



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

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DECISION

MQB/164757

PRELIMINARY RECITALS

Pursuant to a petition filed March 17, 2015, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by the Racine County Department of Human Services in regard to Medical Assistance, a hearing was held on April 22, 2015, at Racine, Wisconsin.

There remains no issue for determination.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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Respondent:

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

By: Virginia Chabrier

Racine County Department of Human Services
1717 Taylor Ave
Racine, WI 53403-2497

ADMINISTRATIVE LAW JUDGE:

Corinne Balter
Division of Hearings and Appeals

FINDINGS OF FACT

1. The petitioner is a resident of Racine County.
2. On February 24, 2015 the petitioner applied for Medicaid coverage with a 3 month back date to November 2014.

3. On March 2, 2015 the agency sent the petitioner a request for verification with a March 26, 2015 due date.
4. On March 10, 2015 the petitioner's representative faxed a verification packet to the agency. The verification packet included a consent for admission at the petitioner's long term care facility. The petitioner's representative believed that she had also faxed verification of the petitioner's pension income. One of the pages of this faxed packet did not go through. At the hearing the petitioner's representative testified that this was the pension income verification.
5. The agency sent the petitioner's two subsequent notices stating that they needed additional verification of the petitioner's living arrangements and pension income. The petitioner did not provide any additional verification.
6. On March 27, 2015 the agency sent the petitioner a notice stating that they denied her application for failing to provide the required verification.
7. On March 16, 2015 the Division of Hearings and Appeals received the petitioner's request for fair hearing.

DISCUSSION

At the hearing the petitioner's representative testified that they were attempting to obtain Medicaid coverage effective February 25, 2015. That is the date that the petitioner entered a long term care facility. The agency representative agreed that she would accept the consent for admission as verification of the petitioner's living arrangements. The petitioner's representative agreed to provide the agency verification of the petitioner's pension income. Following the hearing the petitioner's representative provided the required verification. The agency accepted that verification, and on April 28, 2015 the agency sent the petitioner a notice stating that effective February 25, 2015 the petitioner was enrolled in nursing home long-term care coverage. February 25, 2015 is the date of the petitioner's admission to the long term care facility. Thus, there remains no issue for determination.

CONCLUSIONS OF LAW

There remains no issue for determination.

THEREFORE, it is

ORDERED

That the petition is 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 Milwaukee,
Wisconsin, this 30th day of April, 2015

\sCorinne Balter
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 April 30, 2015.

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