

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

IN THE MATTER OF:



Reg. No.: 201134076
Issue No.: 2001/2006
Case No.: [REDACTED]
Hearing Date: July 27, 2011
Kent County DHS

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on July 27, 2011. Claimant participated and testified. Other participants were [REDACTED]

ISSUE

Did the Department of Human Services (Department) properly deny Claimant's Adult Medical Assistance (AMP) case due to a failure to comply with the verification requirements?

FINDINGS OF FACT

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

1. Claimant applied for AMP.
2. Claimant was provided with a Verification Checklist (DHS-3503), requesting verification of the following December 22, 2010 bank checking statement identification by January 3, 2011.
3. On April 1, 2011, the Department closed Claimant's case for failure to submit verification of checking account and identification in a timely manner.
4. On March 17, 2011, the Department sent notice of the closure of Claimant's case.
5. On April 29, 2011, Claimant filed a hearing request, protesting the closure of the case.

CONCLUSIONS OF LAW

The Adult Medical Program (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 of Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies are contained in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Based on the above Findings of Fact, the Administrative Law Judge concludes that the Department improperly closed Claimant's case.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, finds that the Department did not act properly.

Accordingly, the Department's decision is REVERSED for the reasons stated on the record.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Reopen and reinstate claimant's AMP case retroactive to April 1, 2011.
2. Review verifications and determine eligibility for AMP.


Lynn M. Ferris
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: July 27, 2011

Date Mailed: July 28, 2011

NOTICE: Michigan Administrative Hearing System 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. MAHS 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.

LMF/db

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