# STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

**IN THE MA**TTER OF: Reg. No.: 2010-41035

Issue No.: 2000 Case No.:

Hearing Date October 14, 2010

DHS County: Wayne (20)

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

# AMENDED HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437 upon the claimant's request for a hearing. After due notice, a telephone hearing was held on October 14, 2010. The claimant was represented by his Authorized Representative (AR).

### <u>ISSUE</u>

Did the Department properly pr ocess the cl aimant's Medical Assistance (MA) and retroactive MA applications?

### FINDINGS OF FACT

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

- 1. On November 25, 2008, t he claimant filed an applicat ion for MA and retroactive MA.
- 2. On March 25, 2010, the claimant filed a request for a hearing.

# CONCLUSIONS OF LAW

The Medical Assistance (MA) program is estab lished by Title XIX of the Social Sec urity 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 Bridges Reference Manual (BRM).

The client must obtain require d verification, but you must assist if they need and request help. (BAM 130, p. 3)

The law pr ovides that disposition may be made of a contest ed case by s tipulation or agreed settlement. MCL 24. 278(2). In the instant case, the parties reached an accord. The Department agreed to reregister t he November 25, 2008, MA and retroactive applications.

# **DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds that the Department and Claimant have come to an agreement and ORDERS the Department to reregist er the November 25, 2008, MA and ret roactive MA applications.

Michael J. Bennane Administrative Law Judge for Maura Corrigan, Director Department of Human Services

Date Signed: September 1, 2011

Date Mailed: September 1, 2011

**NOTICE**: Administrative Hearings may or der 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 Hear ings will not orde rarehearing 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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

## MJB/cl

cc: