



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION
Case #: BCS - 220968

PRELIMINARY RECITALS

Pursuant to a petition filed November 26, 2025, under Wis. Stat., §49.45(5)(a), to review a decision by Rock County Human Services to discontinue Medical Assistance (MA), a hearing was held on January 14, 2026, by telephone.

The issue for determination is whether petitioner's income is below the BadgerCare Plus (BC+) limit.

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

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

By: Adam Voss

Rock County Human Services
1717 Center Avenue
Janesville, WI 53546

ADMINISTRATIVE LAW JUDGE:

Brian C. Schneider
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Rock County.
2. Petitioner was eligible for BC+ as a single adult until the agency action. The agency processed a renewal in October, 2025. Using a state data base, it determined that petitioner's monthly income from her job was \$1,359.14, and her yearly income would be over \$16,000.

3. The agency notified petitioner that BC+ would end November 1, 2025 because income was over the limit. Benefits were not continued pending this appeal.
4. Petitioner has an Individual Retirement Account (IRA) deduction taken from her gross pay. In 2025 the deduction totaled \$932.21. Petitioner's gross income in 2025 was \$16,213.53.

DISCUSSION

As of April 1, 2014 all childless adults became eligible for BC+ with an income limit equal to 100% of the Federal Poverty Level, which, for a one-person household, was \$1,304.17 in 2025. See Wis. Stat., §49.45(23) for the law, and the BC+ Handbook, Appendix 50.1 for the limit. If a person's monthly income is over the BC+ limit, the agency also will review yearly income to determine if it is over 100% of the FPL amount, the so-called "gap-filling" determination. See BC+ Handbook, App. 16.9. The current yearly amount is \$15,650.00. Handbook, App. 50.1.

When the agency did the renewal, it only had petitioner's income figures from the state data base. However, there are deductions allowed from gross income, specifically for pre-tax deductions taken out of the person's paycheck including retirement contributions. Handbook, App. 16.3.2. Petitioner provided a copy of her last 2025 paycheck. Deducting the \$932.21 retirement contributions from her gross income left a remainder of \$15,281.32, below the gap-filling limit. Petitioner thus remains eligible for BC+.

CONCLUSIONS OF LAW

Petitioner's income is below the BC+ limit after accounting for pre-tax deductions.

THEREFORE, it is

ORDERED

That the matter be remanded to the agency with instructions to reopen petitioner's BC+ eligibility retroactive to November 1, 2025, and to continue eligibility in the usual manner. The agency shall do so within 10 days of this decision.

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

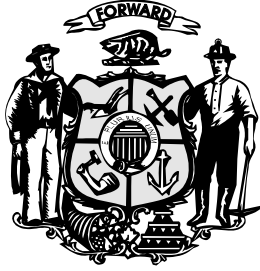
You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 201 E. Washington Ave., **and** on those identified in this decision as "PARTIES 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 15th day of January, 2026

\s _____
Brian C. Schneider
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on January 15, 2026.

Rock Cty Human Services
Division of Health Care Access and Accountability