



FH
[REDACTED]

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

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

MGE/155245

PRELIMINARY RECITALS

Pursuant to a petition filed February 1, 2014, under Wis. Admin. Code, §HA 3.03(1), to review a decision by the Milwaukee Aging Resource Center (ARC) to deny State Supplemental Security Income (SSI) exceptional expense eligibility, a hearing was held on March 25, 2014, by telephone.

No issue remains for determination.

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By: Teresa Smith
Milwaukee ARC
1220 W. Vliet St., Suite 300
Milwaukee, WI 53205

ADMINISTRATIVE LAW JUDGE:

Brian C. Schneider
Division of Hearings and Appeals

DISCUSSION

Petitioner (CARES # [REDACTED]) applied for the State SSI Supplemental Expense benefit (SSI-E) and appealed after being denied by a notice dated January 2, 2014. Prior to the hearing Ms. Smith discovered that petitioner had been approved for SSI-E in late 2012 but the agency failed to follow through and process the eligibility. Ms. Smith took action to grant petitioner SSI-E retroactive to November, 2012, and reported that petitioner already should have received a lump sum payment of \$1,535 for the seventeen months since November, 2012. Monthly eligibility will continue. Because the matter has been resolved in petitioner's favor, I will dismiss the appeal as no further action needs to be taken.

THEREFORE, it is

ORDERED

That the petition for review herein be and the same is hereby dismissed.

REQUEST FOR A REHEARING

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or 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 with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, Madison, Wisconsin 53703, **and** on those identified in this decision as "PARTIES IN INTEREST" **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Madison,
Wisconsin, this 27th day of March, 2014

\sBrian C. Schneider
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin \DIVISION OF HEARINGS AND APPEALS

Brian Hayes, Administrator
Suite 201
5005 University Avenue
Madison, WI 53705-5400

Telephone: (608) 266-3096
FAX: (608) 264-9885
email: DHAmail@wisconsin.gov
Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on March 27, 2014.

Milwaukee Cty Dept On Aging-ARC
Division of Health Care Access and Accountability