

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: 2010-4495
Issue No: 2001
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
June 7, 2010
Wayne County DHS

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

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 hearing. After due notice, a telephone hearing was conducted from Detroit, Michigan on June 7, 2010. The Claimant appeared and testified. Farika Gibson, ES appeared on behalf of the Department.

ISSUE

Whether the Department properly denied the Claimant's Adult Medical Program ("AMP") application.

FINDINGS OF FACT

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

1. Claimant filed an application for Medical Assistance and FAP on 8/14/09.
2. Claimant's FAP was approved on 9/16/09 and he began receiving FAP on 10/1/09.

3. The Claimant's application for the Adult Medical Program (AMP) was denied on 9/16/09. The Claimant's application was denied because the AMP program was closed and, also, because he had not checked the part of the application to indicate that he was disabled. Exhibit 1, Application, page G. Section E, Medical Information.
4. The Department contacted the Claimant and suggested he file a new application. The Department was told that the Claimant would pick up the application, but Claimant never did.
5. Claimant requested a hearing on August 14, 2009 contesting the Department's denial of his Medical Assistance application, which was received by the Department on August 14, 2009.

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 Human Services (formerly known as the Family Independence Agency) 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).

The Adult Medical Program (AMP) is available to individuals who meet all the eligibility factors. BEM 640. There are two categories of AMP. The G program (AMP-G) is for SDA cash payment recipients who are not eligible for MA or other Department medical programs, and who do not have private health care coverage. The H program (AMP-H) is available to clients who receive medical benefits only. BEM 640, p. 2.

In this case, at the time the Claimant applied for medical assistance, the AMP program was no longer open and had been frozen May 31, 2009. All applications received after June 1, 2009 was denied. Since the Claimant's application was filed on August 14, 2009, his application was properly denied. Additionally, because the Claimant did not indicate in his application that he was disabled, the Department had no choice but to deny the application.

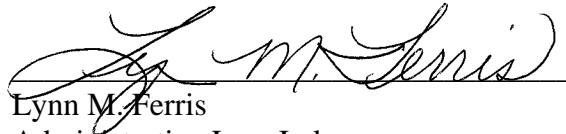
The Claimant is urged to reapply for medical benefits again and apply as a disabled adult.

DECISION AND ORDER

The Administrative Law Judge, based upon the findings of fact and conclusions of law, finds that the Department's decision to deny the application for Medical Assistance is upheld.

Accordingly, it is ORDERED:

The Department's denial of the Claimant's application is AFFIRMED.



Lynn M. Ferris
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: 06/29/10

Date Mailed: 07/01/10

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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LMF/dj

cc:

