



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of



DECISION

FOO/149620

PRELIMINARY RECITALS

Pursuant to a petition filed May 22, 2013, under Wis. Admin. Code § HA 3.03(1), to review a decision by the Washington County Department of Social Services in regard to FoodShare benefits (FS), a hearing was held on June 25, 2013, at West Bend, Wisconsin.

There is no issue for determination by the Division of Hearings and Appeals at this time.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:



Respondent:

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

By: Julie Williamson

Washington County Department of Social Services
333 E. Washington Street, Suite 3100
West Bend, WI 53095

ADMINISTRATIVE LAW JUDGE:

David D. Fleming
Division of Hearings and Appeals

FINDINGS OF FACT

- 1. Petitioner (CARES # [redacted]) is a resident of Washington County.
2. Petitioner filed an appeal for Division of Hearings and Appeals on May 22, 2013 concerning her BadgerCare+ benefits. The appeal also states that she would like to have her eligibility for FoodShare benefits reviewed.
3. Petitioner's FoodShare case has not been open since May 2012. There is no negative action by the agency involving Petitioner's FoodShare at this time.

DISCUSSION

There is no issue for determination by the Division of Hearings and Appeals involving Petitioner's FoodShare benefits at this time. That case closed in May of 2012. There was no appeal. There has been no new application.

When this was noted at hearing, Petitioner indicated that she understood and would reapply for FoodShare benefits. Should the reapplication result in a denial or benefits in an amount that Petitioner does not believe is correct she may again appeal.

CONCLUSIONS OF LAW

There is no issue for determination by the Division of Hearings and Appeals at this time involving Petitioner's FoodShare benefits.

THEREFORE, it is

ORDERED

That this appeal 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 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 15th day of July, 2013

\sDavid D. Fleming
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 July 15, 2013.

Washington County Department of Social Services
Division of Health Care Access and Accountability