



FH  
[REDACTED]

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

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In the Matter of

[REDACTED]  
[REDACTED]  
[REDACTED]

DECISION

MGE/151969

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**PRELIMINARY RECITALS**

Pursuant to a petition filed September 11, 2013, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by the Oconto County Department of Health And Human Services in regard to Medical Assistance (MA), a hearing was held on October 8, 2013, by telephone.

The issue for determination has been resolved.

There appeared at that time the following persons:

**PARTIES IN INTEREST:**

Petitioner:

[REDACTED]  
[REDACTED]  
[REDACTED]

Respondent:

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

By: Judy Patenaude, ES Worker

Oconto County Department of Health And Human Servi  
501 Park Avenue  
Oconto, WI 54153-1612

**ADMINISTRATIVE LAW JUDGE:**

Nancy J. Gagnon  
Division of Hearings and Appeals

**FINDINGS OF FACT**

1. Petitioner (CARES # [REDACTED]) is a resident of Oconto County.
2. The petitioner requested Elderly/Blind/Disabled (EBD) Medicaid in a case review for another program in August 2013. The agency issued an application signature page and a self-employment income verification form (the petitioner does odd jobs) to the petitioner shortly thereafter. When the agency did not receive these items back in a timely fashion, it denied the

EBD MA. However, the agency subsequently received these items, and has now opened an EBD MA case for the petitioner, with coverage going back to June 1, 2013.

3. The petitioner stated at hearing that he is satisfied with the granting of EBD MA coverage beginning June 1, 2013.

### **DISCUSSION**

After an earlier denial, the agency has now certified the petitioner for EBD MA effective June 1, 2013. The petitioner stated at hearing that he is satisfied with the granting of EBD MA coverage beginning June 1, 2013. Thus, no issue remains for resolution by the Administrative Law Judge.

### **CONCLUSIONS OF LAW**

After an earlier denial, the agency has now certified the petitioner for EBD MA effective June 1, 2013. The petitioner stated at hearing that he is satisfied with the granting of EBD MA coverage beginning June 1, 2013.

**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 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 Madison,  
Wisconsin, this 11th day of October, 2013

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\sNancy J. Gagnon  
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 October 11, 2013.

Oconto County Department of Health And Human Services  
Division of Health Care Access and Accountability