

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: 2009-8900
Issue No: 2006; 3008
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
March 25, 2009
Kalamazoo County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

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 hearing was held on March 25, 2009. Claimant appeared and testified. Claimant stated she did not have any issues with the Food Assistance Program (FAP) only with the Adult Medical Program (AMP). This hearing deals only with the closure of claimant's Adult Medical Program (AMP).

ISSUE

Did the Department of Human Services properly close claimant's Adult Medical Program (AMP) for failure to provide required verifications?

FINDINGS OF FACT

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

- (1) Claimant was an ongoing recipient of Adult Medical Program (AMP) benefits.
- (2) In October, 2008 claimant began employment.

(3) In November, 2008 claimant's Adult Medical Program (AMP) was due for an annual re-determination.

(4) On November 17, 2008, claimant dropped off a re-determination application and a Verification of Employment (DHS Form 38) form.

(5) On December 16, 2008, claimant's Adult Medical Program (AMP) was closed due to failure to provide required income verification.

(6) On December 23, 2008, claimant submitted a request for hearing.

CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies are contained in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Claimant's main concern is with her Medical Assistance (MA) through the Adult Medical Program (AMP). The Adult Medical Program (AMP) has very low income limits and the department requires verification of income in order to determine an applicant's financial eligibility. In this case, claimant began working in October, 2008 so her income was necessary to determine if she was still eligible for the Adult Medical Program (AMP).

Claimant asserts she turned in information from her employment at McDonalds but her supervisor is only authorized to provide basic information because the employer uses the Work Number site on the internet to provide income information for their employees. The Verification of Employment (DHS Form 38) printed on November 10, 2008, in claimant's case file, was signed by claimant's manager on January 9, 2009. That is after the date the information was due

back in order for the department to determine claimant's financial eligibility for the Adult Medical Program (AMP).

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly closed Claimant's Adult Medical Program (AMP) for failure to provide required verifications.

It is ORDERED that the actions of the Department of Human Services, in this matter, are UPHELD.

/s/


Gary F. Heisler
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: March 30, 2009

Date Mailed: April 2, 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.

GFH 

cc:

