



STATE OF WISCONSIN  
Division of Hearings and Appeals

---

In the Matter of

Redact

DECISION

MQB/161625

---

**PRELIMINARY RECITALS**

Pursuant to a petition filed October 29, 2014, under Wis. Stat., §49.45(5), to review a decision by the Calumet County Dept. of Human Services in regard to Medicare Premium Assistance, a hearing was held on December 11, 2014, by telephone.

No issue remains for determination.

**PARTIES IN INTEREST:**

Petitioner:

Redact

Respondent:

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

By: Lynn Brenner  
Calumet County Dept. of Human Services  
206 Court Street  
Chilton, WI 53014-1198

**ADMINISTRATIVE LAW JUDGE:**

Brian C. Schneider  
Division of Hearings and Appeals

**FINDINGS OF FACT**

1. Petitioner (CARES # Redact) is a resident of Calumet County.
2. Petitioner receives social security benefits and is eligible for Medicare Premium assistance through the state. She was informed by the Social Security Administration (SSA) by a notice dated July 31, 2014 that it would be deducting the premium from her monthly payment beginning September 1, 2014.
3. Petitioner filed this appeal seeking state coverage of the premiums.

4. Petitioner has been eligible for the premium assistance since at least August, 2014. The SSA informed the county worker that the matter was corrected and petitioner will be reimbursed.

### **DISCUSSION**

Qualified Medicare Beneficiary (QMB), Special Low Income Medicare Beneficiary (SLMB), and SLMB Plus are programs which provide assistance with Medicare Part B premiums for persons whose incomes are over the regular Medical Assistance limits. All three programs pay the entire Part B premium. See the MA Handbook, Appendix 32.1.1 for a full description of the programs.

Petitioner's state record shows SLMB and QMB eligibility ongoing since at least August, 2014. Thus any premiums deducted from her social security should be reimbursed to her. At this point the state agency has done all that it can do; it now is up to the SSA to reimburse petitioner. I thus will dismiss the appeal because the state agency already has taken the action to reinstate petitioner's eligibility.

### **CONCLUSIONS OF LAW**

No issue remains for determination.

**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 18th day of December, 2014

---

\sBrian C. Schneider  
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](mailto:DHAmail@wisconsin.gov)  
Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on December 18, 2014.

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