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**State of Wisconsin
Governor Scott Walker**

**TO: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers
Training Staff
Child Care Coordinators**

**FROM: Rich Albertoni, Bureau Director
Bureau of Enrollment Policy & Systems
Division of Health Care Access and Accountability**

BEPS/DFS OPERATIONS MEMO					
No: 11-36					
DATE: 07/05/2011					
FS <input type="checkbox"/>	MA <input checked="" type="checkbox"/>	BC+ <input type="checkbox"/>			
SC <input type="checkbox"/>	CTS <input type="checkbox"/>	FSET <input type="checkbox"/>			
BC+ Basic <input type="checkbox"/>	BC+ CORE <input type="checkbox"/>				
CC <input type="checkbox"/>	W-2 <input type="checkbox"/>	EA <input type="checkbox"/>			
CF <input type="checkbox"/>	JAL <input type="checkbox"/>	JC <input type="checkbox"/>			
RAP <input type="checkbox"/>	WIA <input type="checkbox"/>	Other <input type="checkbox"/>			
		EP			

SUBJECT: Family Care, PACE/Partnership and IRIS Fair Hearings

EFFECTIVE DATE: Immediately

PURPOSE:

The purpose of this memorandum is to implement safeguards to help assure that the Department of Health Services is effectively represented at Family Care PACE/Partnership and IRIS Fair Hearings.

BACKGROUND:

This memo refers to Family Care, PACE/Partnership and IRIS Fair Hearing appeals filed with the Division of Hearing and Appeals.

Some of the most common Family Care, PACE/Partnership and IRIS appeal reasons relate to contractually required functions of the Aging and Disability Resource Centers (ADRCs), Managed Care Organizations (MCOs) and the IRIS Consultant Agency (ICA). For example, applicants may choose to appeal their initial level of care determination, conducted by the ADRC using the long-term care functional screen. Enrollees may also appeal a reduction in services the loss of eligibility or an increase in cost share due to a reduction in medical/remedial expenses, all examples which involve MCO or ICA staff.

It is imperative that appropriate staff from the ADRC, MCO, ICA and/or the IM agency be available and prepared to effectively represent the Department at Family Care, IRIS and PACE/Partnership fair hearings.

NEW PROCEDURE

The Division of Hearings and Appeals (DHA) recently changed the notification system for fair hearings. These changes have affected the extent to which an ADRC, MCO or the IRIS Consultant Agency is routinely notified of appeals that may require the involvement of their staff. For example, DHA no longer notifies the MCO of appeals related to participant cost share; those appeal notices are now sent only to the county income maintenance agency.

The Department continues to work with DHA to improve the appeal notification system. Pending the implementation of refinements, it will be necessary for IM staff to screen all Family Care, PACE/Partnership and IRIS appeal-related notices. This screening must be done to identify appeals that require ADRC, ICA or MCO involvement, including their presence at the hearing.

Use the following general guidelines to determine when to notify the ADRC, ICA or MCO of a Family Care or PACE/Partnership or IRIS appeal:

If the appeal is related to:	Notify:
Initial level of care determination	ADRC
Annual level of care re-determination	MCO, ICA
Cost share increase due to a decrease in medical/remedial expenses	MCO, ICA
Failure to pay cost share	MCO, ICA
Reduction in authorized services	MCO, ICA

CONTACTS:

BEPS CARES Information & Problem Resolution Center

*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, BC+ Core – BadgerCare Plus Core, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.

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