

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: 2009-2824  
Issue No: 2006  
Case No: [REDACTED]  
Load No: [REDACTED]  
Hearing Date:  
February 18, 2010  
Genesee County DHS

ADMINISTRATIVE LAW JUDGE: Carmen G. Fahie

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 three-way telephone hearing was held on Thursday, February 18, 2010. The claimant was not present, but was represented by her authorized representative, [REDACTED]

ISSUE

Did the department properly deny the claimant's Medical Assistance (MA) application because the claimant or her authorized representative failed to provide the required verification to determine eligibility?

FINDINGS OF FACT

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

(1) The claimant has a MA deductible case.

(2) On February 6, 2008, the department received medical bills for December 2007 and January 2008.

(3) On February 27, 2008, a Verification Checklist, DHS-3503, was mailed to the claimant requesting income verification for December 2007 and January 2008. (Department Exhibit 1)

(4) On March 26, 2008, the department caseworker sent a denial notice that a determination of eligibility could not be made because income documentation was not provided. (Department Exhibit 2)

(5) On October 7, 2008, the department received a hearing request from the claimant, contesting the department's negative action.

(6) The parties have reached an agreed upon settlement to resolve the dispute. The department agrees to reprocess the claimant's MA for the months of December 2007 and January 2008 because the Verification Checklist and the Denial Notice was never sent to [REDACTED]

[REDACTED]

#### 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).

In the present case, the parties have reached an agreed upon settlement to resolve the dispute. The department agrees to reprocess the claimant's MA for the months of December 2007 and January 2008 because the Verification Checklist and the Denial Notice was never sent to [REDACTED]. If the claimant does not agree with the determination, she may file another request for a hearing.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the parties have reached an agreed upon settlement.

Accordingly, the department's decision is REVERSED. The department is ordered to reprocess the claimant's MA for the months of December 2007 and January 2008, if it has not already done so.

/s/  
Carmen G. Fahie  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

Date Signed: March 29, 2010

Date Mailed: March 29, 2010

**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.

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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.

CGF/vmc

cc:

