



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

DECISION

MGE/150646

On July 15, 2013, the above-named petitioner (CARES # [REDACTED]) requested a hearing. A hearing was held on August 22, 2013, and at that time the parties reached a stipulated agreement. The Dane County Department of Human Services was represented by Heidi Feldman. The stipulated agreement follows:

That the administrative law judge found on the record at the hearing that the petitioner was a resident of Wisconsin until June 17, 2013, when his intent to reside in Wisconsin ended, and he thereafter intended to reside in Montana.

That county agency agrees to accept bank statements already provided as proof of assets previously sought, and in light of the judge's finding at the hearing of Wisconsin residency through June 17, 2013, the agency agreed to review and re-determine MA eligibility retroactive to the first date sought under the application of March 18, 2013, through June 17, 2013, when residency ended.

That the county agency will take the above agreed-upon action within ten (10) days of the date this stipulation is issued, with written notice. As an aside to the petitioner, if he is again aggrieved by the ultimate re-determination, he must file a *new* appeal at that time.

NOW, THEREFORE, it is

ORDERED

That the matter be remanded to the county agency with instructions: to take all administrative steps in accordance with the above stipulation, to review and re-determine the petitioner's eligibility for MA retroactive to the first date of eligibility under his application, with written notice. These actions shall be completed within 10 days of the date of this Decision.

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 OF 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 Wisconsin Statutes § 227.49. A copy of the statutes can be found at your local library or courthouse.

APPEAL TO COURT

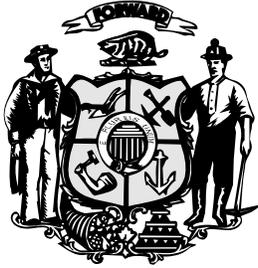
You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed no more than 30 days after the date of this hearing decision (or 30 days after a denial of a rehearing, if you ask for one).

For purposes of appeal to Circuit Court, the respondent in this matter is the Department of Health Services. Appeals must be served on the Office of the Secretary of that Department, either personally or by certified mail. The address of the Department is: 1 West Wilson Street, Madison, Wisconsin, 53703.

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 Wisconsin Statutes §§ 227.52 and 227.53.

Given under my hand at the City of
Madison, Wisconsin, this 26th day of
August, 2013

\sKenneth Duren
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 August 26, 2013.

Dane County Department of Human Services
Division of Health Care Access and Accountability