

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

**IN THE MATTER OF:**



Reg. No.: 2011-34649  
Issue No.: 2001  
Case No.: [REDACTED]  
Hearing Date: July 6, 2011  
DHS County: Wayne (82-31)

**ADMINISTRATIVE LAW JUDGE:** Colleen M. Mamelka

**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 Wednesday, July 6, 2011. The Claimant appeared and testified. [REDACTED] appeared on behalf of the Department of Human Services ("Department").

**ISSUE**

Whether the Department properly terminated the Claimant's Adult Medical Program ("AMP") benefits?

**FINDINGS OF FACT**

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

1. The Claimant was an AMP recipient.
2. The Department improperly terminated the Claimant's AMP benefits.
3. The Department has attempted to reinstate the Claimant's benefits without success.
4. On April 20, 2011, the Department received the Claimant's timely written request for hearing.

**CONCLUSIONS OF LAW**

Medical Assistance (“MA”) is established by Subchapter XIX of Chapter 7 of The Public Health & Welfare Act, 42 USC 1397, and is administered by the Department, formerly known as the Family Independence Agency, 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”), and the Bridges Reference Manual (“RFT”). AMP is part of the MA program. BEM 640.

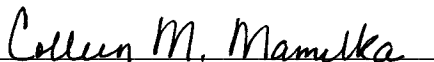
In this case, the Department agreed that the Claimant’s AMP benefits were improperly terminated. The Department has attempted to re-instate the Claimant’s benefits to no avail. Both parties agreed that benefits need to be restored. In light of the accord, there is no other issue that needs to be addressed.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds the Department’s actions are not upheld.

Accordingly, it is ORDERED:

1. The Department’s determination is not upheld.
2. The Department shall re-instate the Claimant’s AMP benefits from the date of closure in accordance with Department policy.

  
\_\_\_\_\_  
**Colleen M. Mamelka**  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: July 12, 2011

Date Mailed: July 12, 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.

2011-34649/CMM

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.

CMM/pf

cc:

