

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-31641
Issue No.: 2001
Case No.: [REDACTED]
Hearing Date: June 16, 2011
DHS County: Macomb (50-20)

ADMINISTRATIVE LAW JUDGE: Andrea Bradley-Lipsey

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a telephone hearing was conducted from Detroit, Michigan, on Thursday, June 16, 2011. The Claimant appeared and testified. [REDACTED] appeared on behalf of the Department of Human Services ("Department").

ISSUE

Whether the Department properly denied the Claimant's Adult Medical Program ("AMP") application?

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 submitted an application for public assistance seeking Medical Assistance ("MA") benefits on March 14, 2011. (Exhibit 1)
2. At the time of her application for MA benefits, the Claimant did not indicate that she had any disabilities. (Exhibit 1)
3. At the time of her application for MA benefits, the Claimant did not indicate that she had any dependant children in the home. (Exhibit 1)
4. The Department considered the Claimant's application for MA benefits under the AMP program requirements.

2011-31641/AJB

5. At the time of the Claimants application, an enrollment freeze was in effect for the AMP program.
6. On March 16, 2011, the Department denied Claimant's AMP application based on the Claimant failing to meet the eligibility requirements because an enrollment freeze was in effect for the AMP program. (Exhibit 1)
7. On April 19, 2011, the Department received the Claimant's written request for hearing. (Exhibit 1)

CONCLUSIONS OF LAW

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 Reference Manuals ("RFT").


In this case, Claimant is not eligible for any other MA Programs because she is not disabled and does not have any dependent children in the home; therefore, the Department properly reviewed Claimant's application for MA under the AMP program eligibility requirements. At the time that Claimant applied for AMP, an enrollment freeze was (and still is) in effect. Assuming the program was open; the Claimant would be reviewed for other eligibility requirements. Under these facts, the Department acted in accordance with Department policy when it denied the Claimant's AMP application. Accordingly, the Department's actions are upheld.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds the Department established it acted in accordance with Department policy when it denied the Claimant's AMP application.

Accordingly, it is ORDERED:

The Department's denial of the AMP application is AFFIRMED



Andrea Bradley-Lipsey
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: June 28, 2011

2011-31641/AJB

Date Mailed: June 30, 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.

AJB/pf

cc:

