

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

**IN THE MATTER OF:**



Reg. No.: 2011-35814  
Issue No.: 2001  
Case No.: [REDACTED]  
Hearing Date: July 27, 2011  
Washtenaw (20) County DHS

**ADMINISTRATIVE LAW JUDGE: Susan C. Burke**

**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  close Claimant's Adult Medical Assistance (AMP)  application  case due to excess income?

**FINDINGS OF FACT**

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

1. Claimant  applied for  was a recipient of AMP benefits.
2. Claimant  was  was not living with a spouse during the time period in question.
3. The total countable income of Claimant's household was \$572 at all times relevant to this matter.
4. The Department  denied  closed Claimant's  application  case due to excess income.
5. On January 7, 2011, the Department sent notice of the  denial  closure to Claimant.

6. On March 2, 2011, Claimant filed a hearing request, protesting the  denial  closure of the  application  case.

### **CONCLUSIONS OF LAW**

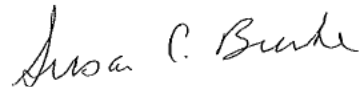
The Adult Medical Program (AMP) is established by Title XIX of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

Based on the above Findings of Fact, and for reasons stated on the record, the Administrative Law Judge concludes that the Department  properly  improperly  denied  closed Claimant's  AMP  application  case.

### **DECISION AND ORDER**

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

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



Susan C. Burke  
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 (MAHS) 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.

SCB/cl

cc:

