

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-18694

Issue No: 2026

[REDACTED]

Gratiot County DHS

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

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 received on [REDACTED]. After due notice, a telephone hearing was held on [REDACTED]. Claimant personally appeared and provided testimony.

ISSUE

Whether the department properly determined Claimant's Medical Assistance (MA) benefits?

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 receiving MA at all times pertinent to this hearing.
2. On January 10, 2011, the department submitted a request to correct the entries in the Bridges computer program to approve Claimant's eligibility for MA for the month of June 2010. (Department Exhibit 7).
3. Claimant submitted a hearing request on February 11, 2011, protesting the lack of correction in his MA benefits. (Request for a Hearing).

CONCLUSIONS OF LAW

The regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code, MAC R 400.901-400.951. An opportunity for a hearing shall be granted to an applicant who requests a hearing because his claim for assistance is denied. MAC R 400.903(1).

Clients have the right to contest a department decision affecting eligibility or benefit levels whenever it is believed that the decision is incorrect. The department will provide an administrative hearing to review the decision and determine the appropriateness. BAM 600.

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), Reference Table Manual (RFT), and the Bridges Reference Manual (BRM).

In this case, Claimant is contesting the lack of payment of his medical expenses for dialysis from June 2010. The department explained that Claimant is eligible to receive Medicaid for June 2010, however the department is unable to approve Claimant's eligibility for MA because the Bridges computer system will not allow them. The department agreed they need to take the necessary steps to enter Claimant's eligibility into the computer system so Claimant's medical bills can be paid by the appropriate agency. The department submitted a request to resolve the problem on January 10, 2011, and to date, the computer problem has not been resolved.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department failed to properly determine Claimant's MA eligibility. Accordingly, the department's actions are REVERSED.

The department shall redetermine Claimant's eligibility for MA benefits in accordance with the applicable department policy and the department shall take the necessary steps to ensure the Bridges computer problem is resolved and Claimant's MA eligibility is corrected in the computer system and award Claimant MA benefits back to June 2010. The department shall issue supplementary payments to Claimant for MA if he is otherwise entitled to them.

It is SO ORDERED.

/s/ _____
Vicki L. Armstrong
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: 5/13/11

Date Mailed: 5/13/11

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 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.

[REDACTED]

[REDACTED]

[REDACTED]gs