

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

IN THE MATTER OF:
Issue



Reg. No.: 2011-24103
No.: 2001
Case No.: [REDACTED]
Hearing Date: June 2, 2011
DHS County: Macomb (02)

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; M SA 16.437 upon the Claimant's request for a hearing. After due notice a telephone hearing was held on June 2, 2011. The Claimant personally appeared and testified.

ISSUE

Did the Department of Human Services (Department) properly deny the Claimant's Adult Medical Program (AMP)?

FINDINGS OF FACT

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

1. On October 21, 2010, the Claimant applied for AMP coverage.
2. On March 6, 2011, the Department denied the Claimant's AMP application for excess income.
3. On February 18, 2011, the Claimant filed a request for a hearing.

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 (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 Bridges Reference Manual (BRM).

The Claimant applied for AMP on May 11, 2009. The income limit for AMP at that time was \$316 for a group of one (1). At that time the Claimant's income was \$979 a month from self-employment and exceeded the income limit. (RFT 236.)

This Administrative Law Judge finds that the Department was correct in denying the Claimant's AMP coverage. The evidence shows that the Claimant's income exceeded the AMP program income limits. In addition the Claimant is not disabled nor are there minor children living with her.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, AFFIRMS the Department's decision in the instant case.



Michael J. Bennane
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: July 7, 2011

Date Mailed: July 7, 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 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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