

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg No. 2011-49467  
Issue No. 2009  
Case No. [REDACTED]  
Hearing Date: November 17, 2011  
Ingham 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. After due notice, a telephone hearing was held on November 17, 2011. Claimant personally appeared and provided testimony.

**ISSUE**

Did the department properly determine Claimant's disability status for Medicaid (MA)/retro-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. On June 16 2011, Claimant applied for MA/retro-MA and SDA.
2. On August 8, 2011, the department's State Hearing Review Team (SHRT) issued a prehearing denial of Claimant's application stating the claimant retained the capacity to perform other work.
3. On August 19, 2011, Claimant submitted a hearing request protesting the department's denial of his MA/retro-MA/SDA application.
4. Claimant's medical file was then submitted to SHRT for review.
5. On August 19, 2011, SHRT reversed its earlier denial of Claimant's disputed MA/retro-MA/SDA application based on Vocational Rule

202.06 with coverage retroactively determined, starting March 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 Reference Tables Manual (RFT).

In the present case, SHRT reversed its earlier finding of lack of disability based on Claimant's vocational profile, advanced age, 12<sup>th</sup> grade education and a semi-skilled work history. This vocational profile establishes Claimant is currently disabled, and has been disabled at all times relevant to his June 16, 2011 MA/retro-MA/SDA application.

**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 Claimant's disability status upon consideration of his vocational profile.

Accordingly, SHRT's decision is AFFIRMED and Claimant's disputed MA/retro-MA/SDA application shall be processed with benefits awarded retroactive to March 1, 2011, as long as Claimant meets all of the other financial and non-financial requirements necessary to receive them.

It is SO ORDERED.

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

Date Signed:   11/28/11  

Date Mailed:   11/28/11

**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]