



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of



DECISION

MQB/164815

PRELIMINARY RECITALS

Pursuant to a petition filed March 18, 2015, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by the Dodge County Department of Human Services in regard to Medical Assistance (MA), a hearing was held on April 15, 2015, by telephone.

The issue for determination has been resolved.

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:



Respondent:

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

By: [Redacted] ES Spec.
Dodge County Department of Human Services
143 E. Center Street
Juneau, WI 53039-1371

ADMINISTRATIVE LAW JUDGE:

Nancy J. Gagnon
Division of Hearings and Appeals

FINDINGS OF FACT

- 1. Petitioner (CARES # [Redacted]) is a resident of Dodge County.
2. The petitioner has an ongoing FoodShare and Medicare Premium Assistance case. The case underwent a periodic review in February 2015, at which time financial verification was requested. Upon receiving verification in March, the agency determined that that petitioner was no longer eligible for Medicare Premium Assistance.

3. On March 3, 2015, the Department issued written notice advising the petitioner that her Medicare Premium Assistance would be discontinued effective April 1, 2015. The petitioner appealed.
4. The petitioner turned in additional documentation to the agency prior to hearing. By the time of hearing, the agency agreed that the petitioner is eligible for Medicare Premium Assistance from May 1, 2015, forward. The petitioner agreed with that result.

### DISCUSSION

The petitioner turned in additional documentation to the agency prior to hearing. By the time of hearing, the agency agreed that the petitioner is eligible for Medicare Premium Assistance from May 1, 2015, forward, and certified the petitioner accordingly. The petitioner agreed with that result at hearing. Thus, no issue remains for resolution by this Judge.

### CONCLUSIONS OF LAW

1. The petitioner is certified for Medicare Premium Assistance from May 1, 2015 forward; no issue remains for resolution by this Judge.

**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 Madison,  
Wisconsin, this 16th day of April, 2015

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\sNancy J. Gagnon  
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 16, 2015.

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