



STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

██████████
██████████████████
██████████

DECISION
Case #: HMO - 220991

PRELIMINARY RECITALS

Pursuant to a petition filed November 26, 2025, under Wis. Stat., §49.45(5)(a), to review a decision by the Division of Medicaid Services (DMS) regarding Medical Assistance (MA), a hearing was held on January 14, 2026, by telephone.

The issue for determination is whether the agency correctly denied a power wheelchair.

PARTIES IN INTEREST:

Petitioner:

██████████
██████████████████
██████████

Respondent:

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

By: Written submission of Rebecca Muenster, DPT, PT
Division of Medicaid Services
PO Box 309
Madison, WI 53701-0309

ADMINISTRATIVE LAW JUDGE:

Brian C. Schneider
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner is a resident of Rock County who is eligible for MA with MHS Health Wisconsin as her HMO.
2. On October 31, 2025, ██████████ requested authorization from the HMO for a standard size power wheelchair. The request noted petitioner's weight being over 400 pounds. It noted also that petitioner currently has a manual wheelchair.

3. The HMO requested information about whether petitioner could propel a manual wheelchair, whether there was a physical therapy evaluation, and why a standard size chair was requested versus a heavy-duty one (a standard size chair has a weight limit of 300 pounds.)
4. A physical therapy evaluation was provided, but [REDACTED] did not amend the request to a heavy-duty chair, and it did not respond to the question of petitioner's ability to propel a manual chair. It only provided information about petitioner's problems with her current manual chair.
5. By a notice dated November 12, 2025, the HMO denied the request because the requested chair was too small and because there was no showing of medical necessity for a power chair instead of a more cost-effective manual chair. Petitioner sought a grievance, but the grievance committee upheld the denial. After this appeal was filed the DMS consultant reviewed the case and concluded that the denial was correct.

DISCUSSION

Under the discretion allowed by Wis. Stat., §49.45(9), the Department now requires MA recipients to participate in HMOs. Wis. Admin. Code, §DHS 104.05(2)(a). MA recipients enrolled in HMOs must receive medical services from the HMOs' providers, except for referrals or emergencies. Admin. Code, §DHS 104.05(3).

The criteria for approval by a managed care program contracted with the DMS are the same as the general MA criteria. See Admin. Code, §DHS 104.05(3), which states that HMO enrollees shall obtain services "paid for by MA" from the HMO's providers. The department must contract with the HMO concerning the specifics of the plan and coverage. Admin. Code, §DHS 104.05(1).

If the enrollee disagrees with any aspect of service delivery provided or arranged by the HMO, the recipient must file a grievance with the HMO. If the HMO denies the grievance, the recipient can appeal the HMO's denial within 90 days. Wis. Stat., §49.45(5)(ag).

For medical equipment, or a component of the equipment, to be covered by MA, it must be medically necessary. Wis. Admin. Code, §DHS 107.02(3)(e)1. Equipment is not medically necessary if it is solely for the convenience of the recipient, or if there are less costly alternatives available. Admin. Code, §DHS 101.03(96m)(b)7 and 8.

The primary reason for the denial here is simple. [REDACTED] requested authorization for a standard size wheelchair when petitioner clearly required a heavy-duty one. As of the hearing date the provider had not filed a new request or amended the current one. Thus the denial clearly was correct.

In addition, both the HMO and the DMS consultant agreed that the provider did not prove a need for a power wheelchair versus a manual one. The provider gave reasons why petitioner could not propel her current chair, but did not explain why she could not use a new manual chair with appropriate accessories. See the MA Providers Handbook, Topic 21137, which, for coverage of a power wheelchair, requires evidence that the person is unable to self-propel a properly equipped manual wheelchair. That evidence also was lacking in the prior authorization request.

CONCLUSIONS OF LAW

The agency correctly denied a request for a standard size power wheelchair because it would be too small for petitioner and because it did not show that petitioner is unable to propel a manual wheelchair.

THEREFORE, it is

ORDERED

That the petition for review is hereby 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.

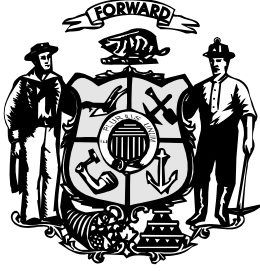
APPEAL TO COURT

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 16th day of January, 2026

\s _____
Brian C. Schneider
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 January 16, 2026.

Division of Medicaid Services
DHS MC Appeals