

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

IN THE MATTER OF:

[REDACTED]

[REDACTED]

ADMINISTRATIVE LAW JUDGE: [REDACTED]

**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 [REDACTED]. The claimant personally appeared and provided testimony.

**ISSUE**

Did the department properly determine claimant's disability status for Medicaid (MA) / retro MA eligibility purposes?

**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 is a [REDACTED] who filed a disability-based MA application on [REDACTED].
2. On [REDACTED], the [REDACTED] determined the claimant did not meet the disability standard as she was capable of performing other work.
3. On [REDACTED], the department received claimant's timely written hearing request disputing this denial.

4. On [REDACTED], claimant's hearing was held and the record was extended to allow her additional time to submit updated medical documents.
5. Claimant's evidence was then forwarded to the department's [REDACTED] [REDACTED] for post-hearing consideration.
6. [REDACTED] reversed its earlier denial of claimant's MA application.
7. SHRT determined the new evidence shows claimant is currently disabled and has been disabled at all times relevant to the disputed application. A [REDACTED] found a disability onset date of [REDACTED]

### **CONCLUSIONS OF LAW**

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (DHS or department) administers the MA program pursuant to MCL 400.10, et seq., and MCL 400.105. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

In the present case, the Social Security Administration's (SSA's) fully favorable decision, received while claimant's appeal was pending, currently establishes claimant is disabled and has been disabled at all times relevant to her June 7, 2010 MA/retro-MA application. As such, this Administrative Law Judge concurs with SHRT's approval.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department, through SHRT, properly determined and verified claimant's disability status.

Accordingly, the department's decision is AFFIRMED, and claimant's disputed application shall be processed with benefits awarded as long as she meets all of the other financial and non-financial requirements necessary to receive them. Additionally, per SHRT, a medical review of claimant's condition will not be necessary at review in [REDACTED] as long as claimant remains in SSA disability payment status.

So ORDERED.

\_\_\_\_\_/s/\_\_\_\_\_  
[Redacted Signature]

Date Signed:   4/12/11  

Date Mailed:   4/12/11  

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.

[Redacted]