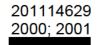
STATE OF MICHIGAN STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: Issue No.: Case No.: Load No.: Hearing Date:



March 31, 2011 Oakland County DHS

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

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 Claim ant appeared at the hearing and testified.

ISSUE

Was the Department correct in denying Claimant's AMP application?

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 AMP benefits on October 28, 2010.
- (2) On November 23, 2010, the Department denied Claimant's AMP application.
- (3) Claimant requested a hearing on Decemb er 2, 2010 contesti ng the denial of AMP benefits.
- (4) The party reached an agr eement whereby the Department agreed to activate AMP coverage back to the date of application.

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CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Se curity Act, and is administered by the Department of Human Services (DHS or depart ment) pursuant to MCL 400.10, *et seq.* Department policies are containe d in the Bridges Administrati ve Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Under Bridges Administrative Manual Item 600, c lients have the right to contest any agency decision affecting eligibility or benefit levels whenever they believe t he decision is illegal. The agency provides an Adminis trative Hearing to review the decision an d determine if it is appropriate. A gency policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and r esolve the client's concerns start when the agency receives a hearing reques t and continues through the day of the hearing.

In the present case, the parties reached an agreement whereby the Department agreed to activate AMP coverage back to the date of application. Since the Claimant and the Department have come to an agr eement it is unnecessary for this Administrative La w Judge to make a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Department and Claim ant have come to a settlement regarding Claimant's request for a hearing. Therefore it is ORDERED t hat the Departm ent activate AMP coverage back to the date of application, in accordance with this settlement agreement.

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Aaron McClintic Administrative Law Judge For Maura Corrigan, Director Department of Human Services

Date Signed: May 6, 2011

Date Mailed: May 6, 2011

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NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party wit Decision and Order. Administrative Hear reconsideration on the Department's mo tion where the final decis ion 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.

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