

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

IN THE MATTER OF:



Reg. No: 201139576
Issue No: 2009/4031
Case No: [REDACTED]
Hearing Date:
October 11, 2011
Oakland County DHS (District #2)

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, a telephone hearing was held on October 11, 2011. The claimant personally appeared and provided testimony.

ISSUE

Did the department properly determine claimant's disability status for Medicaid (MA) and State Disability Assistance (SDA) eligibility purposes?

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 55-year-old female who filed a disability-based MA and SDA application on March 29, 2011.
2. On May 24, 2011, the department sent claimant a denial notice.
3. On June 20, 2011, the department received claimant's timely written hearing request disputing this denial.
4. On October 11, 2011, claimant's hearing was held. The claimant submitted additional medical information.
5. Claimant's evidence was then forwarded to the department's State Hearing Review Team (SHRT) for post-hearing consideration.
6. On December 2, 2011, SHRT reversed its earlier denial of claimant's MA and SDA application.

7. SHRT made this determination based on a disability allowance granted by the Social Security Administration (SSA). The claimant was issued a fully favorable SSA decision on November 10, 2011 with an onset date of April 4, 2009.

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 (RFT).

In the present case, the Social Security Administration's (SSA's) disability allowance, received while claimant's appeal was pending, currently establishes claimant is disabled and has been disabled at all times relevant to her March 29, 2011 MA/retro MA and SDA application. As such, this Administrative Law Judge concurs with SHRT's approval.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department, through SHRT, properly determined and verified claimant's disability status.

Accordingly, the department's decision is AFFIRMED, and claimant's disputed application shall be processed with benefits awarded as long as she meets all of the other financial and non-financial requirements necessary to receive them. Additionally, per SHRT, a medical review of this determination is not necessary as long as claimant continues to receive the SSA allowance, but a review of the case shall occur on December, 2012.

SO ORDERED.

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

Date Signed: December 7, 2011

Date Mailed: December 7, 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/db

cc:

