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.:20119166Issue No.:2006Case No.:Issue No.:Load No.:Issue No.:Hearing Date:March 17, 2011Macomb County DHS

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

HEARING DECISION AND ORDER

This matter is before the undersigned Admi nistrative Law Judge upon pursuant to MCL 400. 9; MCL 400.37 upon Claimant's request for a hea ring. After due notice, a telephone hearing was held on March 17, 2011. The Claim ant appeared along with his wife and both testified. Assistance Payments Worker, appeared on behalf of the Department.

ISSUE

Was the Department correct in closing Claimant's MA case?

FINDINGS OF FACT

- (1) Claimant was Medicaid recipient with a deductible.
- (2) Pursuant to a scheduled rev iew, a verification checklist was sent to Claimant on October 29, 2010 with a November 8, 2010 due date.
- (3) Claimant failed to pr ovide the requested v erifications and did not request an extension.
- (4) On October 29, 2010, the case was put into negative action.
- (5) On December 1, 2010, Claimant's MA case closed.
- (6) Claimant requested hearing on November 23, 2010 contesting the closure of his MA benefits.

CONCLUSIONS OF LAW

The Medical Assistance (MA) program is estab lished by Title XIX of the Social Sec urity Act and is implemented by T itle 42 of the C ode 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 MC L 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Clients must cooperate with the local office in determining initial a nd ongoing eligibility to provide verification. BAM 130, p. 1. The questionable information might be from the client or a third party. Id. The Department can use docum ents, collateral contacts or home calls to verify information. Id. The client should be allowed 10 calendar days to provide the verification. If the client cannot provide the verification despite a reasonable effort, the time limit to provide should be extended at least once. BAM 130, p.4; BEM 702. If the client refuses to provide the in formation or has not made a reasonable effort within the specified time per iod, then polic y directs that a negative action be issued. BAM 130, p. 4.

In the present case, the Department was correct in closing Cla imant's case after verifications were not received. Claimant failed to cooperate with Department policy and procedures and did not have good cause for failing to do so.

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DECISION AND ORDER

Therefore it is ORDERED that the Department decision to close Claimant's MA case for failing to return verifications is AFFIRMED.

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

Date Signed: May 6, 2011

Date Mailed: May 6, 2011

NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party wit hin 30 days of the ma iling date of this Decision and Order. Administrative Hear ings will not orde r 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.

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

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