

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

IN THE MATTER OF:



Reg. No: 201136425
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 noncompliance with timely verification requirements established?

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 April 26, 2011, the Department of Human Services proposed termination of MA-P based on noncompliance with timely verification requirements per BAM 105, 115, and 130 with hearing request on May 2, 2011.
2. On April 8, 2011, the Department of Human Services (Grand Rapids Special Unit) sent claimant an interim MA-P application for return by April 18, 2011 to his old address of record.
3. Department of Human Services documentation record dated May 5, 2011, states that the claimant submitted his requested verification to his local office (Macomb County) on April 18, 2011 (DHS Exhibit 4).

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

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pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Program Administrative Manual (BAM), the Program Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Facts above are undisputed.

Based on the undisputed facts above and BAM 105, 115, and 130, the claimant complied with timely verification requirements.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that noncompliance with timely verification requirements was not established.

Accordingly, proposed Medicaid termination is **REVERSED**.

/s/

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

Date Signed: March 6, 2012

Date Mailed: March 7, 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.

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

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