

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: 2010-9145

Issue No: 2009

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

May 18, 2010

Kalamazoo County DHS

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

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 May 18, 2010. Claimant personally appeared and testified.

ISSUE

Did the Department of Human Services (the department) properly determine that claimant was no eligible for Medical Assistance (MA-P)?

FINDINGS OF FACT

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

- (1) On September 3, 2009, claimant filed an application for Food Assistance Program, Medical Assistance and State Disability Assistance.
- (2) The Food Assistance Program benefits were approved and the Adult Medical Program (AMP) was denied on September 8, 2009.

(3) The Medical Assistance and State Disability Assistance benefit application was pending, waiting for Medical Information.

(4) The department indicated that when the Medical information was received the Medical Packet would be sent to the Medical Review Team.

(5) In the interim, claimant was approved for SSI with a disability onset date going back to October 1, 2009.

(6) On the record, claimant and his representative determined that they were satisfied with the outcome because claimant was now receiving Medical Assistance benefits and his SSI from the Social Security Administration.

(7) The issue is resolved.

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 Program Reference Manual (PRM).

Because of the Social Security Administration determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability. PEM, Item, 260.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the claimant meets the definition of Medically disabled under the Medical Assistance Program and the State Disability Assistance Program as of the disability onset date which would have been at least the September 3, 2009 application date.

Accordingly, the department's is ORDERED to initiate a review of the application if it has not already done so, to determine if all other non-medical eligibility criteria are met. The department shall open an ongoing Medical Assistance case for claimant effective the month of SSI entitlement. The department shall also determine if claimant is eligible for any amounts of State Disability Assistance benefits. The department shall inform claimant of a determination in writing.

/s/

Landis Y. Lain
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: May 19, 2010

Date Mailed: May 20, 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.

LYL/alc

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