

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

IN THE MATTER OF THE CLAIM OF:

[REDACTED]

Reg. No.: 201029954
Issue No.: 2001
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: September 22, 2010
Macomb County DHS

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

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 September 22, 2010. The Claimant appeared and testified. [REDACTED] appeared on behalf of the Department.

ISSUE

Was the Department correct in denying Claimant's Adult Medical Program application?

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 applied for the Adult Medical Program on December 22, 2009.
- (2) Claimant's application was denied because the program was closed.
- (3) Claimant requested a hearing on December 28, 2010 contesting the denial of AMP benefits.

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

201029954/AM


Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

In the present case, Claimant did not allege that he was disabled in his application. Claimant confirmed at hearing that he is not disabled. Therefore the only medical coverage he was potentially eligible for was the Adult Medical Program. The Adult Medical Program was closed at the time of Claimant's application on December 22, 2009. BEM 640. Therefore the Department was correct to deny Claimant's AMP application.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that the Department properly denied Claimant's Adult Medical Program application because the program was closed, and it is ORDERED that the Department's decision in this regard be, and is, hereby AFFIRMED.

/s/


Aaron McClintic
Administrative Law Judge
For Ismael Ahmed, Director
Department of Human Services

Date Signed: September 29, 2010

Date Mailed: September 29, 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.

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201029954/AM

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