



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of



DECISION

CTS/158960

PRELIMINARY RECITALS

Pursuant to a petition filed July 11, 2014, under Wis. Stat. § 227.42, to review a decision by the Milwaukee Enrollment Services in regard to Medical Assistance, a telephonic hearing was held on August 06, 2014, at Milwaukee, Wisconsin. While the record was held open for one day, the Department sent verification of issuances to petitioner of her Caretaker Supplement and State SSI benefits for June, July, and August, 2014. See Exhibit 2.

The issue for determination is whether the Department issued Caretaker Supplement (CTS) benefits of \$400 each month to the petitioner for June and July, 2014.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:



Respondent:

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

By: Belinda Bridges, 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.
2. The petitioner received Caretaker Supplement benefits totaling \$400 for her two grandchildren.

3. The petitioner requested a hearing because she alleged that she did not receive her June and July, 2014 Caretaker Supplement benefits.
4. The Department submitted reliable evidence the \$400 in Caretaker Supplement (CTS) benefits was issued to her ETF care on June 18, 2014 for the month of June, 2014, and \$400 on June 18, 2014 for July, 2014 CTS benefits. The petitioner's \$400 in CTS benefits was issued to her card on July 23, 2014 for her August, 2014 CTS benefits. See Exhibit 2.
5. The petitioner was unable to provide any reliable evidence to refute that the Department issued \$400 in Caretaker Supplement (CTS) benefits to the petitioner for each of the months of June and July, 2014, as indicated in Finding of Fact #4 above.

### CONCLUSIONS OF LAW

The petitioner was unable to provide any reliable evidence to refute that the Department issued \$400 in Caretaker Supplement (CTS) benefits to the petitioner for each of the months of June and July, 2014, as indicated in Finding of Fact #4 above.

**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**

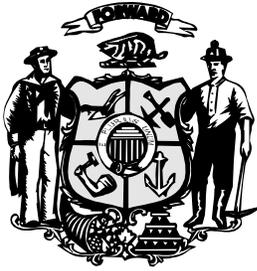
You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, Madison, Wisconsin 53703, **and** on those 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 6th day of November, 2014

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\sGary M. Wolkstein  
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 November 6, 2014.

Milwaukee Enrollment Services  
Division of Health Care Access and Accountability