

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARINGS SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

Reg

No: 2010-51351

Issue No: 2000

Case

No: [REDACTED]

Hearing

Date:

June

23, 2011

Wayne

County DHS-82

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

AMENDED HEARING DECISION

This matter having come before the undersigned Administrative Law Judge pursuant to MCL 400.9; MCL 400.37 and upon Claimant's Request for Hearing, a hearing having been held June 23, 2011, the Hearing Decision rendered by Administrative Law Judge Aaron McClintic dated and mailed June 29, 2011 is **AMENDED** to accurately identify the appropriate Register Number as 201114172.

All Findings of Fact, Conclusions of Law, and Decision and Order are incorporated by reference and continue.

This matter is before the undersigned Administrative Law Judge upon pursuant to MCL 400.9; MCL 400.37 upon Claimant's request for a hearing. After due notice, a telephone hearing was held on June 23, 2011. The Claimant's Authorized Representative Attorney [REDACTED] appeared for the Claimant. Ms. Tarrance appeared on behalf of the Department.

ISSUE

Was the Department correct in determining Claimant's MA eligibility?

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 applied for Medicaid on May 28, 2010.
- (2) Claimant's application was denied on July 24, 2010 due to excess assets.

- (3) Claimant requested a hearing on July 29, 2010.
- (4) A hearing was held in this matter on November 29, 2010 and a decision was issued on December 21, 2010.
- (5) Claimant sought and was granted a re-hearing on February 16, 2011.
- (6) The parties reached an agreement whereby the Department agreed to activate MA coverage effective July 5, 2011 with a patient-pay amount of \$1689.00 per month.

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 (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM). The Medical Assistance program was designed to assist needy persons with medical expenses

Under Bridges Administrative Manual Item 600, clients have the right to contest any agency decision affecting eligibility or benefit levels whenever they believe the decision is illegal. The agency provides an Administrative Hearing to review the decision and determine if it is appropriate. Agency policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and resolve the client's concerns start when the agency receives a hearing request and continues through the day of the hearing.

In the present case, the parties reached an agreement whereby the Department agreed to activate MA coverage effective July 5, 2011 with a patient-pay amount of \$1689.00 per month. Since the Claimant and the Department have come to an agreement it is unnecessary for this Administrative Law Judge to make a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Department and Claimant have come to a settlement regarding Claimant's request for a hearing. Therefore it is ORDERED that the Department activate MA coverage effective July 5, 2011 with a patient-pay amount of \$1689.00 per month, in accordance with this settlement agreement.

Aaron
Administrative
for
Department



McClintic
Law Judge
Maura Corrigan, Director
of Human Services

2010-51351/AM

Date Signed: July 8, 2011

Date Mailed: July 8, 2011

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 60 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.

AM/ctl

cc:

[REDACTED]

Wayne County DHS (82)/1843

[REDACTED]

[REDACTED]

[REDACTED]

A. McClintic

Administrative

Hearings