

STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No: 201029466  
Issue No: 2000  
Hearing Date: April 26, 2011  
Montcalm County DHS

**ADMINISTRATIVE LAW JUDGE:** Janice G. Spodarek

**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 3-way telephone conference hearing was held on April 26, 2011. Claimant did not appear. Claimant was instructed by her representative that she need not appear. [REDACTED] represented claimant, collecting on behalf of a hospital.

**ISSUE**

Did the DHS and claimant's representative come to an agreed upon settlement at the evidentiary hearing?

**CONCLUSIONS OF LAW**

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (DHS or department) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

MCL 24.278(2) allows for disposition to be made of a contested case hearing or agreed upon settlement. Claimant's authorized hearing representative and the department's representative reached an agreed upon settlement on the record at the April 26, 2011 evidentiary hearing. The terms of the settlement are as follows:

The department stipulated that claimant is eligible for MA coverage from May 1, 2008, through May 31, 2008. The department stipulated that it will ensure that claimant's coverage is on the system within 10 days of the

date of this decision and order, if not already done. The department shall notify claimant's representative in writing when it has a verification of coverage. Claimant's representative shall retain a right to a hearing for 90 days from the date of notice should the representative dispute the action(s) taken by the department.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the agreed settlement as specified herein, Orders the agency to take the actions as set forth herein.

/s/

Janice G. Spodarek  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: May 9, 2011

Date Mailed: May 9, 2011

**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.

JGS/db

cc:

