

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

IN THE MATTER OF:

[REDACTED]
[REDACTED]
[REDACTED]

Reg. No: 201132098
Issue No: 2005
Case No: [REDACTED]
Hearing Date:
June 29, 2011
Eaton County DHS

ADMINISTRATIVE LAW JUDGE: Kevin Scully

HEARING DECISION

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9 and MCL 400.37. Claimant's request for a hearing was received on February 19, 2011. After due notice, a telephone hearing was held on Wednesday, June 29, 2011. The Claimant did not attend the hearing, but was represented by her Authorized Hearings Representative from [REDACTED].

ISSUE

Whether the Department of Human Services (Department) properly determined the Claimant's retroactive Medical Assistance (MA) eligibility?

FINDINGS OF FACT

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

1. On August 5, 2010, the Claimant applied for retroactive Medical Assistance (MA) for June 2010, and July 2010.
2. The Claimant did not claim to be a U.S. Citizen on her application for assistance.
3. The Claimant's representative requested two extensions to submit necessary verification documents.
4. On February 3, 2010, the Department sent the Claimant a Verification Checklist with a due date of February 16, 2010. The Department requested proof of immigration/alien status.

5. On March 28, 2011, the Department denied the Claimant's application for retroactive Medical Assistance (MA).
6. The Department received the Claimant's request for a hearing on February 19, 2011, protesting the denial of retroactive Medical Assistance (MA).

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 (DHS or Department) 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), Reference Table Manual (RFT), and the Bridges Reference Manual (BRM).

Clients must cooperate with the local office in determining initial and ongoing eligibility. This includes the completion of necessary forms. BAM 105. Verification means documentation or other evidence to establish the accuracy of the client's verbal or written statements. BAM 130. Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level when it is required by policy, required as a local office option, or information regarding an eligibility factor is unclear, inconsistent, incomplete, or contradictory. BAM 130. The Department uses documents, collateral contacts, or home calls to verify information. BAM 130. A collateral contact is a direct contact with a person, organization, or agency to verify information from the client. BAM 130. When documentation is not available, or clarification is needed, collateral contact may be necessary. BAM 130.

In this case, the Claimant applied for retroactive Medical Assistance (MA) on August 5, 2010. The Claimant is not a U.S. Citizen. A copy of the front of Claimant's expired immigration card was submitted along with her application for assistance. The Claimant's representative requested two extensions to submit necessary verification documents. On February 3, 2010, the Department sent the Claimant a final Verification Checklist with a due date of February 16, 2010. The Department requested proof of the Claimant's immigration/alien status. On March 28, 2011, the Department denied the Claimant's application for retroactive Medical Assistance (MA).

Based on the evidence and testimony available during the hearing, the Department has established that the Department has established that it properly denied the Claimant's application for retroactive medical assistance for failure to provide information necessary to determine her eligibility to receive benefits.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department acted in accordance with policy in determining the Claimant's Medical Assistance (MA) eligibility.

The Department's Medical Assistance (MA) eligibility determination is AFFIRMED. It is SO ORDERED.



Kevin Scully
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: July 19, 2011

Date Mailed: July 20, 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 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.

KS/tg

cc:

