

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2010-23685
Issue No.: 2000
Case No.: [REDACTED]
Load No.: [REDACTED] 0
Hearing Date: September 30, 2010
DHS County: Wayne (49)

ADMINISTRATIVE LAW JUDGE: Jan Leventer

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to Michigan Compiled Laws (MCL) 400.9 and 400.37 and Claimant's request for a hearing via her authorized representative, [REDACTED]. After due notice, a telephone hearing was held on September 30, 2010. Claimant did not appear personally and [REDACTED] c., appeared and testified on Claimant's behalf. [REDACTED] appeared and testified on behalf of the Department of Human Services (DHS).

ISSUE

Whether DHS received documentation sufficient to process Claimant's application for Medical Assistance (MA or Medicaid) benefits?

FINDINGS OF FACT

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

1. On April 14, 2009, Claimant applied for MA.
2. Claimant's eligibility date is February 1, 2009.
3. On August 28, 2009, DHS denied Claimant's request for MA benefits.
4. On December 1, 2009, Claimant filed a request for hearing with DHS.
5. On or about April 16, 2010, Claimant faxed employment information for February-May 2009 to DHS.

6. Claimant's application is now fully documented and is ready to be submitted to the Medical Review Team.

CONCLUSIONS OF LAW

The Medical Assistance (MA) program is established by Title XIX of the United States Social Security Act and is implemented by Title 42 of the Code of Federal Regulations. DHS administers MA pursuant to MCL 400.10, *et seq.*, and MCL 400.105. DHS policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT). These manuals are available online at www.michigan.gov/dhs-manuals.

In this case, Claimant and DHS stipulate that Claimant's application is now complete and ready to be submitted to the Medical Review Team. I conclude that it is therefore not necessary for the Administrative Law Judge to decide the issues in this case.

DHS' denial of Claimant's application is REVERSED. DHS is ORDERED to submit Claimant's application to the Medical Review Team in accordance with all DHS policies and procedures.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, determines that a settlement has been reached in this case. DHS shall submit Claimant's completed application to the Medical Review Team for determination. DHS' denial is REVERSED by virtue of the stipulation of the parties.



Jan Leventer
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: September 30, 2010

Date Mailed: October 1, 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

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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.

JL/pf

cc:

