

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

IN THE MATTER OF THE CLAIM OF:

[REDACTED]

Reg. No.: 20118564
Issue No.: 2027
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: January 13, 2011
Oakland County DHS

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

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. After due notice, a telephone hearing was held on January 13, 2011. The Claimant appeared and testified.

[REDACTED], ES appeared on behalf of the Department.

ISSUE

Was the Department correct in closing Claimant's MA benefit because her SSI case closed?

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 an ongoing recipient of Medicaid benefits based on her receipt of SSI benefits.

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- (2) Claimant's MA benefits closed on December 1, 2010 because Claimant stopped receiving SSI benefits in 2009.
- (3) Claimant requested a hearing on November 12, 2010 contesting the closure of her Medicaid benefits.
- (4) Claimant applied and was approved for Ad-Care Medicaid with coverage back to December 1, 2010.
- (5) Claimant applied for QMB and was approved effective February 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 (formerly known as the Family Independence Agency) 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 Program Reference Manual (PRM). The Medical Assistance program was designed to assist needy persons with medical expenses


SSI TERMINATIONS When SSI benefits stop, central office evaluates the reason based on SSA's negative action code, then does one of the following: • **SSI Closure.** MA-SSI is closed in Bridges **if** SSI stopped for a reason that prevents continued MA eligibility (e.g., death, moved out of state). Bridges sends the recipient an DHS-1605. BEM 150.

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In the present case, Claimant stopped receiving SSI and began receiving SSD benefits in November 2009. Claimant receives \$751 per month. Claimant's SSI benefit closed in November 2009. Claimant's receipt of Medicaid was based on her receipt of SSI benefits. Department policy dictates that MA closes when SSI benefits terminate. BEM 150. Therefore the Department's closure of MA benefits was proper and correct. Claimant applied and was approved for Ad-Care MA with coverage effective December 1, 2010. Claimant applied for, and was approved for QMB effective February 1, 2011. Issues were raised at hearing regarding whether QMB coverage back to December 1, 2010 should have been awarded to the Claimant. Claimant did not apply for QMB in time to be eligible back to December 1, 2010.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law decides that it was proper and correct for the Department to close Claimant's Medicaid case following the closure of her SSI case. Therefore it is ORDERED that the Department decision to close Claimant's MA case is AFFIRMED.



Aaron McClintic
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: February 9, 2011

Date Mailed: February 9, 2011

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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 mailing 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.

AM/hw

cc:

