

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.: 2010-15444

Issue No.: 2000

Case No.: [REDACTED]

Load No.: [REDACTED]

Hearing Date:

June 2, 2010

Wayne County DHS (43)

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 conducted from Detroit, Michigan on June 2, 2010. Claimant's father, [REDACTED], appeared and testified on behalf of Claimant. On behalf of Department of Human Services (DHS), [REDACTED], Specialist, appeared and testified.

ISSUE

Whether Claimant has a reviewable issue after DHS reinstated Claimant's Medical Assistance based on Supplemental Security Income benefits.

FINDINGS OF FACT

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

1. Claimant was an ongoing Medical Assistance (MA) and Supplemental Security Income (SSI) recipient.

2. Claimant received Medicaid and quarterly SSI payments through the MA program as a federal SSI recipient.
3. On an unspecified date, DHS terminated Claimant's SSI benefits after notice that Claimant's federal SSI benefits were terminated.
4. On an unspecified date, DHS subsequently reinstated Claimant's State of Michigan SSI benefits after Claimant's federal SSI benefits were reinstated.
5. Claimant submitted a hearing request on 1/4/10 regarding the initial closure of SSI benefits

CONCLUSIONS OF LAW

The State Supplementary Security Income program was established pursuant to Title XVI of the Social Security Act in 42 USC 1381, *et seq.*, and implemented by the provisions of Title 20 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the State SSI program pursuant to 2002 PA 529, MCL 400.10, *et seq.*, and by agreement between the State of Michigan and the United States Secretary of Health and Human Services (Secretary). Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

Per BAM 600, the following is a list of circumstances for which the State Office of Administrative Hearings and Rules (SOAHR) may grant a hearing: denial of an application and/or supplemental payments, reduction in the amount of program benefits or service,

suspension or termination of program benefits or service, restrictions under which benefits or services are provided, delay of any action beyond standards of promptness or for Food Assistance Program only, the current level of benefits or denial of expedited service. No other issues are reviewable.

In the present case, Claimant filed a request for hearing after DHS terminated Claimant's MA benefits; at that time, Claimant's request was appropriate. Prior to the hearing, DHS reinstated Claimant's State of Michigan SSI benefits making Claimant whole. Claimant's father testified that there was no longer an issue in need of resolution. It is found that Claimant's hearing request should be dismissed for lacking a reviewable administrative issue.

DECISION AND ORDER

Claimant's request for a hearing decision is DISMISSED. The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that Claimant failed to present an unresolved issue appropriate for the administrative process.



Christian Gardocki
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: 06/11/2010

Date Mailed: 06/11/2010

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 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.

CG/cjp

cc:

