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STATE OF WISCONSIN  
Division of Hearings and Appeals

In the Matter of



DECISION

MGE- 174351

PRELIMINARY RECITALS

On May 11, 2016, the above petitioner filed a hearing request under Wis. Admin. Code, § HA 3.01, to challenge a decision by the Pierce County Department of Human Services regarding Medical Assistance (MA). The hearing was held on June 23, 2016, by telephone.

There is no issue for determination because the petitioner has conceded that the department acted correctly.

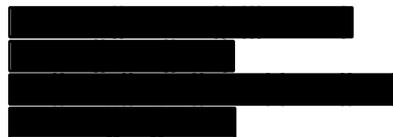
There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:



Respondent's Representative:



Respondent:

Department of Health Services  
1 West Wilson Street  
Madison, WI 53703



Pierce County Department of Human  
Services  
412 West Kinne Street  
PO Box 670  
Ellsworth, WI 54011

ADMINISTRATIVE LAW JUDGE:

Michael O'Brien  
Division of Hearings and Appeals

### FINDINGS OF FACT

1. The petitioner (CARES # [REDACTED]) is a resident of Pierce County.
2. The petitioner appealed an agency decision so that she could receive medical assistance for February 2016.
3. The petitioner's attorney submitted a letter to the Division of Hearings and Appeals dated June 23, 2016, indicating that she no longer challenged the agency's decision.

### DISCUSSION

The county agency denied the petitioner's request for medical assistance for February 2016 after determining that her assets exceeded the program's limit. The petitioner initially argued that enough of her assets had been transferred to an exempt trust that month to qualify for benefits. After the hearing, the petitioner's attorney submitted a letter dated June 23, 2016, conceding that her client's assertion was incorrect and that her assets did in fact exceed the limit in February. Because there is no other issue for determination, I will dismiss the appeal.

### CONCLUSIONS OF LAW

There is no issue for determination because the petitioner concedes that the agency acted correctly.

**THEREFORE, it is**

**ORDERED**

The petitioner's 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, **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).

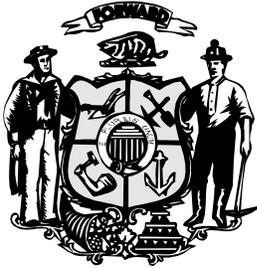
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The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Madison,  
Wisconsin, this 11th day of July, 2016

\s \_\_\_\_\_  
Michael 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 July 11, 2016.

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

