

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2010-54520  
Issue No.: 2000  
Case No.: [REDACTED]  
Hearing Date: January 10, 2011  
Wayne County DHS (15)

**ADMINISTRATIVE LAW JUDGE:** Christian Gardocki

**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 January 10, 2011. The claimant appeared and testified. On behalf of Department of Human Services (DHS), [REDACTED], Specialist, appeared and testified.

**ISSUE**

Whether DHS properly denied Claimant's application for Medical Assistance (MA) benefits based on Claimant's alleged failure to verify information.

**FINDINGS OF FACT**

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

1. Sometime in 4/2010, Claimant submitted an Assistance Application requesting MA benefits.
2. On an unspecified subsequent date, DHS denied Claimant's MA benefits based on a failure by Claimant to verify information.
3. On 9/7/10, Claimant requested a hearing disputing the denial of MA benefits.
4. DHS acknowledges that Claimant's application was either denied in error or should be reinstated.

### **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 (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 Reference Tables Manual (RFT).

MA provides medical assistance to individuals and families who meet financial and nonfinancial eligibility factors. The goal of the MA program is to ensure that essential health care services are made available to those who otherwise would not have financial resources to purchase them.

For all programs, DHS must request verifications when required by policy. BAM 130 at 1. Verification means documentation or other evidence to establish the accuracy of the client's verbal or written statements. BAM 130 at 1. Verification is usually required at application or redetermination. *Id.*

In the present case, DHS did not attempt to establish that Claimant's 4/2010 application for MA benefits was properly denied. Instead, DHS indicated a willingness to reinstate Claimant's application. The undersigned accepts the DHS decision to reinstate Claimant's application as an appropriate resolution in this matter. The undersigned makes no findings concerning whether Claimant's application was properly denied, only that DHS did not attempt to establish that a proper denial was made. By agreement of the parties, it is found that DHS improperly denied Claimant's application for MA benefits.

DHS provided no evidence concerning the date of Claimant's MA benefit application. DHS submitted a Verification Checklist dated 5/1/10 requesting information from Claimant. Claimant testified that she believed her application for MA benefits would have been submitted sometime in 4/2010, the month prior to the date of the Verification Checklist. As the undersigned only has evidence to find that Claimant applied in 4/2010, DHS shall refer to Bridges, the DHS database, to determine the precise date of the MA benefit application.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact, conclusions of law and by agreement of the parties, finds that DHS improperly denied Claimant's application for MA benefits. It is ordered that DHS reinstate Claimant's 4/2010 application for MA benefits and that DHS process Claimant's application in accordance

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with DHS regulations. DHS shall refer to Bridges in determining the specific date of Claimant's 4/2010 MA benefit application. The actions taken by DHS are REVERSED.

*Christian Gardocki*

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Christian Gardocki  
Administrative Law Judge  
For Duane Berger, Director  
Department of Human Services

Date Signed: 1/13/2011

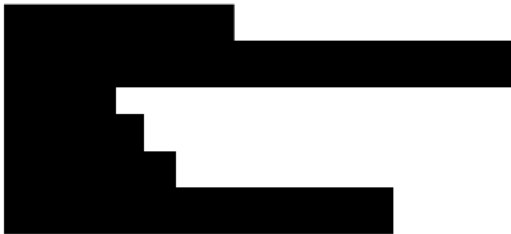
Date Mailed: 1/13/2011

**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.

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