



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DECISION
Case #: FCP - 220410

PRELIMINARY RECITALS

Pursuant to a petition filed on October 14, 2025, under Wis. Admin. Code § DHS 10.55, to review a decision by the Inclusa Inc/Community Link regarding Medical Assistance (MA), a hearing was held on January 28, 2026, by telephone. At the request of the petitioner's POA, the hearing was rescheduled three times.

The issue for determination is whether petitioner's appeal is moot.

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

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

By: Inclusa, MCO
Inclusa Inc/Community Link
3349 Church St Suite 1
Stevens Point, WI 54481

ADMINISTRATIVE LAW JUDGE:

Jason M. Grace
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner is a resident of Dane County, who is eligible for and receives Family Care benefits.

2. Prior to January 6, 2026, Petitioner's Family Care managed care organization (MCO) was Inlusa.
3. On September 12, 2025, Inlusa issued petitioner a written decision addressing her Member Center Plan and service authorizations.
4. On October 14, 2025, the petitioner filed an appeal with the Division of Hearings and Appeals seeking to dispute the September 12, 2025 decision issued by Inlusa.
5. A hearing was originally scheduled with DHA for December 2, 2025. At the request of the petitioner's power of attorney, the hearing was rescheduled three times.
6. The petitioner chose to switch her MCO from Inlusa to Lakeland as of January 6, 2026, which was prior to the date of the hearing in this matter.

DISCUSSION

Prior to the hearing, petitioner switched her Family Care MCO from Inlusa to Lakeland. Since Inlusa is not currently managing petitioner's care, the Division of Hearings and Appeals does not have jurisdiction to order Inlusa to rescind or modify its September 2025 decision addressing the development and implementation of petitioner's Member Center Plan and service authorizations. Thus, the appeal is now moot. A matter is moot if the review sought cannot have a practical effect on the existing controversy. See *Racine v. J-T Enterp.*, 64 Wis. 2nd 691, 702; 221 N.W. 2nd 869, 875 (1974).

I note that petitioner is free to request that her new MCO develop a new Member Center Plan and service authorizations or revisit her previous one. The petitioner is able to file a new appeal if she disagrees with that determination.

CONCLUSIONS OF LAW

Because Petitioner is no longer enrolled with Inlusa, the question of whether Inlusa properly developed and implemented her Member Center Plan and service authorizations as reflected in the September 2025 decision is moot.

THEREFORE, it is

ORDERED

That Petitioner's appeal is 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.

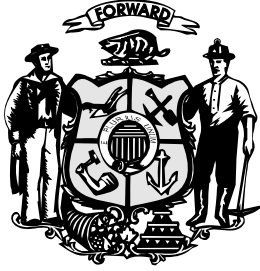
APPEAL TO COURT

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 4th day of February, 2026

\s _____
Jason M. Grace
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

Brian Hayes, Administrator
5th Floor North
4822 Madison Yards Way
Madison, WI 53705-5400

Telephone: (608) 266-7709
FAX: (608) 264-9885
email: DHAMail@wisconsin.gov
Internet: <http://dha.state.wi.us>

The preceding decision was sent to the following parties on February 4, 2026.

Inclusa Inc/Community Link
Office of Family Care Expansion
Health Care Access and Accountability