



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of



DECISION

CCO/171848

PRELIMINARY RECITALS

Pursuant to a petition filed February 04, 2016, under Wis. Admin. Code § HA 3.03, to review a decision by the Milwaukee Early Care Administration - MECA in regard to Child Care, a hearing was held on April 14, 2016, at Milwaukee, Wisconsin.

No issue remains for resolution by the Division of Hearings and Appeals.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:



Petitioner's Representative:



Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By: Atty. Nancy C. Wettersten, DCF-OLC

ADMINISTRATIVE LAW JUDGE:

David D. Fleming
Division of Hearings and Appeals

Petitioner filed this appeal to contest a determination by the Department that she had been overpaid Wisconsin Shares Child Care benefits in the amount of \$815.12. As the substantive portion of this hearing was about to begin the parties reported resolution to this matter. The Department will reverse the overpayment and withdraw an intentional program violation (appealed to the Division of Hearings and Appeals by Petitioner and assigned case # ML-16-0050) and Petitioner agreed to not use Wisconsin Shares Child Care in the future. If I misunderstood the resolution of this matter the parties should note the rehearing instructions below.

CONCLUSIONS OF LAW

That no issue remains for resolution by the Division of Hearings and Appeals.

THEREFORE, it is

ORDERED

That the Department take the steps necessary to implement its portion of the resolution of this appeal within 10 days of the date of this Decision if it has not done so already. In all other respects, this appeal is dismissed.

REQUEST FOR A REHEARING

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Children and Families, 201 East Washington Avenue, Room G200, Madison, Wisconsin 53703, **and** on those identified in this decision as "PARTIES IN INTEREST" **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Milwaukee,
Wisconsin, this 20th day of April, 2016

\sDavid D. Fleming
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin \DIVISION OF HEARINGS AND APPEALS

Brian Hayes, Administrator
Suite 201
5005 University Avenue
Madison, WI 53705-5400

Telephone: (608) 266-3096
FAX: (608) 264-9885
email: DHAmail@wisconsin.gov
Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on April 20, 2016.

Milwaukee Early Care Administration - MECA
Public Assistance Collection Unit
Child Care Fraud

Attorney [REDACTED]

Attorney [REDACTED]