

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

IN THE MATTER:

[REDACTED]

Reg No. 201010841
Issue No. 2009/4031
Case No. [REDACTED]
Load No. [REDACTED]
Hearing Date: February 3, 2010
Mason County DHS

ADMINISTRATIVE LAW JUDGE: Jana A. Bachman

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 February 3, 2010.

ISSUE

Whether claimant has established disability for purposes of qualifying for Medical Assistance (MA) and State Disability Assistance (SDA) 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. October 9, 2009, claimant applied for MA and SDA. Claimant submitted medical records for department consideration.
2. October 19, 2009, the Medical Review Team (MRT) denied claimant's application. Department Exhibit A.
3. October 25, 2009, the department sent claimant written notice that her application was denied.
4. November 9, 2009, the department received claimant's timely request for hearing.

5. December 21, 2009, the State Hearing Review Team (SHRT) denied claimant's application. Department Exhibit B.
6. February 3, 2010, the telephone hearing was held. Prior to the closing of the record, the department submitted additional medical evidence. Claimant waived the right to a timely hearing decision.
7. October 14, 2010, after review of new medical evidence, the SHRT approved claimant's disability effective July 2009. The SHRT Decision notes that claimant was approved for Social Security benefits. SHRT Decision, 10-14-10.
8. Claimant meets the disability requirements to qualify for MA effective with the earliest retroactive month of application. Claimant meets the disability requirements to qualify for SDA effective the month of his application.

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).

Department manuals provide the following policy statements and instructions for caseworkers:

A person meets the disability or blindness factor for a month if he is determined disabled or blind for the month being tested.

Bridges Eligibility Manual (BEM) 260

LEGAL BASE

MA

Disability

42 CFR 435.540, .541
MCL 400.106

In this case, the claimant received a fully favorable decision from the SHRT regarding claimant's disability. The SHRT determined that claimant is disabled and disability onset effective July 2009. Finding of Fact (FOF) 7-8. As such, it is not necessary for the Administrative Law Judge to discuss claimant's disability.

