

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: 2010-8561
Issue No: 2018
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
June 24, 2010
Allegan County DHS

ADMINISTRATIVE LAW JUDGE: Steven M. Brown

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 conducted from Lansing, Michigan on June 24, 2010.

ISSUE

Whether the Department properly determined Claimant's Medical Assistance (MA) Eligibility?

FINDINGS OF FACT

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

1. Claimant was a MA recipient as a caretaker of a minor child.
2. Claimant was admitted for inpatient treatment. As a result, Claimant's dependent child's father was given sole temporary custody per court order until further notice. (Exhibits 16-18)

3. Claimant's application does not indicate any disability and she was not receiving SSI/RSDI. (Exhibits 2-15)

4. On October 9, 2009, the Department mailed Claimant a Notice of Case Action which informed Claimant that her MA benefits were denied effective November 1, 2009 as she did not meet program requirements. (Exhibits 19-22)

5. On October 19, 2009, the Department received Claimant's hearing request protesting the termination of her MA benefits. (Exhibit 1)

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 Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

In the instant case, based on the testimony and documentation offered at hearing, Claimant no longer met eligibility requirements of being a caretaker of a minor child. I find that the Department established that it acted in accordance policy in determining Claimant's MA eligibility.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that the Department acted in accordance with policy in determining Claimant's MA eligibility.

Accordingly, the Department's MA eligibility determination is AFFIRMED, it is SO ORDERED.

/s/ _____
Steven M. Brown
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: July 7, 2010

Date Mailed: July 8, 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 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.

SMB/tg

cc:

