

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.: 2010-52915  
Issue No.: 2000  
Case No.: [REDACTED]  
Hearing Date: December 16, 2010  
DHS County: Macomb (50-12)

**ADMINISTRATIVE LAW JUDGE:** Jan Leventer

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to Michigan Compiled Laws (MCL) 400.9 and 400.37 and Claimant [REDACTED] request for a hearing. After due notice, a telephone hearing was held on December 16, 2010. Claimant appeared and testified. [REDACTED], appeared and testified on behalf of the Department of Human Services (DHS).

**ISSUE**

Whether Claimant is entitled to Medical Assistance (MA or Medicaid) Healthy Kids benefits for her son?

**FINDINGS OF FACT**

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

1. In 2010, Claimant received MA Healthy Kids benefits for her son.
2. On July 14, 2010, DHS sent Claimant a Redetermination packet requesting current income and employment information from Claimant.
3. Claimant never received the Redetermination packet.
4. On August 20, 2010, DHS terminated Claimant's Healthy Kids benefits.
5. On August 27, 2010, Claimant filed a hearing request notice with DHS, stating:

I never received a redetermination form to fill out and send in for reevaluation. I would like my son's insurance reinstated. I'm requesting a hearing and/or for the forms to be resent to me.

6. At the hearing, DHS agreed to reinstate Claimant's Healthy Kids benefits.
7. As a result, Claimant indicated at the hearing that she no longer wished to proceed with the hearing.

### **CONCLUSIONS OF LAW**

MA was established by Title XIX of the U.S. Social Security Act and is implemented by Title 42 of the Code of Federal Regulations. DHS administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. DHS' policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables (RFT). These materials are available online at [www.michigan.gov/dhs-manuals](http://www.michigan.gov/dhs-manuals).

At the hearing in this case, DHS agreed to reinstate Claimant's Healthy Kids benefits, and Claimant accepted this result and indicated she no longer wished to proceed with the hearing. Therefore, it is not necessary for the Administrative Law Judge to decide any issue in the case. Accordingly, I am entering an order effectuating the settlement agreement of the parties.

Based on the stipulated settlement agreement of the parties, IT IS HEREBY ORDERED that DHS shall reinstate Claimant's Healthy Kids benefits for her son and reissue a Redetermination packet to Claimant. These actions shall be taken in accordance with this Order and with DHS policies and procedures.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law and the stipulated settlement agreement of the parties, states IT IS HEREBY ORDERED that DHS shall reinstate Claimant's Healthy Kids benefits and reissue Claimant's Redetermination materials. All actions shall be taken in accordance with DHS policies and procedures.



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Jan Leventer  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

Date Signed: December 21, 2010

Date Mailed: December 22, 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.

JL/pf

cc:

