

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-38961
Issue No: 2018

[REDACTED]

Washtenaw County DHS

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

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 on June 1, 2011. After due notice, a telephone hearing was held on August 11, 2011. Claimant personally appeared and provided testimony.

ISSUE

Did the department properly determine Claimant's Medical Assistance (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 applied for MA benefits on March 25, 2011. (Hearing Summary).
2. Claimant is over 21 years of age; she does not have any minor children residing in her household and she was not disabled during the time period relevant to this matter. (Hearing Summary).
3. On May 17, 2011, the department mailed Claimant a Notice of Case Action informing her that she had been denied Medicaid because she was not aged, disabled or pregnant. (Department Exhibits 1-2).
4. Claimant submitted a hearing request, protesting the denial of Medical Assistance (MA) benefits on June 1, 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 the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

DEPARTMENTAL POLICY

MA Only

The goal of the Medicaid program is to ensure that essential health care services are made available to those who otherwise could not afford them. Medicaid is also known as Medical Assistance (MA).

SSI-RELATED AND FIP-RELATED

The Medicaid program is comprised of several sub-programs or categories. One category is FIP recipients. Another category is SSI recipients. There are several other categories for persons not receiving FIP or SSI. However, the eligibility factors for these categories are based on (related to) the eligibility factors in either the FIP or SSI program. Therefore, these categories are referred to as either FIP-related or SSI-related.

To receive MA under an SSI-related category, the person must be aged (65 or older), blind, disabled, entitled to Medicare or formerly blind or disabled.

Families with dependent children, caretaker relatives of dependent children, persons under age 21 and pregnant, or recently pregnant, women receive MA under FIP-related categories.

As indicated above, there are two types of Medical Assistance, (MA), SSI-Related and FIP-Related. In order to qualify for SSI-Related MA, Claimant must be 65 or older, blind or disabled. In this case, Claimant is not 65 or older, blind or disabled. Claimant testified that she cared for her disabled 21-year-old son and because of his disabilities, she could no longer work and was forced to stay home and care for him. However, caring for an adult disabled family member is not an exception under the Medicaid eligibility policy. Therefore, because Claimant herself is not aged, blind or disabled, Claimant is not eligible for SSI-Related MA.

In order to qualify for FIP-Related MA, the household must contain minor children. Claimant did not have any minor children residing in her household at any time relevant to this matter. Because Claimant does not have minor children residing in her household, Claimant does not qualify for FIP-Related MA.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department properly denied Claimant's MA case because Claimant does not meet the eligibility criteria for FIP-Related MA or SSI-Related MA.

Accordingly, the department's determination is UPHELD.

It is SO ORDERED.

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

Date Signed: 8/17/11

Date Mailed: 8/17/11

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.

VLA/ds

