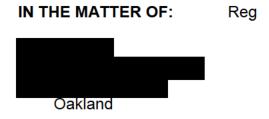
STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARINGS SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES



No: 2011-25639 Issue No: 2026 Case No: Hearing Date: June 15, 2011 County DHS-02

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.

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 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 F ederal Regulations (CFR). The Depart ment of Human Serv ices (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 Manua I (BAM), the Br idges Elig ibility Manual (BEM) and the Program Reference Manual (PRM).

Redetermination

Redetermine eligibilit y for active deducti ble 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 wa s correct in closin g Cla imant'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 m onths prior to the closure. D epartment policy dictat es 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 t he forgoing findings of facts and conclus ions of law it is ORDERED that the Department decision to close Claimant's MA case for f ailing to meet his deductible is AFFIRMED.

Am militi Aaron

Administrative for Department

McClintic Law Judge Maura Corrigan, Director of Human Services

Date Signed: June 22, 2011

Date Mailed: June 22, 2011

2011-25639/AM

NOTICE: Administrative Hearings may or der a rehearing or reconsideration on either its own motion or at the request of a party wit hin 30 days of the mailing date of this Decision and Order. Admi nistrative 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 Decisi on and Order or, if a time ly request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

AM/ctl

