

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg No. 200931239  
Issue No. 2006  
Case No. [REDACTED]  
Load No. [REDACTED]  
Hearing Date: July 13, 2010  
Shiawassee 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 the claimant's request for a hearing. After due notice, a telephone hearing was held on Tuesday, July 13, 2010. The claimant was not present, but was represented by her authorized representative, [REDACTED]

**ISSUE**

Did the department properly deny the claimant's application for Medical Assistance (MA) based upon the fact that the claimant did not provide the required verification?

**FINDINGS OF FACT**

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

1. On January 23, 2008, the claimant was awarded Social Security Disability benefits of RSDI with a disability onset date of [REDACTED]
2. On April 14, 2008, the claimant's case was transferred to [REDACTED] County.
3. On November 24, 2008, the claimant's case was transferred back to [REDACTED] County.
4. On July 21, 2009, a facility admission notice was received for dates of stay of January 2008 from [REDACTED], requesting payment. The bill was not submitted by April 30, 2008 so payment was denied.

5. On February 1, 2010, the department received a hearing request from the claimant's authorized representative, contesting the department's action.
6. The parties have reached an agreed settlement to resolve the dispute. The department agrees to reprocess and redetermine eligibility retroactive to January 2008 and send notice to the claimant and her authorized representative.

### **CONCLUSIONS OF LAW**

The Medical Assistance (MA) program is established by the 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 (formerly 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 Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

In the present case, the parties have reached an agreed settlement to resolve the dispute. The department agrees to reprocess and redetermine eligibility retroactive to January 2008 and send notice to the claimant and her authorized representative. 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 that the parties have reached an agreed upon settlement.

The department is **ORDERED** to reprocess and determine eligibility retroactive to 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: August 25, 2010

Date Mailed: August 25, 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.

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.

GCF/vc

cc:

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