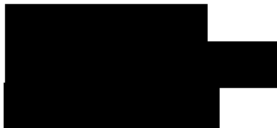


STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No: 2011-38115  
Issue No: 2009  
Case No: [REDACTED]  
Hearing Date:  
September 29, 2011  
Genesee County DHS (5)

**ADMINISTRATIVE LAW JUDGE:** Suzanne L. Morris

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon claimant's request for a hearing. After due notice, an in-person hearing was held on September 29, 2011. Claimant was represented by [REDACTED]. The claimant personally appeared and provided testimony.

**ISSUE**

Did the department properly determine claimant's disability status for Medicaid (MA) eligibility?

**FINDINGS OF FACT**

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

1. Claimant is a 47-year-old male who filed a disability-based MA and retro MA application on December 8, 2010.
2. On March 1, 2011, the Medical Review Team determined the claimant was not disabled, indicating that claimant was capable of performing other work.
3. On June 7, 2011, the department received claimant's timely written hearing request disputing this denial.
4. On September 29, 2011, claimant's in-person hearing was held.

5. At this hearing, the claimant provided a copy of a fully favorable Social Security Administration (SSA) decision, approving him RSDI benefits with an onset date of May 2, 2010.

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

In Michigan, the SSA's determination of disability onset is binding for MA eligibility purposes. In the present case, evidence of the favorable SSA decision conclusively establishes claimant meets the federal disability standard necessary to qualify for MA/retro MA pursuant to BEM 150, 260.

The SSA found a disability onset date of May 2, 2010. This includes the application time period requested (including the retro MA time period). Consequently, the department must reverse its erroneous denial and process claimant's disputed application in accordance with department policy.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department erred in determining claimant is not disabled.

Accordingly, the department's decision is REVERSED, and it is Ordered that:

1. The department shall approve MA/retro MA benefits for claimant under his December 8, 2010 application, as long as claimant is otherwise eligible to receive them.

2. Departmental review of claimant 's medical condition is not necessary as long as his SSA disability status continues.

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/s/  
Suzanne L. Morris  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: October 4, 2011

Date Mailed: October 4, 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.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt 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.

SLM/ac

cc:

