



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of



DECISION

MAP/168515

PRELIMINARY RECITALS

Pursuant to a petition filed September 04, 2015, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03, to review a decision by the Green County Department of Human Services in regard to Medical Assistance, a hearing was held on October 13, 2015, at Monroe, Wisconsin.

The issue for determination is whether the agency erred in its termination of MAP effective 9/1/15.

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: [Redacted]

Green County Department of Human Services
N3152 State Road 81
Monroe, WI 53566

ADMINISTRATIVE LAW JUDGE:

John P. Tedesco
Division of Hearings and Appeals

FINDINGS OF FACT

- 1. Petitioner (CARES # [Redacted]) is a resident of Green County.
2. Petitioner was a beneficiary of the MAPP program.
3. On August 4, 2015 petitioner called the agency to report a change. Petitioner reported that her husband was no longer self-employed but had begun working for an employer.

4. The agency sent petitioner a Notice of Proof Needed on 8/5/15 requesting income verification from the employer in the form of pay stubs or an employer verification form. The Notice stated that the verification needed to be returned to the agency by 8/14/15.
5. The agency had not received the verification of income by 8/17/15 and the MAPP case was closed effective 9/1/15. A notice of termination was sent on 8/17/15.
6. Petitioner appealed.

DISCUSSION

The Medicaid Purchase Plan ([MAPP](#)) is a subprogram of the Wisconsin Medicaid Program. It allows disabled adults who are working or want to work to become or remain Medicaid eligible, even if employed, since there are higher income limits. *MA Eligibility Handbook (MEH)*, §26.1. An applicant for MA or a representative acting on the applicant’s behalf is responsible for providing the agency with full, correct, and truthful information. Wis. Adm. Code § DHS 102.01(6). Income and assets must be verified. Wis. Admin. Code § DHS 102.03(3) (a) and (h). **MA shall be denied or discontinued when the applicant/recipient is able to produce the required verification but fails to do so.** Wis. Admin. Code § DHS 102.03(1). (Emphasis added).

At hearing, petitioner stated that she had the income verification with her. She conceded that she had not yet provided it to the agency. While petitioner’s argument regarding delay caused by not having pay stubs for two weeks after beginning the job may have had merit to explain a slight delay, the request was made on August 5 and the information had still not been provided by October 13. The agency has no obligation to provide public benefits for persons who choose not to provide requested income verification. The agency did not err.

CONCLUSIONS OF LAW

The agency correctly terminated MAP because the petitioner failed to provide the requested income verification.

THEREFORE, it is **ORDERED**

That this appeal 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 12th day of November, 2015

\sJohn P. Tedesco
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 November 12, 2015.

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