

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.: 2010-52332
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: December 16, 2010
DHS County: Wayne (82-76)

ADMINISTRATIVE LAW JUDGE: Susan C. Burke

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing. After due notice, a telephone hearing was held on December 16, 2010. Claimant appeared and testified. Claimant's daughter, [REDACTED] also testified on behalf of Claimant. The Department of Human Services (Department) was represented by [REDACTED], and [REDACTED].

ISSUE

Were claimant's Medical Assistance (MA or Medicaid) benefits properly terminated?

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 was an ongoing Medicaid recipient.
2. On August 1, 2010, Claimant's eligibility for Medicaid changed from Medicaid for the aged to Medicaid for aged SSI recipients.
3. On August 11, 2010, Claimant requested a hearing, disputing his Medicaid closure, stating that the Medicaid was helping him pay for his Medicare premium.

CONCLUSIONS OF LAW

The 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 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).

The State Supplementary Security Income (SSI) program was established pursuant to Title XVI of the Social Security Act in 42 USC 1381, *et seq.*, and implemented by the provisions of Title 20 of the Code of Federal Regulations (CFR). The Department administers the State SSI program pursuant to 2002 PA 529, MCL 400.10. *et seq.*, and by agreement between the State of Michigan and the United States Secretary of Health and Human Services (Secretary). Department policies are contained in BAM, BEM and PRM.

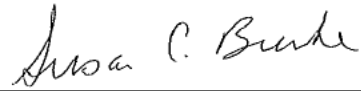
SSI is a cash benefit for needy individuals who are aged (at least 65), blind or disabled. The Social Security Administration (SSA) determines SSI eligibility. In Michigan, the Department supplements federal SSI payments based on the client's living arrangement. The Department's central office receives SSI client information daily from SSA through the State Data Exchange (SDX). An automated process tries to match new SSI recipients on the SDX file with persons active in other programs on Bridges. If the individual is receiving MA in Bridges, Eligibility Determination and Benefit Calculation (EDBC) is run in mass update to close MA under the current case and open ongoing SSI under a new case number. BEM150.

In the present case, Claimant's Medicaid coverage's eligibility was changed from Medicaid for the aged to Medicaid for aged SSI recipients. At the hearing, the Department agreed to assist Claimant in obtaining Qualified Medicaid Benefits (QMB) retroactive to June 1, 2010.

As a result of this agreement, Claimant indicated that he no longer wished to proceed with the hearing. Since Claimant and the Department have come to an agreement, it is unnecessary for this Administrative Law Judge to make 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, decides that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing. Therefore, it is ORDERED that the Department assist claimant in obtaining QMB retroactive to June 1, 2010.



Susan C. Burke
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: January 3, 2011

Date Mailed: January 4, 2011

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.

SCB/pf

cc:

