



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION
Case #: MAP - 219778

PRELIMINARY RECITALS

Pursuant to a petition filed on August 29, 2025, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03, to review a decision by the Green Lake County Department of Human Services regarding Medical Assistance Purchase Plan (MAPP) benefits, a hearing was held on November 19, 2025, by telephone. The hearing was first scheduled for October 15, 2025 but, on that date, Petitioner notified the Division of Hearings and Appeals that she intended to file a second related appeal regarding Medicare Premium Assistance benefits and requested that the hearing in this matter be rescheduled to occur at the same time as the hearing in that related matter (DHA Case No. MQB-220558).

The issue for determination is whether the agency properly found Petitioner to be no longer eligible for Medical Assistance Purchase Plan benefits.

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
201 E. Washington Ave.
Madison, WI 53703

By: Shelby Jensen

Green Lake County Department of Human Services
Human Services Ctr
571 County Road A
Green Lake, WI 54941

ADMINISTRATIVE LAW JUDGE:

Teresa A. Perez
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Green Lake County who has received SSI-related Medical Assistance, Medical Assistance Purchase Plan (MAPP) benefits, QMB, SLMB, and FoodShare on and off for several years.
2. Petitioner receives self-employment income from the rental of billboards that she owns.
3. In early July 2025, the agency sent reminders to Petitioner to renew her “health care.”
4. On July 15, 2025, Petitioner contacted the agency by telephone to reapply for FoodShare. For an unknown reason, no renewal for Petitioner’s health care benefits (i.e., QMB and MAPP) was completed at that time. While reapplying for FS, Petitioner reported her ongoing billboard rental self-employment income and identified assets that she owned.
5. On July 16, 2025, the agency sent Petitioner a written request to verify the income from and expenses associated with her billboard rental by August 4, 2025 and indicated that she could do so by providing her most recently filed IRS tax forms and schedules. Also, on July 16, 2025, the agency sent Petitioner a request to verify a checking account and a [REDACTED] debit card by August 14, 2025. Both notices indicated that the verification sought was relevant to her request for FoodShare benefits.
6. By notice dated July 23, 2025, the agency informed Petitioner that her MAPP would end as of September 1, 2025 because her assets exceeded the program limit, and that her Medicare Savings Program / QMB would end as of September 1, 2025 because her renewal was not completed.
7. On August 13, 2025, Petitioner contacted the agency and indicated that she had already completed a renewal of her Medicare Savings Program / QMB in July 2025; however, the agency reported that it had no renewal on file and proceeded to complete a telephone renewal at that time.
8. By notice dated August 14, 2025, the agency sent Petitioner a notice instructing her that she must verify “land: amount you owe”, the value of a checking account, the value of a [REDACTED] prepaid debit card, and income and expenses from the billboard rental. The notice stated that she must provide her “most recently filed IRS tax forms and schedules.” The notice also stated that the requested verification must be provided by September 2, 2025 to get or continue receiving both Medicaid and Medicare Savings Program benefits.
9. Petitioner provided some of the requested verification by the September 2, 2025 due date, including documentation that the land did not have any value. The agency exempted the tax assessed value of the land based on that documentation. In addition, Petitioner provided a copy of her 2023 taxes to the agency to verify the income and expenses associated with the billboard rental. Petitioner informed the agency that her 2024 taxes had been stolen.
10. On September 2, 2025, the agency sent Petitioner a follow-up verification request which indicated that she could provide self-employment income report forms to verify her 2024 billboard rental income and expense since she had reported to the agency that her 2024 taxes were stolen. The agency indicated that the deadline remained September 2, 2025.
11. By notices dated September 3, 2025 and October 2, 2025, the agency informed Petitioner that she was not eligible for “Medicaid”, “MAPP”, or Medicare Savings Program benefits because she did not provide all requested verification.

12. By notice dated October 22, 2025, the agency reiterated to Petitioner that she must provide verification of her self-employment and that if she did not have 2024 taxes, she must provide completed self-employment report forms.
13. On August 29, 2025, Petitioner filed a request for fair hearing with the Division of Hearings and Appeals regarding her MAPP eligibility. She also requested, and has received, continuing benefits pending the outcome of the appeal.
14. On October 20, 2025, she filed a fair hearing regarding the termination of her Medicare Savings Program benefits.
15. As of the date of the hearing, Petitioner had still not provided 2024 tax documents, self-employment forms, or other updated information regarding her billboard rental income.

DISCUSSION

The agency contended that Petitioner's MAPP and Medicare Savings Program benefits should be terminated because she failed to provide requested verification of self-employment income and expenses associated with the rental of one or multiple billboards that she owns. Petitioner argued, among other things, that the agency should not have terminated her MAPP eligibility because she does not believe her MAPP should have been reviewed until sometime in 2026. However, she acknowledged that, to date, she has not provided the requested verification of her 2024 self-employment income.

The agency did not provide a copy of a written renewal notice for Petitioner's MAPP or Medicare Savings Program eligibility. However, the agency did provide copies of written verification requests, case comments, and written About Your Benefits notices that together showed that the agency made repeated requests for verification of Petitioner's 2024 self-employment income and expenses. A review of the record indicates that the catalyst for the first of the agency's requests for self-employment verification may have been Petitioner's July 15, 2025 application for FoodShare rather than a renewal of either of her health care benefit programs. See Finding of Fact No. 5. Consequently, the agency's first written request for verification of the self-employment income, that is the central issue of this case, indicated that it was needed to evaluate Petitioner's FS eligibility. However, the agency subsequently sent Petitioner notices clarifying that the same information was needed to evaluate her ongoing eligibility for her health care benefits. See Findings of Fact Nos. 8, 10, 11, and 12.

Even if Petitioner had no health care renewal due around the time she reapplied for FoodShare, the agency is required to act on information it receives between program renewal dates. Here, the agency received information regarding Petitioner's self-employment income when Petitioner reapplied for FS in July 2025 and appropriately requested her 2024 taxes to verify that income. Like FS Program policy, Medical Assistance policy requires applicants and recipients to verify self-employment income. *Medical Assistance Eligibility Handbook (MEH) § 20.3.8*. Medical Assistance program policy also specifies that benefit applicants and recipients have an obligation to seek and provide requested mandatory verification and that failure to do so is an appropriate basis to deny or terminate benefits unless there is evidence that an individual has made reasonable attempts to verify the requested information. *MEH §§20.3.8 and 20.8.3*. Medical Assistance policy also permits individuals to submit Self-Employment Income Report forms to meet their verification requirement under certain circumstances. *MEH §15.6.5.3.1*.

Petitioner testified that her 2024 taxes and a variety of other personal documents have been repeatedly stolen from her house and that her computer accounts, e-mails, and files have been intercepted and/or corrupted. She asserted that she is therefore unable to comply with the agency's request. She did not, however, provide persuasive evidence of the pervasive nefarious activity (e.g., a police report) that she

described. Moreover, she did not prove that completion of the self-employment income forms that the agency offered by the agency as an alternative to providing her 2024 tax forms presented an insurmountable barrier. To the contrary, she explained at hearing that the primary expenses associated with renting her billboards are lawn care, cutting down brush and trees as needed, and utility expenses and that her income has been both modest and relatively stable for 20 years. The business operation, as she described it, is relatively simple. It is thus reasonable to believe that, with a little diligence (e.g., requesting copies of her utility bills, bank records, cancelled checks, etc.) she should be able to offer a good faith estimate of her 2024 income and expenses. If she attempts to take those types of reasonable steps and is stymied, she may ask the agency for assistance.

Finally, I note, as did Petitioner, that the agency failed to extend her September 2, 2025 deadline to provide the completed self-employment report forms after Petitioner reported the theft of her 2024 taxes. See Findings of Fact Nos. 8 and 10. However, the agency did not terminate her benefits after the September 2, 2025 deadline and, in fact, continued reaching out to Petitioner to reiterate and clarify what she could provide to satisfy the verification requirement and to maintain her benefits. See Finding of Fact Nos. 11 and 12.

CONCLUSIONS OF LAW

The agency correctly found that Petitioner's failure to verify her 2024 self-employment income is a proper basis upon which to terminate Petitioner's MAPP and Medicare Savings Program benefits.

THEREFORE, it is

ORDERED

That Petitioner's appeal is dismissed. I note that Petitioner has been receiving continuing Medical Assistance and Medicare Savings Program benefits pending the outcome of this appeal and will not be liable for repaying any of those benefits.

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, 5th Floor North, 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.

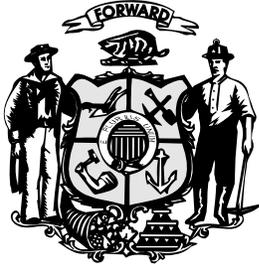
APPEAL TO COURT

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, 201 E. Washington Ave., **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 23rd day of December, 2025

\s _____
Teresa A. Perez
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 December 23, 2025.

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