

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

IN THE MATTER OF:



Reg. No.: 2011-29826
Issue No.: 2007
Case No.: [REDACTED]
Hearing Date: June 8, 2011
DHS County: Macomb (20)

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; MSA 16.437 upon the Claimant's request for a hearing. After due notice a telephone hearing was held in Detroit, Michigan on June 8, 2011. The claimant appeared and testified.

ISSUE

Did the Department of Human Services (Department) properly close the claimant's Medical Assistance (MA)?

FINDINGS OF FACT

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

1. The claimant was an ongoing MA recipient.
2. On February 14, 2011, the Department began a redetermination process and sent the redetermination packet to the claimant's Authorized Representative (AR) "Premiumassist" (Department Exhibit 1).
3. On March 19, 2011, the Department notified the claimant that her MA had been cancelled.
4. On March 30, 2011, the claimant filed a request for a hearing.

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 MC L 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

At the hearing the claimant testified that her AR had not properly responded to the Department's requests for information.

Obtaining Verification

All TOA

Tell the client what verification is required, how to obtain it, and the due date; see **Timeliness of Verifications** in this item. Use the DHS-3503, Verification Checklist (VCL), or for MA redeterminations, the DHS-1175, MA Determination Notice, to request verification.

For FAP only, if there is a system-generated due date on the verification form such as a DHS-3688, Shelter Verification, a verification checklist is not required to be sent with the verification form.

Use the DHS-3503C, Verification Checklist for Citizenship/Identity, to request documentation of citizenship or identity for FIP, SDA, MA or AMP determinations.

The client must obtain required verification, but you must assist if they need and request help. (BAM 130, p. 2-3.)

In the instant case, the claimant's AR failed to respond to the Department's request for redetermination information. This Administrative Law Judge finds that the Department was correct in closing the claimant's MA.

DECISION AND ORDER

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



Michael
Administrative
for

Department

Date Signed: August 2, 2011

Date Mailed: August 2, 2011

J. Bennane
Law Judge
Maura Corrigan, Director
of Human Services

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.

MJB/cl

cc:

