



FH
[REDACTED]

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

In the Matter of

[REDACTED]
[REDACTED]
c/o [REDACTED]
[REDACTED]
[REDACTED]

DECISION ON REHEARING

MAP/171832

PRELIMINARY RECITALS

Pursuant to a petition filed February 1, 2016, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03, to review a decision by the Dodge County Department of Human Services in regard to MAPP, a Medical Assistance (MA) – related program, a hearing was scheduled for March 15, 2016. When the petitioner did not appear, the matter was dismissed on March 16, 2016. The petitioner’s representative filed a timely rehearing request, which was granted. A hearing was then held on April 20, 2016, by telephone.

The issue for determination is whether the agency correctly discontinued the petitioner’s MAPP benefit effective January 31, 2016.

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]

By: [REDACTED], father & representative
payee

[REDACTED]
[REDACTED]

Respondent:

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

By: [REDACTED], E.S. 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, a disabled adult, had an open MAPP case through January 2016. His case was due for a required annual review. On January 4, 2016, the petitioner filed a MAPP review form, along with all needed financial verification. However, he did include a required piece of nonfinancial verification – proof that he was performing some form of paid work.
3. The petitioner made telephonic contact with the Department on December 28, 2015, and three times on January 27, 2016. In each contact, he was advised that he needed to verify that he was performing some sort of paid work to qualify for MAPP. The petitioner never provided verification of such work.
4. On December 29, 2015 (re-sent January 28, 2016 at petitioner’s request), the Department mailed written notice to the petitioner advising that his MAPP coverage would end effective January 31, 2016. The basis for discontinuance was that the petitioner had not verified that he was performing any amount of paid employment.

DISCUSSION

The Medicaid Purchase Plan (MAPP) is a subprogram of the Wisconsin Medicaid Program. It allows disabled adults who are working to become or remain Medicaid eligible, even if employed, because there are higher income limits. *MA Eligibility Handbook (MEH)*, §26.1, online at <http://www.emhandbooks.wisconsin.gov/meh-ebd/meh.htm>.

To qualify for MAPP, the Wisconsin Disability Determination Bureau must determine that a person meets the Social Security Disability/SSI disability standards. *Id.* § 26.3. There is no dispute that this petitioner is disabled. However, another condition of MAPP eligibility is that the person must be working, with a work episode occurring at least once monthly. *Id.*, § 26.3.3. The petitioner did not verify such work via his annual review. He also stated in his telephone contacts with the Department that he was unable to work. As a result, based on the information supplied by the petitioner, the agency acted correctly in closing his case effective January 31, 2016.

If the petitioner’s situation changes and he begins working, he is free to file a new MAPP application at any time.

CONCLUSIONS OF LAW

1. The Department correctly discontinued the petitioner’s MAPP case effective January 31, 2016, due to petitioner’s failure to meet and verify that he was meeting the employment eligibility criterion.

THEREFORE, it is

ORDERED

That the petition is dismissed.

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 22nd day of April, 2016

\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 22, 2016.

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