



FH

**STATE OF WISCONSIN
Division of Hearings and Appeals**

In the Matter of

[REDACTED]

DECISION

[REDACTED]

MPA/142242

PRELIMINARY RECITALS

Pursuant to a petition filed July 10, 2012, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by the Division of Health Care Access and Accountability in regard to Medical Assistance, a hearing was held on October 10, 2012, at Madison, Wisconsin.

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

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]

Respondent:

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

By: Office of Inspector General, by Letter
Division of Health Care Access and Accountability
1 West Wilson Street, Room 272
P.O. Box 309
Madison, WI 53707-0309

ADMINISTRATIVE LAW JUDGE:

Mayumi M. Ishii
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner is a resident of Sheboygan County.
2. On May 18, 2012 and again on June 19, 2002, Hanger Prosthetics and Orthotics filed a prior authorization request on behalf of Petitioner, requesting authorization for shoe lifts, arch supports and walking shoes at a cost of \$884.00. (Exhibit 5)
3. On June 26, 2012, the Division of Health Care Access and Accountability, denied the request. (Exhibit 5)
4. On July 10, 2012, Petitioner filed a request for fair hearing. (Exhibit 1)
5. Petitioner is scheduled to undergo surgery on her foot on October 19, 2012.

DISCUSSION

Petitioner indicated at the hearing that she is extremely dissatisfied with service from Hanger Prosthetics and Orthotics and does not want to do business through them any longer. Petitioner further indicated that she no longer wanted the shoe requested by Hanger Prosthetics and Orthotics, because she is having foot surgery on October 19, 2012 and will not know what type of shoe she will need until after the surgery.

CONCLUSIONS OF LAW

That there is no issue remaining for resolution by the Division of Hearings and Appeals regarding the prior authorization request submitted by Hanger Prosthetics and Orthotics.

THEREFORE, it is ORDERED

That the petition is dismissed.

REQUEST FOR A REHEARING

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES IN INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wis. Stat. § 227.49. A copy of the statutes can be found 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 appropriate court no more than 30 days after the date of this hearing decision (or 30 days after a denial of rehearing, if you ask for one).

For purposes of appeal to circuit court, the Respondent in this matter is the Department of Health Services. After filing the appeal with the appropriate court, it must be served on the Secretary of that Department, either personally or by certified mail. The address of the Department is: 1 West Wilson Street, Madison, Wisconsin 53703. A copy should also be sent to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wis. Stat. §§ 227.52 and 227.53.

Given under my hand at the City of
Milwaukee, Wisconsin, this 10th day of
October, 2012

Mayumi M. Ishii
Administrative Law Judge
Division of Hearings and Appeals

c: DHSDHADHCAA@wisconsin.gov - Health Care Access & Accountability



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on October 10, 2012.

Division of Health Care Access And Accountability