

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:



Reg. No.: 2011-9075
Issue No.: 2026
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: February 10, 2011
Wayne County DHS (35)

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

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 February 10, 2011. The claimant appeared and testified.

ISSUE

Did the Department properly process the claimant's Medical Assistance (MA) charges?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds a material fact:

1. The claimant is an ongoing MA recipient.
2. On September 1, 2010, the claimant filed a request for a hearing.

CONCLUSIONS OF LAW

The Medical Assistance (MA) program is established by the 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).

In the instant case, the department appeared at the hearing but did not have the claimant's file.

The claimant testified that he has submitted several medical bills that remain outstanding.

Meeting a Deductible

Meeting a deductible means reporting and verifying allowable medical expenses (defined in "XHIBIT I) that equal or exceed the deductible amount for the calendar month tested.

The group must report expenses by the last day of the third month following the month in which the group wants MA coverage. BAM 130 explains verification and timeliness standards. (BEM 545, p.9)

In the instant case, the claimant did provide the department with documentation of having numerous medical bills.

This ALJ finds that the department has not properly processed the claimant's medical bills.

DECISION AND ORDER

The Administrative Law Judge based on the above findings of fact and conclusions of law, REVERSES AND ORDERS the department to process the claimant's outstanding medical bills and recalculate his deductible.



Michael J. Bennane
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: 3/3/2011

Date Mailed: 3/3/2011


20119075/MJB

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.

MJB/jlg

cc:

A large black rectangular redaction box covering several lines of text in the distribution list.