

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED],  
Claimant,

BY: [REDACTED]

Reg. No: 2010-8547  
Issue No: 2018  
Case No: [REDACTED]  
Load No: [REDACTED]  
Hearing Date:  
June 17, 2010  
Barry County DHS

ADMINISTRATIVE LAW JUDGE: Steven M. Brown

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 conducted from Lansing, Michigan on June 17, 2010.

ISSUE

Whether the Department properly computed the Claimant's Medical Assistance Program (MA) eligibility?

FINDINGS OF FACT

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

1. On August 20, 2009 Claimant completed and filed an application for MA benefits.

2. On September 17, 2009, the Department mailed Claimant a Notice of Case Action which informed him that MA deductible coverage was approved for ongoing coverage from September 1, 2009 as well as for May, June and July 2009.

3. On October 29, 2009, the Department received Claimant's hearing request protesting the – "denial of coverage in April, 2009". (Exhibit 1)

### 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) and the Bridges Reference Manual (BRM).

Meeting a deductible means reporting and verifying allowable medical expenses that equal or exceed the deductible amount for the calendar month tested. The group must report expenses by the last day of the third month following the month it wants MA coverage for.

In the instant case, based on the testimony and documentation offered at and after hearing, I find that the Department established that it acted in accordance with policy in determining Claimant's MA eligibility. Claimant applied for coverage in August 2009 and was eligible for ongoing coverage and, per department policy, only three months prior to the application which was May, June and July 2009.

DECISION AND ORDER

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

Accordingly, the Department's MA eligibility determination is AFFIRMED, it is SO ORDERED.

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Steven M. Brown  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

Date Signed: July 14, 2010

Date Mailed: July 14, 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 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.

SMB/tg

cc:

