



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DECISION

SSO/171938

PRELIMINARY RECITALS

Pursuant to a petition filed February 06, 2016, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03, to review a decision by the Division of Health Care Access and Accountability in regard to Medical Assistance (MA), a hearing was held on June 21, 2016, at Oshkosh, Wisconsin.

This matter was originally scheduled for hearing on March 1, 2016. Petitioner's guardian asked to reschedule the hearing due to a medical appointment. Accordingly, the hearing was rescheduled to March 15, 2016.

Petitioner's guardian asked to reschedule the hearing, because they had filed an appeal with the Social Security Administration and wanted to see what would happen in that matter. The hearing was then rescheduled to May 10, 2016.

The SSA still had not rendered a decision, so Petitioner's guardian asked to reschedule the hearing. The request was granted and the hearing was rescheduled to June 21, 2016.

There is no longer any issue for determination by the Division of Hearings and Appeals.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703
By: No one

ADMINISTRATIVE LAW JUDGE:

Mayumi M. Ishii
Division of Hearings and Appeals

DISCUSSION

Petitioner's guardian filed an appeal to contest a State SSI overpayment determination for the months of February and March 2015. On June 21, 2016, Petitioner's guardian indicated that the Social Security Administration still had not made a final decision regarding whether it would waive a Federal SSI overpayment for February and March 2015. Petitioner's guardian further indicated that she felt that this matter had been pending long enough and that she was no longer contesting recovery of the \$168.56 overpayment for February and March 2015. Consequently, this appeal will be dismissed.

If I have misunderstood the situation, the Petitioner is directed to the rehearing instructions below.

CONCLUSIONS OF LAW

There is no longer any issue for determination by the Division of Hearings and Appeals.

THEREFORE, it is ORDERED

That the petition 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 Health Services, 1 West Wilson Street, Room 651, 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 21st day of June, 2016

\sMayumi M. Ishii
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on June 21, 2016.

Division of Health Care Access and Accountability
State SSI