



FH

Redact

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

In the Matter of

[Redacted]
[Redacted]
Redact
[Redacted]

DECISION

MSI/165821

PRELIMINARY RECITALS

Pursuant to a petition filed April 29, 2015, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03, to review a decision by the Division of Health Care Access and Accountability in regard to Medical Assistance, a hearing was held on June 19, 2015, at New Richmond, Wisconsin.

The issue for determination is whether the petitioner is eligible for medical assistance as a result of receiving SSI.

There appeared at that time and place 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: [Redacted] (*Redact*) (written submission)

ADMINISTRATIVE LAW JUDGE:

Michael D. O'Brien
Division of Hearings and Appeals

FINDINGS OF FACT

1. The petitioner (CARES # [Redacted]) is a resident of St. Croix County.
2. The petitioner's medical assistance ended temporarily but was later reinstated without a loss of any benefits.

DISCUSSION

The petitioner receives medical assistance as a result of receiving federal disability payments. The federal government notified the state that she was no longer eligible for benefits, and the state moved to end her medical assistance. The federal government has since determined that she is eligible for its benefits, and Wisconsin reinstated her medical assistance as of June 1, 2015, the date it had previously ended those benefits. It appears that she has not lost any benefits. To ensure that her medical assistance benefits are actually reinstated, I will order the agency to certify that it has done so.

CONCLUSIONS OF LAW

The petitioner is eligible for medical assistance because she receives federal disability payments.

THEREFORE, it is

ORDERED

That this matter is remanded to the Division of Health Care Access and Accountability with instructions that it certify that it has reinstated the petitioner's medical assistance without any lapse of benefits.

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 25th day of June, 2015

\sMichael D. O'Brien
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 June 25, 2015.

Division of Health Care Access and Accountability
State SSI