

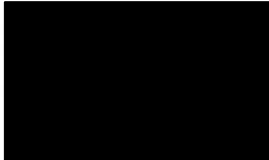


State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

Brian Hayes, Administrator
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May 9, 2025

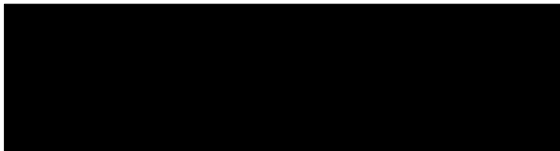


Pam Lano
Rock Cty Human Services
1900 Center Avenue
Janesville, WI 53546

RE: [REDACTED]
Case No. MGE - 216321

Dear Parties:

Enclosed is a copy of the Final Decision in the above-referenced matter.



Shannon Buboltz
Legal Associate Supervisor

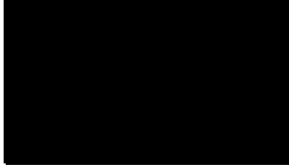
c: Southern Consortium - email
Division of Health Care Access and Accountability - email
[REDACTED]



FH
[REDACTED]

STATE OF WISCONSIN
Department of Health Services

In the Matter of



DECISION
Case #: MGE - 216321

The attached proposed decision of the hearing examiner dated March 24, 2025, is modified as follows and, as such, is hereby adopted as the final order of the Department.

PRELIMINARY RECITALS

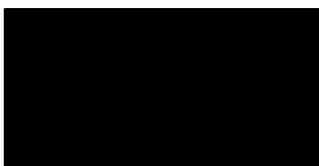
A petition was filed on December 17, 2024, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by Rock County Human Services. A hearing was initially scheduled for February 5, 2025; however, no Department of Health Services representative appeared for the hearing. The hearing was rescheduled to February 20, 2025, and was held by telephone.

The issue for determination is whether Rock County Human Services correctly terminated the petitioner from the Comprehensive Community Services program.

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:



Respondent:

Pam Lano, Division of Medicaid Services
Department of Health Services
1 West Wilson Street, Room 651
Madison, WI 53703

ADMINISTRATIVE LAW JUDGE:

Kate J. Schilling
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a [REDACTED] year old resident of Rock County. He receives Medicaid through the Children's Long Term Support (CLTS) waiver program.
2. The petitioner was born at 28 weeks of gestation. He has a medical history including adjustment disorder, ADD, and ADHD. He had been receiving mental health services under the Rock County Comprehensive Community Services (CCS) program for several years.
3. At school, the petitioner has an IEP and requires a 1:1 teacher's aide. He is at least 2 grade levels behind in reading and 1 grade level behind in math.
4. The petitioner receives 32 hours of respite hours per week through the CLTS program. These hours are used primarily on weekday mornings to help get the petitioner ready for school as he fights against personal cares, is destructive, does not tolerate transitions, and demonstrates self-injurious behavior such as choking himself. He also bangs his head against the wall when he is frustrated; and he will hit, kick, and bite others. He is incontinent of bladder and bowel.
5. On November 22, 2024, a functional screen was performed by Rock County staff for purposes of redetermining eligibility for the CCS program.
6. On December 10, 2024, Rock County mailed a notice to the petitioner that he no longer qualified for the CCS program and that his termination from the program was effective as of November 22, 2024.
7. On December 17, 2024, the petitioner filed this appeal with the Division of Hearings and Appeals.
8. The petitioner requested that benefits be continued pending the appeal; however, Rock County did not reinstate services in the interim.

DISCUSSION

Wisconsin counties are authorized to create and administer a CCS program under Wis. Stat. § 51.42(3). Respondent, the Department of Health Services (Department), has two functions related to the CCS program. First, it is authorized to certify and prescribe standards for county CCS programs under Wis. Stat. § 51.42(7). Second, the Department, as the entity responsible for administering the Medical Assistance Program (MA) in Wisconsin, may reimburse services provided to an MA-eligible individual by a CCS program under Wis. Stat. § 49.45(30e). The Department is authorized to create rules for both of these functions. See Wis. Stat. § 49.45(30e)(b) and Wis. Stat. § 51.42(7)(b). Those rules can be found at Wis. Admin. Code Ch. DHS 36. Those rules establish the scope of psychosocial service programs, standards for certification and criteria for determining the need for psychosocial rehabilitation services, and other conditions of coverage of community based psychosocial services under the MA program See Wis. Admin. Code § DHS 36.01.

On November 22, 2024, a functional screen was performed by Rock County staff for purposes of redetermining eligibility for the CCS program. On December 10, 2024, Rock County mailed a notice to the petitioner that he no longer qualified for the CCS program and that his termination from the program was

effective as of November 22, 2024. The petitioner filed this appeal with the Division of Hearings and Appeals on December 17, 2024.

The Department representative asserted at the hearing that the petitioner did not have a right to a fair hearing with the Division of Hearings and Appeals (DHA), and that DHA did not have jurisdiction to hear the case. The Department further asserted that the individual counties operate the CCS program, including deciding who is eligible, the eligibility criteria, and contracting with providers. There was also testimony that the Department does not direct providers, make coverage determinations, or have oversight over county decisions. Hence, the Department is not the entity that runs or administers the CCS program.

The Department stated at the hearing that the CCS program is governed by Wis. Admin. Code § DHS 36. The following provision provides that consumers who are on CCS and enrolled in MA have a right to a fair hearing.

(a) Discharge from the CCS shall be based on the discharge criteria in the service plan of the consumer unless any one of the following applies:

1. The consumer no longer wants psychosocial rehabilitation services.
2. The whereabouts of the consumer are unknown for at least 3 months despite diligent efforts to locate the consumer.
3. The consumer refuses services from the CCS for at least 3 months despite diligent outreach efforts to engage the consumer.
4. The consumer enters a long-term care facility for medical reasons and is unlikely to return to community living.
5. The consumer is deceased.
6. Psychosocial rehabilitation services are no longer needed.

(am) When a consumer is discharged from the CCS program, the consumer shall be given written notice of the discharge. The notice shall include all of the following:

1. A copy of the discharge summary developed under par. (b).
2. Written procedures on how to re-apply for CCS services.
3. **If a consumer is involuntarily discharged from the CCS program and the consumer receives Medical Assistance, the fair hearing procedures prescribed in s. DHS 104.01 (5).** For all other consumers, information on how the consumer can submit a written request for a review of the discharge to the department.

Note: A written request for review of the determination of need for psychosocial rehabilitation services should be addressed to the Bureau of Prevention, Treatment and Recovery, 1 W. Wilson Street, Room 850, P.O. Box 7851, Madison, WI 53707-7851.

(Emphasis added.) Wis. Admin. Code § DHS 36.17(5).

A similar reference to a fair hearing is stated within the provision for consumer rights within the CCS program in Wis. Admin. Code § 36.19(1)(c).

DHS 36.19 Consumer rights.

(1) The CCS shall comply with the patient rights and grievance resolution procedures in s. 51.61, Stats., and ch. DHS 94, and all of the following:

- (a) Choice in the selection of recovery team members, services, and service providers.
- (b) The right to specific, complete and accurate information about proposed services.
- (c) **For Medical Assistance consumers, the fair hearing process under s. DHS 104.01 (5).** For all other consumers how to request a review of a CCS determination by the department.

Note: A written request for review of the determination of need for psychosocial rehabilitation services should be addressed to the Bureau of Prevention, Treatment and Recovery, 1 W. Wilson Street, Room 850, P.O. Box 7851, Madison, WI 53707-7851.

(Emphasis added.) Wis. Admin. Code § 36.19(1)(c).

While these provisions allow for the fair hearing process to be available for MA recipients who receive services from a CCS program, they do not expand the scope of what fair hearing actions may be brought under Wis. Admin. Code § DHS 104.01(5).

Wisconsin Admin. Code § DHS 104.01(5) provides the following:

(a) Fair hearing.

1. Applicants and recipients have the right to a fair hearing in accordance with procedures set out in this subsection when aggrieved by action or inaction of the agency or the department. This subsection does not apply to actions taken by a PRO or to adverse benefit determinations made by a care management organization or managed care organization under s. 46.287 (2) (a) 1m. or 49.45 (5) (ag), Stats.

(b) Purpose of hearing. The purpose of the fair hearing is to allow a recipient to appeal department actions which result in the denial, discontinuation, termination, suspension or reduction of the recipient's MA benefits. The fair hearing process is not intended for recipients who wish to lodge complaints against providers concerning quality of services received, nor is it intended for recipients who wish to institute legal proceedings against providers. Recipients' complaints about quality of care should be lodged with the appropriate channels established for this purpose, to include but not limited to provider peer review organizations, consumer advocacy organizations, regulatory agencies and the courts.

(Emphasis added.) Wis. Admin. Code § DHS 104.01(5).

An MA recipient has a right to a fair hearing when aggrieved by an action or inaction of the Department or a county when the county is acting as the agency which administers an income maintenance program. See Wis. Admin. Code § DHS 101.03(8). In this matter, Rock County was not acting in its capacity as an income

maintenance agency. Instead, Rock County took this action as a county department responsible for administering a county CCS program. See Wis. Stat. § 51.42(3).

The purpose of a fair hearing is to allow an MA recipient to appeal a Department action which results in the denial, discontinuation, termination, suspension or reduction of the recipients MA benefits. An MA recipient enrolled in a CCS program has a right to a fair hearing if the Departments takes an action to deny, discontinue, terminate, suspend, or reduce, MA's coverage of services provided by a CCS program. A county's decision to terminate an individual from a county-administered program is outside the scope of a fair hearing allowed under Wis. Admin. Code § DHS 104.01(5).

The Division of Hearings and Appeals does not have jurisdiction to conduct a fair hearing on a county's decision to discharge an individual from a CCS program. This decision does not limit or preclude petitioner's ability to seek any other available remedy to contest Rock County's decision to discharge petitioner from its CCS program.

CONCLUSIONS OF LAW

The Division of Hearings and Appeals does not have jurisdiction over CCS program discharges.

THEREFORE, it is

ORDERED

This Decision is adopted by the Secretary of the Department of Health Services as the Final Decision in this matter.

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, 4822 Madison Yards Way, Madison, WI 53705-9100 **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, WI, 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 request (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 9 day
of May, 2025.



Kirsten L. Johnson, Secretary
Department of Health Services



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of



PROPOSED DECISION

Case #: MGE - 216321

PRELIMINARY RECITALS

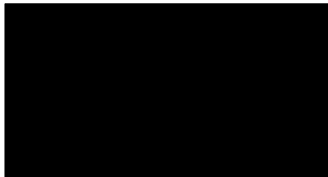
A petition was filed on December 17, 2024, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by Rock County Human Services regarding Medical Assistance (MA). A hearing was initially scheduled for February 5, 2025; however, no agency representative appeared for the hearing. The hearing was rescheduled to February 20, 2025, and was held by telephone.

The issue for determination is whether the agency correctly terminated the petitioner from the Comprehensive Community Services program (CCS).

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:



Respondent:

Pam Lano, Division of Medicaid Services
Department of Health Services
1 West Wilson Street, Room 651
Madison, WI 53703

ADMINISTRATIVE LAW JUDGE:

Kate J. Schilling
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a [REDACTED]-year old resident of Rock County. He receives Medicaid through the Children's Long Term Support (CLTS) waiver program.
2. The petitioner was born at 28 weeks of gestation. He has a medical history including adjustment disorder, ADD, and ADHD. He had been receiving mental health services under the Rock County Comprehensive Community Services (CCS) program for several years.
3. At school, the petitioner has an IEP and requires a 1:1 teacher's aide. He is at least 2 grade levels behind in reading and 1 grade level behind in math.
4. The petitioner receives 32 hours of respite hours per week through the CLTS program. These hours are used primarily on weekday mornings to help get the petitioner ready for school as he fights against personal cares, is destructive, does not tolerate transitions, and demonstrates self-injurious behavior such as choking himself. He also bangs his head against the wall when he is frustrated; and he will hit, kick, and bite others. He is incontinent of bladder and bowel.
5. On November 22, 2024, a functional screen was performed by Rock County staff (hereafter "agency") for purposes of redetermining eligibility for the CCS program.
6. On December 10, 2024, the agency mailed a notice to the petitioner that he no longer qualified for the CCS program and that his termination from the program was effective as of November 22, 2024.
7. On December 17, 2024, the petitioner filed this appeal with the Division of Hearings and Appeals.
8. The petitioner requested that benefits be continued pending the appeal; however, the agency did not reinstate services in the interim.

DISCUSSION

The CCS program was authorized under Wis. Stat. § 49.45(30e), which gave the respondent authority to create rules for the program. See also Wis. Stat. § 51.42(7)(b). Those rules can be found at Wis. Admin. Code Ch. DHS 36. Those rules establish the scope of psychosocial service programs, standards for certification and criteria for determining the need for psychosocial rehabilitation services, and other conditions of coverage of community based psychosocial services under the MA program. See Wis. Admin. Code § DHS 36.01.

On November 22, 2024, a functional screen was performed by Rock County staff for purposes of redetermining eligibility for the CCS program. On December 10, 2024, the agency mailed a notice to the petitioner that he no longer qualified for the CCS program and that his termination from the program was effective as of November 22, 2024. The petitioner filed this appeal with the Division of Hearings and Appeals on December 17, 2024.

The Department representative asserted at the hearing that the petitioner did not have a right to a fair hearing with the Division of Hearings and Appeals (DHA), and that DHA did not have jurisdiction to hear the case. Although it is true that the CCS program is not equivalent to a Medicaid health care benefit, the testimony by the Department at the hearing was that the CCS program is funded at least partially with Medicaid funding. Indeed, the Rock County website for the CCS program states that a person must receive Medicaid to qualify for the CCS program:

WHO IS ELIGIBLE?

CCS is available to children and adults who meet the following criteria:

- Rock County resident
- Eligible for Medicaid
- Have a mental health or substance abuse diagnosis
- Per the state functional screen, determined to need psychosocial rehabilitation services

HOW DO CLIENTS PAY FOR SERVICES?

CCS is a Medicaid program so consumers must be eligible for Medicaid.

(Rock County website, <https://www.co.rock.wi.us/departments/human-services/counseling-other-treatment-programs-behavioral-health/comprehensive-community-services-ccs> accessed 3/19/25).

The Department further asserted that the individual counties operate the CCS program, including deciding who is eligible, the eligibility criteria, and contracting with providers. There was also testimony that the Department does not direct providers, make coverage determinations, or have oversight over county decisions. Hence, the Department is not the entity that runs or oversees the program in the same way that it oversees direct Medicaid benefits. Rather, the Department's role is providing the funding stream for CCS. An argument could be made that the counties are acting as agents of the Department and presumably have a contract with the Department that lays out the duties and obligations of each party. In this sense, the county is an extension of the Department and steps into the shoes of the Department to administer the program.

The notice of appeal rights the petitioner received states, in part:

2) If you disagree with the decision or believe that the decision is incorrect, and currently receive Medical Assistance, you can request a fair hearing as outlined by the procedures prescribed in § DHS 104.01(5). Under these procedures, you can submit a written request indicating your desire to have your discharge from CCS reviewed. Please submit this request to:

Bureau of Prevention, Treatment, and Recovery
1 W. Wilson St. Room 850
P.O. Box 7851
Madison, WI 53707-7851

(Emphasis added.) The Wis. Admin. Code § DHS 104.01(5) references a person's right to a fair hearing with the Division of Hearings and Appeals after a reduction or termination of benefits. While a written notice itself cannot form the basis of the right to a fair hearing, the DHS Admin. Code referenced within this section arguably does.

The Wisconsin Admin. Code § DHS 104.01(5) provides the following:

(a) Fair hearing.

1. Applicants and recipients have the right to a fair hearing in accordance with procedures set out in this subsection when aggrieved by action or inaction of the agency or the department. This subsection does not apply to actions taken by a PRO or to adverse benefit determinations made by a care management

organization or managed care organization under s. 46.287 (2) (a) 1m. or 49.45 (5) (ag), Stats.

(b) Purpose of hearing. The purpose of the fair hearing is to allow a recipient to appeal department actions which result in the denial, discontinuation, termination, suspension or reduction of the recipient's MA benefits. The fair hearing process is not intended for recipients who wish to lodge complaints against providers concerning quality of services received, nor is it intended for recipients who wish to institute legal proceedings against providers. Recipients' complaints about quality of care should be lodged with the appropriate channels established for this purpose, to include but not limited to provider peer review organizations, consumer advocacy organizations, regulatory agencies and the courts.

(Emphasis added.) Wis. Admin Code § DHS 104.01(5). The Department also cites this administrative code provision in its argument that DHA does not have jurisdiction to hear cases involving the termination of CCS benefits as this provision refers to fair hearings for the purpose of "the denial, discontinuation, termination, suspension, or reduction of the recipient's MA benefits." Wis. Admin. Code § DHS 104.01(5)(b). The Department states that CCS benefits are not the same as "MA benefits" referenced in the administrative code provision; therefore, no right to a fair hearing exists.

The Department stated at the hearing that the CCS program is governed by Wis. Admin Code § DHS 36. Similar to Wis. Admin. Code § DHS 104.01(5), this provision also provides that consumers who are on CCS and Medicaid have a right to a fair hearing.

(a) Discharge from the CCS shall be based on the discharge criteria in the service plan of the consumer unless any one of the following applies:

1. The consumer no longer wants psychosocial rehabilitation services.
2. The whereabouts of the consumer are unknown for at least 3 months despite diligent efforts to locate the consumer.
3. The consumer refuses services from the CCS for at least 3 months despite diligent outreach efforts to engage the consumer.
4. The consumer enters a long-term care facility for medical reasons and is unlikely to return to community living.
5. The consumer is deceased.
6. Psychosocial rehabilitation services are no longer needed.

(am) When a consumer is discharged from the CCS program, the consumer shall be given written notice of the discharge. The notice shall include all of the following:

1. A copy of the discharge summary developed under par. (b).
2. Written procedures on how to re-apply for CCS services.
3. **If a consumer is involuntarily discharged from the CCS program and the consumer receives Medical Assistance, the fair hearing procedures prescribed in s. DHS 104.01 (5).** For all other consumers, information on how the consumer can submit a written request for a review of the discharge to the department.

Note: A written request for review of the determination of need for psychosocial rehabilitation services should be addressed to the Bureau of Prevention, Treatment and Recovery, 1 W. Wilson Street, Room 850, P.O. Box 7851, Madison, WI 53707-7851.

(Emphasis added.) Wis. Admin Code § DHS 36.17(5). Although there is a notation at the bottom of this provision about going to the Bureau of Prevention, Treatment and Recovery for review of a determination, neither this provision, nor any other language in the administrative code, would prevent a person from proceeding straight to a fair hearing.

This same reference to a fair hearing is stated within the provisions for consumer rights within the CCS program in Wis. Admin Code § 36.19(1)(c).

DHS 36.19 Consumer rights.

(1) The CCS shall comply with the patient rights and grievance resolution procedures in s. 51.61, Stats., and ch. DHS 94, and all of the following:

(a) Choice in the selection of recovery team members, services, and service providers.

(b) The right to specific, complete and accurate information about proposed services.

(c) **For Medical Assistance consumers, the fair hearing process under s. DHS 104.01 (5).** For all other consumers how to request a review of a CCS determination by the department.

Note: A written request for review of the determination of need for psychosocial rehabilitation services should be addressed to the Bureau of Prevention, Treatment and Recovery, 1 W. Wilson Street, Room 850, P.O. Box 7851, Madison, WI 53707-7851.

(Emphasis added.) Wis. Admin Code § 36.19(1)(c). The Department has the authority to amend or update the administrative code; however, it has not changed these provisions.

In discharging the petitioner from the CCS program, the agency stated the following:

At the time of discharge, his appearance, mood, and cognitions were normal. His behaviors are all cooperative and appropriate.

(CCS Notification & Discharge Summary dated 12/10/24) The petitioner's mother's testimony at the hearing clearly contradicted these statements as she said that he engages in screaming, punching, and kicking daily during any transitions and when he is upset. He will also engage in self-injurious behavior such as choking himself with his hands and leaving marks on his neck. Additionally, he bangs his head against the wall when he is frustrated. The petitioner also presents a safety risk to his caregivers and family members as he bites them, pulls their hair, and will hit or punch them. Destruction of property by the petitioner is a common occurrence as he makes huge holes in the walls, has broken windows and TVs, kicks and punches the doors, and recently drove a wooden stake through a metal front door. On the drive to school in the morning, he kicks the car door in an attempt to get out. His mother is concerned that his mood and cognition are not okay and that he is a danger to himself and to others.

No representative from the agency appeared at the hearing to dispute the petitioner's mother's testimony about her son's behavior. The petitioner's mother's statements make it clear that the petitioner still has significant mental health challenges that he experiences on a daily basis and that there has been very little improvement, if any, in his condition. Furthermore, the petitioner's struggles have worsened since being discharged from the CCS program as he no longer has medication management oversight from a psychologist or psychiatrist. The therapist from CCS also helped with the petitioner's emotional and behavioral needs. His mother is having a hard time finding an outpatient therapist because they require in-person appointments, and given his struggles with transitions, she does not feel comfortable bringing him into a therapist's office while he is kicking, screaming, and punching. That poses a safety risk for the petitioner and others around him.

The criteria for determining the need for CCS psychosocial rehabilitation services is listed in the administrative code.

Psychosocial rehabilitation services shall be available to individuals who are determined to require more than outpatient counseling but less than the services provided by a community support program under s. 51.421, Stats., and ch. DHS 63, as a result of a department-approved functional screen and meet all of the following criteria:

- (1) Has a **diagnosis of a mental disorder** or a substance use disorder.
- (2) Has a **functional impairment that interferes with or limits one or more major life activities and results in needs for services that are described as ongoing, comprehensive and either high-intensity or low-intensity.** Determination of a qualifying functional impairment is dependent upon whether the applicant meets one of the following descriptions:
 - (a) 'Group 1'. **Persons in this group include children and adults in need of ongoing, high-intensity, comprehensive services who have diagnoses of a major mental disorder or substance-use disorder, and substantial needs for psychiatric, substance abuse, or addiction treatment.**
 - (b) 'Group 2'. Persons in this group include children and adults in need of ongoing, low-intensity comprehensive services who have a diagnosed mental or substance-use disorder. These individuals generally function in a fairly independent and stable manner but may occasionally experience acute psychiatric crises.

(Emphasis added.) Wis. Admin. Code § DHS 36.14. I find that the petitioner meets the standard for CCS services as provided in the administrative code. He has a mental health disorder that interferes with or limits his ability to obtain medical care, attend school, participate in family engagement, and participate in extra-curricular activities he enjoys, such as basketball. The petitioner requires therapy and medication management oversight by a qualified professional who can work with his primary care doctor to determine what is best for him. Furthermore, he needs someone to help coordinate his supports and care between the school and his medical providers. He requires these comprehensive services on an ongoing basis.

It is a well-established principle that a moving party generally has the burden of proof, especially in administrative proceedings. *State v. Hanson*, 295 N.W.2d 209, 98 Wis. 2d 80 (Wis. App. 1980). The court in *Hanson* stated that the policy behind this principle is to assign the burden to the party seeking to change

a present state of affairs. In this case, the respondent has the burden of proof to establish that the action taken by the agency was proper given the facts of the case. The respondent has not shown on this record that it properly discharged petitioner under the facts or law.

CONCLUSIONS OF LAW

1. The Division of Hearings and Appeals has jurisdiction over CCS program discharges.
2. The respondent has not met its burden to show that it properly discharged the petitioner from the CCS program.

THEREFORE, it is

ORDERED

That if this Proposed Decision is adopted by the Secretary of the Department of Health Services as the Final Decision in this matter, the agency shall, within 10 days of the date of the Final Decision, reinstate the petitioner into the CCS program.

NOTICE TO RECIPIENTS OF THIS DECISION:

This is a Proposed Decision of the Division of Hearings and Appeals. IT IS NOT A FINAL DECISION AND SHOULD NOT BE IMPLEMENTED AS SUCH. If you wish to comment or object to this Proposed Decision, you may do so in writing. It is requested that you briefly state the reasons and authorities for each objection together with any argument you would like to make. Send your comments and objections to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy to the other parties named in the original decision as 'PARTIES IN INTEREST.'

All comments and objections must be received no later than 15 days after the date of this decision. Following completion of the 15-day comment period, the entire hearing record together with the Proposed Decision and the parties' objections and argument will be referred to the Secretary of the Department of Health Services for final decision-making.

The process relating to Proposed Decision is described in Wis. Stat. § 227.46(2).

Given under my hand at the City of Madison,
Wisconsin, this 24th day of March, 2025


Kate J. Schilling
Administrative Law Judge
Division of Hearings and Appeals