

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: 2008-17909
Issue No: 2006
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
January 29, 2009
Ingham County DHS

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

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, an in-person hearing was held on January 29, 2009. Claimant personally appeared and testified.

ISSUE

Did the Department of Human Services (the department) properly deny claimant's Medical Assistance (MA) based upon its determination that claimant did not provide appropriate verification information?

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 March 19, 2008, claimant filed an application for Medical Assistance benefits.
- (2) A Verification Checklist was sent to claimant on March 20, 2008 requesting income and asset verification due back April 1, 2008.

(3) On April 2, 2008 application was denied as none of the verification information was returned.

(4) At the hearing, the department caseworker agreed to accept documentation and reassess claimant's eligibility for Medical Assistance benefits. This Administrative Law Judge also requests that Adult Protective Services be sent a referral for claimant so that they can assist claimant in filling out her documentation for future benefits.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department's original decision is hereby REVERSED based upon the department's agreement to reinstate claimant's March 18, 2008 application and to determine whether or not claimant is eligible to receive Medical Assistance benefits based upon the information received at the hearing. The department is also ORDERED to reassess claimant's Medical Assistance benefits and if claimant is otherwise eligible to open an ongoing Medical Assistance case for claimant from the date of application as well as to refer claimant to Adult Protective Services to assist her in future application completion.

/s/ _____
Landis Y. Lain
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: February 12, 2009

Date Mailed: February 12, 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 receipt date of the rehearing decision.

LYL/vmc

cc:

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