

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: 201052920

Issue No: 2018

[REDACTED] DHS

**ADMINISTRATIVE LAW JUDGE:** Kevin Scully

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9 and MCL 400.37. Claimant's request for a hearing was received on August 24, 2010. After due notice, a telephone hearing was held on Thursday, January 13, 2011.

**ISSUE**

Whether the Department of Human Services (Department) properly determined the 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. The Claimant was an ongoing MA recipient until September 1, 2010.
2. The Claimant reported to the Department that her minor daughter was no longer living in her household.
3. On August 13, 2010, the Department notified the Claimant that her MA benefits would be terminated as of September 1, 2010, because she did not meet the non-financial requirements of the program.
4. The Department received the Claimant's request for a hearing on August 24, 2010, protesting the termination of her MA benefits.

**CONCLUSIONS OF LAW**

The Medical Assistance (MA) program 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 of Human Services (DHS or 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), Reference Table Manual (RFT), and the Bridges Reference Manual (BRM).

MA is available to parents and other caretaker relatives who meet the eligibility factors in this item. BEM 135. A caretaker relative is a person that lives with a dependent child and is the parent of the dependent child, or a relative who acts as parent for the dependent child. BEM 135.

The Claimant was an ongoing MA recipient. On August 8, 2010, the Claimant reported to the Department that her minor daughter was no longer living in her household. On August 13, 2010, the Department reviewed the Claimant's eligibility for MA benefits and determined that she was no longer eligible to receive MA benefits.

Since the Claimant does not live with a dependent child, she no longer meets the eligibility factors to receive MA benefits. Therefore, the Department has established that it acted in accordance with policy when it terminated the Claimant's MA benefits.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department acted in accordance with policy in determining the Claimant's MA eligibility.

The Department's MA eligibility determination is AFFIRMED. It is SO ORDERED.

/s/ \_\_\_\_\_  
Kevin Scully  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: \_\_1/26/11\_\_\_\_\_

Date Mailed: \_\_1/27/11\_\_\_\_\_

**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 60 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt 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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