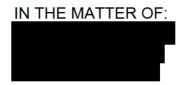
STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES



Reg. No.: 2011-29826

Issue No.: 2007

Case No.:

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; M SA 16.437 upon the Claimant's r equest for a hearing. After due notice a telephone hearing was held in Det roit, Michigan on June 8, 201 1. The claimant appeared and testified.

<u>ISSUE</u>

Did the Department of Human Services (D epartment) 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 D epartment notified the claim ant 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 estab lished by Title XIX of the Social Sec urity 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 te stified that her AR had not properly responded to the Department's requests for information.

Obtaining Verification

AII 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 DH S-3688, Shelter Verification, a verification checklist is not required to be sent wit h 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 require d verification, but you must assist if they need and request help. (BAM 130, p. 2-3.)

In the instant case, the claimant's AR fail ed to respond to the Department's request for redetermination information. This Administ rative 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

Department Date Signed: August 2, 2011

for

Date Mailed: August 2, 2011

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

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NOTICE: Administrative Hearings may or der 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 Hear ings 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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

MJB/cl

