

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: 2010-33629  
Issue No: 2001  
Case No: [REDACTED]  
Load No: [REDACTED]  
Hearing Date:  
June 29, 2010  
Alpena 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 June 29, 2010. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly close Claimant's Adult Medical Program (AMP) case due to excess income?

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 recipient of Adult Medical Program (AMP) benefits.
- (2) On December 5, 2009, Claimant began receiving extended Unemployment Compensation Benefits (UCB). Claimant received \$ [REDACTED] per week in UCB.
- (3) On January 14, 2010, Claimant was sent a Notice of Case Action (DHS-1605) stating

his Adult Medical Program (AMP) would close on February 1, 2010.

(4) On February 16, 2010 Claimant submitted a request for hearing.

(5) Claimant's Adult Medical Program (AMP) monthly income limit is \$ [REDACTED]

### 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).

### **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).

**CATEGORIES** There are two categories of AMP.

- **G program (AMP-G)** - SDA cash payment recipients are eligible for AMP when they:
  - Are not eligible for MA (see “**Exceptions**” on page 1) or other Department medical programs, **and**
  - Do not have private health care coverage (see “Private Health Coverage” below), and
  - There is not an enrollment freeze in effect in the month of application.

- **H program (AMP-H)** - Clients receive medical benefits only. Clients must meet all eligibility factors in this item.

## **FINANCIAL ELIGIBILITY FACTORS**

### **AMP-H**

#### **Group**

Use AMP policy in BEM 214.

#### **Assets**

Determine countable assets based on AMP policy in BEM 400. The program group's countable assets cannot exceed the AMP asset limit in BEM 400.

#### **Income Eligibility Application**

Income eligibility exists when the program group's **net** income does not exceed the program group's AMP income limit.

#### **Income Limit.**

The AMP income limits are in RFT 236. When the client's living arrangement changes during a month, use the living arrangement with the higher income limit.

## **COUNTABLE INCOME**

### **AMP-H**

Use only countable income. Countable income is income remaining after applying AMP policy in BEM 500, 501, 502, 503, 504.

## **AVAILABLE INCOME**

### **AMP-H**

Use only available income. Available means income which is received or can reasonably be anticipated. Available income includes amounts garnished from income, joint income, and income received on behalf of a person by his representative. See BEM 500 for details. (BEM 640)

In this case Claimant's Unemployment Compensation Benefits (UCB) placed him above the monthly income limit.

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 closed Claimant's Adult Medical Program (AMP) case due to excess income.

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: July 2, 2010

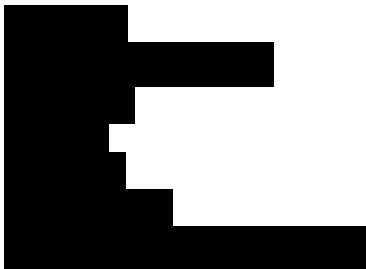
Date Mailed: July 7, 2010

**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

cc:

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