

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: 2010-47143

Issue No: 2001

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

September 16, 2010

Genesee County DHS

ADMINISTRATIVE LAW JUDGE: William A. Sundquist

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 September 16, 2010.

ISSUE

Was good cause for verification noncompliance established?

FINDINGS OF FACT

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

(1) Negative case action: AMP termination on May 25, 2010 based on issue above per PAM 105.

(2) On March 16, 2010 the determination verification form sent to claimant with a return due-date of April 30, 2010; it was not received.

(3) During the end of April, 2010 for approximately a 3 day period the claimant was not receiving mail at her home address due to construction work near her apartment and had to go to the post office to pick up her mail.

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 Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Facts above are undisputed.

Good Cause----- A circumstance which is considered a valid reason for not complying with a requirement. Glossary, Page 15.

Based on the undisputed facts above, this ALJ finds good cause for the verification noncompliance per PAM 105 and the above glossary.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that good cause was established for verification noncompliance.

Accordingly, AMP termination REVERSED, and reinstatement of case within 10 work days ORDERED.

/s/ _____
William A. Sundquist
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: September 28, 2010

Date Mailed: September 30, 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 receipt 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.

WAS/ [REDACTED]

cc: [REDACTED]