

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: 2010-19396

Issue No: 2001

Case No:

Load No:

Hearing Date:

April 14, 2010

Sanilac 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 April 14, 2010.

ISSUE

Whether the Department properly determined Claimant's Adult Medical Program (AMP) 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 December 22, 2009, Claimant completed and filed an application for FAP and AMP benefits.

(2) On January 14, 2010, the Department mailed Claimant a Notice of Case Action which informed him that his FAP application was denied due to excess gross

income and his application for AMP benefits was denied because the program is closed to new enrollments. (Exhibit 1)

(3) On January 29, 2010, the Department received the Claimant's hearing request protesting the Department's FAP and AMP eligibility determinations.

(4) At the time of hearing, Claimant indicated that he did not have any dispute with the Department's FAP determination.

CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

Claimant's application for AMP benefits was denied because the program is not open to new enrollments at this time. With that said, based on the testimony and documentation offered at hearing, I find that the Department established that it acted in accordance with policy in determining Claimant's AMP eligibility.

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 AMP eligibility.

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

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

Date Signed: April 15, 2010

Date Mailed: April 16, 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.

SB/lk

cc:

