

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: 2010-38804

Issue No: 2001

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

July 13, 2010

St Joseph 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 telephone hearing was held on July 13, 2010. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly close Claimant's Adult Medical Program (AMP) case for failure to submit required re-determination information?

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. Claimant's AMP case was due for re-determination by March 31, 2010.

(2) On February 9, 2010, Claimant was sent a Redetermination Form (DHS-1010). The form scheduled a telephone interview for March 1, 2010.

(3) On March 1, 2010, none of the required information had been received by the Department and Claimant did not participate in the telephone interview.

(4) On March 9, 2010, Claimant was sent a Notice of Missed Appointment.

(5) On March 19, 2010, Claimant was sent a Notice of Case Action (DHS-1605) which stated his Adult Medical Program (AMP) would close on April 1, 2010.

(6) On May 18, 2010, 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).

In this case Claimant does not dispute that he failed to submit required information within the required time period. Claimant testified that he was out of state helping his mother, that his son was at his Michigan address of record, and that his son did not let him know what mail was coming in. Claimant testified that if he had know what was required he would have provided it.

There is no evidence in the record which shows the Department of Human Services' action was invalid.

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 for failure to submit required re-determination information.

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 23, 2010

Date Mailed: July 26, 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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