

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

IN THE MATTER OF:



Genesee County DHS-05

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 the Claimant's request for a hearing received on July 12, 2011. After due notice, a telephone hearing was held on September 15, 2011. Claimant's authorized representative personally appeared and testified.

**ISSUE**

Whether the department properly refused to process Claimant's Medicaid (MA) bills of December 2009 while he was eligible under the MA-deductible program?

**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 was receiving Medical Assistance (MA) under the MA-deductible program in December 2009. (Hearing Summary).
2. [REDACTED] representative testified that she prepared a cover sheet and attached Claimant's December 2009 medical bills to it and mailed it to the Department's MARA worker on January 20, 2010.
3. The Department's MARA worker stated in an affidavit that she processed the medical bills received from [REDACTED] and forwarded them to the Claimant's case worker. (Claimant's Exhibit 11).
4. Claimant submitted a hearing request on July 8, 2011, protesting the department's refusal to process medical bills when he was on a MA-deductible. (Request for a Hearing).

**CONCLUSIONS OF LAW**

The regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code, MAC R 400.901-400.951. Clients have the right to contest a department decision affecting eligibility or benefit levels whenever it is believed that the decision is incorrect. The department will provide an administrative hearing to review the decision and determine the appropriateness. BAM 600.

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 Reference Tables Manual (RFT).

In this case, Claimant was under the MA-deductible program in December 2009. Claimant's witness testified and a prior employee of the Department submitted an affidavit, that [REDACTED] submitted Claimant's medical bills from December 2009 to the department on January 20, 2010 and the department failed to process them. However, the department had no record of receiving the medical bills.

This Administrative Law Judge finds, based on the uncontroverted testimony and evidence submitted during the hearing, that the department failed to process Claimant's December 2009 bills.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department failed to process Claimant's December 2009 bills under his Medicaid-deductible program.

Accordingly, the department's actions are REVERSED. The department shall process Claimant's December 2009 bills in accord with the policy in effect in December 2009 in regards to the MA-deductible program.

It is SO ORDERED.

/s/

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

Date Signed: 9/19/11

Date Mailed: 9/19/11

**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

■ [REDACTED]