



State of Wisconsin
Department of Health Services

Tony Evers, Governor
Kirsten L. Johnson, Secretary

September 17, 2026

Mr. Cyrus Anderson
Senate Chief Clerk
P.O. Box 7882
Madison, WI 53707

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

Dear Mr. Anderson 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 2026.

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 2026. Consequently, DHS has no awards to report.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kirsten Johnson", written over a horizontal line.

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, 2025 to June 30, 2026

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
Akhil Yamdagni	CMGE-219998	DHS	None	Avery Mayne Von Briesen & Roper, S.C.	Incorrectly determined petitioner's assets and denied petitioner's eligibility for the Medicaid Community Waivers program	\$8,490.36	\$2,802.00	4/28/2026	No
Donna Opperman	CMGE-220372	DHS	None	Avery Mayne Von Briesen & Roper, S.C.	Incorrectly determined available assets and denied application for MA/Family Care program	\$2,623.75	\$2,623.75	4/28/2026	No
Jesse Adix	CCWA-216742	DHS	None	Lori Kornblum Law offices of Lori Kornblum	IRIS program failed to meet burden to correctly terminate petitioner's daily living skills services	\$1,800.47	\$1,769.40	9/24/2025	No

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Joanne Shimanek	CMGE-217917	DHS	None	Jacob Spear Heirloom Law Group, S.C.	Incorrectly counted payments from an annuity to surviving beneficiaries as income and denied request for EBD Medicaid benefits	\$1,500.00	\$1,500.00	9/24/2025	No
Laura Gasca Rivas	CMNP-216692	DHS	None	Tim Hennigan ABC For Health Inc	Incorrectly denied payment of services.	\$4,364.75	\$2,960.00	12/17/2026	No
Leon Fernandez	CMPA-211524	DHS	None	Robert Peterson ABC For Health Inc	Incorrectly denied petitioner's prior authorization request.	\$14,673.75	\$9,470.55	9/25/2025	No
Leon Fernandez	202-CV-1482	DHS	Samir Jaber, DOJ	Robert Peterson ABC For Health Inc	Incorrectly denied petitioner's prior authorization request.	\$14,673.75	\$5,006.25	4/9/2026	Yes
Mary Kerrigan	CFCP-218126	DHS	None	Jennifer Laksy, Moertl, Wilkins & Campbell, S.C.	Incorrectly imposed a divestment penalty.	\$7,698.00	\$4,445.00	3/10/2026	No
Kian McVey, Finnegan	CCWK-211871, 211869,	DHS	None	Trevor Levenson,	Incorrectly denied petitioner's use of Badger Wellness as	\$85,513.25	\$11,747.65	9/24/2025	No

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McVey, Connor McVey, Brantl Henson, Aaliyah Lewis	211867, 211865, 211705			Halling & Cayo	a respite provider under the CLTS waiver program.				
Silvia Hernandez	CMNP-212340	DHS	None	Tim Hennigan ABC For Health Inc	Incorrectly denied payment for medical bills submitted by petitioner's providers.	\$6,428.35	\$5,976.00	10/22/2025	No



P-02244 (09/2026)