

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.: 201048931
Issue No.: 2011
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: November 8, 2010
Macomb County DHS (12)

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 a hearing. After due notice, a telephone hearing was held on November 8, 2010. The Claimant did not appear. The claimant's authorized Representative, [REDACTED], through [REDACTED], appeared and testified. [REDACTED] ES and [REDACTED] FIM appeared on behalf of the Department.

ISSUE

Whether the Department properly processed the Claimant's Medical Assistance Application?

FINDINGS OF FACT

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

1. The Claimant applied for Medical Assistance and was granted benefits on September 28, 2009. The Department did not process the benefits to begin September 1, 2009 as it was unable to do so due to the conversion to the Bridges system.
2. The Department sought the assistance of the help desk in October 2009 but never received a response as of the date of the hearing.
3. The Department agreed that the Claimant should be entitled to medical benefits effective September 1, 2009.

4. The Department was not able to suggest how the matter could be corrected in the Bridges system so that the Claimant's coverage for medical benefits could be retroactively corrected to begin medical coverage as of September 1, 2009.
5. The Claimant's representative requested a hearing protesting the department's failure to institute the Claimant's benefits as of September 1, 2010 on June 23, 2010.
6. As a result of the agreement of the parties that the Claimant should be eligible for medical benefits effective September 1, 2010 the department agreed to correct the effective date in the bridges system. As a result of this agreement the Claimant's representative indicated that he no longer wished to proceed with the hearing.

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).

In the present case the Department has agreed that the Claimant is entitled to receive medical assistance benefits effective September 1, 2010, however it was unable to correct the effective date in the bridges system for over one year. The Department's reason for failing to correct the problem was because its one request to the help desk had not received a response. At this late juncture, the Department agreed that the problem should be corrected and that the Claimant's medical assistance benefits should be effective as of September 1, 2009. Given the agreement of the parties this administrative Law Judges is not required to issue a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that the Department and Claimant have come to a settlement regarding claimant's request for a hearing.

Accordingly it is ORDERED:

201048931/LMF

1. The Department shall retroactively correct the effective date of medical assistance in the Bridges system so that the Claimant's coverage for medical benefits begins September 1, 2009.
2. The Department shall begin and complete the correction of the medical benefits effective date in the Bridges system within 10 days from the receipt of this order.
3. The Department shall issue an Eligibility Notice regarding the effective date of medical benefits and shall provide a copy to the Claimant and the Claimant's representative L & S Associates, Hassan Abraham.



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

Date Signed: 11/10/2010

Date Mailed: 11/10/2010

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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cc:

