

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

IN THE MATTER OF: Reg

No: 2011-25639

Issue No: 2026

Case No: [REDACTED]

Hearing Date:

June 15, 2011

County DHS-02

[REDACTED]
Oakland

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 claimant's request for a hearing. After due notice, an in pers on hearing was held on June 15, 2011. The Claimant appeared and testified at the hearing. [REDACTED] appeared on behalf of the Department.

ISSUE

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

FINDINGS OF FACT

- (1) Claimant was a Medicaid recipient with a \$785 deductible.
- (2) Claimant did not meet his deductible for 3 consecutive months.
- (3) On March 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 April 1, 2011 Claimant's MA case closed.
- (5) Claimant requested hearing on March 8, 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 March 2011.
- (7) Claimant conceded at hearing that he did not submit any medical bills for the 3 months prior to March 2011.

- (8) Claimant submitted medical bills from May 2011 at hearing. Claimant was advised to reapply for Medicaid and request retroactive coverage.

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 QM B, 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 foregoing 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.

Aaron Administrative for Department	 _____	McClintic Law Judge Maura Corrigan, Director of Human Services
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Date Signed: June 22, 2011

Date Mailed: June 22, 2011

2011-25639/AM

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 60 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/ctl

cc: [REDACTED]
Oakland County DHS (02)

A. [REDACTED] McClintic
Administrative Hearings