

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: 2010-39616

Issue No: 2001

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

July 20, 2010

Ionia 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 July 20, 2010. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly close Claimant's Adult Medical Program (AMP) 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. Claimant's eligibility was due for re-determination in March 2010.
- (2) On February 26, 2010, Claimant submitted a Redetermination Form (DHS-1010)

to the Department. The form indicated that Claimant had \$ [REDACTED] biweekly income from doing child care.

(3) On March 4, 2010, an Adult Medical Program (AMP) financial eligibility budget was run including Claimant's verified income. The budget showed that Claimant was no longer eligible for Adult Medical Program (AMP) benefits due to excess income. Claimant was sent a Notice of Case Action (DHS-1605) stating her AMP benefits would end.

(4) On March 9, 2010, Claimant submitted a timely 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).

When determining eligibility for Adult Medical Program (AMP) benefits in accordance with Department policy total income must be evaluated. All earned and unearned income must be included, unless specifically excluded. Bridges Eligibility Manual, Item 500. A portion of earned income, 20%, and \$200 is disregarded to determine net earned income. The Department also subtracts child support and/or spousal support being paid. The resulting net income must be less than the specific Adult Medical Program (AMP) monthly income limit as specified in Program Reference Manual, Table 236. In this case, the Administrative Law Judge has reviewed the Adult Medical Program (AMP) budget and finds that the department properly computed the claimant's net income. Claimant has a net income of \$ [REDACTED]. The Adult Medical Program (AMP)

monthly income limit specifically applicable to Claimant is \$ [REDACTED] Claimant is not eligible for the Adult Medical Program (AMP) due to excess income.

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) 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 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

cc:

[REDACTED]