

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

IN THE MATTER OF:

[REDACTED]

Reg. No:

[REDACTED]

Case No:

[REDACTED]

ADMINISTRATIVE LAW JUDGE: [REDACTED]

**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 [REDACTED]. The claimant personally appeared and provided testimony.

**ISSUE**

Did the department properly deny the claimant's Adult Medical Program (AMP) application for excess income?

**FINDINGS OF FACT**

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

1. The claimant applied for enrollment in the Adult Medical Program (AMP).
2. The department mailed the claimant an Eligibility Notice (DHS-1605) on [REDACTED], informing the claimant her application for AMP was denied due to excess income. (Department Exhibit 1 - 4)
3. The claimant submitted a hearing request on [REDACTED].

## **CONCLUSIONS OF LAW**

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Department policy states:

### **Income Eligibility**

#### **Application**

Income eligibility exists when the program group's **net** income does not exceed the program group's AMP income limit.

**Income Limit.** The AMP income limits are in RFT 236. When the client's living arrangement changes during a month, use the living arrangement with the higher income limit.

Department policy requires the department to count the gross amount of earned income in determining eligibility for AMP. BEM 500. The income limits for the AMP program are found in RFT 236. The income limit for an individual in independent living is [REDACTED]

The claimant admits that while her income fluctuates as a substitute teacher, her income did average more than [REDACTED] at the time of the application. Thus, the claimant was excess income for the AMP benefits.

## **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department properly found the claimant had excess income for AMP coverage.

Accordingly, the department's determination is UPHELD. SO ORDERED.

/s/ \_\_\_\_\_  
[Redacted Signature]

Date Signed: [Redacted]

Date Mailed: [Redacted]

**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.

[Redacted]