

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

IN THE MATTER OF:

[REDACTED]

March
Wayne

Reg
Issue
Hearing

No: 2011-16135

No: 2011

[REDACTED]

Date:

17, 2011

County DHS (31)

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA16.409 and MCL 40 0.37; MSA 16.437 and upon the Claimant's request for hearing. After due notice, a telephone hearing was conducted from [REDACTED] on March 17, 2011. The Claimant did not appear but was represented by her authorized representative, [REDACTED]. [REDACTED] appeared on behalf of the Department.

ISSUE

Whether the Department incorrectly registered the Claimant as eligible to receive AMP rather than MA-P for the period July 1, 2006 through October 1, 2006, in accordance with and as ordered by a Hearing Decision issued March 3, 2008, issued by [REDACTED]

FINDINGS OF FACT

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

1. The Claimant, through his authorized representative, filed an application for MA-P on October 2006 and a retroactive application dated July 2006. Exhibit 1
2. A March 3, 2008 Decision and Order was issued by Administrative Law [REDACTED] which found the Claimant disabled as of July 1, 2006. Exhibit 2
3. The Department never activated MA-P coverage for the Claimant as of July 1, 2006, but instead found that the Claimant was eligible for AMP from September 2005 though September 2006. Exhibit 3
4. The Department at the hearing agreed to obtain and request an override in its Bridges system of the Claimant's eligibility status for AMP through its helpdesk and to correct the coverage to show MA-P eligibility for the Claimant for the period of July 1, 2006 through October 1, 2006.
5. As a result of the Department's agreement, the Claimant's authorized representative indicated that he no longer wished to continue the administrative hearing.

CONCLUSIONS OF LAW

The Medical Assistance ("MA") program is established by Subchapter XIX of Chapter 7 of The Public Health & Welfare Act. 42 USC 1397 and is administered by the Department of Human Services ("DHS"), formerly known as the Family Independence Agency, pursuant to MCL 400.10, *et seq* and MCL 400.105. Departmental policies are found in the Bridges Administrative Manual ("BAM"), the Bridges Eligibility Manual ("BEM"), and the Bridges Reference Manual ("BRM").

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 and stipulated to a settlement, whereby, the Department agreed to obtain an override in its Bridges system of the Claimant's eligibility status for AMP through its helpdesk and to correct the coverage to show MA-P eligibility for the Claimant for the period of July 1, 2006 through October 1, 2006.


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

Based upon the above Findings of Fact and the Conclusions of Law and the stipulated settlement agreement of the parties, IT IS HEREBY ORDERED:

1. The Department shall request and obtain an override in its Bridges system of the Claimant's eligibility status for AMP through its helpdesk and to correct the coverage to show MA-P eligibility for the Claimant for the period of July 1, 2006 through October 1, 2006.

 Administrative
 For
 Department


 Lynn M. Ferris
 Law Judge
 Maura Corrigan, Director
 of Human Services

Date Signed: 03/30/11

Date Mailed: 03/30/11

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.

LMF/dj

cc:

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