



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

AMENDED DECISION ON REHEARING

CWA/156006

PRELIMINARY RECITALS

Pursuant to a petition filed March 11, 2014, under Wis. Admin. Code §DHS 10.55, to review a decision by the Ozaukee County Department of Social Services in regard to Medical Assistance, a telephonic hearing was held on May 08, 2014. On May 22, 2014 a Decision was issued by the Administrative Law Judge (ALJ). On June 2, 2014 the respondent requested a rehearing, which was granted. As no further evidence was necessary to amend the decision, no in-person rehearing was necessary, and the rehearing was conducted on the evidence in the record.

THEREFORE, the following language is AMENDED in the DISCUSSION section from the original Decision with strikeouts indicating deletion and [] indicating addition:

Under these circumstances, I find that the agency cannot deny the application on that basis. I will remand the matter with instructions that it continue processing the application with the original filing date, ~~with eligibility to be determined beginning December 2013,~~ using the information it already has. ~~However, given the information about other assets (sale of businesses) at hearing, and the fact that the eligibility was later determined under a February filing date, I will allow 30 days to reprocess the application should the agency need any further verification. If no further verification is needed, the case shall be redetermined within 10 days.~~

Finally, I note ~~to avoid any confusion for the parties that the case type/name/number was changed post-hearing to accurately reflect that this case references a Family Care appeal (FCP).~~

[The case type/name is accurately referred to as originally named, CWA, and is again amended accordingly.]

AND THEREFORE, the following language is AMENDED in the ORDER section from the original Decision with strikeouts indicating deletion and [] indicating addition:

That this matter is remanded to the county agency with instructions that within 10 days of the date of this decision it continue processing petitioner's MA application filed on January 2, 2014 [and to issue a notice of decision regarding same] ~~for which petitioner seeks eligibility to begin in December 2013. If the agency requires any further~~

~~verification the redetermination shall be completed within 30 days of the date of this decision.~~

Given under my hand at the City of Milwaukee,
Wisconsin, this 23rd day of June, 2014

\sKelly Cochrane
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 June 23, 2014.

Ozaukee County Department of Social Services
Bureau of Long-Term Support
Attorney Sarah Burnett