

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARINGS SYSTEM

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]
[REDACTED]
[REDACTED]

Reg. No: 2011-41683

Issue No: 2009

Case No: [REDACTED]

Hearing Date:

October 20, 2011

Alger County DHS

ADMINISTRATIVE LAW JUDGE: William A. Sundquist

RECONSIDERATION 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 claimant's request for a hearing to protest Medicaid denial. After due notice, a telephone hearing was held October 20, 2011

ISSUE

Whether claimant meets the disability criteria for Medicaid?

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 February 22, 2011, claimant applied for Medicaid (and January retro), was denied on March 24, 2011 and requested a hearing on June 22, 2011.
- (2) SHRT on December 16, 2011 approved claimant's application (and retro January) effective January 2011 based on SSI approval effective January 2011.

CONCLUSIONS OF LAW

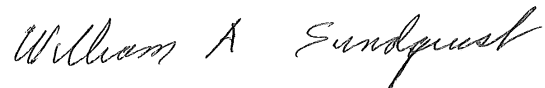
The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (DHS or department) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

Because of the SHRT and SSA determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability. BAM Item 260.

The department is required to initiate a determination of claimant's financial eligibility for the requested benefits if not previously done.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the claimant meets the definition of medically disabled under the Medicaid program as of January 2011, and it is so ORDERED.



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

Date Signed: December 28, 2011

Date Mailed: January 3, 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 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.

2011-41683/WAS

WAS/tg

cc:

