

1 From Corporation Counsel requesting approval of a settlement with
2 Independent Journeys Inc.

3
4 File No. 12-
5 (Journal,)
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8 A RESOLUTION
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11 WHEREAS, Independent Journeys, Inc. filed a lawsuit against Milwaukee
12 County involving supportive home care services for a disabled client, known as
13 G.H., who was eligible for services under a Medicaid waiver program
14 administered locally by the Milwaukee County Department of Health and
15 Human Services (DHHS), and,
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17 WHEREAS, The Wisconsin Department of Health and Family Services (now
18 Health Services) approved a rate of \$615.47 per day for services, and,
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20 WHEREAS, when G.H. reached the age of 60 in November of 2008, he
21 applied for and was found eligible for Family Care. Family Care determined
22 that his needs did not require that level of services and could be met in a less
23 expensive manner, and,
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25 WHEREAS, Family Care determined that the level of services necessary to
26 care for G.H. required a payment of \$170.66 per day, and,
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28 WHEREAS, Family Care paid this rate from February 2009 through July 2009,
29 when G.H. dis-enrolled from Family Care, and,
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31 WHEREAS, Independent Journeys alleged that G.H. required the higher
32 level of services and sought the difference between the amount previously
33 provided by DHHS (\$615.47) for the care of G.H. and the amount Milwaukee
34 County Family Care paid (\$170.66), and,
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36 WHEREAS, the difference in rates resulted in a potential total claim against
37 Milwaukee County for \$80,065.80, and,
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39 WHEREAS, after engaging in settlement negotiations, Independent
40 Journeys has agreed to accept \$34,000 in order to resolve the case, with
41 payment to be made from Family Care funds, and,
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43 WHEREAS, the Office of Corporation Counsel and the Wisconsin County
44 Mutual Insurance Corporation recommend approval of the proposed
45 settlement; and
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47 WHEREAS, the Committee on Judiciary, Safety and General Services, at its
48 meeting of April 11, 2013, recommended approval of the payment; (vote
49); now, therefore;
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51 BE IT RESOLVED, that Milwaukee County Family Care is hereby authorized
52 to pay Independent Journeys, Inc. the sum of \$34,000 in return for a dismissal of
53 the pending suit and a full release of all claims arising out of the lawsuit.
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