



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION
Case #: CTS-174777

PRELIMINARY RECITALS

Pursuant to a petition filed June 6, 2016, under Wis. Stat., §227.42, to review a decision by the Rock County Dept. of Social Services to discontinue Caretaker Supplement (CTS) benefits, a hearing was held on July 20, 2016, by telephone.

The issue for determination is whether petitioner's CTS and state Supplemental Security Income (SSI) have been discontinued.

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

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

By: [REDACTED]
Rock County Dept. of Social Services
P.O. Box 1649
Janesville, WI 53546

ADMINISTRATIVE LAW JUDGE:

Brian C. Schneider
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Rock County.
2. Petitioner received a notice dated May 31, 2016 saying that her CTS benefits would end July 1, 2016 because assets were too high and she no longer receives state SSI.

3. Prior to the hearing petitioner's state SSI re-started. By a notice dated June 20, 2016 the agency informed petitioner that CTS was re-opened for July.

DISCUSSION

This appeal was filed as a challenge to the termination of petitioner's CTS benefits. At the hearing petitioner explained that she meant to appeal the discontinuance of her state SSI. After the hearing I contacted the State SSI Office. The record there showed that the monthly state SSI payment of \$20.78 was ongoing with no lapse, and CTS also was open. I then checked petitioner's notice history and found the June 20 notice telling petitioner that CTS was open.

It is possible that petitioner has not yet received the CTS payment because of the brief closure. If not, she will receive it, possibly as a double payment in August.

CONCLUSIONS OF LAW

Petitioner's CTS benefits and state SSI have not been discontinued.

THEREFORE, it is

ORDERED

That the petition for review is hereby 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).

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 July, 2016

\s _____
Brian C. Schneider
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 22, 2016.

Rock Cty. Dept. of Social Services
Division of Health Care Access and Accountability