

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED],  
Claimant

Reg. No: 2007-12716  
Issue No: 2009  
Case No: [REDACTED]  
Load No: [REDACTED]  
Hearing Date:  
June 26, 2007  
Wayne County DHS

ADMINISTRATIVE LAW JUDGE: Jay W. Sexton

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; and MCL 400.37 upon claimant's request for a hearing. After due notice, a telephone hearing was held in Detroit on June 26, 2007. Claimant personally appeared and testified under oath.

The department was represented by Betty McBride (Medical Contact Worker).

The Administrative Law Judge appeared by telephone from Lansing.

ISSUE

Did the department correctly process claimant's September 13, 2006 application for Medicaid?

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material and substantial evidence on the whole record, finds as material fact:

- (1) On September 13, 2006, claimant applied for MA-P.

(2) The caseworker reviewed claimant's eligibility and opened claimant's MA-P case effective March 1, 2007.

(3) Claimant has doctor bills for the period September through December 2006. This period is covered by her September 13, 2006 application.

(4) Claimant thinks she is entitled to coverage for the period September through December 2006.

(5) The caseworker received an SOLQ notice from Social Security which shows that claimant is currently receiving RSDI benefits. The SSA notice further states that the disability onset date was May 31, 2006.

(6) On March 1, 2007, claimant filed a hearing request to obtain MA-P coverage for the period September through December 2006.

(7) At the hearing, the department representative agreed that claimant was eligible for MA-P for the period September through December 2006 based on her RSDI award from the Social Security Administration.

(8) The department representative agreed, at the hearing, to open MA-P coverage for claimant for the period September through December 2006.

#### CONCLUSIONS OF LAW

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (DHS or department) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Current department policy states that clients who receive RSDI benefits are presumptively eligible for MA-P. PAM 260.

Since claimant has established RSDI eligibility from May 2006, she is entitled to MA-P coverage for the months of September, October, November and December 2006, as requested.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that claimant is eligible for MA-P for the period September through December 2006, based on her RSDI approval by Social Security.

Therefore, the department is, hereby, ORDERED to open MA-P coverage for claimant for the period September through December 2006.

SO ORDERED.

/s/ \_\_\_\_\_  
Jay W. Sexton  
Administrative Law Judge  
For Ismael Ahmed, Director  
Department of Human Services

Date Signed: July 27, 2009

Date Mailed: July 29, 2009

**NOTICE:** Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the mailing date of the rehearing decision.

JWS/cv

cc:

