

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-51624
Case No: [REDACTED]
Issue: 2009
Hearing Date
January 18, 2012
Ottawa 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 January 18, 2012. Claimant personally appeared and testified.

ISSUE

Did the department properly deny Claimant's Medicaid (MA) and Retro-MA application based on a finding he lacks a legally disabling condition?

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 March 8, 2011, claimant applied for MA and Retro-MA.
2. When the department denied that application Claimant requested a hearing by written notice dated August 15, 2011.
3. Claimant's hearing was held by telephone conference on January 18, 2012.
4. While his appeal was pending, Claimant's representative provided proof Claimant was determined disabled by the Social Security Administration (SSA), with onset established as of February 25, 2011, by submitting a copy of Claimant's Fully Favorable Social Security Administration Decision.

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 Michigan, the SSA's determination of disability onset is binding for MA eligibility purposes. In the present case, evidence of the favorable SSA decision conclusively establishes Claimant meets the federal standard necessary to qualify for MA/SDA pursuant to BEM Items 150 and 260.

The updated evidence submitted while Claimant's MA hearing was pending shows Claimant was determined disabled as of February 25, 2011. Consequently, the department must reverse its erroneous denial and process Claimant's disputed application in accordance with departmental policy.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department erred in determining Claimant is not disabled.

Accordingly, the department's decision is REVERSED, and it is Ordered that the department shall approve MA benefits for Claimant effective February 2011.

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

Date Signed: 2/2/12

Date Mailed: 2/2/12

VLA/ds

