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

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	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2011-54139 2003 November 21, 2011				
ADMINISTRATIVE LAW JUDGE: Susan C. E	Burke					
HEARING DE	ECISION					
This matter is before the undersigned Adminis and MCL 400.37 following Claim ant's reque telephone hearing was held on November Participants on behalf of Claimant inclu dec Department of Human Servic es (Depar tm Payments Supervisor.	st for a hearing. Afte 21, 2011, from D d Claim ant. Pa <u>rticip</u>	er due notice, a etroit, Michigan.				
ISSUI	Ē					
Did the Departm ent properly deny Claimar for:	n t's application 🛚 cl	ose Claimant's case				
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☑ Medical Assistance (MA)?		sistance (AMP)? assistance (SDA)? ent and Care (CDC)?				
FINDINGS OF FACT						
The Administrative Law Judge, based on t evidence on the whole record, finds as material	he competent, materi al fact:	al, and substantial				
1. Cla imant ☐ applied for benefits ☒ receive	d benefits for:					
☐ Family Independence Program (FIP).☐ Food Assistance Program (FAP).☐ Medical Assistance (MA).	State Disability	ssistance (AMP). Assistance (SDA). ent and Care (CDC).				

 On September 1, 2011, the Department
 Claimant filed a hearing request, protesting the ☐ denial of the application. ☐ closure of the case.
CONCLUSIONS OF LAW
Department policies are contained in the Br idges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).
The Medic al Assistance (MA) program is est ablished by the Title XIX of the Socia 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 Independ ence Agency) administers the MA program pursuant to MCL 400.10, et seq., and MC I 400.105.
There are MA categories for clients who are: •• Age 65 or older, blind, or disabled. •• Pregnant or recently pregnant. •• Caretaker relatives of dependent children. •• Under age 21. •• Refugees. BEM 640, p.1
In the present case, Claimant admits to being of age and he does not claim to meet any of the other qualifications for MA listed in the preceding paragraph.
Based upon the abov e Findings of Fact and Co nclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that the Department
☐ properly denied Claimant's application ☐ improperly denied Claimant's application ☐ improperly closed Claimant's case ☐ improperly closed Claimant's case
for:
DECISION AND ORDER
The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department did act properly. did not act properly.

Accordingly, the Department's 🗌 AMP 🔲 FIP 🔲 FAP 🔯 MA 🔲 SDA 🗌	CDC decision
is 🛮 AFFIRMED 🗌 REVERSED for the reasons stated on the record.	

Susan C. Burke
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 11/29/11

Date Mailed: 11/29/11

NOTICE: Michigan Administrative Hearing Syst em (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order. MAHS will not or der a rehearing or reconsideration on the Department's mo tion where the final decis ion cannot be implemented within 90 days of the filing of the original request. (60 days for FAP cases)

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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing <u>MAY</u> be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at Michigan Administrative Hearings

Re consideration/Rehearing Request P. O. Box 30639
Lansing, Michigan 48909-07322

SCB/sm

cc: