

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

IN THE MATTER OF:



Reg. No.: 20112751  
Issue No.: 2001  
Case No.: [REDACTED]  
Load No.: March 31, 2011  
Hearing Date: Wayne County DHS

**ADMINISTRATIVE LAW JUDGE:** Susan C. Burke

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a telephone hearing was held on March 31, 2011. The Claimant appeared and testified. The Department was represented by [REDACTED]

**ISSUE**

Was the Department correct in closing Claimant's Adult Medical Program (AMP) case?

**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 was an ongoing AMP recipient.
2. Claimant had earned income of \$843.00 per month at the time of semi-annual review in November, 2010.
3. Claimant paid child support of \$98.00 per month.
4. The Department closed Claimant's AMP case on November 29, 2010 due to excess income.
5. Claimant requested a hearing on December 10, 2010, protesting the closure.

**CONCLUSIONS OF LAW**

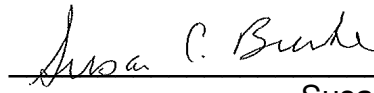
The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (formerly known as the Family Independence Agency) pursuant to MCL 400.10 *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM,) which includes the Reference Tables (RFT.)

For AMP benefits, BEM 640 dictates that income eligibility is met when the net income does not exceed the AMP income limit. To calculate net income, \$200.00 is taken from gross earnings. An additional deduction of 20% is taken from the remaining gross earnings. A deduction is also taken for child support. RFT 236 shows the AMP monthly income limit for an individual to be \$316.00.

In the present case, Claimant's earned income of \$843.00 per month at the time of review, yielded \$416.00 per month after the above-described deductions. Claimant's net income of \$416.00 exceeded the income limit of \$316.00 for an individual for the AMP program. The Department was therefore correct in its decision to close Claimant's AMP case. Claimant testified that his income since January of 2011 has been lower than his income at the time of review, so Claimant may wish to reapply for AMP when the program is open.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law finds that the Department's decision to close Claimant's AMP case was correct and it is ORDERED that the Department's decision is therefore AFFIRMED.

  
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Susan C. Burke  
Administrative Law Judge  
For Maura Corrigan, Director  
Department of Human Services

Date Signed: April 18, 2011

Date Mailed: April 18, 2011

201112751/SCB

**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.

SCB / hw

cc:

