



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION
Case #: CWA - 221054

PRELIMINARY RECITALS

Pursuant to a petition filed December 5, 2025, under Wis. Admin. Code, §HA 3.03, to review a decision by TMG to discontinue a service under the Include, Respect, I Self-Direct (IRIS) program, a hearing was held on February 19, 2026, by telephone. Hearings set for December 23, 2025 and January 20, 2026 were rescheduled at the petitioner's request.

The issue for determination is whether the agency correctly terminated support broker services.

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

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

By: Helen Isadoro
TMG
2424 Rimrock Rd., Suite 230
Fitchburg, WI 53713

ADMINISTRATIVE LAW JUDGE:

Brian C. Schneider
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner is a resident of Milwaukee County.
2. Petitioner is eligible for IRIS with TMG as the consulting agency. Before the action at issue, twelve hours monthly support broker services were included in her care plan.

3. During a visit with her IRIS consultant in October, 2025, the support broker services were discussed. Petitioner told the consultant that the broker helped her pay bills and went to doctor appointments with her. Since those tasks are considered to be supportive home care, the consultant asked for a record of the support broker services. She was unable to contact the broker to obtain the record.
4. By a notice dated November 7, 2025, the agency informed petitioner that support broker services would be removed from her care plan effective December 1, 2025. Petitioner appealed on December 5, 2025, and services were not ordered to be continued pending the appeal.
5. After the notice was sent, the agency attempted to determine if any tasks done by the broker could fall within the purview of the definition of support broker services, but the response did not clarify time spent on services that might fit under the definition.
6. Effective January 1, 2026, the Department changed the definition of support broker services to be only for assisting a client in maintaining public assistance benefits.

DISCUSSION

The IRIS program was developed pursuant to a Medical Assistance waiver obtained by the State of Wisconsin, pursuant to section 6087 of the Deficit Reduction Act of 2005 (DRA), and section 1915(c) of the Social Security Act. It is a self-directed personal care program.

The federal government has promulgated 42 C.F.R. §441.300 - .310 to provide general guidance for this program. Those regulations require that the Department's agent must assess the participant's needs and preferences (including health status) as a condition of IRIS participation. *Id.*, §441.301(c)(2). The Department's agent must also develop a service plan based on the assessed needs.

The IRIS program is a Medical Assistance long term care waiver program that serves elderly individuals and adults with physical and developmental disabilities. IRIS is an alternative to Family Care, Partnership, and PACE—all of which are managed long term care waiver programs. The IRIS program, in contrast, is designed to allow participants to direct their own care and to hire and direct their own workers. The broad purpose of all of these programs, including IRIS, is to help participants design and implement home and community-based services as an alternative to institutional care. See *IRIS Policy Manual*, §1.1B.

A support broker is a person who supports a participant in directing personal assistance services and service budgets. 42 C.F.R. §441.450(c). The support broker takes direction from the participant or the participant's representative. *Id.*

IRIS policy says little about a support broker's role. The *IRIS Service Definition Manual*, at page 41, describes a support broker as an individual who assists the participant in "planning, securing, and directing self-supports." A support broker's services do not include services provided by the IRIS agency's consultant and cannot duplicate services provided under another IRIS service category.

Here there is little or no evidence that the support broker services were different from supportive home care (SHC). An SHC worker's tasks include bill payment, scheduling and attending appointments, arranging and using transportation services, and generally supports necessary for the person's safety at home and in the community. *IRIS Service Definition Manual*, page 10. There was virtually no evidence that the services provided to petitioner were anything but SHC. The broker may have helped petitioner

with benefit renewals, but the record did not include that service, and it is unlikely that such work would take twelve hours per month.

I conclude that the agency's action was correct. The evidence of support broker work for petitioner simply was not provided.

CONCLUSIONS OF LAW

The agency correctly terminated twelve hours monthly support broker services because the best evidence was that the broker was providing SHC services under the guise of support broker.

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, 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.

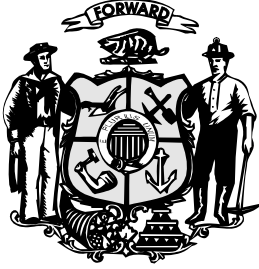
APPEAL TO COURT

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 3rd day of March, 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 March 3, 2026.

Bureau of Long-Term Support