

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: 2010-10613
Issue No: 2027
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
April 1, 2010
Iosco 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 telephone hearing was held on Thursday, April 1, 2010. The claimant personally appeared and testified with his mother, [REDACTED] as a witness.

ISSUE

Did the department properly deny the claimant's Medical Assistance (MA) since he was no longer receiving Social Security Administration SSI benefits?

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 was a SSI recipient, which made him eligible for MA.
- (2) On September 19, 2009, the claimant's case was updated to reflect that the claimant turned 21 years of age on [REDACTED]

(3) On September 19, 2009, the department caseworker sent the claimant notice that his Medicaid coverage would end effective October 1, 2009.

(4) On November 12, 2009, the department received a hearing request from the claimant, contesting the department's negative action.

(5) During the hearing, the claimant filed an April 2009 application for disability that was not processed because the claimant was receiving SSI, which made him eligible for MA.

(6) The parties have reached an agreed upon settlement to resolve the dispute. The department agrees to reprocess the claimant's April 2009 application, which would make the claimant eligible for MA retroactive to October 2009. The claimant, through his mother, will provide updated medical records and the department agrees to put a priority rush on the claimant's application.

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 April 2009 application, which would make the claimant eligible for MA retroactive to October 2009. The claimant, through his mother, will provide updated medical records and the department agrees to put a priority rush on

the claimant's application. If the claimant does not agree with the determination, he 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 the claimant's April 2009 disability application, which would make the claimant eligible for MA retroactive to October 2009 and put a priority rush on the claimant's application.

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

Date Signed: May 13, 2010

Date Mailed: May 13, 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.

CGF/vc

cc:

