



FH

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

In the Matter of

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

DECISION

MPA/147959

PRELIMINARY RECITALS

Pursuant to a petition filed March 12, 2013, 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, now known as the Office of the Inspector General (OIG) in regard to Medical Assistance (MA), a telephonic hearing was held on May 07, 2013, at [REDACTED], Wisconsin. The matter was held open post-hearing for the submittal of additional information, which was forwarded to the OIG for review. On June 10, 2013 the OIG submitted its response to that review which indicated that the requested 26 sessions of speech and language therapy (SLT) for procedure code 92526 were now approved.

There is no issue for determination as the matter is now moot.

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
Madison, Wisconsin 53703

By written submittal of: Theresa Walske
Division of Health Care Access and Accountability
1 West Wilson Street, Room 272
P.O. Box 309
Madison, WI 53707-0309

ADMINISTRATIVE LAW JUDGE:

Kelly Cochrane
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner is a resident of [REDACTED]. He is certified for MA.
2. On or about January 18, 2013, a prior authorization (PA) request was submitted on the petitioner's behalf for SLT.
3. On January 28, 2013 the OIG issued written notice of a modification to that PA request, indicating a denial of 26 sessions of SLT for procedure code 92526. Petitioner timely appealed therefrom.
4. A telephonic hearing was held on May 07, 2013, at [REDACTED], Wisconsin. The matter was held open post-hearing for the submittal of additional information, which was forwarded to the OIG for review. On June 10, 2013 the OIG submitted its response to that review which indicated that the requested 26 sessions of speech and language therapy (SLT) for procedure code 92526 were now approved, so there is no further action for me to order here.

DISCUSSION

The petitioner appealed from the denial of a prior authorization request for SLT, procedure code 92526, for 26 sessions. However, the OIG subsequently approved the request, following submission of additional information. Because the OIG has now approved the requested service, the issue is moot and there is nothing for me to order here.

CONCLUSIONS OF LAW

Because the OIG has now approved the requested 26 sessions of SLT for procedure code 92526, the issue is moot and there is nothing for me to order here.

THEREFORE, it is

ORDERED

That the petition herein be 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 served and 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 17th day of June, 2013

\sKelly Cochrane
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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Madison, WI 53705-5400

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The preceding decision was sent to the following parties on June 17, 2013.

Division of Health Care Access And Accountability