



FH
[REDACTED]

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

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION
[REDACTED]
MGE/157669

PRELIMINARY RECITALS

Pursuant to a petition filed May 16, 2014, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by the Milwaukee Enrollment Services in regard to Medical Assistance, a telephonic hearing was held on June 18, 2014, at Milwaukee, Wisconsin.

The issue for determination is whether there is any remaining issue in dispute regarding the calculation of petitioner's remaining MA deductible balance as of June 17, 2014 and the June 1, 2014 discontinuance of his MA.

There appeared at that time and place 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: Pang Thao-Xiong, HSPC senior
Milwaukee Enrollment Services
1220 W Vliet St, Room 106
Milwaukee, WI 53205

ADMINISTRATIVE LAW JUDGE:

Gary M. Wolkstein
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Milwaukee County who received EBD Medical Assistance (MA) for a household of one.

2. Milwaukee Enrollment Services (MES) sent a notice to the petitioner stating that petitioner's MA would discontinue effective June 1, 2014, due to his assets above the MA asset eligibility limit resulting in an MA deductible.
3. During the June 18, 3024 hearing, MES representative, Pang Thao-Xiong, explained in detail to petitioner that after applying petitioner's submitted medical bills, the petitioner remaining MA deductible was \$420.28 as of June 17, 2014. Ms. Xiong explained that once he sends in new outstanding medical bills to MES, petitioner will become MA asset eligible.
4. After hearing MES representative's explanations, petitioner stipulated that he was no longer disputing the calculation of his MA deductible or the June 1, 2014 discontinuance, and there was no longer any remaining issue in dispute in this appeal.

DISCUSSION

During the June 18, 2014 hearing, petitioner explained that he requested the hearing because he did not understand how his MA deductible has been calculated to result in the June 1, 2014 discontinuance of his MA. After hearing MES representative's explanations, petitioner stipulated that he was no longer disputing the calculation of his MA deductible, and there was no remaining issue in dispute in this MA appeal.

As dicta, the petitioner should promptly submit to Milwaukee Enrollment Services (MES) his new, outstanding medical bills to apply against his remaining MA deductible to become MA asset eligible.

CONCLUSIONS OF LAW

There is no longer any remaining issue in dispute regarding the June 1, 2014 discontinuance of petitioner's MA or the calculation of petitioner's MA deductible as of June 17, 2014.

THEREFORE, it is

ORDERED

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 11th day of August, 2014

\sGary M. Wolkstein
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 August 11, 2014.

Milwaukee Enrollment Services
Division of Health Care Access and Accountability