

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES
P.O. Box 30639, Lansing, MI 48909-8139
(517) 373-0722; Fax (517) 335-6088; For Client/Clients' Reps. only 1-800-648-3397

IN THE MATTER OF:

Petitioner:

██████████

Reg. No.: 2009-9141

Case No.: ██████████

Load No.: ██████████

ORDER OF DISMISSAL

On September 23, 2008, the State Office of Administrative Hearings and Rules (SOAHR) received two (2) requests for hearing from the Claimant's mother. The Claimant's requests involve a billing dispute between the Claimant, the Department of Human Services (DHS) and Macomb County. After receiving the two (2) hearing requests SOAHR scheduled a Medicaid fair hearing with the ██████████) and a Title IV-E hearing with DHS. The Claimant is a Medicaid beneficiary who is currently enrolled in the ██████████). The Claimant is also receiving services funded through DHS Foster Care and Adoption Services, Title IV-E funding.

On November 18, 2008, SOAHR convened a Medicaid fair hearing. ██████████ staff appeared and asked that the Claimant's request for hearing be dismissed because ██████████ was not responsible for the funding of services authorized and provided through DHS Title IV-E Foster Care and Adoption funding. ██████████ also indicated that because the Claimant was not a ██████████ client on the date of the disputed services, the Claimant had not sought, nor did the Claimant obtain ██████████ authorization for the inpatient services in dispute. The Claimant's mother appeared on behalf of the Claimant. After hearing the ██████████ explanation of ██████████ funding responsibilities the Claimant's mother withdrew her Medicaid Fair hearing appeal. On November 19, 2008, Administrative Law Judge (ALJ) Marya Nelson-Davis issued an Order of Dismissal which dismissed the Claimant's Medicaid Fair Hearing appeal.

On August 20, 2009, ALJ Rhonda Craig convened a hearing. The Claimant's mother appeared on his behalf and DHS Title IV-E staff appeared on behalf of DHS. On ██████████, ██████████ pled no contest to the Juvenile offenses of Assault and Battery and Attempted Malicious Destruction of a Building \$1,000 to \$20,000. The Claimant was made a ██████████ by order issued by the ██████████

[REDACTED]
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[REDACTED]. The Claimant was placed in the [REDACTED]. On [REDACTED] referred the Claimant to [REDACTED] for in patient mental health treatment. The Claimant remained at [REDACTED] until [REDACTED]. On [REDACTED] the [REDACTED] ordered the Claimant released to the custody of his biological mother. Subsequently, the State of Michigan paid [REDACTED] for the cost of the Claimant's hospitalization and sought reimbursement from Macomb County and Macomb County then billed the Claimant's mother for the cost of the Claimant's hospitalization.

The Claimant's mother submitted her September 23, 2009, request for hearing to resolve the billing dispute between DHS, Macomb County, and the Claimant. SOAHR has no jurisdiction to hear this matter. The billing dispute is not a hearable issue. SOAHR has no authority to compel Macomb County to cease billing the Claimant for services rendered while the Claimant was [REDACTED] et seq., ward and under the supervision and control of the [REDACTED] court. In addition, SOAHR has no jurisdiction to consider matters related to the DHS payment to [REDACTED]. Therefore, SOAHR has no jurisdiction to hear this matter.

IT IS HEREBY ORDERED:

The hearing request in this matter is **DISMISSED**.


Rhonda Craig
Administrative Law Judge

Date Signed: October 1, 2009
Date Mailed: October 1, 2009

cc:

[REDACTED]