



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
Redact
[REDACTED]

DECISION

MPA/159651

PRELIMINARY RECITALS

Pursuant to a petition filed August 04, 2014, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by the Division of Health Care Access and Accountability in regard to Medical Assistance, a telephone hearing was scheduled for December 17, 2014, at Milwaukee, Wisconsin. Prior to commencement of the hearing, petitioner withdrew his request for hearing on the record.

No issue remains for determination by this Administrative Law Judge.

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
Redact
[REDACTED]

Respondent:

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

By: Robert Derendinger, RN BSN
Division of Health Care Access and Accountability
1 West Wilson Street, Room 272
P.O. Box 309
Madison, WI 53707-0309

ADMINISTRATIVE LAW JUDGE:

Peter McCombs
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner is a resident of Milwaukee County.

2. On July 17, 2014, petitioner's provider submitted a prior authorization (PA) request for payment for an MRI, procedure code 73721.
3. On July 17, 2014, the respondent denied the PA request, indicating it the documentation submitted did not support the medical necessity of the MRI exam.

DISCUSSION

Prior to commencement of the hearing in the instant matter, petitioner indicated on the record that he no longer wished to pursue an MRI, and he withdrew his request for hearing. Petitioner explained that he had an upcoming appointment with his orthopedic physician, and planned to discuss future steps at that time.

Petitioner and his provider will submit a new prior authorization for an MRI should that be the preferred route, and if that PA is denied, petitioner will have the right to file a new fair hearing appeal at that time based upon that new action.

CONCLUSIONS OF LAW

That no issue remains for determination by this administrative law judge.

NOW, THEREFORE, it is ORDERED

That petitioner's appeal be 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 22nd day of December, 2014.

\sPeter McCombs
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 December 22, 2014.

Division of Health Care Access and Accountability