

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

**IN THE MATTER OF THE CLAIM OF:**

[REDACTED]

Reg. No.: 2010-36125  
Issue No.: 2000  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date: July 1, 2010  
Wayne County DHS (76)

**ADMINISTRATIVE LAW JUDGE:** Colleen M. Mamelka

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a hearing was held on Thursday, July 1, 2010. The Claimant did not appear however the Claimant's authorized representative, [REDACTED] of [REDACTED], [REDACTED] appeared on her behalf. [REDACTED] appeared on behalf of the Department.

**ISSUE**

Whether the Department properly denied the Claimant's Medical Assistance ("MA") application?

**FINDINGS OF FACT**

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

1. The Claimant submitted an application for public assistance seeking MA based on disability on August 24, 2009. (Exhibit 1)
2. The application was not registered and/or processed.
3. On or about December 30, 2009, the Department received the Claimant's timely written request for hearing.
4. During the hearing, the Department agreed to register and process the August 24, 2009 application.

### **CONCLUSIONS OF LAW**

The Medical Assistance ("MA") program is established by Subchapter XIX of Chapter 7 of The Public Health & Welfare Act. 42 USC 1397 and is administered by the Department of Human Services ("DHS"), formerly known as the Family Independence Agency, pursuant to MCL 400.10, *et seq* and MCL 400.105. Departmental policies are found in the Bridges Administrative Manual ("BAM"), the Bridges Eligibility Manual ("BEM"), and the Bridges Reference Manual ("BRM").

In this case, the Claimant submitted an application for MA-P benefits on August 24, 2009. The case was never registered and/or processed therefore a notice of case disposition was never sent to the Claimant/Representative. During the hearing, the Department agreed to register and process the August 2009 application in accordance with department policy. In light of the accord, there is no further issue to be addressed.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law finds the Department's failure to process is not upheld.

Accordingly, it is ORDERED:

1. The Department's failure to process is not upheld.
2. The Department shall register and process the Claimant's August 2009 MA-P application, as agreed, in accordance with department policy.
3. The Department shall notify the Claimant and Representative in writing of the determination.
4. The Department shall supplement for any lost benefits that the Claimant was entitled to receive (if any) if otherwise eligible and qualified in accordance with department policy.

*Colleen M. Mamelka*

---

**Colleen M. Mamelka**  
Administrative Law Judge  
For Ismael Ahmed, Director  
Department of Human Services

Date Signed: 07/06/2010

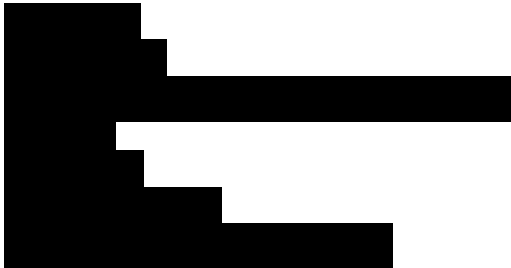
Date Mailed: 07/06/2010

**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.

CMM/jlg

cc:

A large black rectangular redaction box covers the names and email addresses of the recipients listed in the 'cc:' field.