



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

MGE/155735

PRELIMINARY RECITALS

Pursuant to a petition filed February 24, 2014, under Wis. Stat., §49.45(5), to review a decision by the Dane County Dept. of Human Services to discontinue Medical Assistance (MA), a hearing was held on April 9, 2014, by telephone.

The issue for determination is whether the county correctly sought to close MA after a review.

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

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

By: Darcy Stecklein
Dane County Dept. of Human Services
1819 Aberg Avenue
Madison, WI 53704-6343

ADMINISTRATIVE LAW JUDGE:

Brian C. Schneider
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Dane County.
2. Petitioner received MA as a disabled adult. He was scheduled for a review to be completed by the end of February, 2014. He did all the necessary review actions, and he reported a new bank account.
3. The county requested verification of his bank account balances with a due date of February 6, 2014. Petitioner did not provide the verification.

4. By a notice dated February 7, 2014, the county informed petitioner that MA would end March 1, 2014 because he did not provide verification.
5. Petitioner filed this appeal. Benefits were continued pending the decision.

DISCUSSION

An MA recipient must complete periodic reviews to continue eligibility. Wis. Admin. Code, §DHS 102.04(3); BC+ Handbook, Appendix 26.1. The recipient is required to verify information that can affect eligibility. Wis. Admin. Code, §DHS 102.03. If the household fails to verify required information by the time limit, the agency may deny the benefits. Wis. Admin. Code, §DHS 102.03(1).

Petitioner was confused by the notice which gave, as the first reason for discontinuance, that income was over the limit. That, however, has always been the case. The real reason for the current action was that petitioner failed to verify his bank accounts, particularly after reporting a new account.

At this point I conclude that the county action was correct because petitioner did not provide the verification. Petitioner can still provide the verification, at which time his case will be updated.

CONCLUSIONS OF LAW

The county correctly discontinued MA because petitioner did not provide required verification.

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 21st day of April, 2014

\sBrian C. Schneider
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 April 21, 2014.

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