

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.: 2008-29890
Issue No.: 2011
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date:
June 25, 2009
Wayne County DHS (59)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant request for hearing received by the Department on August 22, 2008. After due notice, a hearing was held in Detroit, Michigan on June 25, 2009. The Claimant appeared and testified. [REDACTED] appeared on behalf of the Department.

ISSUE

Whether the Department properly determined the Claimant's retroactive MA eligibility date under the Medical Assistance ("MA") benefit program?

FINDINGS OF FACT

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

1. On May 1, 2008, the Claimant submitted an application for public assistance seeking MA benefits to specifically cover medical expenses incurred in January 2008. (Exhibit 2)

2. On June 16, 2008, the department denied the application for the January 2008 expenses because the expenses were not within the three preceding months prior to the application month.
3. On August 22, 2008, the Department received the Claimant's written request for hearing asking for a "forebearance" to get the January 2008 hospitalization expenses paid.

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, formally known as the Family Independence Agency, 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").

A request for public assistance may be in person, by mail, telephone or through by an internet application. PAM 110 Clients must complete and sign public assistance applications. PAM 115 An application is incomplete until enough information is provided to determine eligibility. PAM 115 Registered applications must contain, at a minimum, the name, birth date, and address of the applicant, along with the signature of the applicant or authorized representative. PAM 105 Retro-MA coverage is available back to the first day of the third calendar month prior to the application date. PAM 115 The date of application is the date the local office receives the required minimum information on an application. PAM 110

In the record presented, the Claimant's application was received and registered on May 1, 2008. The Claimant was unaware of the three month retroactive period, believing instead the retroactive period was one year. The Claimant acknowledge that the purpose of filing was to get

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cc:

