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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: 11-63					
DATE: 11/23/2011					
FS	<input checked="" type="checkbox"/>	MA	<input checked="" type="checkbox"/>	BC+	<input checked="" type="checkbox"/>
SC	<input type="checkbox"/>	CTS	<input checked="" type="checkbox"/>	FSET	<input checked="" 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: Fair Hearing Process for Income Maintenance Programs

CROSS REFERENCE: [IMM Chapter 3](#)

EFFECTIVE DATE: January 1, 2012

PURPOSE:

The purpose of this memo is to outline the responsibilities of the Income Maintenance (IM) Consortia related to processing fair hearing requests for IM programs.

BACKGROUND:

As part of the 2011-2013 biennial budget, the Legislature directed the Department of Health Services (DHS) and the IM Consortia to share responsibilities related to IM program fair hearing requests. A workgroup was formed that included representatives from the DHS, the Division of Hearings and Appeals (DHA), and local IM agencies to determine how fair hearing responsibilities should be shared. The workgroup members reached a consensus recommendation that the IM Consortia would be responsible for all fair hearing related activities for eligibility determinations and programs administered by the IM Consortia, and that each Consortia would provide a single point of contact for DHA communication of fair hearing requests, schedules and decisions.

PROCESS:

Each IM Consortia will have a single point of contact for communicating fair hearing activities related to cases that belong to an agency within the Consortia. DHA has recommended that a group email address be created for each IM Consortia that is specifically used for DHA communications. Group email is preferred so that hearing activities can be monitored by more than one person in an IM Consortia to streamline the monitoring of fair hearing activities and timeliness. DHA also recommended that the IM Consortia consider adopting a process flow to track and monitor fair hearings.

TRAINING:

A PowerPoint presentation (attachment 2) is included with this memo that describes the processes used by the ESC to track and monitor fair hearing activities. In addition, DHA has training available for the IM Consortia related to their processes and expectations of agencies for responding to, acting on and attending fair hearings.

CARES:

As part of Phase 2 system enhancements for IM Regionalization, a tool for recording, tracking, and monitoring fair hearing activities will be developed and implemented in CARES Worker Web. The IMAC-IT sub-committee will be consulted for feedback on these enhancements. The tentative implementation date for these enhancements is July 2012.

ATTACHMENTS:

Attachment 1 - Baseline Requirements for Managing DHA Fair Hearings
Attachment 2 - A Guide to the Enrollment Services Center's Process for Appeals

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.

DHS/DHCAA/BEPS/SE