



State of Wisconsin  
Department of Health Services

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Tony Evers, Governor  
Kirsten L. Johnson, Secretary

April 14, 2024

Richard Champagne  
Acting Senate Chief Clerk  
P.O. Box 7882  
Madison, WI 53707-7822

Edward Blazel  
Assembly Chief Clerk  
P.O. Box 8952  
Madison, WI 53708

Dear Mr. Champagne and Mr. Blazel:

Wisconsin Statute §§ 227.485(9) and 814.245(10) requires the Department of Health Services (DHS) to submit an annual report concerning decisions and resulting payments of attorney fees and related legal costs. Attorney fees and other legal costs are to be paid whenever the opposing party to an agency's Chapter 227 hearing prevails and it is determined that the agency's position was not substantially justified. The attached report reflects payments made during SFY 2024.

In addition, DHS is required to report any awards granted to the department regarding frivolous motions brought against us. No motions of opposing parties were found to be frivolous in SFY 2024. Consequently, DHS has no awards to report.

Sincerely,

A handwritten signature in blue ink, reading "Kirsten Johnson".

Kirsten L. Johnson  
Secretary-designee

Enclosure

cc: Zachary Hendrickson, OLC  
Nicole Hensen, BFS

# 1985 WISCONSIN ACT 52

## Claims Under Wis. Stat. §§ 814.245 and 227.485

### Fiscal Year: July 1, 2023 to June 30, 2024

CASE NAME	CASE NO.	AGENCY	ASSISTANT ATTORNEY GENERAL/ DHS ATTORNEY	OPPOSING COUNSEL	NATURE OF CASE/CLAIM	COSTS/FEEES REQUESTED	AMOUNT AWARDED	DATE OF ORDER(S)	APPEAL
Adela Rivas	CMNP-206741	DHS	None	Tim Hennigan, ABC for Health, Inc.	Department was not substantially justified in its denial of Medicaid coverage for services at issue	\$7,169.25	\$6,458.25	8/4/2023	No
Courtney Sherwin	CHMO-202193, CHMO-202195 CHMO-202196	DHS	None	Robert Peterson, ABC for Health, Inc.	Incorrectly denied three prior authorization approvals.	\$16,335.60	\$7,782.00	4/19/2024	Yes
Nikhita Steward Trivedi	CCWK-208407	DHS	None	Tim Hennigan, ABC for Health, Inc.	Incorrectly denied relocation services costs.	\$15,413.50	\$11,313.50	3/15/2024	No
Scott Konkell	CWA-208558	DHS	None	Lori Kornblum – Law Offices of Lori S. Kornblum	Incorrectly denied budget amendment request for an increased daily rate for supportive home care.	\$11,582.62	\$9,841.37	5/17/24	No