

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2010-43280  
Issue No.: 2014  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date: October 21, 2010  
DHS County: Wayne (15)

**ADMINISTRATIVE LAW JUDGE:** Aaron McClintic

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, MCL 400.37 and upon Claimant's request for a hearing. After due notice, a telephone hearing was held on October 21, 2010. Claimant appeared and testified. [REDACTED], appeared on behalf of the Department of Human Services (Department).

**ISSUE**

Was the Department correct in determining Claimant's Medical Assistance (MA) eligibility?

**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 became eligible for Transitional Medicaid (TMA) effective June 1, 2010.
- (2) Claimant requested a hearing on April 19, 2010, contesting the determination of Medicaid benefits.

**CONCLUSIONS OF LAW**

MA 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 (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).

TMA eligibility can be considered only after LIF. Families may receive TMA for up to 12 months when ineligibility for LIF relates to income from employment of a caretaker.

TMA starts the month in which LIF ineligibility began regardless of when the LIF eligibility actually ended. TMA eligibility continues until the end of the 12-month TMA period unless:

- FIP is approved; or
- A change is reported, such as decreased income, and the family is eligible for LIF.

BEM 111.

In the present case, Claimant agreed on the record that the Department's determination of Transitional Medicaid was proper and correct. This Administrative Law Judge finds that the Department has acted in accordance with Department policy and law in determining ongoing MA.

Claimant raised issues with regard to the Freedom to Work Program outlined in Department policy BEM 174 and questioned whether he might be eligible under this policy after Transitional Medicaid closes. This Administrative Law Judge cannot make prospective rulings based on determinations the Department may or may not make in the future.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department was correct in the determination of MA benefits, and it is ORDERED that the Department's decision in this regard be and is hereby AFFIRMED.



---

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

Date Signed: October 25, 2010

2010-43280/AM

Date Mailed: October 27, 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.

AM/pf

cc:

