



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of



DECISION

BCS/167592

PRELIMINARY RECITALS

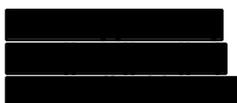
Pursuant to a petition filed July 27, 2015, under Wis. Stat. § 49.45(5)(a), to review a decision by the Ozaukee County Department of Social Services in regard to Medical Assistance, a hearing was held on August 20, 2015, at Port Washington, Wisconsin.

There is no longer any issue for determination by the Division of Hearings and Appeals.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:



Respondent:

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

By: Kare Niemuth, Economic Support Analyst
Ozaukee County Department of Social Services
121 W. Main Street
PO Box 994
Port Washington, WI 53074-0994

ADMINISTRATIVE LAW JUDGE:

Mayumi M. Ishii
Division of Hearings and Appeals

DISCUSSION

On July 27, 2015, the Petitioner filed an appeal to contest the termination of his BadgerCare Benefits. A hearing was scheduled for August 20, 2015 at 11:30 a.m. ALJ Ishii was not able to reach the Petitioner at the designated time and left a voice-mail message indicating that the appeal would be dismissed as abandoned if the Petitioner did not call the Division of Hearings and Appeals and state otherwise.

At 4:34 p.m. on August 29, 2015, the Petitioner called and left a voicemail message indicating that he was at work at the time of the hearing. The Petitioner also indicated that he no longer needed his hearing and that he thought he had taken the proper steps to withdraw / cancel the hearing. Because there is no longer any issue in dispute regarding Petitioner's BadgerCare benefits, this appeal will be dismissed.

If I have misunderstood the situation, the Petitioner is directed to the rehearing instructions below.

CONCLUSIONS OF LAW

There is no longer any issue for determination by the Division of Hearings and Appeals.

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 21st day of August, 2015.

\sMayumi M. Ishii
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 August 21, 2015.

Ozaukee County Department of Social Services
Division of Health Care Access and Accountability