



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[Redacted]
[Redacted]
[Redacted]
[Redacted]

DECISION

BCS/158510

PRELIMINARY RECITALS

Pursuant to a petition filed June 18, 2014, under Wis. Stat. § 49.45(5)(a), to review a decision by the Dunn County Department of Human Services in regard to Medical Assistance, a hearing was held on August 21, 2014, at Menomonie, Wisconsin. A hearing scheduled for July 17, 2014, was rescheduled at the petitioner's request.

The issue for determination is whether the petitioner was eligible for BadgerCare Plus benefits as of April 11, 2014.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[Redacted] |
[Redacted]
[Redacted]
[Redacted]

Respondent:

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

By: Misty Berg
Dunn County Department of Human Services
808 Main Street
PO Box 470
Menomonie, WI 54751

ADMINISTRATIVE LAW JUDGE:

Michael D. O'Brien
Division of Hearings and Appeals

FINDINGS OF FACT

1. The petitioner (CARES # [REDACTED]) is a resident of Barron County.
2. The petitioner was eligible for BadgerCare Plus on May 8, 2014, with benefits retroactive to April 11, 2014.

DISCUSSION

The petitioner is concerned because he cannot determine whether the Wisconsin Medicaid program has paid his medical bills for April 2014. He was found eligible for the program on May 8, 2014, with benefits retroactive to April 11, 2014. Apparently, some claims for the period for which he has been found eligible were submitted before the eligibility determination. The worker explained that the petitioner's medical provider would have to resubmit these bills. The petitioner testified that the provider will not tell him whether his bills have been paid. I do not know why this would be the case, but in the end it only matters if the provider is trying to recover the payments from the petitioner. If the provider will not tell him whether the bills have been paid, it clearly is not making a claim against him. Regardless, if any provider does contact the petitioner about bills for services incurred between April 11, 2014, and July 31, 2014, when his eligibility ended because he moved to Minnesota, he should tell it to submit a claim to the Wisconsin Medicaid program. He should also explain that if it has previously submitted a claim for this period that was denied, it should resubmit the claim because he may not yet have been found eligible when the bill was first submitted.

In order to reduce the chance for further confusion, I am remanding this matter to the county agency with instructions to confirm the statements it made at the hearing and certify the petitioner as for benefits from April 11, 2014, through July 31, 2014.

CONCLUSIONS OF LAW

The petitioner was eligible for BadgerCare Plus from April 11, 2014, through July 31, 2014.

THEREFORE, it is

ORDERED

That this matter is remanded to the county agency with instructions that within 10 days of the date of this decision it certify that the petitioner was eligible for BadgerCare Plus from April 11, 2014, through July 31, 2014.

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 8th day of September, 2014

\sMichael D. O'Brien
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 September 8, 2014.

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