

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED]

Claimant

Reg. No: 2010-10398

Issue No: 2009

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

May 2, 2010

Genesee County DHS

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

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 May 2, 2010. Claimant personally appeared and testified. Claimant was represented at the hearing by [REDACTED]

ISSUE

Did the Department of Human Services (the department) properly deny claimant's application for Medical Assistance (MA-P)?

FINDINGS OF FACT

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

(1) [REDACTED] applied for Medical Assistance for claimant on September 30, 2008.

(2) The application was received at the Ingham DHS office on September 30, 2008 and then forwarded to the [REDACTED] on October 8, 2008.

(3) The eligibility determination was started but was not completed by the assigned original worker.

(4) The department agreed to reprocess the September 30, 2008, application and will fax the information to [REDACTED] so that they are aware of the verification items needed to determine Medical eligibility and retroactive Medical eligibility for claimant.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department has conceded on the record that it was not acting in compliance with department policy when it failed to process claimant's September 30, 2008, application for Medical Assistance and retroactive Medical Assistance benefits.

Accordingly, the department's decision is REVERSED. The department is ORDERED to re-instate claimant's September 30, 2008, Medical Assistance application. The department shall send [REDACTED] as well as the claimant a verification checklist and shall give [REDACTED] [REDACTED] and the claimant 30 days from the date of the verification checklist mailing to provide verification information so that the department can determine Medical Eligibility and retroactive Medical Assistance eligibility for claimant.

/s/
Landis Y. Lain
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

2010-10531/LYL

Date Signed: June 16, 2010

Date Mailed: June 17, 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.

LYL/alc

cc:

