



FH
[REDACTED]

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

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

CCB/150652

PRELIMINARY RECITALS

Pursuant to a petition filed July 11, 2013, under Wis. Admin. Code §HA 3.03(4), to review a decision by the Dane County Department of Human Services in regard to Child Care, a telephone hearing was held on August 13, 2013. This hearing was held in conjunction with hearings BCS/150649 and FOO/150650.

There is no issue for determination, as petitioner did not apply for Child Care benefits, and therefore was never denied Child Care benefits.

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Children and Families
201 East Washington Avenue
Madison, Wisconsin 53703

By: Ed Shefke

Dane County Department of Human Services
1819 Aberg Avenue
Suite D
Madison, WI 53704-6343

ADMINISTRATIVE LAW JUDGE:

Peter McCombs
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of [REDACTED], Minnesota.

2. Petitioner (CARES # [REDACTED]) is a resident of [REDACTED], MN; she lived in [REDACTED], WI in February and March of 2013.
3. Petitioner applied for Medical Assistance (MA) benefits on March 25, 2013, requesting benefits to commence in February, 2013.
4. On May 6, 2013, respondent issued a notice to petitioner denying her request for MA benefits due to the fact that she resided in [REDACTED], Minnesota.
5. The March 25, 2013, application for MA benefits specifically noted that petitioner did not request Child Care benefits.
6. Petitioner filed an appeal of the MA denial on July 11, 2013, and indicated that she was also appealing a denial of Child Care benefits.
7. Petitioner did not apply for Child Care benefits. There is no record of respondent's denial of a Child Care application from petitioner.

DISCUSSION

Petitioner submitted an appeal dated July 11, 2013. Under the heading, "Check Type Of Benefit And Action Taken That You Are Appealing," petitioner checked "Application Denied" for every benefit listed. This Child Care appeal appears to have been requested and opened in error, since petitioner's application specifically indicates that she was not seeking Child Care benefits.

CONCLUSIONS OF LAW

There is no issue for determination by this Administrative Law Judge as petitioner has not requested Child Care benefits, nor has the respondent denied Child Care benefits for petitioner.

NOW, THEREFORE, it is

ORDERED

That petitioner's appeal is hereby 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 Children and Families. 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: 201 East Washington Avenue, 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 Madison,
Wisconsin, this 18th day of September, 2013

\sPeter McCombs
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 September 18, 2013.

Dane County Department of Human Services
Child Care Benefits