

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

**IN THE MATTER OF:**



Reg. No.: 2011-40939  
Issue No.: 2006  
Case No.: [REDACTED]  
Hearing Date: August 10, 2011  
DHS County: Wayne (31)

**ADMINISTRATIVE LAW JUDGE:** Michael J. Bennane

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437, upon the claimant's request for a hearing. After due notice a telephone hearing was held in Detroit, Michigan on August 10, 2011. The claimant personally appeared and testified.

**ISSUE**

Did the Department of Human Services (Department) properly close the claimant's Medical Assistance (MA)?

**FINDINGS OF FACT**

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

1. The claimant was an ongoing MA recipient.
2. The Department began a redetermination of the claimant's MA.
3. The claimant failed to return the redetermination forms.
4. On April 18, 2011, the Department closed the claimant's MA.
5. On June 3, 2011, the claimant filed a request for a hearing.

**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 (formerly known as the Family Independence Agency ) administers the MA program pursuant to MCL 400.10, *et seq.*, and MC L 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

The client must obtain required verification, but you must assist if they need and request help.


If neither the client nor you can obtain verification despite a reasonable effort, use the best available information. If no evidence is available, use your best judgment. (BAM 130, p. 3.)

Here, the claimant moved “around the beginning of the year” and failed to notify the Department.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law, AFFIRMS the Department’s actions in the instant case.

Michael  
Administrative  
for  
Department

  
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J. Bennane  
Law Judge  
Maura Corrigan, Director  
of Human Services

Date Signed: August 17, 2011  
Date Mailed: August 17, 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 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.

MJB/cl

cc:

