



FH
[REDACTED]

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

In the Matter of:

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

CTS/157384

PRELIMINARY RECITALS

Pursuant to a petition filed May 2, 2014, under Wis. Stat. § 227.42, to review a decision by the Rock County Department of Social Services ["County"] in regard to Medical Assistance ["MA"], a Hearing was held via telephone on July 2, 2014.

The issue for determination is whether it was correct to deny petitioner's February 2014 application for the CareTaker Supplement ["CTS"] benefit.

There appeared at that time via telephone the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

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

By: Pam Edmonds, ES Supervisor
Jason Klingaman, ESS
Rock County Department of Social Services
1900 Center Avenue
PO Box 1649
Janesville, WI 53546

ADMINISTRATIVE LAW JUDGE:

Sean P. Maloney
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Rock County, Wisconsin.
2. In February 2014 petitioner, as a parent, applied for CTS.
3. Petitioner does not receive federal Supplemental Security Income ["SSI"] or a Wisconsin State SSI Supplement payment (SSI State Supplement).
4. By a letter notice dated March 26, 2014 entitled *About Your Benefits* petitioner's February 2014 application for CTS was denied because he was not receiving SSI or SSI State Supplement.

DISCUSSION

A person is eligible for a CTS benefit only if, among other things, the person is a recipient of SSI or a recipient of SSI State Supplement (or both). Wis. Stat. § 49.775(2)(a) (2011-12); *SSI Caretaker Supplement (CTS) Handbook* ["CTS Handbook"], 3.1.4. In order to be eligible for CTS each parent in a 2-parent household must be receiving either SSI or a SSI State Supplement. Wis. Stat. § 49.775(2)(b) (2011-12); CTS Handbook 3.1.4.

In this case petitioner does not receive SSI or a SSI State Supplement. He does not dispute this. Therefore, he is not eligible for CTS.

Petitioner testified that he had been told that there is eligibility for CTS if only 1 parent is disabled. As outlined above, that is not correct.

CONCLUSIONS OF LAW

For the reasons explained above, it was correct to deny petitioner's February 2014 application for CTS.

NOW, 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 10th day of July, 2014

\sSean P. Maloney
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 July 10, 2014.

Rock County Department of Social Services
Division of Health Care Access and Accountability