

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: 2010-26644
Issue No: 2001
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
August 18, 2010
Clare County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

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 hearing was held on August 18, 2010. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly deny Claimant's application for Adult Medical Program (AMP)?

FINDINGS OF FACT

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

- (1) On November 23, 2009, Claimant submitted an application for the Adult Medical Program (AMP).
- (2) On December 3, 2009, Claimant's application was denied because the Adult Medical Program (AMP) was closed to enrollment. Claimant was sent a Notice of Case Action (DHS-1605).
- (3) On December 8, 2009, Claimant submitted a request for hearing.

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 Program Reference Manual (PRM).

Department policy provides the following guidance for case workers. The Department's policies are available on the internet through the Department's website.

ADULT MEDICAL PROGRAM

DEPARTMENT POLICY

DETERMINE IF AN ENROLLMENT FREEZE IS IN EFFECT BEFORE CONSIDERING ELIGIBILITY FOR THIS PROGRAM.

AMP Only

The Adult Medical Program (AMP) is available to individuals who meet all the eligibility factors in this item. Certain aliens are limited to coverage of emergency services (ESO).

ENROLLMENT FREEZE INSTRUCTIONS

Specialists must send or give the client a DHS-283, Adult Medical Program Eligibility Notice to inform them of the freeze.

Applications received during the freeze on AMP enrollments must be registered and denied using "applicant did not meet other eligibility requirements" as the denial reason. (BEM 640)

In this case the denial was correct because the program was closed to new enrollments.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly denied Claimant's application for Adult Medical Program (AMP).

It is ORDERED that the actions of the Department of Human Services, in this matter, are UPHeld.

/s/

Gary F. Heisler
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: September 14, 2010

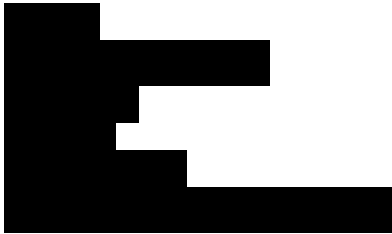
Date Mailed: September 16, 2010

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

GFH/alc

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