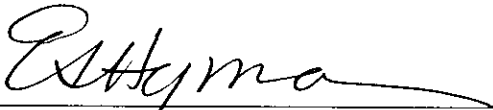
This matter having come before the Board upon Agency's Petition for Review of an Initial Decision issued March 6, 2001, and the Board having carefully reviewed the entire record and the Initial Decision, the Board concludes that the Administrative Judge based his decision on substantial evidence in the record and correctly stated the applicable law. Accordingly, the Initial Decision is hereby adopted as the opinion of the Board and is hereby **AFFIRMED**.

In this case we believe Agency should establish clear guidelines pertaining to what circumstances its staff may make physical contact with patients. Such guidelines may have avoided the litigation in this case.

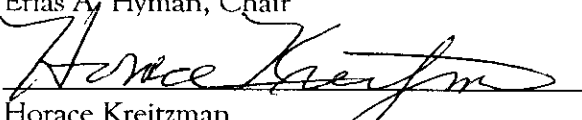
ORDER

Accordingly, it is hereby **ORDERED** that Agency's Petition for Review
is **DENIED**.


FOR THE BOARD:



Erias A. Hyman, Chair



Horace Kreitzman



Brian Lederer

The initial decision in this matter shall become a final decision of the Office of Employee Appeals 5 days after the issuance of this order. An appeal from a final decision of the Office of Employee Appeals may be taken to the Superior Court of the District of Columbia within 30 days after formal notice of the decision or order sought to be reviewed.