

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-20740
Issue No: 2026
Case No: [REDACTED]
Hearing Date:
May 18, 2011
Wayne County DHS-18

ADMINISTRATIVE LAW JUDGE: [REDACTED]

HEARING DECISION AND ORDER

This matter is before the undersigned Administrative Law Judge upon pursuant to MCL 400. 9; MCL 400.37 upon Claimant's request for a hearing. After due notice, a telephone hearing was held on May 18, 2011. The Claimant appeared and testified. [REDACTED] appeared on behalf of the Department.

ISSUE

Was the Department correct in closing Claimant's MA case?

FINDINGS OF FACT

- (1) Claimant was Medicaid recipient with a [REDACTED] deductible.
- (2) Claimant did not meet his deductible for 3 consecutive months.
- (3) On February 1, 2011, notice of case action was sent to Claimant telling him his case was closing because he did not meet his deductible.
- (4) On March 1, 2011 Claimant's MA case closed.
- (5) Claimant requested hearing on February 4, 2011 contesting the closure of his MA benefits.
- (6) Claimant presented no proof at hearing that he incurred [REDACTED] medical expenses in any of the 3 months prior to February 2011.

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 (formerly known as the Family Independence Agency) 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).


Redetermination Redetermine eligibility for active deductible cases at least every 12 months unless the group has not met its deductible within the past three months.

If a group has not met its deductible in at least one of the three calendar months before that month **and** none of the members are QMB, SLM or ALM eligible, Bridges will automatically notify the group of closure. BEM 545

In the present case, the Department was correct in closing Claimant's case because he did not meet his deductible for 3 consecutive months. Claimant failed to present proof that he incurred medical expenses that met his deductible in any of the 3 months prior to the closure. Department policy dictates closure if the deductible has not been met for 3 consecutive months. BEM 545. Therefore the Department's closure of Claimant's MA case was proper and correct.

DECISION AND ORDER

Therefore based on the forgoing findings of facts and conclusions of law, it is ORDERED that the Department decision to close Claimant's MA case for failing to meet his deductible is AFFIRMED.


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

Date Signed: May 27, 2011

Date Mailed: May 27, 2011

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.

AM/ hw

cc:

[REDACTED]

Wayne County DHS (18)

[REDACTED]

Administrative Hearings