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[REDACTED]

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

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In the Matter of

[REDACTED]  
[REDACTED]  
[REDACTED]

**DECISION**  
Case #: MGE - 221661

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**PRELIMINARY RECITALS**

Pursuant to a petition filed January 22, 2026, under Wis. Stat., §49.45(5), to review a decision by Milwaukee Enrollment Services (MES) regarding Medical Assistance (MA), a hearing was held on February 19, 2026, by telephone.

The issue for determination is whether petitioner's IRIS was closed correctly.

**PARTIES IN INTEREST:**

Petitioner:

[REDACTED]  
[REDACTED]  
[REDACTED]

Respondent:

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

By: Kyra Oberg  
Milwaukee Enrollment Services  
6055 N. 64th Street  
Milwaukee, WI 53218

Also Appearing: Mary Swab, My Choice Family Care

**ADMINISTRATIVE LAW JUDGE:**

Brian C. Schneider  
Division of Hearings and Appeals

**FINDINGS OF FACT**

1. Petitioner (CARES # [REDACTED]) is a resident of Milwaukee County.
2. Petitioner is eligible for the Family Care Program (FCP) with My Choice Family Care as his managed care organization (MCO). His FCP eligibility is tied in with his MA eligibility.

3. Petitioner was due for an MA renewal by the end of December, 2025. He submitted the renewal in November, and the agency requested verification of his bank accounts. The verification was given to his FCP case manager, who faxed it to MES. A problem occurred there and it was not accepted. The case manager faxed the verification again on December 30, 2025. It was received that date at MES and processed on January 2, 2026.
4. Because the verification was not processed until January 2, petitioner's MA closed. That closure caused his FCP eligibility to lapse.
5. Petitioner's MA was reopened on January 8, 2026, backdated to January 1. However, his FCP was reopened on January 9 but could not be backdated by the MCO, so petitioner had a lapse of FCP coverage from January 1 to January 8, 2026.

### DISCUSSION

Although this case is coded as an MA appeal, the issue is whether the FCP was closed correctly. The MA issue was resolved with no lapse in coverage.

The issue for FCP is resolved easily. Petitioner provided the requested verification to the MCO timely. The delay was caused by a mix-up between the MCO and MES. Even with the delay, MES received the verification before petitioner's case closed, and it was only due to holidays that it was not processed timely.

I conclude that petitioner's FCP was closed erroneously. This is not an instance where FCP closed correctly and thus by law cannot be backdated. The closure itself was incorrect. I thus will order that the agency take action to grant FCP for the period January 1-8, 2026.

### CONCLUSIONS OF LAW

Petitioner's FCP eligibility was terminated incorrectly effective January 1, 2026.

**THEREFORE, it is**

**ORDERED**

That the matter be remanded to the agency with instructions to restore petitioner's FCP eligibility and its services effective January 1, 2026. It shall do so within 10 days of this decision.

### **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, 5<sup>th</sup> 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.

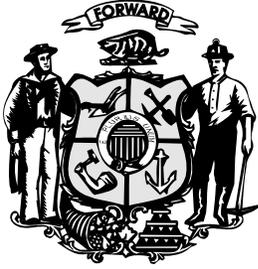
**APPEAL TO COURT**

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 20th day of February, 2026

\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 February 20, 2026.

Milwaukee Enrollment Services  
Division of Health Care Access and Accountability