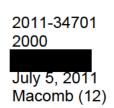
#### STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

### IN THE MATTER OF:



Reg. No. Issue No. Case No. Hearing Date:



ADMINISTRATIVE LAW JUDGE: Jan Leventer

# HEARING DECISION

This matter is before the undersigned Admi nistrative Law Judge pursuant to Michigan Compiled Laws (MCL) 400.9 and 40 0.37, and Claim ant's request for a hearing. After due notice, a telephone hear ing was held on July 5, 2011 in Detroit, Michigan. The Claimant appeared and test ified at the hearing. Family Independence Specialist, appeared and testified on behalf of the Department of Human Services (DHS).

# **ISSUE**

Whether Claimant cooperated with DHS in processing her application for Medical Assistance (MA or Medicaid)?

# FINDINGS OF FACT

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

- 1. On February 22, 2011, Claimant appl ied for MA benefits with retroactive coverage.
- 2. On March 3, 2011, DHS sent Claimant a Verification Checklist requesting financial information. DHS requested the information by March 14, 2011.
- 3. On March 16, 2011, Claimant submitted the required information to DHS.
- 4. On March 28, 2011, DHS denied Claimant's application.

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- 5. On April 4, 2011, Claimant filed a Hearing Request with DHS.
- 6. At the Administrative Hearing on July 5, 2011, DHS agr eed to reinstate and process Claimant's application.
- 7. As a result of DHS' agreement to rein state his application, Claimant for his part agreed with a settlement to that effect and testified he no longer wishe d to proceed with the Administrative Hearing.

#### CONCLUSIONS OF LAW

MA was established by Title XIX of the U.S. Social Security Act and is implemented by Title 42 of the Code of Federal Regulati ons. DHS administers MA pursuant to MCL 400.10 *et seq*. and MCL 400.105. Department po licies are found in Bridge s Administrative Manual (BAM), Bridges El igibility Manual (BEM) and the Reference Tables (RFT). These manuals are available online at <u>www.michigan.gov/dhs-manuals</u>.

Under BAM Item 600, clients have the right to contest any agency decision affecting eligibility or benefit le vels whenever they believe the decision is illegal. The a gency provides an Administ rative Hearing to review the decision and determine if it is appropriate. Agency policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and resolve the client's concerns start when the agency receives a hearing request and continue through the day of the hearing.

On the day of the hearing the parties agr eed to resolve their differences with the solution that DHS will reinst ate and process Claimant's MA application. As the parties agree to resolve their differences, it is not necessary for the Adm inistrative Law Judge to issue a decision in this case.

In conclusion, based on the findings of fact, the conclusions of law, and the stipulated agreement of the parties to this case, I determine and conclude that DHS shall reinstate and reprocess Claimant's MA application in accordance with all DHS polic ies and procedures.

### DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact, the conclusions of law and the stipulated agreement of the parties, states IT IS HEREBY ORDERED that

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DHS shall reinstate and reprocess Claimant's MA application. DHS shall conduct these actions in accordance with DHS policies and procedures.

IT IS SO ORDERED.

love. Jan

Jan Leventer Administrative Law Judge For Maura Corrigan, Director Department of Human Services

Date Signed: July 7, 2011

Date Mailed: July 7, 2011

**NOTICE**: Administrative Hearings may or der a rehearing or reconsideration on either its own motion or at t he request of a party wit hin 30 days of the ma iling date of this Decision and Order. Administrative Hear ings will not orde r a rehearing or reconsideration on the Department's mo tion where the final decis ion 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.

JL/cl

