

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

IN THE MATTER OF:



Reg. No: 201136422
Issue No: 2006
Case No: [REDACTED]
Hearing Date: February 7, 2012
SSPC-MA SPEC PROCESS

ADMINISTRATIVE LAW JUDGE: William A. Sundquist

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 3 way telephone hearing was held on Tuesday, February 7, 2012. Claimant personally appeared and testified on his behalf.

ISSUE

Was good cause established for non-compliance with timely verification requirements?

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 February 17, 2011, the Department of Human Services opened the claimant's interim MA-P case.
2. On March 16, 2011, the Department of Human Services (Special Processing Unit in Grand Rapids) sent the claimant verification medical forms with a returned due-date of March 28, 2011; but verification was not received in Grand Rapids.
3. The mother of the claimant testified that she filled out the forms in questions and mailed them either to Lansing or Grand Rapids office timely in March of 2011.

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

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the Program Administrative Manual (BAM), the Program Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Facts above are undisputed.

Good Cause-----a circumstance which is considered a valid reason for not complying with a requirement. ...PRG Glossary, Page 15.

The claimant mailed the verifications forms to the Department of Human Services timely in March. If they went to the Lansing office, instead of the Grand Rapids office, it would still be timely. The policy of the Department of Human Services is to redeliver incoming mail to the appropriate Department of Human Services Office.

On the other hand, the United Postal Authority might have misplaced, misdelivered or lost mailing in question.

Therefore, this Administrative Law Judge finds that it was beyond the claimant's control to have timely submitted the requested verifications.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that good cause was established for noncompliance with timely verification requirements.

Accordingly, proposed Medicaid termination is **REVERSED**, and reinstatement of benefits and reprocessing of the ongoing eligibility determination is ORDERED.

/s/

William A. Sundquist
Administrative Law Judge
For Maura D. Corrigan, Director
Department of Human Services

Date Signed: March 5, 2012

Date Mailed: March 6, 2012

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.

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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.

WAS/tb

cc:

